

**HOUSING AUTHORITY  
OF  
GLOUCESTER COUNTY**

**PUBLIC HOUSING PROGRAM  
ADMISSIONS AND CONTINUED  
OCCUPANCY  
POLICY**

**REVISED  
AUGUST, 2005**

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**1. OBJECTIVE**

The objective of the Public Housing Program is to house extremely low, very low, and low income families in decent, safe, and sanitary housing. The Housing Authority of Gloucester County owns and manages such housing. The Public Housing Program is intended to promote an environment for such lower income families, which is conducive to healthful living and is based on nondiscrimination on the basis of race, color, creed, national origin, age, sex, or disability.

This policy is intended to provide the general administration of the Program and specific guidance on items where the Authority has discretion in setting policy. If there is any conflict between this policy and laws or regulations, the laws and regulations will prevail.

Throughout this document, the Housing Authority of Gloucester County shall be referred to as the “Authority” and the United States Department of Housing and Urban Development shall be referred to as “HUD”. Additionally, the term “Program” shall be intended to represent the Public Housing Program.

The Authority owns and manages three Public Housing Projects and has followed a philosophy which concentrates the elderly in a multifamily setting, while scattering families so that their subsidy is "invisible". Please also refer to Exhibit 1, which is a formal statement by the Authority concerning deconcentration.

A description of each project and their respective locations are as follows.

**Project 204-1** – This project consists of a total of 62 scattered site single family homes; of which 6 are two bedroom, 46 are three bedroom, and 10 are four bedroom units. These homes are widely scattered throughout Gloucester County. They are located in middle income neighborhoods where nearly all households have income from employment and there are no concentrations of poverty.

**Project 204-3** – This project, known as Carino Park Apartments, is a multifamily dwelling consisting of 100 one bedroom units for the elderly, near elderly, and a limited number of disabled families. One of the units is reserved for a resident superintendent.

**Project 204-4** – This project, known as Deptford Park Apartments, is a multifamily dwelling consisting of 100 one bedroom units for the elderly and a limited number of disabled families. One of the units is reserved for a resident superintendent.

## **2. FAIR HOUSING**

**It is the policy of the Authority to comply fully with all Federal, State, and local nondiscrimination laws; the Americans with Disabilities Act; and the U.S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity.**

**No person shall, on the grounds of race, color, sex, religion, national or ethnic origin, familial status, or disability be excluded from participation in, be denied the benefits of, or be otherwise be subjected to discrimination under the Authority's programs.**

**To further its commitment to full compliance with applicable Civil Rights laws, the Authority will provide Federal/State/local information to applicants/tenants of the Program regarding discrimination and any recourse available to them if they believe they may be victims of discrimination. Such information will be made available with the application and all applicable Fair Housing Information and Discrimination Complaint Forms, specifically HUD 903.1 (11/97), will be available at the Authority's main office. In addition, all written information and advertisements will contain the appropriate Equal Opportunity language and logo.**

**The Authority will assist any family that believes they have suffered illegal discrimination by providing them copies of the appropriate housing discrimination forms. The Authority will also assist them in completing the forms if requested, and will provide them with the address of the nearest HUD office of Fair Housing and Equal Opportunity.**

## **3. POLICIES, RULES AND REGULATIONS**

**Policies and policy changes shall be submitted to the HUD Area Office for review and approval as necessary.**

**The Authority will post, in a conspicuous place and at a height easily read by all persons, including persons with mobility disabilities, the statement of items that are available upon request. Please refer to Exhibit 2. Additionally, the following are also posted in the same manner.**

- 1) Fair Housing Poster;**
- 2) Equal Opportunity in Employment Poster; and**
- 3) Any current Authority notices.**

## **4. RECEIPT AND INITIAL PROCESSING OF PRE-APPLICATIONS**

**The Authority will accept pre-applications for assistance on an ongoing basis between 8:00 am and 5:00 pm on regular business days. The pre-applications may be received by mail, the internet or in person at the following locations:**

**The Housing Authority of Gloucester County – Main Office  
100 Pop Moylan Blvd, Deptford, New Jersey 08096  
Carino Park Apts.  
100 Chestnut Street, Williamstown, New Jersey 08094  
Colonial Park Apts.  
401 S. Evergreen Avenue, Woodbury, New Jersey 08096**

**These pre-applications will contain sufficient information for the Authority to make preliminary determinations of eligibility and local preference status. The pre-applications will be date and time stamped upon receipt by the Authority. If the pre-application does not contain sufficient information to make a preliminary determination of eligibility, the applicant will be notified to submit the needed information. The date and time stamp utilized for placement on the waiting list is based on a properly completed pre-application.**

**The head of the applicant family on the pre-application will be assigned a sequential “client number” and placed on the appropriate waiting list(s). All applicants will have the opportunity to apply for any applicable program administered by the Authority.**

**Applicants will be mailed a confirmation of receipt of their pre-applications after their names are placed on the waiting list. This confirmation will include their “client number” and an estimate of when the applicant can expect to be offered housing.**

**If the information on the pre-application shows the applicant to be obviously ineligible, the confirmation letter will state the reasons for the determination of ineligibility and offer the applicant the opportunity for an informal hearing.**

**Persons with disabilities who require a reasonable accommodation in completing an application may contact the Authority to make special arrangements.**

## **5. ORGANIZATION AND SELECTION FROM WAITING LIST**

**All registrants will be placed on the waiting list based on the date and time of application. There will be one waiting list maintained for each bedroom size (1 bedroom through 4 bedrooms).**

**The waiting lists will be assembled in sequential order by date and time of registration, with annual income and any special needs (such as barrier free access) indicated.**

**A local preference will be given to applicants, whose head or spouse at the time of registration, are residents of, working, or hired to work in the operating jurisdiction of the Authority. Please note the following with respect to specifically how the local preference shall be administered.**

- 1. An applicant who is a resident of or works in the operating jurisdiction of the Authority on the day their application is received by the Authority will be eligible for the local preference. If the applicant does not live or work in the operating jurisdiction of the Authority at the time of**

eligibility determination, they retain the local preference effective the date the application was received by the Authority. The Authority must be able to obtain objective, third party documentation of the residence of employment at the time of application.

2. An applicant who lives and works outside the operating jurisdiction of the Authority is not eligible for the local preference.
3. An applicant, who lives and works outside the operating jurisdiction of the Authority on the day their application is received, will be entitled to the local preference if they notify the Authority in writing that they have moved into or obtained employment in the operating jurisdiction. The applicant must, at the time of eligibility determination, live or work within the operating jurisdiction of the Authority. The Authority must be able to obtain objective, third party documentation that the applicant has moved into or works within the operating jurisdiction of the Authority.
4. An applicant who lives and works outside the operating jurisdiction of the Authority at the time their application is received by the Authority and subsequently notifies the Authority that they have moved into or begun working within the operating jurisdiction of the Authority; but is not a resident of or working within the operating jurisdiction at the time of eligibility determination shall be denied a local preference.
5. An applicant who is homeless will receive a local preference if they can document to the satisfaction of the Authority that they lived or worked in the operating jurisdiction immediately prior to becoming homeless.

Applicants with physical disabilities will be given priority consideration for units with physical modifications suited for their disability. The operating jurisdiction of the Authority is comprised of the following:

- |                            |                            |
|----------------------------|----------------------------|
| 1. Clayton Borough         | 10. National Park          |
| 2. Deptford Township       | 11. Paulsboro              |
| 3. East Greenwich Township | 12. Swedesboro             |
| 4. Elk Township            | 13. Washington Township    |
| 5. Greenwich Township      | 14. West Deptford Township |
| 6. Harrison Township       | 15. Westville              |
| 7. Logan Township          | 16. Woodbury City          |
| 8. Mantua Township         | 17. Woodbury Heights       |
| 9. Monroe Township         |                            |

When neither the head of household nor his/her spouse resides in, or works in, or has been hired to work in, one of the above participating communities, a pre-application from that household will be considered a non-resident pre-application.

The AHO Department shall send interview letters to applicants on the waiting lists first considering the date and time of registration. Those applicants who live or work within one of the participating communities (as described above) shall be placed on the waiting list ahead of those applicants who do not meet the criteria to qualify for a local preference.

When selecting applications from the waiting lists, the second consideration shall be the targeting requirements as fully described in Section 6. **Eligibility Criteria.** The AHO Department shall regularly communicate with the Intake Department on the status of files on hand with the income level reported by Intake indicated and prospective vacancies (including the size, type and location of unit) to provide the Intake Department with sufficient information to determine what files are needed by AHO. The AHO Director, or his designee, will review the targeting statistics and information provided by AHO; and select applicants from the waiting lists within the appropriate income levels to provide the AHO Department with a sufficient number of files to meet the targeting requirements.

Should there not be a sufficient number of extremely-low income families on the waiting lists to attain the targeting requirements, the AHO Director shall notify the Executive Director, or his designee.

## **6. ELIGIBILITY CRITERIA**

The Authority will admit as tenants, applicants who at the time of admission meet all of the following requirements:

### **1. Who qualify as a family by meeting one of the following definitions.**

- 1) For the purposes of this document, a family may consist of any group of persons that are related by blood, marriage, operation of law, or have evidenced a stable family relationship over a period of time to the satisfaction of the Authority by sharing expenses, family responsibilities, and a residency; and whose incomes and resources are jointly available to meet the needs of the family.**
- 2) An elderly or disabled family is family whose head, spouse, or sole member is at least sixty-two years of age or who is physically, mentally, or developmentally disabled in accordance with Section 223 of the Social Security Act or Section 102b(5) of the Developmental Disabilities Services and Facilities Construction Amendments of 1970.**

**In order to qualify for two-bedroom assistance, the elderly or disabled family must meet the appropriate occupancy standards as more fully described in Section 15, “Occupancy Standards”.**

**A near-elderly family is a family whose head, spouse, or sole member is a least fifty years of age but below the age of sixty-two years.**

- 3) A full-time college student of a non-parental/guardian household may be considered a family if the student is of legal age or an emancipated minor under NJ State Law. The student must provide verification to the satisfaction of the Authority.**

**Each college student within a household must provide a written and signed certification that the student does or does not anticipate receiving financial support from the student’s parent(s) or guardian(s) and the amount of support. The Authority must verify via**

**independent third party verification, preferably written, all amounts anticipated to be received outside of the family during the 12-month period following admission and the effective date of the annual reexamination.**

**The college student must have established a household separate from his/her parents or legal guardians for at least one year prior to applying to the Public Housing Program. The Authority must obtain evidence of separate households by reviewing/verifying the address information that predates the student's application by a minimum of one year.**

**The college student must not be claimed as a dependent by his/her parent(s) or legal guardian(s) on their IRS tax return. The Authority must request a copy of the college student's Form 1040EZ, 1040A, or 1040 tax return, as applicable, for the prior year. The Authority may also, if practicable, review the college student's parents' or guardians' tax return. The college student must supply any information the Authority or HUD determines is necessary in the administration of the Public Housing Program.**

**The Authority must verify, through independent third party, all financial assistance from federal and state grants and/or loans, academic scholarships, and work-study program wages paid directly to the student or the education institution. Amounts shall be counted in the determination of annual income in accordance with HUD regulations and any requirements as specified in appropriations' acts. For the 2005 Appropriations Act, the Authority will deny Public Housing Assistance to persons receiving athletic scholarship assistance for housing costs exceeding \$5,000 annually.**

- 2. Each applicant family must meet the required income limits and the Authority must also maintain the Public Housing Income Targeting Requirements, as described below.**

**Not less than 40% of the new families admitted into the Program must have incomes at or below 30% of the area median income (extremely-low income) for the appropriate family size, as determined by HUD. In order to achieve the income targeting requirement of not less than 40% of new admissions, families with incomes greater than 30% of the area median income will be temporarily skipped on the waiting list. Once the new admissions into the Public Housing Program have exceeded the 40% requirement, those families that had been temporarily skipped, with incomes greater than 30% of the area median income, but who still meet the other income criteria as described below, will be selected from the waiting list. The number of families selected from the group that had been temporarily skipped will vary in order to be in compliance with the requirement that at least 40% of the new families admitted must have incomes at or below 30% of the area median income.**

**For admission into the Public Housing Program, the Authority may establish and use criteria for selection of residents for units in developments that will produce a mix of incomes in the developments, subject to the above provisions.**

**1) Other income eligibility criteria for Project 204-1**

**Since the units of this project were available to lease prior to 1981, the anticipated annual income of not more than 25% of the new families admitted must not exceed 80% of the area median income (low income) other than very low income families.**

**The number of families selected from the group that had been temporarily skipped (as described in paragraph 2 above) will vary in order to be in compliance with the requirements that at least 40% of the new admissions must have incomes at or below 30% of the area median income, no more than 25% are at or below 80%, and the remaining new admissions have incomes at or below 50% of the area median income (very low income).**

**2) Other income criteria for Projects 204-3 and 204-4**

**Since the units of these projects were available to lease after 1981, the Authority may permit no more than 15% of the new families admitted to have annual income at or below 80% of the area median income (low income) other than very low income families.**

**The number of families selected from the group that had been temporarily skipped (as described in paragraph 2 above) will vary in order to be in compliance with the requirements that at least 40% of the new admissions must have incomes at or below 30% of the area median income, no more than 15% are at or below 80%, and the remaining new admissions have incomes at or below 50% of the area median income (very low income).**

- 3. Each family member must be a citizen, national, or a non-citizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 1436a(a)).**
- 4. All family members 6 years of age and older must provide a Social Security number or certify that they do not have one.**
- 5. Each family member who is 18 years of age or older must sign one or more consent forms, which includes, but is not limited to, authorization for the Authority to obtain income information or verify information with employers.**
- 6. Each head and spouse of the family (regardless of age) and all other family members over 18 years of age must sign all applicable consent forms required by the Authority.**



## **7. REMOVAL FROM WAITING LIST**

Applicant families may be removed from the waiting list for the following reasons:

- 1) If there is no response to the Interview Letter within 10 calendar days of the date of the letter.
- 2) If the family misses 2 scheduled interview appointments.
- 3) If an applicant has notified the Authority that they are no longer interested in the program.
- 4) Failure to notify the Authority, in writing, of any address changes.
- 5) The applicant does not meet either the eligibility or suitability criteria for the Program as described in Section 8, “Denial of Assistance” or Section 9, “Tenant Suitability Criteria” below.

The provisions of this policy are not intended to violate the rights of disabled persons. The Authority will provide reasonable accommodations, such as home visits, to applicants with disabilities.

All applicants will be notified by letter mailed to their most recent address on file, of the Authority’s intention to remove the applicant from the waiting list. The letter further explains the applicant family’s right to an informal review, which must be requested by the family, in writing, within 14 calendar days of the date of the letter.

## **8. DENIAL OF ASSISTANCE**

The Authority is not required or obligated to assist applicant families who:

- 1) do not meet one or more of the eligibility criteria as described in Section 6, “Eligibility Criteria”;
- 2) do not supply information or documentation required by the application process;
- 3) have failed to respond to a written request for information or a request to declare their continued interest in the Program;
- 4) have a history of not meeting financial obligations, especially rent or utilities;
- 5) do not have the ability to maintain their housing in a decent and safe condition where such habits could adversely affect the health, safety, or welfare of other tenants;
- 6) have a history of any drug related or criminal activity by any household member that violates the Authority’s “One Strike and You’re Out Policy”;
- 7) have a history of disturbing or endangering neighbors or destroying property;
- 8) currently owes rent or other amounts to any housing authority in connection with their Public Housing or Section 8 Programs;
- 9) have committed fraud, bribery, or any other corruption in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from;
- 10) have engaged in or threatened abusive or violent behavior towards Authority personnel or any resident;
- 11) have a household member who was evicted within the last three (3) years;
- 12) have a household member who has ever been evicted from Public Housing;

- 13) have a household member who has been terminated under the Section 8 Certificate/Voucher/Housing Choice Voucher Program; or
- 14) have not met the suitability criteria as described in Section 9, "Tenant Suitability Criteria".

**Applicant families must be denied assistance for life for either of the following reasons:**

- 1) The Authority must permanently bar admission from the Public Housing Program if any family member convicted of the manufacturing or producing of methamphetamine on the premises in violation of any Federal or State Law.

For the purposes of this provision of policy, the term "premises" is defined as the public housing building or complex in which the dwelling unit is located, including common areas and grounds.

- 2) The Authority must permanently bar admission from the Public Housing Program any family member with a lifetime registration under a State sex offender registration program.

#### **9. TENANT SUITABILITY CRITERIA**

Applicant families will be evaluated to determine whether, based on their recent behavior, such behavior could reasonably be expected to result in non-compliance with the Public Housing Lease. The Authority will look at past conduct as an indicator of future conduct. Emphasis will be placed on whether a family's admission could reasonably be expected to have detrimental effect on the development environment, other tenants, the Authority employees, or other people residing in the immediate vicinity of the property. Otherwise eligible families will be denied admission if they fail to meet the suitability criteria.

The Authority shall utilize an agency to perform credit/criminal checks; prior landlords to check rental history; and a criminal check through the local police on prospective tenants, with the notification and written consent of the prospective tenants. Also, the Authority may perform a home visit to provide the applicant family the ability to demonstrate their ability to maintain their home in a decent, safe, and sanitary manner. This inspection considers cleanliness and care of rooms, appliances, and appurtenances.

If any negative items are noted by the Authority regarding a prospective tenant, the Authority reserves the right not to house the family. The Authority will consider objective and reasonable aspects of the family's background, which may include the following:

- 1) Applicant's past performance in meeting financial obligations, especially rent.
- 2) History of recent serious criminal activity, including cases in which a member of the family, who is expected to reside in the household, was, or is engaged in prostitution, sale of narcotics, or serious criminal activity.

- 3) **Pattern of violent behavior, including evidence of repeated acts of violence on the part of an individual, or of a pattern of conduct constituting a danger to peaceful occupation of neighbors.**
- 4) **Confirmed drug addiction, including evidence of confirmed drug addiction, such as record of more than one arrest for possession or use of heroin or other addictive narcotics, or reports from a probation officer, a social agency, or the family itself to the effect that the individual is addicted. In cases where the confirmed addict is undergoing follow-up treatment by a professional agency after discharge from a institution, the applicant shall not be considered ineligible for reason of a confirmed drug addiction.**
- 5) **Rape or sexual deviation, including individuals who have been involved as offenders in rape, indecent exposure, sodomy, carnal abuse and impairing the morals of a minor. Exception is permitted in the case of an individual under 16 years of age when he was involved in such offense and evidence from a reliable source shows that the individual may be considered rehabilitated.**
- 6) **Grossly unsanitary or hazardous housekeeping, including the creation of fire hazard through acts such as the hoarding of rags and papers; severe damage to premises and equipment, if it is established that the family is responsible for the condition; seriously affecting neighbors by causing infestation, foul odors, depositing garbage in halls; or serious neglect of the premises. In cases where a qualified agency is working with the family to improve its housekeeping and the agency reports that the family shows potential for improvement, decision as to eligibility shall be reached after review by the Authority. This category does not include families whose housekeeping is found to be superficially unclean or to lack orderliness, where such conditions do not create a problem for neighbors.**
- 7) **A record of serious disturbance to neighbors, which may include items such as patterns of behavior that endanger the life, safety or welfare of other persons by physical violence, gross negligence or irresponsibility. A record of destruction of property which may include items such as damage to the equipment or premises in which the applicant resides. A record of other disruptive or dangerous behavior such as seriously disturbing neighbors or disrupting sound family and community life that indicates the applicant's inability to adapt to living in a multi-family setting. A record of other items which the Authority may consider include neglect of children which endangers their health, safety or welfare, judicial determination of tenancy in previous housing on the grounds of nuisance or objectionable conduct, or alcohol abuse or frequent loud parties, which have resulted in serious disturbance to neighbors.**
- 8) **Due to the various locations of the single family homes in the 204-1 Scattered Site Project, (scattered among four townships, which are Deptford Township, West Deptford Township, Monroe Township, and Washington Township), the Authority is not able to provide intensive daily maintenance of these units. Families who will occupy the single family homes in 204-1 must be capable of living up to their obligations under the lease; for**

example, the family must provide lawn maintenance, the family must have the capability of vacuuming carpets, the family should perform minor maintenance such as changing light bulbs, the family must obtain proper trash receptacles, etc. If during the screening process, the Authority has reasonable doubts concerning the family's capability to live up to its lease obligations, it may require the family to provide evidence of the capability.

In deciding whether to accept tenancy for the family, the Authority has discretion to consider all of the circumstances in each case and the extent of participation of individual family members. The Authority may impose, as a condition of tenancy, a requirement that family members who participated in or were culpable for the action or failure to act will not reside in the unit.

The Authority shall also give consideration to the evidence of rehabilitation, the applicant family's participation in or willingness to participate in social service other appropriate counseling service programs.

#### **10. INFORMAL REVIEW PROCEDURES FOR APPLICANTS**

The informal review procedures for applicants are more fully described in the Authority's Grievance Procedures Policy.

#### **11. VERIFICATION OF INFORMATION**

The Authority will ask applicants/tenants, as applicable, to provide information demonstrating their ability to comply with the essential elements of the lease. Additionally, 3<sup>rd</sup> party verification is necessary to accurately determine income and consequently, rent.

All information from each applicant must be verified. Any information relative to the acceptance or rejection of an applicant must be documented and placed in the applicant's file. This may include reports of interviews, letters or telephone conversations with reliable sources. At a minimum, such information must include the date, source, name and title of the individual contacted and, a resume of the information received.

Sources of information may include, but are not limited to, the applicant (by means of interview or home visits), landlords, employers, family social workers, parole officers, court records, drug treatment centers, clinics, physicians or police departments where necessary.

Some methods of verification of information include:

- 1) **Income** - Income is the most important factor in determining a family's eligibility for housing and among the most likely to be subject to misrepresentation or error. Consequently, the Authority must establish adequate methods of verifying income (including applicable deductions and exemptions) such as:
  - a) third-party verification through an employer or public agency; or
  - b) review of documentation provided by the family such as benefit checks, income tax returns, etc.

The Authority's records shall include either copies of the verifying documents or a notation by the PHA employee responsible for their review.

- 2) **Assets** - Verification of savings and checking accounts from banks and savings & loan institutions, newspaper stock quotations, local government assessed property values, tax returns, etc.
- 3) **Family Size and Composition** - The Authority will rely on the declarations of the applicant related to family size, composition, and the relationship among the family members.
- 4) **Age of Family Members** - Proof of age is necessary when it is the sole factor determining eligibility or minor exemption, otherwise the applicant's declarations may be accepted.
- 5) **Displacement Status** - This verification may be obtained from source of displacement project reported.
- 6) **Disability** - A physician's certificate verifying the disability shall be required when it is a factor in determining eligibility and rent. Verification in writing by a hospital, welfare agency, the Social Security Administration, vocational rehabilitation agencies, and similar sources may be acceptable.

## **12. ASSIGNMENT POLICIES**

1. It is the intention of this Assignment Policy to maximize the use of Public Housing Units and to reduce vacancy loss.
2. Once the applicants have been determined eligible by the AHO Department, the Intake Supervisor, or her designee, shall forward the files to the AHO Department. The AHO Department shall make offers to eligible applicants generally in the order the files were determined eligible by the AHO Department. The date and time of application function as a tiebreaker for all files received on the same date.

The AHO Department may temporarily skip over applicants determined eligible from the Intake Department for the following reasons:

- 1) To satisfy income targeting requirements, as specified in Section 6. below;
- 2) Not to exceed 15% or 25% of low-income admissions as specified in Section 6. below;
- 3) To fill a mobility impaired unit with an approved applicant needing the particular features of the unit;
- 4) To comply with the Authority's Designation Plan as specified in Exhibit 4; or
- 5) For an applicant who has not completed the screening process or whose file is not current.

**The applicants that were temporarily skipped will be offered an available unit as soon as the particular requirement has been fulfilled.**

**The AHO Department is responsible for monitoring the Income Targeting and other income requirements as specified in Section 6. below.**

- 3. Prospective tenants will be assigned to dwelling units in accordance with the following assignment policy to assure equal opportunity and nondiscrimination on the grounds of race, color, sex, national origin and to avoid segregation.**

- 1) If there is a suitable vacant unit in more than one location, the applicant shall be offered the unit at the location which contains the largest number of vacancies. If the applicant rejects the first vacancy offered he/she shall be offered a suitable unit at the location containing the next highest number of vacancies. If the applicant rejects two offers, he/she shall be placed at the bottom of the waiting.**

**The Authority shall make all such offers in sequence and there must be a rejection of a prior offer before the applicant may be offered the second location.**

**“Bottom of the waiting list” means that the applicant will be assigned a new date/time, that is the date/time on which the applicant rejected the second offer.**

**“Location” shall refer to one of the four municipalities in which the Public Housing units are located (i.e. Deptford Township, Monroe Township, Washington Township, and West Deptford Township are each considered a location).**

- 2) If there is only one location at which a suitable a vacancy exists, the applicant shall be offered a unit at that location and if he/she rejects such offer, he/she shall be given a second offer of a suitable vacancy as soon as one becomes available. If he/she rejects the second offer he/she shall be moved to the bottom of the waiting list.**
- 3) If the applicant is willing to accept the unit offered, but is unable to move at the time of the offer, and presents clear evidence of the inability to move to the Authority’s satisfaction, refusal of the offer shall not count as one of the number of allowable refusals permitted the applicant before placing his/her name at the bottom of the waiting list.**
- 4) If an applicant presents to the satisfaction of the Authority clear evidence that the acceptance of a given offer of a suitable vacancy will result in undue hardship or handicap that is not related to considerations of race, color, or national origin; but is related to items such as inaccessibility to source of employment, children’s day care and the like, refusal of such an offer shall not be counted as one of the number of allowable refusals permitted an applicant before placing his/her name at the bottom of the waiting list.**

- 4. Prospective tenants will also be assigned to dwelling units in accordance with Exhibit 4, “Plan for Designating Deptford Park Apartments (NJ 204-4) and Carino Park Apartments (NJ204-3) for Occupancy by Elderly and Near Elderly/Disabled Households Exclusively HUD Notice PIH**

97-12, 3/09/03 and PIH 2002-12, Through 3/09/05.”

5. The above assignment provisions will be followed, however, applicants will be offered units within desired municipalities. Applicants will be requested to indicate any municipalities in which they prefer to live on their application form or in writing to the Authority. When units are available, the Affordable Housing Operations staff will first determine the municipality where the vacancy exists, they will then review their pool of eligible applicants for those applicants who expressed a desire to live in that community. Those who expressed such an interest will be offered the unit first, in the order of the date determined eligible by the Affordable Housing Department.

If there are no applicants who expressed a desire to live in the municipality where the vacancy exists or if none of the applicants who did express a desire to live in the municipality where the vacancy exists accepts the offer, then the Affordable Housing Operations staff will make such offers to the remaining pool of eligible applicants, in the order of date/time stamp on the application.

Refusal of the offer will only count as a rejection for those eligible applicants who expressed an interest to live in the specific municipality where the vacancy exists.

6. The Authority shall maintain a record of the vacancies offered, including location, date, and circumstances of each offer and each rejection or acceptance.

### 13. RENTS

#### 1. Family Choice of Rent

Upon admission and usually at the time of the annual reexamination (but in no case less than annually) the Authority shall provide tenants with a choice of options for rent, in accordance with the Quality Housing and Work Responsibilities Act. The choices are an income based rent or a flat rent.

Those tenants that select the income based rent shall pay the greatest of (1) 10% of monthly gross income, (2) 30% of monthly adjusted income, or (3) welfare rent (if applicable).

Those tenants that select the flat rent shall pay a fixed monthly rental amount (not based on the family's income) as determined by the Authority for the particular dwelling unit occupied by the family.

The Authority will provide residents with the amount of the flat rent for the unit and wherever possible, will calculate the income based rent, or at least provide an estimate, so that the family may make an informed decision.

The Authority will notify the families with policies on switching rent options because of a financial hardship.

## **2. Determination of Flat Rents**

At least annually, the Authority will determine the flat rent amount for each Public Housing dwelling unit size and type. This will be accomplished through a comparability study that utilizes the Section 8 Rent Reasonableness Database to locate 3 comparable unassisted units for each Public Housing unit size and type in order to determine the reasonable market value of each unit size and type. The flat rent of a unit represents the gross amount of rent (it includes the utility allowance).

The Authority shall maintain records regarding the calculation of the reasonable market value for each Public Housing unit size and type. The data from the market survey is broken down as follows.

- 1) Unit Type (i.e. single family, multiple dwelling, or town house);
- 2) Bedroom Size;
- 3) Census Tract; and
- 4) Zip Code.

The information obtained for each unit includes items such as contract rent, tenant-supplied utilities, age of unit, and amenities. The gross rent is clearly indicated for each comparable unit.

Information for the market survey is obtained from newspaper and rental advertisements and new listings from landlords. The Authority also makes telephone calls and mails letters to owners participating in the Section 8 Certificate/Voucher program in order to obtain information such as tenant supplied utilities that was not included in advertisements.

## **3. Financial Hardship**

The Authority will switch the family from a flat rent to an income based rent when the family experiences a financial hardship.

A financial hardship shall be considered if the family experiences, and the Authority is able to verify, any one of the following:

- 1) The income of the family has decreased because of the loss or reduction of employment (it is intended that such loss not be voluntary on the part of the family).
- 2) There is a death in the family which results in a loss of income or assistance.
- 3) There is an increase in the family's expenses for medical costs, childcare expenses, transportation, or education.
- 4) Other circumstances that may be determined by the Authority on a case by case basis.



Although the Authority will immediately switch the family's rent choice, such a change shall be subject to verification procedures as determined necessary for the individual circumstances. Should it be determined by the Authority that a financial hardship did not exist, the family's rent will be retroactively switched back to the flat rent.

4. **Minimum Rents**

The minimum rent for all Public Housing units shall be \$0.

5. **Treatment of Income Changes Resulting from Welfare Program Requirements**

Residents whose welfare assistance is reduced specifically because of fraud, failure to participate in an economic self-sufficiency program, or comply with a work activities requirement, must not have their rent decreased based on the benefit reduction. This is applicable only if the welfare reduction is neither the result of the expiration of a lifetime time limit on receiving benefits nor a situation where the family has complied with the welfare program requirements but cannot obtain employment.

At the request of the tenant for a reduction in rent, the Authority must process an income reexamination. Only after obtaining written notification from the welfare agency that the family's benefits have been reduced because of noncompliance with an economic self-sufficiency program, a work activities requirement, or because of fraud, must the Authority deny the family's request for a rent reduction.

Affected tenants have the right to administrative review through the Authority's grievance procedure. See the Authority's "Grievance Procedures Policy" as contained in the "Agency Plan".

6. **Public Housing Exemption of Earned Income for Families Who Start Work or Self-Sufficiency Programs**

a. In accordance with the Quality Housing and Work Responsibilities Act, the Authority will not increase the annual income of an eligible family as a result of increased income due to employment during the 12-month period beginning on the date on which the employment is commenced. Eligible families are those that reside in a Public Housing dwelling unit:

- 1) Whose income has increased as result of employment of a family member who was previously unemployed for one or more years. For purposes of this provision, "previously unemployed" shall include a person who has earned, in the previous 12 months, no more than what would be received for 10 hours of work per week for 50 weeks at the established minimum wage;
- 2) Whose employment income increases during the participation of a family member in any family self-sufficiency or other job training; or

- 3) **Who is or was, within the last 6 months, assisted under any state program for temporary assistance for needy families (TANF) funded under Part A of Title VI of the Social Security Act, as determined by the Authority in consultation with the local TANF agency, and whose earned income increases.**
- b. **Upon the expiration of the 12 month period described above, and upon continued employment, the rent increase must be phased in, so that the rent payable by the family may not be more than 50% of the total rent increase for an additional 12 months.**
- c. **The Authority may not limit the number of times a family can benefit from the disallowance of earned income.**
- d. **As an alternative to the disallowance of earned income described above in paragraph a, of this section or the phase-in of rent increase described in paragraph b of this section, the Authority will provide for individual savings accounts for Public Housing families who pay an income-based rent, in accordance with the following:**
  - 1) **The Authority will inform the family of the savings account option when it becomes eligible for the earned income exclusion/phase-in;**
  - 2) **At the option of the family, the Authority will deposit in the savings account an amount equal to the total amount the otherwise would have been applied to the family's rent payment as a result of employment;**
  - 3) **At the approval of the Authority, amounts deposited in a saving account may be withdrawn of the purpose of:**
    - a) **Purchase of a home;**
    - b) **Paying education costs of family members;**
    - c) **Moving out of public or assisted housing; or**
    - d) **Paying any other expense authorized by the Authority for the purpose of promoting the economic self-sufficiency of residents of public housing (generally those items authorized by the Family Self Sufficiency Program).**
  - 4) **The Authority will maintain the account in an interest bearing investment and will credit the family with the interest income.**
  - 5) **The Authority will provide to the family with an annual report on the status of the account.**
  - 6) **Any balance in the account is the property of the family when they move out provided they are in compliance with their lease.**

## **7. Ceiling Rents**

**The Authority has determined not to implement ceiling rents for Public Housing units.**

**14. UTILITY ALLOWANCE SCHEDULES**

The Authority shall maintain utility allowance schedules by unit type and bedroom size for the tenant supplied utilities of each Public Housing dwelling unit, in accordance with Federal Laws and Regulations.

**15. OCCUPANCY STANDARDS**

The following Standards will determine the number of bedrooms required to accommodate a family of a given size:

<u>Number of Bedrooms</u>	<u>Minimum Persons</u>	<u>Maximum Persons</u>
0	1	1
1	1	2
2	2	4
3	3	6
4	4	8

Dwellings will be so assigned that, except possibly in the case of infants or very young children, it will not be necessary for persons of opposite sex, other than husband and wife, to occupy the same bedroom.

**16. TRANSFERS**

Transfers will be made without regard to race, color or national origin.

Transfers will be made in an emergency, to alleviate overcrowding and under-utilizing space, and to provide a unit with special accessibility features to an applicant/tenant who needs such features (this includes a non-disabled tenant transferring out of an accessible unit). A transfer list will be maintained which shall include the date in which the need for a transfer was evidenced by the Authority, number of persons in the unit and unit size. Due consideration shall be given to the extent and duration of overcrowding the family has experienced.

**17. COMMUNITY SERVICE REQUIREMENTS**

The Authority will maintain a policy to implement the community service requirements in accordance with Federal Laws and Regulations. Please refer to the "Community Service Plan" as contained in the "Agency Plan".

**18. LEASING OF DWELLING UNITS**

1. A lease agreement shall be for a term of 12 months and is automatically renewable, except for noncompliance with the community service requirements.
2. The lease shall be signed by all adult members of the household and the Executive Director or

his designee prior to the family's admission. A copy of the lease is to be given to the tenant and the original is to be retained in the Tenant's file.

3. If a tenant family transfers from one dwelling unit to another, a new lease shall be executed for the new dwelling to be occupied.
4. If, through any cause, a signer of the lease ceases to be a member of the tenant family, the lease is to be voided and a new lease agreement executed and signed by the remaining adult members of the family who can qualify as a lessee provided such persons meet the Program requirements and provided the family is otherwise eligible for continued occupancy.
5. During the tenure of a Lease Agreement, changes in rent will be made by proper, written notice to the tenant.

#### **19. REGULAR REEXAMINATIONS**

1. All tenants, except those who have chosen the flat rent option, must have an annual reexamination. At least once each year, or as requested by the Authority, tenant must furnish such accurate information to the Authority, regarding family composition, employment and family income as may be necessary to make determinations with respect to rent, eligibility, and the appropriateness of dwelling size. Such verification may include, but is not limited to, earning reports from employers, certified copies of State and Federal Income Tax Returns of any member of the household, W-2 Forms, etc.
2. Approximately 4 months prior to resident's effective reexamination date, the Authority will send a notice informing the resident of their effective date for reexamination and an appointment date/time which the resident must attend. This notice also reminds the resident to bring all necessary documentation for income verification and changes in the family composition to that appointment.
3. If the tenant does not provide proof of income or family composition, a notice will be sent to the tenant giving the tenant (10) calendar days to provide the requested information in accordance with the lease. The notice should also inform the tenant that failure to provide the requested information may result in termination of lease.

If the tenant fails to respond within (10) calendar days, eviction proceedings will begin.

4. The length of time from date of admission to date of first reexamination may not exceed (12) months according to current Federal regulations for those tenants who are paying an income based rent. Therefore, in order to fit a new tenant into the established schedule, the first regularly scheduled reexamination may be conducted in a period of less than 12 months.
5. Each tenant family is to be notified in writing of any changes required in rent or unit occupied and of any misrepresentations or lease violations revealed by the reexamination, and the corrective action to be taken.

For those tenants who choose the flat rent option, they will be required have their reexaminations performed no less than every 3 years, rather than every year.

6. All reexaminations will take the provisions of Section 13, “RENTS”, into consideration.
7. If a delay in processing was caused by the family, then any increase in rent will be back-charged to the effective on the date of the anniversary (the regular annual reexamination date). The tenant will still receive proper, written notice of the rent increase.

## **20. INTERIM REEXAMINATIONS**

An interim reexamination will be performed for participant families when either of the following circumstances apply.

- 1) There is change in family composition.
- 2) The family’s anticipated annual income is believed to have decreased.

The Authority will perform the interim reexaminations within a reasonable time, approximately 30 calendar days, after the family’s request. The effective date of the rent change will be the 1<sup>st</sup> of the month succeeding the completed interim reexamination if the tenant rent decreases. If the tenant rent increases, it will be effective the 1<sup>st</sup> of the month after which the family has received 30 calendar days notice of such increase.

All participant families are required to report all changes of family composition and all changes in source of income to the Authority, in writing, within 14 calendar days after they occur, even if they would not result in an interim reexamination. Failure of families to report required changes in grounds for termination from the Program, and is a violation of the lease which would result in eviction.

The Authority will note in the participants’ files cases where it appears as if there are patterns of abuse with respect to income changes (i.e. quitting a job immediately prior to the a reexamination and starting a job immediately after the tenant rent has been determined) and take actions as determined necessary on a case by case basis.

Any information reported by the participant families that was not required to be reported, will not be processed until the family’s next annual reexamination.

All interim reexaminations are subject to the provisions of Section 13, “RENTS”. Verification procedures for interim reexaminations are the same as annual reexaminations, except that only the changes need to be verified. Only the paperwork related to the information that changes must be signed by the tenant and the Authority, as appropriate.

There may be certain cases when a participant family experiences a temporary decrease in income (such as those instances when a wage earner becomes temporarily disabled or temporarily unemployed). For such cases, the Authority will perform an interim reexamination based on the current circumstances, which may temporarily reduce the tenant’s rent, even to \$0 in some cases.

When the income of such participant family stabilizes, another interim reexamination will be performed to adjust the tenant's rent, which will most likely be an increase.

## **21. SPECIAL REEXAMINATION OF TENANTS**

1. If it is not possible at the time of admission or regular reexamination of a tenant family to determine annual family income with any reasonable degree of accuracy, a temporary determination of income and rent is to be made and a special reexamination scheduled within 30, 60 or 90 days, depending upon the family's circumstances. The tenant is to be notified in writing of the date of the special reexamination.
2. If annual family income can be reasonably estimated at the time scheduled, the reexamination is to be completed and actions taken as appropriate. If a reasonable anticipation of annual family income cannot be made, another special reexamination is to be scheduled.

## **22. ELIGIBILITY FOR CONTINUED OCCUPANCY**

1. In order for a family to be considered eligible for continued occupancy, they must continue to qualify as a family and meet the eligibility requirements, except for the income limits which apply only at admission, described earlier.
2. The Authority must immediately and permanently terminate assistance from the Public Housing Program any family member convicted of the manufacturing or producing of methamphetamine on the premises in violation of any Federal or State Law.

For the purposes of this policy, the term "premises" is defined as the Public Housing building or complex in which the dwelling unit is located, including common areas and grounds.

3. The Authority must permanently terminate assistance from the Public Housing Program any family member with a lifetime registration under a State sex offender registration program.

## **23. NON-RENTAL CHARGES**

The Authority shall establish non-rental charges and periodically update such charges as necessary. Such charges include excess utility charges, charges for damages, and fees for late payment of rent, legal fees, and court costs.

## **24. RENT COLLECTION POLICY**

The Authority shall establish a Rent Collection Policy, see Exhibit 3.

## **25. HOUSE RULES**

The Authority shall establish reasonable house rules, as contained in the "Memorandum of Understanding" which is an addendum to the lease.

## **26. INSPECTIONS**

The Authority shall conduct Housing Quality Standards inspections in accordance with Federal, State, and local laws and regulations, which includes proper notice to the tenants. All original inspection forms will be contained in the tenant files. Some types of inspections that may be performed are as follows:

- 1) **Move-In Inspection** – An authorized representative of the Authority and an adult member of the family will inspect the unit prior to occupancy. Both parties shall sign the completed inspection form, which indicates the condition of the unit. A copy of the signed inspection will be given to the family and the original will be placed in the tenant file.
- 2) **Annual Inspection** – A regular inspection shall be performed by an Authority representative no less than once every 12 months. Copies of the inspection are contained in the tenant file.
- 3) **Move-Out Inspection** – An authorized representative of the Authority shall conduct a move-out inspection once the tenant has returned the keys to the unit and, therefore, no longer has possession of the unit. When possible, the tenant is notified of the inspection and is invited to be present. This inspection becomes the basis for any claims against the security deposit.
- 4) **Other Inspections** – An authorized representative of the Authority shall conduct an inspection of a unit on an as-needed basis, in accordance with the lease provisions.

## **27. EVICCTIONS**

1. **Notice of termination to the tenant shall state reasons for the eviction and shall inform the tenant of his right to make such reply as he may wish and of his right, under certain specific circumstances, to request a hearing in accordance with the Authority's Grievance Procedure.**
2. **A written record of every eviction shall be maintained by the Authority and shall contain the following information:**
  - 1) **Name of tenant and identification of unit occupied.**
  - 2) **Date of notice to vacate.**
  - 3) **Specific reason(s) for notice to vacate. For example, if a tenant is being evicted because of undesirable actions, the record should detail the actions which resulted in the determination that eviction should be instituted.**
  - 4) **Date and method of notifying tenants, with summary of any conferences with tenant, including names of conference participants.**
  - 5) **Detailed summary of any grievance or appeal processed and resolved pursuant to the Authority's Grievance Procedure, where applicable.**

3. No eviction action shall be instituted nor court costs or legal fees be assessed until after the notice period has expired or a Grievance Hearing has been completed, where such notice period or grievance hearings are applicable.

**28. ABANDONMENT**

The Authority will consider a unit to be abandoned in accordance with State law.

**29. RETURN OF SECURITY DEPOSIT**

After a family moves out, the Authority will return the security deposit, plus all accrued interest, within 30 days of the family vacating the unit or give the family a written statement of why all or part of the security deposit is being kept, in accordance with State law.

**30. GRIEVANCE PROCEDURES**

Grievance procedures shall be applicable to most individual disputes, with certain exceptions, which a tenant may have with respect to Authority action or failure to act in accordance with the tenant's lease or regulations. Please refer to the "Grievance Procedures Policy" as contained in the "Agency Plan".

**31. PET POLICY**

The Authority shall maintain a "Pet Policy" in accordance with Federal Laws and Regulations. Please refer to the Authority's "Pet Policy" as contained in the "Agency Plan".

**32. DEFINITION OF TERMS**

**1. ADJUSTED ANNUAL INCOME**

Adjusted Annual Income is annual gross income after deductions for specific allowances, on which the tenant rent is based.

**2. ANNUAL INCOME**

a. Annual income is the anticipated total income from all sources received by the Family head and spouse (even if temporarily absent) and by each additional member of the Family, including all net income derived from assets, for the 12 month period following the effective date of initial determination or reexamination of income, exclusive of income that is temporary, nonrecurring or sporadic as defined in paragraph (b) of this definition and exclusive of certain other types of income specified in paragraph (c) of this definition.

b. Annual Income includes, but is not limited to:

- 1) the full amount, before any payroll deductions, of wages and salaries, overtime



pay, commissions, fees, tips and bonuses and other compensation for personal services;

- 2) the net income from operation of a business or profession (for this purpose, expenditures for business expansion or amortization of capital indebtedness and an allowance for depreciation of capital assets shall not be deducted to determine the net income from a business);
- 3) interest, dividends, and other net income of any kind from real or personal property (for this purpose expenditures for amortization of capital indebtedness and an allowance for depreciation of capital assets shall not be deducted to determine the net income from real or personal property). Where the family has Net Family Assets in excess of \$5,000, Annual Income shall include the greater of the actual income derived from all Net Family Assets or a percentage of the value of such Assets based on the current passbook savings rate as determined by HUD;
- 4) the full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including a lump-sum payment for the delayed start of a periodic payment;
- 5) payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (but see paragraph (c) (3) of this section);
- 6) Welfare Assistance - if the Welfare Assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the Welfare Assistance agency in accordance with the actual cost of shelter and utilities, the amount of Welfare Assistance income to be included as income shall consist of:
  - (i) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities, plus
  - (ii) The maximum amount that the Welfare Assistance agency could in fact allow the Family for shelter and utilities. If the Family's Welfare Assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph (b) (6) (ii) shall be the amount resulting from one application of the percentage;
- 7) periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling.

- 8) **all regular pay, special pay and allowances of a member of the Armed Forces (whether or not living in the dwelling) who is the head of the Family, spouse, or other person whose dependents are residing in the unit (but see paragraph (c) (5) of this section);**
  - 9) **any earned income tax credit to the extent it exceeds income tax liability.**
- c. Annual income does not include such temporary, non-recurring or sporadic income as the following:**
- 1) **casual, sporadic or irregular gifts;**
  - 2) **amounts that are specifically for or in reimbursement of the cost of Medical Expenses.**
  - 3) **lump-sum additions to Family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (but see paragraph (b) (5) of this section);**
  - 4) **amounts of educational scholarship paid directly to the student or to the educational institution, and amounts paid by the Government to a veteran for use in meeting the costs of tuition, fees, books and equipment. Any amounts of such scholarships, or payments to veterans, not used for the above purposes that are available for subsistence are to be included in income; and**
  - 5) **the hazardous duty pay to a Family member in the Armed Forces away from home and exposed to hostile fire.**
- d. Income does not include:**
- 1) **income from employment of children (including foster children) under the age of 18 years;**
  - 2) **payments received for the care of foster children;**
  - 3) **amounts specifically excluded by another Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance program that includes assistance under the 1937 Act.**

**3. APPLICANT (APPLICANT FAMILY)**

**A person or a family that has applied for admission to a program but is not yet a participant in the program.**

**4. CHILD CARE EXPENSES**

Amounts anticipated to be paid by the Family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a Family member to be gainfully employed or to further his or her education. The amount deducted shall reflect reasonable charges for child care, and in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment.

**5. DEPENDENT**

A member of the Family Household (excluding foster children and foster adults) other than the Family head or spouse, who is under 18 years of age or is a Disabled Person or is a Full-time student.

The terms displaced person, elderly person, near-elderly person and person with disabilities are defined at Paragraph 3 of section 3(b) of the 1937 Act (42 U.S.C. 1437a(b)(3)).

**6. DISABLED FAMILY**

A family whose head, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides.

A person who is disabled is defined in Section 223 of the Social Security Act, or in Section 102(5) of the Development Disabilities Services & Facilities Construction Amendment of 1970. (42 U.S.C. 423 and 42 U.S.C. 2691 (1) respectively).

Section 223 of the Social Security Act defines disability as:

- a) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to last for a continuous period of not less than 12 months; or
- b) In the case of an individual who has reached age 55 and is blind (within the meaning of "Blindness" as defined in Section 416(i)(1) of the title. Inability, by reason such blindness, to engage in substantial gainful activity requiring skills or abilities equal to those of any gainful activity in which he/she has previously engaged with some regularity and over a substantial period of time.

Section 102(5) of the Developmental Disabilities Services and Facilities Construction Amendments of 1970 defines disability as:

.....a disability attributable to mental retardation, cerebral palsy, epilepsy, or another neurological condition of an individual found by the Secretary of Health, Education and Welfare to be closely related to mental retardation or to require treatment similar

to that required by mentally retarded individuals, which disability originates before such individual attains age eighteen (18), which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to that individual.

7. **DISPLACED FAMILY**

A family in which each member, or whose sole member, is a person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.

8. **ELDERLY FAMILY**

A family whose head, spouse, or sole member is a person who is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with a live-in aide.

9. **EXTREMELY LOW INCOME FAMILY**

A family whose Annual Income does not exceed 30% of the median income for the area, as determined by HUD with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 30% of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs or unusually high or low family income.

10. **FAMILY**

Family includes but is not limited to:

- (1) A family with or without children (the temporary absence, not to exceed 6 months) of a child from the home due to placement in foster care shall not be considered in determining family composition and family size);
- (2) An elderly family;
- (3) A near-elderly family;
- (4) A disabled family;
- (5) A displaced family; and
- (6) The remaining member of a tenant family.

11. **LIVE-IN AIDE**

A Live-in Aide means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

- (1) Is determined to be essential to the care and well-being of the persons;
- (2) Is not obligated for the support of the persons; and
- (3) Would not be living in the unit except to provide the necessary supportive

services.

**12. NEAR-ELDERLY FAMILY**

A near-elderly family means a family whose head, spouse, or sole member is a person who is at least 50 years of age, but below the age of 62; or two or more persons, who are at least 50 years of age, but below the age of 62; living together; or one or more persons who are at least 50 years of age, but below the age of 62 living with one or more live-in aides.

**13. FULL-TIME STUDENT**

A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school, as well as an institution offering a college diploma.

**14. HEAD OF HOUSEHOLD**

The adult family member who is head of household for purposes of determining income eligibility and rent.

**15. LOWER INCOME FAMILY**

A family whose Annual Income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 80 percent of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs or unusually high or low family income.

**16. MEDICAL EXPENSES**

Those medical expenses of all family members of an elderly or disabled family, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance.

**17. MONTHLY ADJUSTED INCOME**

One twelfth (1/12) of Adjusted Income.

**18. MONTHLY INCOME**

One twelfth (1/12) of Annual Income.

**19. NET FAMILY ASSETS**

Value of equity in real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD Homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the Family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining Annual Income.) The determination of Net Family Assets shall include the value of any assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefor. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less consideration not measurable in dollar terms.

**20. NON IMMIGRANT STUDENTS-ALIENS**

An alien who has no intention of abandoning his/her foreign residence, who is admitted temporarily to the United States in order to pursue a course of study at an established institution designated by the alien and approved by the Attorney General. The status of the nonimmigrant student-alien also applies to the alien spouse and minor children of the alien student.

**21. PUBLIC HOUSING AGENCY (PHA)**

Any State, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) that is authorized to engage in or assist in the development or operation of housing for lower income families.

**22. SERVICEMAN**

A person currently in the active military or naval service of the United States.

**23. TENANT RENT**

The amount payable monthly by the Family as rent to the PHA. Where all utilities (except telephone) and other essential housing services are supplied by the PHA, Tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone) and other essential housing services are not supplied by the PHA and the cost thereof is not included in the amount paid as rent, Tenant Rent equals Total Tenant Payment less the Utility Allowances.

**24. TOTAL TENANT PAYMENT**

The monthly amount calculated in accordance with 913.107. Total Tenant Payment shall be the highest of the following, rounded to the nearest dollar:

- a. 30 percent of monthly Income; or
- b. 10 percent of Monthly Income; or
- c. If the Family received Welfare Assistance from a public agency and a part of such payments, adjusted in accordance with the Family's actual housing costs is specifically designated by such agency to meet the Family's housing costs, the monthly portion of such payments which is so designated. If the Family's Welfare Assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated shall be the amount resulting from one application of the percentage.

**25. UTILITIES**

Water, electricity, gas other heating, refrigeration and cooking fuels, trash collection and sewerage services. Telephone and television service is not included as a utility.

**26. UTILITY ALLOWANCE**

If the cost of utilities (except telephone) and other essential housing services for an assisted unit is not included in the Tenant Rent, but is the responsibility of the Family occupying the unit, an amount equal to the estimate made or approved by a PHA or HUD, of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy conservative household of modest circumstances consistent with the requirements of safe, sanitary and healthful living.

**27. UTILITY REIMBURSEMENT**

The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the Family occupying the unit.

**28. VERY LOW-INCOME FAMILY**

A Lower Income Family whose Annual income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50 percent of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes.

**29. VETERAN**

**A person who has served in the active military service of the United States (Army, Navy, Air Force, Marine Corps, Coast Guard, and the Commissioned Corps of the United States Public Health Service) and who has been discharged or released from such service under honorable circumstances.**

**30. WELFARE ASSISTANCE**

**Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments.**

**EXHIBIT 1**

**STATEMENT CONCERNING DECONCENTRATION OF POVERTY  
IN PUBLIC HOUSING UNITS OPERATED BY THE  
HOUSING AUTHORITY OF GLOUCESTER COUNTY**

The Housing Authority of Gloucester County has, since its inception in 1972, followed a philosophy in the provision of subsidized housing which concentrates the elderly in multifamily settings so that services can be provided economically and deconcentrates families so that their housing is “invisible” to the community. This philosophy was formalized by the Board of Commissioners in February, 1999.

The Housing Authority of Gloucester County operates public housing funded in three increments: NJ204-1, 3 and 4. NJ204-1 consists of 62 scattered site single family two, three, and four bedroom homes. The homes were acquired in the early 1980s through the public housing acquisition without rehabilitation program. These homes are widely scattered throughout the County as shown on the attached map, which was reproduced using HUD’s 2020 software. The homes were constructed from the 1930s to the 1970s. No two units are identical. They are located in middle income neighborhoods where nearly all households have income from employment. The neighborhoods where the NJ204-1 units are located do not have concentration of poverty. Only two of the houses are located in neighborhoods where minority families predominate.

NJ204-3, Carino Park Apartments, is located in downtown Williamstown. There are 100 one-bedroom units for the elderly and near elderly. The residents include some younger disabled households. It is next door to City Hall, the Policy Department, and the Fire Department. It is one block from the main commercial area of Williamstown. There is a mixture of rental housing and homeowners in the vicinity. There are minority families in the surrounding area, but they do not predominate.

NJ204-4, Deptford Park Apartments, is located in the center of Deptford Township. There are 100 one-bedroom units for the elderly. The residents include some younger disabled households. It is within one block of the Township Hall and Police Department. The Deptford Fire Department



Administrative Office is next to the property. Commercial properties are located on the major thoroughfares close to Deptford Park. Much of the remaining property is occupied by single-family middle-income homeowners. The area is predominately non-minority.

The following are relevant statistics developed using HUD's 2020 software:

<b>204-1</b>		<b>Census Tract</b>
<b>Average Income:</b>	<b>\$18,326</b>	<b>\$39,387 (County)</b>
<b>% Minority:</b>	<b>31.1%</b>	<b>11.8% (County)</b>
<b>204-3</b>		
<b>Average Income:</b>	<b>\$ 8,903</b>	<b>\$32,433</b>
<b>% Minority:</b>	<b>20.8%</b>	<b>13.2%</b>
<b>204-4</b>		
<b>Average Income:</b>	<b>\$ 9,580</b>	<b>\$33,750</b>
<b>% Minority:</b>	<b>19.2%</b>	<b>9.8%</b>

The public housing units designed for occupancy by families with children were selected to avoid placing public housing families in areas of low income and minority concentration. The neighborhoods surrounding the units acquired in the 1980s have remained middle income neighborhoods. It is the intent of the Housing Authority of Gloucester County to operate its Public Housing Program as it has been operated for the past 20 years. The Housing Authority will review the statistics regarding the census tracts in which the public housing units are located annually in connection with the development of the Annual Plan. If any changes in the surrounding neighborhoods are detected, the Housing Authority will consider a relevant change in policy at that time.

**EXHIBIT 2**

**HOUSING AUTHORITY OF GLOUCESTER COUNTY**

**PUBLIC HOUSING PROGRAM  
ADMISSIONS AND CONTINUED OCCUPANCY POLICY**

The following information shall be made available for all persons to review, upon request. Interested parties may contact the Authority at 853-1190 to review such information which includes the following:

1. The Agency Plan;
2. The Public Housing Admissions and Continued Occupancy Plan;
3. A listing of developments and scattered sites by name, address, number of units, units designed with special accommodations, office locations and hours, telephone numbers, and resident facilities, as applicable;
4. Current income limits for admission into the Program;
5. Excess utility charges;
6. Utility allowance schedule;
7. Schedule of maintenance charges;
8. Dwelling lease and all addendums; and
9. The Authority's Grievance Procedures.

The Authority shall post this notice in a conspicuous place and at a height easily read by all persons, including persons with mobility disabilities at the following locations:

The Housing Authority of Gloucester County – Main Office – 856-853-1190  
100 Pop Moylan Blvd., Deptford, New Jersey 08096

Carino Park Apartments – 856-728-4156  
100 Chestnut Street, Williamstown, New Jersey 08094

Deptford Park Apartments - 856-848-2882  
120 Pop Moylan Blvd., Deptford, New Jersey 08096

**EXHIBIT 3**

**RENT COLLECTION POLICY**

- 1. All rent is due in advance on or before the first (1<sup>st</sup>) of each month.**
- 2. Rent not paid by the first (1<sup>st</sup>) of the month shall be considered delinquent.**
- 3. The tenant shall be given a fourteen (14) day notice. This notice shall require the tenant to pay the rent in full or give up possession of the unit within fourteen (14) days. This notice can be sent at any time of the month at the discretion of the Executive Director, or his designee. If, after fourteen (14) days, tenant has neither vacated nor paid his/her delinquent rent in full, the Housing Authority's attorney will be notified to file through the court for possession of the unit. No further notice will be sent to the tenant.**
- 4. If rent is not paid in full by the thirteenth (13<sup>th</sup>) day of the month, a late fee of \$13 shall be assessed.**
- 5. Once the attorney has filed for possession, the court action can be stopped only with the approval of the Executive Director.**
- 6. No partial payments will be accepted unless the tenant has first met with the Executive Director or his designee before the thirteenth (13<sup>th</sup>) day of the month and given an acceptable reason as to why rent cannot be paid on time or in full and agreed in writing to a reasonable method for the timely payment of the rent.**
- 7. A tenant referred to court for a third (3<sup>rd</sup>) time within a twelve (12) month period under this policy is to be considered a "chronic delinquent" and the attorney is to be instructed to file for possession because of the chronic delinquency. If possession of the unit is granted by the court, the tenant will not be afforded the opportunity to pay the delinquent rent as a condition to stop the eviction. The Authority shall evict the tenant because of the chronic delinquency; and, if the delinquent rent is not paid, take other legal action to collect said delinquency.**
- 8. The Authority shall accept rent payments in the form of cash, check, or money order. Should a tenant present a check to Authority that is returned for non-sufficient funds, the Authority will no longer accept payments in the form of a check from said tenant. If after three (3) years, the tenant has never paid their rent late, the Authority shall consider reinstating check-writing privileges to the said tenant upon the written request of the tenant. The tenant will be required to provide bank statements to the Authority for the past three (3) years as proof that the tenant does not have any history of presenting check(s) for payment without proper funds.**

EXHIBIT 4

**PLAN FOR DESIGNATING DEPTFORD PARK APARTMENTS (NJ 204-4) AND CARINO PARK APARTMENTS (NJ 204-3) FOR OCCUPANCY BY ELDERLY HOUSEHOLDS & NEAR-ELDERLY DISABLED HOUSEHOLDS EXCLUSIVELY HUD NOTICES PIH 97-12, 2002-12 AND 2005-2**

**2005 THROUGH 2007**

**BACKGROUND:** Gloucester County is located within the Philadelphia Metropolitan Statistical Area. Although it is part of a highly urbanized MSA, many parts of the County remain rural and small-town in character. Residents feel strong ties to particular geographic communities within the County.

Gloucester County is approximately 328 square miles in area. Most of the population resides in communities in the Northern part of the County. There are approximately 17 miles between the Housing Authority administrative offices in Deptford, located in the Northern part of the County, and Carino Park Apartments in Williamstown, located in the Southern part of the County.

The original designation plan was in effect March 1997 through 2003. HUD approved a renewal of the plan through 2005. HAGC is requesting an extension of the previous plan through 2007.

**EXISTING HOUSING RESOURCES:** The Housing Authority of Gloucester County operates the following subsidized or affordable housing programs:

1. **Public Housing**
  - A. Scattered sites NJ 204-1 - 62 units of 2, 3, and 4 bedroom single family units scattered throughout the County that are open to occupancy by all very low income households, including elderly and disabled.
  - B. Carino Park Apartments NJ 204-3 - 100 units of 1 bedroom apartments located in the Southern part of the County that are available for occupancy by elderly, near elderly and disabled households.
  - C. Deptford Park Apartments NJ 204-4 - 100 units of 1 bedroom apartments located in the Northern part of the County that are available for occupancy by elderly and disabled households.
2. **Colonial Park Apartments, Section 8 New Construction Program** - 200 units of 1 bedroom apartments located in the Northern part of the County that are available for occupancy by elderly households.
3. **Expanded Housing Opportunity Program** - 12 units of 3 and 4 bedroom single family units located primarily in the Northern part of the County available for occupancy by low income households, including the elderly and disabled, at affordable rents.
4. **Section 8 Housing Choice Voucher Program** - 1676 vouchers available to extremely-low and very-low income households, including the elderly and disabled. Participants are selected from the waiting list without regard to bedroom size required. Units scattered throughout the

County.

5. Section 8 Moderate Rehabilitation Housing Program - 23 certificates of participation for a particular dwelling unit. The Landlord and Authority have entered into Housing Assistance Payments contracts for specific units in particular buildings. The Moderate Rehabilitation units are available to extremely-low and very-low income households, including the elderly and disabled. Most Landlord contracts with the Authority have expired (approximately 200) and tenants have been issued Housing Choice Vouchers. The Authority is providing Landlords with the opportunity to extend their expired contracts in accordance with Federal Regulations and HUD guidance. The remaining Moderate Rehabilitation units are located in the Northern part of the County.
6. Nancy J. Elkis Seniors Housing - 80 one bedroom units in the Northern part of the County available for occupancy at affordable rents by elderly households whose incomes do not exceed 60% of the median for the County.
7. Section 8 Housing Choice Voucher Program Designated for Housing Preferences – A total of 145 Vouchers for non-elderly disabled households for which funding was announced by HUD on September 24, 1997. 125 of these Vouchers were awarded as part of HUD NOFA FR-4207-01, Establishment of Preferences at Certain Section 8 Developments. 20 additional Vouchers have been designated for non-elderly disabled households through Fair Share Voucher allocations in 2000 and 2001. These 145 Vouchers are available to non-elderly disabled, extremely-low and very-low income households. Participants are selected from the waiting list without regard to bedroom size. The Voucher units are scattered throughout the County.

**CONSOLIDATED PLAN:** The 2000 - 2005 Consolidated Plan adopted by Gloucester County states that 43% of the elderly, owner occupied households and 46% of the elderly, renter occupied households are cost burdened by paying greater than 30% of income for shelter. A total of 10,562 lower income households are elderly, comprising 67.4% of all elderly households. Thus, the elderly are clearly a segment of the County's population needing targeted housing assistance.

The developmentally disabled, physically disabled and persons with AIDS in need of supportive housing, according to the County's Consolidated Plan, are approximately 4,700. The estimates were made using data from studies performed by the State and other advocacy groups.

**FAIR HOUSING:** The population of Gloucester County is approximately 90% non-minority and 10% minority. Approximately 16% of the very low-income households in Gloucester County are minority.

Deptford Park and Carino Park were first occupied in the mid-1980s. They have always been open to and occupied by all racial/ethnic groups residing in the County. Deptford Park residents are 26 % minority and Carino Park residents are 19% minority at the time this Plan was written. The Housing Authority waiting lists for all programs for 1-bedroom units contains 55.4% non-minority and 44.6% minority applicants.

It appears that continuing the designation of Deptford Park and Carino Park for elderly and disabled near-elderly exclusively will not change the racial demographics of the buildings.

**ACCESSIBLE HOUSING RESOURCES:** The Housing Authority committed to HUD in its application for Vouchers designated for the non-elderly disabled to provide assistance to disabled applicants in locating units accessible to them. The Gloucester County Offices of the Disabled and Community Development committed to aiding in this effort by locating funding for landlords willing to modify their units to make them accessible. The Housing Authority has employed a staff person who is designated to provide this assistance to the non-elderly disabled and to the landlords.

**DESIGNATION POLICY:** The Board of Commissioners of the Housing Authority of Gloucester County amended the Admissions and Continued Occupancy Policy for its Public Housing Program to incorporate this Plan in 2003. Admission to 100% of the units at Deptford Park Apartments, NJ 204-4, is restricted to elderly and near-elderly disabled households. Admission to 100% of the units at Carino Park Apartments, NJ 204-3, is restricted to elderly and near-elderly disabled households. An elderly household is one whose head or spouse is 62 years of age or older. A near-elderly disabled household is one whose head or spouse is between the ages of 50 and 62 years and the head or spouse is disabled.

Any current resident of Deptford Park or Carino Park who does not meet the age-based and/or disability admission criteria may continue to reside in their unit as long as they meet their obligations under the lease and any other criteria imposed by the Admissions and Continued Occupancy Policy. Those non-elderly disabled tenants residing in Deptford Park and Carino Park who wish to apply for the 145 Vouchers set aside for the non-elderly disabled may do so. Their application will be treated as any other. They will be housed in the order established in the Section 8 Administrative Plan and will receive no preference for these Vouchers as a result of their residency in Deptford Park or Carino Park. Please refer to the chart below summarizing the designation.

Development Name	Development Number	Total # Units in Project	Total # Units Designated
Carino Park Apts.	NJ 204-003	100 - 1Bedroom	100 - 1 Bedroom Designated to elderly and near elderly disabled
Deptford Park Apts.	NJ 204-004	100 - 1Bedroom	100 - 1 Bedroom Designated to elderly and near elderly disabled

**CERTIFICATION:** The Housing Authority of Gloucester County certifies there are no unanticipated adverse impacts on the Housing Resources for the groups not being served due to the designation.