

BAY CITY HOUSING COMMISSION (MI024)
FY2022 - FY2026 PHA PLAN
OCTOBER 1, 2021



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The Bay City Housing Commission is a public housing agency (PHA) created by the City of Bay City, pursuant to Michigan Public Act 18. It serves as a conduit for funding and programs originating from the **U. S. Department of Housing and Urban Development (HUD)**. Today, the Bay City Housing Commission operates three housing programs, each provides project based rental assistance for tenants that pay 30% of their income as their rental payment. This Five-year PHA Plan addresses the Public Housing Program only. However, *to understand the full scope of operations, the reader should be aware of the total programmatic structure.*

1. **Public Housing Program** comprised of 193 single family houses and 2-unit buildings in a scattered site configuration located throughout Bay City neighborhoods. This portfolio received annual operating grants and capital funding grants for the public housing directly from HUD which, in turn, receives annual appropriations from the United States Congress.
2. **Multifamily Program** comprised of four high-rise buildings with a combined total of 527 units. Two buildings are designated for the elderly and two for families. Each property has a stated preference for persons with disabilities. Within the multifamily program there are two subsets of properties characterized by the financial structure. Multifamily properties have entered into Housing Assistance Payment Contracts (HAP) with HUD to provide monthly contract rent to supplement the tenant paid portion of the total rent each month.
 - a. Maplewood Manor was substantially rehabilitated in 2016 using **Low Income Housing Tax Credits (LIHTC)** through the Michigan State Housing Development Authority (MSHDA). It is owned by investors that purchased the LIHTCs to generate the funds for rehabilitation. The property is managed by the Bay City Housing Commission by virtue of Management and Operating Agreements with the investors. When LIHTCs are purchased by the investors, the investors have the ability to select the asset and property management firm that operates the property.
 - b. Smith Manor, Pine Towers and Maloney Manor are currently owned exclusively by the Bay City Housing Commission following the repositioning/restructuring pursuant to the **Rental Assistance Demonstration Program (RAD)**. However, it is likely these properties will be restructured using LIHTCs or another financing facility within the coming five to seven years.
3. **Conventional Portfolio** – This portfolio consists of six units (one 4-plex and 2 SFR). These units have no program restrictions, except the 4-plex building is master-leased to a community nonprofit organization that, in turn, provides housing to transitional low-

income individuals. The two single family houses are typically leased to Section 8 voucher holders through BECKA Management Group. BECKA Management Group is a housing agent through the Michigan State Housing Development Authority (MSHDA).

Despite the preponderance of federal and state agencies, investor, and regulatory agencies with jurisdiction over the operations of the PHA, the Bay City Housing Commission is the organization tasked to represent the interest of citizens within its housing area and to support the City of Bay City's community development efforts.

The mission and vision of the Bay City Housing Commission reflects the dedication its Board and staff have to serving the community. This Five-year PHA Plan follows the reporting framework provided in the HUD Form 50075-SM.

COMPONENT B.1 MISSION

State the Public Housing Agency's (PHA) mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA's jurisdiction for the next five years.

MISSION STATEMENT

Our mission is to enhance the quality of life in our community through the provision and improvement of safe, decent affordable housing programs that meet the needs of our citizens.

VISION STATEMENT

We will do our absolute best to assure that each night, when we go home to our families, we have left no units vacant that could have housed a family in need.

5-Year PHA Plan (for All PHAs)	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 02/29/2016
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Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

Applicability. Form HUD-50075-5Y is to be completed once every 5 PHA fiscal years by all PHAs.

A.	PHA Information.																																
A.1	<p>PHA Name: _____ PHA Code: _____</p> <p>PHA Plan for Fiscal Year Beginning: (MM/YYYY): _____</p> <p>PHA Plan Submission Type: <input type="checkbox"/> 5-Year Plan Submission <input type="checkbox"/> Revised 5-Year Plan Submission</p> <p>Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information on the PHA policies contained in the standard Annual Plan, but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official websites. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.</p> <p>All components of the FY2022 PHA Plans are available at the Central Office: Bay City Housing Commission 315 14th Street Bay City, MI 48708 or online at: www.baycityhousing.com</p> <p>Additional information regarding PHA Policies may be requested by completing the Freedom of Information Act (FOIA) request available on the PHA website or in person at the Central Office.</p> <p><input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below)</p> <table border="1"> <thead> <tr> <th rowspan="2">Participating PHAs</th> <th rowspan="2">PHA Code</th> <th rowspan="2">Program(s) in the Consortia</th> <th rowspan="2">Program(s) not in the Consortia</th> <th colspan="2">No. of Units in Each Program</th> </tr> <tr> <th>PH</th> <th>HCV</th> </tr> </thead> <tbody> <tr> <td>Lead PHA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program		PH	HCV	Lead PHA:																							
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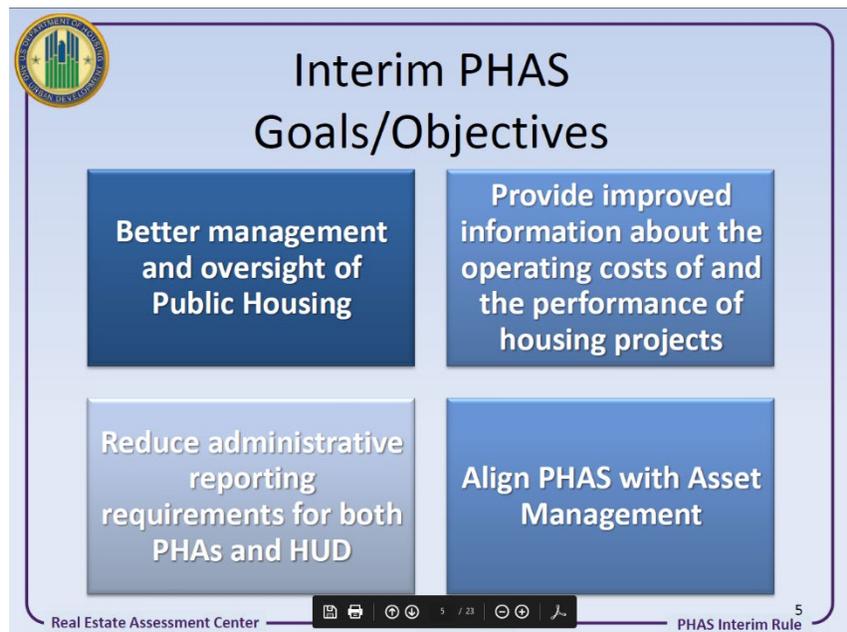
B.	5-Year Plan. Required for all PHAs completing this form.
B.1	Mission. State the PHA's mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA's jurisdiction for the next five years.
B.2	Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years.
B.3	Progress Report. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.
B.4	Violence Against Women Act (VAWA) Goals. Provide a statement of the PHA's goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking.
B.5	Significant Amendment or Modification. Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.
B.6	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) provide comments to the 5-Year PHA Plan?</p> <p>Y N <input type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the 5-Year PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
B.7	<p>Certification by State or Local Officials.</p> <p>Form HUD 50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>

Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years.

GOAL 1: Manage the Bay City Housing Commission's (PHA) existing housing programs in an efficient and effective manner.

OBJECTIVES:

1. The Bay City Housing Commission shall maintain its status as a "high performer" under **The U. S. Department of Housing and Urban Development's (HUD) Public Housing Assessment System (PHAS)**, sustaining no less than an entity-wide score of 90%.



2. Effectively deploy operating and capital grant revenues to support the public housing program portfolio and assure future housing quality physical condition and financial capacity for the program.
3. Maintain compliance with all HUD guidelines, regulatory requirements, state, and local law.

GOAL 2: Align the Bay City Housing Commission's housing inventory and program resources with housing needs in its primary housing market area.

OBJECTIVES:

1. To regularly evaluate the public housing repositioning strategies to assure the best possible housing mix for the PHA and the community.

2. Initiate strategies to scale the housing inventory to address the need in the community.
3. Pursue alternate sources of development funding/programs that improves the quality, quantity, and sustainability of the agency's affordable and subsidized housing inventory.
4. Coordinate action plans with the City of Bay City so that the Bay City Housing Commission plans are consistent with the City's Consolidated Plan.
5. Serve the community as a viable resource to support community development efforts.

GOAL 3: Support Equitable Tenant Selection, Admissions and Continued Occupancy Policies.

OBJECTIVES:

1. Continually evaluate the efficacy of the PHA's **Tenant Selection, Admissions and Continued Occupancy Policies (TSACOP)**¹ and adapt as needed to serve the broad constituency in the community.
2. Balance the mission of the organization to provide housing to a broad spectrum of the families in need against the tenant's obligations under the lease agreements and house rules with compassion and an understanding that some of residents may have special or additional needs to enable them to access our supportive programs.
3. Annually evaluate the **Affirmative Fair Housing Marketing Plan (AFHMP)**² and update as appropriate.

GOAL 4: Assure effective and comprehensive governance.

OBJECTIVES:

1. Maintain consistent oversight and governance by the Board of Commissioners.
2. Assure a high level of organizational capacity that sustains continuity of asset and property management between the public housing and multifamily program.

¹ Attachment B.2.1: Bay City Housing Commission Tenant Selection, Admissions and Continued Occupancy Policies (TSACOP)

² Attachment B.2.2: Affirmative Fair Housing Marketing Plan (AFHMP)

3. Assure that management maintains a high level of financial performance, reporting and accountability to the Board by the senior management team, consistent with the “best practices” of the industry and **Generally Accepted Accounting Principles (GAAP)**.

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FY2022 PHA PLAN ATTACHMENT B.2.1
TENANT SELECTION, ADMISSIONS AND CONTINUED OCCUPANCY PLAN

[document on next page]

BAY CITY HOUSING COMMISSION

TENANT SELECTION ADMISSIONS AND CONTINUED OCCUPANCY POLICY FOR THE PUBLIC HOUSING PROGRAM

Last revised: April 20, 2021



Mission Statement

To enhance the quality of life in our community through the continuous improvement of affordable and sustainable housing opportunities.



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TENANT SELECTION ADMISSION AND CONTINUED OCCUPANCY POLICY

This Tenant Selection, Admissions and Continued Occupancy Policy defines the Bay City Housing Commission's policies for the operation for its Public Housing Programs, incorporating Federal, State, and local law. If there is any conflict between this policy, laws or regulations, the laws and regulations will prevail.

1.0 FAIR HOUSING, NONDISCRIMINATION AND VAWA

It is the policy of the Bay City Housing Commission to fully comply with all Federal, State, and local nondiscrimination laws; the Americans with Disabilities Act; the Michigan Elliot-Larson Civil Rights Act and the U. S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity. .

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

To further its commitment to full compliance with applicable Civil Rights laws, the Bay City Housing Commission will provide Federal/State/local information to applicants/tenants of its Housing Programs regarding discrimination and any recourse available to them if they believe they may be victims of discrimination. Such information will be made available with the application, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made available at the Bay City Housing Commission office. In addition, all written information and advertisements will contain the appropriate Equal Opportunity language and logo.

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

1.1 BCHC WOMEN AGAINST VIOLENCE POLICY (VAWP)

The Bay City Housing Commission has adopted a policy (the “BCHC Violence Against Women) Policy (VAWAP”) to implement applicable provisions of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162) (VAWA). VAWAP is available upon request from BCHC.

The Bay City Housing Commission’s goals, objectives and policies that enable it to serve the needs of child and adult victims of domestic violence, dating violence and stalking, as defined in VAWA, are stated in the BCHC’s VAWA Policy and are incorporated herein by reference. To the extent any provision of the VAWA Policy shall vary or contradict any previously adopted policy or procedure of the BCHC, the provisions of the VAWA Policy shall prevail.

Emergency Transfers

Bay City Housing Commission is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA), BCHC allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant’s current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity,

or sexual orientation. The ability of BCHC to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether BCHC has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy. This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD) Bay City Housing Commission complies with VAWA.

Eligibility for Emergency Transfers

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L is eligible for an emergency transfer, if: the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

Emergency Transfer Request Documentation

To request an emergency transfer, the tenant shall notify BCHC's management office and submit a written request for a transfer to [BCHC to insert location]. BCHC will provide reasonable accommodations to this policy for individuals with disabilities. The tenant's written request for an emergency transfer should include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under BCHC's program; OR
2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

Confidentiality

BCHC will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives BCHC written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the tenant.

See the Notice of Occupancy Rights under the Violence Against Women Act For All Tenants for more information about BCHC's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

Emergency Transfer Timing and Availability

BCHC cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. BCHC will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. BCHC may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If BCHC has no safe and available units for which a tenant who needs an emergency is eligible, BCHC will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant's request, BCHC will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

Safety and Security of Tenants

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 800-656-HOPE, or visit the online hotline at <https://ohl.rainn.org/online/>.

Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

2.0 REASONABLE ACCOMMODATION

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the Bay City Housing Commission housing programs and related services. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability; rather, they make the program accessible to them in a way that would otherwise not be possible due to their disability. This policy clarifies how people can request accommodations and the guidelines the Bay City Housing Commission will follow in determining whether it is reasonable to provide a requested accommodation. Because disabilities are not always apparent, the Bay City Housing Commission will ensure that all applicants/tenants are aware of the opportunity to request reasonable accommodations.

The Bay City Housing Commission maintains a policy pertaining to accommodations for Reasonable Accommodations for Assistance Animals under the Fair Housing Act (FHA) and Section 504 – Appendix IV: Assistance, Companion and Emotional Support Animal Policy March 26, 2019.

2.1 COMMUNICATION

Anyone requesting an application will also receive a Request for Reasonable Accommodation form. Notifications of reexamination, inspection, appointment, or eviction will include information about requesting a reasonable accommodation. Any notification requesting action by the tenant will include information about requesting a reasonable accommodation.

All decisions granting or denying requests for reasonable accommodations will be in writing.

2.2 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION

A. Is the requestor a person with disabilities? For this purpose the definition of person with disabilities is different than the definition used for admission. The Fair Housing definition used for this purpose is:

A person with a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. (The disability may not be apparent to others, i.e., a heart condition).

If the disability is apparent or already documented, the answer to this question is yes. It is possible that the disability for which the accommodation is being requested is a disability other than the apparent disability. If the disability is not apparent or documented, the Bay City Housing Commission will obtain verification that the person is a person with a disability.

B. Is the requested accommodation related to the disability? If it is apparent that the request is related to the apparent or documented disability, the answer to this question is yes. If it is not apparent, the Bay City Housing Commission will obtain documentation that the requested accommodation is needed due to the disability. The Bay City Housing Commission will not inquire as to the nature of the disability.

C. Is the requested accommodation reasonable? In order to be determined reasonable, the accommodation must meet two criteria:

1. Would the accommodation constitute a fundamental alteration? The Bay City Housing Commission's business is housing. If the request would alter the fundamental business that the Bay City Housing Commission conducts, that would not be reasonable. For instance, the Bay City Housing Commission would deny a request to have the Bay City Housing Commission do grocery shopping for a person with disabilities.
 2. Would the requested accommodation create an undue financial hardship or administrative burden? Frequently the requested accommodation costs little or nothing. If the cost would be an undue burden, the Bay City Housing Commission may request a meeting with the individual to investigate and consider equally effective alternatives.
- D. Generally, the individual knows best what it is they need; however, the Bay City Housing Commission retains the right to be shown how the requested accommodation enables the individual to access or use the Bay City Housing Commission's programs or services.

If more than one accommodation is equally effective in providing access to the Bay City Housing Commission's programs and services, the Bay City Housing Commission retains the right to select the most efficient or economic choice.

The cost necessary to carry out reasonable requests, including requests for physical modifications, will be borne by the Bay City Housing Commission.

If the tenant requests as a reasonable accommodation that they be permitted to make physical modifications at their own expense, the Bay City Housing Commission will generally approve such request if it does not violate codes or affect the structural integrity of the unit and the tenant agrees to return the unit to the original condition at their own cost when the modification is no longer needed or when they vacate the unit.

Any request for an accommodation that would enable a tenant to materially violate essential lease terms will not be approved, i.e. allowing nonpayment of rent, destruction of property, disturbing the peaceful enjoyment of others, etc.

3.0 SERVICES FOR NON-ENGLISH-SPEAKING APPLICANTS AND RESIDENTS

The Bay City Housing Commission will endeavor to have bilingual staff or access to people who speak languages other than English in order to assist non-English speaking families.

4.0 FAMILY OUTREACH

The Bay City Housing Commission will publicize the availability and nature of its Housing Programs for extremely low-income, very low, and low-income families in a newspaper of general circulation, minority media, and by other suitable means.

To reach people who cannot or do not read the newspapers; the Bay City Housing Commission will distribute fact sheets to the broadcasting media and initiate personal contacts with members of the news media and community service personnel. The Bay City Housing Commission will also try to utilize public service announcements.

The Bay City Housing Commission will communicate the status of housing availability to other service providers in the community and inform them of housing eligibility factors and guidelines so they can make proper referrals to its Housing Programs.

5.0 RIGHT TO PRIVACY

Personal information regarding applicants and participants is necessary and required to determine and verify the appropriate level of housing assistance provided by the Housing Commission through federal housing assistance programs of the U.S. Dept. of Housing and Urban Development (HUD). That information will include, but not be limited to, Social Security Numbers, wages from employment, benefits from public agencies, income from sources other than employment, citizenship/immigration status, and ages/birthdates of all household members. Personal information provided to the Housing Commission will be treated confidentially, kept in secure locations and not shared with unauthorized individuals/agencies.

All adult members of both applicant and tenant households are required to sign, at the time of final application processing and at subsequent annual recertifications, and as appropriate to the assistance sought/provided, form HUD 9886, Authorization for Release of Information/Privacy Act Notice for the Public Housing program, or form HUD-9887, Notice and Consent for Release of Information with form HUD-9887-A, Applicant's/Tenant's Consent to the Release of Information for the Multifamily Housing program. These Authorizations state how family information will be obtained/released and include information regarding the Federal Privacy Act (5 U.S.C. 552a), applicable to federally-funded agencies requiring the provision of personal information for legitimate program purposes.

Any applicant or tenant information provided to or obtained by the Housing Commission for verification purposes that may be requested by a third party will not be released unless there is a signed release of information request from the applicant or tenant.

HUD mandates the use of the Enterprise Income Verification System (EIV) for the verification of employment and income data of program participants to minimize administrative and subsidy payment errors. Only authorized individuals who have consented to and signed the Rules of Behavior (ROB) governing the use of information obtained through EIV reports discussed herein, including the issue of the privacy of that information, and who are required to have annual security training, have access to EIV systems, reports or information.

6.0 REQUIRED POSTINGS

In each of its offices, the Bay City Housing Commission will post, in a conspicuous place and at a height easily read by all persons including persons with mobility disabilities, the following information:

- A. Statement of Policies and Procedures governing Tenant Selection, Admission and Continued Occupancy
- B. Notice of the status of the waiting list (opened or closed)
- C. A listing of all the developments by name, address, number of units, units designed with special accommodations, address of all project offices, office hours, telephone numbers, TDD numbers, and Resident Facilities and operation hours
- D. Income Limits for Admission
- E. Excess Utility Charges
- F. Utility Allowance Schedule
- G. Current Schedule of Routine Maintenance Charges
- H. Dwelling Lease
- I. Grievance Procedure
- J. Fair Housing Poster
- K. Equal Opportunity in Employment Poster
- L. Any current Bay City Housing Commission Notices

7.0 TAKING APPLICATIONS

Families wishing to apply for the Bay City Housing Commission's Housing Programs will be required to complete an application for housing assistance. Applications will be accepted during regular business hours at:

315 14th Street
Bay City, MI 48708

Applications are taken to compile a waiting list. Due to the demand for housing in the Bay City Housing Commission jurisdiction, the Bay City Housing Commission may take applications on an open enrollment basis, depending on the length of the waiting list.

Completed applications will be accepted for all applicants and the Bay City Housing Commission will verify the information.

Applications shall be made in person at the Bay City Housing Commission Administrative Office between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Applications may be mailed to interested families upon request based upon justification acceptable to the Bay City Housing Commission and the completed application may be mailed to the above address for processing.

The completed application will be dated and time stamped upon its return to the Bay City Housing Commission.

Persons with disabilities who require a reasonable accommodation in completing an application may call the Bay City Housing Commission to make special arrangements. A Telecommunication Device for the Deaf (TDD) is available for the deaf. The TDD telephone number is 1-800-545-1833, ext. 561.

The application process will involve two phases. The first phase is the initial application for housing assistance or the pre-application. The pre-application requires the family to provide limited basic information establishing any preferences to which they may be entitled. This first phase results in the family's placement on the waiting list.

Upon receipt of the family's pre-application, the Bay City Housing Commission will make a preliminary determination of suitability. The Bay City Housing Commission will notify the family in writing of the date and time of placement on the waiting list, and the approximate wait before housing may be offered. If the Bay City Housing Commission determines the family to be ineligible, the notice will state the reasons therefore and will offer the family the opportunity of an informal review of the determination.

The applicant may at any time report changes in their applicant status including changes in family composition, income, or preference factors. The Bay City Housing Commission will annotate the applicant's file and will update their place on the waiting list.

The second phase is the final determination of eligibility, referred to as the full application. The full application takes place when the family nears the top of the waiting list. The Bay City Housing Commission will ensure that verification of all preferences, eligibility, suitability, and selection factors are current in order to determine the family's final eligibility for admission into the Public Housing Program.

As appropriate to the assistance being sought, all applicants will be provided with a copy of either/both of the following HUD informational documents:

For the Public Housing program:

Fact Sheet “How your Rent is Determined” for Public Housing and Housing Choice Voucher Programs, and “RHIP (Rental Housing Integrity Improvement Project) *What you should know about EIV, A guide for Applicants and Tenants of Public Housing & Section 8 Programs*”

For the Section 8 Project-Based program:

Fact Sheet for HUD Assisted Residents, Project-Based Section 8 “How Your Rent Is Determined”, Office of Housing, and “RHIP (Rental Housing Integrity Improvement Project) *EIV & You, Enterprise Income Verification*”

8.0 ELIGIBILITY FOR ADMISSION

8.1 INTRODUCTION

There are five eligibility requirements for admission to the housing programs of the Bay City Housing Commission: qualifies as a family; has an income within the proscribed income limits; meets citizenship/eligible immigrant criteria; provides documentation of Social Security numbers; and signs consent authorization documents. In addition to the eligibility criteria, families must also meet the Bay City Housing Commission screening criteria in order to be admitted to its housing programs.

8.2 ELIGIBILITY CRITERIA

A. Family status. As used hereinafter, the term “family” means a person or group of persons, as determined by the BCHC consistent with 24 CFR 5.403, approved to reside in a unit with assistance under the program and includes, but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status as promulgated by HUD’s Equal Access Rule (24 CFR 5.105(a)(2)):

1. **A family with or without children.**
 - a. The temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size.
 - b. Unborn children and children in the process of being adopted are considered family members for the purpose of determining bedroom size but are not considered family members for determining income limit.
2. **An elderly family, which is:**
 - a. A family whose head, spouse, or sole member is a person who is at least 62 years of age;
 - b. Two or more persons who are at least 62 years of age living together; or
 - c. One or more persons who are at least 62 years of age living with one or more live-in aides.
3. **A near-elderly family, which is:**
 - a. A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62;
 - b. Two or more persons, who are at least 50 years of age but below the age of 62, living together; or
 - c. One or more persons, who are at least 50 years of age but below the age of 62, living with one or more live-in aides.
4. **A disabled family, which is:**
 - a. A family whose head, spouse, or sole member is a person with disabilities;

- b. Two or more persons with disabilities living together; or
 - c. One or more persons with disabilities living with one or more live-in aides.
5. A **displaced family**, which is a family in which each member, or whose sole member, has been displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.
 6. A **remaining member of a tenant family**.
 7. A **single person** who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family.

B. Student Eligibility. *HUD Handbook 4350.3 REV Chapter 3-13.*

1. BCHC shall determine a student's eligibility for housing assistance prior to move-in, annual recertification, initial certification (when an in-place tenant begins receiving Section 8), and at the time of an interim recertification if one of the family composition changes reported is that a household member is enrolled as a student.

2. Section 8 assistance shall not be provided to any individual who:

- a. Is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential; *and*
- b. Is under the age of 24; *and*
- c. Is not married; *and*
- d. Is not a veteran of the United States Military; *and*
- e. Does not have a dependent child; *and*
- f. Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving section 8 assistance as of November 30, 2005. (See Definition E in Figure 3-6); *and*
- g. Is not living with his or her parents who are receiving Section 8 assistance; and
- h. Is not individually eligible to receive Section 8 assistance *or* has parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance. (See paragraph 3-33 for verifying parent's eligibility.)

NOTE: Unless the student can demonstrate his or her independence from parents, the student must be eligible to receive Section 8 assistance and the parents (individually or jointly) must be eligible to receive Section 8 assistance in order for the tenant to receive Section 8 assistance.

3. For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate the absence of, or his or her independence from,

parents. While BCHC may use additional criteria for determining the student's independence from parents, BCHC must use, and the student must meet, at a minimum, all of the following criteria to be eligible for Section 8 assistance. The student must:

- a. Be of legal contract age under state law;
 - b. Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, or, meet the U.S. Department of Education's definition of an independent student. (See the Glossary for definition of Independent Student);
 - c. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
 - d. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.
4. Any financial assistance a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition is included in annual income, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving Section 8 assistance. (See Glossary for expanded definition of Student Financial Assistance.)
5. If an ineligible student is a member of an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated in accordance with the guidance in paragraph 8-6 A.

NOTE: An owner cannot evict or require an ineligible student to move from a unit.

C. Income Eligibility.

1. To be eligible for admission to developments or scattered-site units, the family's annual income must be within the low-income limit set by HUD. This means the family income cannot exceed 80 percent of the median income for the area.
2. Income limits apply only at admission and are not applicable for continued occupancy.
3. A family may not be admitted to a housing program of the Bay City Housing Commission from another federally-assisted housing program operated by another Public Housing Agency or Owner/Agent without meeting the income requirements of the Bay City Housing Commission.
4. If the Bay City Housing Commission acquires a property for federally-assisted housing purposes, the families living there must have incomes within the low-income limit in order to be eligible to remain as assisted housing tenants.
5. Income limit restrictions do not apply to families transferring between units within our Public Housing Program. Income limit restrictions do apply for families transferring from the Public Housing Program into the Multifamily Program (Maplewood Manor) and will require verification of eligibility before the transfer is approved.
6. The Bay City Housing Commission may allow police officers who would not otherwise

be eligible for occupancy in Public Housing to reside in a Public Housing dwelling unit. Such occupancy must be needed to increase security for Public Housing residents. Their rent shall at least equal the minimum rent for the Public Housing unit.

D. Citizenship/Eligibility Status

1. To be eligible each member of the family must be a citizen, national, or a non-citizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 1436a(a)).
2. Family eligibility for assistance.
 - a. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exception noted below.
 - b. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance. (See Section 13.6 for calculating rents under the non-citizen rule)
 - c. A family without any eligible members and receiving assistance on June 19, 1995 may be eligible for temporary deferral of termination of assistance.

E. Social Security Number Documentation

To be eligible, all household members are required to disclose his/her assigned Social Security Number (SSN) with the exception of the following individuals:

1. Those individuals who do not contend to have eligible immigration status;
2. Existing program participants as of January 31, 2010, who have previously disclosed their SSN and HUD has determined the SSN to be valid;
3. Existing program participants as of January 31, 2010 who are 62 years of age or older, and had not previously disclosed a valid SSN. This exemption continues even if the individual moves to a new assisted unit.
4. A child under the age of 6 years who was added to the applicant household within the 6-month period prior to the household's date of admission, provided that the documentation required for verification of the SSN in section 12.4 herein is provided within 90 calendar days from the date of admission.

F. Signing Consent Forms

1. In order to be eligible, each member of the family who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms.
2. The consent form must contain, at a minimum, the following:
 - a. A provision authorizing HUD or the Bay City Housing Commission to obtain from State Wage Information Collection Agencies (SWICAs) any information or

materials necessary to complete or verify the application for participation or for eligibility for continued occupancy; and

- b. A provision authorizing HUD or the Bay City Housing Commission to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;
- c. A provision authorizing HUD to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and
- d. A statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.

8.3 SUITABILITY

Applicant families will be evaluated to determine whether, based on their recent behavior, such behavior could reasonably be expected to result in noncompliance with the public housing lease. The Bay City Housing Commission will look at past conduct as an indicator of future conduct. Suitability Screening includes, but is not limited to, two key components: (1) Credit and criminal background history evaluated against the suitability criteria contained in Appendix III, and (2) current and former landlord references from the immediately preceding three (3) years.

Emphasis will be placed on whether a family's admission could reasonably be expected to have a detrimental effect on the property's environment, other tenants, Bay City Housing Commission employees, or other people residing in the immediate vicinity of the property. Otherwise, eligible families will be denied admission if they fail to meet the suitability criteria. No applicant for housing who has been a victim of domestic violence, dating violence, or stalking shall be denied admission into the program if they are otherwise qualified.

- A. The Bay City Housing Commission shall compile credit, criminal and other background data from a variety of sources, including third-party providers that will form the basis for all Suitability Screening of applications in accordance with the suitability screening criteria described in Appendix III. . These sources include such third-party providers as: RealPage® AI Screening or MRI Resident Check for Single Credit and Criminal Background Applications, Internet Criminal History Access (iChat, Michigan Law Enforcement Information Network (LEIN), Enterprise Income Verification (EIV) System, National Sex Offenders Public Registry Website (NSOPW), Saginaw Landlords Association (SLA), Offender Tracking Information (OTIS) and public searches of District Court records in jurisdictions where an applicant may have lived.

Whenever there is a conflict between the third-party reports and the suitability criteria in Appendix III, the Bay City Housing Commission will notify the provider and the discrepancy shall be resolved. The applicant file review will be completed in accordance with the report resolution.

Applicants with outstanding warrants, that are in police custody, being arraigned, are a defendant in a jury or bench trial, being sentenced, or appealing a conviction for criminal activity that would cause them to be deemed unsuitable for tenancy will have the processing of their applications halted until resolution. The applicant will be notified that the processing of the application has been halted. It will be the responsibility of the applicant to provide evidence of resolution. Once evidence is provided indicating a favorable resolution of the criminal activity, the processing of the application will immediately resume. If evidence of resolution is not provided within 120 days of notifying the applicant that the processing of their application has been halted, the applicant must resubmit a new application subject to the normal operations of the tenant selection process.

- B. The Bay City Housing Commission will consider objective and reasonable aspects of the family's background, including the following:
1. History of meeting financial obligations, especially rent and utility payment history, shall be evaluated in accordance with the Bay City Housing Commission's Suitability Screening: Credit Screening Policy, dated October 28, 2019, as same may be revised from time to time. The currently approved FICO credit score is reflected in this policy, which is available upon request.
 2. Ability to maintain (or with assistance would have the ability to maintain) their housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety, or welfare of other tenants;
 3. History of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well-being of other tenants or staff or cause damage to the property. Criminal activity will consist of, but not be limited to, credible evidence of the following criteria:
 - a. All adjudications/convictions shall be reviewed against the category of crimes and the maximum time limits since the completion of sentencing and/or probation prescribed in Appendix III: Suitability Screening Criteria.
 - b. A preponderance of the evidence less than adjudications of any of the above enumerated activities, including, but not limited to arrests, police reports, complaints, restraining orders, warrants, pending judicial prosecution, current but uncompleted orders or terms of probation/parole, or other documents that establish that a pattern of the proscribed conduct exists;
 - c. Unless resulting in prosecutorial action by duly appointed court officers, arrest records in and of themselves will not be sufficient to establish the presence of any proscribed conduct.
 4. History of disturbing neighbors or destruction of property or a record of disregard for rules of occupancy and rights of others.
 5. Having committed fraud in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from;
 6. History of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others;
 7. Notwithstanding any other provision of this Tenant Selection Plan or the agency's Tenant Selection Admissions and Continued Occupancy Policy (TSACOP) for public housing property, should a search of applicant or Tenant's criminal history reveal that the applicant/tenant or any member of the household match the description of "Habitual Offender" as described below in Section 8.4.P. Grounds For Denial, the applicant shall be "Denied For Life".

- C. The Bay City Housing Commission requires applicants to provide names and contact information

(in the application) for all landlords from the immediately preceding three (3) years. It will require that applicants provide their written consent, on the appropriate release form, to allow it to verify their prior housing history. Information obtained from these references will help inform the Housing Commission of an applicant's ability to comply with the essential elements of the lease. Such verifications may include but may not be limited to the following:

1. Evidence of past performance meeting financial obligations related to shelter, such as rent, utility payments, etc.;
 2. A rental history check of all adult family members;
 3. A criminal background check on all adult household members, including live-in aides. This check will be made through State and/or local law enforcement or court records in those cases where the household member has lived in the local jurisdiction. Where the individual has lived outside the local area, the Bay City Housing Commission may contact law enforcement or court agencies in the jurisdiction where the individual had lived or, at no cost to the applicant family, request a fingerprint check through the Federal Bureau of Investigation's National Crime Information Center (NCIC);
 4. Home Visits - If a rental history check reveals a current or past problem with housekeeping or the care of a rental unit, a home visit may be scheduled. The home visit provides the opportunity for the family to demonstrate their ability to maintain their home in a safe and sanitary manner. This inspection considers cleanliness and care of rooms, appliances, and appurtenances. The inspection may also consider any evidence of criminal activity; and
 5. A check of the State's lifetime sex offender registration program for each adult household member, including live-in aides. No individual registered with this program will be admitted to public housing.
- D. Three-Year Prior Housing History – When examining provisions of Section 8.3. and Section 8.4., an applicant's prior housing history shall serve as the basis. The housing history is obtained, primarily, from prior landlords from whom the applicant leased during the immediately preceding three (3) years.

As referenced in Section 8.3.A., a national industry leading credit and criminal background check service is used to evaluate each application and recertification suitability for new or continued occupancy.

The Housing Commission shall make two (2) attempts to contact the landlords and obtain the history. If no response is received within fourteen (14) days following the first attempt and within seven (7) days following the second attempt, the applicant shall be notified and the application held in suspense, pending receipt of the requested prior housing history.

If a determination is made that there is no likelihood of receiving the requisite landlord references, the applicant may provide three (3) non-related character references of individuals that attest to the applicant's ability to be financially responsible and maintain (or with assistance would have the ability to maintain) their housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety, welfare, or right to peaceful enjoyment of other tenants or neighbors.

8.4 GROUND FOR DENIAL

The Bay City Housing Commission is not required or obligated to assist applicants who:

- A. Do not meet any one or more of the eligibility criteria;
- B. Do not supply information or documentation required by the application process;
 - 1) Except as provided for in section 8.2 D. 4) above, if a family is otherwise eligible to participate in the program except for the required disclosure of one or more household member's SSN, the family may maintain their position on the waiting list for ninety (90) days pending disclosure of the information. If all household members have not disclosed their SSN at the time a unit becomes available, the Housing Commission must offer the available unit to the next eligible family on the waiting list. Failure to disclose the SSN information will result in the removal of the applicant from the waiting list.
 - 2) Failure on the part of the applicant and all adult family members of the applicant household to sign the required forms HUD-9886 or HUD-9887/9887-A as specified in Section 5.0 above.
- C. Have failed to respond to a written request for information or a request to declare their continued interest in the program;
- D. Have a history of not meeting financial obligations, especially rent and utilities;
- E. Do not have the ability to maintain (with assistance) their housing in a decent and safe condition where such habits could adversely affect the health, safety, or welfare of other tenants;
- F. Have a history of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well-being of other tenants or staff or cause damage to the property. If the Housing Commission obtains criminal record information from a local, State or Federal agency showing that a household member has been convicted of a crime relevant to applicant screening, the Housing Commission will notify the household of the proposed action to be based on the information and provide them an opportunity to review the record, obtain a copy, and to dispute the accuracy and relevance of the information before a denial of admission on the basis of such information is made;
- G. Have a history of disturbing neighbors or destruction of property or a record of disregard for rules of occupancy and rights of others.
- H. Currently receives assistance or owes rent or other amounts to any Housing Commission, Authority or Multifamily Owner/Agent in connection with their public housing or Section 8 HCV programs, or other federally assisted housing programs, regardless of the length of time since exiting those programs.
- I. Have committed fraud, bribery or any other corruption in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from.
- J. Were evicted from federally assisted housing within three years of the projected date of

admission because of drug-related criminal activity involving the personal use or possession for personal use of any Federal Scheduled or Controlled Substance;

- K. Were evicted from federally assisted housing within five years of the projected date of admission because of drug-related criminal activity involving the illegal manufacture, sale, distribution, or possession with the intent to manufacture, sell, distribute a controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802;
- L. Are illegally using a controlled substance or are abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. The Bay City Housing Commission may waive this requirement if:
 - 1. The person demonstrates to the Bay City Housing Commission's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;
 - 2. Has successfully completed a supervised drug or alcohol rehabilitation program;
 - 3. Has otherwise been rehabilitated successfully; or
 - 4. Is participating in a supervised drug or alcohol rehabilitation program.
- M. Have engaged in or threatened abusive or violent behavior towards any Bay City Housing Commission staff or residents;
- N. Have a household member who has ever been evicted from public housing;
- O. Have a family household member who has been terminated under the certificate or voucher program;
- P. **Denied For Life: Habitual Offenders.** If any family member's criminal history indicates multiple convictions/adjudications, for felonies and/or misdemeanors, as described below, they shall be considered to be "Habitual Offenders" for the purposes of determining suitability to become or remain a resident of the Bay City Housing Commission.
 - 1. Habitual Offenders (Felony) - Shall include 2 or more felony convictions during the lifetime; or
 - 2. Habitual Offenders (Misdemeanors) - Shall include 3 or more misdemeanor convictions within the prior 5 years with a 10-year gap between any other prior convictions, otherwise the lifetime conviction record will be counted.
- Q. **Denied for Life:** If any family member has been convicted of manufacturing or producing methamphetamine (speed) in a Public Housing development or in a Section 8 assisted property;
- R. **Denied for Life:** Has a lifetime registration under a State sex offender registration program.

8.5 *INFORMAL REVIEW*

- A. If the Bay City Housing Commission determines that an application does not meet the suitability or program eligibility criteria it shall provide the applicant with written notice of the determination. The notice must contain a brief statement of the reason(s) for the decision and state that the applicant may request an informal hearing/review of the decision within 14 days of the denial. The Bay City Housing Commission notice will describe how to obtain the informal review.

The informal review may be conducted by any person or panel of persons designated by the Bay City Housing Commission, other than a person who made or approved the decision under review or subordinate of this person. The applicant must be given the opportunity to present written or oral objections to the Bay City Housing.

Commission's Decision. The Bay City Housing Commission must notify the applicant of the final decision within 5 business days after the informal review, including a brief statement of the reasons for the final decision.

- B. Immigration Naturalization Service (INS) Status - The participant family may request that the Bay City Housing Commission provide for an Informal Hearing after the family has notification of an INS decision on their citizenship status on appeal, or in lieu of request of appeal to the INS. This request must be made by the participant family within 30 days of receipt of the Notice of Denial or Termination of Assistance, or within 30 days of receipt of the INS appeal decision.

For the participant families, the Informal Hearing Process above will be utilized with the exception that the participant family will have up to 30 days of receipt of the Notice of Denial or Termination of Assistance, or of the INS appeal decision.

8.6 FORMAL HEARING/GRIEVANCE

[Formal Hearings are only available to existing Tenants and not to applicants.]

If the Tenant is dissatisfied with the disposition of the informal review, a written “Grievance” containing Tenant’s request for a “Formal Hearing” must be submitted to the Housing Commission office within 5 days of the date of informal hearing report letter. The request must specify the reasons for the grievance and the action the resident is seeking. If the Tenant declines to acknowledge and accept the disposition of the informal review and fails to request a Formal Hearing within 5 working days, the resident's right to a Formal Hearing will be waived, and the Housing Commission will process the Notice to Quit for a court date. However, failure to request a hearing does not constitute a waiver by the resident of the right thereafter to contest the Bay City Housing Commission's action in disposing of the complaint in an appropriate judicial proceeding.

The full Grievance Policy is incorporated herein as Appendix VI.

9.0 MANAGING THE WAITING LIST

9.1 OPENING AND CLOSING THE WAITING LIST

Opening of the waiting list will be announced with a public notice stating that applications for housing will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation and also by any available minority media. The public notice will state any limitations to who may apply.

The notice will state that applicants already on waiting lists for other housing programs must apply separately for this program and such applicants will not lose their place on other waiting lists when they apply for housing programs of the Bay City Housing Commission. The notice will include the Fair Housing logo and slogan and will be in compliance with Fair Housing requirements.

Closing of the waiting list will also be announced with a public notice. The public notice will state the date the waiting list will be closed and for what bedroom sizes. The public notice will be published in a local newspaper of general circulation and also by any available minority media.

9.2 ORGANIZATION OF THE WAITING LIST

The waiting list will be maintained in accordance with the following guidelines:

- A. The application will be a permanent file;
- B. All applications will be maintained in order of bedroom size, preference, and then in order of date and time of application; and
- C. Any contacts between the Bay City Housing Commission and the applicant will be documented in the applicant file.

9.3 FAMILIES NEARING THE TOP OF THE WAITING LIST

When a family appears to be within three (3) months of being offered a unit, the family will be invited to an interview and the verification process will begin. It is at this point in time that the family's waiting list preference will be verified. If the family no longer qualifies to be near the top of the list, the family's name will be returned to the appropriate spot on the waiting list. The Bay City Housing Commission must notify the family in writing of this determination and give the family the opportunity for an informal review.

Once the preference has been verified, the family will complete a full application, present Social Security number information, citizenship/eligible immigrant information, and sign the Consent for Release of Information forms (HUD-9886 and/or 9887 & 9887-A).

9.4 PURGING THE WAITING LIST

The Bay City Housing Commission will update and purge its waiting list at least annually to ensure that the pool of applicants reasonably represents the interested families for whom the Bay City Housing Commission has current information, i.e. applicant's address, family composition, income category, and preferences.

9.5 REMOVAL OF APPLICANTS FROM THE WAITING LIST

The Bay City Housing Commission will not remove an applicant's name from the waiting list unless:

- A. The applicant requests in writing that the name be removed;
- B. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program; or
- C. The applicant does not meet either the eligibility or suitability criteria for the program.

9.6 MISSED APPOINTMENTS

All applicants who fail to keep a scheduled appointment with the Bay City Housing Commission will be sent a notice of termination of the process for eligibility.

The Bay City Housing Commission will allow the family to reschedule for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities will be given for good cause. When good cause exists for missing an appointment, the Bay City Housing Commission will work closely with the family to find a more suitable time. Applicants will be offered the right to an informal review before being removed from the waiting list.

9.7 NOTIFICATION OF NEGATIVE ACTIONS

Any applicant whose name is being removed from the waiting list will be notified by the Bay City Housing Commission, in writing, that they have ten (10) calendar days from the date of the written correspondence to present mitigating circumstances or request an informal review. The letter will also indicate that their name will be removed from the waiting list if they fail to respond within the timeframe specified. The Bay City Housing Commission system of removing applicant names from the waiting list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, the Bay City Housing Commission will verify that there is in fact a disability and the disability caused the failure to respond, and provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

10.0 TENANT SELECTION AND ASSIGNMENT PLAN

10.1 PREFERENCES

The Bay City Housing Commission will select families based on the following preferences within each bedroom size category. **Appendix V: Tenant Selection Plan W/Preferences & Application Scoring Matrix**, compares the preference categories for each property owned or operated by The Bay City Housing Commission.

- A. PT08 - Current participating families in either the Public Housing or Section 8 HCV program of another Public Housing Agency who have been displaced as the result of a federally declared disaster. (Refer to Section 12.5 for verification requirements)
- B. PT09 - Any other income eligible family who has been displaced as the result of a federally declared disaster. (Refer to Section 12.5 for verification requirements)
- C. DEEL - Elderly (62 and Over)
- D. NEDI - Near Elderly W/Disability (50 and Above with Disability)
- E. NEEL - Near Elderly (50 and Above with No Disability)
- F. DNE - Disabled (18 to 49)
- G. WFCI - Applicants that are current residents of the City of Bay City and have bona fide employment of at least 20 hours per week in the City of Bay City.
- H. WFCY - Applicants that are current residents of Bay County and have bona fide employment of at least 20 hours per week in Bay County.
- I. WOST - Applicants with an adult family member enrolled in an employment training program, currently working 30 hours a week, or attending school on a full-time basis. This preference is also extended equally to all elderly families and all families whose head or spouse is receiving income based on their inability to work.
- J. OTHR - All other applicants. (Selected according to application date and time submitted).

Tenant Unit Transfers - Preferences and Scoring

- K. RARQ - Category "A" - Emergency Transfers when conditions pose an immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, the health condition of a family member, a hate crime, domestic violence such as those covered by VAWA, the safety of witnesses to a crime, or a law enforcement matter particular to the neighborhood.
- L. PT11 - Category "B" - Immediate administrative Transfers - Tenant Request for Reasonable Accommodation Transfer to Barrier Free Unit
- M. PT12 -Category "C" - Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain Bay City Housing Commission occupancy goals, to correct occupancy standards where the unit size is inappropriate for the size and composition of the family, to allow for non-emergency but medically advisable transfers, and other transfers approved by the Bay City Housing Commission when a transfer is the only or best way of solving a serious problem.

N. PT13 - Incentive Transfers

O. PT14 - Tenant Requesting Transfer to Another Unit Within Property

The date and time of application will be noted and utilized to determine the sequence within the above-prescribed preferences.

Notwithstanding the above, families who are elderly, disabled, or displaced will be offered housing before other single persons.

Bay City Housing Commission does not recognize multiple preference categories (also known as combining preferences). Applicants must verify eligibility for one of the preferences listed herein.

Buildings Designed for the Elderly and Disabled: Preference will be given to elderly and disabled families. All such families will be selected from the waiting list using the preferences as outlined above.

Accessible Units: Accessible units will be first offered to families who may benefit from the accessible features. Applicants for these units will be selected utilizing the same preference system as outlined above. If there are no applicants who would benefit from the accessible features, the units will be offered to other applicants in the order that their names come to the top of the waiting list. Such applicants, however, must sign a release form stating they will accept a transfer (at their own expense) if, at a future time, a family requiring an accessible feature applies. Any family required to transfer will be given a 30-day notice.

Sources for Verifying Owner Preferences: An applicant claiming a “preference” must provide source documents that support the preference to include the following types.

DOCUMENTATION TYPES FOR VERIFICATION OF OWNER PREFERENCES			
Preference	Wait List Designation	3 rd Party Verification	Hand-carried Verification
A	PT08	<ul style="list-style-type: none"> EIV See Section 12.5 Verifications Copies of federal displacement notices or government notices indicating that an applicant is eligible for federal disaster relief benefits 	<ul style="list-style-type: none"> Original Social Security card; Driver’s license or state-issued identification card from state wherein the disaster occurred; Original SSA-issued document w/ name/SSN; Original document issued by a federal, state, or local gov’t agency w/ name/SSN
B	PY09	<ul style="list-style-type: none"> Same as above. 	Same as above.
C	DEEL	<ul style="list-style-type: none"> Social Security Enrollment 	<ul style="list-style-type: none"> Michigan Driver’s License, state-issued identify card or birth certificate
D	NEDI	<ul style="list-style-type: none"> See Section 12.5 Verifications 	SS/SSI
E	NEEL	<ul style="list-style-type: none"> See Section 12.5 Verifications 	SS/SSI
F	DNE	<ul style="list-style-type: none"> See Section 12.5 Verifications 	SS/SSI

G	WFCI	<ul style="list-style-type: none"> • Employment Verification • Pay Stub w/current address • Landlord Verification 	Michigan Driver's License or state-issued identify card showing current address.
H	TDFCI	<ul style="list-style-type: none"> • Letter from medical professional, SSI, etc 	<ul style="list-style-type: none"> • Proof of SSI or Social Security disability payments
I	WFCY	<ul style="list-style-type: none"> • School Registration • Current Paycheck Stub • Employer Verification 	<ul style="list-style-type: none"> • Michigan Driver's License or state-issued identify card showing current address.
J	TDFCY	<ul style="list-style-type: none"> • Letter from medical professional, SSI, etc 	<ul style="list-style-type: none"> • Proof of SSI or Social Security disability payments
K	WOST	<ul style="list-style-type: none"> • Employment Verification • School Registration • Current Paycheck Stub 	<ul style="list-style-type: none"> • Michigan Driver's License or state-issued identify card showing current address.
L	OTHR	<ul style="list-style-type: none"> • Employment Verification 	<ul style="list-style-type: none"> • Michigan Driver's License or state-issued identify card showing current address.
M	RARQ	<ul style="list-style-type: none"> • Employment Verification 	<ul style="list-style-type: none"> • Michigan Driver's License or state-issued identify card showing current address.
N	PT11	<ul style="list-style-type: none"> • Employment Verification 	<ul style="list-style-type: none"> • Michigan Driver's License or state-issued identify card showing current address.
O	PT12	<ul style="list-style-type: none"> • Employment Verification 	<ul style="list-style-type: none"> • Michigan Driver's License or state-issued identify card showing current address.
P	PT13	<ul style="list-style-type: none"> • Employment Verification 	<ul style="list-style-type: none"> • Michigan Driver's License or state-issued identify card showing current address.
Q	PT14	<ul style="list-style-type: none"> • Employment Verification 	<ul style="list-style-type: none"> • Michigan Driver's License or state-issued identify card showing current address.

10.2 ASSIGNMENT OF BEDROOM SIZES

In determining bedroom size, the Bay City Housing Commission will include the presence of children to be born to a pregnant woman, children who are in the process of being adopted, children whose custody is being obtained, children who are temporarily away at school, or children who are temporarily in foster-care.

Generally, two people are expected to share each bedroom, except that units will be so assigned that:

- A. It will not be necessary for persons of different generations or opposite sex, other than husband and wife, to occupy the same bedroom, although they may do so at the request of the family.
- B. Two children of the opposite sex will not be required to share a bedroom, although they may do so at the request of the family.
- C. A single head of household parent shall not be required to share a bedroom with his/her child, although they may do so at the request of the family.

- D. Foster – adults and/or foster - children will not be required to share a bedroom with family members.
- E. Live-in aides will get a separate bedroom.

Exceptions to normal bedroom size standards include the following:

- A. Units smaller than assigned through the above guidelines – A family may request a smaller unit size than the guidelines allow. The Bay City Housing Commission will allow the smaller size unit so long as generally no more than two (2) people per bedroom are assigned. In such situations, the family will sign a certification stating they understand they will be ineligible for a larger size unit for three (3) years or until the family size changes, whichever may occur first.
- B. Units larger than assigned through the above guidelines – A family may request a larger unit size than the guidelines allow. The Bay City Housing Commission will allow the larger size unit if the family provides a verified medical need that the family be housed in a larger unit.
- C. If there are no families on the waiting list for a larger size, smaller families may be housed if they sign a release form stating they will transfer (at the family’s own expense) to the appropriate size unit when an eligible family needing the larger unit applies. The family transferring will be given a 30-day notice before being required to move.
- D. Larger units may be offered in order to improve the marketing of a development suffering a high vacancy rate.

10.3 SELECTION FROM THE WAITING LIST/INCOME TARGETING AND ADMISSIONS

The Bay City Housing Commission shall follow the statutory requirement at 24 CFR 960.202(b)(1) that at least 40% of newly admitted families in any fiscal year shall be extremely low-income families as defined at 24 CFR 5.603(b).

To insure this requirement is met we shall quarterly monitor the incomes of newly admitted families and the incomes of the families on the waiting list. If it appears that the requirement to house extremely low-income families will not be met, we will skip higher income families on the waiting list to reach extremely low-income families.

The property manager must review the income levels of current waiting list applicants on, at least, a quarterly basis. This monitoring process begins anew each October and is to be maintained, at least quarterly, through the end of each September.

BCHC Annual Income Targeting and Tracking Summary Report
FY2019 BCHC Move-Ins Tenant Income Distribution
Report Period: 10-1-2019 to 9/30/2020

Portfolio	Public Housing		Multifamily				Multifamily-LIHTC					
% AMI	Scattered Sites		Smith Manor		Maloney Manor		Pine Towers		Maplewood Manor ¹			
Total Units	193		141		113		115		158		18 Unit Set-aside ³	
@<30% ²	31	73.8%	17	100.0%	16	80.0%	12	60.0%	13	65.0%	18	100.0%
@<50%	9	21.4%	0	0.0%	4	20.0%	7	35.0%	6	30.0%	0	0.0%
@<80%	2	4.8%	0	0.0%	0	0.0%	1	5.0%	1	5.0%	0	0.0%
Total Move-ins	42	100.0%	17	100.0%	20	100.0%	20	100.0%	20	100.0%	18	100.0%

Minimum Benchmark <30%AMI Move- > 40% > 40% > 40% > 40% > 40% > 40% > 40%
Move-in Percent of Total Units 22% 12% 18% 17% 13% 100%

¹ Maplewood Manor is on a Calendar Year fiscal year; whereas, figures above are BCHC fiscal year beginning October 1.

² Not less than 40% of the Section 8 units that became available in the previous fiscal year may be leased to extremely low-income

³ 18 Unit set aside for Disabled Persons only applies to Maplewood Manor

A. If it is determined that more than 50% of admissions are Extremely-Low Income, then, subject to ongoing monitoring, no additional steps are necessary to satisfy the 40% target.

B. If it is determined that less than 50% of admissions are Extremely-Low Income, then the following process must be implemented to ensure compliance with the 40% target.

1. Method 1: Alternate between the first Extremely -Low Income applicant and the applicant at the top of the waiting list.
 - a. This method may mean “skipping over” some applicants with higher income.
 - b. If the on-going monitoring process indicates that Method 1 fails to sustain compliance with the 40% target, then Method 2 must be implemented.
2. Method 2: Admit only Extremely-Low Income families until the 40% target is met. Once target is reached, Method 1 can be used again going forward.

It is essential to continually utilize the monitoring process to confirm compliance with the 40% target requirement. Reversion to Method 2 is always an option if leasing becomes non-compliant.

3. Monitoring Process: Using the Admissions Tracking Log, enter all required information and monitor the percentage of Extremely-Low Income move-ins on an on-going basis. The Admission Tracking Log is to be kept with the Waiting List for the property.
4. File Retention: The Income Targeting Logs for each year must be retained in an accessible file for review at any time.

10.4 DECONCENTRATION POLICY

It is Bay City Housing Commission's policy to provide for deconcentrating poverty and encourage income mixing by bringing higher income families into lower income developments and lower income families into higher income developments. Toward this end, we will skip families on the waiting list to reach other families with a lower or higher income. We will accomplish this in a uniform and non- discriminating manner.

The Bay City Housing Commission will affirmatively market our housing to all eligible income groups.

Lower income residents will not be steered toward lower income developments and higher income people will not be steered toward higher income developments.

Prior to the beginning of each fiscal year, we will analyze the income levels of families residing in each of our developments, the income levels of census tracts in which our developments are located, and the income levels of the families on the waiting list. Based on this analysis, we will determine the level of marketing strategies and deconcentration incentives to implement.

10.5 DECONCENTRATION INCENTIVES

The Bay City Housing Commission may offer one or more incentives to encourage applicant families whose income classification would help to meet the deconcentration goals of a particular development.

Various incentives may be used at different times, or under different conditions, but will always be provided in a consistent and nondiscriminatory manner.

10.6 OFFER OF A UNIT

When the Bay City Housing Commission discovers that a unit will become available, we will contact the first family on the waiting list who has the highest priority for this type of unit or development and whose income category would help to meet the deconcentration goal and/or the income-targeting goal.

The Bay City Housing Commission will contact the family first by telephone to make the unit offer. If the family cannot be reached by telephone, the family will be notified of a unit offer via first class mail. The family will be given ten (10) business days from the date the letter was mailed to contact the Bay City Housing Commission regarding the offer.

The family will be offered the opportunity to view the unit. After the opportunity to view the unit, the family will have two (2) business days to accept or reject the unit. This verbal offer and the family's decision must be documented in the tenant file. If the family rejects the offer of the unit, the Bay City Housing Commission will send the family a letter documenting the offer and the rejection.

10.7 REJECTION OF UNIT

If in making the offer to the family the Bay City Housing Commission skipped over other families on the waiting list in order to meet their deconcentration goal or offered the family any other deconcentration incentive and the family reject the unit, the family will not lose their place on the waiting list and will not be otherwise penalized.

If the Bay City Housing Commission did not skip over other families on the waiting list to reach this family, did not offer any other deconcentration incentive, and the family rejects the unit without good cause, the family will forfeit their application's date and time. The family will keep their preferences, but the date and time of application will be changed to the date and time the unit was rejected.

If the family rejects with good cause any unit offered, they would not lose their place on the waiting list. Examples of good cause includes:

- ♦ The unit is not ready for move-in at the time of the offer of housing.
- ♦ Inaccessibility to source of employment, education or job training, children's daycare or educational program for children with disabilities, so that accepting the unit offer would require the adult household member to quit a job, drop out of an educational institution or job training

- ♦ program or take a child out of day care or an educational program for children with disabilities.
- ♦ The family demonstrates that accepting the offer will place a family member's life, health or safety in jeopardy. The family must provide specific and compelling documentation such as a restraining orders, other court orders or risk assessments from a law enforcement agency. Reasons offered must be specific to the family. Refusals due to location alone do not qualify for this good cause exemption.
- ♦ A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (each listed on final application) or live-in aide necessary to the care of the principal household member.
- ♦ The unit has lead paint and the family has children under the age of seven.
- ♦ The unit is inappropriate for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30-day notice to move.
- ♦ An elderly or disabled family makes the decision not to occupy or accept occupancy in designated housing.

If good cause is verified, the refusal of the offer shall not require the applicant to be dropped to the bottom of the waiting list or otherwise affect the family's position on the waiting list.

The Bay City Housing Commission will maintain a record of units offered, including location, date, and circumstances of each offer, and each acceptance or refusal, including the reason of the refusal.

10.8 ACCEPTANCE OF UNIT

The family will be required to sign a lease that will become effective no earlier than the business day the unit becomes available.

Prior to signing the lease all families (head of household) and other adult family members will be provided a Lease and Occupancy Orientation.

The applicant will be provided a copy of the lease, the grievance procedure, and a request for reasonable accommodation form. These documents will be explained in detail. The applicant will sign a certification that they have received these documents and that they have reviewed them with Housing Commission personnel. The certification will be filed in the tenant's file.

The signing of the lease and the review of financial information are to be privately handled. The head of household and all adult family members will be required to execute the lease prior to admission. One executed copy of the lease will be furnished to the head of household and the Bay City Housing Commission will retain the original executed lease in the tenant's file. A copy of the grievance procedure will be attached to the resident's copy of the lease.

The family will pay a security deposit at the time of lease signing. The security deposit will be equal to one month's total tenant payment (TTP).

10.9 EXCEPTIONS TO PAYMENT OF SECURITY DEPOSIT

In exceptional situations, the Bay City Housing Commission reserves the right to allow a new resident to pay their security deposit in up to three (3) payments. One third shall be paid in advance, one-third with their second rent payment, and one-third with their third rent payment. This accommodation shall be at the sole discretion of the Housing Commission and documented by a formal repayment agreement.

In the case of a move between Public Housing developments, the security deposit for the first unit will be transferred to the second unit. Additionally, if the security deposit for the second unit is greater than

that for the first, the difference will be collected from the family.

In the event there are costs attributable to the family for bringing the first unit into condition for re-renting, the family shall be billed for these charges.

10.10 SECTION 8 NEW CONSTRUCTION UNDER THE HUD-SUBSIDIZED MULTIFAMILY HOUSING PROGRAM

- A. The following project-specific requirements of the HUD-subsidized multifamily housing program apply to Pine Towers and Maplewood Manor and are in addition to those otherwise enumerated in this section.
- B. A designated “Elderly Project”, under the HUD-subsidized multifamily Section 8 New Construction Program, is limited to income-eligible applicants who are:
 - 1. Elderly Family – a family of one or two persons whose head or spouse or sole member is a person who is at least 62 years of age.
 - 2. Disabled Family – a family of one or two persons whose head or spouse or sole member is a person with disabilities.
 - 3. Near-Elderly Disabled Family – a family of one or two persons whose head, spouse or sole member is a person with disabilities who is at least 50 years of age but below the age of 62.
 - 4. To be eligible for Section 8 assistance, an applicant who is a student, is under 24 years of age, is not a veteran, is unmarried and does not have a dependent child, both the applicant and the applicant’s parents must meet the applicable income limits except as discussed in HUD’s Guidance on the Student Eligibility Rule.
- C. Citizenship Requirements – refer to Section 8.2, C.
- D. Social Security Number Requirements – refer to Section 8.2, D.
- E. Income Limits – (initial HAP contract pre-1981) refer to Section 8.2, B.
 - 1. Low-Income Families with incomes up to 80% of the Area Median Income (AMI), as adjusted annually by HUD for family size, are eligible.
 - 2. Notwithstanding the 80% AMI eligibility limit, annually at least 40% of new move-ins must be Extremely Low-Income families with incomes at or below 30% of AMI adjusted for family size. To achieve this statutory requirement, the Bay City Housing Commission will select eligible applicants in chronological order from the waiting list whose incomes are at or below the extremely low-income limit to fill the first 40% of expected vacancies in the property. Once this target has been reached, applicants will be admitted in waiting list order.
- F. Procedures for accepting applications and selecting from the waiting list.
 - 1. Taking Applications – refer to Section 7.0.
 - 2. Procedures for applying preferences.
 - a. Under authority of Section 651 of Title VI, Subtitle D of the Housing and Community Development Act of 1992, the Bay City Housing Commission has adopted the following selection preferences for Maplewood Manor:
 - i. Elderly Families

- ii. Near-Elderly Disabled Families
 - iii. Non-Elderly Disabled Families.
- b. Set-aside for Disabled Families – Notwithstanding the preferences established herein, a minimum of 18 dwelling units in Maplewood Manor are reserved for occupancy only by Disabled Families who are neither Elderly nor Near-Elderly Disabled Families.
 - c. If there is an insufficient number of Elderly Families available to fill units designated for Elderly Families, Near-Elderly Disabled Families will be given preference.
 - d. If there is an insufficient number of Near-Elderly Families available to fill units designated for Elderly Families, Non-Elderly Disabled Families will be given preference.
 - e. In the event that there is an insufficient number of Disabled Families available to fill the reservation of units designated for Disabled Families required in ii. above, units may be filled with Elderly or Near-Elderly Disabled Families; provided, however, that new applicants thereafter who are Disabled Families will be given first preference for occupancy until such time as the reservation is met.

10.11 ENTERPRISE INCOME VERIFICATION SYSTEM (EIV)

- A. As part of the final application process the Housing Commission will conduct an Existing Tenant Search through the EIV System to determine if the applicant or any applicant household members are currently being assisted at another Multifamily Housing (MF) or Public and Indian Housing (PIH) location.
- B. Discuss with the applicant if the report identifies that the applicant or a member of the applicant’s household is residing at another assisted location, giving the applicant the opportunity to explain any circumstances relative to his/her being assisted at another location. This may be the case where applicant wants to move from his/her present location or where two assisted families share custody of a minor child.
- C. Follow up with the respective PHA or O/A to confirm the individual’s program participation status before admission, if necessary, depending on the outcome of the discussion with the applicant. The report gives the Housing Commission the ability to coordinate move-out and move-in dates with the PHA or O/A of the property at the other location.
- D. Retain the search results with the application along with any documentation obtained as a result of contacts with the applicant and the PHA and/or O/A at the other location for three (3) years. If admitted the search results will be retained with the application for the term of tenancy plus three (3) years.

11.0 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME

To determine annual income, the Bay City Housing Commission counts the income of all family members, excluding the types and sources of income that are specifically excluded. Once the annual income is determined, the Bay City Housing Commission subtracts all allowable deductions (allowances) to determine the Total Tenant Payment.

11.1 INCOME

Annual income means all amounts, monetary or not, that:

- A. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member; or
- B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- C. Are not specifically excluded from annual income.

If it is not feasible to anticipate a level of income over a 12-month period (e.g. seasonal or cyclic income), or the Bay City Housing Commission believes that past income is the best available indicator of expected future income, the Bay City Housing Commission may annualize the income anticipated for a shorter period, subject to a re-determination at the end of the shorter period.

Annual income includes, but is not limited to:

- D. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.
- E. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession is included in income, except to the extent the withdrawal is a reimbursement of cash or assets invested in the operation by the family.
- F. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from an investment is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income includes the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD.
- G. The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability, or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of periodic amount. (However, deferred periodic amounts from supplemental security income and Social

Security benefits that are received in a lump sum amount or in prospective monthly amounts are excluded.)

- H. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay. (However, lump sum additions such as insurance payments from worker's compensation are excluded.)
- I. Welfare assistance.
 - 1. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income consists of:
 - a. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
 - b. The maximum amount that the welfare assistance agency could, in fact, allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this requirement is the amount resulting from one application of the percentage.
 - 2. Imputed welfare income
 - a. A family's annual income includes the amount of imputed welfare income (because of a specified welfare benefits reduction, as specified in notice to the Bay City Housing Commission by the welfare agency) plus the total amount of other annual income.
 - b. At the request of the Bay City Housing Commission, the welfare agency will inform the Bay City Housing Commission in writing of the amount and term of any specified welfare benefit reduction for a family member, and the reason for such reduction, and will also inform the Bay City Housing Commission of any subsequent changes in the term or amount of such specified welfare benefit reduction. The Bay City Housing Commission will use this information to determine the amount of imputed welfare income for a family.
 - c. A family's annual income includes imputed welfare income in family annual income, as determined at an interim or regular reexamination of family income and composition, during the term of the welfare benefits reduction (as specified in information provided to the Bay City Housing Commission by the welfare agency.)
 - d. The amount of imputed welfare income is offset by the amount of additional income a family receives that commences after the time the sanction was imposed. When such additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income is reduced to zero.
 - e. The Bay City Housing Commission will not include imputed welfare income in annual income if the family was not an assisted resident at the time of the sanction.

- f. If a resident is not satisfied that the Bay City Housing Commission has calculated the amount of imputed welfare income in accordance with HUD requirements, and if the Bay City Housing Commission denies the family's request to modify such amount, then the Bay City Housing Commission shall give the resident written notice of such denial, with a brief explanation of the basis for the Bay City Housing Commission's determination of the amount of imputed welfare income. The Bay City Housing Commission's notice shall also state that if the resident does not agree with the determination, the resident may grieve the decision in accordance with our grievance policy. The resident is not required to pay an escrow deposit for the portion of the resident's rent attributable to the imputed welfare income in order to obtain a grievance hearing.
- g. Relations with welfare agencies
 - 1. The Bay City Housing Commission will ask welfare agencies to inform it of any specified welfare benefits reduction for a family member, the reason for such reduction, the term of any such reduction any subsequent welfare agency determination affecting the amount or term of a specified welfare benefits reduction and if the welfare agency determines a specified welfare benefits reduction for a family member, and gives the Bay City Housing Commission written notice of such reduction, the family's annual incomes shall include the imputed welfare income because of the specified welfare benefits reduction.
 - 2. The Bay City Housing Commission is responsible for determining the amount of imputed welfare income that is included in the family's annual income as a result of a specified welfare benefits reduction as determined by the welfare agency, and specified in the notice by the welfare agency to the housing authority. However, the Bay City Housing Commission is not responsible for determining whether a reduction of welfare benefits by the welfare agency was correctly determined by the welfare agency in accordance with the welfare program requirements and procedures, or for providing the opportunity for review or hearing on such welfare agency determinations.
 - 3. Such welfare agency determinations are the responsibility of the welfare agency, and the family may seek appeal of such determinations through the welfare agency's normal due process procedures. The Bay City Housing Commission shall rely on the welfare agency notice to the Bay City Housing Commission of the welfare agency's determination of a specified welfare benefits reduction.
- J. Periodic and determinable allowances, such as alimony, child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling.
- K. All regular pay, special pay, and allowances of a member of the Armed Forces. (Special pay to a member exposed to hostile fire is excluded.)

11.2 EXCEPTIONS TO ANNUAL INCOME

Annual income does not include the following:

- A. Income from employment of children (including foster children) under the age of 18 years;
- B. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
- C. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses;
- D. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- E. Income of a live-in aide;
- F. The full amount of student financial assistance paid directly to the student or to the educational institution;
- G. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- H. The amounts received from the following programs:
 - 1. Amounts received under training programs funded by HUD;
 - 2. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - 3. Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and that are made solely to allow participation in a specific program;
 - 4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the Housing Commission or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time;
 - 5. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program;

6. Temporary, nonrecurring or sporadic income (including gifts);
7. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
8. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
9. Adoption assistance payments in excess of \$480 per adopted child;
10. For family members who enrolled in certain training programs prior to 10/1/99, the earnings and benefits resulting from the participation if the program provides employment training and supportive services in accordance with the Family Support Act of 1988, Section 22 of the 1937 Act (42 U.S.C. 1437t), or any comparable Federal, State, or local law during the exclusion period. For purposes of this exclusion the following definitions apply:
 - a. Comparable Federal, State or local law means a program providing employment training and supportive services that:
 - i. Is authorized by a Federal, State, or local law;
 - ii. Is funded by the Federal, State, or local government;
 - iii. Is operated or administered by a public agency; and
 - iv. Has as its objective to assist participants in acquiring employment skills.
 - b. Exclusion period means the period during which the family member participates in a program described in this section, plus 18 months from the date the family member begins the first job acquired by the family member after completion of such program that is not funded by public housing assistance under the 1937 Act. If the family member is terminated from employment with good cause, the exclusion period shall end.
 - c. Earnings and benefits means the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.
11. Earned Income Disregard, or EID (24 CFR 960.255), the incremental earnings due to employment during the 24-month period following date of hire shall be excluded. This exclusion (paragraph 11) will not apply for any family who concurrently is eligible for exclusion #10. This exclusion is available to families residing in Public Housing (qualified families) as follows:
 - a. Families whose annual income increases as a result of employment of a family member who was unemployed for one or more years previous to employment. "Previously unemployed" includes a person who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.
 - b. Families whose annual income increases **as a result of increased earnings** during the participation of a family member in any economic self-sufficiency or other job training program.

- c. Families whose annual income increases as a result of new employment or increased earnings of a family member during or within 6 months after receiving assistance, benefits or services under any State program for TANF (temporary assistance for needy families) or Welfare-to-Work (WTW) program.

During the 12-month period beginning on the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the Housing Commission will exclude from annual income any increase in income of the family member as a result of employment over prior income of that family member (baseline income). In the event that the family does not report the increase in income attributable to an otherwise qualified event until its next annual recertification and it was not otherwise required to do so, the Housing Commission will retroactively apply the beginning date of the 12-month period.

During the second 12-month period after the date a member of a qualified family is first employed or the family experiences an increase in annual income attributable to employment, 50% of the increased income shall be excluded from income.

The disallowance of increased income of an individual family member is limited to a lifetime 24-month period. It only applies for a maximum of 12 months of the 100% exclusion and a maximum of 12 months of the 50% exclusion starting from the date of the initial qualifying event.

Families eligible for and participating in EID prior to May 9, 2016 will continue to be governed by the requirements as existed immediately prior to that date.

While HUD regulations allow for the Housing Commission to offer an escrow account in lieu of having a portion of their income excluded under this paragraph, it is the policy of this Housing Commission to provide the exclusion in all cases.

12. Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts;
13. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
14. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
15. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits. These exclusions include:
 - a. The value of the allotment of food stamps
 - b. Payments to volunteers under the Domestic Volunteer Services Act of 1973
 - c. Payments received under the Alaska Native Claims Settlement Act

- d. Income from sub marginal land of the U.S. that is held in trust for certain Indian tribes
- e. Payments made under HHS's Low-Income Energy Assistance Program
- f. Payments received under the Job Training Partnership Act
- g. Income from the disposition of funds of the Grand River Band of Ottawa Indians
- h. The first \$2,000 per capita received from judgment funds awarded for certain Indian claims
- i. Amount of scholarships awarded under Title IV including Work Study
- j. Payments received under the Older Americans Act of 1965
- k. Payments from Agent Orange Settlement
- l. Payments received under the Maine Indian Claims Act
- m. The value of childcare under the Child Care and Development Block Grant Act of 1990
- n. Earned income tax credit refund payments
- o. Payments for living expenses under the Americorps Program
- p. Additional income exclusions provided by and funded by the Bay City Housing Commission

The Bay City Housing Commission will not provide exclusions from income in addition to those already provided for by HUD.

11.3 DEDUCTIONS FROM ANNUAL INCOME

The following deductions will be made from annual income:

- A. \$480 for each dependent;
- B. \$400 for any elderly family or disabled family;
- C. The sum of the following, to the extent the sum exceeds three percent of annual income.
 - 1. Unreimbursed medical expenses of any elderly family or disabled family; and
 - 2. Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed, but this allowance may not exceed the earned income

received by family members who are 18 years of age or older who are able to work because of such attendant care or auxiliary apparatus.

- D. Reasonable childcare expenses necessary to enable a member of the family to be employed or to further his or her education. This deduction shall not exceed the amount of employment income that is included in annual income.
- E. Child care expenses.

11.4 RECEIPT OF A LETTER OR NOTICE FROM HUD CONCERNING INCOME

- A. If a resident receives a letter or notice from HUD concerning the amount or verification of family income, the letter shall be brought to the person responsible for income verification within ten (10) days of receipt by the resident.
- B. The Housing Commission shall reconcile any difference between the amount reported by the resident and the amount listed in the HUD communication. This shall be done as promptly as possible.
- C. After the reconciliation is complete, the Bay City Housing Commission shall adjust the resident's rent beginning at the start of the next month unless the reconciliation is completed during the final five (5) days of the month then the new rent shall take effect on the first day of the second month following the end of the current month. In addition, if the resident had not previously reported the proper income, the Bay City Housing Commission shall do one of the following:
 - 1. Immediately collect the back rent due to the agency;
 - 2. Establish a repayment plan for the resident to pay the sum due to the agency;
 - 3. Terminate the lease and evict for failure to report income; or
 - 4. Terminate the lease, evict for failure to report income, and collect the back rent due to the agency.

11.5 COOPERATING WITH WELFARE AGENCIES

The Bay City Housing Commission will make its best efforts to enter into cooperation agreements with local welfare agencies under which the welfare agencies will agree:

- A. To target assistance, benefits and services to families receiving assistance in the Public Housing and Section 8 tenant-based assistance program to achieve self-sufficiency; and
- B. To provide written verification to the Bay City Housing Commission concerning welfare benefits for families applying for or receiving assistance in our housing assistance programs.

12.0 VERIFICATIONS

The Bay City Housing Commission will verify information related to waiting list preferences, eligibility, admission, and level of benefits prior to admission. Periodically during occupancy, items related to eligibility and rent determination shall also be reviewed and verified. Income, assets, and expenses will be verified, as well as disability status, need for a live-in aide and other reasonable accommodations; full time student status of family members 18 years of age and older; Social Security numbers; and citizenship/eligible non-citizen status. Age and relationship will only be verified in those instances where needed to make a determination of level of assistance.

12.1 ACCEPTABLE METHODS OF VERIFICATION

Age, relationship, U.S. citizenship, and Social Security numbers will generally be verified with documentation provided by the family. For citizenship, the family's certification will be accepted. (Or for citizenship documentation such as listed below will be required.) Verification of these items will include photocopies of the Social Security cards and other documents presented by the family, the INS SAVE approval code, and forms signed by the family.

Other information will be verified by third party verification. This type of verification includes written documentation with forms sent directly to and received directly by a source, not passed through the hands of the family. This verification may also be direct contact with the source, in person or by telephone. It may also be a report generated by a request from the Bay City Housing Commission or automatically by another government agency, i.e. the Social Security Administration. Verification forms and reports received will be contained in the applicant/tenant file. Oral third party documentation will include the same information as if the documentation had been written, i.e. name date of contact, amount received, etc. A valid and current form HUD-9886, Authorization for the Release of Information/Privacy Act Notice, for all household members aged 18 or older (Public Housing Program), or a valid and current form HUD-9887/9887-A, Notice and Consent for Release of Information, for all household members aged 18 or older (Multifamily Housing Program) shall be maintained in the tenant file.

Household members attaining the age of 18 after an initial move in or after an annual recertification shall, within ten (10) days of their birthday, sign one or both of these required forms as appropriate for the assistance being received. Failure of that individual to sign the appropriate form within this time shall result in the household being considered in non-compliance with the requirement for which their tenancy may be terminated. Notice will be given to the applicant/participant of the pending date of this required action at the time of move in or at the recertification immediately preceding the required action date. Third party verification of household information shall also be obtained in compliance with the U.S. Dept. of Housing and Urban Development's Up-Front Income Verification protocol (UIV) required by 24 CFR §5.234 and 42 USC 3544 via their computer-based Enterprise Income Verification System (EIV). These verifications shall include the following reports:

- A. Summary Report
- B. New Hire Report
- C. Deceased Tenant Report
- D. Income Report
- E. Income Discrepancy Report
- F. No Income Report
- G. Existing Tenant Search Report
- H. Multiple Subsidy Report
- I. Failed EIV Pre-Screening Report

J. Failed Verification Report

These EIV reports will constitute third party verification of the data contained therein.

EIV income reports are not available for applicants at the present time, requiring the use of third party verification techniques discussed herein. Within ninety (90) days of initial 50058/50059 move in report to HUD via their PIC/TRACS systems an Income Report for the new household will be reviewed to confirm/validate the income reported by the family, which will be printed and retained in the tenant file. Any income discrepancies resulting from this review will be resolved with the family within thirty (30) days of the date of the Income Report.

When third party verification cannot be obtained, the Bay City Housing Commission will accept documentation received from the applicant/tenant. Hand-carried documentation will be accepted if the Bay City Housing Commission has been unable to obtain third party verification in a 4-week period of time. Photocopies of the documents provided by the family will be maintained in the file.

When neither third party verification nor hand-carried verification can be obtained, the Bay City Housing Commission will accept a notarized statement signed by the head, spouse, or co-head. Such documents will be maintained in the file.

12.2 TYPES OF VERIFICATION

The chart below outlines the factors that may be verified and gives common examples of the verification that will be sought. Additional verifications for are included in Section 10.1."Preferences". To obtain written third party verification, the Bay City Housing Commission will send a request form to the source along with a release form signed by the applicant/tenant via first class mail.

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
General Eligibility Items		
Social Security Number	EIV	Original Social Security card; Original SSA-issued document w/ name/SSN; Original document issued by a federal, state, or local gov't agency w/ name/SSN
Citizenship	N/A	Signed certification, voter's registration card, birth certificate, etc.
Eligible immigration status	INS SAVE confirmation #	INS card
Disability	Letter from medical professional, SSI, etc	Proof of SSI or Social Security disability payments
Full time student status (if >18)	Letter from school	For high school students, any document evidencing enrollment

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
Need for a live-in aide	Letter from doctor or other professional knowledgeable of condition	N/A
Child care costs	Letter from care provider	Bills and receipts
Disability assistance expenses	Letters from suppliers, care givers, etc.	Bills and records of payment
Medical expenses	Letters from providers, prescription record from pharmacy, medical professional's letter stating assistance or a companion animal is needed	Bills, receipts, records of payment, dates of trips, mileage log, receipts for fares and tolls
Value of and Income from Assets		
Savings, checking accounts	Letter from institution	Passbook, most current statements
CDS, bonds, etc	Letter from institution	Tax return, information brochure from institution, the CD, the bond
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper or through Internet
Real property	Letter from tax office, assessment, etc.	Property tax statement (for current value), assessment, records or income and expenses, tax return
Personal property	Assessment, bluebook, etc	Receipt for purchase, other evidence of worth
Cash value of life insurance policies	Letter from insurance company	Current statement
Assets disposed of for less than fair market value	N/A	Original receipt and receipt at disposition, other evidence of worth
Income		
Earned income	UIV/EIV computer matching	Multiple pay stubs Letter from employer
Self-employed	N/A	Tax return from prior year, books of accounts

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
Regular gifts and contributions	Letter from source, letter from organization receiving gift (i.e., if grandmother pays day care provider, the day care provider could so state)	Bank deposits, other similar evidence
Alimony/child support	Court order, letter from source, letter from Human Services	Record of deposits, divorce decree
Periodic payments (i.e., social security, welfare, pensions, workers compensation, unemployment)	Letter or electronic reports from the source UIV/EIV computer matching	Award letter, letter announcing change in amount of future payments
Training program participation	Letter from program provider indicating <ul style="list-style-type: none"> - whether enrolled or completed - whether training is HUD-funded - whether Federal, State, local govt., or local program - whether it is employment training - whether it has clearly defined goals and objectives - whether program has supportive services - whether payments are for out-of-pocket expenses incurred in order to participate in a program - date of first job after program completion 	N/A Evidence of job start

12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS

The citizenship/eligible non-citizen status of each family member regardless of age must be determined.

Prior to being admitted, or at the first reexamination, all citizens and nationals will be required to sign a declaration under penalty of perjury. They will be required to show proof of their status by such means as a Social Security card, birth certificate, military ID, or military DD 214 Form.

Prior to being admitted or at the first reexamination, all eligible non-citizens who are 62 years of age or older will be required to sign a declaration under penalty of perjury. They will also be required to show proof of age.

Prior to being admitted or at the first reexamination, all eligible non-citizens must sign a declaration of their status and a verification consent form and provide their original INS documentation. The Bay City Housing Commission will make a copy of the individual's INS documentation and place the copy in the file. The Bay City Housing Commission will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the Bay City Housing Commission will mail

information to the INS in order that a manual check can be made of INS records.

Family members who do not claim to be citizens, nationals, or eligible non-citizens must be listed on a statement of non-eligible members and the list must be signed by the head of the household.

Non-citizen students on student visas, though in the country legally, are not eligible to be admitted to public housing.

Any family member who does not choose to declare their status must be listed on the statement of non-eligible members.

If no family member is determined to be eligible under this section, the family's eligibility will be denied.

The family's assistance will not be denied, delayed, reduced, or terminated because of a delay in the process of determining eligible status under this section, except to the extent that the delay is caused by the family.

If the Bay City Housing Commission determines that a family member has knowingly permitted an ineligible non-citizen (other than any ineligible non-citizens listed on the lease) to permanently reside in their public housing unit, the family will be evicted. Such family will not be eligible to be readmitted to public housing for a period of 24 months from the date of eviction or termination.

12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS

Except as provided for in section 8.2 D. 4) herein, prior to admission, each family member must provide documentation of their Social Security number. New family members must provide this documentation prior to being added to the lease. Copies of original hand-carried documents provided by the family shall be made and retained in the applicant/participant file until verified, after which they shall be destroyed as provided herein.

The best documentation of the Social Security number is the original Social Security card. If the card is not available, the Bay City Housing Commission will accept an original, recently issued (within 60 days) letter from the Social Security Agency that contains both the name and the Social Security number of the individual. Original documentation from other federal, state or local governmental agencies will also be accepted that contains the name and SSN of the individual. If a member of an applicant family indicates they have a Social Security number, but cannot readily document it, the family cannot be housed until verification is provided.

If a member of a tenant family cannot document a SSN the Housing Commission shall move to terminate the tenancy of the household. Except that, at its discretion, the Housing Commission may defer the family's termination and provide the family an opportunity to comply with the requirement within a period not to exceed ninety (90) calendar days if the Housing Commission determines that the failure to meet the SSN disclosure and documentation requirement was due to circumstances that could not have been foreseen, were outside the control of the family, and that there is a reasonable likelihood that the family will be able to comply by the deadline.

Once an individual's SSN has been verified through EIV, the copies of original documentation shall be removed by no later than the next reexamination of family income and composition and destroyed by either burning or shredding. Electronic documentation should be destroyed by erasing or permanently deleting the file. The retention of the verifying EIV report shall be maintained in the tenant file for the duration of tenancy and no longer than three years from the end of participation date.

12.5 VERIFICATION OF DISPLACEMENT

The applicant must provide documentation of displacement as a result of a federally declared disaster. Acceptable documentation includes copies of federal displacement notices or government notices indicating that an applicant is eligible for federal disaster relief benefits. If these notices are not available, the Bay City Housing Commission may accept a letter (on appropriate letterhead) from a government organization confirming that the applicant is being or has been displaced as a result of a federally declared disaster. If written documents cannot be obtained, the Bay City Housing Commission may verify the displacement by phone with an appropriate disaster relief office, and make a notation in the file as to the date of the oral verification.

12.6 TIMING OF VERIFICATION

Verification information must be dated within ninety (90) days of certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes.

When an interim reexamination is conducted, the Housing Commission will only verify and update those elements reported to have changed.

12.7 FREQUENCY OF OBTAINING VERIFICATION

For each family member, citizenship/eligible non-citizen status will be verified only once. This verification will be obtained prior to admission. If the status of any family member was not determined prior to admission, verification of their status will be obtained at the next regular reexamination. Prior to a new member joining the family, their citizenship/eligible non-citizen status will be verified.

For each family member verification of Social Security number will be obtained only once. This verification will be accomplished prior to admission. If a new family member who did not have a Social Security number at admission, a written declaration of an acceptable reason under penalty of perjury may be provided to the Housing Commission. If accepted, the declaration will be maintained in the tenant file and the member will receive an Alternate ID. The household will have ninety (90) days thereafter to disclose a Social Security number. If the SSN is not disclosed within that time period, the Housing Commission will move to terminate the family's lease.

13.0 DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT

13.1 FAMILY CHOICE

At admission and each year in preparation for their annual reexamination, each family in the Public Housing program will be given the choice of having their rent determined under the formula method or having their rent set at the flat rent amount. This choice is not available in Multi-family Program.

- A. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they would otherwise undergo.
- B. Families who opt for the flat rent may request to have a reexamination and return to the formula based method at any time for any of the following reasons:
 - 1. The family's income has decreased.
 - 2. The family's circumstances have changed increasing their expenses for childcare, medical care, etc.
 - 3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.
- C. Families have only one choice per year except for financial hardship cases. In order for families to make informed choices about their rent options, the Bay City Housing Commission will provide them with the following information whenever they have to make rent decisions:
 - 1. The Bay City Housing Commission's policies on switching types of rent in case of a financial hardship; and
 - 2. The dollar amount of tenant rent for the family under each option. If the family chose a flat rent for the previous year, the Bay City Housing Commission will provide the amount of income-based rent for the subsequent year only the year the Bay City Housing Commission conducts an income reexamination or if the family specifically requests it and submits updated income information.

13.2 THE FORMULA METHOD

The total tenant payment is equal to the highest of:

- A. 10% of monthly income;
- B. 30% of adjusted monthly income; or
- C. If the family is receiving payments for welfare assistance from a public agency and a part of those payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of those payments which is so designated. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount of calculated under this provision is the amount resulting from one application of the percentage; or
- D. The minimum rent of \$25.00.

13.3 MINIMUM RENT

The Bay City Housing Commission has set the minimum rent at \$25.00. However if the family requests a hardship exemption, the Bay City Housing Commission will immediately suspend the minimum rent for the family until the Housing Commission can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

- A. A hardship exists in the following circumstances:
 - 1. When the family has lost eligibility for or is waiting an eligibility determination for a Federal, State, or local assistance program, including a family that includes a member who is a non-citizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for title IV of the Personal Responsibility and Work Opportunity Act of 1996.
 - 2. When the family would be evicted as a result of the imposition of the minimum rent requirement;
 - 3. When the income of the family has decreased because of changed circumstances, including loss of employment;
 - 4. When a death has occurred in the family.
- B. No hardship. If the Housing Commission determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension.
- C. Temporary hardship. If the Housing Commission reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will be not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Commission will offer a repayment agreement in accordance with the Section 19 of this policy for any rent not paid during the period of suspension. During the suspension period the Housing Commission will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.
- D. Long-term hardship. If the Housing Commission determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists. However, reexaminations will be scheduled on a more frequent basis (90 days) until income stabilizes and an annual income can be determined.
- E. Appeals. The family may use the grievance procedure to appeal the Housing Commission's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

13.4 THE FLAT RENT

The Bay City Housing Commission has set a flat rent for each Public Housing unit. In doing so, it considered the size and type of the unit, as well as its condition, amenities, services, and neighborhood. The Bay City Housing Commission determined the market value of the unit and set the rent at the

market value. The amount of the flat rent will be reevaluated annually and adjustments applied. Affected families will be given a 30-day notice of any rent change. Adjustments are applied on the anniversary date for each affected family (for more information on flat rents, see Section 15.3).

The Bay City Housing Commission will post the flat rents at each of the developments and at the central office and are incorporated in this policy upon approval by the Board of Commissioners.

There is no utility reimbursement for families paying a flat rent.

13.5 CEILING RENT

The Bay City Housing Commission may set a ceiling rent for each Public Housing unit. The amount of the ceiling rent will be reevaluated annually and the adjustments applied. Affected families will be given a 30-day notice of any rent change. Adjustments are applied on the anniversary date for each affected family.

The Bay City Housing Commission will post the ceiling rents at each of the developments and at the central office and will be incorporated in this policy upon approval by the Board of Commissioners.

13.6 RENT FOR FAMILIES UNDER THE NONCITIZEN RULE

A mixed family will receive full continuation of assistance if all of the following conditions are met:

- A. The family was receiving assistance on June 19, 1995;
- B. The family was granted continuation of assistance before November 29, 1996;
- C. The family's head or spouse has eligible immigration status; and
- D. The family does not include any person who does not have eligible status other than the head of household, the spouse of the head of household, any parent of the head or spouse, or any child (under the age of 18) of the head or spouse.

If a mixed family qualifies for prorated assistance but decides not to accept it, or if the family has no eligible members, the family may be eligible for temporary deferral of termination of assistance to permit the family additional time for the orderly transition of some or all of its members to locate other affordable housing. Under this provision, the family receives full assistance. If assistance is granted under this provision prior to November 29, 1996, it may last no longer than three (3) years. If granted after that date, the maximum period of time for assistance under the provision is eighteen (18) months. The Bay City Housing Commission will grant each family a period of six (6) months to find suitable affordable housing. If the family cannot find suitable affordable housing, the Bay City Housing Commission will provide additional search periods up to the maximum time allowable.

Suitable housing means housing that is not substandard and is of appropriate size for the family. Affordable housing means that it can be rented for an amount not exceeding the amount the family pays for rent, plus utilities, plus 25%.

The family's assistance is prorated in the following manner:

- A. Step 1. Determine the total tenant payment (TTP) in accordance with 24 CFR 5.628 (Annual income includes income of all family members, including any family member who has not

established eligible immigration status).

- B. Step 2. Family maximum rent is equal to the applicable flat rent for the unit size to be occupied by the family.
- C. Step 3. Subtract the TTP from the family maximum rent. The result is the maximum subsidy for which the family could qualify if all members were eligible (“family maximum subsidy”).
- D. Step 4. Divide the family maximum subsidy by the number of persons in the family (all persons) to determine the maximum subsidy per each family member who has citizenship or eligible immigration status (“eligible family members”). The subsidy per eligible family member is the “member maximum subsidy”.
- E. Step 5. Multiply the member maximum subsidy by the number of family members who have citizenship or eligible immigration status (“eligible family members”). The product of this calculation is the “eligible subsidy”.
- F. Step 6. The mixed family TTP is the maximum rent minus the amount of the eligible subsidy.
- G. Step 7. Subtract any applicable utility allowance from the mixed family TTP. The result of the calculation is the “mixed family tenant rent”.

When the mixed family’s TTP is greater than the maximum rent, the Housing Commission must use the TTP as the mixed family TTP.

This method of prorating assistance applies to new admissions and annual reexaminations after the effective date of the regulation (24 CFR 5.520(d), effective April 7, 2016).

13.7 UTILITY ALLOWANCE

The Bay City Housing Commission shall establish a utility allowance for all check-metered utilities and for all tenant-paid utilities. The allowance will be based on a reasonable consumption of utilities by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful environment. In setting the allowance, the Bay City Housing Commission will review the actual consumption of tenant families as well as changes made or anticipated due to modernization (weatherization efforts, installation of energy-efficient appliances, etc). Allowances will be evaluated at least annually as well as any time utility rate changes by 10% or more since the last revision to the allowances.

The utility allowance will be subtracted from the family's formula to determine the amount of the Tenant Rent. The Tenant Rent is the amount the family owes each month to the Bay City Housing Commission. The amount of the utility allowance is then still available to the family to pay the cost of their utilities. Any utility cost above the allowance is the responsibility of the tenant. Any savings resulting from utility costs below the amount of the allowance belongs to the tenant. When the utility allowance exceeds the Total Tenant Payment or Minimum Rent (whichever is greater) the Bay City Housing Commission will, after notification to the tenant of the amount of the difference resulting there from, reimburse said difference to the utility suppliers on account of the tenant. Said utility reimbursement will be made on a 60/40 prorated basis between the electric/water utility supplier and the natural gas supplier.

Utility allowance revisions based on rate changes shall be effective retroactively to the first day of the month following the month in which the last rate change took place. Revisions based on changes in consumption or other reasons shall become effective at each family's next annual reexamination.

Families with high utility costs are encouraged to contact the Bay City Housing Commission for an energy analysis. The analysis may identify problems with the dwelling unit that once corrected will reduce energy costs. The analysis can also assist the family in identifying ways they can reduce their costs.

Requests for relief from surcharges for excess consumption of Bay City Housing Commission purchased utilities or from payment of utility supplier billings in excess of the utility allowance for tenant-paid utility costs may be granted by the Bay City Housing Commission on reasonable grounds. Requests shall be granted to families that include an elderly member or a member with disabilities. Requests by the family shall be submitted under the Reasonable Accommodation Policy. Families shall be advised of their right to individual relief at admission to public housing and at time of utility allowance changes.

Excess Utilities. For all elderly and disabled high rise units, tenants may supply their own air conditioner (8,000 BTU limit) or small freezer (8 cubic feet), however an *Excess Utility* charge of \$5.00 per appliance will be added to the tenant's monthly rent billing.

13.8 *PAYING RENT*

Rent and other charges are due and payable on the first day of the month. **All rent should be paid at the property office by check or money order, no cash is accepted.** Payment of rent will only be accepted with an original current rent statement issued by the Bay City Housing Commission.

Charges for Late Rent Payments and Returned Checks. If the Tenant does not pay the full amount of the rent shown in paragraph 3 of the Lease Agreement by the end of the 10th day of the month, the Landlord may collect a fee of \$25.00 on the 11th day of the month. The Landlord may not terminate this Agreement for failure to pay late charges, but may terminate this Agreement for non-payment of rent, as explained in paragraph 23 of the lease agreement. The Landlord may collect a fee of \$10.00 on the second or any additional time a check or automatic funds transfer is not honored for payment (bounces). No partial payment will be accepted. Full payments include rent, late fees, insufficient funds (NSF) bank charges, court fees, attorney fees and maintenance charges (if any). The charges discussed in this paragraph are in addition to the regular monthly rent payable by the Tenant.

Four (4) late payments in any 12-month period will be treated as a lease violation, subject to eviction action.

Exceptions to this rent payment standard will be allowed for state benefits vendor-paid directly to the Housing Commission on behalf of a resident, or, on a case-by-case basis, any other state or federal benefits received by the resident as a sole source of monthly income that would necessitate a reasonable accommodation; or to accommodate the initial payment of new tenants beginning occupancy; or for pre-approved payment agreements.

14.0 CONTINUED OCCUPANCY AND COMMUNITY SERVICE

14.1 GENERAL

Pursuant to federal regulations (24 CFR 960 Subpart F) as may be amended from time to time, in order to be eligible for continued occupancy, each adult family member in the Public Housing Program must either (1) contribute eight hours per month of community service (not including political activities) within the community in which the public housing development is located, or (2) participate in an economic self-sufficiency program unless they are exempt from this requirement.

14.2 EXEMPTIONS

The following adult family members of tenant families are exempt from this requirement.

- A. Family members who are under 18 years or 62 or older
- B. Family members who certifies that because of this disability she or he are blind or disabled as defined under Section 216(i)(1) or 1614 of the Social Security Act (42 U.S.C. 416(i)(1); 1382c), and who is unable to comply with this section, or is the primary caretaker of such individual.
- C. Family members who are the primary care giver for someone who is blind or disabled
- D. Family members engaged in work activity as defined in Section 407(d) of the Social Security Act (42 U.S.C. 604(d)).
- E. Family members who are exempt from work activity under part a title IV of the Social Security Act or under any other State welfare program, including the welfare-to-work program
- F. Family members receiving assistance under a State program funded under part a title IV of the Social Security Act or under any other State welfare program, including welfare-to-work and who are in compliance with that program

14.3 NOTIFICATION OF THE REQUIREMENT

The Bay City Housing Commission shall identify all adult family members who are apparently not exempt from the community service requirement.

The Bay City Housing Commission shall notify in writing all such family members of the community service requirement and of the categories of individuals who are exempt from the requirement. The notification will provide the opportunity for family members to claim and explain an exempt status. The Bay City Housing Commission shall verify such claims.

The notification will advise families that their community service obligation will begin upon the effective date of their first annual reexamination on or after October 1, 2000. For family's paying a flat rent, the obligation begins on the date their annual reexamination would have been effective had an annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of any subsequent annual reexamination.

14.4 COMMUNITY SERVICE OPPORTUNITIES

Community service includes performing work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident within the community.

An economic self-sufficiency program is one that is designed to encourage, assist, train, or facilitate the economic independence of participants and their families or to provide work for participants. These programs may include programs for job training, work placement, basic skills training, education, English proficiency, work fare, financial or household management, apprenticeship, and any program necessary to ready a participant to work (such as substance abuse or mental health treatment).

The Bay City Housing Commission will coordinate with social service agencies, local schools, and other community-based organizations in identifying a list of community service opportunities.

14.5 THE PROCESS

At the first annual reexamination on or after October 1, 2000, and each annual reexamination thereafter, the Bay City Housing Commission will do the following:

- A. Provide a list of volunteer opportunities to the family members.
- B. Provide information about obtaining suitable volunteer positions.
- C. Provide a volunteer time sheet to the family member. Instructions for the time sheet require the individual to complete the form and have a supervisor of the community-based organization date and sign for each period of work.
- D. Thirty (30) days before the family's next lease re-certification date, the resident will provide the Bay City Housing Commission evidence of applicable adult family member's compliance with the community service requirement.

14.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT

The Bay City Housing Commission will notify any family found to be in noncompliance of the following:

- A. The family member(s) has been determined to be in noncompliance;
- B. That the determination is subject to the grievance procedure; and
- C. That, unless the family member(s) enter into an agreement to comply, the lease will not be renewed or will be terminated;

14.7 OPPORTUNITY FOR CURE

The Bay City Housing Commission will offer the family member(s) the opportunity to enter into an agreement prior to the anniversary of the lease. The agreement shall state that the family member(s) agrees to enter into an economic self-sufficiency program or agrees to contribute to community service for as many hours as needed to comply with the requirement over the past 12-month period. The cure shall occur over the 12-month period beginning with the date of the agreement and the resident shall at

the same time stay current with that year's community service requirement. The first hours a resident earns goes toward the current commitment until the current year's commitment is made.

The Bay City Housing Commission will assist the family member in identifying volunteer opportunities and will track compliance on a monthly basis.

If any applicable family member does not accept the terms of the agreement, does not fulfill their obligation to participate in an economic self-sufficiency program, or falls behind in their obligation under the agreement to perform community service by more than three (3) hours after three (3) months, the Bay City Housing Commission shall take action to terminate the lease.

14.8 PROHIBITION AGAINST REPLACEMENT OF AGENCY EMPLOYEES

In implementing the service requirement, the Bay City Housing Commission may not substitute community service or self-sufficiency activities performed by residents for work ordinarily performed by its employees, or replace a job at any location where residents perform activities to satisfy the service requirement.

15.0 **RECERTIFICATIONS**

At least annually, the Bay City Housing Commission will conduct a reexamination of family income and circumstances. The results of the reexamination determine (1) the rent the family will pay, (2) whether the family is housed in the correct unit size, and (3) whether the family is compliant with program requirements for continued eligibility.

Suitability Screening for Recertification – As a part of the annual recertification process for all tenants, the Bay City Housing Commission shall obtain a current criminal background check in accordance with the suitability criteria established by Section 8.3 and Appendix III in effect at the time of recertification, including a State lifetime sex offender registration check*. If the background report indicates that the tenant is no longer in compliance with the suitability criteria the tenant’s lease and assistance may be terminated in accordance with the lease and the Bay City Housing Commission’s standards for termination of tenancy. The Bay City Housing Commission shall:

- a. Notify the household of the proposed action based on the information.
- b. Provide the subject of the criminal record and the tenant with a copy of the information and an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency.

Persons who are subject to a lifetime sex offender registration requirement who were admitted prior to June 25, 2001, the effective date of the Screening and Eviction of Drug Abuse and Other Criminal Activity final rule, must not be evicted unless they commit criminal activity while living in federally assisted housing or have some other lease violation, in which case the owner may terminate the tenancy and pursue eviction to the extent allowed by their lease and state or local law.

15.1 **GENERAL**

The Bay City Housing Commission will send a notification letter to the family letting them know that it is time for their annual reexamination, giving them the option of selecting either the flat rent or formula method, and scheduling an appointment if they are currently paying a formula rent. If the family thinks they may want to switch from a flat rent to a formula rent, they should request an appointment. At the appointment, the family can make their final decision regarding which rent method they will choose. The letter also includes, for those families paying the formula method, forms for the family to complete in preparation for the interview. The letter includes instructions permitting the family to reschedule the interview if necessary. The letter tells families who may need to make alternate arrangements due to a disability that they may contact staff to request an accommodation of their needs.

During the appointment, the Bay City Housing Commission will determine whether family composition may require a transfer to a different bedroom size unit, and if so, the family's name will be placed on the transfer list.

15.2 **MISSED APPOINTMENTS**

If the family fails to respond to the letter and fails to attend the interview, a second letter will be mailed. The second letter will advise of a new time and date for the interview, allowing for the same considerations for rescheduling and accommodation as above. The letter will also advise that failure by the family to attend the second scheduled interview will result in the Bay City Housing Commission taking eviction actions against the family.

15.3 FLAT RENTS

The annual letter to flat rent payers regarding the reexamination process will state the following:

- A. Each year at the time of the annual reexamination, the family has the option of selecting a flat rent amount in lieu of completing the reexamination process and having their rent based on the formula amount.
- B. The amount of the flat rent
- C. A fact sheet about formula rents that explains the types of income counted, the most common types of income excluded, and the categories allowances that can be deducted from income.
- D. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they otherwise would undergo.
- E. Families who opt for the flat rent may request to have a reexamination and return to the formula-based method at any time for any of the following reasons:
 - 1. The family's income has decreased.
 - 2. The family's circumstances have changed increasing their expenses for childcare, medical care, etc.
 - 3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.
 - 4. The family acknowledges that they may not return to the flat rent until their next regular annual recertification.
- F. The dates upon which the Bay City Housing Commission expects to review the amount of the flat rent, the approximate rent increase the family could expect, and the approximate date upon which a future rent increase could become effective.
- G. The name and phone number of an individual to call to get additional information or counseling concerning flat rents.
- H. A certification for the family to sign accepting or declining the flat rent.

Each year prior to their anniversary date, Bay City Housing Commission will send a reexamination letter to the family offering the choice between a flat and a formula rent. The opportunity to select the flat rent is available only at this time. At the appointment, the Bay City Housing Commission may assist the family in identifying the rent method that would be most advantageous for the family. If the family wishes to select the flat rent method without meeting with the Bay City Housing Commission representative, they may make the selection on the form and return the form to the Bay City Housing Commission. In such case, the Bay City Housing Commission will cancel the appointment.

15.4 THE FORMULA METHOD

During the interview, the family will provide all information regarding income, assets, expenses, and other information necessary to determine the family's share of rent. The family will sign the HUD consent form and other consent forms that later will be mailed to the sources that will verify the family circumstances.

Upon receipt of verification, the Bay City Housing Commission will determine the family's annual income and will calculate their rent as follows.

The total tenant payment is equal to the highest of:

- A. 10% of monthly income;
- B. 30% of adjusted monthly income; or
- C. The welfare rent.

The family will pay the greater of the total tenant payment or the minimum rent of \$25.00, but never more than the ceiling rent.

15.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATIONS

The new rent will generally be effective upon the anniversary date with thirty (30) days notice of any rent increase to the family.

If the rent determination is delayed due to a reason beyond the control of the family, then any rent increase will be effective the first of the month after the month in which the family receives a 30-day notice of the amount. If the new rent is a reduction and the delay is beyond the control of the family, the reduction will be effective as scheduled on the anniversary date.

If the family caused the delay, then any increase will be effective on the anniversary date. Any reduction will be effective the first of the month after the rent amount is determined.

15.6 INTERIM REEXAMINATIONS

During an interim reexamination, only the information affected by the changes being reported will be reviewed and verified.

Families are required to report any cumulative increase in household income that exceeds \$200 per month, for which an interim reexamination will be conducted.

Families are also required to report the following changes to the Bay City Housing Commission between regular reexaminations. If the family's rent is being determined under the formula method, these changes will trigger an interim reexamination. The family shall report these changes within ten (10) days of their occurrence.

- A. A member has been added to the family through birth or adoption or court-awarded custody.
- B. A household member is leaving or has left the family unit.

In order to add a household member other than through birth or adoption (including a live-in aide), the family must request that the new member be added to the lease. Adult children who have previously moved out will not be allowed to move back in to the dwelling unit unless it is determined that the move is essential for the mental or physical health of the tenant and it does not disqualify the family for the size unit it is currently occupying. Before adding the new member to the lease, the individual must complete an application form stating their income, assets, and all other information required of an applicant. The individual must provide their Social Security number and must verify their

citizenship/eligible immigrant status in accordance with Section 12.0 *Verification* above. The new family member will go through the screening process similar to the process for applicants. The Bay City Housing Commission will determine the eligibility of the individual before adding them to the lease. If the individual is found to be ineligible or does not pass the screening criteria, they will be advised in writing and given the opportunity for an informal review. If they are found to be eligible and do pass the screening criteria, their name will be added to the lease. At the same time, if the family's rent is being determined under the formula method, the family's annual income will be recalculated taking into account the circumstances of the new family member. The effective date of the new rent will be in accordance with paragraph 15.8 below.

Families are not required to, but may at any time, request an interim reexamination based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. Upon such request, the Bay City Housing Commission will take timely action to process the interim reexamination and recalculate the tenant's rent. However, the family will be required to report subsequent increases in income as noted above.

15.7 SPECIAL REEXAMINATIONS

If a family's income is too unstable to project for twelve (12) months, including families that temporarily have no income (\$0 renters) or have a temporary decrease in income, the Bay City Housing Commission may schedule special reexaminations every ninety (90) days until the income stabilizes and an annual income can be determined.

15.8 EFFECTIVE DATE OF RENT CHANGES DUE TO INTERIM OR SPECIAL REEXAMINATIONS

Unless there is a delay in reexamination processing caused by the family, any rent increase will be effective the first of the second month after the month in which the family receives notice of the new rent amount. If the family causes a delay, then the rent increase will be effective on the date it would have been effective had the process not been delayed (even if this means a retroactive increase).

If the new rent is a reduction and any delay is beyond the control of the family, the reduction will be effective the first of the month after the interim reexamination should have been completed.

If the new rent is a reduction and the family caused the delay or did not report the change in a timely manner, the change will be effective the first of the month after the rent amount is determined.

15.9 ENTERPRISE INCOME VERIFICATION (EIV)

At the **annual recertification** interview all tenants will be provided a copy of the "EIV & You" brochure (MF) or the "What You Should Know About EIV" brochure (PIH).

The following reports obtained through EIV will be used in the recertification process, **either annual or interim, or at other times as appropriate**:

Use of EIV Data - Management will use the following EIV income reports to fulfill its fiduciary responsibility to HUD in the managing of this property.

A. Income Report-

1. Management will **use this report each month** when processing 90 days after move-in, annual recertifications and at the time of all interim recertifications throughout the year. This report will be run at any time the Income Discrepancy is printed to ensure current and accurate data.

2. **Whenever the income or employment data in EIV is not the same as reported by the tenant,** management will independently verify any information by obtaining third party verification directly from the employer or by having the tenant request a current Award Letter from the SSA. Management will notify the tenant of the results of the third-party verification and request the tenant come into the office to discuss the results in accordance with Par 8-17 of HUD Handbook 4350.3 REV-1.
3. If management determines that the tenant had unreported or underreported income, **management will go back to the point in time of the discrepancy, up to 5 years,** and calculate the amount the tenant owes. The tenant will be obligated to reimburse management if they have been charged a rent less than required by the rent formula. If they are not able to pay the amount due, management will enter into a repayment agreement with the tenant to collect the funds over a specific period of time.
4. Documentation of the discrepancy along with the resolution of the discrepancy will be retained in the resident file.

B. Income Discrepancy Report

1. Management will **print this report at the time of each tenant's recertification** to review and resolve any discrepancies in income that are contained in the report. Since the income discrepancies reported in EIV are determined by comparing the wage, unemployment and social security benefits income reported by NDNH or SSA with the wage, unemployment and social security benefits income reported by the family and transmitted to TRACS, management will insure that the information in TRACS agrees with the information on the form HUD-50059 in the tenant's file. Management will correct any discrepant information in the TRACS database.
2. Management will **print the Income Discrepancy Report at the same time they print the Income Report,** at annual and interim recertification.
3. Management will retain a printed copy of the Income Discrepancy Report along with detailed information on the resolution of the reported discrepancy in the tenant file. This includes information on resolution of the discrepancy regardless of whether the discrepancy was found to be valid or invalid.

C. Summary Report

1. Management will use this report to determine identity verification status. This report will determine whether the personal identifiers (last name, date of birth, and social security number) match the SSA database and whether the applicant information indicates a person who is deceased according to the Social Security Administration data base.
2. Management will **run this report at the time of annual and interim recertifications** and resolve the status of any household member(s) with a failed or deceased status and a review of the validity of the Social Security Number.
3. Management will **retain a copy of the report in the tenant file** for all household members with a status of verified. Residents who are exempt (tenants who were 62 years of age or older as of 1/31/2010 and whose eligibility was begun before 1/31/2010 and individuals who do not content eligible immigration status) are not required to disclose and provide documentation of their social security number.

D. No Income Report

1. Management will use this report **at the time of every tenant's recertification** to see if the report lists the tenant as receiving employment or income from either SSA or NDNH records.
2. Management is utilizing an income checklist at each certification to ensure that the right questions are asked of tenants, to give them an opportunity to disclose any income they receive.

E. Zero Income Tenants Report

1. It is management's policy to verify the status of tenants reporting zero income **every ninety days**.
2. To ensure the accuracy of the tenant's report, management will utilize the No Income Report **on a monthly basis** for implementing this policy.

F. New Hires Report

1. Management will use this report to determine if any tenant in their property has started a new job. Because tenants are required in their lease to report changes in income when the family's income cumulatively increase by \$200 or more per month, management will be proactive in assuring that tenants are making this required report in **a timely manner**, thus eliminating/reducing the amount of retroactive rent repayments.
2. Management will utilize this report each month.

Use of Other Verification Reports

A. Existing Tenant Search

1. Management will use this report **during each applicant screening** to determine if there may be applicants who are currently residing at another multifamily assisted property or Public and Indian Housing (PIH) community **at the time of application processing**.
2. If it is found that an applicant is residing at a multifamily assisted or PIH community, management will discuss this with the applicant, giving the applicant the opportunity to explain any circumstances relative to his/her being assisted at another location, such as their intention to move from their existing location.

B. Multiple Subsidy Report

1. Management will use this report on a **monthly basis** to identify any tenants in the property who may be receiving a rental subsidy at another assisted multifamily or PIH property.
2. If the report shows that a tenant is being assisted at another location, management will discuss this with the tenant, giving the tenant the opportunity to explain any circumstances relative to his/her being assisted at another location. In addition, management will follow-up with the respective PHA or O/A to confirm that the tenant is being assisted at the other location.
3. Depending on the results of this investigation, management may need to take action to terminate the tenant's assistance or tenancy.

C. Identity Verification Report - **Each month** management will use the following reports to clear any invalid, discrepant or missing information in the TRACS database.

1. Failed EIV Pre-Screening Report

- a. Management will **use this report monthly** to identify those tenants that did not pass the pre-screening test and the reason(s) they did not pass, whether due to invalid or missing personal identifiers, so that the errors can be corrected.
- b. Management will confirm with the affected tenant their SSN, DOB and/or last name, and will obtain third party verification or documentation to support the tenant's personal identifiers and the accuracy of the information on the form HUD-50059 in the tenant's file and in TRACS.
- c. Management will correct any discrepant information in the TRACS system so that the tenant will be included in the TRACS file provided to EIV for inclusion in the SSA identity match.

2. Failed Verification Report (Failed the SSA Identity Test)

- a. Management will **use this report monthly** to identify household members who failed the SSA identity match due to invalid personal identifiers (SSN, last name or DOB), as well as, to identify deceased household members.
- b. To correct errors, management will confirm with the affected tenant their SSN, DOB and/or last name, and obtain third party verification or documentation to support the tenant's personal identifiers and the accuracy of the form HUD-50059 and TRACS data.
- c. Management will correct any discrepant information in the TRACS system so that the tenant will be included in the match against SSA and NDNH data.
- d. In addition, management will encourage the tenant to contact the SSA to correct any inaccurate data in their databases if the personal identifiers on the form HUD-50059 and in TRACS are accurate.

D. Deceased Tenant Report

1. Management will **run this report monthly** to determine if any of their tenants are reported by SSA as being deceased.
2. Management will confirm with the head-of-household, next of kin or emergency contact person whether or not the person is deceased.
3. If resident is confirmed to be deceased, they will update the family composition on the form HUD-50059, or in the case of a deceased single member of a household, process a form HUD-50059-A to terminate tenancy.

Appendix 1 hereto lists all EIV reports, their required or recommended use and procedures for file documentation and retention.

16.0 UNIT TRANSFERS

16.1 OBJECTIVES OF THE TRANSFER POLICY

The objectives of the Transfer Policy are:

- A. To address emergency situations.
- B. To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriate size unit.
- C. To facilitate relocation when required for modernization or other management purposes.
- D. To facilitate relocation of families with inadequate housing accommodations.
- D. To provide an incentive for families to assist in meeting the Bay City Housing Commission's deconcentration goal.
- E. To eliminate vacancy loss and other expense due to unnecessary transfers.

16.2 CATEGORIES OF TRANSFERS

Category A: Emergency transfers. These transfers are necessary when conditions pose an immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, the health condition of a family member, a hate crime, domestic violence such as those covered by VAWA, the safety of witnesses to a crime, or a law enforcement matter particular to the neighborhood.

Category B: Immediate administrative transfers. These transfers are necessary in order to permit a family needing accessible features to move to a unit with such a feature or to enable modernization work to proceed.

Category C: Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain Bay City Housing Commission occupancy goals, to correct occupancy standards where the unit size is inappropriate for the size and composition of the family, to allow for non-emergency but medically advisable transfers, and other transfers approved by the Bay City Housing Commission when a transfer is the only or best way of solving a serious problem.

16.3 DOCUMENTATION

When the transfer is at the request of the family, the family may be required to provide third party verification of the need for the transfer.

16.4 INCENTIVE TRANSFERS

Transfer requests will be encouraged and approved for families who live in a development where their income category (below or above 30% of area median) predominates and wish to move to a development where their income category does not predominate.

Families approved for such transfers will meet the following eligibility criteria:

- A. Have been a tenant for three years;
- B. For a minimum of one year, at least one adult family member is enrolled in an economic self-sufficiency program or is working at least thirty-five (35) hours per week, the adult family members are 62 years of age or older or are disabled or are the primary care givers to others with disabilities;

- C. Adult members who are required to perform community service have been current in these responsibilities since the inception of the requirement or for one year whichever is less;
- D. The family is current in the payment of all charges owed the Bay City Housing Commission and has not paid late rent for at least one year;
- E. The family passes a current housekeeping inspection and does not have any record of housekeeping problems during the last year;
- F. The family has not materially violated the lease over the past two years by disturbing the peaceful enjoyment of their neighbors, by engaging in criminal or drug-related activity, or by threatening the health or safety of tenants or Housing Commission staff.
- G. Participates in a series of classes recommended by the Bay City Housing Commission on basic home and yard care.

16.5 PROCESSING TRANSFERS

Written request for transferring to a different unit may be made by completing “REQUEST FOR UNIT TRANSFER and selecting the category to which the request for transfer applies. Transfers on the waiting list will be prioritized by the selected categories, the highest priority being “A” and the lowest being “C”, and within each category, by date and time stamped.

Transfers in category A and B will be housed ahead of any other families, including those on the applicant waiting list. Transfers in category A will be housed ahead of transfers in category B.

Transfers in category C will be housed along with applicants for admission at a ratio of one transfer for every seven admissions.

Upon offer and acceptance of a unit, the family will execute all lease up documents and pay any rent and/or security deposit within two (2) days of being informed the unit is ready to rent or sign a repayment agreement to cover any additional rent or security deposit. The family will be allowed fifteen (15) days to complete a transfer. The family will be responsible for paying rent at the old unit as well as the new unit for any period of time they have possession of both if it exceeds fifteen (15) days.

The following is the policy for the rejection of an offer to transfer:

- A. If the family rejects with good cause, as defined in Section 10.7, any unit offered, they will not lose their place on the transfer waiting list.
- B. If the transfer is required by the Bay City Housing Commission and the family rejects an offer without good cause, the Bay City Housing Commission will take action to terminate their tenancy. If the reason for the transfer is that the current unit is too small to meet the Bay City Housing Commission’s optimum occupancy standards, the family may request in writing to stay in the unit without being transferred so long as their occupancy will not exceed two people per living/sleeping room and there is no other violation of local codes or ordinances.
- C. If the transfer is being made at the family’s request and the rejected offer provides deconcentration incentives, the family will maintain their place on the transfer list and will not otherwise be penalized.
- D. If the transfer is being made at the family’s request, the family may, without good cause and

without penalty, turn down one offer. After turning down a second such offer, the family's name will be removed from the transfer list.

- E. All transfer actions are subject to the Bay City Housing Commission's grievance procedure.

16.6 COST OF THE FAMILY'S MOVE

The cost of the transfer generally will be borne by the family in the following circumstances:

- A. When the transfer is made at the request of the family or by others on behalf of the family (i.e. by the police);
- B. When the transfer is needed to move the family to an appropriately sized unit, either larger or smaller;
- C. When the transfer is necessitated because a family with disabilities needs the accessible unit into which the transferring family moved (The family without disabilities signed a statement to this effect prior to accepting the accessible unit); or
- D. When the transfer is needed because action or inaction by the family caused the unit to be unsafe or uninhabitable.

The cost of the transfer will be borne by the Bay City Housing Commission in the following circumstances:

- A. When the transfer is needed in order to carry out rehabilitation activities; or
- B. When action or inaction by the Bay City Housing Commission has caused the unit to be unsafe or inhabitable.

The responsibility for moving costs in other circumstances will be determined on a case-by-case basis.

16.7 TENANTS IN GOOD STANDING

When the transfer is at the request of the family, it will not be approved unless the family is in good standing with the Bay City Housing Commission. This means the family must be in compliance with their lease, current in all payments to the Housing Commission, and must pass a housekeeping inspection.

16.8 TRANSFER REQUESTS

A tenant may request a transfer at any time by completing a transfer request form. In considering the request, the Bay City Housing Commission may request a meeting with the tenant to better understand the need for transfer and to explore possible alternatives. The Bay City Housing Commission will review the request in a timely manner and if a meeting is desired, it shall contact the tenant within ten (10) business days of receipt of the request to schedule a meeting.

The Bay City Housing Commission will grant or deny the transfer request in writing within ten (10) business days of receiving the request or holding the meeting, whichever is later.

If the transfer is approved, the family's name will be added to the transfer waiting list.

If the transfer is denied, the denial letter will advise the family of their right to utilize the grievance

procedure.

16.9 RIGHT OF THE BAY CITY HOUSING COMMISSION IN TRANSFER POLICY

The provisions listed above are to be used as a guide to insure fair and impartial means of assigning units for transfers. It is not intended that this policy will create a property right or any other type of right for a tenant to transfer or refuse to transfer.

16.10 TRANSFERS BETWEEN HOUSING PROGRAMS

Transfers between units in the Public Housing program from the Multifamily Housing program to the Public Housing program, do not require the processing of additional eligibility verifications. However, if a transfer from the Public Housing program to the Multifamily Housing program has been requested, it can only be approved after eligibility verifications for entry into the Multifamily Housing program have been conducted and verified.

17.0 INSPECTIONS

Pre-Move In Inspection. An authorized representative of the Bay City Housing Commission and an adult family member will inspect the premises prior to commencement of occupancy. and a copy given to the family member.

Move-Out An authorized Bay City Housing Commission representative will inspect the premises at the time the resident vacates and will furnish a statement of any charges to be made provided the resident turns in the proper notice under State law. The resident's security deposit can be used to offset against any Bay City Housing Commission charges for repairs for tenant-caused damages to the unit.

17.1 MOVE-IN INSPECTIONS

- A. **Move-In Inventory.** The Bay City Housing Commission and an adult member of the family will inspect the unit prior to signing the lease. A written statement of the condition of the premises will be made, all equipment will be provided, and the statement will be signed by both parties. A copy of the signed inspection will be given to the family and the original will be placed in the tenant file.
- B. **Move-In Personal Property Inspections.** These inspections are conducted by the Bay City Housing Commission staff as the tenant arrives with his/her personal property and immediately prior to being given possession of the unit. This inspection has been incorporated into the policies and procedures to help prevent pest (such as bed bugs) from being introduced into the property.

17.2 ANNUAL INSPECTIONS

The Bay City Housing Commission will inspect each of its housing units annually to ensure that each unit meets the Bay City Housing Commission's housing standards. Work orders will be submitted and completed to correct any deficiencies.

17.3 PREVENTATIVE MAINTENANCE INSPECTIONS

This is generally conducted along with the annual inspection. This inspection is intended to keep items in good repair. It checks weatherization; checks the condition of the smoke detectors, water heaters, furnaces, automatic thermostats and water temperatures; checks for leaks; and provides an opportunity to change furnace filters and provide other minor servicing that extends the life of the unit and its equipment.

17.4 SPECIAL INSPECTIONS

A special inspection may be scheduled to enable HUD or others to inspect a sample of the housing stock maintained by the Bay City Housing Commission.

17.5 HOUSEKEEPING INSPECTIONS

Generally, at the time of annual reexamination, or at other times as necessary, the Bay City Housing Commission will conduct a housekeeping inspection to ensure the family is maintaining the unit in a safe and sanitary condition.

17.6 NOTICE OF INSPECTION

For inspections defined as annual inspections, preventative maintenance inspections, special inspections, and housekeeping inspections the Bay City Housing Commission will give the tenant at least two (2) days

written notice.

17.7 EMERGENCY INSPECTIONS

If any employee and/or agent of the Bay City Housing Commission have reason to believe that an emergency exists within the housing unit, the unit can be entered without notice. The person(s) that enters the unit will leave a written notice to the resident that indicates the date and time the unit was entered and the reason why it was necessary to enter the unit.

17.8 PRE-MOVE-OUT INSPECTIONS

When a tenant gives notice of their “intent” to move, the Bay City Housing Commission will schedule a pre-move-out inspection with the family. The inspection allows the Bay City Housing Commission to help the family identify any problems, which, if left uncorrected, could lead to an assessment of charges when the Move-Out Inspections are finalized. This inspection is a courtesy to the family and has been found to be helpful both in reducing costs to the family and in enabling the Bay City Housing Commission to ready units more quickly for the future occupants.

17.9 MOVE-OUT INSPECTIONS

The Bay City Housing Commission conducts the move-out inspection after the tenant vacates the leased premises to assess the condition of the unit and determine responsibility for any needed repairs. When possible, the tenant is notified of the inspection and is encouraged to be present. This inspection becomes the basis for any claims that may be assessed against the Tenant’s security deposit or included in a claim for reimbursement for any amounts exceeding the security deposit.

18.0 PET POLICY (Adopted 10/13/2018)

18.1 EXCLUSIONS

This policy does not apply to animals that are used to assist, support or provide service to persons with disabilities except as herein noted. Assistive animals are allowed in all public housing facilities with no restrictions other than those imposed on all tenants and their guests to maintain their units and associated facilities in a decent, safe, and sanitary manner, to refrain from disturbing their neighbors and for licensing in accordance with local animal control regulations.

18.2 PET OWNERSHIP

The Bay City Housing Commission will allow for responsible pet ownership in its projects or buildings under the terms and conditions set forth herein in accordance with 24 CFR Parts 5 and 960.

18.3 APPROVAL

Residents must have the prior approval of the Housing Commission before moving a pet into their unit. Residents must request approval on the Authorization for Pet Ownership. This form must be fully completed and the pet deposit paid before the Housing Commission will approve the request. Residents must have an established record of good housekeeping practices and rent payment, including charges for services, must be current as a pre-condition of pet ownership. The Bay City Housing Commission reserves the right to periodically inspect the premises to insure proper housekeeping standards are maintained after a pet has been approved.

	SERVICE DOGS	THERAPY DOGS	EMOTIONAL SUPPORT ANIMALS
COMPARISON	SERVICE DOGS	THERAPY DOGS	EMOTIONAL SUPPORT
 ADA covered: Rights to bring animal into public establishments			
 Needs to tolerate a wide variety of experiences, environments, people			
 May live with their Disabled owners, even if "No Pets" policy in place			
 Primary function is to provide emotional support, through companionship			
 Specifically trained to assist just one person			
 Provide emotional support and comfort to many people			

18.4 TYPES AND NUMBER OF PETS

The Bay City Housing Commission will allow only common household pets including domesticated dogs, cats, caged birds, and fish in aquariums in dwelling units. All dogs and cats must be licensed by Bay County and spayed/neutered and verified by a veterinarian. Licenses must be attached to collars worn by pets at all times. Evidence of annual license renewal must be provided each year at the family's annual re-certification. All costs associated with neutering, inoculations and licensing shall be the responsibility of the resident.

Only one (1) pet per dwelling unit is allowed. For the purposes of this policy, aquariums from ten (10) gallons to thirty (30) gallons and no more than two (2) birds in one (1) cage shall be considered one pet. No breeding of any pet is allowed.

No livestock or any animal deemed to be potentially harmful to the health or safety of others, including attack or fight trained dogs, nor exotic pets such as snakes, lizards or rodents, will be allowed.

No animal may exceed twenty (20) pounds in adult weight.

18.5 INOCULATIONS

In order to be registered, pets must be appropriately inoculated against rabies and other conditions prescribed by local ordinances necessary for local licensing, which shall be renewed annually as required at the residents cost.

18.6 PET DEPOSIT/ CHARGE

A pet deposit equal to one-half (1/2) of the tenant's computed security deposit or current TTP, whichever is greater, is payable at the time of registering a pet. The deposit is refundable when the pet or the family vacates the unit, less any amounts due to damages beyond normal wear and tear caused by the pet. Additionally, to defray the reasonable operating costs due to the presence of pets in family developments, a monthly recurring non-refundable pet charge of five dollars (\$5.00) is payable by Family Households in advance at the time all obligations of registering a pet have been met and approved. The pet charge will continue thereafter, due and payable on the first day of each month, until the pet is no longer in the dwelling unit or the family vacates the unit, whichever comes first. At the option of the family, the pet charge may be paid yearly in advance at the discounted rate of fifty dollars (\$50.00).

18.7 OBLIGATIONS OF RESIDENTS

The Tenant of a unit is, at all times, responsible for the condition of his/her unit and other responsibilities in accordance to the Model Lease Agreement. Any pet-related insect infestation in the pet owner's dwelling unit will be the financial responsibility of the pet owner. The Bay City Housing Commission reserves the right to obtain professional extermination services and charge the resident for costs incurred.

Pet restraint: Pets shall be appropriately and effectively restrained and under the control of a responsible individual while on the common areas of the project.

The pet rules adopted herein shall not conflict with applicable State or local law or regulations. If such a conflict may exist, the State and local law or regulations shall apply.

18.8 NUISANCE OR THREAT TO HEALTH OR SAFETY

The pet, its living quarters and the grounds of the resident's dwelling unit must be maintained in a manner to prevent odors and any other unsanitary conditions in the owner's unit and surrounding areas. In Elderly Buildings pet is to be encased or restrained (carrier or muzzle and leash) when in public areas of the building outside the resident's dwelling unit. The pet must be accompanied at all times by a person who is able to control it. Before acquiring a pet, the resident must have on file a notarized statement in their file naming the person(s) accepting responsibility for the care of the pet in case of illness, incapacitation or absence of the resident. If the person(s) named on the statement is not available in a situation described herein regarding the care of the pet, the pet will be removed by the Housing Commission, and all costs thereof shall be the responsibility of the resident.

Repeated substantiated complaints by neighbors, Bay City Housing Commission personnel or Animal Control/Law Enforcement officials regarding pets disturbing the peace of neighbors through noise, odor, animal waste, or other nuisance or violations of this policy will result in the owner having to remove the pet in accordance with the following:

- 1st violation – written warning
- 2nd violation – written 6 month probation
- 3rd violation – order to remove pet

This shall include the interference of any pet with the proper and rightful conduct of Housing Commission staff

in the prosecution of their duties and responsibilities when entering a dwelling unit after proper notification or to respond to an emergency situation. Failure to comply with an order to remove a pet will be considered a lease violation.

18.9 DESIGNATION OF PET AREAS

Common household pets allowed by this policy must be kept in the owner's dwelling unit or under a person's direct personal control at all times when outside (no outdoor cages, pens, coops, houses or runs may be constructed). Pets will be allowed only in designated areas on the grounds of the projects. No pet will be allowed to be left unattended or to run at large in any yard or in general regardless of whether the yard is fenced. Pet owners must clean up after their pets and are responsible for properly disposing of pet waste.

18.10 VISITING PETS

No visiting pets shall be allowed on Housing Commission property unless registered and approved as provided herein. This does not apply to animals that assist persons with disabilities who are otherwise legally the guest of residents.

8.11 REMOVAL OF PETS

The Bay City Housing Commission, or an appropriate community agency, shall require the removal of any pet from a project if the pet's conduct or condition is determined to be a nuisance or threat to the health, safety or right to peaceable accommodations of other occupants of the project, employees of the Housing Commission, or of other persons in the community where the project is located.

19.0 REPAYMENT AGREEMENTS

When a resident owes the Bay City Housing Commission back charges and is unable to pay the balance by the due date, the resident may request that the Bay City Housing Commission allow them to enter into a Repayment Agreement. The Bay City Housing Commission has the sole discretion of whether to accept such an agreement. All Repayment Agreements must assure that the full payment is made within a period not to exceed twelve (12) months. All Repayment Agreements must be in writing and signed by both parties. Failure to comply with the Repayment Agreement terms may subject the Resident to eviction procedures.

20.0 TERMINATION

20.1 TERMINATION BY TENANT

The tenant may terminate the lease at any time upon submitting a (thirty) 30-day written notice. If the tenant vacates prior to the end of the thirty (30) days, they will be responsible for rent through the end of the notice period.

20.2 TERMINATION BY THE HOUSING COMMISSION

After 10/1/2000 the Bay City Housing Commission will not renew the lease of any family, in the Public Housing or Multifamily Subsidized Housing programs, that is not in compliance with the community service requirement or an approved Agreement to Cure. If they do not voluntarily leave the property, eviction proceedings will begin.

The Bay City Housing Commission will terminate the lease for serious or repeated violations of material lease terms. Such violations include but are not limited to the following:

- A. Nonpayment of rent or other charges;
- B. A history of late rental payments (four (4) or more times in any 12-month period);
- C. Failure to provide timely and accurate information regarding family composition and related Social Security numbers, income circumstances, or other information related to eligibility or rent, including failure to have all adult household members execute annual authorizations and consent for the release of information and federal Privacy Act statements (HUD-9886 and/or HUD-9887/9887-A);
- D. Failure to allow inspection of the unit after proper notice has been served;
- E. Failure to maintain the unit in a safe and sanitary manner;
- F. Assignment or subletting of the premises;
- G. Use of the premises for purposes other than as a dwelling unit (other than for Housing Commission approved resident businesses);
- H. Destruction of property;
- I. Acts of destruction, defacement, or removal of any part of the premises or failure to cause guests to refrain from such acts;
- J. Any criminal activity by the tenant, member of the tenant's household or guests or other persons under the tenant's control that threatens the health, safety or right to peaceful enjoyment of the premises by other residents, staff or threatens the health, safety or right to peaceful enjoyment of their residences by persons residing in the immediate vicinity of the premises or any drug-related criminal activity on or off the premises. This includes but is not limited to the manufacture of methamphetamine on the premises of the Bay City Housing Commission;
- K. Non-compliance with Non-Citizen Rule requirements;

- L. Permitting persons not on the lease to reside in the unit more than fourteen (14) days each year without the prior written approval of the Housing Commission; and
- M. Other good cause including, but no limited to, instances of a disregard rules of occupancy or other conduct of the resident or his/her guests, including an abuse or pattern of abuse of alcohol as would be likely to interfere with other residents, staff or neighbors health, safety or right to peaceably enjoy their accommodations or would adversely affect the health, safety or welfare, or that of the development.

The Bay City Housing Commission will take immediate action to evict any household that includes an individual who is subject to a lifetime registration requirement under a State sex offender registration program; is fleeing to avoid prosecution, or custody or confinement after conviction, for a crime or attempt to commit a crime, that is a felony under the laws of the place from which the individual fees; or that is violating a condition of probation or parole imposed under federal or state law.

20.3 DOMESTIC VIOLENCE

Please review this section in conjunction with Section 1.0 Violence Against Women (VAWA). The Bay City Housing Commission's goals, objectives and policies that enable it to serve the needs of child and adult victims of domestic violence, dating violence and stalking, as defined in VAWA, are stated in the BCHC's VAWA Policy and are incorporated herein by reference. To the extent any provision of the VAWA Policy shall vary or contradict any previously adopted policy or procedure of the BCHC, the provisions of the VAWA Policy shall prevail.

- A. An incident or incidents or actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence, and shall not be good cause for terminating the assistance, tenancy, or occupancy rights of the victim of such violence.
- B. The Bay City Housing Commission may terminate the assistance to remove a lawful occupant or tenant who engages in criminal acts or threatened acts of violence or stalking to family members or others without terminating the assistance or evicting victimized lawful occupants.
- C. The Bay City Housing Commission shall honor orders entered by courts of competent jurisdiction affecting individuals assisted by the Bay City Housing Commission and their property. This includes cooperating with law enforcement authorities to enforce civil protection orders issued for the protection of victims and addressing the distribution of personal property among household members in cases where a family "breaks up."
- D. There is no limitation on the ability of the Bay City Housing Commission to evict for other good cause unrelated to the incident or incidents of domestic violence, dating violence or stalking, other than the victim may not be subject to a "more demanding standard" than non-victims.
- E. There is no prohibition on the Bay City Housing Commission evicting if it "can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant's (victim's) tenancy is not terminated."
- F. Any protections provided by law which give greater protection to the victim are not superseded by these provisions.
- G. The Bay City Housing Commission may require certification by the victim of victim status on such forms as the Bay City Housing Commission and/or HUD shall prescribe or approve.

20.4 ABANDONMENT

The Bay City Housing Commission will consider a unit to be abandoned when a resident has both fallen behind in rent and has clearly indicated by words or actions an intention not to continue living in the unit.

When a unit has been abandoned, a Bay City Housing Commission representative may enter the unit and remove any abandoned property. It will be stored in a reasonably secure place. A notice will be mailed to the resident stating where the property is being stored and when it will be sold. If the Bay City Housing Commission does not have a new address for the resident, the notice will be mailed to the unit address so it can be forwarded by the post office.

The Bay City Housing Commission lease agreement specifies the method and process for disposal of personal property.

Any money raised by the sale of the property goes to cover money owed by the family to the Bay City Housing Commission such as back rent and the cost of storing and selling the goods. If there is any money left over and the family's forwarding address is known the Bay City Housing Commission will mail it to the family. If the family's address is not known, the Bay City Housing Commission will keep it for the resident for one year. If it is not claimed within that time, it belongs to the Bay City Housing Commission.

Within (thirty) 30-days of learning of abandonment, the Bay City Housing Commission will either return the deposit or provide a statement of why the deposit is being kept.

20.5 RETURN OF SECURITY DEPOSIT

After a family moves out, the Bay City Housing Commission will return the security deposit within thirty (30) days or give the family a written statement of why all or part of the security deposit is being kept. The rental unit must be restored to the same conditions as when the family moved in, except for normal wear and tear. Deposits will not be used to cover normal wear and tear or damage that existed when the family moved in.

The Bay City Housing Commission will be considered in compliance with the above if the required payment, statement, or both, are deposited in the U.S. mail with first class postage paid within 30 days.

The Bay City Housing Commission shall comply with the State of Michigan Security Deposit law, which is posted in the Management office.

GLOSSARY

50058 Form: The HUD form that housing authorities are required to complete for each assisted household in public housing to record information used in the certification and re-certification process and, at the option of the housing Commission, for interim reexaminations.

1937 Housing Act: The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (24 CFR 5.100)

Adjusted Annual Income: The amount of household income, after deductions for specified allowances, on which tenant rent is based. (24 CFR 5.611)

Adult: A household member who is 18 years or older or who is the head of the household, or spouse, or co-head.

Allowances: Amounts deducted from the household's annual income in determining adjusted annual income (the income amount used in the rent calculation). Allowances are given for elderly families, dependents, and medical expenses for elderly families, disability expenses, and childcare expenses for children under 13 years of age. Other allowance can be given at the discretion of the housing Commission.

Annual Contributions Contract (ACC): The written contract between HUD and a housing Commission under which HUD agrees to provide funding for a program under the 1937 Act, and the housing Commission agrees to comply with HUD requirements for the program. (24 CFR 5.403)

Annual Income: All amounts, monetary or not, that:

- A. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member; or
- B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- C. Are not specifically excluded from annual income.

Annual Income also includes amounts derived (during the 12-month period) from assets to which any member of the family has access. (1937 Housing Act; 24 CFR 5.609)

Applicant (applicant family): A person or family that has applied for admission to a program but is not yet a participant in the program. (24 CFR 5.403)

As-Paid States: States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs. Currently, the four as-paid States are New Hampshire, New York, Oregon, and Vermont.

Assets: The value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles are not counted as assets. (Also see "net family assets.")

Asset Income: Income received from assets held by family members. If assets total more than \$5,000, income from the assets is "imputed" and the greater of actual asset income and imputed asset income is counted in annual income. (See "imputed asset income" below.)

Assistance Applicant: A family or individual that seeks admission to the public housing program.

Ceiling Rent: Maximum rent allowed for some units in public housing projects.

Certification: The examination of a household's income, expenses, and family composition to determine the family's eligibility for program participation and to calculate the family's share of rent.

Child: For purposes of citizenship regulations, a member of the family other than the family head or spouse who is under 18 years of age. (24 CFR 5.504(b))

Child Care Expenses: Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare. In the case of childcare necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income. (24 CFR 5.603(d))

Citizen: A citizen or national of the United States. (24 CFR 5.504(b))

Community Service: The performance of voluntary work or duties that are a public benefit and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. Community service is not employment and may not include political activities.

Consent Form: Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs, return information from the Social Security Administration, and return information for unearned income from the Internal Revenue Service. The consent forms may authorize the collection of other information from assistance applicants or participant to determine eligibility or level of benefits. (24 CFR 5.214)

Covered Families: Families who receive welfare assistance or other public assistance benefits (“welfare benefits”) from a State or other public agency (“welfare agency”) under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance.

Dating Violence: The term ‘dating violence’ means violence committed by a person—
(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:
(i) The length of the relationship.
(ii) The type of relationship.
(iii) The frequency of interaction between the persons involved in the relationship.

Decent, Safe, and Sanitary: Housing is decent, safe, and sanitary if it satisfies the applicable housing quality standards.

Department: The Department of Housing and Urban Development. (24 CFR 5.100)

Dependent: A member of the family (except foster children and foster adults), other than the family head or spouse, who is under 18 years of age or is a person with a disability or is a full-time student. (24 CFR 5.603(d))

Dependent Allowance: An amount, equal to \$480 multiplied by the number of dependents, that is deducted from the household's annual income in determining adjusted annual income.

Disability Assistance Expenses: Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source. (24 CFR 5.603(d))

Disability Assistance Expense Allowance: In determining adjusted annual income, the amount of disability assistance expenses deducted from annual income for families with a disabled household member.

Disabled Family: A family whose head, spouse, or sole member is a person with disabilities; two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides. (24 CFR 5.403(b)) (Also see "person with disabilities.")

Disabled Person: See "person with disabilities."

Displaced Family: A family in which each member, or whose sole member, is a person displaced by governmental action (such as urban renewal), or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. (24 CFR 5.403(b))

Displaced Person: A person displaced by governmental action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. [1937 Act]

Domestic Violence: The term 'domestic violence' includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Drug-Related Criminal Activity: Drug trafficking or the illegal use, or possession for personal use, of a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

Economic Self-Sufficiency Program: Any program designed to encourage, assist, train, or facilitate the economic independence of HUD-assisted families or to provide work for such families. These programs include programs for job training, employment, counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, and any program necessary to ready a participant for work (including a substance abuse or mental health treatment program), or other work activities.

Elderly Family: A family whose head, spouse, or sole member is a person who is at least 62 years of age; two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides. (24 CFR 5.403)

Elderly Family Allowance: For elderly families, an allowance of \$400 is deducted from the household's annual income in determining adjusted annual income.

Elderly Person: A person who is at least 62 years of age. (1937 Housing Act)

Extremely low-income families: Those families whose incomes do not exceed 30% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families.

Fair Housing Act: Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.). (24 CFR 5.100)

Family includes but is not limited to:

- A. A family with or without children;
- B. An elderly family;
- C. A near-elderly family;
- D. A disabled family;
- E. A displaced family;
- F. The remaining member of a tenant family; and
- G. A single person who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family. (24 CFR 5.403)

Family Members: All members of the household other than live-in aides, foster children, and foster adults. All family members permanently reside in the unit, though they may be temporarily absent. All family members are listed on the lease.

Family Self-Sufficiency Program (FSS Program): The program established by a housing Commission to promote self-sufficiency among participating families, including the coordination of supportive services. (24 CFR 984.103(b))

Flat Rent: A rent amount the family may choose to pay in lieu of having their rent determined under the formula method. The housing Commission set at the lesser of the market value for the unit or the cost to operate the unit establishes the flat rent. Families selecting the flat rent option have their income evaluated once every three years, rather than annually.

Formula Method: A means of calculating a family's rent based on 10% of their monthly income, 30% of their adjusted monthly income, the welfare rent, or the minimum rent. Under the formula method, rents may be capped by a ceiling rent. Under this method, the family's income is evaluated at least annually.

Full-Time Student: A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree. (24 CFR 5.603(d))

Head of Household: The adult member of the family who is the head of the household for purposes of determining income eligibility and rent. (24 CFR 5.504(b))

Household Members: All members of the household including members of the family, live-in aides, foster children, and foster adults. All household members are listed on the lease, and no one other than household members are listed on the lease.

Housing Assistance Plan: A housing plan that is submitted by a unit of general local government and approved by HUD as being acceptable under the standards of 24 CFR 570.

Immediate Family Member: means, with respect to a person –

- (A) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or
- (B) any other person living in the household of that person and related to that person by blood or marriage.

Imputed Income: For households with net family assets of more than \$5,000, the amount calculated by multiplying net family assets by a HUD-specified percentage. If imputed income is more than actual income from assets, the imputed amount is used as income from assets in determining annual income.

Imputed Welfare Income: The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent.

In-Kind Payments: Contributions other than cash made to the family or to a family member in exchange for services provided or for the general support of the family (e.g., groceries provided on a weekly basis, baby sitting provided on a regular basis).

Interim (examination): A reexamination of a family income, expenses, and household composition conducted between the regular annual recertifications when a change in a household's circumstances warrants such a reexamination.

Late Rent: Rental charges not paid in full within 14 days of the issuance of a Demand for Possession/Non-Payment of Rent Notice by the Bay City Housing Commission. More than three (3) such occasions of late rent in any 12-month period shall result in Termination of Tenancy.

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

- A. Is determined to be essential to the care and well-being of the persons;
- B. Is not obligated for the support of the persons; and
- C. Would not be living in the unit except to provide the necessary supportive services. (24 CFR 5.403(b))

Low-Income Families: Those families whose incomes do not exceed 80% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80% of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low family incomes. (1937Act)

Medical Expenses: Medical expenses (of all family members of an elderly or disabled family), including medical insurance premiums, that are anticipated during the period for which annual income is computed and that, are not covered by insurance. (24 CFR 5.603(d)). These expenses include, but are not limited to, prescription and non-prescription drugs, costs for doctors, dentists, therapists, medical facilities, care for a service animals, transportation for medical purposes.

Mixed Family: A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status. (24 CFR 5.504(b))

Mixed Population Development: A public housing development, or portion of a development, that was reserved for elderly and disabled families at its inception (and has retained that character). If the development was not so reserved at its inception, the PHA has obtained HUD approval to give preference in tenant selection for all units in the development (or portion of development) to elderly families and disabled families. These developments were formerly known as elderly projects.

Monthly Adjusted Income: One twelfth of adjusted income. (24 CFR 5.603(d))

Monthly Income: One twelfth of annual income. (24 CFR 5.603(d))

National: A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession. (24 CFR 5.504(b))

Near-Elderly Family: A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides. (24 CFR 5.403(b))

Net Family Assets:

- A. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.
- B. In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income.
- C. In determining net family assets, housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms. (24 CFR 5.603(d))

Non-Citizen: A person who is neither a citizen nor national of the United States. (24 CFR 5.504(b)).

Occupancy Standards: The standards that a housing Commission establishes for determining the appropriate number of bedrooms needed to house families of different sizes or composition.

Participant: A family or individual that is assisted by the public housing program.

Person with Disabilities: A person who:

- A. Has a disability as defined in 42 U.S.C. 423
- B. Is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that:
 - 1. Is expected to be of long-continued and indefinite duration;
 - 2. Substantially impedes his or her ability to live independently; and
 - 3. Is of such a nature that the ability to live independently could be improved by more suitable housing conditions.
- C. Has a developmental disability as defined in 42 U.S.C. 6001.

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome.

For the purposes of qualifying for low-income housing, it does not include a person whose disability is based solely on any drug or alcohol dependence.

Previously Unemployed: This includes a person who has earned, in the 12 months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

Processing Entity: The person or entity that is responsible for making eligibility and related determinations and an income reexamination. In the Section 8 and public housing programs, the processing entity is the responsibility entity.

Proration of Assistance: The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance. (24 CFR 5.520)

Public Housing: Housing assisted under the 1937 Act, other than under Section 8. Public Housing includes dwelling units in a mixed-finance project that are assisted by a PHA with capital or operating funds.

Public Housing Agency (PHA): Any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of low-income housing under the 1937 Housing Act. (24 CFR 5.100)

Recertification: The annual reexamination of a family's income, expenses, and composition to determine the family's rent.

Remaining Member of a Tenant Family: A member of the family listed on the lease who continues to live in the public housing dwelling after all other family members have left. (Handbook 7565.1 REV-2, 3-5b.)

Responsible Entity:

- A. For the public housing program, the Section 8 tenant-based assistance program (24 CFR 982), and the Section 8 project-based certificate or voucher program (24 CFR 983), and the Section 8 moderate rehabilitation program (24 CFR 882), responsible entity means the PHA administering the program under an ACC with HUD;

B. For all other Section 8 programs, responsible entity means the Section 8 project owner.

Self-Declaration: A type of verification statement by the tenant as to the amount and source of income, expenses, or family composition. Self-declaration is acceptable verification only when third-party verification or documentation cannot be obtained.

Shelter Allowance: That portion of a welfare benefit (e.g., TANF) that the welfare agency designates to be used for rent and utilities.

Single Person: Someone living alone or intending to live alone who does not qualify as an elderly family, a person with disabilities, a displaced person, or the remaining member of a tenant family. (Public Housing: Handbook 7465.1 REV-2, 3-5)

Specified Welfare Benefit Reduction:

A. A reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

B. “Specified Welfare Benefit Reduction” does not include a reduction or termination of welfare benefits by the welfare agency:

1. at the expiration of a lifetime or other time limit on the payment of welfare benefits;
2. because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self-sufficiency or work activities requirements; or
3. because a family member has not complied with other welfare agency requirements.

Stalking: means -

(A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and

(B) in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to

-
- (i) that person;
- (ii) a member of the immediate family of that person; or
- (iii) the spouse or intimate partner of that person.

State Wage Information Collection Agency (SWICA): The State agency receiving quarterly wage reports from employers in the State or an alternative system that has been determined by the Secretary of Labor to be as effective and timely in providing employment-related income and eligibility information. (24 CFR 5.214)

Temporary Assistance to Needy Families (TANF): The program that replaced the Assistance to Families with Dependent Children (AFDC) that provides financial assistance to needy families who meet program eligibility criteria. Benefits are limited to a specified time period.

Tenant: The person or family renting or occupying an assisted dwelling unit. (24 CFR 5.504(b))

Tenant Rent: The amount payable monthly by the family as rent to the housing Commission. Where all utilities (except telephone) and other essential housing services are supplied by the housing Commission or owner, tenant rent equals total tenant payment. Where some or all utilities (except telephone) and other essential housing services are supplied by the housing Commission and the cost thereof is not included in the amount paid as rent, tenant rent equals total tenant payment less the utility allowance. (24 CFR 5.603(d))

Third-Party (verification): Written or oral confirmation of a family's income, expenses, or household composition provided by a source outside the household.

Total Tenant Payment (TTP):

- A. Total tenant payment for families whose initial lease is effective on or after August 1, 1982:
 - 1. Total tenant payment is the amount calculated under Section 3(a)(1) of the 1937 Act which is the higher of:
 - a. 30% of the family's monthly-adjusted income;
 - b. 10% of the family's monthly income; or
 - c. If the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of such payments which is so designated.

If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under section 3(a)(1) should be the amount resulting from one application of the percentage.
 - 2. Total tenant payment for families residing in public housing does not include charges for excess utility consumption or other miscellaneous charges.
- B. Total tenant payment for families residing in public housing whose initial lease was effective before August 1, 1982: Paragraphs (b) and (c) of 24 CFR 913.107, as it existed immediately before November 18, 1996), will continue to govern the total tenant payment of families, under a public housing program, whose initial lease was effective before August 1, 1982.

Utility Allowance: If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made by a housing Commission of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment. (24 CFR 5.603)

Utility Reimbursement: The amount, if any, by which the utility allowance for the unit, if applicable, exceeds the total tenant payment for the family occupying the unit. (24 CFR 5.603)

VAWA - means the Violence Against Women Act (Public Law 109-162) and the implementing policy of the Bay City Housing Commission (VAWAP), both incorporated hereto by reference.

Very Low-Income Families: Low-income families whose incomes do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that

the Secretary may establish income ceilings higher or lower than 50% of the median for the areas on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes. Such ceilings shall be established in consultation with the Secretary of Agriculture for any rural area, as defined in Section 520 of the Housing Act of 1949, taking into account the subsidy characteristics and types of programs to which such ceilings apply. (1937 Act)

Welfare Assistance: Welfare or other payments to families or individuals, based on need, that are made under programs funded by Federal, State, or local governments. (24 CFR 5.603(d))

Welfare Rent: In "as-paid" welfare programs, the amount of the welfare benefit designated for shelter and utilities.

ACRONYMS

ACC	Annual Contributions Contract
CFR	Code of Federal Regulations
EIV	Enterprise Income Verification System
FSS	Family Self Sufficiency (program)
HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	Department of Housing and Urban Development
INS	(U.S.) Immigration and Naturalization Service
NAHA	(Cranston-Gonzalez) National Affordable Housing Act
NOFA	Notice of Funding Availability
O/A	Owner/Agent under Multifamily Housing program
OMB	(U.S.) Office of Management and Budget
PHA	Public Housing Agency
QHWR	Quality Housing and Work Responsibility Act of 1998
SSA	Social Security Administration
TTP	Total Tenant Payment
UIV	Upfront Income Verification procedures
VAWA	Violence Against Women Act (Public Law 109-162)

USE OF EIV REPORTS					
REPORT	*UPDATE		REPORT USE	FILE DOCUMENTATION	RETENTION
	TSP	P&P			
<p>Summary Report</p> <p>Summary of household information from the current, active certification in the TRACS file at the time of the income match.</p> <p>Provides Identity Verification Status by identifying tenants whose personal identifiers:</p> <ul style="list-style-type: none"> • Match the SSA database - “Verified” • Does not match the SSA database – “Failed” • Have not been sent by HUD to SSA for validation or have not yet been matched by SSA for validation – “Not Verified” • SSA’s records indicate the person is deceased – “Deceased” <p>See Section VII.A.1</p>		X	<p>Must be used at recertification (annual and interim)</p> <ul style="list-style-type: none"> • To validate a tenant’s SSN • To review and resolve discrepant or invalid personal identifiers of tenants with a “failed” or “deceased” status <p>Note: Nothing has to be done at the time of recertification with those tenants with an Identity Verification Status of “Not Verified”. However, the Failed SSA Identity Test report must be checked monthly as a change in the Identity Verification Status may occur.</p>	<p>Summary Report(s) as verification of the SSN for all household members whose Identity Verification Status is “Verified”.</p> <p>Correspondence or documentation received to resolve a tenant’s “Failed” or “Deceased” status.</p> <p>Documentation for household members identified as exempt from disclosing and providing verification of a SSN:</p> <ul style="list-style-type: none"> • Tenants who were 62 years of age or older as of January 31, 2010 and whose initial determination of eligibility was begun before January 31, 2010; and • Individuals who do not contend eligible immigration status <p>If the Summary Report in the tenant file shows an Identity Verification Status of “Verified” for all household members required to have a SSN, the Owner does not have to continue to print out the Summary Report at recertification unless there is a change in household composition or in a household member’s identity verification status</p>	<p>Tenant file</p> <p>Summary Report and supporting documentation must be retained in the tenant’s file for term of tenancy plus 3 years.</p> <p>Note: O/As may remove and destroy copies of verification documentation received from the tenant to verify their SSN once the Identity Verification Status shows “Verified”. O/As are encouraged to minimize the number of tenant records that contain documents that display the full nine-digit SSN.</p>

*TSP = Tenant Selection Plan P&P = Policies and Procedures

USE OF EIV REPORTS

REPORT	*UPDATE		O/A REPORT USE	FILE DOCUMENTATION	RETENTION
	TSP	P&P			
INCOME REPORTS					
Note: A current, signed form HUD-9887 must be on file to view and/or use the income reports. A current, signed form HUD-9887-A must be on file to obtain written third party verification of income.					
<p>Income Report</p> <p>Provides employment and income reported by HHS and SSA for each household member that passes the SSA identity test.</p> <p>Identifies tenants who:</p> <ul style="list-style-type: none"> • May not have reported complete and accurate income information • May be receiving multiple subsidies <p>See Section VII.A.2</p>		X	<p>Mandatory use at Recertification - Annual and Interim</p> <p>May be used at other times as indicated in O/A's policies and procedures.</p> <ul style="list-style-type: none"> • Serves as third party verification of employment and income. <p>New Admissions:</p> <ul style="list-style-type: none"> • Review new admissions within 90 days after the move-in information is transmitted to TRACS to confirm/validate the income reported by the household. <p>Resolve discrepancies in reported income with the family within 30 days of the EIV Income Report date.</p>	<p>No Dispute of EIV Information:</p> <ul style="list-style-type: none"> • EIV Income Report • Current, acceptable tenant provided documents • Third party verification from the source, if necessary <p>Disputed EIV Information:</p> <ul style="list-style-type: none"> • EIV Income Report • Third party verification from the source for the disputed information <p>Tenant-reported income not verified through the EIV system:</p> <ul style="list-style-type: none"> • EIV Income Report • Current, acceptable tenant-provided documents, and/or • Third party verification from the source <p>Any correspondence with/from tenant relating to disputes of the employment or income reported in EIV.</p> <p>Form HUD-50059(s)</p>	<p>Tenant File</p> <p>Retain copy of Income Report and supporting documentation with applicable form HUD-50059 for term of tenancy plus 3 years.</p> <p>Note: The O/A must make copies of any tenant provided documents and return the originals to the tenant.</p>

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USE OF EIV REPORTS

REPORT	*UPDATE		O/A REPORT USE	FILE DOCUMENTATION	RETENTION
	TSP	P&P			
INCOME REPORTS Cont'd.					
Note: A current, signed form HUD-9887 must be on file to view and/or use the income reports.					
A current, signed form HUD-9887-A must be on file to obtain written third party verification of income.					
<p>Income Discrepancy Report</p> <p>Identifies households where there is a difference of \$2,400 or more in the wage, unemployment and SSA benefit information reported in EIV and wage, unemployment and SSA benefit information reported in TRACS for the period of income used for discrepancy analysis.</p> <p>The report serves as a tool to alert O/As that there may be a discrepancy in the income reported by the tenant during the period of income used for the discrepancy analysis.</p> <p>See Section VII.A.3</p>		X	<p>At least monthly; and</p> <p>Mandatory use at Recertification - Annual and Interim</p> <p>Report may be used at other times as indicated in O/A's policies and procedures.</p> <p>Must print the report at the same time the Income Report is printed.</p> <p>Discrepancies must be reviewed and resolved at the time of recertification or within 30 days of the EIV Income Report date.</p> <p>Review data in TRACS to make sure agrees with the form HUD-50059 data. Correct any discrepant data in the TRACS</p>	<p>All correspondence to/from the tenant regarding the income discrepancy.</p> <p>Documentation received to resolve the discrepancy, including written third party verification of income, if applicable.</p> <p>The file must be documented regardless of whether the O/A determines the discrepancy to be valid or invalid.</p> <p>Corrected form HUD-50059(s), if applicable.</p> <p>Repayment Agreement, if applicable.</p>	<p>Tenant file</p> <p>Retain copy of Income Discrepancy Report and any documentation related to the resolution of the discrepancy, including any repayment agreements for term of tenancy plus 3 years.</p>

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USE OF EIV REPORTS

REPORT	*UPDATE		O/A REPORT USE	FILE DOCUMENTATION	RETENTION
	TSP	P&P			
INCOME REPORTS Cont'd.					
Note: A current, signed form HUD-9887 must be on file to view and/or use the income reports.					
A current, signed form HUD-9887-A must be on file to obtain written third party verification of income.					
<p>No Income Report</p> <p>Identifies tenants who passed the SSA identity test but no income was reported by HHS or SSA.</p> <p>This does not mean that the tenant does not have any income. O/A must obtain written third party verification of any income reported by the tenant.</p> <p>Recommend “zero” income tenants be required to disclose and O/A re-verify income at least quarterly. These are tenants who report no income at all.</p> <p>See Section VII.A.4</p>		X	<p>At least quarterly</p> <p>As identified in O/A’s policies and procedures. Interview tenants, asking the right questions to provide the tenant the opportunity to disclose any income.</p>	<p>Third party verification from income sources of other income reported by tenant, if applicable.</p> <p>Correspondence/documents received for re-verification of zero income tenants.</p>	<p>Tenant file</p> <p>Any documentation or third party verifications for other income reported by the tenant for term of tenancy plus 3 years.</p>

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USE OF EIV REPORTS

REPORT	*UPDATE		O/A REPORT USE	FILE DOCUMENTATION	RETENTION
	TSP	P&P			
INCOME REPORTS Cont'd.					
Note: A current, signed form HUD-9887 must be on file to view and/or use the income reports.					
A current, signed form HUD-9887-A must be on file to obtain written third party verification of income.					
New Hires Report Identifies tenants who have new employment within the last 6 months. Report is updated monthly. See Section VII.A.5		X	At least Quarterly Contact tenant regarding new employment Confirm new employment with tenant. Request tenant provided documents to support current income and/or third party verification from employer, as applicable. Process Interim Recertification to include new income, if applicable.	New Hires Report with notation of action(s) taken. No Dispute of EIV Information: <ul style="list-style-type: none"> • EIV Income Report • Current, acceptable tenant provided documents • Third party verification from the source, if necessary. Disputed EIV Information: <ul style="list-style-type: none"> • EIV Income Report • Third party verification from the source for disputed information Any correspondence with/from tenant relating to new employment and/or disputes of the employment or income reported in EIV. Form HUD-50059(s)	Master file Retain New Hires Summary Report in a master "New Hires Report" file for 3 years. Tenant file Retain New Hires Detail Report for the tenant along with any correspondence with tenant, third party verifications, form HUD-50059(s), etc., .for term of tenancy plus 3 years.

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USE OF EIV REPORTS

REPORT	*UPDATE		O/A REPORT USE	FILE DOCUMENTATION	RETENTION
	TSP	P&P			
VERIFICATION REPORTS					
Note: A form HUD-9887 is not required to view and/or use verification reports.					
<p>Existing Tenant Search</p> <p>Identifies applicants who may be receiving assistance at another Multifamily or PIH location.</p> <p>See Section VII.B.2.a</p>	X		<p>At the time of processing an applicant for admission</p> <p>Search each applicant and applicant household member to see if receiving assistance at another location.</p> <p>Discuss with tenant regarding circumstances relative to being assisted at another Multifamily or PIH property.</p> <p>Follow up with respective PHA or O/A to confirm the individual's program participation status before admission.</p> <p>Coordinate move-in/out dates with PHA or O/A.</p>	<p>Search results for each member of the household.</p> <p>Results of any contact with applicant must be recorded on and/or with the search results for affected household member.</p> <p>Results of any contact with PHA, owner, management agent where applicant is reported as receiving assistance must be recorded on and/or with the search results for affected household member.</p>	<p>Application file</p> <p>If not admitted – retain search results and any supporting documentation with the application for 3 years.</p> <p>Tenant file</p> <p>If admitted – retain search results and any supporting documentation with the application for term of tenancy plus 3 years.</p>

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USE OF EIV REPORTS

REPORT	*UPDATE		O/A REPORT USE	FILE DOCUMENTATION	RETENTION
	TSP	P&P			
VERIFICATION REPORTS Cont'd.					
Note: A form HUD-9887 is not required to view and/or use verification reports.					
<p>Multiple Subsidy Report</p> <p>Identifies tenants who may be receiving rental assistance at more than one location.</p> <p>See Section VII.B.2.b</p>		X	<p>at least Quarterly</p> <p>Must search both queries:</p> <ul style="list-style-type: none"> • Search within MF • Search within PIH <p>Provide tenant opportunity to explain any circumstances relative to his/her being assisted at another location.</p> <p>Follow up with respective PHA or O/A, if necessary, to confirm tenant is being assisted at the other location. Depending on the results, may need to take action to terminate the assistance or tenancy and repay subsidy to HUD.</p>	<p>Search results</p> <p>Documentation supporting any contacts made or information obtained to determine if household and/or household member is receiving multiple subsidies.</p> <p>Documentation to support any action taken if household and/or household member is receiving multiple subsidies.</p> <p>Note: If a tenant's multiple subsidies were discussed and resolved at the time of recertification, this must be noted on the printed report and no further action is required.</p>	<p>Master file Retain Multiple Subsidy Summary Report and supporting documentation in a master "Multiple Subsidy Report" file for 3 years.</p> <p>Tenant file Retain a copy of the Multiple Subsidy Detail Report for the tenant along with any documentation of action taken for a household member for term of tenancy plus 3 years.</p>

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USE OF EIV REPORTS

REPORT	*UPDATE		O/A REPORT USE	FILE DOCUMENTATION	RETENTION
	TSP	P&P			
VERIFICATION REPORTS Cont'd. Note: A form HUD-9887 is not required to view and/or use verification reports.					
<p>Failed EIV Pre-screening Report</p> <p>Identifies tenants who have missing or invalid personal identifiers (last name, date of birth, SSN) in TRACS. These tenants will not be sent to SSA from EIV for the SSA identity test.</p> <p>Identifies tenants who need to disclose a SSN, e.g., replace TRACS generated id number.</p> <p>See Section VII.B.2.c.(1)</p>		X	<p>At least monthly</p> <p>Follow up with tenants identified on the report where discrepant personal identifiers were not corrected at the time of recertification.</p> <p>Check accuracy of data entry, e.g., numbers not transposed in SSN.</p> <p>Contact tenant and confirm to verify discrepant personal identifiers</p> <p>Correct TRACS data within 30 days of the date of the report.</p>	<p>Failed EIV Pre-screening Report documented with action taken to resolve invalid or discrepant personal identifiers.</p> <p>Note: This report will include those persons who are exempt from the SSN disclosure and verification requirements. In these instances the O/A will note on the copy of the report retained in the "Failed EIV Pre-Screening Report" master file that tenant(s) is exempt from SSN requirements.</p> <p>Note: If a tenant's information was corrected at the time of recertification but the EIV data has not yet been updated, this must be noted on the printed report and no further action is required.</p>	<p>Master file Retain copy of report in a master "Failed EIV Pre-screening Report" file for 3 years.</p> <p>Tenant file Documentation to verify discrepant personal identifiers for term of tenancy plus 3 years.</p>
<p>Failed Verification Report (Failed SSA Identity Test)</p> <p>Identifies tenants whose personal identifiers (last name, date of birth, SSN) do not match the SSA database.</p> <p>See Section VII.B.2.c.(2)</p>		X	<p>at least monthly</p> <p>Follow up with tenants identified on the report where discrepant personal identifiers were not corrected at the time of recertification.</p> <p>Check accuracy of data entry, e.g., numbers not transposed in SSN.</p> <p>Contact tenant and confirm to verify discrepant personal identifiers.</p> <p>Correct TRACS data within 30 days of the date of the report.</p>	<p>Failed Verification Report (Failed SSA Identity Test) report documented with action taken to resolve invalid or discrepant personal identifiers</p> <p>Note: If a tenant's information was corrected at the time of recertification but the EIV data has not yet been updated, this must be noted on the printed report and no further action is required.</p>	<p>Master file Retain copy of report in a mater "Failed EIV SSA Identity Test" file for 3 years.</p> <p>Tenant file Documentation to verify discrepant personal identifiers for term of tenancy plus 3 years.</p>

*TSP = Tenant Selection Plan P&P = Policies and Procedures

USE OF EIV REPORTS

REPORT	*UPDATE		O/A REPORT USE	FILE DOCUMENTATION	RETENTION
	TSP	P&P			
VERIFICATION REPORTS Cont'd.					
Note: A form HUD-9887 is not required to view and/or use verification reports.					
<p>Deceased Tenants Report</p> <p>Identifies tenants reported by SSA as being deceased.</p> <p>See Section VII.B.2.d</p>		X	<p>at least Quarterly</p> <p>Confirm, in writing, with head of household, next of kin or contact person or entity provided by the tenant to determine whether or not the person is deceased.</p> <p>If deceased, within 30 days from date of report:</p> <ul style="list-style-type: none"> • Update family composition, and, if applicable, income and allowance, on the form HUD-50059. See Paragraph 7-13D of Handbook 4350.3 REV-1 for effective date. • Single member of a household, process move-out using form HUD-50059-A. Effective date retroactive to earlier of 14 days after date of death or date unit vacated. <p>Note: Overpayment of subsidy must be returned to HUD.</p> <p>Any discrepant data in TRACS must be updated within 30 days from the date of the report.</p> <p>Encourage tenant to contact SSA if SSA's data is incorrect.</p>	<p>Deceased Tenants Report</p> <p>Documentation obtained to resolve discrepancy.</p> <p>Form HUD-50059 with change of family composition.</p> <p>Form HUD-50059-A for move-out.</p> <p>Note: If action was taken to remove the deceased tenant from the household or to terminate tenancy of a deceased single member of a household at the time of recertification but the EIV data has not yet been updated, this must be noted on the printed report and no further action is required.</p>	<p>Master file Retain copy of report in a master "Deceased Tenants Report" file for 3 years.</p> <p>Tenant file Form HUD-50059 and/or form HUD-50059-A plus any other documentation received for a particular tenant must be retained for term of tenancy plus 3 years.</p>

*TSP = Tenant Selection Plan P&P = Policies and Procedures

Appendix II

Income Limits and Deconcentration Worksheet

Development Name	Number of Units Under ACC	Number of Occupied Units	Number of Units Occupied by Very Poor Families	% Occupied by Very Poor Families

%Very Poor in

Census Tract

Target Number

Number needed of below 30% of median area income

Number needed above 30% of median area income

Waiting list number of families Appendix 2

BAY CITY HOUSING COMMISSION

APPENDIX III – TENANT SELECTION PLAN SUITABILITY SCREENING CRITERIA FOR CRIMINAL BACKGROUND HISTORY

EFFECTIVE FEBRUARY 1, 2021

CRIMINAL CLASSIFICATION SETUP		Felony	Misdemeanor	Timeframe	Not Provided	Timeframe
Type						
Property Related Crimes						
High-	Items such as arson, breaking & entering, burglary, criminal damage, grand larceny, malicious injury to property, receiving stolen property, theft, etc.	Fail	Fail	20	Fail	20
Low-	Items such as aid and abet theft, petty theft, shoplifting, tampering, vandalism, etc.	Fail	Fail	7	Fail	7
Animal Related Crimes						
High-	Items such as abandonment or neglect of animal, animal abuse, animal bite or attack, dog fighting	Fail	Fail	5	Fail	5
Low-	Items such as animal not under restraint, animals at large, barking dog, fishing/hunting without a license, no license, no pet vaccination, possess wildlife illegally, etc.	Pass	Pass		Pass	Pass
Violence Related Crimes						
High-	Items such as assault, battery, deadly conduct, injury to child or elderly, kidnapping, manslaughter, murder, robbery, etc.	Fail	Fail	All Years	Fail	All Years
Low-	Items such as affray, menacing, reckless endangerment, terroristic threats, etc.	Fail	Fail	20	Fail	20
Fraud Related Crimes						
High-	Items such as counterfeiting, credit card abuse, embezzlement, forgery, identity theft, insurance fraud, obtain by false pretenses, uttering, welfare fraud, etc.	Fail	Fail	7	Fail	7
Low-	Items such as altered license plate or tags or registration, use false id, worthless check, etc.	Fail	Fail	5	Fail	5
Computer Related Crimes						
High-	Items such as cyber stalking, damage computer software, hacking, wiretapping, etc.	Fail	Fail	7	Fail	7
Low-	Items such as improper telephone usage, use or possession of access device, etc.	Fail	Fail	3	Fail	3
Family Relations Related Crimes						
High-	Items such as abandonment, abuse, domestic violence, endangering a child, injury to child, etc.	Fail	Fail	5	Fail	5
Low-	Items such as contributing to the delinquency, harboring a runaway child, non-support, etc.	Fail	Fail	3	Fail	3
Public Justice Related Crimes						
High-	Items such as assault on police officer, deliver drugs/weapons to prisoner, escape, fleeing police, hindering apprehension, obstruction of justice, false statement to officer, etc.	Fail	Fail	7	Fail	7
Low-	Items such as bribery, disobey police officer, failure to appear, misuse of 911, etc.	Fail	Fail	5	Fail	5
Public Order Related Crimes						
High-	Items such as criminal mischief, criminal attempt, engage in riot, fighting, hit and run, harassment, stalking, etc.	Fail	Fail	5	Fail	5
Low-	Items such as accessory to crime, disturbing the peace, fail to pay fare, loitering, disorderly conduct, public swearing, etc.	Fail	Fail	3	Fail	3
Gambling Related Crimes						
High-	Items such as keeping a gambling place, possess gambling device, promotion of gambling, etc.	Fail	Fail	5	Fail	5
Low-	Items such as wagering, public gaming, etc.	Fail	Fail	3	Fail	3
Weapons Related Crimes						
High-	Items such as assault with deadly weapon, discharging firearm, felon possessing firearm, manufacture destructive device, negligent use of weapon, throwing missiles	Fail	Fail	20	Fail	20
Low-	Items such as brandishing weapon, carrying concealed weapon, no gun permit, etc.	Fail	Fail	5	Fail	5
Organized crime Related Crimes						
High-	Items such as blackmail, extortion, racketeering, gang participation, etc.	Fail	Fail	7	Fail	7
Low-	Items such as conspiracy, attempt to engage in organized crime, etc.	Fail	Fail	5	Fail	5
Drug Related Crimes						
High-	Items such as attempt to purchase, maintain place for drug use, manufacture for sale, manufacture for sale, possession of cocaine/marijuana, trafficking or smuggling, etc.	Fail	Fail	All Years	Fail	All Years
Low-	Items such as drug abuse, possession of marijuana, possession of paraphernalia, etc.	Fail	Fail	5	Fail	5
Sex Related Crimes						
High-	Items such as child pornography, prostitution, public lewdness, sexual assault, rape, sex abuse, sex exploitation of minor, sodomy, statutory rape, etc.	Fail	Fail	All Years	Fail	All Years
Low-	Items such as fall to register as sex offender, indecent exposure, peeping, etc.	Fail	Fail	20	Fail	20
Transportation Related Crimes						
High-	Items such as driving without license, reckless driving, driving while license revoked, etc.	Pass	Pass		Pass	Pass
Low-	Items such as blocking highway or intersection, child restraint, expired tags, fail to yield right of way, jaywalking, no seat belt, wrongful entrustment, speeding, etc.	Pass	Pass		Pass	Pass
Alcohol Related Crimes						
High-	Items such as DUI, DWI, DUI causing injury, drunk and disorderly, etc.	Fail	Fail	5	Fail	5
Low-	Items such as minor in possession, open container in vehicle, providing to minor, sell without a license, public intoxication, etc.	Fail	Fail	3	Fail	3
Victimless Related Crimes						
High-	Items such as probation violation, trespassing, etc.	Fail	Fail	3	Fail	3
Low-	Items such as contracting without license, fireworks, littering, ordinance violation, overgrown grass, sell tobacco to minor, etc.	Pass	Pass		Pass	Pass
Unable to Classify						
	Includes items where the jurisdiction did not return enough information to determine classification.	Pass	Pass		Pass	Pass

Additional Criteria: This matrix is a preliminary screening tool. If any conflict should exist between the third-party reports and the Tenant Selection Plan Section 8 shall determine the disposition.

P. **Denied For Life: Habitual Offenders.** If any family member's criminal history indicates multiple convictions/adjudications, for felonies and/or misdemeanors, as described below, they shall be "Habitual Offenders" for the purposes of determining suitability to become or remain a resident of the Bay City Housing Commission. **1. Habitual Offenders (Felony)** - Shall include 2 or more felony convictions during the lifetime; or **2. Habitual Offenders (Misdemeanors)** - Shall include 3 or more misdemeanor convictions within the prior 5 years with a 10-year gap between any other prior convictions, otherwise the lifetime conviction record will be counted.

Q. **Denied for Life:** If any family member has been convicted of manufacturing or producing methamphetamine (speed) in a Public Housing development or in a Section 8 assisted property; **R. Denied for Life:** Has a lifetime registration under a State sex offender registration program.

**APPENDIX IV
ASSISTANCE, COMPANION AND EMOTIONAL
SUPPORT ANIMAL POLICY**



BAY CITY HOUSING COMMISSION
Assistance, Companion and Emotional Support Animal Policy
May 23, 2019

*[On April 25, 2013 HUD issued the “Notice on Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-Funded Programs that discusses how the Fair Housing Act and the Americans with Disabilities Act (ADA) intersect regarding the use of service or assistance animals by persons with disabilities. That notice serves as the baseline guidance for the **Bay City Housing Commission’s (BCHC) Assistance, Companion and Emotional Support Animal Policy.** If any conflict in terms or practices arises, the HUD Notice shall serve as the governing policy document.]*

The Fair Housing Act prohibits landlords from discriminating based on disability, race, color, national origin, religion, sex, and familial status. The ADA prohibits discrimination against people with disabilities in employment, transportation, public accommodations, communications, and state and local government activities. Both laws contain provisions which address the use of service or assistance animals **by people with disabilities**. While the Fair Housing Act covers nearly all types of housing, some types of housing, such as public housing, are covered by both laws. BCHC is covered by both laws and therefore one or both definitions of “assistance animals” and “service Animals” must apply.

Assistance Animals

Reasonable Accommodations for Assistance Animals under the Fair Housing Act (FHAct) and Section 504

An assistance animal is not a pet. It is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. Assistance animals perform many disability-related functions, including but not limited to, guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing protection or rescue assistance, **pulling** a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support.

Service Animals

The American Disability Act (ADA) Definition of "Service Animal"

In addition to their reasonable accommodation obligations under the FHAct and Section 504, housing providers may also have separate obligations under the ADA. Dal's revised ADA regulations define "**service animal**" narrowly as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The revised regulations specify that "the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition."

Pursuant to provisions of the Fair Housing Act, including the requirement to provide reasonable accommodations to people with disabilities who require service/assistance animals:

- Pet restrictions shall not be used to deny or limit housing to people with disabilities who require the use of a service/assistance animal because of their disability.
- The Bay City Housing Commission shall extend a “reasonable accommodation” in such instances, in accordance with the law.

The determination of an animal’s status pursuant to this policy shall be made at the time of initial “move-in” or at the time the animal is acquired, and permission is requested by the tenant.

According to the HUD notice, two threshold questions must be addressed when a tenant asks for a companion animal:

1. Does the person seeking to use and live with the animal have a disability” i.e., a physical or mental impairment that substantially limits one or more major life activities?
2. Does the person making the request have a disability-related need for an assistance animal? In other words, does the animal work, provide assistance, perform tasks or services for the benefit of a person with a disability, or provide emotional support that alleviates one or more of the identified symptoms or effects of a person’s existing disability?

If the answer to question (1) or (2) is “no,” then the law does not require a modification of an existing “pets” policy, and the reasonable accommodation request may be denied.

However, if the answer to these questions is “yes”, BCHC shall approve the “exception” to its Pet Policy to permit a person with a disability to live with and use a service/assistance animal(s) in all areas of the premises where persons are normally allowed to go, unless doing so would impose an undue financial and administrative burden or would fundamentally alter the nature of the housing provider’s services.

A request for an assistance animal also may be denied if: (1) the specific assistance animal in question poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation, or (2) the specific assistance animal in question would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation. Breed, size, and weight limitations may not be applied to an assistance animal.

A determination that an companion/assistance animal poses a direct threat of harm to others or would cause substantial physical damage to the property of others must be based on an individualized assessment that relies on objective evidence about the specific animal’s actual conduct” not on mere speculation or fear about the types of harm or damage an animal may cause and not on evidence about harm or damage that other animals have caused. Conditions and restrictions that housing providers apply to pets may not be applied to assistance animals. For example, while housing providers may require applicants or residents to pay a pet deposit, those rules cannot be applied to companion animals.

BCHC shall not deny a reasonable accommodation request because they're not certain whether the person seeking the accommodation has a disability or a disability-related need for an assistance animal. **BCHC may ask individuals who have disabilities that are not readily apparent or known to the provider to submit reliable documentation of a disability and their disability-related need for an assistance animal.**

If the disability is readily apparent or known but the disability-related need for the assistance animal is not, BCHC may ask the individual to provide documentation of the disability-related need for an assistance animal. For example, BCHC may ask persons who are seeking a reasonable accommodation for an assistance animal to provide emotional support to provide documentation from a physician, psychiatrist, social worker, or other mental health professional that the animal provides emotional support that alleviates one or more of the identified symptoms or effects of an existing disability. Such documentation is sufficient if it establishes that an individual has a disability and that the animal in question will provide some type of disability-related assistance or emotional support. However,

- BCHC may not ask a tenant or applicant to provide documentation showing the disability or disability-related need for an assistance animal if the disability or disability-related need is readily apparent or already known to the provider.
- BCHC also may not ask an applicant or tenant to provide access to medical records or medical providers or provide detailed or extensive information or documentation of a person's physical or mental impairments.

While HUD makes it clear that landlords have a legal duty under the Fair Housing Act to accept any **qualifying service/assistance animal** into a rental property, the Department of Justice has narrowed its definition of service/assistance animals allowed into government and educational facilities under the ADA, to “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability”.

Emotional support animals (not meeting the definition of “assistance animals”), are expressly precluded from this policy and shall be treated as “Pets”. Please be sure and maintain the distinction between an “assistance animal” that provides emotional support to manage a disability-related need and a tenant self-declared emotional support animal. Under the ADA and Michigan law, owners of public accommodations are not required to allow emotional support animals, only “assistance animals”.

**APPENDIX V
TENANT SELECTION PLAN W/PREFERENCES &
APPLICATION SCORING MATRIX**



Bay City Housing Commission

Tenant Selection Plan W/Preferences & Application Scoring Matrix

Preference

Maximum Income Eligibility (as percent of area median income)
Extremely Low Income Set-Aside⁴

Ranking Preference Code

Elderly Families = 62+
Near-Elderly Age = 50+

* Letters indicate the ranking of preferences. Acronyms are preference designators used in the Wait List database.

- A PT08** - Current participating families in either the Public Housing or Section 8 HCV program of another Public Housing Agency who have been displaced as the result of a Federally declared disaster. (Refer to Section 12.5 for verification requirements)
- B PT09** - Any other income eligible family who has been displaced as the result of a Federally declared disaster. (Refer to Section 12.5 for verification requirements)
- C DEEL** - Elderly (62 and Over)
- D NEDI** - Near Elderly W/Disability (50 and Above with Disability)
- E NEEL** - Near Elderly (50 and Above with No Disability)
- F DNE** - Disabled (18 to 49)
- D WFCI** - Applicants that are current residents of the City of Bay City and have bona fide employment of at least 20 hours per week in the City of Bay City.
- E TDFCI** - Applicants that are current residents of the City of Bay City and a part of a household where all members of the household are unable to work on account of a certified disability.
- F WFCY** - Applicants that are current residents of Bay County and have bona fide employment of at least 20 hours per week in Bay County.
- D TDFCY** - Applicants that are current residents of Bay County and a part of a household where all members of the household are unable to work on account of a certified disability.
- E WOST** - Applicants with a head of household or spouse enrolled in an employment training program, currently working 30 hours a week, or attending school on a full-time basis. This preference is also extended equally to all elderly families and all families whose head or spouse is receiving income based on their inability to work.
- F OTHR** - All other applicants. (Selected according to application date and time submitted.)

Scoring Points

Preference Rankings				
Public Housing Scattered Sites	Smith Manor	Maloney Manor	Pine Towers	Maplewood Manor LHHC Non RAD
Family ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁴	Family ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁴	Family ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁴	Elderly ² ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁶	Elderly + Disabled ² ≤ 60% AMI ⁴ 40% @ ≤ 30% AMI ⁴
1st Displaced, Working Families Bay City	1st Elderly, Disabled or Displaced	1st Elderly, Disabled or Displaced	1st Elderly, Disabled or Displaced	1st Elderly, Disabled or Displaced
2nd Displaced, Working Families Bay County	2nd Near-Elderly W/Disability	2nd Near-Elderly W/Disability	2nd Near-Elderly W/Disability	2nd Near-Elderly w/Disability
3rd Preferences G-J	3rd Near-Elderly	3rd Near-Elderly	3rd - Disabled families, not elderly or near-elderly set-aside - 18 units. ²	3rd - Disabled families, not elderly or near-elderly set-aside - 18 units. ²
	4th Preferences F-J	4th Preferences F-J		
30	30	30	30	30
20	20	20	20	20
	7	7	7	7
	6	6	6	6
	5	5		
	4	4	4	4
3	3	3		
3	3	3		
2	2	2		
2	2	2		
1	1	1		
0	0	0		



Bay City Housing Commission

Tenant Selection Plan W/Preferences & Application Scoring Matrix

Preference

Maximum Income Eligibility (as percent of area median income)

Extremely Low Income Set-Aside⁴

Ranking Preference Code

Elderly Families = 62+
Near-Elderly Age = 50+

* Letters indicate the ranking of preferences. Acronyms are preference designators used in the Wait List database.

Tenant Unit Transfers - Preferences and Scoring

G RARQ - Category "A" - Emergency Transfers when conditions pose an immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, the health condition of a family member, a hate crime, domestic violence such as those covered by VAWA, the safety of witnesses to a crime, or a law enforcement matter particular to the neighborhood.

H PT11 - Category "B" - Immediate administrative Transfers - Tenant Request for Reasonable Accommodation Transfer to Barrier Free Unit

I PT12 -Category "C" - Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain Bay City Housing Commission occupancy goals, to correct occupancy standards where the unit size is inappropriate for the size and composition of the family, to allow for non-emergency but medically advisable transfers, and other transfers approved by the Bay City Housing Commission when a transfer is the only or best way of solving a serious problem.

J PT13 - Incentive Transfers

K PT14 - Tenant Requesting Transfer to Another Unit Within Property

Scoring Points

Preference Rankings				
Public Housing Scattered Sites	Smith Manor	Maloney Manor	Pine Towers	Maplewood Manor LHHC Non RAD
Family ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁴	Family ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁴	Family ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁴	Elderly ² ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁶	Elderly + Disabled ² ≤ 60% AMI ⁴ 40% @ ≤ 30% AMI ⁴
1st Displaced, Working Families Bay City	1st Elderly, Disabled or Displaced	1st Elderly, Disabled or Displaced	1st Elderly, Disabled or Displaced	1st Elderly, Disabled or Displaced
2nd Displaced, Working Families Bay County	2nd Near-Elderly W/Disability	2nd Near-Elderly W/Disability	2nd Near-Elderly W/Disability	2nd Near-Elderly w/Disability
3rd Preferences G-J	3rd Near-Elderly	3rd Near-Elderly	3rd - Disabled families, not elderly or near-elderly set-aside - 18 units. ²	3rd - Disabled families, not elderly or near-elderly set-aside - 18 units. ²
	4th Preferences F-J	4th Preferences F-J		
15	15	15	15	15
14	14	14	14	14
8	8	8	8	8
-8	-8	-8	-8	-8
-10	-10	-10	-10	-10

* Letters indicate the ranking of preferences. Acronyms are preference designators used in the Wait List database.

- Buildings Designed for the Elderly and Disabled families.** If there are no elderly or disabled families on the wait list, preference will then be given to near-elderly families.
- Buildings Designated as Elderly Only Housing:** Pine Towers and Maplewood Manor have been approved by HUD as being designated for elderly only. In filling vacancies in these developments, first priority will be given to elderly families. If there are no elderly families on the appropriate waiting lists, next priority will be given to the near elderly. After applying the priorities from the Table: Tenant Selection and Admission Plan w/Preferences and Application Scoring families will be selected from the waiting lists using application dates to determine their ranking on the wait list. See HUD Handbook 4350.3 REV1, Chapter 3-18.A
- Except for the Scattered Site portfolio, families who are elderly, disabled, or displaced will be offered housing before other single persons.**
- Extremely Low-Income Set-aside.** Bay City Housing Commission will select eligible applicants in chronological order from the waiting list whose incomes are at or below the extremely low-income limit to fill the first 40% of expected vacancies in the property. Once this target has been reached, applicants will be admitted in waiting list order.
- Combining Preferences.** Bay City Housing Commission does not provide a higher priority to an applicant who qualifies for the multiple preference categories (also known as combining preferences). Applicants must verify eligibility for one of the preferences listed above.

**APPENDIX VI
GRIEVANCE POLICY**

BAY CITY HOUSING COMMISSION
GRIEVANCE PROCEDURE
MARCH 4, 2020

1.0 RIGHT TO A HEARING

Upon the filing of a written request as provided in these procedures, a resident shall be entitled to a hearing before a Hearing Officer. The Hearing Officer may be constituted as an individual or a panel (typically of three members).

- Applicants for Housing - For applicants whose application for housing has been declined an Informal Review or Hearing is the only recourse.
- Residents - For existing residents, if there is any adverse action regarding their lease agreement undertaken by the Bay City Housing Commission, the resident may request an Informal Review of the matter. Should the resident not accept the determination from the Informal Review process, the resident may request a Formal Review or Hearing in accordance with the policies and procedure referenced herein.

2.0 DEFINITIONS

For the purpose of this Grievance Procedure, the following definitions are applicable:

- A. "Grievance" shall mean any dispute which a resident may have with respect to the Bay City Housing Commission's action or failure to act in accordance with the individual resident's lease or Commission regulations which adversely affect the individual resident's rights, duties, welfare or status. In accordance with federal regulations at 24 CFR Part 966.51, HUD has determined that Michigan is a "due process" state. Therefore, "Grievance" does not include any dispute a resident may have with the Commission concerning a termination of tenancy or eviction that involves any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the Commission's premises by other residents or employees of the Commission; or any violent or drug-related criminal activity on or off such premises; or any criminal activity resulting in a felony conviction of a household member. Nor shall this process apply to disputes between residents not involving the Bay City Housing Commission or to class grievances.
- B. "Complainant" shall mean any resident whose grievance is presented to the Bay City Housing Commission office in accordance with sections 3.0 and 4.0 of this procedure.
- C. "Elements of Due Process" shall mean an eviction action or a termination of tenancy in a State or local court in which the following procedural safeguards are required:
 - 1. Adequate notice to the resident of the grounds for terminating the tenancy and for eviction;

2. Right of the resident to be represented by counsel;
 3. Opportunity for the resident to refute the evidence presented by the Commission including the right to confront and cross examine witnesses and to present any affirmative legal or equitable defense which the resident may have; and
 4. A decision on the merits.
- D. "Hearing Officer" shall mean a person or panel of persons selected in accordance with section 4.0 of these procedures to hear grievances and render a decision with respect thereto.
- E. "Resident" shall mean the adult person (or persons) other than a live-in aide:
1. Who resides in the unit and who executed the lease with the Bay City Housing Commission as lessee of the premises, or, if no such person now resides in the premises,
 2. Who resides in the unit and who is the remaining head of household of the resident family residing in the unit.
- F. "Resident Organization" includes a resident management corporation.
- G. "Promptly" (as used in section 3.0, and 4.0 (D)), shall mean within the time period indicated in a notice from Bay City Housing Commission of a proposed action which would provide the basis for a grievance if the resident has received a notice of a proposed action from the agency.

3.0 PROCEDURES PRIOR TO A HEARING

Any grievance shall first be promptly and personally presented, either orally or in writing, to the Bay City Housing Commission office so that the grievance may be discussed informally and settled without a hearing. A summary of such discussion shall be prepared within fourteen (14) calendar days and one copy shall be given to the resident and one retained in the Commission's resident file. The summary shall specify the names of the participants, dates of the meeting, the nature of the proposed disposition of the complaint and the specific reasons therefore, and shall specify the procedures by which a hearing under these procedures may be obtained if the resident is not satisfied.

4.0 PROCEDURES TO OBTAIN A HEARING

A. REQUEST FOR HEARING

The resident shall submit a written request for a hearing to the Commission within fourteen (14) calendar days from the date of the mailing of the summary of the discussion pursuant to section 3.0. The written request shall specify:

1. The reasons for the grievance; and
2. The action or relief sought.

B. INFORMAL SETTLEMENT HEARING (24 CFR § 966.54)

The first step in the grievance process (other than an expedited grievance procedure as described above) is to attempt an informal settlement. Grievances always originate with a resident, who may present the grievance initially either orally or in writing. The grievance.

At the informal review/hearing, the grievance first should be reviewed to ensure that the grievance is not a matter excluded from the grievance process. Then the grievance may be referred to the department or office responsible for the activity being grieved. The tenant should be contacted, and a meeting arranged at a mutually agreeable time.

The grievance procedure should state how long the Bay City Housing Commission and tenant have to set the meeting (usually ten working days). At the informal hearing, the tenant will present the grievance and the Bay City Housing Commission staff person responsible for the area will attempt to settle the grievance.

Within five (5) working days, the Bay City Housing Commission must provide the tenant with a written summary of the informal hearing. The summary must include the names of the participants, the date(s) of the meeting(s), the nature of and the reasons for the proposed disposition, and the procedures for obtaining a formal hearing if the complainant is not satisfied.

A copy of the summary must be placed in the tenant's file.

C. FORMAL GRIEVANCE HEARING (24 CFR § 966.55 (a))

The PHA's grievance procedure must state that if the complainant (the tenant filing the grievance) is not satisfied with the results of the informal hearing, the complainant may submit a written request for a formal grievance hearing within five (5) days after receipt of the summary of the informal hearing). All hearing meetings shall occur at the Central Office of the Bay City Housing Commission. The procedure must state that the written request for a formal grievance hearing should include:

- The reason(s) for the grievance; and
- The action sought from the PHA.
- In addition, the procedure may require that the written request specify several dates and times when the complainant can attend a grievance hearing.

If the complainant does not request a formal hearing within the timeframe specified in the grievance procedure, the decision made during the informal hearing becomes final,

unless the tenant can show good cause why s/he failed to request a formal hearing in accordance with the grievance procedure.

Failure to request a formal hearing, however, does not affect the tenant's right to a court hearing on the matter.

4.2 SELECTION OF A HEARING OFFICER

Selecting the Hearing Officer or Hearing Panel shall be conducted generally in accordance with the provisions of (24 CFR § 966.5 (b)).

The formal grievance hearing must be conducted by an impartial person or persons appointed by the Bay City Housing Commission. It cannot be conducted by the person who made or approved the Bay City Housing Commission's original action (the action being grieved) or a subordinate of that person. Bay City Housing Commissions must avoid selecting a hearing officer or hearing panel who may be a friend (or an enemy) of the complainant, have some personal stake in the matter under dispute, or may have an appearance of a lack of impartiality.

4.3 FAILURE TO REQUEST A HEARING

If the resident does not request a hearing in accordance with this section, then the Bay City Housing Commission's disposition of the grievance under section 3.0 or the most recent determination shall become final. However, failure to request a hearing does not constitute a waiver by the resident of the right thereafter to contest the Bay City Housing Commission's action in disposing of the complaint in an appropriate judicial proceeding.

4.4 HEARING PREREQUISITES

All grievances shall be promptly presented in person, either orally or in writing, pursuant to the informal procedure prescribed in section 3.0 as a condition precedent to a hearing under this Section. However, if the resident can show good cause why there was failure to proceed in accordance with section 3.0 to the Hearing Officer, the provisions of this subsection may be waived by the Hearing Officer.

4.5 ESCROW DEPOSIT

Before a hearing is scheduled in any grievance involving an amount of rent as defined in the lease which the Bay City Housing Commission claims is due, the resident shall pay to the Bay City Housing Commission an amount equal to the amount of the rent due and payable as of the first of the month preceding the month in which the act or failure to act took place. The resident shall thereafter deposit monthly the same amount of the monthly rent in an escrow account held by the Bay City Housing Commission until the complaint is resolved by decision of the Hearing Officer. Amounts deposited into the escrow account shall not be considered as acceptance of money for rent during the period in which the grievance is pending. In extenuating circumstances, the Bay City Housing Commission may waive these requirements. Unless so waived, the failure to make such payments shall result in a termination of the grievance procedure. However, failure to make payment shall not constitute a waiver of any

right the resident may have to contest the Bay City Housing Commission's disposition of his grievance in any appropriate judicial proceeding.

4.6 SCHEDULING OF HEARINGS

Upon the resident's compliance with this section the Hearing Officer shall promptly schedule a hearing for a time and place reasonably convenient to both the resident and the Bay City Housing Commission. A written notification specifying the time, place and the procedures governing the hearing shall be delivered to the resident and the appropriate agency official.

5.0 PROCEDURES GOVERNING THE HEARING

The resident shall be afforded a fair hearing, which shall include:

- A. The opportunity to examine before the grievance hearing any Commission documents, including records and regulations that are directly relevant to the hearing. The resident shall be provided a copy of any such document at the resident's expense. If the Bay City Housing Commission does not make the document available for examination upon request by the resident, the Bay City Housing Commission may not rely on such document at the grievance hearing.
- B. The right to be represented by counsel or other person chosen as the resident's representative and to have such person make statements on the resident's behalf;
- C. The right to a private hearing unless the resident requests a public hearing;
- D. The right to present evidence and arguments in support of the resident's complaint, to controvert evidence relied on by the Commission or development management, and to confront and cross examine all witnesses upon whose testimony or information the Bay City Housing Commission relies; and
- E. A decision based solely and exclusively upon the facts presented at the hearing.
- F. The complainant or the Housing Commission may arrange, in advance and at the expense of the party making the arrangement, for a transcript of the hearing. Any interested party may purchase a copy of such transcript.

The Hearing Officer may render a decision without holding a hearing if the Hearing Officer determines that the issue has been previously decided at another hearing.

If either the resident or Commission fails to appear at a scheduled hearing, the Hearing Officer may postpone the hearing for up to five business days or determine that the missing party has waived their right to a hearing. Both the Bay City Housing Commission and the resident shall be notified of the Hearing Officer's decision. This decision shall not waive a resident's right to contest the disposition of the grievance in an appropriate judicial proceeding.

The following accommodation will be made for persons with disabilities:

- A. The Bay City Housing Commission shall provide upon request reasonable accommodations for persons with disabilities to participate in the hearing. Reasonable accommodations may include qualified sign language interpreters, readers, accessible locations, or attendants.
- B. If the resident is visually impaired, any notice to the resident that is required by these procedures must be in an accessible format.

6.0 INFORMAL HEARING PROCEDURES FOR DENIAL OF ASSISTANCE ON THE BASIS OF INELIGIBLE IMMIGRATION STATUS

The participant family may request that the Bay City Housing Commission provide for an informal hearing after the family has notification of the Immigration and Naturalization Service (INS) decision on appeal, or in lieu of request of appeal to the INS. The participant family must make this request within 30 days of receipt of the *Notice of Denial or Termination of Assistance*, or within 30 days of receipt of the INS appeal decision.

7.0 DECISION OF THE HEARING OFFICER

The Hearing Officer shall prepare a written decision, together with the reasons therefore, within fourteen (14) calendar days after the hearing. A copy of the decision shall be sent to the resident and the Bay City Housing Commission. The Commission shall retain a copy of the decision in the resident's folder. A copy of such decision with all names and identifying references deleted shall also be maintained on file by the Bay City Housing Commission and made available for inspection by a prospective complainant, his or her representative, or the Hearing Officer.

The decision of the Hearing Officer shall be binding on the Bay City Housing Commission who shall take all actions, or refrain from any actions, necessary to carry out the decision unless the Bay City Housing Commission's Board of Commissioners determines within reasonable time, and promptly notifies the complainant of its determination, that:

- A. The grievance does not concern Bay City Housing Commission action or failure to act in accordance with or involving the resident's lease or Commission regulations, which adversely affect the resident's rights, duties, welfare, or status;
- B. The decision of the Hearing Officer is contrary to applicable Federal, State, or local law, Commission regulations, or requirements of the Annual Contributions Contract between the Commission and the U.S. Department of Housing and Urban Development.

A decision by the Hearing Officer or Board of Commissioners in favor of the Bay City Housing Commission or which denies the relief requested by the resident in whole or in part shall not constitute a waiver of, nor affect in any manner whatsoever, any rights the resident may have to a trial de novo or judicial review in any judicial proceedings, which may thereafter be brought in the matter.

DOCUMENT REVISIONS LOG

DATE	SECTION	ACTION
5/8/2019	8.3.B.3.b	Deleted paragraph on arrest records
5/8/2019	8.3.A	Inserted sources of suitability reviews
5/8/2019	8.3.7	Inserted language for Habitual Offender
5/8/2019	8.3.P	Inserted Appendix III
5/8/2019	8.3.A.B.3.a.	Inserted language to use Appendix III
5/23/2019	Appendix IV	Inserted reference to Reasonable Accommodations for assistance animals and added Appendix IV: Assistance, Companion and Emotional Support Animal Policy March 23, 2019
1/20/2020	Appendix V	Created Appendix V to Update Tenant Selection Plan W/Preferences & Application Scoring Matrix
1/20/2020	10.1 Preferences K-O	Tenant Unit Transfers - Preferences and Scoring/ Tenant Unit Transfers - Preferences and Scoring K-O
1/20/2020	10.3	Updated BCHC Annual Income Targeting and Tracking Summary Report 10/1/2018-9/30/2019
1/20/2020	16.5	Processing Unit Transfers/Request for Unit Transfer
2/19/2020	8.3.A.	Changed Required Landlord References from 5 to 3
2/19/2020	8.3.C.	Changed Required Landlord References from 5 to 3
2/19/2020	8.3D.	Changed Prior Housing History from 5 to 3 years.
2/19/2020	8.3	Clarified language regarding applications and pending adjudications.
2/19/2020	8.5 Informal Hearings	Added: or panel of persons.
3/2/2020	8.6.	Added: clarified grammar for informal reviews and added Formal Hearing/Grievance language
3/2/2020	Appendix VI	Added Appendix VI – Grievance Policy
3/3/2020	Appendix III	Changed Crimes against persons
3/3/2020	Appendix III	Changed crimes against society
5/11/2020	Appendix V – Preference	Added TDFCI and J. TDFCY
1/27/2021	Appendix III Suitability Criteria	Criminal History converted to RealPage Format
2/1/2021	13.8 Paying Rent	Removed Chemical Bank, Rent paid at property
2/1/2021	Table of Contents	Repagination
2/1/2021	Title Page Revision	TSACOP
4/19/2021	8.3.C.4. Deleted	Deleted reference to Home Inspections
4/19/2021	8.3.C.5. Renumbered to 4	Renumbered 8.3.C.5 to 8.3.C.4.

[document on next page]

Note to all applicants/respondents: This form was developed with Nuance, the official HUD software for the creation of HUD forms. HUD has made available instructions for downloading a free installation of a Nuance reader that allows the user to fill-in and save this form in Nuance. Please see <http://portal.hud.gov/hudportal/documents/huddoc?id=nuancereaderinstall.pdf> for the instructions. Using Nuance software is the only means of completing this form.

Affirmative Fair Housing Marketing Plan (AFHMP) - Multifamily Housing

**U.S. Department of Housing and Urban Development
Office of Fair Housing and Equal Opportunity**

OMB Approval No. 2529-0013
(exp.1/31/2021)

1a. Project Name & Address (including City, County, State & Zip Code)	1b. Project Contract Number	1c. No. of Units
	1d. Census Tract	
	1e. Housing/Expanded Housing Market Area	

1f. Managing Agent Name, Address (including City, County, State & Zip Code), Telephone Number & Email Address

1g. Application/Owner/Developer Name, Address (including City, County, State & Zip Code), Telephone Number & Email Address

1h. Entity Responsible for Marketing (check all that apply)

Owner Agent Other (specify)

Position, Name (if known), Address (including City, County, State & Zip Code), Telephone Number & Email Address

1i. To whom should approval and other correspondence concerning this AFHMP be sent? Indicate Name, Address (including City, State & Zip Code), Telephone Number & E-Mail Address.

2a. Affirmative Fair Housing Marketing Plan

Plan Type

Date of the First Approved AFHMP:

Reason(s) for current update:

2b. HUD-Approved Occupancy of the Project (check all that apply)

Elderly

Family

Mixed (Elderly/Disabled)

Disabled

2c. Date of Initial Occupancy

2d. Advertising Start Date

Advertising must begin *at least* 90 days prior to initial or renewed occupancy for new construction and substantial rehabilitation projects.

Date advertising began or will begin

For existing projects, select below the reason advertising will be used:

To fill existing unit vacancies		
To place applicants on a waiting list	(which currently has	individuals)
To reopen a closed waiting list	(which currently has	individuals)

3a. Demographics of Project and Housing Market Area

Complete and submit Worksheet 1.

3b. Targeted Marketing Activity

Based on your completed Worksheet 1, indicate which demographic group(s) in the housing market area is/are *least* likely to apply for the housing without special outreach efforts. (check all that apply)

White	American Indian or Alaska Native	Asian	Black or African American
Native Hawaiian or Other Pacific Islander		Hispanic or Latino	Persons with Disabilities
Families with Children	Other ethnic group, religion, etc. (specify)		

4a. Residency Preference

Is the owner requesting a residency preference? If yes, complete questions 1 through 5.

If no, proceed to Block 4b.

(1) Type

(2) Is the residency preference area:

The same as the AFHMP housing/expanded housing market area as identified in Block 1e?

The same as the residency preference area of the local PHA in whose jurisdiction the project is located?

(3) What is the geographic area for the residency preference?

(4) What is the reason for having a residency preference?

(5) How do you plan to periodically evaluate your residency preference to ensure that it is in accordance with the non-discrimination and equal opportunity requirements in 24 CFR 5.105(a)?

Complete and submit Worksheet 2 when requesting a residency preference (see also 24 CFR 5.655(c)(1)) for residency preference requirements. The requirements in 24 CFR 5.655(c)(1) will be used by HUD as guidelines for evaluating residency preferences consistent with the applicable HUD program requirements. See also HUD Occupancy Handbook (4350.3) Chapter 4, Section 4.6 for additional guidance on preferences.

4b. Proposed Marketing Activities: Community Contacts

Complete and submit Worksheet 3 to describe your use of community contacts to market the project to those least likely to apply.

4c. Proposed Marketing Activities: Methods of Advertising

Complete and submit Worksheet 4 to describe your proposed methods of advertising that will be used to market to those least likely to apply. Attach copies of advertisements, radio and television scripts, Internet advertisements, websites, and brochures, etc.

5a. Fair Housing Poster

The Fair Housing Poster must be prominently displayed in all offices in which sale or rental activity takes place (24 CFR 200.620(e)). Check below all locations where the Poster will be displayed.

Rental Office Real Estate Office Model Unit Other (specify)

5b. Affirmative Fair Housing Marketing Plan

The AFHMP must be available for public inspection at the sales or rental office (24 CFR 200.625). Check below all locations where the AFHMP will be made available.

Rental Office Real Estate Office Model Unit Other (specify)

5c. Project Site Sign

Project Site Signs, if any, must display in a conspicuous position the HUD approved Equal Housing Opportunity logo, slogan, or statement (24 CFR 200.620(f)). Check below all locations where the Project Site Sign will be displayed. Please submit photos of Project signs.

Rental Office Real Estate Office Model Unit Entrance to Project Other (specify)

The size of the Project Site Sign will be x
The Equal Housing Opportunity logo or slogan or statement will be x

6. Evaluation of Marketing Activities

Explain the evaluation process you will use to determine whether your marketing activities have been successful in attracting individuals least likely to apply, how often you will make this determination, and how you will make decisions about future marketing based on the evaluation process.

7a. Marketing Staff

What staff positions are/will be responsible for affirmative marketing?

7b. Staff Training and Assessment: AFHMP

- (1) Has staff been trained on the AFHMP?
 - (2) Has staff been instructed in writing and orally on non-discrimination and fair housing policies as required by 24 CFR 200.620(c)?
 - (3) If yes, who provides instruction on the AFHMP and Fair Housing Act, and how frequently?

 - (4) Do you periodically assess staff skills on the use of the AFHMP and the application of the Fair Housing Act?
 - (5) If yes, how and how often?
-

7c. Tenant Selection Training/Staff

- (1) Has staff been trained on tenant selection in accordance with the project's occupancy policy, including any residency preferences?

 - (2) What staff positions are/will be responsible for tenant selection?
-

7d. Staff Instruction/Training:

Describe AFHM/Fair Housing Act staff training, already provided or to be provided, to whom it was/will be provided, content of training, and the dates of past and anticipated training. Please include copies of any AFHM/Fair Housing staff training materials.

8. Additional Considerations Is there anything else you would like to tell us about your AFHMP to help ensure that your program is marketed to those least likely to apply for housing in your project? Please attach additional sheets, as needed.

9. Review and Update

By signing this form, the applicant/respondent agrees to implement its AFHMP, and to review and update its AFHMP in accordance with the instructions to item 9 of this form in order to ensure continued compliance with HUD's Affirmative Fair Housing Marketing Regulations (see 24 CFR Part 200, Subpart M). I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (See 18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

Signature of person submitting this Plan & Date of Submission (mm/dd/yyyy)

Name (type or print)

Title & Name of Company

For HUD-Office of Housing Use Only	For HUD-Office of Fair Housing and Equal Opportunity Use Only	
Reviewing Official:	Approval	Disapproval
Signature & Date (mm/dd/yyyy)	Signature & Date (mm/dd/yyyy)	
Name (type or print)	Name (type or print)	
Title	Title	

**Worksheet 1: Determining Demographic Groups Least Likely to Apply for Housing Opportunities
(See AFHMP, Block 3b)**

In the respective columns below, indicate the percentage of demographic groups among the project's residents, current project applicant data, census tract, housing market area, and expanded housing market area (See instructions to Block 1e). If you are a new construction or substantial rehabilitation project and do not have residents or project applicant data, only report information for census tract, housing market area, and expanded market area. The purpose of this information is to identify any under-representation of certain demographic groups in terms of race, color, national origin, religion, sex, familial status, or disability. If there is significant under-representation of any demographic group among project residents or current applicants in relation to the housing/expanded housing market area, then targeted outreach and marketing should be directed towards these individuals least likely to apply. Please indicate under-represented groups in Block 3b of the AFHMP. **Please attach maps showing both the housing market area and the expanded housing market area.**

Demographic Characteristics	Project's Residents	Project's Applicant Data	Census Tract	Housing Market Area	Expanded Housing Market Area
% White					
% Black or African American					
% Hispanic or Latino					
% Asian					
% American Indian or Alaskan Native					
% Native Hawaiian or Pacific Islander					
% Persons with Disabilities					
% Families with Children under the age of 18					
Other (specify)					

Worksheet 2: Establishing a Residency Preference Area (See AFHMP, Block 4a)

Complete this Worksheet if you wish to continue, revise, or add a residency preference, which is a preference for admission of persons who reside or work in a specified geographic area (see 24 CFR 5.655(c)(1)(ii)). If a residency preference is utilized, the preference must be in accordance with the non-discrimination and equal opportunity requirements contained in 24 CFR 5.105(a). This Worksheet will help show how the percentage of the population in the residency preference area compares to the demographics of the project's residents, applicant data, census tract, housing market area, and expanded housing market area. **Please attach a map clearly delineating the residency preference geographical area.**

Demographic Characteristics	Project's Residents (as determined in Worksheet 1)	Project's Applicant Data (as determined in Worksheet 1)	Census Tract (as determined in Worksheet 1)	Housing Market Area (as determined in Worksheet 1)	Expanded Housing Market Area (as determined in Worksheet 1)	Residency Preference Area (if applicable)
% White						
% Black or African American						
% Hispanic or Latino						
% Asian						
% American Indian or Alaskan Native						
% Native Hawaiian or Pacific Islander						
% Persons with Disabilities						
% Families with Children under the age of 18						
Other (specify)						

Worksheet 3: Proposed Marketing Activities –Community Contacts (See AFHMP, Block 4b)

For each targeted marketing population designated as least likely to apply in Block 3b, identify at least one community contact organization you will use to facilitate outreach to the particular population group. This could be a social service agency, religious body, advocacy group, community center, etc. State the names of contact persons, their addresses, their telephone numbers, their previous experience working with the target population, the approximate date contact was/will be initiated, and the specific role they will play in assisting with the affirmative fair housing marketing. Please attach additional pages if necessary.

Targeted Population(s)	Community Contact(s), including required information noted above.

Worksheet 4: Proposed Marketing Activities – Methods of Advertising (See AFHMP, Block 4c)

Complete the following table by identifying your targeted marketing population(s), as indicated in Block 3b, as well as the methods of advertising that will be used to market to that population. For each targeted population, state the means of advertising that you will use as applicable to that group and the reason for choosing this media. In each block, in addition to specifying the media that will be used (e.g., name of newspaper, television station, website, location of bulletin board, etc.) state any language(s) in which the material will be provided, identify any alternative format(s) to be used (e.g. Braille, large print, etc.), and specify the logo(s) (as well as size) that will appear on the various materials. Attach additional pages, if necessary, for further explanation. Please attach a copy of the advertising or marketing material.

Targeted Population(s)→ Methods of Advertising ↓	Targeted Population: Hispanic/Latino	Targeted Population:	Targeted Population:
Newspaper(s)			
Radio Station(s)			
TV Station(s)			
Electronic Media			
Bulletin Boards			
Brochures, Notices, Flyers			
Other (specify)			

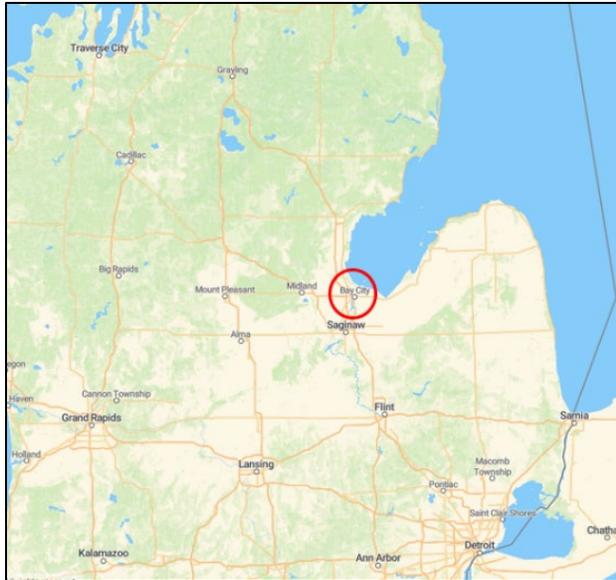
Affirmative Fair Housing Marketing Plan (AFHMP) -Multifamily Housing

Bay City Maplewood Manor LLC LDHA

CONTRACT NO. MI28RD00006

PAGE 1

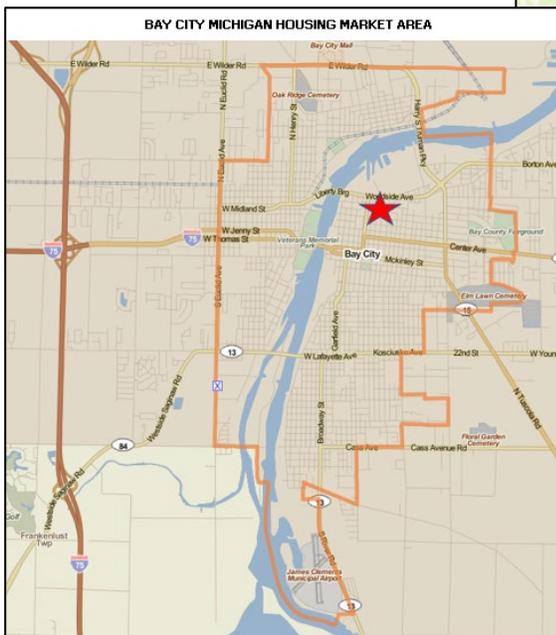
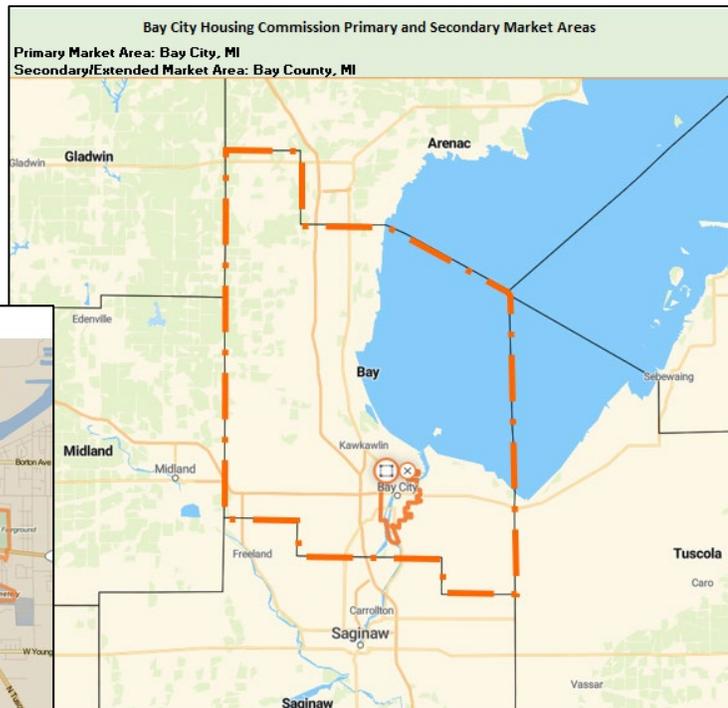
Primary and Secondary (Extended) Housing Market Areas



Bay City is part of the tri-cities region of east Central Michigan. Bay City, Saginaw and Midland are the three corners of the area. Each has its own distinct market area. Bay City occupies a prominent location at the southwest end of Saginaw Bay, off Lake Huron, and at the terminus of the Saginaw River. The Saginaw River connects Saginaw and Bay City.

For the Bay City Housing Commission properties, Bay City is the primary Housing Market Area and the secondary Extended Housing Market Area is Bay County.

A regional characteristic that has emerged through the years is that each of the tri-cities has its own character/identity and applicants for housing typically have a strong preference as to which of these markets is of interest to them.



Oftentimes, an applicant's selection is made based on proximity to family, friends or prior residency.

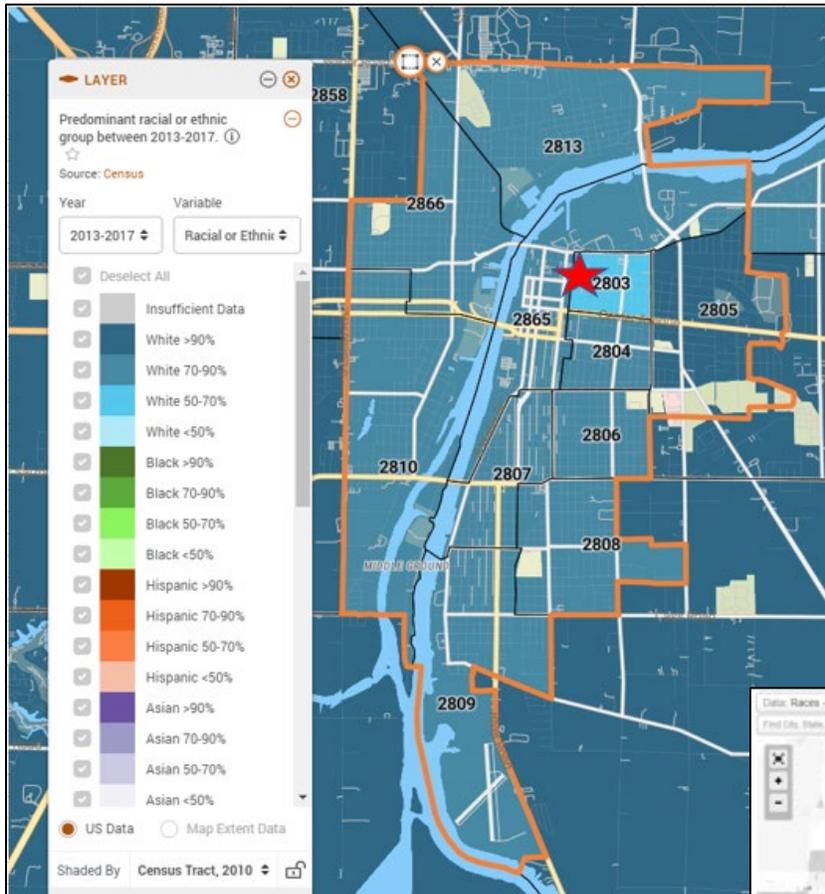
Affirmative Fair Housing Marketing Plan (AFHMP) -Multifamily Housing

Bay City Maplewood Manor LLC LDHA

CONTRACT NO. MI28RD00006

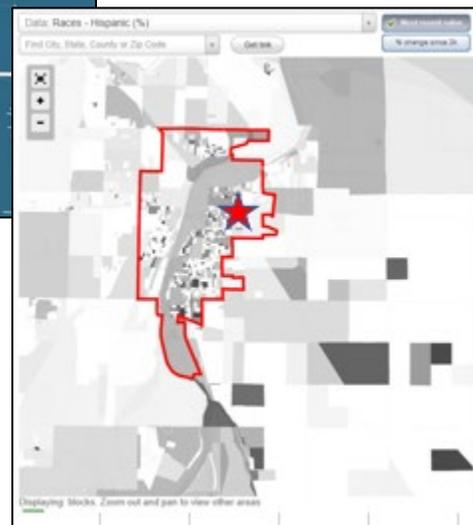
PAGE 2

Worksheet 1: Determining Demographic Groups Least Likely to Apply for Housing Opportunities (See AFHMP, Block 3b)



Worksheet 1, compares racial demographics for the project to the Housing Market Areas to identify potentially underserved populations.

Maplewood Manor is a designated “elderly” property for residents aged 62+ and persons with disabilities thereby, significantly limiting the eligible applicants that are included in the total Hispanic/Latino population within the Housing Market Area.



The ~~Hispanic/Latino~~ segment of the market is the only underserved segment, based on current data.

Hispanic/Latinos are 3% less than the market but are at 6.4% of the targeted level of 9.62%. We do not view this as a significant indicator of an underserved market, but, are treating it as such.

The Secondary Housing Market, Bay County, has a significant agrarian land area where Hispanic and Latino populations are statistically more distributed in comparison to the African American populations which are concentrated in the urban, primary market area.

Affirmative Fair Housing Marketing Plan (AFHMP) -Multifamily Housing

Bay City Maplewood Manor LLC LDHA

CONTRACT NO. MI28RD00006

PAGE 3

Worksheet 2: Establishing a Residency Preference Area

(See AFHMP, Block 4a)

4.a. Residency Preference

The geography for these preferences is simply the City of Bay City, MI. The Bay City Housing Commission, nor Bay City Maplewood Manor LLC LDHA operated a Housing Choice Voucher Program (HCV), therefore, the available units have a fixed location with the Housing Market Area.

In its Tenant Selection Plan, the Bay City Housing Commission maintains a list of preferences that are applied to each application for housing. Appendix IV: Tenant Selection Plan W/Preferences & Application Scoring Matrix prioritizes several characteristics, including current residency. A preference is given employed residents currently residing in Bay City, MI, followed by employed residents currently residing in Bay County, MI.

A	PT08 - Current participating families in either the Public Housing or Section 8 HCV program of another Public Housing Agency who have been displaced as the result of a Federally declared disaster. (Refer to Section 12.5 for verification requirements)	Scoring Points
B	PT09 - Any other income eligible family who has been displaced as the result of a Federally declared disaster. (Refer to Section 12.5 for verification requirements)	
C	DEEL - Elderly (62 and Over)	
D	NEDI - Near Elderly W/Disability (50 and Above with Disability)	
E	NEEL - Near Elderly (50 and Above with No Disability)	
F	DNE - Disabled (18 to 49)	
D	WFCI - Applicants that are current residents of the City of Bay City and have bona fide employment of at least 20 hours per week in the City of Bay City.	
E	TDFCI - Applicants that are current residents of the City of Bay City and a part of a household where all members of the household are unable to work on account of a certified disability.	
F	WFCY - Applicants that are current residents of Bay County and have bona fide employment of at least 20 hours per week in Bay County.	
D	TDFCY - Applicants that are current residents of Bay County and a part of a household where all members of the household are unable to work on account of a certified disability.	
E	WOST - Applicants with a head of household or spouse enrolled in an employment training program, currently working 30 hours a week, or attending school on a full-time basis. This preference is also extended equally to all elderly families and all families whose head or spouse is receiving income based on their inability to work.	
F	OTHR - All other applicants. (Selected according to application date and time submitted.)	

A complete copy of Appendix VI follows.



Bay City Housing Commission

Tenant Selection Plan W/Preferences & Application Scoring Matrix

Preference

Maximum Income Eligibility (as percent of area median income)
Extremely Low Income Set-Aside⁴

Ranking Preference Code

Elderly Families = 62+
Near-Elderly Age = 50+
* Letters indicate the ranking of preferences. Acronyms are preference designators used in the Wait List database.

- A PT08** - Current participating families in either the Public Housing or Section 8 HCV program of another Public Housing Agency who have been displaced as the result of a Federally declared disaster. (Refer to Section 12.5 for verification requirements)
- B PT09** - Any other income eligible family who has been displaced as the result of a Federally declared disaster. (Refer to Section 12.5 for verification requirements)
- C DEEL** - Elderly (62 and Over)
- D NEDI** - Near Elderly W/Disability (50 and Above with Disability)
- E NEEL** - Near Elderly (50 and Above with No Disability)
- F DNE** - Disabled (18 to 49)
- D WFCI** - Applicants that are current residents of the City of Bay City and have bona fide employment of at least 20 hours per week in the City of Bay City.
- E TDFCI** - Applicants that are current residents of the City of Bay City and a part of a household where all members of the household are unable to work on account of a certified disability.
- F WFCY** - Applicants that are current residents of Bay County and have bona fide employment of at least 20 hours per week in Bay County.
- D TDFCY** - Applicants that are current residents of Bay County and a part of a household where all members of the household are unable to work on account of a certified disability.
- E WOST** - Applicants with a head of household or spouse enrolled in an employment training program, currently working 30 hours a week, or attending school on a full-time basis. This preference is also extended equally to all elderly families and all families whose head or spouse is receiving income based on their inability to work.
- F OTHR** - All other applicants. (Selected according to application date and time submitted.)

Scoring Points

Preference Rankings				
Public Housing Scattered Sites	Smith Manor	Maloney Manor	Pine Towers	Maplewood Manor LIHTC Non RAD
Family ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁴	Family ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁴	Family ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁴	Elderly ² ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁶	Elderly + Disabled ² ≤ 60% AMI ⁴ 40% @ ≤ 30% AMI ⁴
1st Displaced, Working Families Bay City	1st Elderly, Disabled or Displaced	1st Elderly, Disabled or Displaced	1st Elderly, Disabled or Displaced	1st Elderly, Disabled or Displaced
2nd Displaced, Working Families Bay County	2nd Near-Elderly W/Disability	2nd Near-Elderly W/Disability	2nd Near-Elderly W/Disability	2nd Near-Elderly w/Disability
3rd Preferences G-J	3rd Near-Elderly	3rd Near-Elderly	3rd - Disabled families, not elderly or near-elderly set-aside - 18 units. ²	3rd - Disabled families, not elderly or near-elderly set-aside - 18 units. ²
	4th Preferences F-J	4th Preferences F-J		
30	30	30	30	30
20	20	20	20	20
	7	7	7	7
	6	6	6	6
	5	5		
	4	4	4	4
3	3	3		
3	3	3		
2	2	2		
2	2	2		
1	1	1		
0	0	0		



Bay City Housing Commission

Tenant Selection Plan W/Preferences & Application Scoring Matrix

Preference

Maximum Income Eligibility (as percent of area median income)
Extremely Low Income Set-Aside⁴

Ranking

Elderly Families = 62+
Near-Elderly Age = 50+

* Letters indicate the ranking of preferences. Acronyms are preference designators used in the Wait List database.

Tenant Unit Transfers - Preferences and Scoring

G RARQ - Category "A" - Emergency Transfers when conditions pose an immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, the health condition of a family member, a hate crime, domestic violence such as those covered by VAWA, the safety of witnesses to a crime, or a law enforcement matter particular to the neighborhood.

H PT11 - Category "B" - Immediate administrative Transfers - Tenant Request for Reasonable Accommodation Transfer to Barrier Free Unit

I PT12 -Category "C" - Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain Bay City Housing Commission occupancy goals, to correct occupancy standards where the unit size is inappropriate for the size and composition of the family, to allow for non-emergency but medically advisable transfers, and other transfers approved by the Bay City Housing Commission when a transfer is the only or best way of solving a serious problem.

J PT13 - Incentive Transfers

K PT14 - Tenant Requesting Transfer to Another Unit Within Property

Scoring Points

Preference Rankings			
Public Housing Scattered Sites	Smith Manor	Maloney Manor	Pine Towers
Family ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁴	Family ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁴	Family ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁴	Elderly ² ≤ 80% AMI ⁴ 40% @ ≤ 30% AMI ⁶
1st Displaced, Working Families Bay City	1st Elderly, Displaced or Displaced	1st Elderly, Displaced or Displaced	1st Elderly, Displaced or Displaced
2nd. Displaced, Working Families Bay County	2nd Near-Elderly W/Disability	2nd Near-Elderly W/Disability	2nd Near-Elderly W/Disability
3rd Preferences G-J	3rd Near-Elderly	3rd Near-Elderly	3rd - Disabled families, not elderly or near-elderly set-aside - 18 units. ²
	4th Preferences F-J	4th Preferences F-J	
15	15	15	15
14	14	14	14
8	8	8	8
-8	-8	-8	-8
-10	-10	-10	-10

* Letters indicate the ranking of preferences. Acronyms are preference designators used in the Wait List database.

- Buildings Designed for the Elderly and Disabled families.** If there are no elderly or disabled families on the wait list, preference will then be given to near- elderly families.
- Buildings Designated as Elderly Only Housing:** Pine Towers and Maplewood Manor have been approved by HUD as being designated for elderly only. In filling vacancies in these developments, first priority will be given to elderly families. If there are no elderly families on the appropriate waiting lists, next priority will be given to the near elderly. After applying the priorities from the Table: Tenant Selection and Admission Plan w/Preferences and Application Scoring families will be selected from the waiting lists using application dates to determine their ranking on the wait list. See HUD Handbook 4350.3 REV1, Chapter 3-18.A
- Except for the Scattered Site portfolio, families who are elderly, disabled, or displaced will be offered housing before other single persons.**
- Extremely Low-Income Set-aside.** Bay City Housing Commission will select eligible applicants in chronological order from the waiting list whose incomes are at or below the extremely low-income limit to fill the first 40% of expected vacancies in the property. Once this target has been reached, applicants will be admitted in waiting list order.
- Combining Preferences.** Bay City Housing Commission does not provide a higher priority to an applicant who qualifies for the multiple preference categories (also known as combining preferences). Applicants must verify eligibility for one of the preferences listed above.

WORKSHEET 4: ADVERTISING MATERIALS



MI GENTE MAGAZINE

HOME MI GENTE ON AIR AUGUST 2021 JUNE 2021 25TH ANNIVERSARY ISSUE MI GENTE YEARBOOK MORE... CART (0)

Current and Back Issues for Sale

Please Support Mi Gente Magazine

Senior High Rise & Administrative Office Locations

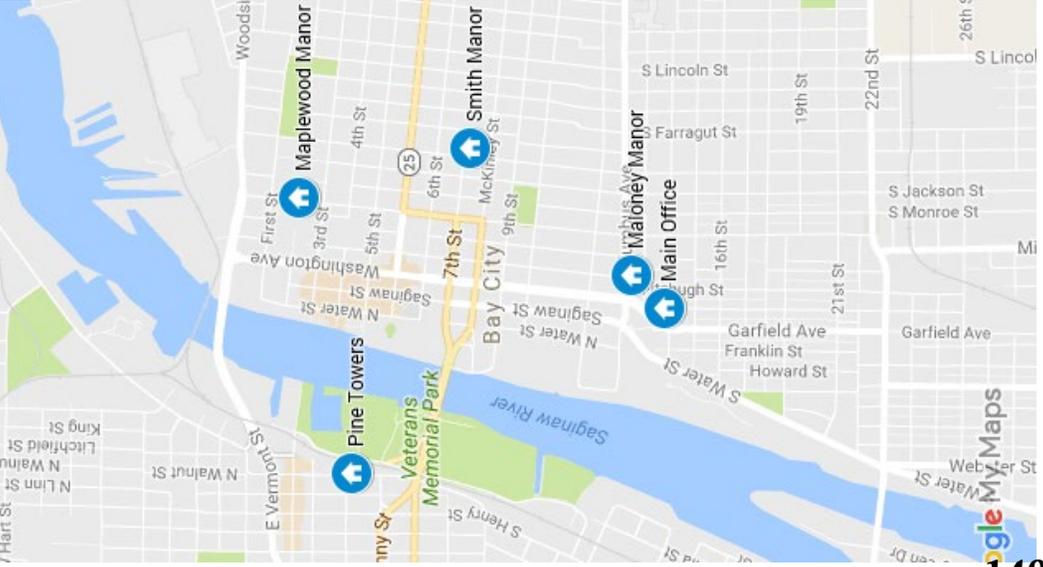
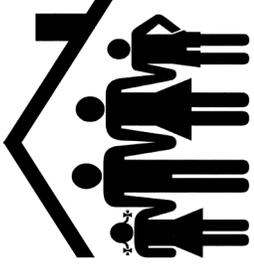
Administrative Office, 315 14th Street

Maloney Manor, 210 Fitzhugh

Smith Manor, 600 N. Van Buren

Maplewood Manor, 1200 N. Madison

Pine Towers, 306 S. Walnut



Non-Discrimination:

The Bay City Housing Commission is governed by Federal and State Law and City Ordinances. Tenant eligibility for admission and continued occupancy is, therefore, strictly regulated. However, the City of Bay City Housing Commission does not discriminate on the basis of religion, race, color, national origin, age, sex, height, weight, handicap or familial status as to: access, availability, employment or participation in any of its programs or activities.



Bay City Housing Commission

**315 14th Street
Bay City, MI 48708**

Phone: (989) 892-9581

Fax: (989) 892-5818

TDD 800-545-1833, ext. 561



Bay City Housing Commission

Our mission:

“Is to enhance the quality of life in our community through the provision and improvement of decent, safe, affordable housing programs that meet the needs of our citizens.”

Rent Assisted Affordable Housing for Families,
Senior Citizens, Disabled and/or Handicapped
Persons

The Bay City Housing Commission (BCHC) is one of 3,500 local public housing agencies across the country. BCHC was established by the City of Bay City under the federal Housing Act of 1937. Today BCHC manages 720 apartments and single family homes in Bay City.

Senior Housing

Maloney Manor

210 Fitzhugh (East Side), Bay City
113 Apts. available for Seniors, Disabled and/or Handicapped Persons

Smith Manor

600 N. VanBuren (East Side), Bay City
141 Apts. available for Seniors, Disabled and/or Handicapped Persons

Pine Towers *

306 S. Walnut (West Side), Bay City
115 Apts. available for Seniors, Disabled and/or Handicapped Persons

Maplewood Manor *

1200 N. Madison (East Side), Bay City
158 Apts. available for Seniors, Disabled and/or Handicapped Persons
2020 required income limit upon admission at Maplewood Manor for:
1 Person - \$26,880
2 Person - \$30,720

* Designated as Senior preference buildings, however some disabled/handicapped units may be available.

Eligibility Requirements:

To be eligible for the Bay City Housing Commission Affordable Housing, applicants must meet the following requirements:

- ✓ Must meet income eligibility (See chart)
- ✓ Applicants must be capable of living independently and maintain unit assigned to them or, with a reasonable accommodation or assistance, are able to do so.
- ✓ A **Security Deposit** equal to one month's rent will be charged and payable upon move-in.
- ✓ Senior applicants must be 62 years of age or older, disabled and/or handicapped. There are no asset limitations required for admission.

Community Features for Senior & Disabled

- Each high rise building is conveniently located near downtown Bay City
- Health Clinics scheduled in cooperation with the Bay County Health Department
- Neighborhood (Crime) Watch Group
- Libraries in close proximity
- Noon Meal Programs available at several nearby meal sites
- Meals on Wheels available for shut ins
- Food Commodities Program
- On-site local bus transportation and taxi services

Apartment Features for Senior & Disabled

- Electric stove, refrigerator, new window blinds, spacious closets, individually controlled heating
- Full bathroom with grab bars
- Laundry facilities on site
- 24-Hour maintenance staff
- All utilities are included in the monthly rent except telephone and cable TV
- Community room in each high rise offering social activities, events and **FREE WI-FI**

Family Housing

Scattered Site Housing

Applicants must qualify as a family. A family consists of one or more persons related by blood, marriage or operation of law.

Scattered site housing offers 193 one to five-bedroom single family and duplex houses. Placement in family housing is made according to the household size.

To Apply:

Applications are taken at the Bay City Housing Commission Administrative Office, 315 14th Street, Bay City, MI between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday. No applications will be accepted over the telephone.

Income Limitation*:

Adjusted household income cannot exceed 80% of AMI (Area Median Income):

No. of Persons	Income		No. of Persons	Income	
	Income	Limit		Income	Limit
1	\$36,150		5	\$55,750	
2	\$41,300		6	\$59,900	
3	\$46,450		7	\$64,000	
4	\$51,600		8+	\$68,500	

*2021 income limit. AMI amounts are adjusted annually by HUD.

Monthly Rent:

- ✓ Your monthly rent is based on 30% of Adjusted Gross Income and is payable the 1st of the month.
- ✓ A utility allowance is given at scattered site family units based on bedroom size.



Shelter In Place



Bay City Housing Commission

"enhancing the quality of life in our community"

During these challenging times, please know that the dedicated staff of the Bay City Housing Commission are on the job to assure the best possible conditions for our residents.

Shelter in Place

On Monday, March 23, 2020, Gov. Gretchen Whitmer issued a "stay home" order to try to slow the spread of the coronavirus, ordering Michigan residents to stay at home except for essential purposes and telling non-essential businesses to stop asking employees to report to work. Though sweeping, it includes exemptions for essentials such as:

- Shopping for food or medicine
- Getting needed medical treatment
- Getting fuel
- Walking a pet
- Walking for exercise
- Staffing to allow maintenance of "minimum basic operations" for many employers

NEED ASSISTANCE OR WANT MORE INFORMATION?

Any BCHC resident requiring referrals to other agencies for assistance, please contact Connie Davis at Hope Network/New Passages (989) 893-6292

Bay City Housing Commission
Central Office (989) 892-9581

Smith Manor (989) 252-7875

Pine Towers (989) 607-0136

Maplewood Manor (989) 607-0137

Maloney Manor (989) 414-6686

Websites:

Michigan.gov/Coronavirus and CDC.gov/Coronavirus

Preventative Measures

The best prevention for viruses, such as influenza, the common cold or COVID-19:

PLEASE, STAY AT HOME! SHELTER IN PLACE!

If you think you have been exposed to COVID-19, call your health care provider. If you do not have a health care provider, call the nearest hospital.

- Wash your hands often with soap and warm water for 20 seconds. If not available, use hand sanitizer.
- Avoid touching your eyes, nose, or mouth with unwashed hands.
- Cover your mouth and nose with a tissue or upper sleeve when coughing or sneezing.
- Avoid contact with people who are sick.
- If you are sick, stay home, and avoid contact with others.
- Practice "social distancing". Stay at least 6 feet away from others when in a public setting.

Our Mission



Is to enhance the quality of life in our community through the provision and improvement of decent, safe, affordable housing programs that meet the needs of our citizens.

Equal Housing Opportunity



The Bay City Housing Commission is governed by Federal and State Law, and City Ordinances. Tenant eligibility for admission and continued occupancy is, therefore, strictly regulated. However, the City of Bay City Housing Commission does not discriminate on the basis of religion, race, color, national origin, age, sex, height, weight, handicap or marital status as to: access, availability, employment or participation in any of its programs or activities.

Contact Us



315 14th Street
Bay City, MI 48708

Phone: (989) 892-9581
Fax: (989) 892-5818
TDD: (800) 545-1833, ext. 561

Affirmative Fair Housing Marketing Plan (AFHMP) -Multifamily Housing

Bay City Maplewood Manor LLC LDHA

CONTRACT NO. MI28RD00006

PAGE 5

5c. PROJECT SITE SIGNAGE

Affirmative Fair Housing Marketing Plan (AFHMP) -Multifamily Housing

Bay City Maplewood Manor LLC LDHA

CONTRACT NO. MI28RD00006

PAGE 6

7d. FHEO - STAFF TRAINING MATERIALS

Fair Housing Basic Training



**Thursday
May 20, 2021
9 am - 12 pm**

The training is virtually; registration is required.

RESERVE YOUR SEAT...

Jo Anne Harris @ jharris@lsem-mi.org

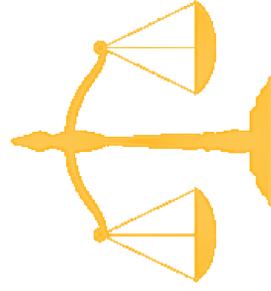
**LEGAL SERVICES OF EASTERN MICHIGAN FAIR HOUSING CENTER
SAGINAW, MI**

FAIR HOUSING TRAINING

Elan S. Nichols, Staff
Attorney

JoAnne Harris, Testing
Coordinator

LSEM Fair Housing Ctr
301 E. Genesee; 5th Fl
Saginaw, MI 48607
800-322-4512 x 143



LEGAL SERVICES
of Eastern Michigan



Fair Housing Laws: 3 Levels

- Fair housing laws exist at each of the three levels of legislative authority:
 1. Federal
 2. State
 3. Local
- Federal law prohibits discrimination based on 7 protected categories:
 1. Race
 2. Color – within a race/national origin
 3. Religion
 4. National origin – ethnicity/immigrant status
 5. Familial status – marital/presence of children
 6. Sex – gender, LGBTQ issues
 7. Disability
- Michigan law prohibits discrimination based on 2 protected classes:
 8. Age
 9. Marital status



Local Fair Housing Laws

Most Common Local Protected Classes

- Sexual Orientation
- Height & Weight
- Source of Income
- Student status

Federal Fair Housing Laws

- ❖ Civil Rights Act of 1866
- ❖ Title VIII of the Civil Rights Act of 1968 (Fair Housing Act)
- ❖ Title VIII was amended in 1988 (Disability & Familial Status)
- ❖ Section 504 of the Rehabilitation Act of 1973

Department of Justice

Fair Housing Laws

- ❖ Title II of the Americans with Disability Act of 1973 (ADA)
- ❖ Title III of the Americans with Disability Act of 2010 (ADA)
- ❖ Federal regulations

Michigan Fair Housing Laws

- ❖ Elliott-Larsen Civil Rights Act of 1976
- ❖ Persons with Disabilities Civil Rights Act
- ❖ Barrier Free Design Act
- ❖ Michigan Building Code
- ❖ State regulations

Who Must Comply?

- Rental housing complexes
- Real Estate businesses
- Lenders
- Condo Associations
- Local Government
- Mobile Home Communities
- Property Managers
- Landlords, Owners
- Advertising and insurance for housing
(homeowners, renters')

Fair Housing Act – Title VIII

- ❖ Refusing to rent or sell housing
- ❖ Refusing to negotiate for housing
- ❖ Making housing unavailable or denying housing
- ❖ Giving different terms, conditions, or privileges
- ❖ Providing different housing services or facilities
- ❖ Falsely denying that housing is available for inspection, sale, or rental

Fair Housing Act – Title VIII, Cont.

- ❖ Making financing unavailable, or setting different terms or conditions
- ❖ Denying membership in a facility or service in the sale or rental of housing
- ❖ Refusing to make reasonable accommodations or modifications
- ❖ Retaliating, threatening, coercing, intimidating or interfering with anyone in his or her enjoyment, buying, or renting in housing, or with the person assisting that person

Fair Housing Exemptions

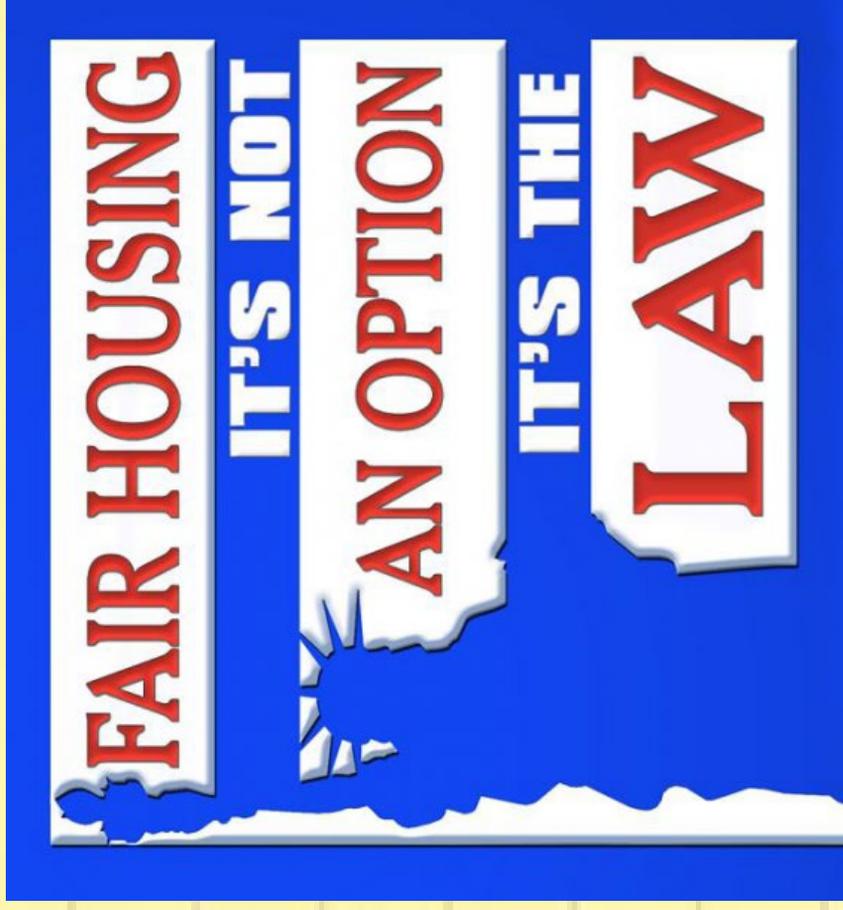
- Owner-occupied (lessor or family member) buildings with no more than four units
 - Exempting rental and housing accommodations
- Single-family homes sold or rented
- Homes operated by private organizations and clubs that limit occupancy to members
 - Exempting religious institutions, charitable, or educational organizations that give preference
- Single-sex dormitories
- Commercial real estate
- **EXCEPTION:** Disability issues under state disability law

Fair Housing Exemptions, Cont.

There are no exemptions if:

1. You advertise
2. You use a real estate agent or broker

For both, you must abide by the Fair Housing Act→ and other laws because



Progress Report. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.

This Five-Year PHA Plan 2022-2026 is the first adaptation of this report since the repositioning. The reporting of the goals outlined in the FY2015-2029 PHA Plan³ may align differently with this post-transformation plan. The agency successfully repositioned 71% of its total portfolio out of the Public Housing Program and into its Multifamily Program. That transition was completed in 2016. Since that time, the PHA has been reclassified as a “Small PHA” with scaled operating and reporting obligations.

1. FY 2015-2019 GOAL 1: Manage the Bay City Housing Commission’s existing housing programs in an efficient and effective manner.

The objectives for this goal spoke to maintaining “high performer” status, stabilizing on-going funding, and reducing regulatory burdens and continued participation in public/private ownership arrangements, including RAD.

At the end of the FY2015-2019 Plan, the **Physical Assessment Subsystem (PASS)** score of 78c did not achieve the objective. Without the inclusion of the high-rise buildings, the scoring universe was substantially reduced making any physical inspection findings on the 153 scattered site properties impact scoring greater than before. Therefore, more attention to details must be given individual properties.

U.S. Department of Housing and Urban Development
Physical Assessment Subsystem (PASS)

PHAS Details - Physical

[Print Version](#)

PHA Code	MI024	FYE	09/30/2019
PHA Name	Bay City Housing Commission	Current Designation	Small PHA Deregulation
PHA Size	Small	Total Released	1
Total Projects	1	Verified Unsuccessful	0
Verified Uninspectable	0	Inspection Refusal	0
Released to NASS	Yes		

One record found.

Insp. ID	Inspection Release Date	Dev. #/Name	RAD Indicator	Unit Count	100 Point Score	40 Point Score	IFD	Reason	Photo Link	Original Fiscal Year
620324	05/18/2018	MI024000001 SCATTERED SITE HOUSING	No	193	78c*	31.2	09/30/2020	Initial	Photo	2017

Export option(s): [Excel](#)

³ Attachment: FY2015 Five-Year PHA Plan: Goals and Objectives

The transfer of the Multifamily Portfolio from the total Public Housing units represented a substantial progress towards achieving the objective of public/private participation with RAD.

Reducing regulatory burdens and stabilizing ongoing funding is an objective that is largely out of the direct control of a PHA. The best that can be accomplished is to operate efficiently and maintain the “high performer” status so that additional reporting burdens are not imposed on the agency.

2. FY 2015-2019 GOAL 2: Align the Bay City Housing Commission’s housing inventory and program resources to address identified needs within its housing market area.

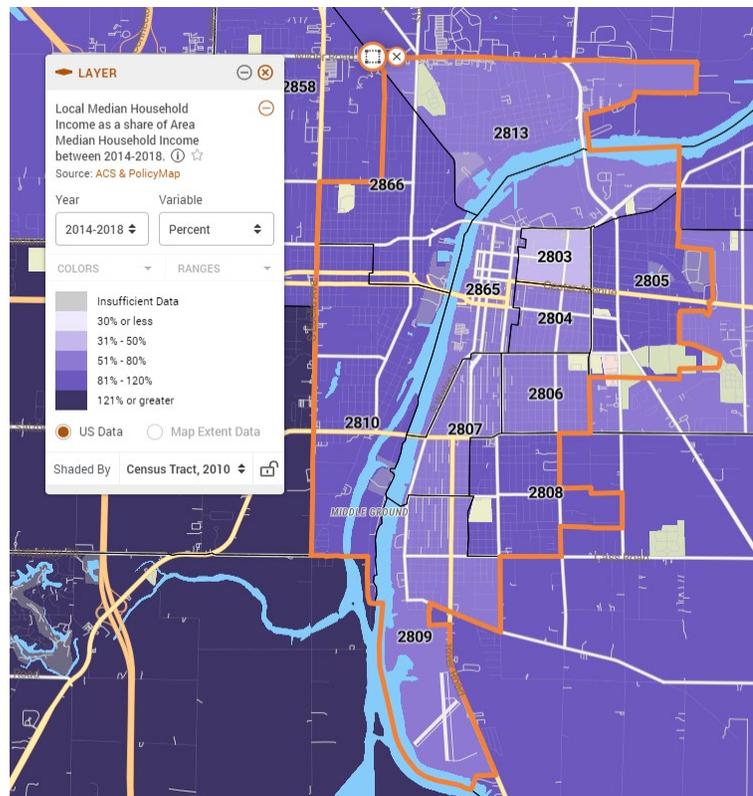
The portfolio of a PHA is not typically very fluid. In the case of the Bay City Housing Commission, the current portfolio is specifically allocated to target populations. Changing the targeted populations is highly unlikely. The only exceptions would be targeted populations within the current designated groups to address underserved populations based on race.

The Bay City Housing Commission achieved its objective to facilitate and finance market analysis in partnership with the City of Bay City for the community. That data has served as a baseline dataset for all community stakeholders.

The map at right shows the Housing Market Area for the PHA and the Median Household Incomes by census tract.

Public housing programs are open to families earning up to 80% AMI. The core census tracts (2865, 2803, 2804, 2806, 2807) containing median household incomes at or below 80% AMI.

The census tracts indicating AMIs above 80% are also mixed-income tracts with income eligible households residing there as well.



FY2015-2019 Goal 3: Maintain and enhance the marketability of the Bay City Housing Commission housing inventory.

The objectives of this goal speak to policies and practices relating to the Tenant Selection, Admissions and Continued Occupancy Policy (TSACOP) maintained by the PHA. Tenant admissions processing were enhanced in 2018 by the inclusion of third-party services providing background checks. This enables us to screen applicants more consistently and objectively against the Suitability Criteria than previously able. The system of informal hearings gives an ineligible applicant the opportunity to appeal the decision and contribute information that may mitigate the determination.

The Continued Occupancy components of the TSACOP provide the framework to retain current residents and preserve the peaceful enjoyment and security of those that do not initiate lease and rules violations.

These objectives also relate PASS Scores to “marketability”. Our overarching objective is to maintain our housing in the best condition possible physical condition. A part of this objective is to assist our tenants to maintain their apartments to a minimum standard by performing annual and periodic inspections to assure they are keeping their living environments healthy and safe. The recent experience with Covid-19 has raised the standards by which we view our quality controls and those of our residents. Marketability and resident retention are also a function of compliance residents demonstrate with the lease agreement and house rules.

**BAY CITY HOUSING COMMISSION
Portfolio Occupancy**

9/17/21	Total Units	Vacant Not Ready	Vacant Ready	Total Vacant	Applications Approved for Move-In (Leased)	Occupied	Physical Occupancy	% Leased & Occupied ¹	Intents to Vacate	Transfers Pending	Vacant to Lease	Net Current Applications in Processing ²	Applications Last Month	Percent Change Over Prior Month
Smith Manor	141	0	1	1	7	140	99.3%	104.3%	3	-	4	10.0	24.0	-58.3%
Maloney Manor	113	1	1	2	5	111	98.2%	102.7%	-	-	2	10.0	25.0	-60.0%
SubTotal	254	1	2	3	12	251	98.8%	103.5%	3	-	6	20.0	49.0	-59.2%
Pine Towers	115	0	2	2	2	113	98.3%	100.0%	-	-	2	7.50	27.0	-72.2%
Maplewood Manor	158	0	4	4	1	154	97.5%	98.1%	2	-	6	8.00	25.0	-68.0%
SubTotal (62+)	273	0	6	6	3	267	97.8%	98.9%	2	-	8	15.50	52.0	-70.2%
Scattered Sites (PH)	193	3	1	4	5	189	97.9%	100.5%	2	1	-	268.00	267.0	0.4%
Market/Master Lsd ³	6	0	0	0	0	6	100.0%	100.0%	-	-	-	5.00	4.0	25.0%
TOTAL PORTFOLIO	726	4	9	13	20	713	98.2%	101.0%	7	1	14	308.5	372.0	-17.1%

¹ Leased and Occupied units are units currently occupied plus "applications approved and scheduled for Move-in" (Leased)

² The majority of applications for high-rise units are on two wait lists. The wait list figures have been cut in half to reflect the listing. Scattered Sites allow only one application on the wait list.

³ Unrestricted, Non ACC and units master-leased.

Marketability is also measured by the number of applicants on the waiting list. The Public Housing Portfolio has consistently kept a waiting list⁴ of 250-275 applications

⁴ Attachment: BCHC Public Housing Program Onsite Waitlist Demographic Report

distributed across all unit types. Occupancy in the Public Housing Portfolio is consistently ranged between 97.9% to 100%, indicating that marketability and demand are strong.

3. FY2015-2019 Goal 4: Fully comply with all Statutory and Regulatory requirements of the applicable funding/authorizing entities.

The first objective for this goal was to balance diversity with the demographic profile of the community. The agency has achieved this objective as the demographics of the Public Housing Portfolio meet or exceed each category based on race/ethnicity.

Statistically, the only underserved portion of the community was the Hispanic/Latino population. Marketing will adjust as needed to assure no member of that target population is prevented from access to these programs.

The second objective was to assure compliance with applicable financial standards and regulatory requirements, including generally accepted accounting practices (GAAP). The annual independent auditors report of the financial condition of the PHA have been clear of findings. Systems are continually reviewed, and innovation embraced to improve financial reporting and accountability.

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MISSION STATEMENT

The mission of the Bay City Housing Commission is to *enhance the quality of life in our community through the provision and improvement of decent, safe, affordable housing programs that meet the needs of our citizens.*

GOALS AND OBJECTIVES/2015 TO 2019

Goal 1: *Manage the Bay City Housing Commission's existing housing programs in an efficient and effective manner.*

Objectives:

1. The Bay City Housing Commission shall achieve and maintain status as a “high performer” under HUD’s Public Housing Assessment System (PHAS), sustaining not less than an entity-wide score of 90%.
 2. To stabilize on-going funding, reduce regulatory burdens and provide for access to private capital markets, pursue participation in the Rental Assistance Demonstration Program (RAD).
 3. Continue participation in the public/private ownership arrangement of the Housing Commission’s non-Public Housing asset, Maplewood Manor.
-

Goal 2: *Align the Bay City Housing Commission’s housing inventory and program resources to address identified affordable housing market needs within its jurisdiction.*

Objectives:

1. Facilitate and finance a comprehensive housing market study.
 2. Reposition program resources to address specifically identified affordable housing needs in local market.
-

Goal 3: *Maintain and enhance the marketability of the Bay City Housing Commission's housing inventory.*

Objectives

1. Achieve and maintain a score of at 90% at all properties under the Physical Condition component (PASS) of the Public Housing Assessment System (PAHS).

2. Insure compliance by residents with lease provisions regarding housekeeping standards/unit condition and prohibition of conduct that disturbs peaceful enjoyment of accommodations of other residents.
 3. Effectively screen applicants under eligibility and suitability standards of applicable regulations and Admissions Policy, denying admission for proscribed causes.
 4. Take action to mitigate, to the extent practicable, negative influences of deteriorated properties in the immediate vicinity of owned properties.
-

Goal 4: *Fully comply with all Statutory and Regulatory requirements of applicable funding/authorizing entities.*

Objectives

1. The Bay City Housing Commission shall mix its public housing development populations ethnically, racially, and income-wise to the greatest extent feasible to reflect those same demographics of the City of Bay City and shall not discriminate against program participants or applicants on the basis of any protected class or characteristic.
 2. Assure full compliance with all applicable financial standards and regulations including generally accepted accounting practices (GAAP) for government and annual fiscal/compliance audit.
-

FY2022 PHA PLAN ATTACHMENT B.3.2
PROGRESS REPORT: PUBLIC HOUSING PROGRAM WAITLIST DEMOGRAPHICS

ONESITE WAITLIST DEMOGRAPHIC REPORT

Date of last review: 9/20/2021
 Date of current review: 9/21/2021

9/21/2021 10:59:59 AM

Ethnicity	Occupants		Current Applicants		Received Applicants		Offers Accepted		Moved-in Applicants		Rejected Applicants		Withdrawn		Applicants w/No Action		Board of Directors	Employees
	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All		
Hispanic or Latino	26	95	4	10	0	0	0	0	0	0	0	0	0	0	3	6		
Non-Hispanic or Non-Latino	160	451	7	15	0	0	0	0	0	0	0	0	0	0	2	3		
Member Did Not Specify	3	39	36	125	0	0	0	0	0	0	0	0	0	0	27	92		
Total	189	585	47	150	0	0	0	0	0	0	0	0	0	0	32	101		

Race	Occupants		Current Applicants		Received Applicants		Offers Accepted		Moved-in Applicants		Rejected Applicants		Withdrawn		Applicants w/No Action		Board of Directors	Employees
	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All		
American Indian or Alaskan Native	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Asian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Black or African American	21	77	1	3	0	0	0	0	0	0	0	0	0	0	1	3		
Native Hawaiian or Other Pacific Islander	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
White	169	505	10	24	0	0	0	0	0	0	0	0	0	0	4	8		
Other	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Member Did Not Specify	0	2	36	123	0	0	0	0	0	0	0	0	0	0	27	90		
Total	190	586	47	150	0	0	0	0	0	0	0	0	0	0	32	101		
Persons of 2 or more races	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		

Gender	Occupants		Current Applicants		Received Applicants		Offers Accepted		Moved-in Applicants		Rejected Applicants		Withdrawn		Applicants w/No Action		Board of Directors	Employees
	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All		
Male	25	231	38	297	0	0	0	0	0	0	0	0	0	0	27	203		
Female	165	355	227	454	0	0	0	0	0	0	0	0	0	0	168	332		
Member Did Not Specify	0	0	0	40	0	0	0	0	0	0	0	0	0	0	0	27		

Other	Occupants		Current Applicants		Received Applicants		Offers Accepted		Moved-in Applicants		Rejected Applicants		Withdrawn		Applicants w/No Action		Board of Directors	Employees
	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All	HOH only	All		
Persons with Disabilities	50	71	2	2	0	0	0	0	0	0	0	0	0	0	0	0		
Families with Children	144	n/a	200	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	147	n/a		

FY2022 PHA PLAN COMPONENT B.4 VIOLANCE AGAINST WOMEN ACT (VAWA) Goals

Provide a statement of the PHA’s goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking.

Our goals and objectives for the Violence Against Women Act (VAWA) are simple... The Bay City Housing Commission will maintain a “preference/priority” to assist children and adult victims of domestic violence, dating violence, sexual assault, or stalking.

These preferences may include, but not be limited to, allowing early termination of leases, priority transfers of units within our portfolio and expediting applications of persons impacted by violence or abuse, and assuming all program eligibility requirements are met.

To the extent allowed by law and privacy concerns, The Bay City Housing Commission will report abuse to the proper authorities when such abuses are observed or reported by credible sources. The PHA will also support law enforcement in the cessation and prosecution of abusers.

The Bay City Housing Commission maintains contractual agreements with third-party case managers that advocate, assist and counsel residents to access supportive sources available in the community and region. Those services shall be available to any resident experiencing such abuse.

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FY2022 PHA PLAN COMPONENT B.5 SIGNIFICANT AMENDMENT OR MODIFICATIONS

Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.

As mentioned above, this Five-Year PHA Plan 2022-2026 will be the first adaptation of the PHA Plan since the repositioning was completed in 2016. The repositioning decreased the number of units in the Public Housing Program from 720 to 193. The Multifamily Program was created is comprised of 526 total units.

The most notable change from the prior plan is the new configuration of the units, and unit mix, included in the Public Housing Portfolio. The changes

1. the PHA is now designated as a Small Public Housing Agency, having (193 units) less than 250 public housing unit breakpoint.
2. the 193 Scattered Site units span 151 buildings in the Public Housing Portfolio. The unit mix contains 84 duplex units (42 buildings) and 109 single family housing units deconcentrated throughout Bay City neighborhoods.
3. the high-rise buildings were transferred into the Multifamily Program and represents 71% of the total portfolio owned or operated by the PHA.
4. continued consideration of the feasibility of repositioning the remaining Public Housing Portfolio representing 29% of the total portfolio).

Additionally, an unanticipated consequence from the repositioning was the need to transform the culture and operations of the PHA to conform, and be competitive with, private-sector asset and property management organizations. The introduction of outside, private sector investors, private capital sources and regulatory agencies created the requirement to increase organizational capacity. For the PHA to continue having operational control of all current and future properties, the PHA must be highly competitive with private-sector management companies that might otherwise be chosen by current and future investors. The management and operational practices directed by HUD, the Michigan State Housing Development Authority (MSHDA), co-development partners, investors, lenders, and other financial stakeholders requires additional layers of regulatory and management performance compliance not encountered prior to 2016. Therefore, all goals and objectives assume even greater significance going forward.

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**FY2022 PHA PLAN COMPONENT B.6
RESIDENT ADVISORY BOARD (RAB) COMMENTS**

(a) Did the RAB(s) provide comments to the 5-Year PHA Plan?

Yes No

(b) If yes, comments must be submitted by the PHA as an attachment to the 5-Year PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.

The Resident Advisory Board (RAB) is comprised of all residents of the public housing program. The scattered site configuration of the public housing properties produces a wide array of possible considerations and concerns. The most effective means to assure we receive the benefit of input from residents is to consider all of them as the members of the RAB.

The channels of communication are always open to residents and community stakeholders anytime a question is asked or resolution to an issue involving policies, property operations or neighborhood needs.

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FY2022 PHA PLAN COMPONENT B.7 CERTIFICATION OF STATE/LOCAL OFFICIALS

HUD 5007-SL, Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan.

The City of Bay City published its FY2020-FY2024 Consolidated plan. The sections pertaining to public housing are referenced as: AP-60 Public Housing – 91.220(h)⁵.

Also attached is HUD Form 50077-SL, Certification by State or Local Officials of PHA Plans⁶. The certification validation that the PHA Plan is consistent with the Bay City's Consolidated Plan.

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⁵ Attachment: Bay City Consolidated Plan Excerpt: AP-60 Public Housing – 91.220(h)

⁶ Attachment: HUD Form 50077-SL, Certification by State or Local Officials of PHA Plans

[document on next page]

AP-60 Public Housing – 91.220(h)

Introduction

The Bay City Housing Commission (Housing Commission) is the sole provider of public housing in the City of Bay City. However, the business model for providing “public housing” is changing. In 2014, the Bay City Housing Commission began the Rental Assistance Demonstration (RAD) Program. RAD is a program to financially restructure the Housing Commission’s real estate portfolio. Bay City Housing Commission current operates three portfolios:

1. Public Housing (193 Units of scattered site single-family and duplex units);
1. Multifamily High-Rise Housing (Seniors and person with disabilities); and
1. Multifamily (LIHTC-financed buildings).

In the summer of 2017, the transformation from its historic role as a public housing agency was 70% completed with its high-rise buildings being fully converted. The next and final step in the transformation is the conversion of the remaining 193 public housing units to a multifamily property types and to the new LIHTC-funded business model. The financial transition takes the agency from being reliant on the United States Department of Housing and Urban Development (HUD) for all its capital needs to a private-sector “asset management” model that utilizes project-based housing assistance payment (HAP) contracts from HUD as the guaranteed revenue source plus tenant payments to fund current operations and future capital investment.

The Housing Commission’s vision statement says, “We will do our absolute best to assure that each night, when we go home to our families, we have left no units vacant that could have housed a family in need.”

Physical Occupancy for the Housing Commission’s public housing and multifamily housing portfolios have been sustained at 99% or better for the past two years with waiting list in the public housing portfolio constantly exceeding 250 applications every month.

Actions planned during the next year to address the needs to public housing

The Bay City Housing Commission is part of HUD’s national strategy to transition its agencies from the traditional public housing model into a new business model that functions competitively with private sector investors. The Housing Commission has completed the transformation of 73% of its current portfolio. The remaining units are being positioned for conversion.

In June FY2021, the Bay City Housing Commission will be resumed its strategic plans to reposition its remaining public housing portfolio from public housing to the new business

model. In March 2021, those efforts were stopped due to the uncertainty brought on by Covid19. Construction costs had risen sharply as the pandemic gained traction making it impossible to have confidence in the development plan and the financial risks associated with it. As the pandemic subsides and markets for materials and financing return to a more robust level of activity, the Housing Commission will again seek to complete the conversion.

This repositioning initiative was launched by HUD in 2003 when HUD began guiding PHAs to transition away from complete reliance on HUD for capital improvement funds to maintain the inventory of public housing. It has only been in recent years that there have been clear paths to achieve this transition. Now the process is well underway.

The Need: *Federal funding does and will not meet growing public housing rehabilitation needs. As more units fall into disrepair, fewer families will have access to livable units. In March 2020, Shaw Research & Consulting, LLC (Shaw) produced a Rental Housing and Market Feasibility Analysis for the Michigan State Housing Development Authority as part of the Housing Commission application to LIHTC funding. Shaw reported the following:*

*“Utilizing MSHDA’s demand worksheet, **the Bay City PMA has a LIHTC demand of 444 units from existing renter households, and 76 units from existing owner households.** Taking into consideration the declining number of non-senior renter households expected within the market area between 2020 and 2020, a negative demand of 21 units also needs to be factored in the calculations. As such, combining these factors results in an **overall demand of 500 LIHTC units for 2022.** Using the same methodology, the **demand for subsidized units was calculated at 1,129 units.**”*

Our Responsibility: *HUD, PHAs, and other local stakeholders are collectively responsible for being the best stewards of incredibly important and limited affordable housing resources.*

The United States Department of Housing and Urban Development (HUD) stated in a November 13, 2018 bulletin that the capital needs of the nation’s public housing inventory has outpaced Federal funding for much of the past decade. HUD has conservatively estimated the public housing capital needs backlog at almost \$26 billion, and HUD believe this figure continues to grow at around \$3.5 billion every year. The public housing industry also faces barriers in accessing other forms of affordable housing financing commonly available in the private market. Some PHAs are understandably struggling to preserve the quality of these important affordable housing resources which serve 1 million families nationwide.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The Bay City Housing Commission holds periodic “Meet ‘n Greets with senior management. The objective is for management to be accessible and to listen to concerns and suggestions about

how operations could better serve its customers.

The Housing Commission also holds an annual meeting of its Public Housing Resident Advisory Council. The advisory council included every resident in its portfolio. The purpose is not to exclude any resident from offering his/her perspective on issues and opportunities and to have access to senior management to ask questions and voice concerns. The most recent advisory council meeting was held on May 23, 2021.

Homeownership education, credit rebuilding and general financial capability education and support is promoted among residents. Mid-Michigan Community Action currently provides homeowner education along with financial capabilities training and support. The Bay City Housing Commission does not currently administer any Homeownership Programs. However, there may be an opportunity to initiate and broaden supportive programming concurrent with the completion of the new affordable housing developments.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

On August 6, 2018, The Bay City Housing Commission received notification from HUD of its status as a “High Performer” PHA. The organization received its Independent Auditor’s Report for FY2019 with no findings or comments. **That status has not changed since 2018.**

Discussion

The Bay City Housing Commission is the only public housing provider in the City of Bay City. All of Bay City Housing Commission’s properties are well maintained. City Staff supports and is working with the Housing Commission on the development of two affordable housing developments in Bay City. City Staff has a good working relationship with the Bay City Housing Commission that includes consistent interaction and cooperation.

In 2016 the Bay City Housing Commission had comprehensive housing analysis for the City of Bay City conducted. The study provides a good road map to the geographic locations in the community where development should be given a high priority. The Bay City Housing Commission properties are in proximity to downtown on or near key gateway corridors. These properties provide superior value and support for families, seniors and persons with disabilities as each location is very “walkable” to community resources and basic goods and services.

**FY2022 PHA PLAN ATTACHMENT B.7.2
CERTIFICATION BY STATE OR LOCAL OFFICIALS OF PHA PLANS**

[document on next page]

**Certification by State or Local
Official of PHA Plans Consistency
with the Consolidated Plan or
State Consolidated Plan
(All PHAs)**

U. S Department of Housing and Urban Development

Office of Public and Indian Housing

OMB No. 2577-0226

Expires 2/29/2016

**Certification by State or Local Official of PHA Plans
Consistency with the Consolidated Plan or State Consolidated Plan**

I, _____, the _____
Official's Name *Official's Title*

certify that the 5-Year PHA Plan and/or Annual PHA Plan of the

PHA Name

is consistent with the Consolidated Plan or State Consolidated Plan and the Analysis of
Impediments (AI) to Fair Housing Choice of the

Local Jurisdiction Name

pursuant to 24 CFR Part 91.

Provide a description of how the PHA Plan is consistent with the Consolidated Plan or State
Consolidated Plan and the AI.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Signature	Date

**Certification of Compliance with
PHA Plans and Related Regulations
(Small PHAs)**

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 02/29/2016

**PHA Certifications of Compliance with the PHA Plans and Related Regulations
including Civil Rights and PHA Plan Elements that Have Changed**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the ___ 5-Year and/or ___ Annual PHA Plan for the PHA fiscal year beginning _____, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA certifies that the following policies, programs, and plan components have been revised since submission of its last Annual PHA Plan (check all policies, programs, and components that have been changed):
 - ___ 903.7a Housing Needs
 - ___ 903.7b Deconcentration and Other Policies Governing Eligibility, Selection, Occupancy, and Admissions Policies
 - ___ 903.7c Financial Resources
 - ___ 903.7d Rent Determination Policies
 - ___ 903.7h Demolition and Disposition
 - ___ 903.7k Homeownership Programs
 - ___ 903.7r Additional Information
 - ___A. Progress in meeting 5-year mission and goals
 - ___B. Criteria for substantial deviation and significant amendments
 - ___C. Other information requested by HUD
 - ___1. Resident Advisory Board consultation process
 - ___2. Membership of Resident Advisory Board
 - ___3. Resident membership on PHA governing board

The PHA provides assurance as part of this certification that:

- (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
 - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
 6. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
 7. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those programs, addressing those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.
 8. For a PHA Plan that includes a policy for site based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2010-25);

- The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of site-based waiting lists would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
 10. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
 11. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
 12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
 13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
 14. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
 15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
 16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
 17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
 18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
 19. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
 20. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
 21. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

PHA Name

PHA Number/HA Code

_____ 5-Year PHA Plan for Fiscal Years 20____ - 20_____

_____ Annual PHA Plan for Fiscal Year 20_____

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Signature	Date