

HABC 2024 PUBLIC HOUSING ADMISSIONS & CONTINUED OCCUPANCY POLICIES

SUMMARY OF PROPOSED CHANGES

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
1.5	HOUSING OPPORTUNITIES THROUGH MODERNIZATION ACT (HOTMA) OF 2016	<p>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, 103 and 104 of the HOTMA Act of 2016.</p> <ul style="list-style-type: none"> • Section 102: Income & Reexaminations • Section 103: Over-Income • Section 104: Maximum Asset Limits & Asset Exceptions <p>Many of the provisions of HOTMA are intended to streamline administrative processes and reduce burdens on PHAs, thereby also reducing burdens on assisted residents. This ACOP 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.</p> <p>As of the date of the Public Notice for review of this ACOP, HUD has not yet published specific implementation Notices on HOTMA Sections 102 and 104. Accordingly, HABC's effective date for the HOTMA policies has yet to be determined; however, implementation is required no later than January 1, 2025. The new MTW policies include the language "upon HUD approval".</p>	HOTMA/streamline administrative processes

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		HABC submits its annual MTW Plan for 2024 in October 2023 and generally does not receive HUD feedback/approval until at least late December 2023 and sometimes as late as the first quarter of 2024. Once HUD issues implementation guidance for the HOTMA provisions and HABC receives HUD approval of its MTW 2024 Annual Plan, the ACOP will be updated to reflect the final approved changes. Over-income policies were effective June 2023	
1.7	PRIVACY RIGHTS & AUTHORIZATION FOR RELEASE OF INFORMATION	<p>This document authorizes HABC to request income information from the State wage information collection agency, income information, wages, income, 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 Release 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.</p> <p>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:</p>	Streamline administrative processes

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		<ul style="list-style-type: none"> When any person 18 years or older becomes a member of the family, that family member must sign and submit a consent form; When a member of the family turns 18 years of age, that family member must sign and submit a consent form; <p>The Release Form is signed once by all adults age 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:</p> <p>The rendering of a final adverse decision for an assistance applicant; The cessation of a participant's eligibility for assistance from HUD or HABC; or</p> <p>The express revocation by the assistance applicant or recipient (or applicable family member) of the authorization in a written notification to HUD.</p>	
1.11	ADJUSTMENTS FOR INFLATION	HUD may adjust deductions for inflation to ensure that deductions do not lose value over time. Using its MTW flexibility HABC and the privately owned/managed site may develop and implement its own inflation adjustments via an approved MTW Plan.	HOTMA
1.12	1.1 RESOURCES	Insertion of table that includes links to helpful resources to assist staff in applying policies and understanding resources	HOTMA

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2.1	OVERVIEW	<p>HABC must comply with all federal, state, and local nondiscrimination laws, rules and regulations, including, but not limited to:</p> <ul style="list-style-type: none"> • Section 504 of the Rehabilitation Act of 1973 as amended (and corresponding federal regulations 24 CFR 8), prohibits discrimination based on disability in any program or activity receiving federal financial assistance. • The Age Discrimination Act of 1975, prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance. • Title II of the Americans with Disabilities Act (to the extent that it applies and corresponding federal regulations at 24 CFR 35, otherwise Section 504 and the Fair Housing Amendments govern), prohibits discrimination based on disability in programs and activities provided or made available by public entities, including public housing and federally funded housing assistance. • Architectural Barriers Act of 1968, requires that buildings and facilities designed, constructed, altered, or leased with federal funds after September 1969 must be accessible to and useable by persons with disabilities. • The Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Final Rule, published in the <i>Federal Register</i> February 3, 2012, and further clarified in Notice PIH 2014-20 	24 CFR 960.509 HOTMA

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<ul style="list-style-type: none"> Executive Orders 	
2.2	FAIR HOUSING POLICY	<p>It is the policy of HABC to comply fully with all Federal, State, and local nondiscrimination laws and with the rules and regulations governing fair housing and equal opportunity in housing. HABC shall not on the basis of race, color, sex, religion, national origin, ancestry, age, familial status, marital status, disability, sexual orientation or gender identity:</p> <ul style="list-style-type: none"> Deny any family or individual the equal opportunity to apply for or receive assistance under the Public Housing Program. Deny to any family the opportunity to apply for housing or deny to any qualified applicant the opportunity to lease housing suitable to its needs. Subject a person to illegal segregation or disparate treatment. Restrict a person's access to any benefit enjoyed by others in connection with the housing program. Treat a person differently in determining eligibility or other requirements for admission; or Deny a person access to the same level of services. 	Language added
2.3	DISCRIMINATION COMPLAINTS	<p>Applicants or tenant families who wish to file a discrimination complaint against HABC may notify HABC's either orally or in writing.</p> <p>HABC will retain a record of all complaints, investigations, notices, and corrective actions.</p>	24 CFR 960.507 HOTMA

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2.3.1	GENERAL HOUSING DISCRIMINATION COMPLAINTS	<p>If an applicant or tenant family believes that any family member has been discriminated against by HABC or the privately managed/owned site, the family should advise HABC.</p> <p>Applicants or tenant families who believe that they have been subject to unlawful discrimination may notify HABC's either orally or in writing.</p> <p>HABC will investigate and attempt to remedy applicant, resident and/or participant discrimination complaints made against HABC. HABC will also advise the family of their right to file a fair housing complaint with HUD's Office of Fair Housing and Equal Opportunity (FHEO). HABC will advise the family that they may file a fair housing complaint if the family feels they have been discriminated against under the Fair Housing Act.</p>	24 CFR 960.507 HOTMA
2.3.2	COMPLAINTS UNDER THE EQUAL ACCESS RULE	<p>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.</p> <p>HABC will provide a written notice to those alleged to have violated the rule. HABC will also notify the complainant informing them that notice was sent to those alleged to have violated the rule, as well as information on how to complete and submit a housing discrimination complaint form to HUD's Office of Fair Housing and Equal Opportunity (FHEO).</p>	24 CFR 960.507 HOTMA

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		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	
2.3.3	VAWA COMPLAINT PROCESSING	<p>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 tenants 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.</p> <p>HABC will attempt to remedy complaints made against HABC and will conduct an investigation into all allegations of discrimination.</p>	24 CFR 960.507 HOTMA
2.5	REASONABLE ACCOMMODATIONS AND REASONABLE MODIFICATIONS	<p>A “reasonable accommodation” is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces.</p> <p>Written information regarding HABC’s Reasonable Accommodation Policy and Procedure, including information regarding how to make a request for a reasonable accommodation/modification is available at HABC’s Admissions</p>	24 CFR 960.507 HOTMA

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		<p>Office, Public Housing Site Management Offices, HABC's Central Office, HABC's Office of Fair Housing, HABC's Housing Choice Voucher Program Office, and on HABC's website.</p> <p>Some examples of previously requested reasonable accommodations/modifications include (but are not limited to):</p> <ul style="list-style-type: none"> • Add a disabled immediate family member to the household • Additional bedroom • Provide assistance with notices • Provide documents in large print • Live-in aide • Service animals • Transfer to non-UFAS unit on one level • Transfer to a UFAS unit • Increase utility allowance • Bench for tub/shower • Document/Information in an accessible format • Doorbell, Auditory Amplified • Emergency call switches • Emergency strobe system • A designee to receive and/or provide information on behalf of the person with the disability • Grab bars for bathtub • Grab bars for toilet • Hand rail in common areas • Hand-held shower 	

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		<ul style="list-style-type: none"> • Lawncare • Lever handle on entrance door • Raised toilet seat • Ramp access to a dwelling unit 	
2.5.1	REEXAMINATION BY MAIL	<p>As a reasonable accommodation, HABC will permit families with a disabled head of household (or spouse) to submit reexamination forms through the mail. The mail-in packet will include notice to the family of HABC's deadline for returning the completed forms to HABC.</p> <p>The family may also choose to have the HABC conduct the re-certification by a home visit or to have the non-disabled adult family members come in for the appointment and then take the necessary forms home to the member with a disability for completion and signature.</p>	Language added
2.5.2	HOME VISIT	<p>When requested and where the need for reasonable accommodation has been established, HABC will conduct home visits to residents to conduct re-certifications.</p> <p>Requests for home visit re-certifications must be received by HABC at least five working days before the scheduled appointment date in order for the request to be considered.</p>	Language added

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2.6	APPROVAL/DENIAL OF A REQUESTED ACCOMMODATION	<p>HABC and the privately owned/managed sites will respond, in writing, to all reasonable accommodation requests.</p> <p>If an individual with a disability requires an accommodation or unit/structural modification, such as an accessible feature or change to HABC policies, HABC will provide such accommodation and/or modification, unless doing so would result in an undue financial and administrative burden to HABC or it would fundamentally alter the nature of HABC's programs. In such cases, HABC will offer to discuss whether there are alternatives to the requested accommodation/modification.</p> <p>Any denial of a reasonable accommodation or recommendation for an alternative accommodation must be issued by HABC's Senior Vice President of the Office of Fair Housing or the Executive Director.¹</p>	Language added
2.9	VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING AND/OR HUMAN TRAFFICKING	<p>The Violence against Women Act (VAWA) provides special protections for victims of domestic violence, dating violence, sexual assault, stalking and human trafficking who are applying for or receiving assistance under the public housing program.</p> <p>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</p>	Language added

¹ See Supplemental Consent Decree entered in the case of Rickey D. Bailey, et al vs HABC, JFM-02-CV-225, JFM-04-CV-03107

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		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.	
2.9.1	DEFINITIONS AS USED IN THE VIOLENCE AGAINST WOMEN ACT	<p>Domestic Violence: includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding, and in the case of victim services, includes the user or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who is:</p> <p>Human Trafficking: The Trafficking Victims Protection Act of 2000 and its subsequent reauthorizations recognize and define two primary forms of human trafficking:</p> <ul style="list-style-type: none"> Sex trafficking is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to 	Language added

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		<p>perform such act has not attained 18 years of age. (22 U.S.C. § 7102(11)(A)).</p> <ul style="list-style-type: none"> Forced labor is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. (22 U.S.C. § 7102(11)(B)). <p>Economic Abuse: The term economic abuse means behavior that is coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled, including using coercion, fraud, and manipulation to:</p> <ul style="list-style-type: none"> Restrict a person's access to money, assets, credit, or financial information Unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage Exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or to whom one has a fiduciary duty 	

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		<p>Technological Abuse:: means an act or pattern of behavior that occurs withing domestic violence, dating violence, sexual assault, or stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor another person, except as otherwise permitted by law, that occurs using any form of technology, including but not limited to:</p> <ul style="list-style-type: none"> • Internet enabled devices • Online spaces and platforms • Computers • Mobile devices • Cameras and imaging programs • Apps • Location tracking devices • Communication technologies • Any other emergency technologies 	
2.9.2	CONFIDENTIALITY REQUIREMENTS - VAWA	HABC and the privately owned/managed sites will keep confidential any information that the resident submits in connection with VAWA protections, including keeping confidential the location of a new dwelling unit, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, stalking or human trafficking against the resident. HABC and the privately owned/managed sites will not	Added “human trafficking”

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		disclose or release or enter into any shared database any personally identifying information or individual information collected in connection with VAWA protections requested or denied except to the extent that the disclosure is:	
2.9.4	Prohibition Against Denial of Assistance to Victims of Domestic Violence, Dating Violence, Sexual Assault, Stalking & Human Trafficking	<p>Applicants who otherwise qualify for assistance or admission will not be denied admission on the basis that the applicant is or has been a victim of domestic violence, dating violence, sexual assault, stalking or human trafficking. VAWA does not limit HABC's authority to deny assistance to an individual or family that is not otherwise qualified or eligible for assistance.</p> <p>Applicants who otherwise qualify for assistance or admission will not be denied admission on the basis that the applicant is or has been a victim of domestic violence, dating violence, sexual assault, stalking or human trafficking.</p> <p>Criminal activity directly relating to domestic violence, dating violence, sexual assault, stalking or human trafficking, engaged in by a member of a resident's family or any guest or other person under the resident's control will not be the basis for termination of assistance, tenancy, or occupancy rights if the resident or an immediate member of the resident's household is the victim or threatened victim of such domestic violence, dating violence, sexual assault, stalking or human trafficking.</p> <ul style="list-style-type: none"> Comply with court orders that address the rights of access to or control of property, including civil protection orders issued 	Added "human trafficking"

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		to protect victims of domestic violence, dating violence, sexual assault, stalking and human trafficking; and	
2.10	DEFINITION OF A PERSON WITH A DISABILITY	<p>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</p> <p><u>Definition of a Person with a Disability Under Federal Civil Rights Laws</u></p> <p>A person with a disability, as defined under federal civil rights laws, is any person who:</p> <ul style="list-style-type: none"> • 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 <p>The phrase “physical or mental impairment” includes:</p> <ul style="list-style-type: none"> • 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 	HOTMA

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		<ul style="list-style-type: none"> 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. <p>“Major life activities” includes, but is not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, breathing, learning, and/or working.</p> <p>“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.</p> <p>“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.</p> <p>The definition of a person with disabilities does not include:</p>	

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		<ul style="list-style-type: none"> • 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 <p>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.</p> <p><u>HUD Definition Of A Person With A Disability</u></p> <p>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.</p> <p>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.</p>	

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3.3	APPLYING FOR HOUSING ASSISTANCE	Appendix D contains a listing of properties and the applicable waiting lists which are used to fill vacant units.	Added language
4.2.1	FAMILY	<p>To be eligible for admission, an applicant must qualify as a family. The definition of family is made regardless of actual or perceived sexual orientation, gender identity, or marital status, <i>Family</i> as defined by HUD, includes but is not limited to the following regardless of actual or perceived sexual orientation, gender identity, or marital status:</p> <p>A single person, who may be:</p> <ul style="list-style-type: none"> • An elderly person, displaced person, disabled person, near-elderly person, or any other single person; • An otherwise eligible youth who has attained at least 18 years of age and not more than 24 years of age and who has left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act (42 U.S.C. 675(5)(H)), and is homeless or is at risk of becoming homeless at age 16 or older; or 	HOTMA

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		<p>A group of persons residing together, and such group includes, but is not limited to:</p> <ul style="list-style-type: none"> • A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family); • An elderly family; • A near-elderly family; • A disabled family; • A displaced family; and • The remaining member of a tenant family. 	
4.3	FOSTER CHILDREN AND FOSTER ADULTS	<p>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.</p> <p>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.</p>	HOTMA

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4.4	LIVE IN AIDE	<p>Additionally, HABC will re-verify the need for the live-in aide at each regular recertification.</p> <p>If HABC does <u>not</u> approve the addition of a live-in aide, HABC will notify the family, in writing, and provide the family with an opportunity to request a grievance hearing. If an existing live-in aide is no longer for occupancy in the assisted unit, the live-in aide must vacate the unit within thirty days of the disapproval notice from HABC.</p> <p>Any person proposed as a live-in aide, including relatives, must pass HABC's screening eligibility criteria, including EIV prior debt and adverse termination screening</p>	
4.9	VERIFYING FACTORS FOR ELIGIBILITY	<p>Upon completion of the application interview, the following items will be verified to determine eligibility for admission to HABC's housing:</p> <ul style="list-style-type: none"> • Local preference • Legal identity • Family composition and type (elderly/nonelderly person with a disability/family) <ul style="list-style-type: none"> ○ See Error! Reference source not found. in the chapter on Verification. • Annual income (including assets and asset income) • Deductions from annual income • Social Security numbers for all family members • Information used in applicant screening 	Added language

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		<ul style="list-style-type: none"> • Citizenship or eligible immigration status • Criminal history report • Credit history • Prior debt to a federally and/or state assisted housing program • Prior tenancy in federally assisted housing • Landlord references • Ownership interest in real property <p>The household is not eligible for a unit offer until a final eligibility determination has been made and an appropriate vacant unit is available.</p>	
4.10	QUALIFICATION FOR ADMISSION	<p>An applicant is qualified if he or she meets the following criteria:</p> <ul style="list-style-type: none"> • Is a family as defined in this Chapter; • Heads a household where at least one member of the household is either a citizen or eligible non-citizen. • Has an annual income at the time of admission at or below defined income limits? • Provides a Social Security number for all family members as required. • Must meet the property ownership restriction requirements • Consents to HABC's collection and use of family information as provided for in HABC consent forms. • Meets the resident Selection and Suitability Criteria as set forth in this policy including the criminal background screening, debt screening, suitability screening and the 	HOTMA

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		attendance and successful completion of the HABC's pre-occupancy class.	
4.12.1	Legal Identity – Photo ID	<p>To ensure HABC has the ability to identify all persons 18 years of age or older (not just the head of household), all adult household members will be required to provide a current, government issued identification at admission, upon addition to the household or upon turning 18. For example, if a household member turns 18 between regular recertifications, he or she must provide a government issued photo identification at the household's next regular recertification.</p> <p>HABC reserves the right to request an updated photo ID after admission to the program to confirm legal identity.</p> <p>As an accommodation for individuals with disabilities and elderly individuals, as well as for individuals with religious considerations, with prior HABC approval, HABC may accept other forms of identification to establish identity.</p>	Added language
4.12.2	VERIFICATION OF AGE	To ensure that HABC can verify the age of all household members, HABC will required documentation to verify the age of each household member. See Error! Reference source not found. in the chapter on Verification.	Added language

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4.16	ENTERPRISE INCOME VERIFICATION (EIV) SCREENING	<p>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.</p> <p>HABC will determine if the information warrants a denial in accordance with the policies in this ACOP.</p>	Added language
4.18	ASSET LIMITATION SCREENING	<p>MTW Policy</p> <p>Upon HUD approval, HABC and the privately owned/managed sites will NOT deny eligibility or terminate a family if the family has assets whose face value exceeds \$100,000. See verification policies on ASSETS AND INCOME FROM ASSETS.</p>	HOTMA
4.19	REAL PROPERTY SCREENING	<p>HABC and the privately managed/owned sites will conduct screening to determine if any family at admission or reexamination has:</p> <ul style="list-style-type: none"> • 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 • Real property that is suitable for occupancy by the family as a residence, except this real property restriction does not apply to: 	HOTMA

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		<ul style="list-style-type: none"> Any property for which the family is receiving assistance under 24 CFR 982.620; or under the Homeownership Option in 24 CFR part 982; 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; Any person who is a victim of domestic violence, dating violence, sexual assault, or stalking; or Any family that is offering such property for sale. <p>If the family owns such property they will be denied eligibility or assistance will be terminated. See exceptions and restrictions below.</p>	
4.19.1	REAL PROPERTY RESTRICTIONS	<p>The real property restriction does not apply to:</p> <ul style="list-style-type: none"> Any property for which the family is receiving assistance under 24 CFR 982.620; or under the Homeownership Option in 24 CFR part 982; 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; Any person who is a victim of domestic violence, dating violence, sexual assault, or stalking 	HOTMA

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<ul style="list-style-type: none"> ○ 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, HABC and the privately owned/managed sites will comply with the regulatory confidentiality requirements. HABC and the privately owned/managed sites will accept a self-certification from the family member, and the restrictions on requesting documentation under § 5.2007 apply ● Any family that is offering such property for sale. 	
4.19.2	SUITABLE FOR OCCUPANCY	<p>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:</p> <ul style="list-style-type: none"> ● 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.); ● Is not sufficient for the size of the family; ● 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 and the privately owned/managed sites); ● 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; 	HOTMA

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		<ul style="list-style-type: none"> 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 Is not a property that a family may reside in under the State or local laws of the jurisdiction where the property is located. 	
4.19.3	ACCEPTABLE DOCUMENTATION OF REAL PROPERTY	HABC and the privately owned/managed sites will accept a certification from the family that such family does not have any present ownership interest in any real property at the time of the income determination or review.	HOTMA
4.19.4	ENFORCEMENT & EXCEPTIONS TO THE REAL PROPERTY LIMITATION POLICY	<p>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:</p> <ul style="list-style-type: none"> Elderly families Families that includes a person or persons with a disability 	HOTMA
4.19.5	DELAY OF EVICTION OR TERMINATION OF ASSISTANCE	HABC and the privately owned/managed sites 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.	HOTMA
4.19.26	NOTICE OF ELIGIBILITY OR DENIAL	HABC will notify an applicant family of its final determination of eligibility in accordance with the screening policies in this ACOP.	HOTMA

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		If HABC uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of a denial, a copy of the record will precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the information before the HABC moves to deny the application. In addition, a copy of the record will be provided to the subject of the record	
4.30	OWNER SELECTION OF TENANTS	These policies apply to the privately owned/managed sites and the RAD properties	Added language
5.3	LOCAL PREFERENCES	Scattered Site Incentive Transfer Preference: Scattered site units will be solely offered to existing HABC Public Housing families who request the transfer and who meet the Scattered Site Incentive transfer eligibility criteria which can be found in the Transfer chapter under Error! Reference source not found.	Scattered site transfer preference for existing HABC households. Also added “Scattered Site Incentive” to Section 5.5 “Order of Selection”
5.8.6	UNIT OFFERS FOR SCATTERED SITE UNITS	Scattered site units are offered solely to families eligible for the Scattered Site Incentive transfer preference who are on the Scattered Site Incentive Transfer waiting list according to the date and time of application and applicability of the size of the unit. See Error! Reference source not found. in the Transfer chapter for further policy information on Scattered Site Incentive transfer	Language added pursuant to Scattered Site Incentive transfer preference.

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5.1.9	LEASING INCENTIVE	MTW Policy: HABC will offer a \$500 rent credit to applicants who agree to lease a hard to lease unit. A unit will be considered “hard to lease” when the unit has been vacant for 30 days after being placed in a “ready to lease” status and there have been at least two prior unit refusals for the current vacancy. Applicants who accept “hard to lease” units and who receive the leasing incentive will be required to remain in the unit for at least one year, with exceptions being granted for reasonable accommodations, unit conditions and/or personal safety.	Added pursuant to MTW Plan Leasing Incentive activity
6.3	PARAMETERS FOR DETERMINATION OF UNIT SIZE AT ADMISSION	The Head of Household will not be required to share a bedroom with anyone other than the co-head of household, spouse or partner. Live-in aides will be provided a separate bedroom. See the policy on live-in aides for information on family members of live-in aides. 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.	Language added
6.5	PROCESSING OF EXCEPTIONS	All requests for exceptions to the occupancy guidelines must be submitted in writing. In the case of a request for exception, as a reasonable accommodation, HABC will ask the tenant to make the request in writing using a reasonable accommodation request form. However, HABC will consider the exception request any time the	Language added

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		<p>tenant indicates that an accommodation is needed whether or not a formal written request is submitted.</p> <p>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.</p> <p>HABC will promptly notify the family, in writing, of its decision.</p>	
7.3	VERIFICATION HIERARCHY	<p>MTW Policy: Upon HUD approval, HABC and the privately owned/managed sites will use the most reliable form of verification that is available. In order of priority, the forms of verification that HABC and the privately owned/managed sites will use are:</p> <ol style="list-style-type: none"> 1. Up-front Income Verification using HUD's Enterprise Income Verification system and the Income Validation Tool (IVT) 2. Up-front Income Verification using a non-HUD system 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 4. Self-certification 	Language added pursuant to MTW Plan provision
7.5	AGE OF DOCUMENTS	<p>MTW Policy: Any documents submitted for verification must be the original (not photocopies) and generally must be dated within 120 calendar days of the date they are provided to HABC.</p>	Language added pursuant to MTW Plan provision

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7.6	UP-FRONT INCOME VERIFICATION (UIV)	UIV will be used to the extent that these systems are available and cost effective to HABC and the privately owned/managed sites.	Added “cost effective”
7.8	THIRD-PARTY VERIFICATION	<p>MTW Policy Upon HUD approval, HABC will use the following to verify program information. Third party verification includes the following in no specific order:</p> <ul style="list-style-type: none"> • Third party written verification; • Third party written verification form; and • Oral verification. <p>HABC may accept any of the third-party methods above to verify income, expense and family information before moving to a lower form of verification. In cases where there is specific policy requirement for verification of program information, HABC will follow the item specific policy guidance. For example, oral verification of a Social Security Number is prohibited.</p>	Language added pursuant to MTW Plan provision
7.12	SUBSTANTIAL DIFFERENCE	<p>MTW Policy: Upon HUD approval, HABC will use \$5,000 as the threshold for substantial difference between verification sources and for use in reconciling EIV/IVT discrepancies.</p>	Language added pursuant to MTW Plan provision
7.17	PARENT-CHILD RELATIONSHIP, LEGAL CUSTODY/GUARDIANSHIP	<p>HABC or the privately owned/managed site may require the family to provide documentation of parent child relationship and/or legal custody/guardianship. Verification includes the following:</p> <p><u>Parent-Child Relationship</u></p>	Language added

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<ul style="list-style-type: none"> • Birth certificate listing the parent's name(s) • Adoption paperwork • Sworn affidavit by a relative or other persons with personal knowledge of the facts of the child's birth, such as a baptism issued by a church. <p><u>Legal Guardianship</u></p> <ul style="list-style-type: none"> • Order or letter of guardianship signed by a judge • A will appointing the guardian. A will does not provide guardianship, but it is proof of the decedent's wishes. This should only be used during the while waiting for an actual order appointing you as guardian • Affidavit of Guardianship 	
7.25	ASSETS AND INCOME FROM ASSETS	When the market/face value of assets is over \$50,000, HABC will apply MTW verification requirements in priority order	Language added pursuant to MTW Plan provisions
8.3	ANNUAL INCOME	<p>Annual income includes, with respect to the family:</p> <ul style="list-style-type: none"> • All amounts, not specifically excluded in the section of the ACOP on Income Exclusions, received from all sources by each member of the family who is 18 years of age or older or 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 	HOTMA

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
8.4	ANNUAL INCOME EXCLUSIONS	<p>Annual income does not include the following:</p> <ul style="list-style-type: none"> Any imputed return on an asset when net family assets total \$50,000 or less (which <p>Annual income does not include the following:</p> <ul style="list-style-type: none"> Any imputed return on an asset when net family assets total \$50,000 or less (which amount HUD will adjust annually in accordance with the Consumer Price Index for Urban Wage Earners and Clerical Workers) and no actual income from the net family assets can be determined. See MTW policy on asset income The following types of trust distributions <ul style="list-style-type: none"> 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 § 5.603(b): <ul style="list-style-type: none"> 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. 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. Earned income of children under 18 years of age. Payments received for the care of foster children or foster 	HOTMA

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<p>adults, or State or Tribal kinship or guardianship care payments.</p> <ul style="list-style-type: none"> • Insurance payments and settlements for personal or property losses, including but not limited to payments through health insurance, motor vehicle insurance, and workers' compensation. • Amounts received by the family that are specifically for, or in reimbursement of, the cost of health and medical care expenses for any family member. • 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. • Income of a live-in aide, foster child, or foster adult as defined in §§ 5.403 and 5.603, respectively. • 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. • The special pay to a family member serving in the Armed Forces who is exposed to hostile fire. • Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental 	

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<p>Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);</p> <ul style="list-style-type: none"> • Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (e.g., special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program; • 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. • Incremental earnings and benefits resulting to any family member from participation in training programs funded by HUD or in qualifying Federal, State, Tribal, or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. <ul style="list-style-type: none"> ○ Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program. • Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era. 	

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<ul style="list-style-type: none"> • Earned income of dependent full-time students in excess of the amount of the deduction for a dependent in § 5.611. • Adoption assistance payments See MTW policy on ADOPTION ASSISTANCE PAYMENTS • Deferred periodic amounts from Supplemental Security Income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts, or any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in prospective monthly amounts • 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. • Payments made by 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 • Loan proceeds (the net amount disbursed by a lender to or on behalf of a borrower, under the terms of a loan 	

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<p>agreement) received by the family or a third party (<i>e.g.</i>, proceeds received by the family from a private loan to enable attendance at an educational institution or to finance the purchase of a car)</p> <ul style="list-style-type: none"> • 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 that HUD is required by Federal statute to exclude from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in paragraph (b) of this section apply. HUD will publish a notice in the Federal Register to identify the benefits that qualify for this exclusion. Updates will be published when necessary. • 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. <ul style="list-style-type: none"> ○ 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 	

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<p>continues to receive the replacement housing “gap” payments.</p> <ul style="list-style-type: none"> • 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. • 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. • 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. • Income earned on amounts placed in a family’s Family Self Sufficiency Account. • 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: <ul style="list-style-type: none"> ○ Net income from the operation of a business or profession. 	

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<ul style="list-style-type: none"> ○ 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 ○ 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"> a. 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 b. 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 	

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		costs of housing while attending the institution of higher education and not residing in an assisted unit.	
8.5	CALCULATING ANNUAL INCOME	<p>MTW Policy:</p> <p>Upon HUD approval, HABC and the privately owned/managed sites 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.</p> <p>This method of income calculation will be used for new admissions, regular and interim reexamination. Exceptions to this policy are noted in the specific section covered for the income source.</p> <p>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.</p> <p>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. The method used depends on the regularity, source and type of income.</p>	HOTMA

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		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.	
8.8	STUDENT FINANCIAL ASSISTANCE	Student financial assistance as described below must be: <ul style="list-style-type: none"> • Expressly for tuition, books, room and board, or other fees required and charged to a student by the education institution; • Expressly to assist a student with the costs of higher education; or • 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. 	
8.9	EARNED INCOME	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	HOTMA
8.12	NON-RECURRING INCOME	Non-recurring income is excluded from annual income. Examples of non-recurring income include: <ul style="list-style-type: none"> • Payments from the U.S. Census Bureau for employment (relating to decennial census or the American Community Survey) lasting no longer than 180 days and not culminating in permanent employment. 	HOTMA

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		<ul style="list-style-type: none"> • Direct Federal or State payments intended for economic stimulus or recovery. • Amounts directly received by the family as a result of State refundable tax credits or State tax refunds at the time they are received. • Amounts directly received by the family as a result of Federal refundable tax credits and Federal tax refunds at the time they are received. • Gifts for holidays, birthdays, or other significant life events or milestones (e.g., wedding gifts, baby showers, anniversaries). • Non-monetary, in-kind donation such as food, clothing, or toiletries, received from a food bank or similar organization. • Lump-sum additions to net family assets, including but not limited to lottery or other contest winnings. 	
8.14	ADOPTON ASSISTANCE PAYMENTS EXCLUSION	MTW Policy: HABC will exclude 100% of adoption assistance payments	Language added pursuant to MTW provisions
8.19	INCOME OF FOSTER CHILDREN AND FOSTER ADULTS	Annual income does NOT include any income from foster children or foster adults	HOTMA
8.26	RETIREMENT FUNDS	HABC will exclude 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.	HOTMA

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		Any distribution of periodic payments from such accounts shall be income at the time they are received by the family.	
8.33	EARNED INCOME DISREGARD (EID)	<p>For any family that is receiving the EID on December 31, 2023 or any family that is eligible to receive the Jobs Plus program rent incentive pursuant to the Jobs Plus 2023 NOFO or earlier appropriations and distributed through prior Jobs Plus NOFOs, the EID will lapse on January 1, 2030. This change is made via the Housing Opportunity through Modernization Act of 2016 and the Federal Register Final Rule (FR-6507-F-03) dated February 1, 2023.</p> <p>For any family not receiving the EID on December 31, 2023 or included in the universe above, the availability of the EID will lapse on December 31, 2023.</p>	HOTMA
8.33.1	EID for Existing Participants with an EID	The EID has effectively lapsed with the HOTMA final rule; however, for the participants above, who are receiving the EID on December, 31, 2023, the policies below apply	
8.34	TREATMENT OF OVERPAYMENT DEDUCTIONS FROM SS BENEFITS	This policy applies only to SSA overpayments and not to overpayments made and recouped from other providers.	
8.36.1	NET CASH VALUE FAMILY ASSETS	The net cash value of all assets owned by the family is the amount, after deducting reasonable cost that would be incurred	HOTMA

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		<p>in disposing real property, savings, stocks, bonds and other forms of capital investment.</p> <p>In determining net family assets, include the value of any business or family assets disposed of by an applicant or tenant 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.</p> <p>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 tenant receives consideration not measurable in dollar terms.</p> <p>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.</p> <p>MTW Policy: HABC uses, market (face) value of assets to determine asset value and income on assets.</p>	
8.36.2	ASSET INCOME EXCLUSIONS	<p>The following are excluded from the calculation of family assets:</p> <ul style="list-style-type: none"> • The value of necessary items of personal property; • 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); 	HOTMA

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<ul style="list-style-type: none"> • 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; • 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; • 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; • 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. • Interests in Indian trust land; • Equity in a manufactured home where the family receives assistance under 24 CFR part 982; • Equity in property under the Homeownership Option for which a family receives assistance under 24 CFR part 982; • Family Self-Sufficiency Accounts; and • Federal tax refunds or refundable tax credits for a period of 12 months after receipt by the family. 	

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		<ul style="list-style-type: none"> 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. 	
8.37	ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE	<ul style="list-style-type: none"> In determining the value of a checking account, HABC or the privately owned/managed site will use the average monthly balance for the last six months; however, where a six month average is not available, HABC will calculate the average balance using less than six months. 	Language added
8.43	DEDUCTIONS	<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 18 or who is 18 or older and is a person with disabilities or a full-time student. This amount may be adjusted annually by HUD in accord with the 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. "Elderly" allowance: \$525 per household for families whose head or spouse is 62 or over or are persons with disabilities. A single deduction of \$525 is taken for the family. This amount may be adjusted annually by HUD in accordance with the 	HOTMA

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		<p>Consumer Price Index for urban wage earners and clerical workers and rounded to the next lowest multiple of \$25.</p> <ul style="list-style-type: none"> • Allowable unreimbursed health and medical expenses for all family members are deducted for elderly families and families whose head, spouse or co-head is a person with a disability. Medical deductions will only be allowed to the extent that the sum exceeds three percent (MTW policy) of the annual income. • Childcare expenses for children under 13 are deducted when childcare is necessary to allow an adult family member to work or further his or her education. (including vocational training). 	
8.44	HEALTH & MEDICAL EXPENSE DEDUCTION	<p>Health and medical care 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.</p> <p>MTW Policy: Upon HUD approval, 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.</p>	HOTMA

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<p>MTW Policy: Upon HUD approval, 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.</p>	
8.45	DISABILITY ASSISTANCE EXPENSE DEDUCTION	<p>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:</p> <ul style="list-style-type: none"> • Are necessary to enable a family member, including the member with the disability, who is 18 years old or old 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. <p>MTW Policy: Upon HUD approval, Disability Assistance Expenses may be deducted according the parameters above and if, in combination with any medical expenses, they exceed three percent of gross annual income.</p>	HOTMA

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8.46	CHILD CARE EXPENSE DEDUCTION	When the person who is enabled to work is a person who receives the earned income disallowance (EID) or a full-time student whose earned income is fully excluded	HOTMA
9.7.1	DETERMINATION OF MINIMUM RENT HARDSHIP EXEMPTION	Where an approved hardship exists, HABC will notify the family, in writing, of the change in determining income and rent resulting from the hardship. Such notice will include the adjusted income, family rent, hardship start date and hardship expiration date (where applicable).	Language added
9.7.3	TEMPORARY HARDSHIP	At the end of the 90-day suspension period, the family must resume payment of the minimum rent and must repay HABC the amounts suspended. HABC may offer a reasonable repayment agreement, on terms and conditions established by HABC. HABC may also determine that circumstances have changed and the hardship is now a long-term.	HUD Requirement
10.3	ELIGIBILITY FOR TRANSFER	<p>A resident is in good standing when:</p> <ul style="list-style-type: none"> • A resident is current with rent; • There are no Notice(s) of Lease Termination or the outcome of any Notice of Lease Termination is pending; • The resident's household is NOT the subject of a pending lease enforcement investigation; • A resident is current on their recertification; • The resident has a good rental history; • The resident's household does not have history of disturbances 	Added language to clarify good standing

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		<ul style="list-style-type: none"> The resident's household has NOT engaged in criminal activity. 	
10.5	TYPES OF TRANSFERS	<ul style="list-style-type: none"> Scattered Site Incentive 	Added new Scattered Site Incentive to types of transfers
10.11	REASONABLE ACCOMMODATION TRANSFERS	Where an RA transfer has been requested by an individual/family and the family is screened and approved for the Congregate Housing Services (CHS) Program, the individual/family will receive priority among other RA transfers for a vacant unit at any site which offers the CHS program. Among families who are approved for the CHS program, unit offers will be made according to unit size and date and time of transfer request	Language added
10.14	OCCUPANCY STANDARD TRANSFERS	HABC may elect not to transfer an over-housed family in order to prevent vacancies.	Language added
10.15	SCATTERED SITE INCENTIVE TRANSFER	<p>Scattered Sites Incentive transfers are resident initiated, non-mandatory transfers to one of HABC's scattered sites units. To qualify for Scattered Sites Incentive transfers resident families must:</p> <ul style="list-style-type: none"> Meet the good standing transfer criteria as shown in the section ELIGIBILITY FOR TRANSFER; At least one work-able adult household member must work a minimum of 30 hours/week and prove steady employment for at least six months prior to the date of the transfer request and maintain employment during the occupancy of 	Added Scattered Site Incentive transfer policy

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		<p>the scattered sites unit as long as household member is workable;</p> <ul style="list-style-type: none"> All work-able household members who are 18 years of age and older, if not employed, must be attending school as a full-time student or enrolled in an approved job training program. <p>Families who are elderly or persons with disabilities may request a Scattered Site Incentive transfer if they:</p> <ul style="list-style-type: none"> Meet the requirements for good standing as shown in the section ELIGIBILITY FOR TRANSFER for transfers; and Have income at or above the federal SSI benefit rate for an individual (for single person families) or for a couple for multiple person families. <p>For Scattered Site Incentive transfer eligibility, work-able is defined as follows:</p> <ul style="list-style-type: none"> An adult family member who is between the ages of 18 and 55. 	
10.18	RESIDENT INITIATED TRANSFERS	Scattered Site Incentive	Added language pursuant to Scattered Site Incentive policy
10.22	PROCESSING TRANSFERS	Residents transferring between traditional public housing units will have three working days from the date the family signs the new lease for the gaining site to vacate the unit and return the keys to the losing development. Residents transferring from private sites to traditional public housing must return the keys	Language added

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		<p>and vacate the unit at the private site immediately upon the termination date of the lease at the private site.</p> <p>Public Housing families cannot maintain more than one Federally-assisted unit, and any failure of Resident to surrender possession of the Dwelling Unit upon accepting possession of another Federally-assisted unit is: (1) a material breach of this Lease and the program requirements for such other Federally-assisted unit, and (2) grounds to terminate this Lease and assistance to Resident for the new unit.</p> <p>Occupancy Standard transfers are based on availability of the appropriate location, size and features of the available units.</p>	
10.23	UNIT OFFERS FOR TRANSFERS	HABC may provide a priority for a unit offer in a specific location in its jurisdiction where a family is required to move as a result of demolition/disposition/revitalization or relocation and the family requests to remain in the same general vicinity as their existing unit due to employment, schools and/or medical/health care needs; however, if a unit in the desired area is not available, the unit offered must be accepted, unless there is good cause not to accept the offer.	Language added
12.5	NATIONAL STANDARDS FOR THE PHYSICAL INSPECTION OF REAL ESTATE (NSPIRE)	Effective July 2023, HABC and the privately owned/managed sites will inspect all units and common areas annually using HUD's NSPIRE Standards) as a guideline.	HUD Requirement

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		HUD will commence regular inspections after July 1, 2023 and will use the NSPIRE standards for all REAC inspections.	
12.14	NON-EMERGENCY REPAIRS	If necessary to bring the unit into NSPIRE compliance, routine or needed repairs will be completed by HABC or the privately owned/managed site. Non-emergency repairs will be completed by HABC or the privately owned/managed site within 30 calendar days of the inspection date.	Language added to reflect NSPIRE requirements
13.1	PET POLICY INTRODUCTION	Verification, by a knowledgeable provider, is needed to approve the addition of an assistance animal to the unit. If there are multiple family members who request the addition of an assistance animal, verification is required to support the need for each assistance animal	Language added
14.4	REEXAMINATION FREQUENCY	<p>MTW Policy: Except as set forth below, the re-examination of HABC residents will generally occur every two years. The re-examination of households where 100% of income is from fixed incomes sources will occur every three years. Fixed income refers to social security income, supplemental security income and/or pension income.</p> <ul style="list-style-type: none"> • Regular re-examination of households who elect the flat rent option will occur every three years. Households who elect the flat rent option will be required to certify their household composition annually. • Regular re-examination of households who report zero or minimal income and households at privately owned/managed 	Language added pursuant to MTW provisions

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		<p>properties will occur annually. Minimal income is defined as less than \$2,400 in annual gross household income.</p> <ul style="list-style-type: none"> • HABC will conduct annual reexaminations for any family where the following exists, regardless of the income reported by other family members: <ul style="list-style-type: none"> ○ Any adult family member reports zero income ○ Any adult family members reports minimal income ○ Any adult family reports TANF benefits ○ Any adult family members reports only child support income 	
14.9	REAL PROPERTY LIMITATION AT REEXAMINATION	Upon HUD approval, at reexamination, HABC and the privately owned/managed sites will determine whether or not the family continues to comply with the real property limitation policy. See section on Error! Reference source not found..	HOTMA
14.15	INTERIM REEXAMINATIONS	Family circumstances may change between regular reexaminations. HABC or the privately owned/managed site will conduct interim reexaminations within a reasonable time. Generally, interim reexaminations should not be longer than 30 days after the income change is reported, however; this time frame is contingent on the family's cooperation with providing timely supporting documentation. Generally, the regular reexamination effective date will not change as a result of an interim reexamination; however, in the event that an interim reexam is requested within one-hundred twenty (120) days of a scheduled full re-examination, HABC will perform a full reexamination instead of the interim reexamination. This will	HOTMA

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		<p>initiate a change to the date of the household's regular reexamination schedule. This does NOT apply to Tax Credit units.</p> <p>MTW Policy: Upon HUD approval, families paying income-based and flat rents are not required to report increases in income or assets between regular reexaminations. HABC and the privately owned/managed sites will not process rent adjustments resulting from these increases in income until the next regularly scheduled reexamination, except in certain cases as described in this ACOP.</p>	
14.16	LIMIT ON VOLUNTARY INTERIM RECERTIFICATIONS	<p>MTW Policy: HABC limits the number of voluntary interim recertifications between regular recertifications as outlined below. Required interim recertifications will not count against the limit on voluntary interim recertifications, i.e. interim recertifications required for changes in family composition. Elderly/disabled families and families in the FSS program are exempt from the limit on interim recertifications.</p> <p>HABC or the privately owned/managed site will process interim rent adjustments unless HABC or the privately owned/managed site confirms that the decrease in income will last less than 30 calendar days and/or if the family has exceeded the MTW limit on voluntary interim rent reductions.</p> <p>Any information, document or signature needed from the family that is needed to verify the change must be provided within 5 working days from the date of the HABC request.</p>	Language added pursuant to MTW provisions.

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		<p>The limit on interim recertifications will be applied as follows:</p> <ul style="list-style-type: none"> • One voluntary interim recertification between annual recertifications for families with an annual recertification frequency. • Two voluntary interim recertifications between biennial recertifications for families on a biennial recertification frequency. • Three voluntary interim recertifications between triennial recertifications for families on a triennial recertification frequency. <p>Hardship Policy: HABC has a hardship policy whereby, if a family has exceeded the limit on interim rent reductions, the family can request a hardship interim recertification where the loss of income or increase in applicable unreimbursed expenses represents a 20% reduction in adjusted income and where the loss of income or increase in unreimbursed medical or childcare expenses are beyond the family's control.</p> <p>The rent for a family who was granted an additional rent reduction, as a hardship, will remain in place until the next required or scheduled reexamination.</p> <p>HABC will notify the family, in writing, of the change in determining adjusted income and rent resulting from the hardship. Such notice will include the adjusted income, family</p>	

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		rent, hardship start date and hardship expiration date (where applicable)	
14.20.1	ZERO INCOME OR MINIMAL INCOME ADULTS	An adult with minimal income is an adult who has a gross annual income which is less than \$2,400 per year	Language modified.
14.20.2	ZERO INCOME OR MINIMAL INCOME HOUSEHOLDS	A minimal income household is one where the gross annual household income is less than \$2,400 per year.	Language modified.
14.22	EFFECTIVE DATES: CHANGES IN RENT AND RESIDENT CAUSED DELAYS IN PROCESSING INTERIM REEXAMINATIONS	<p>MTW Policy: Upon HUD approval, if a family fails to report a change within the required time frames or fails to provide all required information within the required time frames, the increase will be applied retroactively to the date it would have been effective had the information been provided on a timely basis. The family will be responsible for any underpaid rent and may be offered a repayment agreement in accordance with the policies in this ACOP or be required to make a lump sum payment.</p> <p>Rent decreases will be effective on the first day of the first month after the date of the actual change leading to the interim reexamination of family income; however, 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.</p>	HOTMA

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<p>If the change is not reported timely, any resulting rent decrease will be implemented no later than the first rent period following completion of the reexamination. HABC or the privately owned/managed site 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:</p> <ul style="list-style-type: none"> • The date of the change leading to the interim reexamination of family income; or • The effective date of the family's most recent previous interim or annual reexamination (or initial examination if that was the family's last examination). <p>In cases where, through no fault of the resident, 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 of the change leading to the interim reexamination of family</p>	
15.4	ADDITIONAL AUTHORIZED REASONS FOR TERMINATION	No longer meeting the restrictions on property ownership	HOTMA
19.2	EXEMPT RESIDENTS (COMMUNITY SERVICE)	An adult (meaning a person aged 18 or older) is considered exempt from the CSSR when they are: member of the household who qualifies as outlined below is considered to be exempt from the CSSR:	Language added

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<ul style="list-style-type: none"> • 62 years of age or older; • Blind or disabled (as defined under 216(i)(1) or 1614 of the Social Security Act) and who certify that, because of this disability, they are unable to comply with the service provisions of this subpart, or is a primary caretaker of such individual; • Engaged in work activities (see WORK ACTIVITIES); • Able to meet requirements under a state program funded under part A of title IV of the Social Security Act (42 U.S.C. Section 601 et seq.) or under any other welfare program in Maryland, including a state-administered Welfare-to-Work program (this exemption applies to anyone whose characteristics or family situation meet the welfare agency exemption criteria and can be verified); • A member of a family receiving assistance, benefits, or services under a state program funded under part A of title IV of the Social Security Act (42 U.S.C. Section 601 et seq.), or under any other welfare program of Maryland, including a state-administered Welfare-to-Work program, and the Supplemental Nutrition Assistance Program (SNAP), and has not been found by the state or other administering entity to be in non-compliance with such program; or • Is a member of a Non-Public Housing Over-Income family. 	
19.3	WORK ACTIVITIES	Twenty (20) hours per week is the minimum number of hours for an employment activity to be eligible for the exemption. The person must be participating in an activity that meets one of the	Language added

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<p>following definitions of work activity contained in Section 407(d) of the Social Security Act (42 U.S.C. Section 607(d)):</p> <ul style="list-style-type: none"> • Unsubsidized employment; • Subsidized private sector employment; • Subsidized public-sector employment; • Work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available; • On-the-job-training; • Job-search and job readiness assistance; • Community service programs; • Vocational educational training (not to exceed 12 months with respect to any individual); • Job-skills training directly related to employment; • Education directly related to employment in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency; • Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalency, in the case of a recipient who has not completed secondary school or received such a certificate. 	
19.5	OBLIGATIONS OF HABC AND THE PRIVATELY OWNED/MANAGED SITES	Such description will be provided at lease-up. At lease renewal and when a family member is determined to be subject to the community service requirement during the lease term, the family must sign a certification that they have received the community service policy and understand, if they are not	Regulatory requirement

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<p>exempt, failure to comply with the requirement, will result in non-renewal of their lease. At each regular recertification, families will be required to certify their CSSR status. Non-exempt individuals will be required to certify the completion of required CSSR hours.</p> <p>The Office of Resident Services (ORS) shares available CSSR activities and employment and training opportunities with Housing Operations to assist non-exempt family members in meeting the community service and self-sufficiency requirement.</p> <p>Additionally, HABC and the privately owned/managed sites will:</p> <ul style="list-style-type: none"> • Determine exemption status regarding community service; <p>Review family compliance with CSSRs at least 30 days before the end of the lease term and will verify such compliance in conjunction with the regular reexamination schedule</p>	
19.7	SELF-SUFFICIENCY ACTIVITIES	<ul style="list-style-type: none"> • Higher education (junior college or college) or GED classes; 	Language added
19.9.1	EXEMPTION STATUS	<p>All family members who claim they are exempt from the community service requirement will be required to sign HABC's community service exemption certification form. HABC will provide a completed copy to the family and will keep a copy in the tenant file.</p>	Language added

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<p>HABC or the privately owned/managed site will verify that an individual is exempt from the community service requirement by following the verification hierarchy and documentation requirements in this ACOP.</p> <p>HABC or the privately owned/managed site will make the final determination whether or not to grant an exemption from the community service requirement. If a resident does not agree with the determination, they can dispute the decision through the HABC's grievance procedures.</p>	
19.9.2	COMPLIANCE	If qualifying activities are administered by an organization other than HABC, a family member who is required to fulfill a service requirement must provide one of the following at each regular recertification:	Language added
19.11	NOTICE OF NON-COMPLIANCE OF A NON-EXEMPT HOUSEHOLD MEMBER	<ul style="list-style-type: none"> A statement that HABC or the privately owned/managed site will terminate the tenancy before the next regular recertification unless the resident enters into a written cure agreement with HABC or the privately owned/managed site or the household provides written assurance that is satisfactory to HABC or the privately owned/managed site explaining that the non-compliant resident no longer resides in the unit. Such written work-out agreement must include the means through which a non-compliant family member will comply with the CSSR requirement. 	Language added

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		The notice must also state that the tenant may request a grievance hearing on the determination, in accordance with the HABC's grievance procedures, and that the tenant may exercise any available judicial remedy to seek timely redress for the HABC's nonrenewal of the lease because of the determination.	
19.12.1	CONTINUED NON-COMPLIANCE & ENFORCEMENT DOCUMENTATION	<p>Should a family member refuse to sign a written work-out agreement, or fail to comply with the terms of the work-out agreement, HABC or the privately owned/managed site will initiate termination of tenancy proceedings at the end of the current lease term for failure to comply with lease requirements. When initiating termination of tenancy proceedings, HABC or the privately owned/managed site will provide the following procedural safeguards:</p> <ul style="list-style-type: none"> • Adequate notice to the tenant of the grounds for terminating the tenancy and for non-renewal of the lease; • Right of the tenant to be represented by counsel; \ • Opportunity for the tenant to refute the evidence presented by HABC or the privately owned/managed site, including the right to confront and cross-examine witnesses and present any affirmative legal or equitable defense which the tenant may have; and <p>A decision on the merits.</p> <p>The household will have 10 working days from the date of the notice of non-compliance to provide documentation that the non-</p>	Language added

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<p>compliant resident no longer resides in the unit, or to request a grievance hearing.</p> <p>If the household reports that a non-compliant household member is no longer residing in the unit, the household must provide documentation that the household member has actually vacated the unit before HABC, or the privately owned/managed site will agree to continued occupancy of the household. Documentation should consist of a certification signed by the head of household as well as evidence of the current address of the household member that previously resided with them.</p> <p>If the household does not request a grievance hearing or does not take corrective action required by the notice of noncompliance within the required 10 business day timeframe, HABC or the privately owned/managed site will terminate tenancy in accordance with the lease termination policy found in this ACOP.</p>	
20.1 – 20.20	FAMILY SELF SUFFICIENCY	Family Self-Sufficiency (FSS) policies	New chapter added to reflect FSS program policies

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24.3	FINANCIAL CAPACITY REQUIREMENT	<p>HABC’s public housing homeownership program incorporates the following requirements and guidelines:</p> <ul style="list-style-type: none"> Income Eligibility will be determined through a combined analysis of gross income, current debt, and obligations. All participant families must have an income level at or below 80% of the AMI established for the Baltimore Metropolitan Area. A family must meet a minimum income requirement such that they can qualify for a mortgage for 5075% of the appraised value of the house. The analysis of income and debt will determine how much of a mortgage the family can afford. Participating families will be expected to fully obtain first mortgage financing possible prior to determining the level of assistance they may receive from HABC in the form of a soft second mortgage. Affordability – During the initial screening process, HABC’s Homeownership Coordinator will compute the family’s income debt ratio based upon standards in traditional lending products. The analysis of income and debt will determine how much of a mortgage the family can afford. A family must qualify for a mortgage of at least 5075% of the appraised value of the house in order to purchase that house. Down Payment Requirement – Purchasers in the HABC’s homeownership program will be required to make down-payment of \$250. This amount may be adjusted to prevent creating 	Homeownership program language modified and/or added

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
		<p>financial hardship that would prevent purchase ability to pay for inspections, appraisal and other related expenses.</p> <ul style="list-style-type: none"> Minimum Cash Contribution – Purchasers in HABC’s homeownership program will be required to invest a minimum of one percent (1%) of the purchase price of their homes or \$1,000, whichever is greater. The purchasing family must use its own resources other than grants, gifts, credit cards, loans, and contributions, or similar amounts to invest an amount of the down payment that is not less than one percent of the purchase price of the family’s home or \$1000, whichever is greater. This investment must be documented and verified at the time of before settlement. The purchasing family’s out of pocket paid expenses such as: earnest money deposit, down payment, home inspections, appraisal, etc., may be credit towards the family meeting the minimum cash contribution. One eligible source of funds for meeting this down payment requirement will be the funds contributed by the family into escrow accounts due to the family’s participation in HABC’s Family Self-Sufficiency Program. <p>HABC’s Homeownership Office will inform families about available homeownership incentive programs in the city and state. Such financial assistance will be made available to eligible purchasers in HABC’s homeownership program for amounts in excess of one percent of the purchase price or \$1000, whichever is greater.</p>	

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		<p>HABC will refund the earnest money deposit if the purchasing family is unable to obtain mortgage financing or decides they are no longer interested in purchasing the property.</p> <ul style="list-style-type: none"> Participation in a Homeownership Counseling Program: Participants in HABC's homeownership program will be required to obtain a certification that they completed an HABC-approved homeownership counseling program prior to contract execution settlement. A list of HABC-approved homeownership counseling agencies and the required counseling topics will be available to participants. Participants in HABC's homeownership program will also be required to participate in post-purchase counseling. HABC will provide a list of appropriate counseling agencies to participants. 	
24.6	ELIGIBLE PROPERTIES	HABC scattered site properties are eligible for purchase under this program. The determination of which properties are eligible for homeownership will be made solely by HABC based on its assessment of the best interests of the community and the agency.	Homeownership program language modified and/or added
24.6.2	PURCHASE & RESALE ENTITIES	HABC allows for disposition of vacant scattered sites to PREs, subject to HUD disposition approval, in accordance with 24 CFR 906. PREs are community partners with the legal and administrative capacity to carry out homeownership and resale activities.	

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		<p>HABC enters into a written agreement with each designated PRE including the following requirements:</p> <ol style="list-style-type: none"> 1. Resales must be to residents of conventional public housing; 2. HABC will market the program and refer eligible residents to the PRE, in accordance with mutually agreed upon selection criteria including, but not limited to, residents must be in good standing with HABC and have the financial capacity needed to support homeownership costs; 3) and, 3. Eligible residents will pay a non-refundable property reservation fee of up to \$1,000 to the PRE, which shall be applied towards buyer's out-of-pocket expenses associated with the purchase. 	
24.6.4	PROPERTY APPRAISALS AND SALES PRICE	HABC will contract for an independent appraisal of a property to establish a sales price, and thus determine the feasibility of purchase by the prospective buyer. The appraisals will establish the after-rehab value of the property, based upon a scope of work for planned rehabilitation. The potential purchaser must be able to qualify for a first mortgage based on seventy-five percent of the appraised value of the property.	Homeownership program language modified and/or added

2024 ACOP Section Number	2024 ACOP Section Title	Proposed Change	Explanation/Basis for Modification
24.7.3	SECOND MORTGAGES	Closing Costs – HABC may match prospective buyer’s personal cash contribution up to \$5,000 Matching grants will be based on need and only apply at closing after required personal contribution, government and/or lender assistance have been applied	Homeownership program language modified and/or added
24.8	PRE-SALE COSTS, CLOSING COSTS, AND DOWN PAYMENT REQUIREMENT	The traditional services of a real estate agent for either the buyer or the seller are not required. Nonetheless, HABC will not prohibit participating families from employing the services of a buyer’s agent. If a participant chooses to hire a real estate agent licensed to perform services in the State of Maryland, the participant will be responsible for negotiating when the licensed real estate agent will be paid and for paying that fee by closing. - HABC will strongly recommend that the prospective buyer negotiate agent fees including flat fees based on industry standards, sales price and services provided	Homeownership program language modified and/or added
24.11.1	APPROVAL PROCESS	<ul style="list-style-type: none"> • The applicant’s ability to qualify for a mortgage is evaluated based on at least 75% of the sales price of the property. • All families who express interest in homeownership are required to attend homeownership counseling. Prior to contract execution, participants are required to provide a homeownership counseling certificate, which must be valid until the settlement date. • Participants are required to provide proof of financing prior to executing a sales contract. 	Homeownership program language modified and/or added

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24.12.1	DOWN PAYMENT/CLOSING COST ASSISTANCE	<p>Down-payment/closing cost assistance is available to public housing families who purchase a property in the general market. These properties may be purchased in Baltimore City or Baltimore County. Additionally, down-payment/closing cost assistance may include public housing families who purchase a property from a PRE. Public Housing families who receive homeownership assistance in the form of the Housing Choice Voucher or Special Homeownership Voucher are not eligible for the down payment/closing cost assistance.</p> <p>Subject to funding availability, HABC may offer a one-time down-payment or closing cost assistance up to \$10,000 for eligible Public Housing first time homebuyers in HABC's MTW Homeownership program. Families will be required to attend homeownership counseling and provide counseling certificates from one of the HABC approved HUD certified Housing Counseling Agencies.</p> <p>The property purchased must be in Baltimore City/County and the property must pass a lead test and Housing Quality Standard (HQS) inspection. HABC will establish criteria and guidelines to determine the amount awarded. HABC will not require the funds to be refunded unless the family is unable to obtain a mortgage to purchase a home in Baltimore City/County that meets the program eligibility requirements, or the family fails to submit required program documentation.</p>	

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		The down payment/closing cost assistance will be granted at the time of settlement and paid directly to the title company. Funding is to be applied directly as down payment or applied to the closing cost. Excess funds will be required to be applied as a principal curtailment or returned to the Housing Authority of Baltimore City.	
Appendix B	GLOSSARY OF ACOP TERMS	117. Seasonal Worker: An individual who is hired into a short-term position and the employment begins about the same time each year. Typically, the worker is hired to address seasonal demands that arise for the particular employer or industry.	HOMTA
Appendix D	PROPERTY & REALTED WAITING LIST	Inclusion of table that represents the property and related waiting list used to fill vacant units where the unit will be filled by an applicant family. Where HABC accessible units are concerned, all waiting lists are used and the first family who requires the accessible features will be offered the unit.	Information added