

Summary of Chapter 1 - Overview of the Program and Plan

General Overview

The Gainesville Housing Authority (GHA) administers the public housing program through an Annual Contributions Contract with the Department of Housing and Urban Development (HUD). The GHA must comply with federal laws, regulations, and notices, and has established policies to ensure consistency in program operations. This chapter provides information about the GHA and its programs, especially the public housing program, and outlines the purpose, intent, and use of the plan and guide.

Part I: The Public Housing Agency (PHA)

Creation and Structure

- The PHA is created and authorized by state law to develop and operate housing programs for low-income families.
- Governed by a board of commissioners who establish policies and ensure compliance by PHA staff.
- The Executive Director oversees day-to-day operations and ensures compliance with laws and regulations.

Mission

- GHA is committed to preserving and developing affordable housing and opportunities for self-sufficiency.
- Focuses on being innovative, performance-driven, and customer-focused.

Commitment to Ethics and Service

- Ensures compliance with federal and state laws and regulations.
- Provides safe, habitable, and adequate housing free of health and safety hazards.
- Promotes fair housing and works towards deconcentration of poverty.
- Encourages self-sufficiency and supports family opportunities in various aspects.

Part II: The Public Housing Program

Overview and History

- Established by the United States Housing Act of 1937 to provide affordable housing for low-income residents.
- Significant legislative milestones include the Housing Acts of 1965, 1969, and 1998, and the Housing Opportunity Through Modernization Act of 2016.

Program Basics

- HUD contracts with the PHA to administer the program and provides an operating subsidy.
- The PHA screens applicants, offers housing units, and enters into leases with eligible families.
- PHA acts as the landlord and must maintain housing standards, collect rent, and ensure compliance with rules.

Partnerships

- Annual Contributions Contract with HUD outlines roles and responsibilities.
- Collaboration among HUD, PHA, and tenants is crucial for program success.

Part III: Admissions and Continued Occupancy Policies (ACOP)

Purpose and Contents

- The ACOP outlines policies for program administration and compliance with federal regulations.
- Includes policies on waiting lists, transfer procedures, eligibility, and grievance procedures.

Updating and Revising the Policy

- The ACOP is periodically reviewed and updated to reflect changes in regulations and PHA operations.
- Revisions must be approved by the board of commissioners and included in the Agency Plan.

Key Benefits and Goals

- Ensures consistent and fair treatment of all program participants.
- Promotes safe and adequate housing standards.
- Supports initiatives for self-sufficiency and economic opportunities for families.
- Fosters collaboration and compliance with federal, state, and local laws.

Summary of Chapter 2 - Fair Housing and Equal Opportunity

General Overview

This chapter outlines the laws and HUD regulations that require Public Housing Agencies (PHAs) to promote civil rights and fair housing in federally assisted housing programs. The Gainesville Housing Authority (GHA) applies consistent policies and procedures to further nondiscrimination in all operations. The chapter is divided into three parts: Nondiscrimination, Policies Related to Persons with Disabilities, and Prohibition of Discrimination Against Limited English Proficiency Persons.

Part I: Nondiscrimination

Legal Framework

- Federal laws prohibit discrimination based on race, color, religion, sex, national origin, age, familial status, and disability.
- HUD regulations provide additional protections regarding sexual orientation, gender identity, and marital status.
- Relevant laws include the Civil Rights Act of 1964 and 1968, Executive Orders 11063 and 13988, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act.

GHA Policy

- The PHA will comply fully with all federal, state, and local nondiscrimination laws, and with rules and regulations governing fair housing and equal opportunity in housing and employment
- The PHA will not discriminate on the basis of marital status, gender identity, or sexual orientation.
- The PHA will take steps to ensure that families and owners are fully aware of all applicable civil rights laws

Actions Prohibited by GHA

- Denying housing opportunities based on protected characteristics.
- Providing different housing or benefits than those provided to others.
- Engaging in segregation, disparate treatment, or sexual harassment.

- Publishing discriminatory advertisements or notices.

Part II: Policies Related to Persons with Disabilities

- PHAs must provide reasonable accommodation to ensure persons with disabilities have full access to programs and services.
- Requests for accommodations must be responded to within 10 business days.
- Accommodations may include modifications to units, live-in aides, and assistance animals.
- Verification of disability status must respect confidentiality and only seek necessary information.
- Denial or termination of assistance must consider reasonable accommodations.

Part III: Prohibition of Discrimination Against Limited English Proficiency (LEP) Persons

- The PHA must ensure meaningful access to services and information for LEP persons.
- Competent interpretation services will be provided free of charge upon request.
- Written translations of vital documents will be provided for LEP language groups meeting specific thresholds.
- Where feasible, bilingual staff and community volunteers will assist in providing language services.

Policy Changes

2-I.C. DISCRIMINATION COMPLIANTS	GHA will to report Housing Discrimination with FHEO online, by phone or mail maybe access at ttps://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint .
2-III.A. OVERVIEW	Added the results of GHA language access plan.

Summary of Chapter 3: Eligibility - ACOP

General Overview

The Public Housing Authority (PHA) ensures that all individuals and families admitted to the public housing program meet the eligibility requirements. This involves confirming eligibility, assessing assistance levels, and ensuring compliance with program rules. Key eligibility criteria encompass definitions of family and household members, income limits, citizenship status, social security number provision, consent to information usage, and behavioral assessments.

Part I: Definitions of Family and Household Members

- **Family:** Includes single persons (elderly, disabled, near-elderly), groups residing together, and others as determined by the PHA.
- **Household:** Encompasses all individuals living in the unit, including live-in aides and foster children/adults.
- **Family Breakup:** The PHA determines which members continue assistance, prioritizing victims of domestic violence and court determinations.
- **Head of Household:** The adult responsible for income eligibility and rent responsibilities.
- **Spouse and Cohead:** Marriage partners or individuals equally responsible for fulfilling family responsibilities.
- **Dependents:** Members under 18, persons with disabilities, or full-time students, excluding head, spouse, cohead, foster children/adults, and live-in aides.
- **Elderly and Near-Elderly Persons:** Those aged 62 or older and those aged 50-61.
- **Persons with Disabilities:** Defined under specific federal statutes and regulations, ensuring non-discrimination and accessibility.
- **Guests:** Temporary residents, with restrictions on duration and behavior.
- **Foster Children/Adults:** Included as household members but not family members, with specific definitions under state law.
- **Absent Family Members:** Policies for those absent due to education, employment, or other reasons, with specific time limits.
- **Live-In Aide:** Essential for care of elderly, near-elderly, or disabled family members, with specific criteria and approval processes.

Part II: Basic Eligibility Criteria

- **Income Eligibility:** Determined by HUD income limits, with specific definitions for low, very low, and extremely low-income families.
- **Citizenship Status:** Assistance available only to U.S. citizens, nationals, or eligible noncitizens, with required documentation.
- **Social Security Numbers:** Mandatory disclosure and verification for all household members.
- **Family Consent:** Required for information release, with specific forms and policies for denial of admission if not provided.
- **EIV System Searches:** Use of Existing Tenant Search and Debts Owed modules to prevent duplicative assistance and identify debts.

Part III: Denial of Admission

- **Required Denial:** For drug-related evictions, illegal drug use, and certain criminal activities.
- **Asset Restrictions:** Ineligibility for families with net assets over \$100,000 or suitable real property, with specified exceptions.
- **Permitted Denial:** Based on criminal activity, previous behavior, and other factors, with specific screening procedures.
- **Screening:** Includes criminal background checks, sex offender registry checks, and consideration of behavior and financial obligations.

Changes Related to HOTMA

- **Net Asset Limitation:** HOTMA introduces a \$100,000 net asset limit for eligibility, adjusted annually by HUD.
- **Real Property Restriction:** Families with suitable real property are generally ineligible, with HOTMA providing specific exceptions.

Policy Changes

<p>3-II.D. FAMILY CONSENT TO RELEASE OF INFORMATION</p>	<p>The PHA has established a policy that the family’s revocation of consent to allow the PHA to access records from financial institutions will result in denial of admission.</p>
<p>3-II.E. EIV SYSTEM SEARCHES</p>	<p>The PHA will contact the other PHA or owner identified in the report to confirm that the family has moved out of the unit and obtain documentation of current tenancy status, including a form HUD-50058 or 50059, as applicable, showing an end of participation. The PHA will only approve assistance contingent upon the move-out from the currently occupied assisted unit.</p>
<p>Debts Owed to PHAs and Terminations</p>	<p>The PHA will require each adult household member to sign the form HUD-52675 once at the eligibility determination. Any new members added to the household after admission will be required to sign the form HUD-52675 prior to being added to the household.</p> <p>The PHA will search the Debts Owed to PHAs and Terminations module as part of the eligibility determination for new households and as part of the screening process for any household members added after the household is admitted to the program. If any information on debts or terminations is returned by the search, the PHA will determine if this information warrants a denial in accordance with the policies in Part III of this chapter.</p>
<p>3-III.B. REQUIRED DENIAL OF ADMISSION</p>	<ul style="list-style-type: none"> • The PHA will admit an otherwise-eligible family who was evicted from federally-assisted housing within the past (3) three years -instead of (5) years

	<p>for drug-related criminal activity, if the PHA is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program approved by the PHA, or the person who committed the crime is no longer living in the household.</p> <ul style="list-style-type: none"> • Currently engaged in is defined as any use of illegal drugs during the previous (3) three months.
<p>3-III.C. RESTRICTION ON ASSISTANCE BASED ON ASSETS</p>	<p>The PHA defines not sufficient for the size of the family as being overcrowded based on the PHA's occupancy standards in Chapter 5.</p>

Summary of Chapter 4: Applications, Waiting List, and Tenant Selection

General Overview

This chapter outlines the policies and procedures of the Gainesville Housing Authority (GHA) regarding the application process, managing the waiting list, and tenant selection for public housing. It ensures compliance with HUD regulations and fair housing requirements, aiming to provide clear and consistent guidelines for applicants and the administration.

Application Process

- Applicants must submit information to determine eligibility for public housing.
- GHA uses a one-step or two-step process based on the expected wait time.
- Applications can be obtained and submitted via various methods including in-person, mail, email, and fax.
- GHA accommodates applicants with scheduling difficulties by offering alternative submission times.
- Incomplete applications must be completed within 10 business days to avoid removal from the waiting list.

Managing the Waiting List

- GHA maintains a community-wide waiting list with subparts for different unit types.
- The waiting list includes essential information such as household details and eligibility criteria.
- GHA may close or reopen the waiting list based on the need for applicants and unit availability.
- Periodic updates ensure the waiting list is current; families must respond within 10 business days or risk removal.
- Special outreach efforts ensure fair housing compliance and adequate representation of underserved populations.

Tenant Selection

- Selection is based on the waiting list preferences and the order of application.
- Local preferences include working family preference and preferences for elderly, disabled, or homeless individuals.
- Income targeting requires that 40% of admissions are extremely low-income families.
- Mixed population developments must give equal preference to elderly and disabled families.
- Deconcentration policies aim to balance income levels across developments.
- Applicants are notified by mail when selected and must attend an eligibility interview.
- Final eligibility determinations are made based on verified information, and families are promptly notified of their status.

Policy Changes

4-II.C. OPENING AND CLOSING THE WAITING LIST	The PHA will conduct an analysis based on the needs and/or unit size before the list is opened to determine the amount of applications needed and when to close the waiting list.
Purging the Waiting List	<ul style="list-style-type: none"> • Removed text messages as a method of communication with applicants. • Response letters to be returned within 10 business days instead of 5.
4-III.B. SELECTION METHOD	Working preference applied for at least 25 hours per week instead of 20 hours.
4-III.D. THE APPLICATION INTERVIEW	<ul style="list-style-type: none"> • Anyone 18 and older must attend the interview together. • If the family is unable to attend a scheduled interview, the family should contact the PHA within two (2) business days of the interview to schedule a new appointment.

Summary of Chapter 5: Occupancy Standards and Unit Offers

General Overview

This document outlines the policies established by the Public Housing Authority (PHA) governing the occupancy of dwelling units and the process of offering these units to qualified families. It includes detailed policies for assigning unit sizes and making unit offers, forming part of the Gainesville Housing Authority's (GHA) Tenant Selection and Assignment Plan (TSAP).

Occupancy Standards

Overview

- Ensures units are occupied by appropriately sized families.
- Aims to optimize the use of units while preventing underutilization or overcrowding.

Determining Unit Size

- Assigns units based on family characteristics, such as number of bedrooms.
- Occupancy standards must comply with fair housing requirements.
- General rule: one bedroom per two persons, with specific exceptions.
- Live-in aides are allocated a separate bedroom.
- Children related to household members by birth, adoption, or custody are considered in unit size determination.
- Foster children and children temporarily away are considered; children less than 50% of the time are not.

Exceptions to Occupancy Standards

- Exceptions may be granted for relational, health, disability, or other personal circumstances.
- Exceptions include larger units for medical equipment or as accommodations for disabilities.
- Requests must be submitted in writing, and PHA decisions are communicated within 10 business days.

Unit Offers

Overview

- Must align with civil rights and nondiscrimination laws.
- Offers are tracked, including location, date, and reasons for acceptance or rejection.

Number of Offers

- Implementation of a "two-to-three offer plan."
- Number of offers depends on available units in various locations.
- Offers continue until a unit is accepted or final rejection occurs.

Time Limit for Offer Acceptance or Refusal

- Applicants have 3 business days to respond to a unit offer.
- Failure to respond is considered a "non-response" and results in removal from the list.

Refusals of Unit Offers

- Good cause for refusal includes job impact, safety concerns, health reasons, or unit inappropriateness.
- Without good cause, refusal results in removal from the waiting list.
- Good cause refusals must be documented.

Accessible Units

- Information about accessible units must reach eligible individuals with disabilities.
- Priority given to current residents needing accessible features, then eligible applicants.
- Non-disabled applicants in accessible units may need to move if required by another family.

Designated Housing

- Policies for offering units designated for elderly or disabled families are included in the PHA's Designated Housing Plan.

Summary of Chapter 6: Income and Rent Determinations

For Gainesville Housing Authority

Overview

This document outlines the policies and methods used by the Gainesville Housing Authority (GHA) to determine a family's eligibility for assistance and to calculate their rent payments. It follows HUD regulations and is divided into four main parts: Annual Income, Assets, Adjusted Income, and Calculating Rent.

Key Sections and Highlights

Part I: Annual Income

- **Annual Income Overview:** Includes all amounts received by family members unless specifically excluded. Income is based on actual receipts, not entitlements.
- **Included Income:** All earned and unearned income received by family members 18 or older, and imputed returns on assets over \$50,000.
- **Excluded Income:** Specific exclusions such as income of live-in aides, foster children, and certain temporary payments.
- **Household Composition:** Income calculations vary based on the household member's status (e.g., minors, students).

Part II: Assets

- **Asset Overview:** Includes all anticipated income from assets, with specific exclusions.
- **Excluded Assets:** Retirement accounts, personal property necessary for daily living (e.g., vehicles used for commuting).
- **Asset Disposals:** Assets disposed of for less than fair market value within the last two years are included, with some exceptions.

Part III: Adjusted Income

- **Mandatory Deductions:** \$480 for each dependent, \$400 for elderly or disabled families, and deductions for unreimbursed medical and disability expenses exceeding 3% of annual income.

- Child Care Expenses: Deductions for child care costs enabling a family member to work, seek employment, or pursue education.

Part IV: Calculating Rent

- Total Tenant Payment (TTP): Highest of 30% of monthly adjusted income, 10% of monthly gross income, or minimum rent (\$50).
- Utility Reimbursements: Reimbursements are provided when utility allowances exceed TTP.
- Flat Rents: Encourages self-sufficiency and prevents disincentives for higher-income residents.

Goals and Benefits

- Ensure only eligible families receive assistance.
- Accurate rent calculations to prevent overpayment or underpayment.
- Facilitate transitions for families with changing income situations.
- Encourage self-sufficiency and upward mobility among residents.

HOTMA Changes

The Housing Opportunity Through Modernization Act (HOTMA) introduced several key changes to streamline and modernize income calculation and rent determination processes. These changes are designed to enhance fairness and efficiency in housing assistance programs.

- Earned Income Disallowance (EID): HOTMA has removed the Earned Income Disallowance (EID) for new families post-2023. This aims to simplify the income calculation process and ensure that income assessments reflect current earnings more accurately.
- Phased-In Relief for Medical and Disability Expenses: HOTMA introduces a phased-in approach to provide relief for health and medical care expenses as well as disability assistance expenses. This transition will progress from a 5% threshold to a 7.5% threshold, and ultimately to a 10% threshold over a span of 24 months. This gradual change is intended to ease the financial burden on families incurring significant medical and disability-related costs.
- Impact on Adjusted Income and Rent Calculations: The adjustments brought by HOTMA impact how adjusted income is calculated, which in turn affects rent calculations. The incremental increase in the threshold for medical and disability expenses ensures that families receive adequate deductions, thereby potentially lowering their Total Tenant Payment (TTP).

These changes are part of a broader effort to enhance the accuracy and fairness of housing assistance programs, ensuring that eligible families receive the support they need while encouraging self-sufficiency and upward mobility.

Policy Changes

Joint Custody of Children	Dependents that are subject to a joint custody arrangement will be considered a member of the family, if they live with the applicant or resident family 51 (from 50) percent or more of the time.
Caretakers for a Child	After the 90 days has elapsed, with verifiable documentation the PHA may grant an additional extension up to 90 days.
Anticipating Annual Income	If the PHA verifies an upcoming increase or decrease in income, annual income will be calculated by applying each income amount to the appropriate part of the 12-month period
6-I.G. STUDENT FINANCIAL ASSISTANCE	<p>If a student only receives financial assistance under Title IV of the HEA and does not receive any other student financial assistance, the PHA will exclude the full amount of the assistance received under Title IV from the family’s annual income. The PHA will not calculate actual covered costs in this case.</p> <p>If the student does not receive any assistance under Title IV of the HEA but does receive assistance from another source, the PHA will first calculate the actual covered costs to the student in accordance with 24 CFR 5.609(b)(ii). The PHA will then subtract the total amount of the student’s financial assistance from the student’s actual covered costs. The PHA will include any amount of financial assistance in excess of the student’s actual covered costs in the family’s annual income.</p> <p>When a student receives assistance from both Title IV of the HEA and from other sources, the PHA will first calculate the actual covered costs to the student in accordance with 24</p>

	<p>CFR 5.609(b)(ii). The assistance received under Title IV of the HEA will be applied to the student’s actual covered costs first and then the other student financial assistance will be applied to any remaining actual covered costs.</p> <p>If the amount of assistance excluded under Title IV of the HEA equals or exceeds the actual covered costs, none of the assistance included under other student financial assistance” would be excluded from income.</p>
<p>Necessary and Non-Necessary Personal Property</p>	<p>In determining the value of non-necessary personal property, the PHA will use the family’s estimate of the value. The PHA may obtain an appraisal if there is reason to believe that the family’s estimated value is off by \$50 or more. The family must cooperate with the appraiser but cannot be charged any costs related to the appraisal</p>
<p>Lump-Sum Additions to Net Family Assets</p>	<p>Any lump-sum receipts are only counted as assets if they are retained by a family in a form recognizable as an asset. [RHIP FAQs]. For example, if the family receives a \$1,000 lump sum for lottery winnings, and the family immediately spends the entire amount, the lump sum will not be counted toward net family assets.</p>
<p>6-II.D. DETERMINING INCOME FROM ASSETS</p>	<p>Reasonable costs that would be incurred when disposing of an asset include, but are not limited to, penalties for premature withdrawal, broker and legal fees, and settlement costs incurred in real estate transactions such as settlement costs and transfer taxes</p>
<p>PARTIII:ADJUSTED INCOME</p>	<p>Anticipating Expenses: When calculating health and medical care expenses, the PHA will include those expenses anticipated to be incurred during the 12 months following the certification date which are not covered by an outside source, such as insurance. The</p>

	<p>allowance is not intended to give a family an allowance equal to last year's expenses, but to anticipate regular ongoing and anticipated expenses during the coming year. Since these expenses are anticipated, the PH Occupancy Guidebook states "it is likely that actual expenses will not match what was anticipated. Typically, this would not be considered an underpayment as long as at the time of the annual reexamination, the expenses were calculated based on the appropriate verification" [New PH OCC GB, Income Determinations, p. 30]. For annual reexaminations, the PHA will use information for the previous 12-month period.</p>
6-III.G. HARDSHIP EXEMPTIONS	<ul style="list-style-type: none">• The PHA will not continue the phased-in relief for families who move from the HCV program to public housing. These families will be treated as new admissions and the sum of expenses that exceeds 10 percent of annual income will be used to calculate their adjusted income• To qualify for a hardship exemption, a family must submit a request in writing. The request must show that the family's health and medical and/or disability assistance expenses have increased (other than the transition to the higher threshold) or that the family's financial hardship is a result of a change in circumstances. The PHA defines a change in circumstances as a decrease in income or increase in other expenses that has resulted in the family's financial hardship but does not, on its own, trigger an interim reexam in accordance with PHA policies.• The PHA will make a determination of whether the family qualifies within 30 calendar days and will notify the family

	<p>in writing of the result within 10 business days of the determination.</p> <ul style="list-style-type: none"> • If the PHA denies the hardship exemption request, the PHA notice will also state that if the family does not agree with the PHA determination, the family may request a hearing. • If the family qualifies for an exemption, the PHA will include the date the hardship exemption will begin and the date it will expire as well as information on how to request a 90-day extension based on family circumstances. • The family may request an extension either orally or in writing prior to the end of the hardship exemption period. The PHA will extend relief for an additional 90-days if the family demonstrates to the PHA’s satisfaction that the family continues to qualify for the hardship exemption based on circumstances described above. The PHA will require updated verification based on the family’s current circumstances. Additional extension(s) may be granted on a case-by-case basis provided the family continues to request extensions prior to the end of each hardship exemption period. Families must report if the circumstances that made the family eligible for the hardship exemption are no longer applicable. At any time, the PHA may terminate the hardship exemption if the PHA determines that the family no longer qualifies for the exemption.
<p>Child Care Expense Hardship Exemption</p>	<p>For a family to qualify, they must demonstrate that their inability to pay rent would be as a result of the loss of this deduction. The PHA defines this hardship as a potential decrease in income or increase in other expenses that would result from the loss of the child care</p>

expense and such loss would impact the family's ability to pay their rent.

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

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

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

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

The family may request an extension either orally or in writing prior to the end of the hardship exemption period. The PHA will extend relief for an additional 90-days if the family demonstrates to the PHA's satisfaction that the family continues to qualify for the hardship exemption. The PHA will require updated verification based on the family's

	<p>current circumstances. Additional extensions may be granted on a case-by-case basis provided the family continues to request extensions prior to the end of each hardship exemption period. Families must report if the circumstances that made the family eligible for the hardship exemption are no longer applicable. At any time, the PHA may terminate the hardship exemption if the PHA determines that the family no longer qualifies for the exemption.</p>
Utility Reimbursement	<p>The PHA will issue all utility reimbursements monthly</p>

Summary Chapter 7 Verification

General Overview

This document outlines the verification requirements for the Gainesville Housing Authority (GHA) based on 24 CFR 982.516, 24 CFR 982.551, 24 CFR 5.230, and Notice PIH 2010-19, as well as subsequent guidelines issued by HUD. It introduces the procedures for verifying information to establish family eligibility and the level of assistance. It also emphasizes the necessity of family cooperation and consent in the verification process and details the policies to accommodate persons with disabilities.

Key Sections

Family Consent to Release of Information

- All adult family members must sign form HUD-9886 at admission.
- From January 1, 2024, form HUD-9886 must only be signed once unless there are changes in family composition.
- Revocation of consent results in denial or termination of assistance.

Use of Other Programs' Income Determinations

- PHAs may use income determinations from programs like TANF, Medicaid, and SNAP.
- Verification must be from third-party sources and reflect the family's total annual income.
- GHA will accept Safe Harbor determinations at annual reexamination but not for new admissions or interim reexaminations.

Streamlined Income Determinations

- Applicable to family members with fixed sources of income.
- Third-party verification required every three years; interim years use inflationary adjustments.
- GHA applies verified adjustment factors to fixed-income sources if 90% or more of income is fixed.

Verification Hierarchy

- PHAs must use the EIV system as the primary verification source.
- Other methods include non-EIV systems, written third-party verification, and self-certification.

- Documentation must detail income and rent calculations for HUD review.

Level 5 and 6 Verification: Up-Front Income Verification (UIV)

- Up-Front Income Verification (UIV) is a process used by Public Housing Authorities (PHAs) to verify an individual's income directly from external sources before making housing assistance determinations. This proactive approach ensures that the income information provided by applicants or tenants is accurate and up-to-date.
- Mandatory use of HUD's EIV system to verify employment and income information.
- GHA will obtain EIV Income and IVT reports monthly for all families.
- Deceased Tenants Reports must be reviewed monthly, and appropriate actions taken immediately.

Verification of Family Information

- Legal identity and Social Security numbers must be verified for all household members.
- Verification of student status and disability required for certain income deductions.
- Documentation of age must be provided for all family members.

Verification of Income and Assets

- Income from wages, business, self-employment, and periodic payments must be verified.
- Nonrecurring income is excluded from annual calculations.
- Assets and income from assets need thorough verification, including self-certification for assets below \$50,000.

Verification of Mandatory Deductions

- Dependent and elderly/disabled family deductions require verification of eligibility.
- Medical and disability assistance expenses must be verified through third-party documentation.
- Child care expenses must be verified and deemed reasonable and necessary.

Changes Related to HOTMA

The Housing Opportunity Through Modernization Act (HOTMA) has introduced several significant changes to the verification processes and procedures:

- Form HUD-9886: Effective January 1, 2024, this form must be signed only at the time of admission, rather than at each annual reexamination. This change aims to streamline the administrative process and reduce redundancy.

- Streamlined Income Determination: For families with fixed sources of income, a simplified verification procedure is now in place. This allows for a more efficient determination of eligibility and reduces the burden on both families and PHAs.
- Encouragement for Upfront Verification Sources: PHAs are now encouraged to use other upfront verification sources alongside HUD’s EIV system. This approach enhances the robustness of the verification process and ensures more accurate and comprehensive assessments of family incomes and assets.

Policy Changes

<p>Form HUD-9886</p>	<p>Family members turning 18 years of age between annual recertifications will be notified in writing that they are required to sign the required Consent to the Release of Information Form HUD-9886 at the family’s next annual or interim reexamination, whichever is earlier</p>
<p>Penalties for Failing to Consent</p>	<p>The PHA has established a policy that revocation of consent to access financial records will result in denial of admission or termination of assistance in accordance with PHA policy.</p> <p>In order for a family to revoke their consent, the family must provide written notice to the PHA.</p> <p>Within 10 business days of the date the family provides written notice, the PHA will send the family a notice acknowledging receipt of the request and explaining that revocation of consent will result in denial or termination of assistance, as applicable. At the same time, the PHA will notify the local HUD office.</p>
<p>7-I.B. USE OF OTHER PROGRAMS’ INCOME DETERMINATIONS</p>	<p>The PHA will not accept verification from other federal assistance programs. With the exception of when the PHA uses streamlined income determinations at annual reexamination as described below, all income will be verified in accordance with the requirements of HUD’s verification hierarchy and PHA policies in this chapter.</p>

<p>7-I.C. STREAMLINED INCOME DETERMINATIONS</p>	<p>When the PHA does not use a Safe Harbor income determination from a federal assistance program to determine the family’s annual income as outlined above, then PHA will use a streamlined income determinations where applicable</p>
<p>7-I.D. VERIFICATION HIERARCHY</p>	<p>The PHA will document, in the family file, the following: Reported family annual income Value of assets Expenses related to deductions from annual income Other factors influencing the adjusted income or income-based rent determination</p>
<p>7-I.E. LEVEL 5 AND 6 VERIFICATION: UP-FRONT INCOME VERIFICATION (UIV)</p>	<p>Except for when Safe Harbor verification from another means-tested federal assistance program is used to determine the family’s annual income, the PHA will obtain EIV Income and IVT reports for all annual reexaminations for all families on a monthly basis. Reports will be generated as part of the regular reexamination process. The PHA will ensure that all EIV Income Reports are pulled within 120 days of the effective date of the annual reexamination. Income and IVT reports will be used in interim reexaminations as necessary. For example, EIV may be used to verify that families claiming zero income are not receiving income from any sources listed in EIV.</p>
<p>New Hires Report</p>	<p>In accordance with PHA policies in Chapter 9, the PHA does not process interim reexaminations for families who have increases in earned income. Except for instances in which the PHA uses Safe Harbor income determinations to determine a family’s annual income, the PHA will only review the New Hires Report at annual reexamination.</p>
<p>No Income Reported by HHS or SSA Report</p>	<p>The PHA will generate the No Income Reported by HHS or SSA Report quarterly and will retain the report.</p>

	<p>The PHA will re-verify the status of tenants identified on the report quarterly. Based on the information provided by the family and in EIV, the PHA may require that family members provide verifications or sign release forms in order to</p>
EIV Identity Verification	<p>The PHA will identify residents whose identity verification has failed by reviewing EIV's <i>Identity Verification Report</i> on a monthly basis. The PHA will attempt to resolve discrepancies by obtaining appropriate documentation from the tenant. When the PHA determines that discrepancies exist as a result of PHA errors, such as spelling errors or incorrect birth dates, it will correct the errors promptly</p>
Deceased Tenants Reports	<p>The PHA will review the Deceased Tenants Report on a monthly basis.</p>
EIV + Self-Certification	<p>At annual reexamination, if the PHA is unable to use a determination of income from a means-tested federal assistance program and if there are no reported changes to an income source, the PHA will use EIV + self-certification as verification of employment income, provided the family agrees with the amounts listed in EIV.</p> <p>The PHA will use an average of the last two quarters of income listed in EIV to determine income from employment. The PHA will provide the family with the information in EIV. The family will be required to sign a self-certification stating that the amount listed in EIV is accurate and representative of current income. If the family disagrees with the amount in EIV, the amount is not reflective of current income, or if less than two quarters are available in EIV, the PHA will use written third-party verification from the source as outlined below.</p> <p>The PHA will not use this method of verification at new admission since EIV is not available for applicant families or at interim reexamination since the income information in EIV is not current.</p>

<p>Written Third-Party Verification [Notice PIH 2010-19]</p>	<p>In general, the PHA will use third-party verification from the source in the following circumstances:</p> <ul style="list-style-type: none">At annual reexamination when EIV + self-certification is not used;For all new admissions; andFor all interim reexaminations. <p>The PHA will not use this method if the PHA is able to use an income determination from a means-tested federal assistance program or if the PHA uses EIV + self-certification as outlined above.</p> <p>In general, third-party documents provided by the family or the source must be dated within 120 days of the date received by the PHA. However, for fixed-income sources, a statement dated within the appropriate benefit year is acceptable documentation.</p> <p>The PHA may reject documentation provided by the family if the document is not an original, if the document appears to be forged, or if the document is altered, mutilated, or illegible. If the PHA determines that third-party documents provided by the family are not acceptable, the PHA will explain the reason to the family and request additional documentation from the family or will use a lower form of verification such as a written third-party verification form.</p> <p>When verification of assets held by a banking or financial institution is required, the PHA will obtain one statement that reflects the current balance of the account.</p> <p>When pay stubs are used, the PHA will require the family to provide the most current, six (6) consecutive pay stubs. At the PHA's discretion, if additional paystubs are needed due to the family's circumstances (e.g., sporadic income, fluctuating schedule, etc.), the PHA may request additional paystubs or a payroll record.</p> <p>As verification of earned income, the PHA will request pay stubs covering the 90-day period</p>
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	<p>prior to the PHA’s request. Under some circumstances, the PHA reserves the right to request pay stubs covering a period of more than 90 days prior to the PHA’s request.</p>
<p>7-I. H. LEVEL 2: ORAL THIRD-PARTY VERIFICATION</p>	<p>In general, the PHA will attempt to obtain written third-party verification via a form from the verification source. If written third-party verification forms are not returned within 10 business days, the PHA will accept self-certification from the family without attempting to obtain oral third-party verification.</p> <p>However, if the PHA chooses to obtain oral third-party verification, the PHA will document in the file the date and time of the telephone call or visit, the name of the person contacted and the telephone number, as well as the information confirmed.</p>
<p>7-I.I. LEVEL 1: NON-THIRD-PARTY VERIFICATION TECHNIQUE: SELF-CERTIFICATION [Notice PIH 2023-27]</p>	<p>All self-certifications will include the following language: “I/We, the undersigned, certify under penalty of perjury that the information provided here is true and correct, to the best of my knowledge and recollection. WARNING: Anyone who knowingly submits a false claim or knowingly makes a false statement is subject to criminal and/or civil penalties, including confinement for up to five years, fines, and civil and administrative penalties (18 U.S.C. 287, 1001, 1010, 1012; 31 U.S.C. 3279, 3802).”</p>
<p>7-II.B. SOCIAL SECURITY NUMBERS</p>	<p>The PHA will verify an individual’s SSN in the situations described above using the method described above as a last resort when no other forms of verification of the individual’s SSN are available.</p> <p>The PHA may only reject documentation of an SSN provided by an applicant or resident if the document is not an original document, if the original document has been altered,</p>

	<p>mutilated, or is not legible, or if the document appears to be forged.</p> <p>The PHA will explain to the applicant or resident the reasons the document is not acceptable and request that the individual obtain and submit acceptable documentation of the SSN to the PHA within 90 days.</p>
Absence of Adult Member	<p>If an adult member who was formerly a member of the household is reported to be permanently absent, the family must provide evidence to support that the person is no longer a member of the family (e.g., verifiable documentation of another address at which the person resides such as a lease, utility bill or provide a completed Declaration of Florida Domicile form</p>
7-III.A. EARNED INCOME	<p>When the PHA requires third-party verification of wages, for wages other than tips, the family must provide originals of the six (6) most current, consecutive pay stubs.</p>
7-III.E. NONRECURRING INCOME	<p>The PHA will accept self-certification from the family stating that income will not be repeated in the coming year. However, the PHA may choose, on a case-by-case basis, to require third-party verification that income sources will not be repeated in the coming year.</p>
7-III.F. ASSETS AND INCOME FROM ASSETS	<p>For families with net assets totaling \$50,000 or less, the PHA will accept the family's self-certification of the value of family assets and anticipated asset income. The family's declaration must show each asset and the amount of income expected from that asset. All family members 18 years of age and older must sign the family's declaration. The PHA reserves the right to require additional verification in situations where the accuracy of the declaration is in question. Any income the family expects to receive from assets will be included in the family's annual income. The family will be required to provide third-party</p>

	verification of net family assets every three years.
Self-Certification of Real Property Ownership	Both at admission and reexam, the PHA will accept self-certification from the family that the family does not have any present ownership in any real property. The certification will state that the family does not have any present ownership interest in any real property and must be signed by all family members 18 years of age and older. The PHA reserves the right to require additional verification in situations where the accuracy of the declaration is in question.
7-III.J. RETIREMENT ACCOUNTS	The PHA will accept an original document from the entity holding the account dated no earlier than 12 months before that reflects any distributions of the account balance, any lump sums taken and any regular payments
7-III.K. INCOME FROM EXCLUDED SOURCES	The PHA will accept the family's self-certification as verification of fully excluded income. The PHA may request additional documentation if necessary to document the income source. The PHA will verify the source and amount of partially excluded income as described in Part 1 of this chapter
7-III.L. ZERO ANNUAL INCOME STATUS	The PHA will also require that each family member who claims zero income status complete a zero-income form. If any sources of income are identified on the form, the PHA will verify the income in accordance with the policies in this chapter prior to including the income in the family's annual income.
7-III.M. STUDENT FINANCIAL ASSISTANCE	The PHA will request written third-party verification of both the source and the amount of student financial assistance. Family-provided documents from the educational institution attended by the student will be requested, as well as documents generated by

	<p>any other person or entity providing such assistance, as reported by the student.</p>
<p>7-IV.B. HEALTH AND MEDICAL EXPENSE DEDUCTION</p>	<p>If the PHA receives documentation from a verification source that contains the individual’s specific diagnosis, information regarding the individual’s treatment, and/or information regarding the nature or severity of the person’s disability, the PHA will immediately dispose of this confidential information; this information will never be maintained in the individual’s file. If the information needs to be disposed of, the PHA will note in the individual’s file that verification was received, the date received, and the name and address of the person/organization that provided the verification. Under no circumstances will PHA include an applicant’s or resident’s medical records in the file [Notice PIH 2010-26].</p>
<p>7-IV.C. DISABILITY ASSISTANCE EXPENSES</p>	<p>Before placing bills and documentation in the tenant file, the PHA will redact all personally identifiable information.</p> <p>If the PHA receives documentation from a verification source that contains the individual’s specific diagnosis, information regarding the individual’s treatment, and/or information regarding the nature or severity of the person’s disability, the PHA will immediately dispose of this confidential information; this information will never be maintained in the individual’s file. If the information needs to be disposed of, the PHA will note in the individual’s file that verification was received, the date received, and the name and address of the person/organization that provided the verification. Under no circumstances will PHA include an applicant’s or resident’s medical records in the file [Notice PIH 2010-26].</p>

Summary of Chapter 8: Leasing and Inspections

Gainesville Housing Authority (GHA)

General Overview

Chapter 8 of the ACOP provides a comprehensive framework for the leasing and inspection processes for public housing units managed by GHA. It emphasizes compliance with HUD regulations and outlines the responsibilities of both the PHA and tenants to ensure a safe and habitable living environment.

Part I: Leasing

- **Lease Terms:** Leases are for a 12-month period, automatically renewed unless there is a violation of community service requirements.
- **Lease Orientation:**
- Provided after unit acceptance but before occupancy.
- Includes information on the lease, grievance procedure, house rules, maintenance charges, and more.

Execution of Lease:

- Must be signed by the head of household, spouse, cohead, and all adult members before admission.
- A new lease is required for transfers between units.
- **Modifications to the Lease:**
- Modifications can be made by written agreement between tenant and PHA.
- Residents must receive 30 days' notice for lease changes and 60 days' notice for new or revised leases.

Security Deposits:

- Required at the time of admission, with amounts varying by unit size (e.g., \$200 for efficiency, \$600 for 5-bedroom).
- Refundable upon vacating, subject to deductions for unpaid rent, damages beyond normal wear and tear, and other charges.

Payments Under the Lease:

- Rent is due on the first of each month and is considered delinquent after the seventh day.
- Late fee of \$75 and returned check fee of \$50 may apply.
- Charges for excess utilities and maintenance beyond normal wear and tear are billed as per PHA's schedule.

Part II: Inspections

- Types of Inspections:
- Move-In, Move-Out, Annual, Quality Control, Special, and Other Inspections.

Notice and Scheduling:

- 48-hour written notice required for non-emergency entries.
- Emergency entries do not require prior notice.

Inspection Results:

- Emergency repairs to be made within 24 hours.
- Non-emergency repairs to be corrected within 25 business days.
- Tenant-caused damages billed according to PHA policy.

Key Benefits and Goals

- Ensuring compliance with HUD regulations to maintain a safe and habitable living environment.
- Providing clear and structured processes for leasing and inspections.
- Facilitating tenant understanding and cooperation through orientations and clear documentation.
- Ensuring timely and fair handling of lease modifications, security deposits, and payments.
- Maintaining regular inspections to uphold property standards and address issues promptly.

Policy Changes

<p>8-I.E. SECURITY DEPOSITS</p>	<p><u>GHA Policy</u> Residents must pay a security deposit to the PHA at the time of admission. See security deposit charges are below:</p> <p><u>Unit Security Deposit</u></p> <p>0 bedroc “efficiency” \$600 1 bedroc \$600 2 bedroc \$600 3 bedroc \$600 4 bedroc \$600</p>
<p>Late Fees and Nonpayment</p>	<p>When a check is returned for insufficient funds or is written on a closed account, the rent will be considered unpaid and a returned check fee of \$50.00 as well as a late fee of \$75.00 will be charged to the family. The fee will be due and payable 14 days after billing</p>
<p>Move-Out Inspections</p>	<p>When applicable, the PHA will provide the tenant with a statement of charges to be made for maintenance and damage beyond normal wear and tear, within 30 calendar days of the tenant moving out.</p>
<p>Attendance at Inspections</p>	<p>If no one is at home, the inspector will enter the unit, conduct the inspection and provide a copy of the inspection report.</p>
<p>8-II.D. INSPECTION RESULTS</p>	<p>PHA provided utilities not in service</p>

Summary of Chapter 9 - Reexaminations

Gainesville Housing Authority

Overview

Chapter 9 of the ACOP outlines the policies and procedures for reexamining family income and composition for the Gainesville Housing Authority (GHA). The reexaminations are essential to ensure accurate rent calculations and compliance with HUD regulations. This chapter includes guidelines for annual and interim reexaminations, as well as specific procedures for families paying income-based and flat rents.

Annual Reexaminations for Families Paying Income-Based Rents

- Annual reexaminations are required for families paying income-based rents.
- Reexaminations include income verification and family composition updates.
- Residents must comply with community service requirements and criminal background checks.
- Communication for reexamination is done via mail or hand delivery.
- Failure to attend scheduled interviews can result in lease termination.

Reexaminations for Families Paying Flat Rents

- Full reexaminations of family income and composition are conducted once every three years.
- Annual updates of family composition are done in the years between full reexaminations.
- Compliance with community service requirements is reviewed annually.
- Criminal background checks are required for adults in the household during annual updates.

Interim Reexaminations

- Requested by families or initiated by PHA when significant changes in income or composition occur.

- Must be conducted within 30 days of the reported change.
- All changes in household composition and income must be reported within 10 business days.
- Interim decreases in rent are effective the first of the month following the change.
- Interim increases in rent are effective with a 30-day notice, except for earned income increases unless a prior interim decrease was processed.

Recalculating Tenant Rent

- Tenant rent recalculations are based on verified income information.
- Changes in utility allowances are reflected in rent calculations during annual reexaminations.
- Tenants are notified in writing of any rent adjustments.

Changes Related to HOTMA

- Annual reexaminations now follow new income calculation guidelines as per HOTMA regulations. See Chapters 6-8.

Key Benefits and Goals

- Ensures accurate rent calculations and compliance with HUD regulations.
- Promotes transparency and accountability within the housing authority.
- Supports residents in maintaining compliance with policies and requirements.
- Enhances the overall management and administration of public housing programs.

Policy Changes

Notification of and Participation in the Annual Reexamination Process	Families generally are required to participate in an annual reexamination interview, which must be attended by all adult members 18 years or older
9-I.D. CALCULATING ANNUAL INCOME AT ANNUAL REEXAMINATION	When income is calculated using a streamlined income determination or Safe Harbor determination from a means-tested federal public assistance program in accordance with PHA policies in Chapter 7, the above is not applicable. Not applicable. However, where the family

	<p>disagrees with the PHA or other agency's determination of income or the PHA has other reason to use third-party verification in these circumstances, then the above will apply.</p>
<p>Criminal Background Checks</p>	<p>At the annual reexamination, the PHA will ask whether the tenant, or any member of the tenant's household, is subject to a lifetime sex offender registration requirement in any state. The PHA will use the Dru Sjodin National Sex Offender database to verify the information provided by the tenant.</p>
<p>9-II.B. FULL REEXAMINATION OF FAMILY INCOME AND COMPOSITION</p>	<p>However, for flat rent families who become over-income, this policy will not apply. The PHA will instead conduct an interim reexamination at 12 and 24 months following the initial over-income determination as needed to verify the family remains over-income. The family will continue to be given a choice between income-based and flat rent at each annual reexamination during the over-income grace period.</p> <p>If the family is subsequently determined to no longer be over-income:</p> <p>If the determination is the result of an annual reexamination, the family will be given a choice between income-based or flat rent at reexam. If the family selects flat rent, the PHA will resume reexamination of family income and composition once every three (3) years.</p> <p>If determination is because of an interim reexamination, the PHA will conduct an annual reexamination for the family at their next scheduled annual date. If the family selects flat rent, the PHA will resume reexamination of family income and composition once every three years.</p> <p>Families will only be given the choice</p>

	<p>between income-based and flat rent at the annual reexamination.</p>
<p>9-III.C. CHANGES AFFECTING INCOME OR EXPENSES</p>	<p>The family will be required to report all changes in income regardless of the amount of the change, whether the change is to earned or unearned income, or if the change occurred during the last three months of the certification period. Families must report changes in income within 10 business days of the date the change takes effect. The family may notify the PHA of changes in writing.</p> <p>Within a reasonable amount of time of the family reporting the change, the PHA will determine whether the change will require an interim reexamination.</p> <p>If the change will not result in an interim reexamination, the PHA will note the information in the tenant file but will not conduct an interim reexamination. The PHA will send the family written notification within 10 business days of making this determination informing the family that the PHA will not conduct an interim reexamination.</p> <p>If the change will result in an interim reexamination, the PHA will determine the documentation the family will be required to submit based on the type of change reported and PHA policies in Chapter 7. The PHA will ask the family to report changes in all aspects of adjusted income at this time. The family must submit any required information or documents within 10 business days of receiving a request from the PHA. This time frame may be extended for good cause with PHA approval. The PHA will accept required documentation by mail, email, fax, or in person. The PHA will conduct the interim within a reasonable time period based on the amount of time it takes to verify the information.</p>

	<p>Generally, the family will not be required to attend an interview for an interim reexamination. However, if the PHA determines that an interview is warranted, the family may be required to attend.</p>
Changes Not Reported Timely	<p>In general, when the family fails to report a change in income or family composition timely, and the change would lead to a rent decrease, the PHA will apply the decrease the first of the month following completion of the interim reexamination. However, the PHA will apply the results of the interim reexamination retroactively where a family's ability to report a change in income promptly may have been hampered due to extenuating circumstances such as a natural disaster or disruptions to PHA management operations. The PHA will decide to apply decreases retroactively on a case-by-case basis.</p> <p>When the PHA applies the results of interim decreases retroactively, the PHA will clearly communicate the effect of the retroactive adjustment to the family and may enter into a repayment agreement in accordance with PHA policies.</p>

Summary of Chapter 10: Pets

General Overview

This document outlines the Gainesville Housing Authority's (GHA) policies on pet ownership and assistance animals, aiming to ensure a decent, safe, and sanitary living environment for all residents. It includes the rules and guidelines for both pets and assistance animals, highlighting the differences between them and the criteria for their approval and care.

Part I: Assistance Animals

- Overview: Differentiates between assistance animals and pets, emphasizing the unique status and support provided by assistance animals.

Approval:

- Service Animals: Defined as dogs trained to perform tasks for individuals with disabilities.
- Support Animals: Other animals that provide emotional or physical support.
- Standards: Includes questions for validating service animals and criteria for support animals.
- General Considerations: Highlights the need for a relationship between the disability and the assistance provided by the animal.

Part II: Pet Policies for All Developments

- Overview: Establishes guidelines for pet ownership without discrimination.

Management Approval:

- Registration of Pets: Requirements for pet documentation and annual renewals.
- Refusal to Register: Criteria for denying pet registration.
- Pet Agreement: Certification of compliance with GHA's pet policies.

Standards for Pets:

- Definition: Common household pets include dogs, cats, birds, and fish.
- Restrictions: Limitations on number and types of pets.
- Cleanliness: Requirements for waste disposal and maintaining sanitary conditions.

Part III: Pet Deposits and Fees in Elderly/Disabled Developments

Pet Deposits:

- Refundable deposit of \$300, payable before the pet is brought onto the premises.
- Refund process and billing for damages exceeding the deposit.

Other Charges: Charges for pet-related damages and waste removal.

Part IV: Pet Deposits and Fees in General Occupancy Developments

Pet Deposits:

- Refundable deposit of \$300, with similar conditions as for elderly/disabled developments.
- Other Charges: Charges for pet-related damages and waste removal.

Key Benefits and Goals

- Ensures a safe and sanitary living environment for all residents.
- Provides clear guidelines and criteria for pet ownership and assistance animals.

Policy Changes

10-III.B. PET DEPOSITS	Deposit increased from \$200.00 to \$300.00
Refund of Deposit	The PHA will provide the resident with a written list of any charges against the pet deposit within 30 days of the resident moving out vs. 10 business days of the move-out inspection.

Summary of Chapter 11 - Community Service Requirements and Implementation

Gainesville Housing Authority

Overview

The document outlines the HUD regulations and PHA policies for implementing a community service program required for all nonexempt adults residing in public housing. The chapter is divided into two main parts: Community Service Requirements and PHA Implementation of Community Service.

Community Service Requirements

Overview

- HUD regulations for community service are found in 24 CFR 960 Subpart F.
- Effective from PHA fiscal years after October 1, 2000.
- Community service involves voluntary work to benefit the public and improve community life but excludes political activities.

Requirements

- Nonexempt adult residents must contribute 8 hours of community service or participate in an economic self-sufficiency program per month.
- Activities can be aggregated to 96 hours annually.
- Exemptions include individuals over 62, those with disabilities, primary caretakers, those engaged in work activities, and certain welfare program participants.

Eligible Community Service Activities

- Work at schools, childcare centers, hospitals, senior centers, homeless shelters, food banks, and nonprofit organizations.
- Programs like Boy Scouts, Girls Scouts, and other youth and senior programs.
- Activities to improve PHA housing grounds or assist other residents.

Economic Self-Sufficiency Activities

- Job readiness or training programs.
- Employment counseling and placement.
- Education including higher education and GED classes.
- English proficiency classes, budgeting, and credit counseling.

Notification Requirements

- PHAs must provide written descriptions of community service requirements and processes to families.
- Families must certify understanding and compliance at lease renewal.

Implementation of Community Service

PHA Program Design

- PHAs must develop policies for administering community service requirements.
- Activities cannot replace PHA employee jobs or those in other employment sectors.
- PHAs should notify their insurance companies if residents are performing community service at the PHA.

Documentation and Verification

- PHAs must retain documentation of service performance or exemptions.
- Verification can include self-certification forms validated through third-party documentation.

Noncompliance and Enforcement

- Noncompliant residents must enter into a written agreement to make up deficient hours or face nonrenewal of their lease.
- Tenants have the right to request grievance hearings if noncompliance is determined.

Policy Changes

11-I.B. REQUIREMENTS	<p>The required community service or self-sufficiency activity may be completed 8 hours each month or may be aggregated across a year. Any blocking of hours is acceptable as long as 96 hours is completed by each annual certification of compliance [Notice PIH 2015-12].</p> <ul style="list-style-type: none">▪ Can meet requirements under a state program funded under part A of title IV of the Social Security Act, or under any other welfare program of the state in which the PHA is located, including a state-administered welfare-to-work program<ul style="list-style-type: none">- This exemption applies to anyone whose characteristics or family situation meet the welfare agency exemption criteria and can be verified▪ Is 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, or under any other welfare program of the state in which the PHA is located, including a state-administered welfare-to-work program, and has not been found by the state or other administering entity to be in noncompliance with such program.<ul style="list-style-type: none">• Is a member of a non-public housing over-income family
Documentation and Verification of Compliance	<p>Everyone who is subject to the requirement will be required to record their community service or self-sufficiency activities and the number of hours contributed on the required form. The certification form will also include places for signatures and phone numbers of supervisors, instructors,</p>

	<p>and counselors certifying the number of hours contributed.</p> <p>Families will be required to submit the documentation on the first (1st) day of the month no later than the seventh (7th) day.</p>
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Summary of Chapter 12 - Transfer Policy

Gainesville Housing Authority

General Overview

Chapter 12 of the ACOP document outlines the Gainesville Housing Authority's (GHA) policies and procedures related to tenant transfers. These policies are established based on HUD regulations, guidance, and PHA policy decisions. The chapter is structured to cover emergency transfers, PHA-required transfers, resident-requested transfers, and transfer processing in detail.

Part I: Emergency Transfers

- Overview: Emergency transfers require immediate action by the PHA.

Conditions:

- Maintenance issues posing immediate threats (e.g., gas leaks, no heat in winter, toxic contamination).
- Incidents of domestic violence, sexual assault, stalking, or human trafficking.

Procedures:

- Provision of temporary accommodation if an appropriate unit is not immediately available.
- Immediate processing of requests related to VAWA.

Costs:

- GHA covers reasonable costs for temporary accommodation and transfers due to emergency conditions.

Part II: PHA Required Transfers

- Overview: Transfers may be required for accessible units, occupancy standards, demolition, or renovation.

Types:

- Making accessible units available for disabled families.

- Compliance with occupancy standards based on family composition.
- Demolition, disposition, revitalization, or rehabilitation of units.

Costs: GHA covers reasonable costs except for occupancy standard transfers.

Part III: Transfers Requested by Residents

- Overview: The PHA can consider transfer requests from residents, particularly for reasonable accommodation.

Types:

- Serious or life-threatening medical conditions.
- Threats of physical harm or criminal activity.
- Reasonable accommodation requests.
- Transfers to different unit sizes or locations closer to employment.

Eligibility:

- Residents must meet good standing requirements (no criminal activity, no back rent, etc.).
- Exceptions for victims of domestic violence, dating violence, or stalking.
- Costs: Residents bear the costs unless the transfer is a reasonable accommodation.

Part IV: Transfer Processing

- Overview: Transfers are processed in a consistent and auditable manner.

Transfer List:

- Emergency transfers handled immediately.
- High-priority transfers (medical conditions, threats, reasonable accommodation).
- Transfers for accessible units, demolition, renovation, and occupancy standards.

Transfer Offer Policy: One offer per transfer; refusal without good cause may lead to lease termination.

Good Cause for Refusal: Includes job impact, specific family safety concerns, health issues, and inappropriateness of the unit.

Key Benefits and Goals

- Ensuring Safety: Immediate actions for emergency transfers to protect residents' health and safety.
- Accessibility: Making accessible units available for disabled families.
- Compliance: Adhering to occupancy standards based on family composition.
- Support: Offering reasonable accommodation for residents with disabilities or special needs.

Policy Changes

12-I.B. EMERGENCY TRANSFERS	<p>A verified incident of domestic violence, dating violence, sexual assault, stalking, or human trafficking. For instances of domestic violence, dating violence, sexual assault, stalking, or human trafficking, the threat may be established through documentation outlined in section 16-VII.D. In order to request the emergency transfer, the requestor must submit an emergency transfer request form (HUD-5383) (Exhibit 16-4 of this ACOP), although, the PHA may waive this requirement in order to expedite the transfer process. The PHA will immediately process requests for transfers due to domestic violence, dating violence, sexual assault, stalking, or human trafficking. The PHA will allow a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available. The PHA defines <i>immediately available</i> as a vacant unit, that is ready for move-in within a reasonable period, not to exceed 30 days; not to include extensions for unforeseen circumstances. If an internal transfer to a safe unit is not immediately available, the PHA will assist the resident in seeking an external emergency transfer either within or outside the PHA's programs.</p>
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	<p>The PHA has adopted an emergency transfer plan, which is included as Exhibit 16-3 to this plan.</p>
<p>12-I.C. EMERGENCY TRANSFER PROCEDURES</p>	<p>The family is entitled to alternative accommodations even if the tenant, household member, guest, or other covered person is responsible for the damage that caused the hazard or if a family is in the process of being evicted. If the conditions that required the transfer cannot be repaired, or the condition cannot be repaired in a reasonable amount of time, the PHA will transfer the resident to the first available and appropriate unit after the temporary relocation. Emergency transfers arise due to maintenance conditions and are mandatory for the tenant. If the emergency transfer is necessary to protect a victim of domestic violence, dating violence, sexual assault, stalking, or human trafficking, the PHA will follow procedures outlined in Exhibit 16-4</p>
<p>12-III.D. SECURITY DEPOSITS</p>	<p>The resident will be required to pay any additional security deposit that may result from the approved transfer.</p>
<p>12-III.F. HANDLING OF REQUESTS</p>	<p>To request the emergency transfer under VAWA, the resident will be required to submit an emergency transfer request form (HUD-5383) (Exhibit 16-4 of this ACOP). The PHA may, on a case-by-case basis, waive this requirement and accept a verbal request to expedite the transfer process. If the PHA accepts an individual's statement, the PHA will document acceptance of the statement in the individual's file in accordance with 16-VII.D. of this ACOP. Transfer requests under VAWA will be processed in accordance with the PHA's Emergency</p>

	<p>Transfer Plan (Exhibit 16-3). In case of a reasonable accommodation transfer, the PHA will encourage the resident to make the request in writing using a reasonable accommodation request form. However, the PHA will consider the transfer request any time the resident indicates that accommodation is needed whether a formal written request is submitted.</p>
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Summary Chapter 13 of Lease Terminations

General Overview

Chapter 13 of the ACOP discusses the policies governing the termination of leases in public housing managed by the Gainesville Housing Authority (GHA). The document outlines the procedures for both voluntary terminations by tenants and mandatory or discretionary terminations by the GHA, ensuring compliance with HUD regulations while considering state and local landlord-tenant laws.

Part I: Termination by Tenant

- Tenants may terminate the lease at any time for any reason by providing written notice.
- GHA requires at least 30 days' advance written notice, though this may be waived in certain circumstances.
- Notice must be signed by the head of household, spouse, or cohead.

Part II: Termination by GHA - Mandatory

- GHA must terminate leases for several reasons, including:
- Failure to provide required consent forms.
- Failure to document citizenship or eligible immigration status.
- Failure to disclose and document Social Security numbers.
- Failure to accept a PHA lease revision.
- Conviction for methamphetamine production on federally assisted premises.
- Lifetime registration as a sex offender and was erroneously admitted.
- Noncompliance with community service requirements.
- Death of the sole family member.
- Over-income status for 24 consecutive months without signing a new lease.

Specific circumstances and policies are detailed for each mandatory termination.

Part III: Termination by GHA – Other Authorized Reasons

- GHA has discretion to terminate leases for:
- Criminal activities, including drug-related and violent criminal activities.
- Alcohol abuse that threatens the health, safety, or right to peaceful enjoyment of the premises.

- Furnishing false or misleading information regarding illegal drug use or alcohol abuse.
- Other serious or repeated violations of material terms of the lease.

GHA policies also cover terms like fugitive felon status, sex offender registration, and failure to comply with PHA policies.

Part IV: Notification Requirements

- Federal requirements for criminal record disclosures to families prior to termination.
- Timing and content of written notices for lease termination and eviction.
- Notification of the post office when eviction is due to criminal activity.
- Record-keeping requirements related to lease terminations.

Policy Changes

13-II.J. OVER_INCOME FAMILIES	For families whose income exceeds the over-income limit for 24 consecutive months, the PHA will not terminate the family’s tenancy and will charge the family the alternative non-public housing rent, as well as require the family to sign a new non-public housing lease in accordance with the continued occupancy policies below.
Over-Income Limit	The GHA will rely on the following over-income limits. These numbers will be updated within 60 days of HUD publishing new income limits each year and will be effective for all annual and interim reexaminations once these policies have been adopted.
Decreases in Income	If, at any time during the 24-month period following the initial over-income determination, an over-income family experiences a decrease in income, the family may request an interim redetermination of rent in accordance with PHA policy in Chapter 9. If, as a result, the previously over-income family is now below the over-income limit, the

	<p>family is no longer subject to over-income provisions as of the effective date of the recertification. The PHA will notify the family in writing within 10 business days of the determination that over-income policies no longer apply to them.</p>
Initial Notice of Over-Income Status	<p>At annual or interim reexamination, if a family's income exceeds the applicable over-income limit, within 10 business days of the determination, the PHA will notify the family in writing of the determination. The notice will state that if the family continues to be over-income for 24 consecutive months, the family will be subject to the PHA's over-income policies. The notice will state that the family may request a hearing if the family disputes the PHA's determination in accordance with PHA policies in Chapter 14. The PHA will ensure that all notices and communications are provided in a manner that is effective for persons with hearing, visual, and other impairments.</p>
Second Notice of Over-Income Status	<p>If a family's income continues to exceed the applicable over-income limit after 12 consecutive months, within 10 business days of the determination, the PHA will notify the family in writing of the determination. The notice will state that if the family continues to be over-income for 24 consecutive months, the family will be subject to the PHA's over-income policies. The notice will provide an estimate of the alternative non-public housing rent applicable to the family at the close of the 24 consecutive month period. The notice will also state that the family may request a hearing if the family disputes the PHA's determination in accordance with PHA policies in Chapter 14. The PHA will ensure that all notices and communications are provided in a manner that is effective for</p>

	<p>persons with hearing, visual, and other impairments.</p>
Final Notice of Over-Income Status	<p>If a family's income exceeds the applicable over-income limit for 24 consecutive months, the PHA will notify the family in writing of the determination within 10 business days of the date of the determination. The PHA will ensure that all notices and communications are provided in a manner that is effective for persons with hearing, visual, and other impairments. The notice will state that the family will be charged the alternative non-public housing rent in accordance with PHA continued occupancy policies and HUD regulations and provide the family's new rent amount.</p> <p>The notice will also include a new non-public housing lease and inform the family that the lease must be executed by the family and the PHA no later than 60 days from the date of the notice or at the next lease renewal, whichever is sooner. The family will continue to be a public housing program participant until the family executes the new non-public housing lease. The notice will also state that failure to execute the lease within the time period stated in the notice will result in termination of tenancy no more than six months after the date of the notice. The PHA will permit an over-income family to execute a lease beyond this time, but before termination of tenancy, if the over-income family pays the PHA the total difference between the alternative non-public housing rent and their public housing rent dating back to the point in time that the over-income family was required to execute the new lease.</p> <p>Once the family signs the new non-public housing lease, the family will no longer be a public housing participant family. The family will no longer be subject to income examinations, are precluded from participating in the resident council, and</p>

	cannot participate in any programs that are only for public housing or low-income families. The PHA will not provide such families with hearing or grievance rights.
Alcohol Abuse	A record or records of arrest will not be used as the sole basis for the termination or proof that the participant engaged in disqualifying criminal activity.
Other Serious or Repeated Violations of Material Terms of the Lease – Mandatory Lease Provisions	Repeated late payment of rent or other charges. Three (3) late payments within a 12-month period shall constitute a repeated late payment.
Consideration of Circumstances	<p>While a record or records of arrest will not be used as the sole basis for termination, an arrest may, however, trigger an investigation to determine whether the participant engaged in disqualifying criminal activity. As part of its investigation, the PHA may obtain the police report associated with the arrest and consider the reported circumstances of the arrest. The PHA may also consider:</p> <ul style="list-style-type: none"> Any statements made by witnesses, or the participant not included in the police report Whether criminal charges were filed Whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal Any other evidence relevant to determining whether the participant engaged in disqualifying activity <p>Evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety and/or property.</p> <p>In the case of program abuse, the dollar amount of the underpaid rent and whether a false certification was signed by the family</p>
13-IV.D. LEASE TERMINATION NOTICE	If the PHA offers remote hearings, the notice will also state that the resident may request a remote hearing.

	<p>If the PHA requires that the hearing be conducted remotely, at the time the notice is sent to the resident informing them of the right to request a hearing, the resident will be notified that the hearing will be conducted remotely. The resident will be informed of the processes involved in a remote hearing and that the PHA will provide technical assistance, if needed, before the hearing.</p> <p>The PHA will attempt to deliver notices of lease termination directly to the tenant or an adult member of the household. If such attempt fails, the notice will be posted at the residence or sent by certified mail the same day.</p> <p>All notices of lease termination will include a copy of the forms HUD-5382 and HUD-5380 to accompany the termination notice. Any tenant who claims that the cause for termination involves domestic violence, dating violence, sexual assault, stalking, or human trafficking of which the tenant or affiliated individual of the tenant is the victim will be given the opportunity to provide documentation in accordance with the policies in sections 13-III.F and 16-VII.D.</p>
Timing of the Notice	<p>The PHA will give written notice of 30 calendar days from the date the tenant receives the notice for nonpayment of rent (during nationwide emergency orders) or 14 calendar days from the date the tenant receives the notice for nonpayment of rent (upon expiration of nationwide emergency orders). For all other lease terminations, the PHA will give 30 days' written notice or, if state or local law allows less than 30 days, such shorter notice will be given.</p>

	<p>Any Notice to Vacate or Notice to Quit that is required by state or local law will run concurrently with the Notice of Lease Termination under this section.</p>
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Summary of Chapter 14 - Grievances and Appeals

Gainesville Housing Authority

General Overview

Chapter 14 of the ACOP discusses the policies and procedures for grievances and appeals related to PHA actions or inactions affecting public housing applicants or residents. This chapter is divided into three main parts: Informal Hearings for Public Housing Applicants, Informal Hearings with Regard to Noncitizens, and Grievance Procedures for Public Housing Residents.

Part I: Informal Hearings for Public Housing Applicants

- Overview: Applicants can appeal PHA decisions through informal hearings, particularly in cases of admission denial.
- Informal Hearing Process: Provided for public housing applicants to dispute ineligibility determinations.
- Notice of Denial: Must include reasons for denial and information on how to request an informal hearing.
- Scheduling: Requests for hearings must be made within 10 business days of denial notice. Hearings scheduled within 10 business days of the request.
- Remote Hearings: Allowed in certain circumstances, such as health risks or inclement weather.
- Accessibility: Must be accessible to individuals with disabilities and those with Limited English Proficiency (LEP).

Part II: Informal Hearings with Regard to Noncitizens

- Hearing Provisions: Special rules for hearings based on immigration status.
- Notice of Denial: Must inform the family of their right to request an appeal to USCIS.
- USCIS Appeal Process: Families have 30 days to appeal USCIS secondary verification results.
- Hearing Procedures: Must provide an impartial hearing officer and allow examination of relevant documents.

Part III: Grievance Procedures for Public Housing Residents

- Requirements: PHAs must have a grievance procedure for residents to address PHA actions or inactions.
- Definitions: Includes terms like grievance, complainant, and due process determination.
- Applicability: Grievance procedures apply to individual tenant issues with the PHA.
- Informal Settlement: Tenants can request informal settlements before a formal hearing.
- Hearing Requests: Must be submitted within five business days of the informal settlement summary.
- Escrow Deposits: Required for grievances involving rent amounts, unless waived for financial hardship.
- Scheduling and Conduct: Hearings scheduled promptly, must be fair and allow tenants to present evidence and cross-examine witnesses.
- Decision: Written decision within a reasonable time, based on preponderance of evidence.

Key Benefits and Goals

- Fairness: Ensures applicants and residents have a fair process to dispute decisions.
- Accessibility: Accommodations for disabilities and LEP ensure equitable access for all individuals.
- Transparency: Clear procedures and requirements for hearings and grievances maintain transparency in PHA operations.
- Compliance: Aligns with HUD regulations and due process requirements.

Policy Changes

<p>Notice of Denial</p>	<p>When denying eligibility for admission, the PHA must provide the family a notice of VAWA rights (form HUD-5380) as well as the HUD VAWA self-certification form (form HUD-5382) in accordance with the Violence against Women Act, and as outlined in 16-VII.C. The notice and self-certification form must accompany the written notification of the denial of eligibility determination.</p>
<p>Scheduling an Informal Hearing</p>	<p>If the PHA informal hearing will be conducted remotely, at the time the notice is sent to the family, the family will be informed: Regarding the processes involved in a remote informal hearing; That the PHA will provide technical assistance prior to and during the informal hearing, if needed; and That if the family or any individual witness has any technological, resource, or accessibility barriers preventing them from fully accessing the remote informal hearing, the family may inform the PHA and the PHA will assist the family in either resolving the issues or allow the family to participate in an in-person informal hearing, as appropriate.</p>

<p>Remote Informal Hearings</p>	<p>The PHA has the sole discretion to require that informal hearings be conducted remotely in case of local, state, or national physical distancing orders, and in cases of inclement weather or natural disaster. In addition, the PHA will conduct an informal hearing remotely upon request of the applicant as a reasonable accommodation for a person with a disability, if an applicant does not have child care or transportation that would enable them to attend the informal hearing, or if the applicant believes an in-person informal hearing would create an undue health risk. The PHA will consider other reasonable requests for a remote informal hearing on a case-by-case basis.</p>
<p>Conducting Remote Informal Hearings</p>	<p>The PHA will conduct remote informal hearings via a video conferencing platform, when available. If, after attempting to resolve any barriers, applicants are unable to adequately access the video conferencing platform at any point, or upon applicant request, the informal hearing will be conducted by telephone conferencing call-in. If the family is unable to adequately access the telephone conferencing call-in at any point, the remote informal hearing will be postponed, and an in-person alternative will be provided promptly within a reasonable time.</p> <p>At least (5) five business days prior to scheduling the remote hearing, the PHA will provide the family with login information and/or conferencing call-in information and an electronic copy of all materials being presented via first class mail and/or email. The notice will advise the family of technological requirements for the hearing and request the family notify the PHA of any known barriers. The PHA will resolve any barriers using the</p>

	<p>guidance in Section 6 of Notice PIH 2020-32, including offering the family the opportunity to attend an in-person hearing. If the informal hearing is to be conducted remotely, the PHA will require the family to provide any documents directly relevant to the informal hearing at least 24 hours before the scheduled hearing through the mail, via email, or text. The PHA will scan and email copies of these documents to the PHA representative and to the person conducting the informal hearing the same day.</p> <p>Documents will be shared electronically whenever possible.</p> <p>The PHA will follow up the email with a phone call and/or email to the applicant at least one business day prior to the remote informal hearing to ensure that the applicant received all information and is comfortable accessing the video conferencing or call-in platform.</p> <p>The PHA will ensure that all electronic information stored or transmitted with respect to the informal hearing is secure, including protecting personally identifiable information (PII), and meets the requirements for accessibility for persons with disabilities and persons with LEP.</p>
<p>Informal Hearing Procedures for Applicants</p>	<p>The family will be allowed to copy any documents related to the hearing at a cost of \$.15 per page or \$.20 for double sided documents. The family must request discovery of PHA documents no later than 5:00 p.m. two (2) business days prior to the hearing</p>
<p>14-III.D. INFORMAL SETTLEMENT OF GRIEVANCE</p>	<p>The informal settlement may be conducted remotely as required by the PHA or may be conducted remotely upon consideration of the request of the tenant. See 14-III.G for information on how and under what</p>

	<p>circumstances remote informal settlements may be conducted</p>
<p>Scheduling of Hearings</p>	<p>If the PHA hearing will be conducted remotely, at the time the notice is sent to the family, the family will be notified: Regarding the processes involved in a remote grievance hearing; That the PHA will provide technical assistance prior to and during the hearing, if needed; and That if the family or any individual witness has any technological, resource, or accessibility barriers, the family may inform the PHA and the PHA will assist the family in either resolving the issue or allow the family to participate in an in-person hearing, as appropriate.</p>
<p>Expedited Grievance Procedure</p>	<p>The PHA will not offer expedited grievances.</p>
<p>14-III.F. SELECTION OF HEARING OFFICER/PANEL</p>	<p>The PHA will appoint a staff member who was not involved in the decision under appeal. If a designated staff member (such as the program manager) was involved in the decision, or is a subordinate of such person, an alternate hearing officer will be selected. The PHA may select designated staff members who were not involved in the decision under appeal in certain circumstances, such as appeals involving discrimination claims or denials of requests for reasonable accommodations The PHA has designated the following to serve as hearing officers: Agency Compliance Officer or an assigned PHA Representative by the Executive Director.</p>
<p>14-III.G. REMOTE HEARINGS</p>	<p>The PHA has the sole discretion to require that hearings be conducted remotely in case of local, state, or national physical</p>

distancing orders, and in cases of inclement weather or natural disaster. In addition, the PHA will conduct a hearing remotely upon request as a reasonable accommodation for a person with a disability, if a tenant does not have child care or transportation that would enable them to attend the hearing, or if the tenant believes an in-person hearing would create an undue health risk. The PHA will consider other reasonable requests for a remote hearing on a case-by-case basis.

If the hearing will be conducted remotely, the PHA will compile a hearing packet, consisting of all documents the PHA intends to produce at the hearing. The PHA will mail copies of the hearing packet to the tenant, the tenant's representatives, if any, and the hearing officer at least three days before the scheduled remote hearing. The original hearing packet will be in the possession of the PHA representative and retained by the PHA.

If the hearing is to be conducted remotely, the PHA will require the resident to provide any documents directly relevant to the hearing at least 24 hours before the scheduled hearing through the mail, via email, or text. The PHA will scan and email copies of these documents to the hearing officer and the PHA representative the same day they are received. Documents will be shared electronically whenever possible.

The PHA will conduct remote grievance hearings via a video conferencing platform, when available. If, after attempting to resolve any barriers, participants are unable to adequately access the video conferencing platform at any point, or upon request, the grievance hearing will be conducted by telephone conferencing call-

	<p>in. If the family is unable to adequately access the telephone conferencing call-in at any point, the remote grievance hearing will be postponed, and an in-person alternative will be provided promptly within a reasonable time.</p> <p>At least five business days prior to scheduling the remote hearing, the PHA will provide the family with login information and/or conferencing call-in information and an electronic copy of all materials being presented via first class mail and/or email. The notice will advise the family of technological requirements for the hearing and request the family notify the PHA of any known barriers. The PHA will resolve any barriers using the guidance in Section 6 of Notice PIH 2020-32, including offering the family the opportunity to attend an in-person hearing. The PHA will follow up with a phone call and/or email to the family at least one business day prior to the remote grievance hearing to ensure that the family received all information and is comfortable accessing the video conferencing or call-in platform.</p> <p>The PHA will ensure that all electronic information stored or transmitted with respect to the grievance hearing is secure, including protecting personally identifiable information (PII), and meets the requirements for accessibility for persons with disabilities and persons with LEP.</p>
<p>14-III.H. PROCEDURES GOVERNING THE HEARING</p>	<p>The tenant will be allowed to copy any documents related to the hearing at a cost of \$.15 per page and \$.20 per page for double sided documents. The family must request discovery of PHA documents no later than 5:00 p.m. two (2) business days prior to the hearing.</p>

Failure to Appear	If the tenant does not appear at the scheduled time of the hearing, the hearing officer will wait up to 20 minutes. If the tenant appears within 20 minutes of the scheduled time, the hearing will be held. If the tenant does not arrive within 20 minutes of the scheduled time, they will be considered to have failed to appear.

Summary of Chapter 15: Program Integrity

Overview

The Gainesville Housing Authority (GHA) is dedicated to ensuring that funds are used in accordance with HUD requirements. Chapter 15 of the ACOP outlines the policies and procedures designed to prevent, detect, investigate, and resolve instances of program abuse or fraud. It also addresses corrective measures and penalties for unintentional errors and omissions.

Part I: Preventing, Detecting, and Investigating Errors and Program Abuse

Preventing Errors and Program Abuse

- Utilization of the Enterprise Income Verification (EIV) system as mandated by HUD.
- Provision of form HUD-52675 to all applicants and residents.
- Distribution of "Is Fraud Worth It?" and "What You Should Know about EIV" to residents.
- Mandatory orientation sessions discussing program compliance and integrity.
- Resident counseling during reexamination interviews to clarify program rules.
- Review and explanation of all required forms before signature.
- Placement of fraud penalty warnings on key forms and letters.
- Training for PHA employees on program rules and standards of conduct.

Detecting Errors and Program Abuse

- Use of income verification sources, including EIV, to compare with family-provided information.
- Comparison of current and previous reexamination data to identify inconsistencies.
- Analysis of family-reported income and expenditures for potential unreported income.
- Independent audits and HUD monitoring to identify potential program abuses.
- Encouragement for staff, residents, and the public to report possible program abuse.

Investigating Errors and Program Abuse

- Review of referrals, specific allegations, complaints, and tips from various sources.
- Investigation of inconsistent information identified through file reviews and verifications.
- Possible requirement for applicant/resident families to consent to the release of additional information.

- Evaluation based on a preponderance of the evidence.
- Notification of findings and remedies to the relevant party within 10 business days.

Part II: Corrective Measures and Penalties

Under- or Overpayment

- Prompt correction of incorrect resident rent and utility reimbursements.
- 30 days' notice for increases in resident rent.
- Effective date for decreases in resident rent as the first of the month following discovery.

Family-Caused Errors and Program Abuse

- Family reimbursement to PHA in cases of underpaid rent due to family error or abuse.
- PHA reimbursement to family for overpaid rent caused by PHA error.
- Prohibited actions include making false statements, providing incomplete information, and committing fraud.
- Penalties can include repayment of amounts owed, exclusion of culpable family members, lease termination, and criminal prosecution referrals.

PHA-Caused Errors or Program Abuse

- PHA reimbursement to family for overpayment of rent due to staff error or abuse.
- Exemption for families from repaying underpaid rent caused by PHA errors.

Criminal Prosecution

- Referral of underpaid rent cases meeting or exceeding \$3,000 to the HUD Office of Inspector General (OIG).
- Referral of other criminal violations to appropriate entities.

Changes Related to HOTMA

- Inclusion of de minimis errors, allowing PHAs to not be considered out of compliance for minor income calculation errors.
- Corrective actions for de minimis errors, ensuring families are credited or repaid for overpaid rent.

Policy Changes

PHA Reimbursement to Family	In the case of PHA error that resulted in an overpayment of rent, the PHA will reimburse the family. The PHA will not reimburse the family for any overpayment of rent when the overpayment clearly is caused by the family.
De Minimis Errors	The PHA will reimburse a family for any family overpayment of rent, regardless of whether the overpayment was the result of staff-caused error, staff program abuse, or a de minimis error.
Prohibited Activities	<p>Committing sexual harassment or other harassment based on race, color, religion, national origin, familial status, disability, sexual orientation, or gender identity, either quid pro quo (supervisory harassment) or hostile environment</p> <p>Allowing sexual harassment or other harassment based on race, color, religion, national origin, familial status, disability, sexual orientation, or gender identity, either quid pro quo (supervisory harassment) or hostile environment, where the PHA knew or should have known such harassment was occurring</p> <p>Retaliating against any applicant, resident, or staff reporting sexual harassment or other harassment based on race, color, religion, national origin, familial status, disability, sexual orientation, or gender identity, either quid pro quo (supervisory harassment) or hostile environment</p>

Summary of Chapter 16 - Program Administration

General Overview

Chapter 16 of the ACOP outlines the administrative policies and practices relevant to the activities covered by the Gainesville Housing Authority. It is divided into seven parts, each addressing specific administrative areas, and includes policies on utility allowances, flat rents, family debts, and more.

Part I: Setting Utility Allowances

- PHAs must establish allowances for PHA-furnished utilities and resident-purchased utilities.
- Separate allowances set for each utility and category of dwelling units.
- Utility allowances reviewed annually and revised if necessary.
- Surcharges established for excess consumption of PHA-furnished utilities.

Part II: Establishing Flat Rents

- Flat rents must be at least 80% of the fair market rent (FMR) or small area FMR (SAFMR).
- HUD approval required for exception flat rents.
- Utility allowances applied to flat rents as necessary.
- Flat rents reviewed and updated annually.

Part III: Repayment of Family Debts

- Families must repay any underpaid rent or other amounts owed to the PHA.
- PHAs may offer repayment agreements if families cannot repay within 30 days.
- Repayment plans must be reasonable and consider the family's income and expenses.

Part IV: Public Housing Assessment System (PHAS)

- PHAS measures PHA performance in key areas: physical condition, financial condition, management operations, and capital fund.

- PHAs receive scores and designations such as high performing, standard, substandard, or troubled.
- High performers may receive incentives, while troubled performers undergo additional HUD oversight.

Part V: Record Keeping

- PHAs must maintain accurate records for audit purposes and HUD inspections.
- Records include HUD forms, income verification, fair housing complaints, and emergency transfer requests.
- Confidentiality and privacy rights of applicants and participants must be protected.

Part VI: Reporting for Children with Environmental Intervention Blood Lead Levels

- PHAs must report cases of children with elevated blood lead levels to the public health department and HUD within 5 business days.

Part VII: Violence Against Women Act (VAWA)

- Provides protections for victims of domestic violence, dating violence, sexual assault, and stalking.
- PHAs must notify residents of their rights under VAWA and ensure confidentiality of information.
- Emergency transfer plans must be in place for victims seeking safe housing.

Key Benefits and Goals

- Ensures fair and updated utility allowances and flat rents.
- Provides clear policies for repayment of family debts and prevents financial strain on families.
- Maintains high standards of performance through PHAS.
- Protects privacy and confidentiality of residents' information.
- Supports the safety and well-being of residents, especially vulnerable populations.

Policy Changes

<p>Review of Flat Rents</p>	<p>If the FMR/SAFMR/unadjusted rent is lower than the previous year, the PHA will reduce flat rents to 80 percent of the current FMR/SAFMR.</p>
<p>Applying Flat Rents</p>	<p>The PHA will apply updated flat rents at each family’s next annual reexamination or flat rent update after implementation of the new flat rents.</p>
<p>PART III: FAMILY DEBTS TO THE PHA</p>	<p>When an action or inaction of a resident family results in the underpayment of rent or other amounts, the PHA holds the family liable to return any underpayments to the PHA. The PHA will enter into repayment agreements in accordance with the policies contained in this part as a means to recover underpayments.</p>
<p>Refusal to Enter into An Agreement</p>	<p>When a family refuses to repay monies owed to the PHA, the PHA will utilize other available collection alternatives including, but not limited to, the following: Collection agencies Small claims court Civil law suit State income tax set-off program</p>
<p><i>Down Payment Requirement</i></p>	<p>Before executing a repayment agreement with a family, the PHA will generally require a down payment of 35 percent of the total amount owed. If the family can provide evidence satisfactory to the PHA that a down payment of 35 percent would impose an undue hardship, the PHA may, in its sole discretion, require a lesser percentage or waive the requirement.</p>
<p><i>Payment Thresholds</i></p>	<p>The PHA has established the following thresholds for repayment of debts: Amounts greater than \$4,000 and the federal or state threshold for criminal prosecution must be repaid within 36 months.</p>

	<p>Amounts between \$2,001 and \$3,999 must be repaid within 24 months. Amounts under \$2,000 must be repaid within 12 months.</p> <p>Or</p> <p>Down payment of 35% and balance due the following tax year no later than March 31st.</p> <p>If a family can provide evidence satisfactory to the PHA that the threshold applicable to the family's debt would impose an undue hardship, the PHA may, in its sole discretion, determine that a lower monthly payment amount is reasonable. In making its determination, the PHA will consider all relevant information, including the following:</p> <ul style="list-style-type: none">The amount owed by the family to the PHAThe reason for the debt, including whether the debt was the result of family action/inaction or circumstances beyond the family's controlThe family's current and potential income and expensesThe family's current family share, as calculated under 24 CFR 982.515The family's history of meeting its financial responsibilities
<i>Due Dates</i>	<p>All payments are due by the close of business on the 1st day of the month, but no later than the 7th day of the month. If the 7th does not fall on a business day, payment will be due by the close of business on the first business day after the 7th.</p>