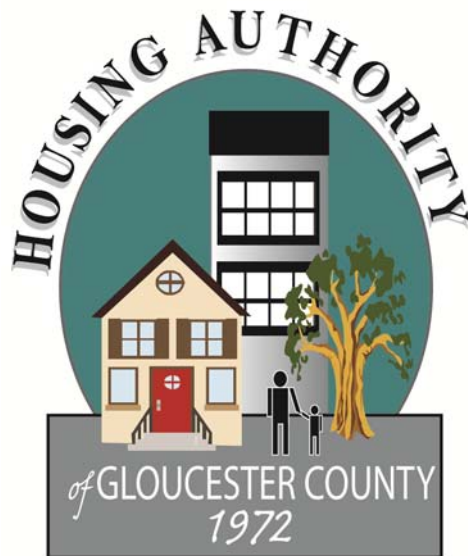


SECTION 8 HOUSING CHOICE VOUCHER AND MODERATE REHABILITATION ADMINISTRATIVE PLAN



REVISED-AUGUST 2011

**HOUSING AUTHORITY OF GLOUCESTER COUNTY
SECTION 8 HOUSING CHOICE VOUCHER & MODERATE REHABILITATION
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OBJECTIVE

The objective of the Section 8 Housing Choice Voucher and Moderate Rehabilitation Programs is to house extremely low, very low, and low income families in decent, safe, and sanitary housing within the operating jurisdiction of the Housing Authority of Gloucester County. Such housing shall be in accordance with rules and regulations governing the Programs, as amended by the Department of Housing and Urban Development.

Furthermore, it is the intention of the Housing Authority of Gloucester County to administer the Programs to affirmatively further fair housing in accordance with the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act. This document is intended to provide the general administration of the Programs and specific guidance on items where the Authority has discretion in setting policy.

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 "Housing Choice Voucher" shall be intended to represent the Certificate, Voucher, and Housing Choice Voucher Programs as applicable.

ELIGIBILITY

PRE-APPLICATIONS

The Authority will accept pre-applications for assistance on an as needed basis as determined by the Executive Director. The Executive Director will review the wait list regularly and determine the length of time to accept pre-applications. The pre-application will only be received by mail at the following address:

➔ **The Housing Authority of Gloucester County – Tenant Processing Center-Main Office**
100 Pop Moylan Blvd, Deptford, 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 IN THE ORDER THEY ARE RECEIVED BY THE MAIL CARRIER.** 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 programs administered by the Authority. Applicants will be mailed a confirmation of receipt of their pre-applications after their name is placed on the waiting list. This confirmation will include their "client number" and an estimate of when the applicant can expect assistance.

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.

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ORGANIZATION & SELECTION FROM WAITING LISTS

All registrants will be placed on the waiting lists based on the date and time of application. There will be one (1) waiting list maintained for the Section 8 Housing Choice Voucher Program and two (2) for the Moderate Rehabilitation Program.

The waiting lists will be assembled in sequential order by date and time of registration and with annual income and bedroom size needs indicated. The Moderate Rehabilitation waiting lists each represent a different bedroom size, since this program is unit based.

LOCAL PREFERENCE

A local Preference will be given to registrants, whose head or spouse at the time of registration, are residents of, working in, 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.

- 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 or employment at the time of application.
- An applicant who lives and works outside the operating jurisdiction of the Authority is not eligible for the local preference.
- 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 they moved into or began working in the operating jurisdiction of the Authority. 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.
- An applicant who lives and works outside the operating jurisdiction of the Authority at the time their application is received by the Authority, but 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 of the Authority at the time of eligibility determination shall be denied a local preference.
- 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.

PARTICIPATING COMMUNITIES OF THE AUTHORITY:

CLAYTON	LOGAN TOWNSHIP	WASHINGTON TOWNSHIP
GLASSBORO	MANTUA TOWNSHIP	WEST DEPTFORD TOWNSHIP
DEPTFORD TOWNSHIP	MONROE TOWNSHIP	WESTVILLE
EAST GREENWICH	NATIONAL PARK	WOODBURY
GREENWICH TOWNSHIP	PAULSBORO	WOODBURY HEIGHTS
HARRISON TOWNSHIP	SWEDESBORO	WOOLWICH TOWNSHIP

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When neither the head of household nor his/her spouse resides in or works in one of the above participating communities, a pre-application from that household will be considered a non-resident pre-application. Upon admission into the Section 8 Housing Choice Voucher Program, for the initial twelve months that the Voucher holder from a non-resident pre-application utilizes funding provided by the Authority, the family may only lease a unit located in one of the above participating communities. During this twelve-month period, the family shall not utilize the Voucher to lease a unit located outside of the Authority's jurisdiction.

Pre-Applications received for Glassboro residents registered prior to 3/25/09 and Woolwich Twp residents registered prior to 12/21/10 will obtain a local preference if the client re-registers. A letter indicating HAGC is updating information with the new date and time with a local preference will be mailed to the client. The new application date and time with a local preference will be used in order to benefit the client.

Clients updating information that are still residing in Glassboro or WoolwichTwp and are working in Glassboro or Woolwich Twp. will not obtain the local preference as these clients are residents of the Borough of Glassboro prior to 3/25/09 or Woolwich twp prior to 12/21/10 their preference status has not changed.

Clients updating information that are still residing in Glassboro or Woolwich Twp and report they are working in the operation jurisdiction of HAGC other than Glassboro or Woolwich Twp, will obtain a local preference, regardless of their application date. Clients updating information that do not live in Glassboro or Woolwich Twp and do not have a local preference may notify HAGC that they are now living and/or working in Glassboro, Woolwich Twp or any other area in the operating jurisdiction of HAGC will obtain a local preference.

TARGETED HOUSING CHOICE VOUCHERS (SPECIAL PURPOSE FUNDING)

The waiting list is organized in a manner that identifies families who express an interest in, or who may qualify for "targeted" Housing Choice Vouchers. For those applicants who otherwise qualify for housing assistance, the Authority shall designate certain Housing Choice Vouchers for targeted purposes consistent with applicable application(s) to HUD, agreements with other agencies to serve special populations (including victims of domestic violence), and specific Annual Contributions Contract funding commitments. These targeted Housing Choice Vouchers shall not be based on the identity or location of the housing unless approved by the Department of Housing and Urban Development.

The Housing Choice Vouchers so allocated shall include, but are not limited to, such targeted cases as:

- Applicants certified as participating in a job training program.
- Applicants certified as living in transitional housing.
- Applicants certified as living in housing that is not affordable, according to the Gloucester County Board of Social services.
- Applicants certified as receiving temporary rental assistance or who are certified as eminently homeless.
- Applicants certified as having graduated from group residences.
- Applicants who are disabled and under the age of 62 years.
- Applicants who are disabled and under the age of 62 years and have been denied public housing due to the Authority's designated housing plan approved by HUD.

SELECTION FROM WAITING LISTS

INCOME LIMITS/INCOME TARGETING REQUIREMENTS

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SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

For the Section 8 Housing Choice Voucher Program, not less than 75% 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 75% of new admissions, families with incomes greater than 30% of the area median income will be temporarily skipped on the waiting list. Once the admissions of extremely-low income families, into the Section 8 Housing Choice Voucher Program, is between 75% and 100% of the total admissions, those families that had been temporarily skipped, with incomes greater than 30% of the area median income, but who still meet the other income eligibility criteria as described below, will be selected from the waiting list. The Intake Supervisor shall review the percentage of targeted admissions and the waiting list to determine the number of non extremely-low income families to select 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 75% of the new families admitted must have incomes at or below 30% of the area median income.

OTHER INCOME ELIGIBILITY CRITERIA

To be income eligible, the family must be either:

- **"VERY-LOW INCOME"** family (anticipated annual income does not exceed 50% of median income);
- **"LOW INCOME"** family (anticipated annual income does not exceed 80% of median income) that meets any one of the specific criteria as established by HUD; (In the case of a "continuously assisted" low income family the Authority will allow for a brief interruption of assistance not to exceed 60 calendar days between programs.)
- **"LOW INCOMER" or "MODERATE INCOME"** family that is displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low income housing as defined by HUD;
- **"LOW INCOMER"** family that is a resident of, or works within, one of the participating communities, as described in operating jurisdiction of the Authority under section Organization of Waiting Lists" in this document.

EXCEPTIONS TO INCOME TARGETING

In accordance with HUD regulations, admission of certain families, as described below, are not subject to income targeting requirements and shall not be included in the calculation of meeting the income targeting percentage requirements.

- All **"LOW INCOMER" or "MODERATE INCOME"** families admitted that were displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low income housing as defined by HUD.
- A **"LOW INCOMER"** family that is **"CONTINUOUSLY ASSISTED"** under the 1937 Housing Act, with an interruption of no more than 60 calendar days between programs.

SECTION 8 MODERATE REHABILITATION PROGRAM

For the Moderate Rehabilitation Program, not less than 40% of 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 40% of new admissions, families with incomes greater than 30% of the area median income will be temporarily skipped on the waiting list. Once at least 40% of the new admissions into each project have incomes at or below 30% of the area median income, the families that had been temporarily skipped may be admitted in accordance with the following limitations. Since all of the Authority's Moderate Rehabilitation projects were established after 1981, the anticipated annual income of not more than 15% of the new families admitted must not exceed 80% of the area median income (low income) other than very low income

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families. The number of families selected from the group that had been temporarily skipped 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).

MONITORING THE INCOME TARGETING REQUIREMENTS

The Intake Supervisor, or her designee, will be responsible for monitoring the income targeting requirements. Reports will be generated bimonthly, on the first and third Fridays of each month, to document and monitor compliance with the income targeting requirements. These Income Targeting Reports will indicate all of the families admitted into the Programs and designate which families had incomes at or below 30% of the area median income at the time of admission. There will be one report for the Section 8 Housing Choice Voucher Program and another for the Section 8 Moderate Rehabilitation Program.

NOTIFICATION OF SELECTION FROM WAITING LISTS

Families selected from the waiting lists, in accordance with the above income targeting requirements, will be notified by a letter (referred to as an "Interview Letter") to the most recent address of the family on file. The letter will request a response from the family within 10 calendar days of the date of the letter, to schedule an interview appointment.

CONTINUOUSLY ASSISTED FAMILIES

A family is considered "continuously assisted" under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act Program when the family is admitted to the Housing Choice Voucher Program. For purposes of income eligibility, a family will be considered "continuously assisted" upon admission into the Housing Choice Voucher Program only when there is a break of no more than 60 calendar days between participation in the assisted programs.

ISSUING & DENYING ASSISTANCE IN THE SECTION 8 HOUSING CHOICE VOUCHER AND MODERATE REHABILITATION PROGRAMS

In order for the family to be issued assistance they must schedule an interview appointment within 10 calendar days of the date of the interview letter and attend the interview appointment where all paperwork is to be signed by the appropriate family members. The family will be notified in the interview letter of the necessary documents to bring to the interview. The family will have up to 30 calendar days to provide any requested information to the Authority.

After the interview appointment, the family's income, assets, medical costs, child care costs, disability, handicap or student status, and qualification for the local preference(s) will be verified through an independent, third party, as appropriate. If after independent, third party verification the family's anticipated annual income (in accordance with Federal Laws and Regulations) is less than the appropriate Income Limit, as determined by the HUD, the family will be invited to attend a "Tenant Briefing Program" (TBP) Class. Only after attending the TBP Class will the family be issued the Housing Choice Voucher or Moderate Rehabilitation Certificate of Family Participation.

For applicants on the Housing Choice Voucher waiting list, those who decline one form of assistance for another do not lose their place on the waiting list. Applicants who decline both forms of assistance may be removed from the waiting list.

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EXTENSIONS/SUSPENSION OF TIME

The initial term of the Housing Choice Vouchers is sixty (60) days. The Housing Choice Vouchers will be extended for an additional term of up to sixty (60) days upon written request by the Housing Choice Voucher holder. Such request must be received by the Authority prior to the initial expiration date. The length of the extended term will be at the discretion of the Intake Supervisor, or her designee. It is recognized by the Authority that many factors influence how quickly a Housing Choice Voucher holder can lease an acceptable unit. Illness, the weather (winter snow or summer heat), lack of public or private transportation, employment commitments, demands of children, disability, and other factors may delay the search for housing. Accordingly, a written request for an extension will be granted, if requested, and the Intake Supervisor, or her designee, will document the file and electronic data accordingly.

The term of the Housing Choice Voucher will be suspended upon submission of a Request For Approval of the Tenancy. The suspension will end on the date the Authority approves or denies the Request For Approval of Tenancy. Suspension of terms will be documented by the Intake Staff in the applicant's paper and electronic files.

THE INTAKE STAFF, AT ITS DISCRETION, MAY REQUIRE PERIODIC PROGRESS REPORTS BY APPLICANTS OF THEIR STATUS ON LEASING A UNIT.

REMOVAL FROM WAITING LIST

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

- If there is no response to the Interview Letter within 10 calendar days of the date of the letter.
- If the family misses 2 scheduled interview appointments.
- If an applicant has notified the Authority that they are no longer interested in the program(s).
- Failure to respond to requests for information from the Authority.
- Failure to notify the Authority, in writing, of any address changes.
- For the Housing Choice Voucher Program, if the family has not submitted a Request for Approval of the Tenancy to the Authority by the Housing Choice Voucher expiration date.

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.

ADVERSE ACTIONS

Applicant families may be denied assistance or participant families may have their assistance terminated for any one of the following reasons:

- If the participant family violates any of the family obligations.
- If the Authority has ever terminated assistance under the program for any member of the applicant or participant family.
- If any member of applicant family has ever been evicted from public housing.
- If any member of the applicant or participant family has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program.
- If the applicant or participant family owes rent or other amounts to the Authority or to another public housing authority in connection with Section 8 or Public Housing assistance under the 1937 Act.
- If the applicant family has not reimbursed the Authority or any other public housing authority for amounts paid

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to an owner under a housing assistance payments contract for rent, damages to the unit, or other amounts owed by the family under the lease.

- If the participant family has not reimbursed the Authority, or agreed to enter into a repayment agreement for amounts owed to the Authority for reasons as specified in the above paragraph.
- If the participant family breaches an agreement with the Authority to pay amounts owed to the Authority, or amounts paid to an owner by the Authority.
- If a family participating in the Family Self Sufficiency Program (FSS) fails to comply, without good cause, with the family's FSS Contract of Participation.
- If any member of applicant or participating family has engaged in or threatened abusive or violent behavior toward Authority personnel.
- Adverse information due to your negative end of participation or any negative status (i.e. abandoned unit, fraud, serious lease violations, criminal activity, etc.) from previous participation in any housing assistance program.

Applicant families must be denied assistance or participant families must have their assistance terminated for any one of the following reasons:

- During a reasonable time period (as determined on a case by case basis), the Authority may not admit a family into a program if any member of the family has been evicted from Federally assisted housing for a serious violation of their lease.
- The Authority must terminate assistance for a family evicted from assisted housing under the program for serious violation of the lease.
- If any member of the applicant or participant family fails to sign and submit consent forms or provide the Authority with necessary verification documents within 10 days of written request, in accordance with HUD regulations.
- If any member of the applicant or participant family fails to submit required evidence of citizenship or eligible immigration status, in accordance with HUD regulations.
- If any member of the applicant or participant family has committed a drug-related criminal activity or violent criminal activity, in accordance with the Authority's "One Strike & You're Out" Policy.
- Due to the mandatory prohibition of any household member subjected to a lifetime sex offender registration the housing authority must prohibit admission or terminate participation

Also in accordance with the "One Strike & You're Out" Policy, the Authority must permanently bar admission or immediately and permanently terminate assistance from the Section 8 Housing Choice Voucher and Moderate Rehabilitation Programs any family member convicted of the manufacturing or producing of methamphetamine on the premises in violation of any Federal or State Law.

➔ **Premises are defined as the Public Housing building or complex in which the dwelling unit is located, including common areas and grounds.**

In deciding whether to deny assistance because of an action or failure to act by members of the family, the Authority has discretion to consider all of the circumstances in each case, including the seriousness of the case, the extent of participation of individual family members, and the effects of denial on other family members who were not involved in the action or failure.

The Authority may impose, as a condition of continued assistance for other family members, a requirement that family members who participated in or were culpable for the action or failure will not reside in the unit. The Authority may permit the other members of a family to receive assistance.

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All applicant families being denied assistance will be notified by letter mailed to the most recent address on file. They have the right to request an informal review within 14 calendar days of the date of the letter. Such families may re-apply for assistance and will be assigned a new application date and time, with the exception of those who are barred from admission because of being convicted of manufacturing or producing methamphetamine on the premises in violation of and Federal or State Law.

INFORMAL REVIEW PROCEDURES FOR APPLICANTS

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

OCCUPANCY POLICIES

DEFINITIONS OF FAMILY, FAMILY SHARE AND ANNUAL INCOME

For the purposes of this document a family may consist of any single person or a 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.

An elderly or disabled family is a 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.

A disabled person is considered an elderly family for the purpose of qualifying as a household type. In order to qualify for two bedroom assistance, the elderly family must meet the appropriate subsidy standards as described below.

Family Share, for the purposes of this document and administration of the Section 8 Housing Choice Voucher Program, shall mean the portion of rent and utilities paid by the family. The family share is calculated by subtracting the amount of the housing assistance payment from the gross rent.

The Authority may not use the housing assistance payment or other program funds (including the administrative fee reserve funds) to pay any part of the family share. Payment of the family share is the responsibility of the family.

For the purposes of determining eligibility and recertifications, annual income means all amounts, monetary or not:

- Which go to or on behalf of the family head or spouse or any other family member;
- That are anticipated to be received from a source outside the family during the 12 month period following admission or the annual reexamination effective date;
- Which are not specifically excluded by Federal Regulations; and/or
- This also includes amounts derived from assets to which any family member has access.
- Alimony and child support payments are counted as income. If the amount of child support or alimony received is less than the amount awarded by the court, the HAGC must use the amount awarded by the court unless the family can verify that they are not receiving the full amount or have not received it for 60 consecutive days. The
- HAGC will accept as verification that the family is receiving an amount less than the award if:
 - The HAGC receives verification from the agency responsible for the enforcement of collection.
 - The family furnishes documentation of child support or alimony collection action filed through a child

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support

- Enforcement/collection agency, or has filed an enforcement or collection action through an attorney.
- Direct pay child support arrangement may require order from court if HAGC is not able to verify

Annual income is determined by calculating a family's anticipated total gross income minus allowable exclusions.

- When 3rd party verifications are not received in time to establish eligibility or complete a recertification, the Authority shall document the reason why the 3rd party verification was not used and compute annual income on a provisional basis based upon review of documents. The annual income computation should then be compared to that with the 3rd party verification upon receipt. Adjustments to the amount of rental subsidy will be made based upon the discretion of the Section 8 Supervisor or Intake Supervisor, as appropriate.
- For those cases where the participant reports \$0 income, the Authority will require the participant to periodically (usually every 3 months) report the current income and provide an explanation as to how the family is paying their utilities, buying food, etc.
- 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 Section 8 HCV or Mod Rehab programs. 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 Section 8 HCV or Mod Rehab program.
- The Authority must verify, through independent third party, all financial assistance from federal and state grants and/or 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 Section 8 HCV or Mod Rehab assistance to persons receiving athletic scholarship assistance for housing costs exceeding \$5,000 annually.

SUBSIDY STANDARDS

The Housing Choice Voucher or Moderate Rehabilitation Certificate of Family Participation shall specify the smallest number of bedrooms appropriate to the family, taking into consideration the minimum commitment of housing assistance payments, avoidance of overcrowding, and compliance with Housing Quality Standards (HQS).

The Authority shall apply the unit size standards appropriate for the applicant family. The unit size standards will assure that the HQS applicable for adequate space and security are met. These standards specify that there must be at least one bedroom or living/sleeping room of appropriate size for each two persons. Persons of the opposite sex, other than

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husband and wife or children age six or younger, will not be required (but may choose) to occupy the same bedroom or living/sleeping room.

PAYMENT STANDARDS

For Housing Choice Voucher Program participants, the Authority maintains a schedule of payment standards by unit size.

An evaluation of the Housing Choice Voucher Program affordability adjustment shall be made annually prior to implementing a change in the Housing Choice Voucher Program Payment Standard Schedule. Affordability adjustments shall be made to the Payment Standards by the Executive Director, or his designee, following an affordability adjustment study and determination. The affordability adjustment shall be conducted so as to determine whether families have a sufficient level of subsidy to allow freedom of choice in the selection of rental housing within the Authority's jurisdiction. Affordability adjustments in the Payment Standard will be consistent with funding limitations as set forth in the Annual Contributions Contract, Federal Law, and regulations set by HUD.

The Authority may establish a higher payment standard (although still between 90% and 110% of the Fair Market Rents for Gloucester County, as determined by HUD) as a reasonable accommodation for a family that includes people with disabilities.

MINIMUM RENTS

For the Moderate Rehabilitation Programs, the minimum total tenant payment is equal to \$0.
For the Housing Choice Voucher Program, the minimum family contribution is equal to \$0.

ANNUAL REEXAMINATIONS AND POLICY ON INTERIM REEXAMINATIONS

All annual and interim reexaminations will be performed in accordance with Federal Laws and Regulations, which includes, but is not limited to, the computations of annual income, monthly adjusted income, and the computations of Tenant Rent for the and Moderate Rehabilitation Programs and Family Rent to Owner in the Housing Choice Voucher Program.

At least annually, each participant family's income and family composition will be reexamined. This will constitute the annual reexamination.

An interim reexamination will be performed for participant families when either of the following circumstances applies;

- There is a change in family composition.
- The family's anticipated annual income is believed to have decreased.
- The family's anticipated annual income is believed to have increased.

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 housing assistance payment (HAP) resulting from an interim reexamination will be the 1st of the month succeeding the completed interim reexamination if the tenant rent or family rent to owner decreases. If the tenant rent or family rent to owner increases, it will be effective the 1st of the month after which the family has received 30 calendar days notice of such increase.

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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 is grounds for termination.

A family's request to add an adult member(s) who have been previously removed from the household may be denied. Families are required to notify HAGC within 14 calendar days if any family member leaves the assisted household. When the family notifies this agency the following must be provided:

The date the family member moved out, documentation of the new address of the family member or court documents verifying divorce, separation or new custody arrangements must be provided to this agency. Any arrangements to remove household members due to domestic violence, dating violence or stalking will be in accordance with HUD regulations as it pertains to the Violence Against Women Reauthorization Act (VAWA) of 2005. The tenant must provide a certification that she/he is a victim of domestic violence, dating violence, or stalking must include the name of the perpetrator and be provided within 14 business days. The certification must be in accordance with HUD-50066 form.

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 annual recertification and starting a job immediately after the tenant rent to owner has been determined) and take actions as determined necessary on a case by case basis.

The Authority reserves the right not to perform interim recertifications from the point of voucher issuance until after the first 6 months of an assisted family's contract. Determinations shall be made on a case-by-case basis and participants' files shall be documented to support the decision of the Executive Director, or his designee. The family is still required to report all changes in income and family composition to the Authority, in writing, within 14 calendar days of the change.

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. Verification procedures for interim reexaminations are the same as annual reexaminations, except that only the changes need to be verified. Also, only the lease addendum and any paperwork related to the information that changed must be signed by the tenant and landlord, as appropriate.

For the Housing Choice Voucher Program only, the Authority must not reduce the tenant's portion of rent to owner when the family has experienced an income reduction based on noncompliance with welfare requirements or fraud. Such welfare requirements include an economic self-sufficiency program or a work activities requirement. However, at the family's request, 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 a work activities requirement, or because of fraud, must the Authority deny the family's request for a reduction in the total tenant payment or the family contribution to rent, whichever may apply.

Any families affected by the above provision have the right to request an informal hearing in accordance with 24 CFR 982.555 (a) (i).

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 share, even to \$0 in some cases. When the income of such a participant family stabilizes, another interim reexamination will be performed to adjust the tenant's share, which will most likely be an increase.

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In accordance with Federal Regulations, the Authority shall exclude the following from the annual income from a qualified family participating in the Housing Choice Voucher Program:

- The increases in annual income that are a result of employment of a family member with disabilities and who was previously unemployed for one or more years prior to employment;
- The increases in annual income as a result of increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program; or
- The increases in annual income that are a result of new employment or increased earnings of a family member who is a person with disabilities, during or within six months after receiving assistance in any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the Authority in consultation with Gloucester County Board of Social Services.

During the initial twelve month period beginning on the date a disabled family member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the Authority will exclude from annual income any increase in income of a family member who is the person with disabilities as a result of employment over prior income of that family member.

During the second cumulative twelve month period after the date a disabled family member is first employed or the family first experiences an increase in annual income attributable to employment, the Authority must exclude from annual income of a qualified family fifty percent of any increase in income of such family member as a result of employment of income of that family member prior to the beginning of such employment.

The disallowance of increased income of an individual family member who is a person with disabilities as provided above is limited to a lifetime of 48 months.

The disallowance of increases in income as a result of employment of persons with disabilities under this section does not apply for the purposes of admission into the program (including determination of income eligibility or any income targeting that may be applicable).

UTILITY ALLOWANCE SCHEDULES

The Authority shall maintain utility allowance schedules by unit type and bedroom size in accordance with Federal Laws and Regulations.

FAMILY ABSENCE FROM DWELLING UNIT

For purposes of this section, "absence" means that no member of the family is residing in the unit.

The family may be absent from the unit for brief periods. For longer absences, the family must notify the Authority in writing of any absences longer than 30 calendar days. Such notification should include the purpose of the absence. In no case can any absence exceed 90 calendar days. In the event that the family is absent for more than 90 calendar days, the housing assistance payments contract and assisted lease will be terminated.

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The Authority may verify family occupancy or absences, through letters to the family's subsidized unit, phone calls, home visits, or through questions to landlords or neighbors, as determined necessary.

FAMILIES WHO WISH TO MOVE WITH CONTINUED ASSISTANCE

The Authority will not permit any family to move during the initial year of the assisted occupancy. After the initial year of assisted occupancy, a family in good standing (if the tenant has the right to terminate the lease on notice to the owner) may move, providing that they provide 30 calendar days written notice, prior to the first of the month, to both the landlord and to the Authority. In any one year, a participant family may not move more than one time.

The Authority may deny permission to move if there is not sufficient funding for continued assistance or in accordance with denial or termination of assistance regulations (the family is not in good standing).

If the family fails to find an acceptable unit, they may continue to receive assistance under the current contract providing that the landlord agrees.

Should a participant notify HAGC that he/she wishes to vacate a unit before the end of an assisted lease, the participant may only move with continued assistance if the landlord provides the Authority with a written release. In the cases where the landlord will not release the tenant, the tenant may only move with continued assistance upon the written approval from the Executive Director, or his designee.

CONTINUED ASSISTANCE WHEN THE ASSISTED FAMILY BREAKS UP

The Authority will utilize the following guidelines to determine which family members continue to receive assistance when the family breaks up.

- If any family members are caring and providing for minor children.
- If any family members are/were caring for an ill, elderly, or disabled adult.
- If any family members were forced to leave the unit as result of actual or threatened physical violence against
- If family members by a spouse or other household member.
- If a court determines disposition of property between family members, the Authority must abide by the court's decision

A decision of which family members continue to receive assistance will be made on a case-by-case basis considering the above factors.

POLICY CONCERNING PAYMENT OF AMOUNTS THE FAMILY OWES THE AUTHORITY

In all cases where it is determined that a participant family owes the Authority for rents or other amounts in connection with Section 8 Housing Choice Voucher or Moderate Rehabilitation assistance, the Authority shall offer to enter into a repayment agreement with the family in which the family pays the Authority on a monthly basis. The monthly amount due shall be determined case by case, taking into consideration the family's income, rent, and other individual circumstances. All repayment agreements must be approved by the Section 8 Supervisor.

If the participant family receives a utility reimbursement check from the Authority towards the allowance for tenant supplied utilities, the Authority may, at its discretion, issue the check to itself on behalf of the tenant. This amount shall be credited towards the monthly amount the participant family owes the Authority under the repayment agreement.

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HUD requires PHAs to report certain information at the conclusion of the tenant's participation. Debts owed will be maintained within HUD's Enterprise Income Verification System (EIV).

TERMINATIONS OF ASSISTANCE

Please refer to various circumstances in which the Authority may/must terminate assistance in Section II. C. 3.

"DENIAL/TERMINATION OF ASSISTANCE" OF THIS DOCUMENT.

When deciding whether or not to terminate a participant family's assistance the Authority has discretion of considering individual circumstances regarding the family's action or failure to act, including the seriousness of the case and the effects on other family members who were not involved in the action or the failure to act. All terminations are in accordance with Federal Laws and Regulations and will provide not less than 30 calendar days notice to the affected family. The terminated families are notified on the termination letter that they have the right to request an informal hearing within 14 calendar days of the date of such letter.

The Authority may impose, as a condition of continued assistance for other family members, a requirement that family members who participated in or were culpable for the action or failure will not reside in the unit. The Authority may permit the other members of a family to receive assistance.

PROCEDURES FOR INFORMAL HEARINGS

Informal hearing procedures for participants are described in the Authority's Grievance Procedures Policy.

HOUSING QUALITY STANDARDS/INSPECTIONS

The Authority shall require that all assisted units be maintained in accordance with Housing Quality Standards (HQS), as established by HUD.

At least annually, and prior to commencing housing assistance payments contracts for units with landlords, the Authority shall inspect said units in accordance with HQS. Special inspections also may be performed at the request of the owner, tenant, or as determined by the Authority.

Owners shall be given a reasonable amount of time to make repairs to units, in accordance with Federal rules and regulations. The Authority may grant extensions of time to make repairs upon the request of the owner.

OWNER PARTICIPATION

ENCOURAGING PARTICIPATION BY OWNERS OUTSIDE AREAS OF LOW INCOME & MINORITY CONCENTRATION

The Intake and Section 8 Recertification Departments constantly "market" program utilization among property owners outside areas of low income and minority concentration, particularly in garden apartment complexes in which owners will be willing to participate. The history of the Authority has proven that personal contact by staff results in the most meaningful marketing effort.

Owners are encouraged to participate with the Social Serve website through the Housing Resource Center. HAGC Staff utilizes Social Serve, Apartment Guide publications, local newspapers, and other internet sites for available units.

At the time of Housing Choice Voucher issuance, staff will determine the type of area, location, and any special housing

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needs of each case and advise the Housing Choice Voucher holders on the availability of various units or complexes with vacancies in those respective areas. Such discussion shall include school needs, relative location to employment, child care availability, shopping, and public transportation.

POLICY ON PROVIDING INFORMATION TO OWNERS

The Authority must provide owners with the family's current address, current landlord, and prior landlord. The Authority has no liability or responsibility to the owner or other persons for the family's behavior or the family's conduct in tenancy.

The Authority's policy on providing information to owners will be communicated to the families, in writing, at the time of admission or upon a family requesting to move to another unit.

DISAPPROVAL OF OWNERS

For the purposes of this section, "owner" includes a principal or other interested party. The Authority must not approve a unit under the following circumstances;

- For all new admissions and moves after June 17, 1998, if the owner is the parent, child, grandparent, grandchild, sister, or brother of any member of the family, unless approving the unit would provide reasonable accommodation for a family member with disabilities.
- The Authority has been notified that the owner is debarred, suspended, or subject to a limited denial of participation under 24 CFR Part 24.
- HUD has directed the Authority that Federal action is pending on government-instituted administrative or judicial action against an owner for a Fair Housing or other Federal equal opportunity requirement violation.
- HUD has directed the Authority that a court or administrative agency has determined that the owner violated Fair Housing or other Federal equal opportunity requirements.

The Authority may not approve a unit for any of the following reasons;

- The owner is not willing to make the necessary repairs for the unit to conform to Housing Quality Standards or the owner will not permit the Authority's staff to perform a Housing Quality Standards Inspection.
- The owner has a history or practice of noncompliance with Housing Quality Standards for tenant-based programs, or housing standards for project-based assistance under any Federal housing program.
- The owner has committed fraud, bribery, or any other corrupt or criminal act involving any Federal housing program.
- The owner has engaged in drug trafficking.
- The owner has a history or practice of renting units that fail State or local housing codes.
- The owner has not paid State or local real estate taxes, fines, or assessments.
- The owner has refused (or has a history of refusing) to evict families for drug-related or violent criminal activity or for activity that threatens the health, safety, or right of peaceful enjoyment of the premises by tenants, employees of the owner, or neighbors.

Each case will be evaluated by the Intake Supervisor (for a new admission or transfer in) or the Section 8 Supervisor (for a move), as appropriate. The particular circumstances of each case will be documented and filed along with the Request for Approval of the Tenancy contained in the applicant's/participant's file and the electronic notes screen will also be documented for the respective owner.

ASSISTING A FAMILY THAT CLAIMS ILLEGAL DISCRIMINATION

Persons who have alleged discrimination on the basis of Fair Housing Amendment Act of 1988, Title VIII of the Civil Rights Act of 1968, Title VI of the Civil Rights Act of 1964 or Executive Order 11063, will have their case administered by

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the Intake Supervisor (if it is a new admission) or the Section 8 Supervisor (if it is a move) to personally assist the family in finding a suitable unit and to prevent any repeated discrimination against the family. The Intake Supervisor or Section 8 Supervisor, as appropriate, shall provide personal referrals to units with vacancies and call the apartment managers of said units to arrange for an appointment for the family to see the unit.

Additionally, assistance will be given to families who have claimed illegal discrimination in the exercise of their rights under Federal State, and/or local law and name of persons responsible for providing assistance. Either the Intake Supervisor or Section 8 Supervisor, as appropriate, shall:

- Take a statement regarding the time, place, and participants, in the alleged discrimination.
- Aid complainant in filing a HUD-903.1 (11/97).
- Aid complainant in contacting and filing a complaint with the New Jersey Division on Civil Rights/Housing Section.
- As an advocate of complainant, meet with the apartment owner/manager and resolve alleged basis for discrimination.
- Work in conjunction with investigators and others in an attempt to assure compliance with the law and have the family housed.
- Refer the matter the Authority's Counsel for consideration on referring the matter to the prosecutor.
- See also Addendum regarding Affirmatively Furthering Fair Housing.

DISTRIBUTION OF HOUSING ASSISTANCE PAYMENTS

The Authority will distribute the housing assistance payments, in accordance with the Housing Assistance Payments Contract, to the landlords via the United States Postal Service. The checks will be forwarded to the post office as soon as the Authority receives the funding from HUD. In the event that the checks are forwarded to the post office late because HUD is late in transferring the funds or for any other reasons beyond the control of the Authority, the Authority shall not be held responsible for late fees.

ABATEMENT OF HOUSING ASSISTANCE PAYMENTS

When a unit fails to meet Housing Quality Standards and the owner has been given an opportunity to correct the deficiencies, but has failed to do so within the required timeframe, the housing assistance payment will be abated (not paid). For tenant caused deficiencies, the owner will not be held accountable and the housing assistance payment will not be abated.

It is the owner's responsibility to notify the Authority when repairs have been made. Upon doing so, the Authority will schedule an inspection of said repairs to determine if the unit meets Housing Quality Standards. The owner will not be penalized for delays in inspections as long as they have notified the Authority that the repairs had been made.

PROOF OF OWNERSHIP

- A landlord who wishes to participate in the Section 8 Program must provide proof of ownership of the property rented under the program; e.g., tax bill.
- A landlord currently participating in the Section 8 Program must provide current proof of ownership, when requested.
- A landlord must provide a Tax ID number for the property under contract upon entering the program and/or when requested.

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RENTS

RENT REASONABLENESS PROCEDURES

Housing Choice Voucher TII's obtain data of comparable unassisted units within the Authority's operating jurisdiction. Information should not be more than 6 months old. The market data is obtained from various internet sites such as Social Serve, Weichert Realtors, newspaper listings, and published apartment guides. The TII's also make telephone calls or mail letters to owners in order to obtain information such as tenant supplied utilities that was not include in the advertisements.

Consideration is given to the following factors:

- Unit Type (i.e. single family, multiple dwelling, or town house);
- Bedroom Size
- Census Tract
- 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 calculated for each comparable unit.

Information for the market survey is obtained from newspaper and rental advertisements and new listings from landlords. The MIS Specialist also makes telephone calls or mails letters to owners in order to obtain information such as tenant supplied utilities that was not included in the advertisements.

The Section 8 HQS Inspector will determine at each inspection the unit type, bedroom size, and utilities to be supplied by the tenant. Completed inspection booklets are furnished to the Tenant Interviewer Investigators (TII's) when the unit passes the HQS Inspection. The TII's compare the information on the inspection booklet to the information for the unit within the database, including the utility arrangement that is used to calculate the utility allowance.

For all units in the Housing Choice Voucher Program, prior to approving the initial contract rent and any increases in the contract rent, the TII will obtain three market units that are "comparable" to the target unit. TII's will compare the gross rents of the comparable units to that of the target unit. Hard copies of the comparable units and related data are printed and placed in the tenant's file. If the gross rent of the target unit exceeds that of the comparable units, the TII has either the Intake Supervisor or the Section 8 Supervisor, as appropriate, review the file and determine whether or not to approve the contract rent.

For units in the Housing Choice Voucher Program only, at the time the Authority approves a tenancy for initial occupancy of a dwelling unit by a family with tenant-based assistance under the program, and where the gross rent of the unit exceeds the applicable payment standard for the family, the family share must not exceed 40 percent of the family's adjusted monthly income. The determination of adjusted monthly income must be based on verification information received by the Authority no earlier than 60 days before the Authority issues a voucher to the family.

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AUTHORITY CHOICE REGARDING SPECIAL HOUSING TYPES

The Authority reserves the right to make decisions regarding special housing types on an individual basis.

1. SECTION 8 HOUSING CHOICE VOUCHER HOMEOWNERSHIP OPTION

- Homeownership Option: General
 - A. The homeownership option will be used to assist a family residing in a home purchased and owned by one or more members of the family.
 - B. A family assisted under the homeownership option may be a newly admitted or existing participant in the HCV Program
 - C. **FORMS OF HOMEOWNERSHIP ASSISTANCE**
 - 1. The Authority may provide one of two forms of homeownership assistance for a family:
 - I. Monthly homeownership assistance payments; or
 - II. A single down-payment assistance grant only as a reasonable accommodation to a person with disabilities in accordance with Federal Regulations.
 - 2. Prohibition against combining forms of homeownership assistance. A family may only receive one form of homeownership assistance. Accordingly, a family that includes a person who was an adult member of a family that previously received either of the two forms of homeownership assistance may not receive the other form of homeownership assistance from any PHA.
 - D. PHA Choice to offer homeownership options.
 - 1. The Authority elects to offer only the monthly homeownership payments under this subpart. However, the Authority must offer either form of homeownership assistance if necessary as a reasonable accommodation for a person with disabilities in accordance with Federal Regulations.
 - 2. It is the sole responsibility of the Authority to determine whether it is reasonable to implement a homeownership program as a reasonable accommodation. The Authority will determine what is reasonable based on the specific circumstances and individual needs of the person with a disability. The Authority may determine that it is not reasonable to offer homeownership assistance as a reasonable accommodation in cases where the Authority has otherwise opted not to implement a homeownership program.
 - E. Family Choice
 - 1. The family chooses whether to participate in the homeownership option if offered by the Authority.
 - F. The Authority must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and useable by persons with disabilities in accordance with Federal Regulations.
 - G. The Authority must have the capacity to operate a successful Section 8 homeownership program. The Authority has the required capacity if it satisfies either one of the following.
 - 1. The Authority establishes a minimum homeowner downpayment requirement of at least 3% of the purchase price for participation in its Section 8 homeownership program, and requires that at least 1% of the purchase price come from the family's personal resources;
 - 2. The Authority requires that financing for purchase of a home under its Section 8 homeownership program:
 - I. Be provided, insured, or guaranteed by the state or Federal government;

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- II. Comply with secondary mortgage market underwriting requirements; or
- III. Comply with generally accepted private sector underwriting standards; or
- 3. The Authority otherwise demonstrates in its Annual Plan that it has the capacity, or will acquire the capacity, to successfully operate a Section 8 homeownership program.

2. HOMEOWNERSHIP OPTION: INITIAL REQUIREMENTS

A. LIST OF INITIAL REQUIREMENTS

Before commencing homeownership assistance for a family, the Authority must determine that all of the following initial requirements have been satisfied:

- 1. The family is qualified to receive homeownership assistance;
- 2. The unit is eligible; and
- 3. The family has satisfactorily completed the Authority program of required pre-assistance homeownership counseling.

B. ENVIRONMENTAL REQUIREMENTS

The Authority is responsible for complying with the authority listed in Section 58.6 requiring the purchaser to obtain and maintain flood insurance if necessary.

3. FAMILY ELIGIBILITY

A. DETERMINATION OF WHETHER THE FAMILY IS QUALIFIED. THE AUTHORITY MAY NOT PROVIDE ASSISTANCE FOR A FAMILY UNLESS IT DETERMINES THAT THE FAMILY SATISFIES ALL OF THE FOLLOWING INITIAL REQUIREMENTS AT COMMENCEMENT OF HOMEOWNERSHIP ASSISTANCE FOR THE FAMILY:

- 1. The family must be a current participant or newly admitted participant into the HCV Program;
- 2. The family must be a first-time homebuyer, as described at 3 b (1), (2), and (3);
- 3. The family must satisfy the minimum income requirement, as described at 3 c (1), (2), and (3);
- 4. The family must satisfy the employment requirements, as described at 3 d (1), (2), and (3);
- 5. The family must not have defaulted on a mortgage securing debt to purchase a home under the homeownership option, see 3 e;
- 6. Except for cooperative members who have acquired cooperative membership shares prior to commencement of homeownership assistance, no family member has a present ownership interest in a residence at the commencement of homeownership assistance for the purchase of any home;
- 7. Except for cooperative members who have acquired cooperative membership shares prior to the commencement of homeownership assistance, the family has entered a contract of sale in accordance with Federal Regulations regarding homeownership assistance;
- 8. The family also satisfies the following initial requirements established by the Authority.

(i) The family must have a down payment of at least 3% of the purchase price of the home. At least 1% of the purchase price must come from the family's personal resources.

(ii) The family must obtain financing that is provided, insured, or guaranteed by the state or Federal government; Comply with secondary mortgage market underwriting requirements; or Comply with generally accepted private sector underwriting standards.

(i) The family must meet the other requirements as described below.

B. FIRST-TIME HOMEOWNER REQUIREMENTS. AT COMMENCEMENT OF HOMEOWNERSHIP ASSISTANCE FOR THE FAMILY, THE FAMILY MUST BE ANY OF THE FOLLOWING:

- (1) A first-time homeowner;
- (2) A cooperative member; or

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- (3) A family of which a family member is a person with disabilities, and use of the homeownership option is needed as a reasonable accommodation so that the program is readily accessible to and usable by such person, in accordance with Federal Regulations.

C. MINIMUM INCOME REQUIREMENT

- (1) Upon commencement of monthly homeownership assistance payments for the family, or at the time of a downpayment assistance grant for the family, the family must demonstrate that the annual income, as determined by the Authority in accordance with Section 5.609 of the Federal Regulations, of the adult family members who will own the home at commencement of homeownership assistance is not less than:
- (i) In the case of a disabled family, as described in Section 5.403 (b) of the Federal Regulations, the monthly Federal Supplemental Security Income (SSI) benefit for an individual living alone (or paying his or her share of food and housing costs) multiplied by twelve; or
 - (ii) In the case of other families, the Federal minimum wage multiplied by 2,000 hours.
- (2)
- (i) Except in the case of an elderly family or a disabled family, the Authority shall not count any welfare assistance received by the family in determining annual income under this section.
 - (ii) The disregard of welfare assistance income under paragraph (b) above only affects the determination of minimum annual income used to determine if a family initially qualifies for commencement of homeownership assistance in accordance with this section, but does not affect:
 - a. the determination of income-eligibility for admission to the voucher program;
 - b. calculation of the amount of the family's total tenant payment (gross monthly contribution); or
 - c. Calculation of the amount of homeownership assistance payments on behalf of the family.
 - (iii) In the case of an elderly or disabled family, the Authority shall include welfare assistance for the adult family members who will own the home in determining if the family meets the minimum requirement.
- (3) The Authority elects not to establish a minimum income standard that is higher than those required in paragraph 3 c (1) and (2).

D. EMPLOYMENT REQUIREMENTS

1. Except as provided in paragraph (2) below, the family must demonstrate that one or more adult members of the family who will own the home at commencement of homeownership assistance:
 - (i) Is currently employed on a full-time basis (the term "full-time employment" means not less than an average of 30 hours per week); and
 - (ii) Has been continuously so employed during the year before commencement of homeownership assistance for the family.
2. The Authority shall have discretion to determine whether and to what extent interruptions are considered to break continuity of employment during the year. The Authority may count successive

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employment during the year. The Authority may count self employment in a business. The Authority shall make determinations regarding continuous employment on a case by case basis.

3. The employment requirement does not apply to an elderly family or a disabled family. Furthermore, if a family, other than an elderly family or a disabled family, includes a person with disabilities, the Authority shall grant an exemption from the employment requirement if the Authority determines that an exemption is needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities in accordance with part 8 of this title.

E. PROHIBITION AGAINST ASSISTANCE TO FAMILY THAT HAS DEFAULTED. THE AUTHORITY WILL NOT COMMENCE HOMEOWNERSHIP ASSISTANCE FOR A FAMILY THAT INCLUDES AN INDIVIDUAL WHO WAS AN ADULT MEMBER OF A FAMILY AT THE TIME WHEN SUCH FAMILY RECEIVED HOMEOWNERSHIP ASSISTANCE DEFAULTED ON A MORTGAGE SECURING DEBT INCURRED TO PURCHASE THE HOME.

F. OTHER REQUIREMENTS

1. The Authority will not approve assistance if any member has previously defaulted on a mortgage under the Section 8 HCV homeownership option.
2. The Authority shall provide a preference to families participating in the FSS Program, however, shall not limit the participation to such families.
3. The Authority shall require all eligible families satisfactorily complete budget and credit counseling. Additionally, eligible families must repair their credit where determined necessary by the Authority, before participating in the homeownership option. The family must be able to qualify for a mortgage.
4. Eligible families must attend and satisfactorily complete pre-assistance homeownership counseling.
5. The budget, credit, and pre-assistance counseling shall be provided by a HUD-approved agency or will be consistent with the homeownership counseling provided under HUD's Housing Counseling Program.

G. FINDING A HOME

1. The Authority will allow the family to search for a suitable home for 60 days. Upon a written request from the family, the Authority may allow for an additional 60 days. The request must be received by the Authority prior to the expiration date of the initial 60 days.
2. The Authority shall require a written progress report on the family's progress in finding and purchasing a home after 30 days and each 30 days thereafter.
3. If the family is unable to purchase a home within the maximum time established (120 days) the Authority will issue the family a voucher.

4. ELIGIBLE UNITS

- A. The Authority must determine that the unit satisfies all of the following requirements.
 1. The unit is eligible.
 2. The unit is either under construction or already existing at the time the family enters into the contract of sale.
 3. The unit is either a one-unit property (including a manufactured home) or a single dwelling unit in a cooperative or condominium.
 4. The unit has been inspected by an Authority Inspector and by an independent inspector designate by the family.

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5. The unit satisfies Housing Quality Standards (HQS).
- B.** Purchase of home where family will not own fee title to the real property. Homeownership assistance may be provided for the purchase of a home where the family will not own fee title to the real property on which the home is located, but only if:
1. The home is located on a permanent foundation; and
 2. The family has the right to occupy the home site for at least forty years.
- C.** Authority disapproval of seller. The Authority will not commence homeownership assistance for occupancy of a home if the Authority has been informed (by HUD or otherwise) that the seller of the home is debarred, suspended, or subject to a limited denial of participation under part 24 of the Federal Regulations.
- D.** Authority –owned units. Homeownership assistance may be provided for the purchase of a unit that is owned by the Authority that administers the assistance under the consolidated ACC (including a unit owned by an entity substantially controlled by the Authority), only if all of the following conditions are satisfied:
1. The Authority must inform the family, both orally and in writing that the family has the right to purchase any eligible unit and an Authority owned unit is freely selected by the family without Authority pressure or steering;
 2. The unit is not ineligible housing;
 3. The Authority must obtain the services of an independent agency in an accordance with 982.352 (b)(1)(iv)(B) and (C), to perform the following Authority functions:
 - I. Inspection of the unit for compliance with the HQS, in accordance with 982.631(a);
 - II. Review of independent inspection report, in accordance with 982.631(b)(4);
 - III. Review of contract of sale, in accordance with 982.631(c); and
 - IV. Determination of the reasonableness of the sales price and the Authority provided financing, in accordance with 982.632 and other supplementary guidance established by HUD.

5. HOME INSPECTIONS, CONTRACT OF SALE, AND AUTHORITY DISAPPROVAL OF OWNER

- A.** HQS Inspection by the Authority. The Authority may not commence monthly homeownership assistance payments or provide a downpayment assistance grant (as a reasonable accommodation) for the family until the Authority has inspected the unit and has determined that the unit passes HQS. The Authority elects to perform HQS inspections for the term of the homeownership assistance on an as needed basis, but not less than annually.
- B.** Independent Inspection.
1. The unit must also be inspected by an independent professional inspector selected by and paid by the family.
 2. The independent inspection must cover major building systems and components, including foundation and structure, housing interior and exterior, and the roofing, plumbing, electrical, and heating systems. The independent inspector must be qualified to report on property conditions, including major building systems and components.
 3. The Authority may not require the family to use an independent inspector selected by the Authority. The independent inspector may not be an Authority employee or contractor, or other person under control of the Authority. However, the Authority will require the inspector to be a licensed home inspector in the State of NJ.
 4. The independent inspector must provide a copy of the inspection report both to the family and to the Authority. The Authority may not commence monthly homeownership assistance payments, or provide a downpayment assistance grant for the family, until the Authority has reviewed the inspection report of the independent inspector.
- C.** Contract of Sale.

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1. Before commencement of monthly homeownership assistance payments or receipt of a down-payment assistance grant (when permitted as a reasonable accommodation to a person with disabilities), a member or members of the family must enter into a contract of sale with the seller of the unit to be acquired by the family. The family must give the Authority a copy of the contract of sale.
 2. The contract of sale must:
 - I. Specify the price and other terms of the sale by the seller to the purchaser.
 - II. Provide that the purchaser will arrange for a pre-purchase inspection of the dwelling unit by an independent inspector selected by the purchaser.
 - III. Provide that the purchaser is not obligated to purchase the unit unless the inspection is not satisfactory to the purchaser.
 - IV. Provide that the purchaser is not obligated to pay for any necessary repairs.
 - V. Contain a certification from the seller that the seller has not been debarred, suspended, or subject to a limited denial of participation under part 24 of this title.
- D. Disapproval of Seller.** The Authority may deny approval of a seller for any reason provided for disapproval of an owner in 24 CFR 982.306(c).
1. The Authority must not approve a contract of sale if the Authority has been informed (by HUD or otherwise) that the owner is debarred, suspended, or subject to a limited denial of participation under 24CFR Part 24.
 2. When directed by HUD, the Authority must not approve a contract of sale if:
 - I. The federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other federal equal opportunity requirements, and such action is pending; or
 - II. A court or administrative agency has determined that the seller violated the Fair Housing Act or other federal equal opportunity requirements.
 3. The Authority may deny approval to sell a unit from a seller for any of the following reasons:
 - I. The seller has violated obligations under a HAP contract under Section 8 of the 1937 Act.
 - II. The seller has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;
 - III. The seller has engaged in any drug-related criminal activity or any violent criminal activity;
 - IV. The seller has a history or practice of non-compliance with the HQS for units leased under the tenant-based programs, or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other federal housing program;
 - V. The seller has a history or practice of failing to terminate tenancy of tenants of units assisted under Section 8 or any other federally assisted housing program for activity engaged in by the tenant, any member of the household, a guest or another person under the control of any member of the household that:
 - a. Threatens the right to peaceful enjoyment of the premises by other residents;
 - b. Threatens the health or safety of other residents, of employees of the Authority, or of seller employees or other persons engaged in the management of housing;
 - c. Threatens the health or safety of, or the right to peaceful enjoyment of their residences, by persons residing in the immediate vicinity of the premises; or
 - d. Is drug-related criminal activity or violent criminal activity; or meet State or local housing codes; or
 - e. The seller has not paid State or local real estate taxes, fines, or assessments.
 4. The Authority must not approve a unit if the seller is the parent, child, grandparent, grandchild, sister or brother of any member of the family, unless the Authority determines that approving the unit would provide reasonable accommodation for a family member who is a person with disabilities. This restriction against

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Authority approval of a unit applies at the time the family initially receives monthly homeownership assistance or a down-payment assistance grant for the purchase of a particular unit.

5. Nothing in this Policy is intended to give any seller any right to participate in the program.
6. For the purposes of this section, "seller" includes a principal or other interested party.

6. FINANCING PURCHASE OF HOME; AFFORDABILITY OF PURCHASE

- A.** The family is responsible for obtaining financing. The Authority will develop partnerships with lenders and provide guidance to the family, but will not require a specific lender.
- B.** The Authority will approve the lenders/financing on a case by case basis. The Authority will review the lender qualifications and the loan terms before authorizing homeownership assistance. The Authority may disapprove the proposed financing if it determines that the debt is unaffordable, or if the Authority determines that the lender or loan terms do not meet the Authority's qualifications.
- C.** The Authority shall prohibit the following types of financing.
 1. Seller financing;
 2. Balloon payment mortgages

7. HOMEOWNERSHIP OPTION: AMOUNT AND DISTRIBUTION OF MONTHLY HOMEOWNERSHIP ASSISTANCE PAYMENT

- A. Amount of monthly homeownership assistance payment. While the family is residing in the home, the Authority shall pay a monthly homeownership assistance payment on behalf of the family that is equal to the lower of:**
 1. The payment standards minus the total tenant payment; or
 2. The family's monthly homeownership expenses minus the total tenant payment.
- B. Payment Standard for family**
 1. The payment standard for a family is the lower of:
 - I. The payment standard for the family unit size; or
 - II. The payment standard for the size of the home
 2. If the home is located in an exception payment standard area, the Authority must use the appropriate payment standard for the exception payment standard area.
 3. The payment standard for a family is the greater of:
 - I. The payment standard (as determined in accordance with b (1) and b (2) of this section at the most recent regular reexamination of family income and composition since the commencement of homeownership assistance for occupancy of the home.
 - II. The Authority must use the same payment standard schedule, payment standard amounts, and subsidy standards pursuant to Section 982.402 and 982.503 for the homeownership option as for the rental voucher program.
- C. Determination of homeownership expenses**
 1. Monthly mortgage (principal plus interest);
 2. Monthly real estate taxes and public assessments on the home (annual amount divided by 12 months);
 3. Monthly utilities (based on the Authority's Utility Allowance Worksheet). Monthly water & sewer. (Utilities shall

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not include telephone or cable expenses.)

4. Monthly homeowners insurance (annual premium divided by 12 months).
5. Cooperative or condominium fees that are not elective (for example a pool membership is not included).
6. Authority allowance for maintenance expenses;
7. Authority allowance for major repairs and replacements;
8. Principal and interest on mortgage debt incurred to finance costs for major repairs, replacements or improvements for the home. If a member of the family is a person with disabilities, such debt may include debt incurred by the family to finance costs needed to make the home accessible for such person, if the Authority determines that allowance of such costs as homeownership expenses is needed as a reasonable accommodation so that the homeownership option is readily accessible to and usable by such person, in accordance with part 8 of the Federal Register.

D. Homeownership expenses for a cooperative member may only include amounts allowed by the Authority to cover:

1. The cooperative charge under the cooperative occupancy agreement including payment for real estate taxes and public assessments on the home;
2. Principal and interest on initial debt incurred to finance purchase of cooperative membership shares and any refinancing of such debt;
3. Home insurance;
4. The Authority allowance for maintenance expenses;
5. The Authority allowance for costs of major repairs and replacements;
6. The Authority utility allowance for the home and
7. Principal and interest on debt incurred to finance major repairs, replacements or improvements for the home. If a member of the family is a person with disabilities, such debt may include debt incurred by the family to finance costs needed to make the home accessible for such person, if the Authority determines that allowance of such costs as homeownership expenses is needed as a reasonable accommodation so that the homeownership option is readily accessible to and usable by such person, in accordance with part 8 of the Code of Federal Regulations;
8. Land lease payments (where a family does not own fee title to the real property on which the home is located).

E. If the home is a cooperative or condominium unit, homeownership expenses may also include cooperative or condominium operating charges or maintenance fees assessed by the condominium or cooperative homeowner association.

F. Payment to lender or family. The Authority must pay the homeownership assistance payments as follows:

1. The Authority shall make monthly payments either directly to the assisted family or directly to the lender as determined on a case by case basis in order to comply with the underwriting requirements of family's mortgage.
2. The Authority shall require the family to provide documentation from the mortgage company that the monthly mortgage amount is paid. Such requests shall be from time to time as determined necessary by the Executive Director, or his designee.
3. Should the family not cooperate with the Authority's requests, the family may be subject to termination from the Section 8 Housing Choice Voucher Program.
4. In cases where the monthly homeownership assistance is paid directly to the family, if the family is not making their mortgage payment in a timely manner, the Authority reserves the right to send homeownership assistance payments, for the respective family, directly to the mortgage company.

G. Automatic termination of homeownership assistance. Homeownership assistance for a family terminates automatically after 180 calendar days after the last homeownership assistance payment on behalf of the family.

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The Authority shall use discretion, on a case by case basis, to grant relief from this requirement in those cases where automatic termination would cause an extreme hardship on the family.

8. HOMEOWNERSHIP OPTION: DOWN-PAYMENT ASSISTANCE GRANTS

- A. General - The Authority may provide a single downpayment assistance grant for a family with a disabled family member that has received tenant based or project based rental assistance in the Section 8 Housing Choice Voucher Program only in those cases where a down-payment assistance grant would result in a reasonable accommodation.
- B. The down-payment assistance grant must be applied toward the downpayment required in connection with the purchase of the home and/or reasonable and customary closing costs in connection with the purchase of the home.
- C. The Authority shall not permit the down-payment grant to be applied to closing costs.
- D. Maximum down-payment grant. A down-payment assistance grant may not exceed twelve times the difference between the payment standard and the total tenant payment.
- E. Payment of down-payment grant. The down-payment assistance grant shall be paid at the closing of the family's purchase of the home.
- F. Administrative fee. For each down-payment assistance grant made by the Authority, HUD will pay the Authority a one-time administrative fee.
- G. Return to tenant-based assistance. A family that has received a down-payment assistance grant may apply for and receive tenant-based rental assistance, in accordance with program requirements and the Authority's policies. However, the Authority may not commence tenant-based rental assistance for occupancy of the new unit so long as any member of the family owns any title or other interest in the home purchased with homeownership assistance. Further, eighteen months must have passed since the family's receipt of the down-payment assistance grant.
- H. Implementation of down-payment assistance grants. The Authority may not offer down-payment assistance under this paragraph until HUD publishes a notice in the Federal Register.

9. CONTINUED ASSISTANCE

A. In order to remain eligible for continued assistance, the family must do the following:

- 1. Occupy the home as the family's sole residence;
- 2. Comply with mortgage terms;
- 3. Report changes in family composition to the Authority;
- 4. Comply with the family obligations of the HCV Program;
- 5. Supply information as required by the Authority concerning refinancing or payment of debt; sale or transfer of any interest in the home; or homeownership expenses;
- 6. Notify the Authority before moving out of the home and of any mortgage default;
- 7. Comply with any additional Authority requirements, such as ongoing counseling and HQS Inspections; and
- 8. Execute a written statement that the family agrees to comply with all family obligations for homeownership assistance.

B. In order to remain eligible for continued assistance, the family must not do the following:

- 1. Sublet or lease the home;
- 2. Acquire ownership interest in a second residence or any other residential property.

10. MOVE WITH CONTINUED ASSISTANCE

- A. The family may move with continued assistance provided (homeownership or rental) provided they are in good standing. The Authority will not commence continued assistance of a new unit if any family member owns title or any other interest in the prior home.
- B. The Authority shall only approve one move during any one-year period.

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- C. For continuation of assistance in a new unit, the family must meet all initial eligibility requirements except for the first-time homeowner requirement. The Authority will determine on a case by case basis if additional counseling is required.

11. PORTABILITY

- A. The Authority shall follow the general rules governing portability. The receiving PHA must be administering a homeownership HCV Program and must be accepting new homeownership families.

12. TIME LIMITS

- A. If the initial mortgage is 20 years or more, the maximum term of homeownership assistance is 15 years. In all other cases, the term shall be 10 years.
- B. The time limits do not apply to families that qualified as elderly at the start of the homeownership assistance or to families that qualify as disabled at any time during the homeownership assistance.
- C. Should the family cease to qualify as elderly or disabled during the course of homeownership assistance, the maximum term becomes applicable from the date the assistance commenced. In no case shall the assistance be less than 6 months from the date of initial purchase.
- D. Time limits shall be applied from the date of initial purchase, regardless of whether the family moves to a new unit.

13. DENIAL OR TERMINATION

- A. The common terms of denial or termination of the Section 8 HCV Program, which includes the homeownership option, are described in Section C. Issuing and Denying Assistance, of this document.
- B. In the event of a mortgage default the Authority must terminate assistance and not allow the family to move with continued assistance, including rental assistance.

FAMILY SELF SUFFICIENCY (FSS)

The Authority maintains a FSS Program in accordance with Federal Laws and Regulations. The FSS Action Plan contains the details regarding administration of this Program.

CHARGES TO THE ADMINISTRATIVE FEE RESERVE

In no event shall amounts be charged to the Section 8 Net Restricted Assets account (also referred to as the Administrative Fee Equity Account) without formal approval from the Board of Commissioners through Board Resolution. In the event HUD will not provide funding for units under lease in excess of the Annual Contributions Contract, the Authority must identify funds to pay for such units and may only do so by formal approval from the Board of Commissioners through Board Resolution.

Should funds not be available to pay for over-leased units, the Authority may have to terminate rental assistance contracts. Such contracts will be selected by determining the clients who are relying on the Section 8 assistance the least. The action to determinate assistance for over-leased units may only be done by formal approval from the Board of Commissioners through Board Resolution.

PROJECT BASED VOUCHERS

Upon the designation of Section 8 Housing Choice Vouchers as project based, the Authority may enter into project-based HAP contracts with landlords of existing dwelling units. The Administrative Procedures as detailed throughout this document shall also govern Project-Based Vouchers, except where noted below.

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TENANT SELECTION

Applicants will be treated in accordance with Section II "Eligibility", of this document unless otherwise noted. The Authority will maintain a separate waiting list for each bedroom size of project-based units available. All admissions into the project-based Voucher Program shall be in accordance with the income targeting requirements. The Authority shall monitor the targeting requirements of the tenant-based and project-based Section 8 Housing Choice Voucher Programs jointly in accordance with the Section 8 Administrative Plan.

UNIT INSPECTIONS & HOUSING QUALITY STANDARDS

The Authority shall apply HQS standards to all inspections performed at units under a project-based HAP contract. All units shall be inspected at least annually and at the special request of the assisted tenant and/or landlord.

VACANT UNITS

The Authority may approve vacancy payments to a landlord for project-based units under contract for a maximum of 60 days. The Authority will only make such payments, upon the written request of the owner. The written request must contain sufficient documentation which proves the vacancy is not the fault of the owner, and that the owner has taken every reasonable step to minimize the extent and likelihood of vacancies.

FAMILY CHOICE TO MOVE WITH CONTINUED ASSISTANCE

The HAP Contract will provide that a family may move out of the project-based unit after 12 months. The Authority will offer the family available tenant-based rental assistance under the Section 8 Housing Choice Voucher Program if, after the first 12 months, the family moves in good standing. However, the Authority may not issue tenant-based vouchers targeted for special purposes unless the family meets the criteria.

HAP CONTRACT TERMS & RENTS

The Authority will enter into HAP Contracts with landlords for a term of up to 10 years, subject to the availability of appropriations and future availability of funding the Authority's Annual Contributions Contract with HUD. The Authority will only approve gross rents that do not exceed 110% of the Fair Market Rent as most recently determined by HUD and are reasonable in comparison with rents charged for comparable units in the private unassisted market.

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POLICIES

POLICY: SECTION 8 HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN

DATE: June 30, 2010

ADDENDUM: INCLUDE THE CODE OF CONDUCT IN REGARDS TO HCV'S AWARDED UNDER THIS NOFA

FUNDING: 2010 GRANT APPLICATION, CFDA: 14.871, FUNDING OPPORTUNITY HCV RENTAL ASSISTANCE FOR NON-ELDERLY PERSONS WITH DISABILITIES: No. FR-5332-N-02

POLICY: SECTION 8 HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN

DATE: June 30, 2010

**ADDENDUM: SECTION 8 HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN AFFIRMATIVELY
FURTHERING FAIR HOUSING IN REGARD TO HCV'S AWARDED UNDER THIS NOFA**

FUNDING: 2010 GRANT APPLICATION, CFDA: 14.871, FUNDING OPPORTUNITY HCV RENTAL ASSISTANCE FOR NON-ELDERLY PERSONS WITH DISABILITIES: No. FR-5332-N-02

POLICY: EQUAL HOUSING OPPORTUNITY POLICY

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POLICIES ATTACHMENTS



POLICY: SECTION 8 HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN
DATE: June 30, 2010
ADDENDUM: AFFIRMATIVELY FURTHERING FAIR HOUSING IN REGARD TO HCV'S AWARDED UNDER THIS NOFA
FUNDING: 2010 GRANT APPLICATION, CFDA: 14.871, FUNDING OPPORTUNITY HCV RENTAL ASSISTANCE FOR NON-ELDERLY PERSONS WITH DISABILITIES No. FR-5332-N-02

According to the 2005-2009 Consolidated Plan for the County of Gloucester, the most important impediment to affordable housing is the lack of Federal and State resources for affordable housing initiatives. The Authority has in the past and will continue to pursue additional affordable housing units when the opportunities are available. In 1976 the Authority was awarded 140 units of Section 8 Existing Leasing Certificates. Presently the Authority administers nine various subsidized housing programs comprising over 2,500 units. The Authority most recently facilitated the development of a Section 202 building of 75 assisted housing units. The building is fully occupied and has been since September, 2005. Construction was completed in July 2005. The Authority is the management agent.

The Authority has clearly made efforts to overcome the lack of affordable housing as identified in the Gloucester County Consolidated Plan. The Authority will submit an application should additional Section 8 Housing Choice Vouchers become available through HUD. The Authority is currently pursuing other avenues of creating and/or managing affordable housing units within Gloucester County in an effort to overcome the lack of affordable housing as identified in the Gloucester County Consolidated Plan. The Authority has promoted fair housing choice since its inception. The composition of the Authority's participants represents the diversity of the County's low-income population.

Persons who have alleged discrimination in housing will have their case administered by the Intake Supervisor (if it is a new admission) or the Section 8 Supervisor (if it is a move) to personally assist the family in finding a suitable unit and to prevent any repeated discrimination against the family. The Intake Supervisor or Section 8 Supervisor, as appropriate, shall provide personal referrals to units with vacancies and call the apartment managers of said units to arrange for an appointment for the family to see the unit.

Additionally, assistance will be given to families who have claimed illegal discrimination in the exercise of their rights under Federal State, and/or local law and name of persons responsible for providing assistance. Either the Intake Supervisor or Section 8 Supervisor, as appropriate, shall:

1. Take a statement regarding the time, place, and participants in the alleged discrimination.
2. Aid complainant in filing a HUD-903.1.
3. Aid complainant in contacting and filing a complaint with the New Jersey Division on Civil Rights/Housing Section.
4. As an advocate of complainant, meet with the apartment owner/manager and resolve alleged basis for discrimination.

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5. Work in conjunction with investigators and others in an attempt to assure compliance with the law and have the family housed.
6. Refer the matter the Authority's Counsel for consideration on referring the matter to the prosecutor.

In an effort to promote fair housing rights and fair housing choice, the Authority has implemented an Equal Opportunity Housing Policy (EOHP). A copy the EOHP is included with this funding application, has previously been submitted to the Director of Public Housing (Newark field office) and has been distributed to staff. Select management staff members have attended fair housing training as conducted by the State of NJ. HAGC includes the brochure from HUD, "Are You a Victim of Housing Discrimination?" in the tenant briefing packet. Also included is information on where a discrimination complaint may be filed and the appropriate form. This information is reviewed during the briefing class. HAGC will make this material available in alternate formats, as needed, for individuals with disabilities.

In additions to the above, if awarded under the referenced funding opportunity, the Authority will take the following reasonable steps to affirmatively further fair housing.

1. Inform individuals on how to file fair housing complaints including the provision of the toll free number for the Housing Discrimination Hotline: 1-800-669-9777 and the Federal Information Relay Service at 1-800-887-8339;
2. Comply with 24 CFR Section 903.7 (o) by:
 - a. examining programs or proposed programs;
 - b. Identifying any impediments to fair housing choice within those programs;
 - c. Addressing those impediments in a reasonable fashion in view of the resources available;
 - d. Working with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing require the Authority's involvement; and
 - e. Maintain records reflecting these analyses and actions.
3. The Authority will take the following proactive steps in addressing accessibility problems for persons with disabilities:
 - a. Where requested by an individual, assist program applicants and participants to gain access to supportive services available within the community, but not require eligible applicants or participants to accept supportive services as a condition of continued participation in the program;
 - b. Identify public and private funding sources to assist participants with disabilities in covering the costs of structural alterations and other accessibility features that are needed as accommodations for their disabilities;
 - c. Not deny persons who qualify for a HCV under this program other housing opportunities, or otherwise restrict access to Authority programs to eligible applicants who choose not to participate;
 - d. Provide housing search assistance;
 - e. In accordance with rent reasonableness requirements, approve higher rents to owners that provide accessible units with structural modifications for persons with disabilities;
 - f. Provide technical assistance, through referrals to local fair housing and equal opportunity offices to owners interested in making reasonable accommodations or units accessible to persons with disabilities.
 - g. When requested as a reasonable accommodation, the HAGC will grant an additional 30 days in search time for a family with disabilities. HAGC suspends time for all applicants when a Request for Tenancy Approval is submitted until it is approved or denied.
 - h. HAGC will grant, in accordance with regulations, an exception payment standard when needed by families with disabilities. Such requests will be made to HUD as appropriate. Families will be notified of the availability of the exception payment standard at the briefing class.

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- i. HAGC will grant an additional bedroom size, in accordance with HUD regulations, for disabled families who require a live in aide or to accommodate space for medical equipment. Such request must be supported by a doctor's note to validate the need for the reasonable accommodation.
- j. HAGC provides participants listing of available units for the appropriate bedroom size which they are approved. HAGC will provide additional assistance to disabled families needing specific amenities to accommodate their disability, such as wheelchair accessibility.
- k. HAGC will perform a home visit to a family with disabilities who is unable to travel to our administrative office, as a reasonable accommodation.
- l. The HAGC will, on an as needed basis, provide alternate means of communication (such as large print or relay service) for a disabled family.
- m. HAGC will notify the Gloucester County Office of Disabled and other local social service agencies serving families with disabilities of the availability of these HCV's upon award from HUD.

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POLICY: **SECTION 8 HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN**
DATE: June 30, 2010
ADDENDUM: **INCLUDE THE CODE OF CONDUCT IN REGARDS TO HCV'S AWARDED UNDER THIS NOFA**
FUNDING: 2010 GRANT APPLICATION, CFDA: 14.871, FUNDING OPPORTUNITY
HCV RENTAL ASSISTANCE FOR NON-ELDERLY PERSONS WITH DISABILITIES
No. FR-5332-N-02

STATEMENT OF CODE OF CONDUCT POLICY

This Code of Conduct shall govern the performance of the appointed officials, employees or agents of the Housing Authority of Gloucester County (HAGC) engaged in the award and administration of programs supported by Federal Funds.

The provisions and requirements of 24 CFR Section 84.42 and Section 85.36 (b) (3) are also incorporated in this Code of Conduct by this reference. The requirements of New Jersey State Statutes and Federal Regulation will be adhered to, and in the event of a conflict in the requirements of any of such state and federal requirements, the stricter of any conflicting provisions will be adhered to.

PURPOSE

The purpose of this Code of Conduct is to ensure the efficient, fair, and professional administration of federal grant funds in compliance with 24 CFR; Part 85 (85.36(b.)(3)) and other applicable federal and state standards, regulations, and laws.

APPLICATION

This Code of Conduct applies to all officers, employees, or agents of Housing Authority of Gloucester County in the award or administration of contracts supported by federal grant funds.

REQUIREMENTS

No officer, employee, or agent of Housing Authority of Gloucester County shall participate in the selection, award, or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- a. The employee, officer, or agent;
- b. Any member of his/her immediate family;
- c. His/her partner; or
- d. An organization which employs, or is about to employ any of the above; has a financial or other interest in the firm selected for award.

CONFLICTS OF INTEREST

The Authority shall comply with all provisions of Section 19 of the HUD Annual Contributions Contract which severely restricts the interest of members, officers or employees of the Authority in any project of the Authority. Section 19 of the ACC must be consulted with respect to contracts for all Authority projects as it also applies to other public officials of the municipality. No employee, officer or agent of this Authority shall participate directly or indirectly in the selection or in the award or administration of any contract if such participation would create a conflict or the appearance of a conflict.

Such conflict would arise when a financial or other interest in a firm selected for award is held by:

1. any employee, officer or agent involved in making the award;
2. his/her relative (including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister);
3. his/her partner; or



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4. an organization which employs, is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

The Authority shall comply with the following provision and include it in all contracts and require that it be included in all subcontracts:

“No member, officer or employee of the Authority and no member of the governing body of the locality in which the Authority or its project is situated, and no other public official of such locality who exercises any functions or responsibilities with respect to the Project, during his tenure or for one year thereafter, shall have any interest, direct or indirect, in this contract or the proceeds thereof.”

LOCAL GOVERNMENT ETHICS LAW

The provisions of the Local Government Ethics Law as set forth in N.J.S.A 40A:9-22. 1 et seq.. are incorporated herein by reference to the extent that they apply to procurement of goods and services.

GRATUITIES, KICKBACKS, AND USE OF CONFIDENTIAL INFORMATION

Authority officers, employees or agents shall not solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subcontracts, and shall not knowingly use confidential information for actual or anticipated personal gain.

PROHIBITION AGAINST CONTINGENT FEES

Contractors shall not retain a person to solicit or secure a Authority contract for a commission, percentage, brokerage, or contingent fee, except for bona fide employees or bona fide established commercial selling agencies.

HAGC officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

ZERO TOLERANCE

HAGC officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

Failure to adhere to this Zero Tolerance Policy regarding Gifts or Gratuities may be considered conduct unbecoming a public employee, and may result in disciplinary action.

REMEDIES

To the extent permitted by federal, state, or local laws or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against HAGC officers, employees, or agents, or the contractors, potential contractors, subcontractors, or their agents.

**HOUSING AUTHORITY OF GLOUCESTER COUNTY
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ADMINISTRATIVE PLAN**

**HOUSING AUTHORITY
OF GLOUCESTER COUNTY**



**EQUAL HOUSING
OPPORTUNITY POLICY**

HOUSING AUTHORITY OF GLOUCESTER COUNTY
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A. NONDISCRIMINATION

It is the policy of the Authority to comply fully with the following laws and regulations regarding equal opportunities in assisted housing:

1. Title VI of the Civil Rights Act of 1964;
2. Title VIII and Section 3 of the Civil Rights Act of 1968 (as amended);
3. Executive Order 11063;
4. Section 504 of the Rehabilitation Act of 1973;
5. The Age Discrimination Act of 1975; and
6. Any legislation protecting the individual rights of residents, applicants or staff which may be subsequently enacted.

The Authority shall not discriminate because of race, color, sex religion, familial status (in non-elderly designated housing), disability, handicap or national origin in the leasing, rental, or other disposition of housing or related facilities, including land, included in any development or developments under its jurisdiction. Furthermore, the Authority shall not take any of the following actions on account of race, color, sex, religion, familial status, disability, handicap, or national origin:

1. Deny to any family the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to lease housing suitable to its needs.
2. Provide housing which is different than that provided to others.
3. Subject a person to segregation or disparate treatment.
4. Restrict a person's access to any benefit enjoyed by others in connection with any program administered by the Housing Authority.
5. Treat a person differently in determining eligibility or other requirements for admission.
6. Deny a person access to the same level of services.
7. Deny a person the opportunity to participate in a planning or advisory group which is an integral part of the public housing or tenant-based housing programs.

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The Authority shall not automatically deny admission to a particular group or category of otherwise eligible applicants (e.g., families with children born to unmarried parents or elderly pet owners). Each applicant in a particular group or category will be treated on an individual basis in the normal processing routine.

The Authority will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504 of the Rehabilitation Act of 1973, the Authority will make such physical or procedural changes as will reasonably accommodate people with disabilities.

Authority records, with respect to applications for admission, shall indicate for each application the date of receipt; the determination of eligibility or non-eligibility; the aggregate preference rating, if any; and the date, location, identification, and circumstances of each vacancy offered and whether that vacancy was accepted or rejected. For more detailed information relating to admission procedures, please refer to the Section 8 Administrative Plan or the Public Housing Authority of Gloucester County Admissions and Continued Occupancy Policy, as applicable.

B. OPERATING JURISDICTION OF THE AUTHORITY

The operating jurisdiction of the Authority shall consist of the following municipalities.

	<u>Municipality</u>	<u>Census Tract #</u>
1.	Clayton Borough	5015
2.	Deptford Township	5011
3.	East Greenwich Township	5006
4.	Greenwich Township	5005
5.	Glassboro	5014
6.	Elk Township	5019
7.	Harrison Township	5020
8.	Logan Township	5024
9.	Mantua Township	5007
10.	Monroe Township	5016.01,5016.02
11.	National Park	5003
12.	Paulsboro	5004
13.	Swedesboro	5023
14.	Washington Township	5012
15.	West Deptford Township	5002
16.	Westville	5001
17.	Woodbury City	5010
18.	Woodbury Heights	5009
19.	Woolwich Township	

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C. AFFIRMATIVE MARKETING/OUTREACH TO FAMILIES

It has been the recent practice of the Authority to maintain an "Open Wait List". Pre-applications for assistance are accepted between 8:00 am and 5:00 pm on regular business days. The pre-applications may be received by mail 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 Apartments
100 Chestnut Street, Williamstown, New Jersey 08094
- Colonial Park Apartments
401 South Evergreen Avenue, Woodbury, New Jersey 08096

As conditions may require, the Authority will post notices of housing availability in particular neighborhoods or developments to encourage fuller participation. The Authority may issue public announcements of availability to encourage applications for assistance. The Housing Authority will monitor the benefits received, as a result of marketing activities, and will increase or decrease the outreach activities accordingly. Some of the marketing efforts in which the Authority may engage, depending on the situation, include the following.

1. Distribute marketing materials, all of which contain the Equal Opportunity logo, to all persons who made an inquiry regarding housing assistance. Distribute same to town halls, social services offices, and other places of public interest.
2. Publish special notices containing the Equal Opportunity logo in a newspaper of general circulation, the Gloucester County Times, to announce the availability of funds/units.
3. Display posters containing the Equal Opportunity logo in all Authority offices and owned/managed properties.
4. Authority personnel shall maintain personal contact with various agencies such as Gloucester County Social Services, Gloucester County Human Services Advisory Council, VOA Homeless Shelter, Gloucester County Office on Aging. Please refer to a more complete list of these agencies located at Exhibit A.
5. Special outreach to minorities, persons with disabilities and very low-income families are accomplished through direct personal contact and direct mail to various agencies/community service providers that encourage such groups to register for housing assistance. Please refer to a list of these agencies/groups located at Exhibit A.
6. Special outreach to groups that are the least likely to apply (such as Blacks, Hispanics, Asian/Pacific Islanders, and the elderly without transportation or in poor health) include direct personal contact and direct mail to community service providers to encourage members of the identified groups that participate with the service providers in other activities to register for housing assistance with the Authority. If persons are unable to travel to the Authority

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due to age, health, or a disability, an Authority employee will visit with the party in their home to facilitate admission.

7. It has been the past experience of the Authority and is anticipated in the future that a sufficient number of residents within the Operating Jurisdiction of the Authority will register for assistance. Accordingly, no special outreach for these persons expected to reside will be undertaken. The Supervisor of the Intake Department shall review/monitor the wait list semi-monthly. Should the circumstances change, she will perform special outreach services for these persons.

D. OUTREACH TO OWNERS AND PROMOTING GREATER OPPORTUNITIES FOR FAMILIES OUTSIDE AREAS OF LOW-INCOME AND MINORITY CONCENTRATION

Some actions to be taken which promote opportunities for families outside areas of low-income and minority concentration and market the program to owners include the following. Past experience of the Authority has proven that personal contact by Authority staff results in the most meaningful marketing effort.

1. Provide one on one orientation with owners of new complexes/properties or new owners of existing complexes/properties.
2. Address various landlord groups, including the Delaware Valley Apt. Owners Association, prospective real estate investors, and those who attend community meetings.
3. Provide prospective clients at the Tenant Briefing Class a list of currently participating property owners.
4. At the time of issuance, and as part of continued counseling provided to assisted tenants, the Authority staff help clients to determine the type of area, location, and special location needs of the family, and advise clients of available units in such areas. Special needs may include schools, location of employments, childcare center, shopping, and public transportation.
5. The Authority shall provide information to prospective assisted tenants at the Tenant Briefing Class. Information shall also be included in the tenant-briefing packet that includes a copy of the Form HUD 903/903A and briefing on the various laws and regulations regarding equal housing opportunities as reference earlier in this policy. Additionally, Authority staff shall alert applicants as to some of the specific types of discrimination.
6. The Authority will review the Section 8 Payment Standards periodically to make certain the rents are affordable to extremely low income families outside areas of low income and minority concentrations.

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E. OPERATIONS

In order to further the objectives of nondiscrimination, the Housing Authority shall:

1. Include in the admissions briefings for all Housing Authority programs a section on compliance with Civil Rights laws. The briefing shall carefully explain to all participants what should be done if they believe they have been discriminated against.
2. Prominently display a Fair Housing Poster in every development office owned by the Housing Authority and in the Housing Authority's main office.
3. Use the Equal Housing Opportunity logo and/or statement in all advertising and in all marketing publications of the Housing Authority. The Housing Authority shall be particularly conscious of human models used in its publications so as to avoid signaling any sense of discrimination.
4. The Housing Authority shall maintain a TDD Machine or an acceptable alternative for the use of the hearing impaired.
5. If it should become necessary, as many publications as feasible shall be printed in both English and Spanish or any other language commonly spoken in the locality. At this time, English is the predominant language.
6. For more information regarding the operating policies of the Authority, specifically accepting and processing applications, preferences, the organization of the waiting lists, and assisting a family that claims illegal discrimination, please refer to the Section 8 Administrative Plan and the Public Housing Admissions and Continued Occupancy Policy, as applicable. These policies shall be incorporated into this Equal Housing Opportunity Policy by reference.
7. The Authority does not intend to subcontract with a fair housing organization.
8. The Authority will maintain all records, which include relevant newspaper advertisements, pre-applications, application files, client files, contacts made with various agencies/community service providers, and contacts made with various landlords and landlord groups, in accordance with the laws and regulations previously referenced in this policy.