

## **Housing Choice Voucher Program Administrative Plan Chester Housing Authority**

This administrative plan has been prepared by the Chester Housing Authority (CHA) in conformance with the requirements of 24 CFR 982.54.

The plan sets forth CHA's discretionary policies for the administration of its Housing Choice Voucher program, in accordance with the requirements of the U. S. Department of Housing and Urban Development (HUD). Basic requirements for the administration of the program, as follows, are incorporated by reference:

24 CFR 5	Definition of Income, Income Limits, Rent and Reexamination of Family Income for the Section 8 Housing Assistance Payments Programs; Restrictions on Assistance to Non-Citizens; One Strike Screening and Eviction for Drug Abuse
24 CFR 888	Fair Market Rents and Contract Rent Annual Adjustment Factors
24 CFR 982	Housing Choice Voucher Program
24 CFR 984	Section 8 and Public Housing Family Self-Sufficiency Program

Additionally, all program activities are subject to the following civil rights laws and regulations:

24 CFR 1	Implementing Title VI of the Civil Rights Act of 1964
24 CFR 8	Nondiscrimination Based on Handicap in Federally Assisted programs and Activities
24 CFR 14	Equal Access to Justice in Administrative Proceedings

### **1. Applicant Outreach and Selection**

Upon opening and reopening the waiting list, the CHA will place a notice in the Delaware County Daily Times, the Chester Spirit, and post notices in the CHA administrative and site offices. The waiting list opening will be for a period of not less than ten days. Prior to opening the waiting list, the CHA will hold information sessions on the application process for other community service providers to broaden outreach efforts thereby affirmatively furthering fair housing and expanding affordable housing opportunities.

Applicants must complete an online application form, and will be assigned a place on the waiting list based on preference and lottery ranking. Applicants without access to the internet may file an online application at the neighborhood network centers located at the Booker T. Washington Community Center, Ruth Bennett Homes, and William Penn Homes. Applicants requiring other accommodations in completing an online application may send a written request to the HCVP

Compliance Department. Preferences are verified when the applicant is selected from the waiting list.

Applicant selection will be determined by the following factors:

- **Family status:** All applicant households that qualify as families or elderly families will be offered assistance before applicant households consisting of a single person who is not elderly or disabled.

**Families** may consist of

- i. two or more persons related by blood, marriage, or operation of law, or
- ii. two or more unrelated persons who can present evidence of a stable relationship that has lasted over a period of time, in which the resources of the parties are available for the needs of the household.

**Elderly families** may consist of one or more persons. The head of the household, spouse of the head, or sole member must be an elderly person (62 years or older) or a person with disabilities.

- **Preference(s):** CHA gives admission preference to HOPE VI relocatees, veterans, persons who have completed homebuyer education, have credit and mortgage approval and wish to purchase a home under the Housing Choice Voucher Homeownership option, persons in the witness protection program, and employed head of households and residents of the City of Chester.
- Disabled/elderly head of households have equal preference to employed head of households.
- To earn an employment preference, persons must be verified employed for a period of not less than 90 days prior to the selection from the waiting list for at least 20 hours per week.
- To earn a homebuyer preference, the person must have completed homebuyer education within the last two years and be able to obtain a mortgage commitment from a mortgage company or financial institution within 60 days from notification of eligibility.

CHA is required to ensure that at least 75 percent of the households admitted to the Housing Choice Voucher program annually are extremely low income households – with income at or below 30 percent of the area median. This may require CHA to skip over a very low-income household – with income between 31 and 50 percent of the area median – in favor of an extremely low-income household. If this happens, the applicant will remain on the list until CHA has met its income targeting requirements and can select the very low-income household.

Applicants are responsible for providing accurate addresses to CHA, and for updating their addresses as necessary. Applicants whose correspondence from CHA is returned “Forwarding Order Expired” or “Addressee Unknown” will be dropped from the waiting list. Applicants who do not respond to appointment letters or other correspondence concerning their applications will also be dropped from the list.

### **Repayment of Amounts Due to CHA**

CHA requires any applicant who owes money to CHA as a result of prior participation in the Public Housing or Section 8 program to enter into a repayment agreement before receiving a Housing Choice Voucher. The applicant will be required to pay 1/3 of the amount down, and the balance in agreed-upon monthly installments over a 12-24 month period. If the family leases a unit with voucher assistance, and subsequently fails to make three successive payments, the family's housing assistance will be subject to termination.

## **2. Special Purpose Funding**

When HUD awards Housing Choice Voucher funding to CHA that is targeted to a specific purpose, specific families, or specific categories of families, CHA will modify its selection procedures to comply with the requirements of the program.

## **3. Issuing or Denying Vouchers**

Vouchers are issued for an initial term of 60 days.

If, at the end of 60 days, the voucher holder has not submitted a Request for Tenancy Approval, the voucher will expire unless the family has requested and received approval for an extension. Extensions will be approved for good cause, including, but not limited to

Illness or hospitalization during the initial 60 days, or

Difficulty in locating units suitable for large families, units that will accommodate special needs of the family, and units in areas with low concentrations of poverty and minorities.

Extensions are given for an additional 60 days. Further extensions may be given in instances of severe hardship.

CHA will provide a full 120 days for applicants with disabilities to utilize their vouchers to find suitable housing. Further extensions may be given in instances of severe hardship.

CHA suspends the term of the voucher upon receipt of the Request for Tenancy Approval (Tolling).

#### **4. Encouraging Owner Participation**

In an effort to improve the availability of rental housing in areas with low concentrations of minority and low-income households, CHA has expanded its direct service area to include communities in Delaware County.

To encourage participation by owners of suitable units in the expanded area, CHA will conduct outreach to owners in Delaware County, focusing on areas with low concentrations of low-income and minority families. Outreach efforts will include periodic advertisements in the Delaware County Daily Times, and the distribution of informational materials about CHA's Housing Choice Voucher program.

The names and telephone numbers of owners and rental and/or management agents in the City of Chester and Delaware County who have expressed an interest in leasing to program participants will be provided to voucher holders in the briefing packet.

#### **5. Illegal Discrimination**

Families who believe that they have been subjected to illegal discrimination during their search for housing are directed to report the occurrence to CHA, or to call the FHEO toll-free hotline number 1-800-669-9777 (TTY number 1-800-927-9275). CHA will forward any complaints to HUD's Office of Fair Housing and Equal Opportunity, in the Pennsylvania State Office in Philadelphia, which will investigate the complaint and take whatever action is determined appropriate.

Families who have been subjected to illegal discrimination and have reported the occurrence to CHA will be eligible to receive an extension of their housing search time as needed.

#### **6. Information to Prospective Owners**

CHA will inform owners of their responsibility for screening voucher holders to determine their suitability for tenancy. Factors such as payment of rent and utility bills, care of a leased unit, criminal activity, and respect for the rights of others may be considered. CHA will not screen applicants for family behavior or suitability for tenancy.

Owners of units proposed for inclusion in the Housing Choice Voucher program that request information from CHA regarding a voucher holder will be given

- The family's current and prior address as shown in the authority's records;
- The name and address, if known, of the landlord at the family's current and prior address;
- Voucher size, affordability worksheet; and

-Inspection history.

No other information regarding a voucher holder will be given to a prospective landlord.

CHA will give each family a statement of its policy on providing information to owners. The statement will be included in the information packet that is given to the family at the briefing.

## **7. Disapproval of Owners**

CHA may, at its administrative discretion, refuse to enter into a new Housing Assistance Payment (HAP) contract with an owner because:

- The owner refuses (or has a history of refusing) to evict assisted families for drug-related or violent criminal activity, or activity that threatens the health, safety or right of peaceful enjoyment of the premises by other tenants, or of their own residences by neighbors
- The owner has a history or practice of non-compliance with CHA's housing quality standards, or of otherwise failing to comply with obligations under a Housing Choice Voucher contract.
- The owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program
- The owner has engaged in drug trafficking

If CHA disapproves an owner, notice will be given to the owner and the voucher holder, including the reason for the disapproval.

## **8. Procedural Guidelines and Performance Standards for HQS Inspections**

### **Initial Lease-Up**

When the voucher holder finds a unit that is suitable, and the owner has agreed to lease the unit to the family, the family and the owner will complete the Request for Tenancy Approval and submit it to CHA.

If the unit is within CHA's jurisdiction, and is available for inspection, an HQS inspection will be scheduled within 15 working days. Occupied units, other than those occupied by voucher holders, will not be inspected.

All utilities must be in service when the unit is inspected. However, if the tenant is responsible for supplying the stove and/or the refrigerator, CHA will allow the stove and refrigerator to be placed in the unit after the inspection. If the unit passes all other HQS requirements, the unit will be approved and the HAP contract executed. No HAP payments will be made, however, until CHA has reinspected the unit and verified that the stove and refrigerator are present and working.

Units will be inspected for compliance with HUD's Housing Quality Standards (HQS) and the stricter of the local city of Chester building codes.

### **Annual Inspections**

Units assisted under the Housing Choice Voucher program are reinspected at least annually. If a unit fails the annual inspection, the owner is required to make repairs as follows

- HQS deficiencies that threaten the health and safety of program participants must be corrected within 24 hours of the owner's receipt of the deficiency notice. Twenty-four hour notification will be provided by telephone or fax so that the date of receipt can be verified.
- If the unit has 6 or less non- life threatening deficiencies the owner and tenant may self-certify when the repairs are completed . If the self-certification is not returned within the compliance deadline, McCright will conduct a reinspection.
- Non-life threatening HQS deficiencies must be corrected within 30 days of the notice from McCright and Associates to the owner, or the CHA approved extension period.

If the self- certification is not received from both the owner and tenant or repairs are not completed within the required time, HAP payments will be abated the first of the month following the end of the compliance period. For failure to complete or certify to the completion of tenant-caused HQS deficiencies, a Notice of Pending Termination will be sent to the tenant.

If the required owner repairs are completed within 30 days of the abatement HAP payments will resume as of the date that CHA verifies that the unit is in compliance with HQS. If the required tenant repairs are completed by the tenant within 30 days of the date of the Pending Termination, the Pending Termination to the tenant will be rescinded.

If the required owner repairs are not completed within 60 days of the abatement or CHA approved extension period, the HAP contract will be terminated. If the required tenant repairs are not completed within 60 days from the date the Pending Termination Notice was issued, the tenant will receive a Notice of Final Termination.

The same policy applies to Complaint and Quality Control inspections.

The CHA will conduct quality control sampling on owners with a high percentage of self-certifications.

## 9. Subsidy Standards

Eligible families will be issued Housing Choice vouchers based on CHA's subsidy standards as follows:

Number of Persons in Family	Number of Bedrooms on Voucher
1-2	1 BR
2-4	2 BR
3-6	3 BR
6-8	4 BR
7-10	5 BR

Separate bedrooms will be allowed for

- Persons of different generations
- School age children and adults of the opposite sex (other than spouses)
- A live-in aide approved by CHA who cares for a member of the assisted family who is elderly or disabled.

Foster children will be included in determining unit size if they will be in the household for at least six months. Space will be allowed for a child who is away at school but lives with the family during school recesses. Space will not be provided for a family member other than a spouse who will be absent most of the time, such as a member who is on active military status.

A pregnant woman with no other persons in the household will be treated as a two-person family.

CHA may grant exceptions to these standards if the family requests an exception and CHA, in its sole discretion, determines that the relationship, age, health, sex, or disability of family members justifies the exception.

## 10. Minimum Rent

Participants in CHA's Housing Choice Voucher program will be required to pay a monthly TTP that is the highest of 30% of adjusted income, 10% of gross income, or \$50.

CHA may grant an exemption from the minimum rent requirement if the family is unable to pay the minimum rent as a result of financial hardship. Such hardships may include:

- Loss of or awaiting a determination of, eligibility for a Federal, State, or local assistance program (unless the loss results from the imposition of welfare sanctions).
- Pending eviction as a result of the imposition of minimum rent.

- A decrease in the family's income because of changed circumstances, including the loss of employment.
- A death in the family.
- Other circumstances determined by CHA or HUD.

Any request for a hardship exemption must be made in writing.

If a participant requests an exemption, CHA will suspend the minimum rent beginning the month following the family's request and continuing until it determines whether there is a hardship, and whether the hardship is temporary or permanent. If CHA determines that the hardship is a temporary one, or that there is no hardship, the minimum rent will be imposed retroactively to the time of the suspension.

## **11. Family Absences**

An assisted family that finds it necessary to be absent from the unit for a more than 30 consecutive days is required to notify the owner and CHA of their absence, and the date by which they expect to return. If the unit will be occupied during the family's absence by a caretaker not ordinarily part of the household, the family must secure the owner's permission for the arrangement, and must notify CHA. If CHA finds the assisted unit unoccupied, or occupied by someone other than the designated head of household or other adult member of the family, it will assume that the family has vacated the unit and will terminate the HAP contract.

Under no circumstances may the family be absent from the assisted unit for more than 90 consecutive days. If the family's absence or proposed absence exceeds 90 days, CHA will terminate the HAP contract. If the family has given proper notice to CHA, the family will be eligible to receive a new voucher within 180 days of the termination of the HAP contract if assistance is available. For purposes of determining eligibility, these families will be considered as having been continuously assisted, and limitations on the admission of families whose income exceeds the extremely low-income limit will not apply.

## **12. Family Break-Ups**

If a family in the Housing Choice Voucher Program separates, the CHA will determine who retains the assistance as follows

- First consideration will be given to a family member forced to leave the household as a result of actual or threatened violence by a spouse or other family member.
- Second consideration will be given to an adult family member with custody of minor children.
- Third consideration will be given to an adult family member with custody of ill, elderly, or disabled family members.



If none of the above applies, the adult member initially designated as head of household will retain the rental assistance.

### **13. Informal Reviews for Applicants**

When an applicant for rental assistance is determined ineligible, the CHA will notify the applicant in writing. The notice will state the reason for the CHA's decision, and that the applicant may request an informal review, in writing, within 10 days of the date of the notice.

When an applicant requests an informal review, the CHA will schedule the review promptly and notify the applicant of the time and place that the review will be held. A person designated by the Executive Director, other than the person who made or approved the decision or his/her subordinate, will conduct the review. The applicant may present his/her case orally or in writing, and may provide additional information to support his/her claim. Within 10 days of the review, CHA will notify the applicant in writing of its final decision, including a brief statement of the reasons for the final decision.

### **14. Informal Hearings for Participants**

CHA will provide the opportunity for an informal hearing to program participants who are being terminated from the program for cause. CHA will send written notice of the reason(s) for the proposed action, and advise the participant that if he/she does not agree with the decision, he/she may request an informal hearing, in writing, within 10 days of the notice. If the participant requests an informal hearing, the assistance will not be terminated until the final decision is made.

When a participant requests an informal hearing, CHA will schedule the informal hearing in 30 days and notify the participant of the date and time of the informal hearing. Prior to the informal hearing, the participant will be given an opportunity to examine and copy any documents pertinent to the family's termination.

An Informal Hearing Officer designated by the Executive Director, other than the person who made or approved the decision or his/her subordinate, will conduct the informal hearing. The family may be represented by a lawyer or other representative, at its own expense. The family will be given the opportunity to present evidence, and to question any witness. The Informal Hearing Officer will issue a written decision within 10 days, stating the reasons for the decision.

An informal hearing will also be provided for participants who believe that their annual or adjusted income, utility allowance, or allowable unit size has not been determined in accordance with the law, HUD regulations, or CHA's policies. These participants will first be given an explanation of the basis for CHA's determination. If the family still does not agree with the determination, an informal hearing will be scheduled as above.

CHA will not reduce the tenant payment for families whose welfare benefits are reduced as a result of the imposition of sanctions for non-participation in activities required under a Welfare to Work program. Such families may request an informal hearing. CHA will, however, confine its deliberation to the calculation of the family's rent, and will not review the merits of the action taken by the welfare agency.

## **15. Establishing and Revising Payment Standards**

The payment standard for each unit size will be set at a level adequate to allow families to lease units under the voucher program. However, under no circumstances will the voucher payment standard be set at less than 90% or more than 110% of the published Fair Market Rent without HUD approval.

At least annually, CHA will review data on current voucher program participants, to determine whether more than 25 percent of voucher families in appropriate sized units are paying more than 40 percent of their Adjusted Gross Income for rent and utilities. If CHA determines that this is so, data on the rent and utility costs of units in the market area will be reviewed to determine whether there is an adequate supply of rental units of all sizes available at or below the payment standard for families who do not choose to accept an excessive rent burden.

## **16. Determining Rent Reasonableness**

CHA will not approve unit rents that exceed rents for comparable unassisted units in the market area.

CHA maintains a database of unassisted rents in the City of Chester and Delaware County that is updated on a regular basis. Information is gathered from local apartment guides, advertisements in the newspapers, and information provided by owners, Internet listings, and multiple listing services.

When a voucher holder requests approval for a new unit, the gross rent for the requested unit is compared with gross rents for at least two units of the same size in the same area of the City of Chester, or the same township in Delaware County. To the greatest extent possible, units used for comparison will be units that are similar to the subject unit in type, age, condition, and services and amenities provided by the owner. If the comparison units differ from the subject unit in any of these respects, upward or downward adjustments may be made to the approved rent.

If proposed units are located in multi-family properties of four or more units containing other units identical or similar to the subject unit, the owner's certification that the requested rent is the same as the rent being charged to new unassisted tenants is sufficient for CHA to determine that the rent is reasonable.

The reasonableness of the rent will be re-evaluated whenever an owner requests a rent increase.

In the event that the published FMR applicable to the City of Chester and/or Delaware County decreases by 5 percent or more, CHA will review existing rents for rent reasonableness on the contract anniversary date, beginning with contract anniversary dates 60 days after the publication of the decreased FMRs.

A certification of rent reasonableness showing the method used to determine that the proposed rent, or the approved rent, is reasonable will be kept in the participant's file.

## **17. Special Housing Types**

CHA will approve the use of manufactured housing and cooperative housing in its rental assistance program.

Other special housing types will be approved for rental assistance only if requested by a household with a member who is a person with disabilities. CHA will determine, in its sole discretion, whether the approval of such housing is a reasonable accommodation, and is necessary to allow the disabled member access to the voucher program.

CHA will approve the use of the homeownership option by assisted families, subject to the limitations described in the Homeownership Addendum to this Administrative Plan.

## **18. Interim Redeterminations of Income and Family Composition**

Participants are required to complete a reexamination annually, and are to report income or family composition changes. CHA may require more frequent reexaminations for participants reporting temporary income or lack of income at an annual or interim reexamination. These include families receiving unemployment compensation or temporary support from family members, and families reporting \$0 income.

Participants may request a reexamination when they have a reduction in income, an increase in the number of dependents, or an increase in allowable deductions. The change in the family's TTP resulting from these changes will be effective the month following the family's request for a reexamination and receipt of third party verification. When a family completes an interim reexamination, the payment standard for the family will not be changed.

A family that wishes to move must complete an interim reexamination if the information on which their TTP is based is more than 60 days old. A family that moves will receive a voucher of the appropriate size for their current family composition, and will receive the benefit of any interim increase in the payment standard.

## **19. Restrictions on Family Moves**

Families that do not reside in CHA's jurisdiction (City of Chester or Delaware County) at the time they are admitted to the Housing Choice Voucher program must lease a unit within CHA's jurisdiction for at least one year before they can move to another jurisdiction under portability.

Subject to funding available, assisted families in good standing may move to a new unit at any time with continued assistance

- If the HAP for the old unit has been terminated due to the owner's breach of the HAP contract,

- If the tenant has given the owner notice consistent with the terms of the lease, or

- If there is a mutual agreement between the owner and the family that the lease can be terminated.

In accordance with the requirements of 24 CFR, the CHA may impose a moratorium on new lease approvals due to anticipated funding shortfalls. The CHA will announce move restrictions for funding shortfalls in owner and family newsletters. Exceptions will be granted for unresolved HQS violations resulting in HAP contract terminations.

If the owner has evicted the tenant for serious or repeated violation of the lease or for criminal activity in or around the assisted unit, or if the HAP has been terminated because of the tenant's failure to meet his/her family obligations under the Housing Choice Voucher program, the family's participation in the program will be terminated and the family will not be able to move to a new unit with continued assistance.

## **20. Use of Administrative Fee Reserve**

Amounts charged against the administrative fee reserve for housing purposes other than the direct and indirect costs of administering the Housing Choice Voucher program are limited to \$10,000 or less per fiscal year, unless specifically authorized by the Receiver.

## **21. Security Policy**

The CHA has authorized and trained key personnel in the appropriate use, storage and disposal of EIV information.

Locked shredding bins are used to dispose of EIV and other program , owner, and household information.

## **22. Enterprise Income Verification System (EIV)**

At annual reexamination of household income and composition, the CHA will use EIV to match and compare actual amounts and sources of participant employment, unemployment, and social security benefit information to a participant's declared household income.

EIV's primary purpose is to identify all sources of income for all household members. EIV helps identify sources of income for participants with unstable income or unusually low income. EIV supports the 3<sup>rd</sup> party verification process.

## **22. Hierarchy of Verification**

The CHA uses EIV and pursues upfront online verification such as the Work Number for employment and the Compass System for TANF and food stamp benefits. If upfront or online verification is not available, the CHA uses written third party verification.

If written 3<sup>rd</sup> party verification is not available, the CHA will pursue oral 3<sup>rd</sup> party confirmation of the source of income, asset, or expense declared and document the file as to the reason written 3<sup>rd</sup> party verification was not available.

If oral 3<sup>rd</sup> party verification is not available, the CHA will conduct a review of documents to reasonably anticipate annual household income, assets, and expenses. If pay stubs must be used to project income, the CHA will obtain 6 paystubs to projecting annual income. If the applicant, participant, or household member has not been employed for a full 6 paystubs, the file will be documented to that effect, and a note to the file as to why written 3<sup>rd</sup> party verification was not available. If year to date information is not on the paystubs, the CHA must verify employment start date.

## **23. Temporary Compliance Assistance**

In accordance with PIH Notice 2013-3 Public Housing and Housing Choice Voucher Program-Temporary Compliance Assistance, the CHA accepts self-certification of assets for households with declared assets of less than \$5000. The CHA obtains verification for households with assets in excess of \$5000.

The PHA may also conduct streamlined annual reexaminations of elderly and disabled families when 100% of the family's income consists of fixed income. Fixed income includes income from Social Security, SSI, and SSDI payments; Federal, state, and local, and private pension plans; and other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year. For fixed income elderly and disabled households where there is no change in household composition, the CHA will complete the annual recertification by applying any published cost of living adjustment to the previously verified amount.