

***THE HOUSING AUTHORITY OF THE
COUNTY OF WAYNE
ADMINISTRATIVE PLAN/ANNUAL PLAN
HOUSING CHOICE VOUCHER PROGRAM***

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ADMINISTRATIVE / ANNUAL PLAN

Housing Choice Voucher Program

Family Unification Program

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Administrative/Annual Plan

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The Housing Authority of the County of Wayne
Housing Choice Voucher Program
Administrative/Annual Plan

Table of Contents

****Required Information in Annual Plan**

- I. Needs and Objectives
 - A. Housing Needs of Wayne & Pike Counties **
 - B. Program Objectives
- II. Outreach Methods
 - A. Applicant Outreach
 - B. Owner Outreach
- III. Application Procedures and Eligibility
 - A. Civil Rights Certification **
 - B. Eligibility **
 - C. Denial of Assistance
 - D. Waiting List and Application Processing **
 - E. Tenant Selection - Family Unification Selection **
 - F. Federal, Local or Residency Preferences
 - G. Special Admissions
 - H. Notice and Opportunity for Review
- IV. Rent and Tenant Payment Computations
 - A. Income Computations
 - B. Utility Allowances
 - C. Total Tenant Payments/Rents **
- V. Occupancy Standards
- VI. Issuance of Housing Choice Voucher
 - A. Assistance in the Initial Housing Authority
 - B. Portability
 - C. Nonresident Applicants
 - D. Income Eligibility
 - E. Leasing in Place
 - F. Freedom of Choice
 - G. Administration by Initial Housing Authority Outside the Initial Housing Authority Jurisdiction
 - H. Administration by Receiving Housing Authority
 - I. Family Information to Prospective Owners

- VII. Housing Quality Standards
 - A. Initial Unit Inspection Procedures
 - B. Annual Inspection Procedures
 - C. Special Unit Inspection
 - D. Required Actions After Completed Inspection
 - E. Reinspection Procedures
 - F. Extension Procedures
 - G. Inspections Which Reveal Tenant Noncompliance
 - H. Termination of Payments and Contracts
 - I. Adjustments and/or Held Checks
 - J. Quality Inspections
 - K. Over/Under-Crowding Unit Policy

- VIII. Lease and Contracts
 - A. Lease Provisions
 - B. Security Deposits
 - C. Rent Reasonableness
 - D. HAP Contracts & Voucher
 - E. Requests for Payment

- IX. Re-examinations and Adjustments
 - A. Annual Re-examinations
 - B. Interim Re-examinations
 - C. Contract Rent Adjustments
 - D. Failure to Report Accurate Information
 - E. Family Break-up Policy

- X. Denials and Terminations
 - A. Grounds
 - B. Terminations and Moves
 - C. Illegal Activities/Drug & Criminal-One Strike Your Out Policy
 - D. Absence from Unit
 - E. Notice and Opportunity for Hearing/Grievance Procedures **
 - F. Housing Authority Disapproval of Owners

- XI. Electronic Signatures, Transmission and Storage
 - A. Electronic File and Document Storage
 - B. Data Retention
 - C. Regulatory Restrictions
 - D. Accessibility of Electronic Media

- XII. Monitoring Program Performance

- XIII. Expanding Housing Opportunities

- XIV. Special Housing Types **
 - A. Homeownership Programs
 - B. Manufactured Homes

- XV. Community Service and Self-Sufficiency Program Procedures **

- XVI. Section 8 Program Operating Reserve Accounting Requirements

- XVII. Equal Opportunity Plan

- XVIII. Definitions

- XVIV. Code of Conduct

Mission Statement

Copies of any information not physically included with this document may be reviewed, upon request, in the main office of the Wayne County Housing Authority.

I. NEEDS AND OBJECTIVES

A. Housing Needs of Wayne and Pike Counties

Wayne and Pike County constitute a rapidly growing area attracting permanent and seasonal residents alike, the former results in increased population as well as demand for municipal services, the latter results in increasing land values and a pricing out of the housing market of younger, lower income families. Many more families are migrating to the area to escape over-priced housing in the metropolitan regions. In addition to these young persons and families, the Wayne/Pike area has a high percentage of elderly/disabled residents and the two population's present different sets of housing problems.

The area is predominantly rural with low population density, the bulk of which is in areas like Honesdale, Hawley, Waymart, Lake Ariel, Hamlin, Bushkill, Dingmans Ferry, Lords Valley, Greentown, Milford and Matamoras. These centers of commerce, business, industry and service (medical, professional, etc.)

Much of the housing in these areas is old, constructed during a period when large families were the rule rather than the exception. As a result, many elderly/disabled residents owning their own homes are now unable to afford the ever-increasing cost of upkeep, taxes, utilities and related expenses. Elderly families tend to occupy homes which exceed their needs and are beyond their economic and physical means to maintain.

Conversely, younger families are unable to afford the purchase price of large older homes inasmuch as newer affordable single or multifamily dwellings are not being built privately in sufficient numbers, this dual phenomenon effectively creates a gap between available housing and the market demand. The elimination of this gap is in the intent of Wayne County Housing Authority through assistance, financial and technical, from various government sources.

Wayne/Pike County have a total population of less than 10% of households of various races and ethnic groups reside.

B. Program Objectives

From the inception of the Wayne County Housing Authority in the enabling resolution of May 18, 1971, the County Commissioners recognized the existence of unsanitary and unsafe dwellings as well as a shortage of safe and sanitary alternative accommodations available to low-income families at affordable rentals. The Pike County Commissioners saw a similar need and several years ago, requesting the Authority administer housing assistance programs within their jurisdiction.

The Housing Authority provides assistance to persons interested in constructing, rehabilitating, or obtaining affordable dwelling units. In addition, financial assistance is provided to families and individuals with such needs who reside in existing rental units and to those interested in securing housing in existing projects in Hawley and Waymart.

The Authority, through the direct efforts of its personnel, has developed an extensive network of contacts and a great deal of public interest in housing through an active and continued outreach program conducted in the media, at group meetings, and with prominent businesspersons, bankers and citizens. These contacts have generated support for the expanded implementation of existing housing programs and more specifically, housing assistance to elderly and family households living in existing rental housing.

The elderly/disabled, as previously described, may own their homes with all the attendant problems associated with such ownership, or they may rent. Those renting are facing increasing rents or have been forced by financial circumstances to rent deficient dwellings. The latter require better housing and families often wish to move to rental housing if they can be offered a safe, decent home at an affordable price.

Non-elderly (family) households face difficulties associated with access. Inadequate numbers of standard rental units are available and, thus, they either rent deficient units or purchase manufactured homes. They are facing increasing rents as a result of rapidly escalating real estate values in this Wayne/Pike resort area and are crushed between low income (ability to pay) and high rents.

The Housing Authority, as part of its Rental Assistance effort, intends to address the immediate needs of extremely low-lower income households (elderly and non-elderly) faces with excessive rentals beyond their ability to pay. In many cases, families and individuals authorized for assistance payments do not need to move from their present residence because financial assistance may be the only aid required.

Presentation of the Rental Assistance Programs to the community is intended to be broad and comprehensive. The Authority encourages area families to participate by publishing the program scope and eligibility guidelines in its advertising.

Summarizing, the objectives of the Housing Programs in Wayne and Pike County may be briefly stated as follows:

1. Providing financial housing assistance to tenant households in Wayne and Pike County who could not otherwise afford to remain in, or move into, decent, safe and sanitary housing.
2. Helping landlords who wish to earn a fair return on their investment without moving out households of lower income
3. Providing households of extremely low-lower income families with more choices of affordable and decent, safe and sanitary housing.
4. Creating more of a market for standard rental units in Wayne and Pike County.

The Housing Authority intends, to the maximum extent practicable, to address the above needs and assist all family types with their housing needs in the jurisdiction served by our Authority.

II. OUTREACH METHODS

A. Applicant Outreach

The Housing Authority shall ensure that the availability of the Program is adequately publicized to eligible families. Outreach efforts shall include use of both written and spoken media and also access to the WCHA website. Methods of communications include the following:

1. Newspaper announcements (including special feature stories).
2. Radio and television announcements.
3. Pamphlets, brochures and flyers distributed at the Authority offices, through other agencies and otherwise.
4. Presentation to senior citizen groups and other organizations.
5. Notices in church bulletins.
6. Posters placed in areas likely to be seen by potential applicants including places of employment.
7. "Word of Mouth" approach.
8. Supportive outreach to social service agencies who may refer various types of families.
9. Access to the Authority's website at www.wchahousing.com

The Authority is a member of the Human Resource Council and will use its contacts there to identify individuals and groups with special needs. Outreach efforts, to applicants as well as owners, shall also be governed by the Authority's Equal Opportunity Plan which is incorporated herein by reference. Outreach efforts to applicants shall be continuous and evaluated regularly to determine the effectiveness of the procedures. They will be accelerated if the flow of applicants is too small or the group is not consistent with the Authority's goals.

B. Owner Outreach

Outreach activities shall include efforts to identify owners who will most likely have units available for participation in the Housing Choice Voucher Program. Owner contacts will be documented, and the program regularly evaluated. Direct technical assistance to owners shall focus on the following topics:

1. What is the Housing Choice Voucher Program and who it works.
2. The advantages and financial incentives to owners to participate.
3. Housing Quality Standards.
4. Owner-family responsibilities.
5. Required documents and their purposes.

Owner groups will be reached using the same media and techniques to be applied to applicant outreach plans. The Authority will work through the Wayne-Pike Board of Realtors to inform landlords of the program and solicit the specific cooperation of property managers, real estate firms and owners who control substantial numbers of rental units.

Monitoring of the owner outreach program will be done from time to time to ensure owners and property managers with units outside areas of low-income concentration are reached. This will be done through staff review of landlord data and a tabulation of such units as compared to others.

III. APPLICATION PROCEDURES AND ELIGIBILITY

A. Civil Rights Certification

It is the policy of the Wayne County Housing Authority, (hereinafter referred to as WCHA or the Authority), to comply fully with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Title VII and Section 3 of the Civil Rights Act of 1968 (As amended by the Community Development Act of 1974), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title II of the Americans with Disabilities Act of 1990 and any legislation protecting the individual rights of participants, applicants or staff with may subsequently be enacted. The WCHA certifies that it will affirmatively further fair housing. This is in continuation of our longstanding anti-discrimination tradition.

WCHA will promote and provide opportunities regarding of race, color, sex, religion, disability, handicap, familial status, national origin, sexual orientation or gender identity in the leasing, rental, or other disposition of housing or related facilities, (including land), included in any project or projects under its jurisdiction covered by a contract for annual contributions under the United States Housing Act of 1937, as amended, or in the use or occupancy thereof.

WCHA will also affirmatively further fair housing by analyzing and eliminating housing discrimination in our jurisdictions; promote fair housing choices for all persons, promote housing that is structurally accessible to, and usable by, all persons, particularly persons with disabilities and foster compliance with the nondiscrimination provision of the Fair Housing Act.

WCHA will accommodate persons with disabilities or language barriers. If the applicant's failure to respond to the Housing Authority's request for information was delayed due to their disability, the Authority will allow reasonable accommodation to give the applicant an opportunity to respond.

B. Eligibility

Requirements must be met for an applicant to be eligible for assistance under the program.

1. The applicant must be qualified as a family by meeting one or more of the following conditions:
 - a. A group of persons regularly living together and have established a familiar status together for at least six consecutive months, related by blood, marriage, adoption, guardianship, or operation of law; or an elderly family, single person, or a disabled person, each as defined in Section XVIII of this policy. Other persons, including foster children, live-in aids, and members temporarily absent, may be considered a part of the family group if they are living or will live regularly with the family.
 - b. An elderly family: A family whose head or spouse or sole member is at least 62 years of age, or a disabled or handicap person regardless of age, as defined herein.
 - c. A non-elderly disabled family: A family household that includes a person with disabilities who is at least 18 years old and not yet 62 years old at the effective date of the initial Housing Assistance Payment Contract.
 - d. Any "other single person" who is not 62 years old or older, disabled, handicapped, displaced or the remaining member of a tenant family.
 - e. A person displaced due to action taken by local, state or federal government.
 - f. An eligible applicant must be 18 years of age of apply for rental assistance.
2. Annual income must fall within the applicable limits for the area as determined by HUD.
3. The WCHA may assist "low income" families who are continuously assisted under the 1937 Housing Act.
4. All family members must disclose and document their social security numbers.
5. Each applicant and their family members must certify that they are lawfully residing in the United States under Declaration of Section 214 Status and also provide original birth certificates as proof of their citizenship.
 - a. The Authority requires verification of either citizen/national declaration in the form of a U.S. passport, resident alien card, registration card, social security card or other appropriate documentation.
6. The WCHA requires all applicants age 18 and over to sign a Release of Information form authorizing the Authority to conduct a criminal background check. If the applicant refuses, their application will be denied.

C. DENIAL OF ASSISTANCE

Families notified of ineligibility shall be extended an opportunity to request, in writing, an informal review.

If a family is determined to be ineligible for any of the following reasons, the family shall be so notified in writing:

1. The applicant's income exceeds the very low-income family limits.
2. The total tenant payment results in an amount that equals or exceeds the highest gross rent of the unit or payment standards for the bedroom size required.
3. The applicant was a past participant in any Federally Assisted Housing Program and failed to satisfy liability for unpaid rent, damages or vacancy loss.
4. The applicant was a former tenant of the Housing Authority or other public housing authority and owes back rent or other charges to said authority, having not yet made arrangements for repayment which meet with the Housing Authority's approval.
5. The applicant refuses to sign consent forms for obtaining information.
6. The WCHA will not give any admission to an applicant if any family member has been evicted from federally assisted housing during the past five years.
7. The WCHA must deny assistance of the entire family if a member refused to disclose & document their social security number.

DENIAL OF ASSISTANCE FOR ELIGIBILITY OF STUDENTS

No Assistance shall be provided under Section 8 of the United States Housing Act of 1937 to any individual who:

- is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).
- is under 24 years of age;
- is not a veteran of the United States military;
- is unmarried;
- does not have a dependent child; and
- is not otherwise individually eligible or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937.

For purposes of determining the eligibility of a person to receive assistance under Section 8, any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 ET seq.), from private sources or an institution of higher education (as defined under the Higher Education Act of 1965) shall be considered income to that individual, except for a person over the age of 23 with dependent children.

The PHA must deny or terminate assistance if any family member fails to meet the eligibility requirements concerning individuals enrolled at an institution of higher education as specified in 24 CFR 5.612.

PROHIBITION AGAINST DENIAL UNDER VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA)

The PHA will prohibit denial of assistance to an otherwise qualified affiliated individual on the basis that the affiliated individual is or has been a victim of domestic violence, dating violence, victim of sexual assault or stalking as per the VAWA of 2005.

The VAWA does not take precedence over any provision of the federal, state, or local law that provides greater protection to victims of domestic violence, dating violence, victims of sexual assault or stalking.

The PHA may request that the affiliated individual certify that s/he is a victim of domestic violence, dating violence, victim of sexual assault, or stalking and that the incident or incidents in question are bona fide incidents of such actual or threatened abuse.

A written certification must include the name of the perpetrator and address and be provided to the PHA within 14 business days after the individual receives a request from the PHA. The PHA may extend the 14-day deadline, at their discretion.

- If the affiliated individual does not submit the written certification within the required time frame (including any approved extension), the PHA may deny assistance to the family and/or affiliated individual.

- The PHA distributes the VAWA to all prospective and participating owners and voucher holders in the Section 8 Program. The PHA also refers any child or adult victims to the Victims Intervention Center and the Women's Resource Center in our area for those families and/or affiliated individual who need counseling due to domestic violence, dating violence, victims of sexual assault or stalking. The Victims Intervention Center and the Women's Resource Center will provide services to clients and/or affiliated individual to assist in obtaining or maintaining housing and/or enhance victim's safety in assisted families.

- The PHA may issue a new voucher to a client or an affiliated individual with appropriate documentation to certify that a violent incident has occurred.

DENIAL FOR DRUG ABUSE, CRIMINAL ACTIVITY & ALCOHOL ABUSE

The Authority must deny admission of an applicant to the program if any household member has been evicted from federally assisted housing for drug-related criminal activity. This applies for a period of five years from the date of eviction.

- a. The Authority may admit the household member if:
 - The member has successfully completed a supervised drug rehabilitation program approved by the Authority;
 - The circumstances leading to the eviction no longer exist, ie., if the member died or is imprisoned.
- b. The Authority must deny admission if the Authority determines any household member is currently engaging in illegal drug use.
- c. If the Authority has reasonable cause to believe that any household member's use or pattern of illegal drug use may threaten the health, safety or right to peaceful enjoyment of the premises by other residents, the Authority must deny admission of the family.
- d. The Authority must deny admission to any household member who has ever been convicted of drug-related criminal activity for methamphetamine production of the premises of federally assisted housing.
- e. The Authority must deny admission to any household member who is subject to a lifetime registration requirement under a State sex offender registration program.
- f. The Authority must deny admission if it has cause to believe that any household member's abuse or pattern of abuse of alcohol, disturbances, or repeated patterns of nonviolent criminal activity may threaten the health, safety or right to peaceful enjoyment of the premises by the other residents.
- g. The Authority will not allow an applicant to apply or participate in any housing assistance program until the sentence and any and all probation/parole has been completed. All fines and judgments must be paid in full, including but not limited to civil judgments involving landlord-tenant complaints.
- h. If admission is denied due to information received on a criminal record check, the applicant upon request, may review the findings of the report. After review, the criminal record check is then destroyed by the Housing Authority.

Drug Related Criminal Activity shall be defined as the illegal manufacture, sale, distribution, use or possession or possession with the intent to manufacture, sale, distribute or use a controlled substance and/or the possession of drug related paraphernalia, as defined in Section 102 of the Controlled Substance Act 21 U.S.C.802 and/or under Pennsylvania law.

Forms of Credible evidence include evidence provided by polices and the court system, such as drug raids, drugs found in the dwelling unit, evidence which is tied to the activity, arrest warrant issued, testimony from neighbors, etc.

g. The Authority must deny admission of a household if the Authority determines that any household member has engaged in the following criminal activity for a period of five (5) years before their admission date:

- is drug related
- is violent
- may threaten the health, safety or right of peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity
- may threaten the health or safety of the owner, property management staff or persons performing work on behalf of the Authority.

If the Authority previously denied admission to a household due to criminal activity, the Authority may reconsider the applicant if there is "sufficient evidence" that members of the household:

- are not currently engaging in such criminal activity; or
- have not engaged in such criminal activity during a reasonable period prior to admission.

"Sufficient evidence" may consist of a certification by a household member with supporting documentation (verified by the Authority) from one of the following sources:

- probation officer
- landlord
- neighbors
- social service agency workers
- criminal records

For an admission decision based on illegal use of drugs or alcohol abuse by a family member who no longer engages in such behavior, the Authority may consider whether the member:

- has successfully completed a rehabilitation program
- is currently participating in a rehabilitation program
- has otherwise been successfully rehabilitated

The Authority will require the family member to submit evidence of such rehabilitation.

D. Waiting List Management

Applications shall be taken and processed in the following manner:

1. The WCHA is located at 130 Carbondale Road, Waymart, PA 18472. Applicants who request assistance shall be directed to WCHA website to complete an "online" application. Mailed applications and special appointments shall also be made for reasonable accommodations and circumstances.

2. All applicants shall be required to complete an "online" application. Verifications shall be done when it is anticipated the applicant will be provided with housing within 30 days.

These will include the following:

- a. Income of all family members
- b. Full-time student status (over 18 years of age)
- c. Assets
- d. Medical expenses for elderly and disabled families
- e. Handicapped assistance expenses
- f. Family type (family or elderly)
- g. Other factors
 - Family composition
 - Family medical needs
- h. Childcare expenses
- g. Submitting Original Birth Certificates and/or Naturalization Certificate and original Social Security cards for each individual household member.

All verifications shall be in written form. Applicants shall be advised of the necessity of providing full, complete and accurate information. Insofar as possible, all verifications shall be by third party. Fax and e-mail will be an acceptable source of third-party verification. Oral verification will be accepted if written verification cannot be obtained. Tenant provided documents generated by a third party are considered an acceptable form of "third party written" verification.

Applicable documents may be photocopied except when prohibited by law. Notarized statements may be requested only when other methods of verifications fail.

3. The application shall be given the next computer-generated number and placed on the waiting list.

4. Applications must be sorted by Income Targeting category then by date and time.

5. When adequate funding is available, the next applicant shall be processed, and the applicant scheduled for a certification interview.

6. The applicant is provided, at the certification interview, with a list of required documents and actions which must be completed and a deadline for doing so.

7. If the applicant is determined ineligible for a Voucher, or an application is rejected, the Authority shall notify the applicant, in writing, of the reasons for the ineligibility and the right of the applicant to request, in writing, within ten (10) working days, an informal review. The date of ineligibility will be the later of the date on which the review determination is upheld or the date stated in the letter.

8. Once all relevant information has been verified, a Housing Voucher is issued, and a 60 day "clock" begins. (See Section VI). The Voucher will also indicate the bedroom size for participation.

9. A briefing must be conducted and may be done individually, in group sessions, or remotely via webcast, zoom, video call or other method. If an individual fails to attend a scheduled briefing session without explanation, a letter is sent notifying the applicant that the application has been withdrawn and reminding them they must re-apply.

Likewise, should an applicant fail to return any requested information within ten (10) days, or if such information was falsified, the applicant's name will be removed from the waiting list and the application will be denied. Proper notice shall be given to the applicant, in writing, of application denial.

10. At the briefing, the following documents are distributed:

- Two (2) copies of the Housing Voucher. One for the applicant and one to be retained in the tenant's file. Also, a form to request an extension of time on their voucher.
- Brief description of program, including information on Housing Quality Standards, Utility Allowances, and Procedures required for participation in the program.
- Request for Tenancy Approval (HUD 52517)
- Two (2) Lead Based Paint Notices for the applicant and the prospective owner.
- Notice regarding fraud in the Voucher Programs.
- Direction Map
- Fair Housing (HUD 903.1)
- Housing Quality Standards (HQS) Inspection Book; A Good Place to Live; Listing of Common Deficiencies.

- Certification of Domestic/Dating Violence, Sexual Assault or Stalking (HUD-5382)
- Applicant/Tenant Certification
- Landlord Certification
- Information/Guideline Handbook for Renters & Owners
- Chimney/furnace cleaning statement
- Portability notice
- W-9 Tax form for owners
- Administrative Policy Guidelines for Owners & Renters

Applicants are encouraged to participate in discussions and ask questions. At the end of the briefing session, the applicant's responsibility for continuing the rental process is stressed.

11. The Housing Authority takes no further action, unless the applicant asks questions or requests other kinds of help (i.e., explanation to potential owners).

12. If a Request for Tenancy Approval is not submitted before the Voucher expiration date, the applicant must re-apply. If the tenant has been diligent but unsuccessful, the Housing Authority may extend at the Authority's discretion the Housing Voucher expiration date up to a maximum of sixty (60) days. The Voucher Holder must supply documentation to support their search for rental units on their request for voucher extension. Records of such extensions shall be kept by the Authority.

13. The Authority will not grant an extension or suspend the term of the family's voucher after the family submits a request for approval of tenancy.

14. If a Request for Tenancy Approval is properly and timely submitted, the Authority will inspect the unit and assuming it passes HQS Guidelines, execute a HAP Contract, Lease and Lease Addendum with the landlord and tenant. Copies are given to both parties. Whenever possible, all documents are signed in the Authority office.

15. In order to maintain a balanced application pool, WCHA at its discretion, may restrict application taking, suspend application taking, and close the waiting list in whole or in part. If the Waiting List is open, the PHA will accept applications from all families unless there is good cause for not accepting the application. If the PHA determines that the existing list contains an adequate pool of applicants, the PHA may stop accepting new applications or may accept only applications meeting certain prescribed criteria adopted by the Authority. WCHA will also regularly update the waiting list by removing the names of those who are no longer interested or no longer qualify for housing.

E. Tenant Selection

- a. It is the WCHA's policy that an application does not guarantee admission.
- b. Income Targeting will be granted to applicants who are otherwise eligible and who, at the time they are certified for admission, meet the requirements.
- c. Any move-in mandated by court orders related to desecration or Fair Housing and Equal Opportunity will take precedence.

NOTE: Applicants may not qualify for an application if they were an assisted family and refused to comply with applicable program policies or procedures under the 1937 Housing Act with respect to the occupancy of under occupied and overcrowded units; or failed to accept a transfer to another housing unit in accordance with a court decree or in accordance with the policies and procedures of a HUD approved desegregation plan.

The WCHA will only accept eligible applicants for Wayne & Pike County that qualify for a Residency Preference(s) for waiting list admissions. These applicants will be placed on the waiting list in order of time and date of the application.

The WCHA will comply with the Income Targeting Requirements set forth in QHWRA, CFR 982.201 (b) (2).

1. Family Unification Eligibility Selection:

a. The WCHA has been allocated subsidy for the Family Unification Program. Eligible families that have been certified by the public child welfare agency that the lack of adequate housing (a primary factor in the imminent placement of the family's, child or children, in out-of-home care or in the delay of discharge of a child, or children, to the family from out-of-home care); and the Public Child Welfare Agency (PCWA) has provided written certification to the WCHA that the family is eligible based upon the criteria established in section 8(x) of the U.S. Housing Act of 1937 and the Family Unification eligibility requirements will receive this funding.

2. Mainstream Voucher Selection:

a. The WCHA has been allocated subsidy for the Mainstream Voucher Program. The WCHA will maintain one waiting list for all tenant-based assistance. When issuing a Mainstream Voucher, the WCHA will choose the first Mainstream-eligible family from its tenant-based waiting list in order by the date and time of their application. A Mainstream Voucher will be offered to the first family that includes a non-elderly person with disabilities in order they appear on the waiting list.

F. Residency Preference

The WCHA will select families based on the following preference.

- a. Applicants who live and reside in Wayne or Pike Counties.
- b. Applicants who work or have been hired to work in a residency preference area. Graduates of, or active participants in, education and training programs in a residency preference area may be treated as a resident of the area if the education or training programs are designed to prepare individuals for the job market.
- c. The WCHA has adopted/implemented this residency preference in accordance with nondiscrimination and equal opportunity requirements listed at 24 CFR 5.105(a).
- d. The Residence Preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, sex, religion, disability, handicap, familial status, national origin, sexual orientation, gender identity, or age of any member of an applicant family.

G. Federal or Local Preferences

The Authority has no policy for Federal or Local preferences.

H. Special Admissions

The Authority can assist families who are not on the waiting list when HUD awards funding that is targeted for specifically named families. The Authority must use targeted funding in accordance with the conditions imposed when funds are awarded and accepted.

I. Notice and Opportunity for a Review

The Authority will provide a written notice of determination if an application is not approved for the waiting list. This notice shall contain: a brief statement for the reasons for the determination, and a statement that the applicant has the right to meet with WCHA's designee to review the determination.

If the applicant requests the meeting, WCHA shall designate an officer or employee to conduct the meeting for an informal review. This review will be conducted by any person or person designated by the Housing Authority, other than the person who made the initial determination or reviewed the determination of his or her subordinate.

The informal review may be conducted in person, telephonically, via video-teleconferencing or through other platforms. A written summary of this meeting shall be made and retained in the applicant's file.

The applicant will be given the opportunity to present written or oral objections to the Housing Authority decision and advised that he/she may exercise other rights if he/she believes that discrimination has occurred.

The Authority is not required to provide a participant family an opportunity for an informal hearing for any of the following:

- discretionary administrative determinations by the PHA;
- general policy issues or class grievances;
- establishment of PHA schedule of utility allowances for families in the program;
- a PHA determination not to approve an extension or suspension of a voucher term;
- a PHA determination not to approve a unit or tenancy;
- a PHA determination that an assisted unit is not in compliance with HQS; (however, the PHA will provide an opportunity for an informal hearing for a decision to terminate assistance for a breach of the HQS caused by the family as described in 982.551(c),
- a PHA determination that the unit is not in accordance with the HQS because of the family size;
- a determination by the PHA to exercise or not to exercise any right or remedy against the owner under a HAP contract.

IV. RENT AND TENANT PAYMENT COMPUTATIONS

A. Income Computations

The family's gross income will be computed for eligibility after the income verifications are received as provided in this plan. (Refer to Section IX. Reexaminations and Adjustments)

To calculate the applicant's family assets, when the assets exceed \$5,000, the imputed amount is derived by multiplying the value of the family's assets by 0.75%. The actual amount derived from assets is also calculated. The larger of the two-dollar amounts is used in the final computation of the family's annual income for eligibility.

B. Asset Income

Annual income includes amounts derived from assets to which family members have access. The Authority will elect to count the current balance in an account.

Assets disposed of for less than fair market value as a result of foreclosure, bankruptcy, divorce, or separation are not counted.

Applicants and tenants must sign a self-verification form at their initial certification and each annual recertification identifying all assets that have been disposed of for less than fair market value or certify that no assets have been disposed of for less than fair market value.

C. Adjusted Income

The Authority will consider the families adjusted income after making allowable deductions for: Dependents, Elderly or Disabled Family members, childcare, medical expenses and disability expenses.

Families may deduct reasonable anticipated expenses for attendant care and auxiliary apparatus for family members with disabilities if they are necessary to enable a family member to be employed and provided the expenses are neither paid to a member of the family nor reimbursed by an outside source.

D. Utility Allowances

The Authority has established a utility allowances for those utilities and services which are to be tenant supplied.

The Authority will also review, at least annually, the utilities and other services to determine whether there have been rate changes. A private consulting firm has been contacted for this purpose.

On request of the family, the Authority will provide a reasonable accommodation to disabled person or family who require a higher utility allowance due to the need for reasonable accommodations ex. required medical equipment. A doctor's note will be required to establish reasonable accommodation need.

Where the rent to the Owner does not include some or all of the utilities and the Family pays the utility company directly, sometimes the HAP/Voucher payment will exceed the rent payable to the Owner for the unit. In such a case the Family will receive from the PHA the excess of the HAP/Voucher payment over the rent payable to the owner as a utility reimbursement.

In accordance with Section 242 of the 2014 Appropriations Act, the utility allowance for a family shall be the lower of: (1) The utility allowance amount for the family unit size: or (2) the utility allowance amount for the unit size of the unit rented by the family. However, upon request of a family that includes a person with disabilities, the PHA must approve a utility allowance higher than the applicable amount if such a higher utility allowance is needed as a reasonable accommodation in accordance with HUD's regulations to make the program accessible to and usable by the family member with a disability.

E. Total Tenant Payment/Rents

The same gross annual income used in determining eligibility is used as the base figure in determining the family's Total Tenant Payment.

The Total Tenant Payment is the amount the family pays toward rent, including utilities, as a participant in the program.

The Total Tenant Payment shall not be more than thirty (30%) percent of the family's monthly adjusted income, but at least (10%) percent of the monthly adjusted income.

For initial occupancy of a dwelling unit by a family with tenant-based assistance, if the gross rent of the unit exceeds the applicable payment standard for the family, the family share of rent must not exceed 40 percent of the family's adjusted monthly income. The determination of adjusted monthly income will be based upon verification information received by the PHA no earlier than 60 days before the PHA issues a voucher to the family.

Minimum Rent: The Housing Authority requires all participants assisted under the Section 8 Voucher Programs pay a monthly "total tenant payment" (rent plus tenant paid utilities) of not less than \$50.00.

Exceptions to Minimum Rent:

Financial Hardship includes the following situations:

- (1) the family has lost eligibility or is awaiting an eligibility determination for a Federal, State or local assistance program;
- (2) the family would be evicted as a result of the imposition of the minimum rent requirement;
- (3) the income of the family has decreased because of changed circumstances, including loss of employment;
- (4) a death in the family has occurred; and
- (5) other circumstances determined by the PHA or HUD.

An exemption may not be provided if the hardship is determined temporary.

The PHA or owner may not evict the family for nonpayment of rent on the basis of hardship if the hardship is determined by the PHA or HUD to be temporary during the 90-day period beginning upon the date of the family's request for the exception. The family must demonstrate that the financial hardship is on a long-term basis. If the family demonstrates that the financial hardship is of a long-term basis, the PHA shall retroactively exempt the family from the applicability of the minimum rent requirement for the 90-day period.

V. OCCUPANCY STANDARDS

It is WCHA's policy that units should be occupied by families of the appropriate size. This optimizes the usefulness of the units, while preserving them from excess wear and tear.

The following standards will govern the number of bedrooms required to accommodate a family of a given size and composition. Reasonable exceptions to these standards may be made in case of emergency at the discretion of the Executive Director or designee.

# of Bedrooms	# of Persons	
	Minimum	Maximum
0	1	1
1	1	2
2	2	4
3	3	6
4	5	8
5	7	10

A. Vouchers of Participation will be so assigned that:

1. It will not be necessary for persons of different generations or opposite sex, other than husband or wife, to occupy the same bedroom. (An exception may be made for infants and young children up to the age of two who are of the opposite sex.)
2. For verified reasons health (old age, physical disability, etc.), a separate bedroom may be provided for an individual family member.
3. Two children of the same sex are expected to share a bedroom. An exception is made if there is more than ten (10) years difference in age.
4. A single head of household parent shall not be required to share a bedroom with his/her children, (other than infants), but may choose to do so by using the living room as a living/sleeping room.

VI. ISSUANCE OF HOUSING CHOICE VOUCHER

The applicant(s) shall be required to attend a briefing session at the time the family receives a Housing Voucher. The briefing may be conducted in person or via telephonically or video teleconferencing via zoom or other virtual platforms. Reasonable accommodations will be made for applicants who do not access to remote technology, for persons with disabilities and for applicants with limited English proficiency (LEP).

The initial term of the voucher is 60 days and within this time period the family must submit a request for tenancy approval if it is to utilize the voucher. At its discretion, the PHA may grant a family one or more extensions of the initial voucher term in accordance with the PHA policy. Any extension of the term is granted by the PHA with written notice to the family. If the family needs and requests an extension of the initial voucher term as a reasonable accommodation to make the program accessible to a family member who is a person with disabilities, the PHA must extend the voucher term up to the term reasonably required for that purpose.

The total an applicant can hold a voucher from the initial issuance with the Housing Authority granted extensions is 120 days.

Should the Housing Authority refuse to issue a Voucher for any reason, it must provide the applicant with an opportunity for an informal review.

The Authority will assist a family that claims that illegal discrimination has prevented the family from leasing a suitable unit.

The Wayne County Housing Authority (WCHA) will inform housing voucher holders and participants of the portability options during the briefing and reexamination sessions.

A. Assistance in the Initial Housing Authority Jurisdiction

The family may receive assistance to lease a unit located anywhere in the jurisdiction (as determined by State and Local law) of the initial Housing Authority. HUD may nevertheless restrict the family's right to lease such a unit anywhere in such jurisdiction if HUD determines that limitations on a family's opportunity to select among available units in that jurisdiction are appropriate to achieve desegregation goals in accordance with obligations generated by a court order or consent decree.

B. Portability

Assistance outside the initial Housing Authority jurisdiction. Except as provided in paragraph C of this section, the family may receive assistance to lease a unit outside the initial Housing Authority jurisdiction:

1. In the same State as the initial Housing Authority;
2. In the same metropolitan statistical area (MSA) as the initial Housing Authority, but in a different state;
3. In an MSA that is next to the same MSA as the initial Housing Authority, but in a different state; or
4. In a jurisdiction of a Housing Authority anywhere in the United States that is administering a tenant-based program.

C. Nonresident Applicants

1. If neither the household head or spouse of an assisted family already had a "domicile" (legal residence) in the jurisdiction of the initial Housing Authority at the time when the family first submitted an application for participation in the program to the initial Housing Authority.

2. During the twelve (12) month period from the time when the family is admitted to the program, the family does not have any right to lease a unit outside the initial Housing Authority jurisdiction. During this period, the family may lease a unit located anywhere in the jurisdiction of the initial Housing Authority.

3. If both the initial Housing Authority and a receiving Housing agree, the family may lease a unit outside the Housing Authority jurisdiction under portability procedures.

D. Income Eligibility

1. For admission to the voucher program, a family must be income eligible in the area where the family initially leases a unit with assistance in the voucher program.

2. A portable family transferring between the voucher programs must be income-eligible for the new program in the area where the family leases an assisted unit.

E. Leasing in Place

If the dwelling unit is approved, a family may select the dwelling unit occupied by the family before selection for participation in the program.

F. Freedom of Choice

The Housing Authority may not directly or indirectly reduce the family's opportunity to select among available units except as provided in paragraph A of this section or part 982 (e.g. prohibition on use of ineligible housing, housing not meeting HQS or rent to owner exceeds a reasonable rent).

G. Administration by Initial Housing Authority Outside the Initial Housing Authority Jurisdiction

1. When a family moves under portability (in accordance with Sec. 982.353b) to an area outside the initial Housing Authority jurisdiction, the initial Housing Authority must administer assistance for the family if:

a. The unit is located within the same State as the initial Housing Authority, in the same metropolitan statistical area (MSA) as the initial Housing Authority (but in a different State), or in an MSA that is next to the same MSA as the initial Housing Authority (but in a different State); and

b. No other Housing Authority with a tenant-based program has jurisdiction in the area where the unit is located.

2. In these conditions, the family remains in the program of the initial Housing Authority. The initial Housing Authority has the same responsibilities for administration of assistance for the family living outside the Housing Authority jurisdiction as for other families assisted by the Housing Authority, within the Housing Authority jurisdiction.

For the purpose of permitting Housing Authority administration of program assistance for the family in the area outside of the Housing Authority jurisdiction as defined by State and Local law (and thereby to satisfy the family's right to portability under federal law), the federal law and this regulation preempt limits on the Housing Authority jurisdiction under State and Local law.

3. The initial Housing Authority may choose to use another Housing Authority, a private management entity or other contractor or agent to help the initial Housing Authority administer assistance outside the Housing Authority jurisdiction as defined by State and Local law.

H. Administration by Receiving Housing Authority

1. When a family moves under portability (in accordance with Sec. 982.353b to an area outside the initial Housing Authority jurisdiction, another Housing Authority (the "receiving Housing Authority") must administer assistance for the family if a Housing Authority with a tenant-based program has jurisdiction in the area where the unit is located.

2. a. In these conditions, a Housing Authority with jurisdiction in the area where the family wants to lease a unit must issue the family a voucher. If there is more than one such Housing Authority, the initial Housing Authority may choose the receiving Housing Authority.

b. If a receiving Housing Authority is absorbing the family into its own program (i.e., providing assistance without billing the initial Housing Authority), the receiving Housing Authority will issue the family a voucher. If a receiving Housing Authority is not absorbing the family into its own program, the receiving Housing Authority will bill the issuing Authority.

3. Portability Procedures

a. The initial Housing Authority must determine whether the family is income eligible in the area where the family wants to lease a unit.

b. The initial Housing Authority must advise the family how to contact and request assistance from the receiving Housing Authority. The initial Housing Authority must promptly notify the receiving Housing Authority to expect the family.

c. The family must promptly contact the receiving Housing Authority and comply with the receiving Housing Authority procedures for incoming portable families.

d. The initial Housing Authority must give the receiving Housing Authority the most recent HUD Form 50058 (family report) for the family and related verification information. If the receiving Housing Authority opts to conduct a new reexamination, the receiving Housing Authority may not delay issuing the family a voucher or otherwise delay approval of the unit unless the recertification is necessary to determine income eligibility.

e. When the portable family requests assistance from the receiving Housing Authority, the receiving Housing Authority must promptly inform the initial Housing Authority whether the receiving Housing Authority will bill the initial Housing Authority for assistance on behalf of the portable family or will absorb the family into its own program.

f. The receiving Housing Authority must issue a voucher to the family. The term of the receiving Housing Authority voucher may not expire earlier than 30 calendar days from the expiration date of the initial Housing Authority voucher term. The receiving Housing Authority must determine whether to extend the voucher term. The family must submit a request for tenancy approval to the receiving Housing Authority during the term of the receiving Housing Authority voucher.

g. The receiving Housing Authority must determine the family unit size for the portable family. The family unit size is determined in accordance with the subsidy standards of the receiving Housing Authority.

h. The receiving Housing Authority must promptly notify the initial Housing Authority if the family has leased an eligible unit under the program, or if the family fails to submit a request for tenancy approval for an eligible unit within the terms of the voucher.

i. To provide tenant-based assistance for portable families, the receiving Housing Authority must perform all Housing Authority program functions, such as reexamination of family income and composition. At any time, either the initial Housing Authority or the receiving Housing Authority may make a determination to deny or terminate assistance to the family in accordance with Sec. 982.552.

4. Absorption by the receiving Housing Authority

a. If funding is available under the consolidated ACC for the receiving Housing Authority voucher program when the portable family is received, the receiving Housing Authority may absorb the family into the receiving Housing Authority or voucher program. After absorption, the family is assisted with funds available under the consolidated ACC for the receiving Housing Authority tenant-based program.

b. HUD may require that the receiving Housing Authority absorb all or a portion of the portable families.

5. Portability Billing

a. To cover assistance for a portable family, the receiving Housing Authority may bill the initial Housing Authority for housing assistance payments and administrative fees. This section (5) describes the billing procedures.

b. The initial Housing Authority must promptly reimburse the receiving Housing Authority for the full amount of the housing assistance payments made by the receiving Housing Authority for the portable family. The amount of the housing assistance payment for a portable family in the receiving Housing Authority program is determined in the same manner as for other families in the receiving Housing Authority program.

c. If both Housing Authorities agree, the Housing Authorities may negotiate a different amount of reimbursement.

d. HUD may reduce the administrative fee to an initial or receiving Housing Authority if the Housing Authority does not comply with HUD's portability requirements.

In administration of portability, the initial Housing Authority and the receiving Housing Authority must comply with financial procedures required by HUD, including the use of HUD-required billing forms. The initial and receiving Housing Authority must comply with billing payment deadlines under the financial procedures. HUD may assess penalties against an initial or receiving Housing Authority for violation, as determined by HUD, of HUD portability requirements.

f. A Housing Authority must manage the Housing Authority tenant-based programs in a manner that ensures that the Housing Authority has the financial ability to provide assistance for families that move out of the Housing Authority program under the portability procedures that have not been absorbed by the receiving Housing Authority, as well as for families that remain in the Housing Authority program.

g. When a portable family moves out of the tenant-based program of a receiving Housing Authority that has not absorbed the family, the Housing Authority in the new jurisdiction to which the family moves becomes the receiving Housing Authority, and the first receiving Housing Authority is no longer required to provide assistance for the family.

6. Portability Funding

a. HUD may transfer funds for assistance to portable families to the receiving Housing Authority from funds available under the initial Housing Authority ACC.

b. HUD may provide additional funding (e.g., funds for incremental units) to the initial Housing Authority for funds transferred to a receiving Housing Authority for portability purposes.

c. HUD may provide additional funding (e.g., funds for incremental units) to the receiving Housing Authority for absorption of portable families.

d. HUD may require the receiving Housing Authority to absorb portable families.

e. If the receiving PHA does not submit an initial billing within ninety (90) days following the expiration date of the initial PHA voucher, the receiving PHA must absorb the family into its own program.

f. Families can access portability during the first year after admission, if the head or co-head lived in the initial jurisdiction when the family first applied for assistance.

g. Due to the Wayne County Housing Authority's current funding restraints, the WCHA will not permit voucher's to be portable to another Housing Authority that has a higher payment standard than our jurisdiction if the receiving Housing Authority would be billing our Authority. The WCHA will only allow voucher participants to use portability if the receiving Housing Authority will absorb the voucher into their jurisdiction or if the billing rate would be equal to or lower than the payment standard of the appropriate bedroom size for the family requesting portability.

h. A participating Voucher family is only allowed to use portability one time in each calendar year.

i. A portable Voucher participant transferring into the WCHA's jurisdiction will be required to sign a consent to conduct a criminal background check.

I. Family Information to Prospective Owners

The Housing Authority will provide information to prospective owners regarding applicants and/or participating families past participation in the rental assistance program only if the Owner requests information of a prospective family.

VII. HOUSING QUALITY STANDARDS

The Housing Quality Standards (HQS) are specific requirements developed by the Department of Housing & Urban Development governing a unit's acceptability. These standards established minimum criteria necessary for the health and safety of occupants.

The Housing Inspector may conduct on-site inspections or may conduct inspections using Remote Video streaming technology with a person on site who serves as a proxy. The proxy can be the landlord, property representative, tenant or any adult associated with the tenancy. The proxy follows the direction of the HQS Inspector throughout the entire inspection process.

Regardless of the use of technology to facilitate the presentation of information, the HQS Inspector remains responsible for the conduct of the inspection, and any judgments made about whether a condition is a violation of the HQS standards.

The Housing Authority, at its discretion, may also accept signed certifications from landlords, prospective voucher holders and participants indicating the current unit meets all HQS requirements and does not have any life-threatening conditions in the unit.

A. Initial Unit Inspection Procedures

When a Request for Tenancy Approval (HUD 52517) has been submitted, the PHA or its agent is required to conduct a unit inspection. The inspection will take place within seven (7) to fourteen (14) days. This will happen before the lease approval and execution of a HAP Contract to ensure that the unit is in compliance with HQS Standards.

The owner, managing agent or prospective tenant must be present at the time appointed by the Housing Authority or its agent. Failure to be present will result in a delay of rental subsidy. Therefore, it is vitally important for the owner or tenant to be present to receive assistance as quickly as possible.

In districts where applicable, the owner is also required to have an inspection conducted by an authorized municipal inspector and/or code enforcement officer. The owner must then submit a copy of a signed Certificate of Occupancy before a HAP contract and lease will be executed.

All determinations resulting from the PHA's inspections must be adequately documented in the PHA's files.

B. Annual Inspection Procedures

In accordance with Section 220 of the 2014 Appropriations Act, the PHA elects at its discretion to inspect each dwelling unit at least every 12 months or 24 months to determine if the owner and tenant are maintaining the unit in a decent, safe and sanitary conditions in accordance with the HAP Contract and is providing the maintenance services and utilities set forth in the lease between the owner and the assisted family. The PHA will use the results of previous inspections to make a determination whether an inspection will be completed annually or biennially.

C. Special Unit Inspection

There may be circumstances other than the initial and annual inspections which require the PHA to determine a unit's compliance with the HQS criteria, as follows:

1. Complaints from participating families, owners or other sources regarding the unit's condition or lack of maintenance and services by the responsible parties.

D. Required Actions After Completed Inspection

1. Initial Inspections - If the PHA's inspection reveals that the unit meets the applicable HQS criteria, the PHA may proceed with the other necessary determinations, such as rent reasonableness, preparation of the HAP Contract approval of lease, etc. If the PHA's inspection reveals that the unit contains HQS violations, the PHA shall notify the owner and the family that the unit may not be leased under the program until all deficiencies are corrected.

2. Annual Inspections - If the PHA's annual inspection reveals that the unit is not in decent, safe and sanitary condition as required by the HQS criteria or is not in compliance with any other provisions of the HAP Contract, the PHA must immediately notify the owner of the deficiencies, in writing. It is not the responsibility of the Housing Inspector to prepare detailed repair specifications. The notice must describe items which are in violation of the HQS standards and require that the conditions be corrected within a specific time period to be determined by the PHA as follows:

- a. If there are serious deficiencies which present an immediate danger to the health and safety of the family, the PHA must require the owner to correct those deficiencies within 24 hours. If the owner does not take the required action within the 24-hour time period, the PHA must either stop the housing assistance payments until such time as the owner corrects the deficiencies, or terminate the HAP Contract. The Housing Assistance Payments may be resumed once the deficiencies are fully corrected, but the PHA should not make payments for the period the unit was not in compliance.

- b. If there are other deficiencies which could affect the health and safety of the occupants, the owner must correct the items within 30 days or less. If the owner does not take the required corrective action within the specified 30-day time period, the PHA must determine if the extensions of time are warranted depending upon the nature of work to be completed and the PHA's determination of reasonable deadline. If an extension is not granted, the PHA must either stop the Housing Assistance Payments or terminate the HAP Contract. If the HAP Contract is terminated, the PHA must issue a new voucher to the family and provide the family with as much assistance as possible in locating an eligible unit, unless the family is no longer eligible.

c. The PHA must reinspect the unit at the end of the 30-day correction period to ensure that all HQS deficiencies have been corrected prior to execution of a renewed or new HAP Contract and possible annual rent adjustment. However, due to the WCHA's jurisdiction of two counties (Wayne and Pike), covering 1,318 square miles, the reinspection date of the unit might not occur within the 30-day correction period.

E. Reinspection Procedures

If the owner does not make repairs during the period specified, the abatement will begin the first business day after notice to the owner. If the owner then completes the repairs and the tenant intends to stay in the unit, abatement will end the first business day after the unit passes inspection.

The owner or tenant must be present at the time appointed by the Housing Authority or its agent. Failure to be present will result in abatement of HAP Payments to the owner or termination of the HAP Contract until an inspection of the unit is conducted. No retroactive payments may be made for the period the unit was not in compliance. Prorated HAP Payments may be provided to the owner when HQS or HAP Contract Requirements are met. Therefore, it is vitally important for the owner or tenant to be present for uninterrupted and continued rental assistance.

The WCHA may accept invoices, receipts or photos as proof that deficient items have been repaired and/or completed.

F. Extension Procedures

The owner of a unit may request an extension of time, in writing, to repair cited deficiencies due to extenuating circumstances such as inclement weather (on outside repairs), major remodeling, or "back order" of items to complete repairs.

G. Inspections Which Reveal Tenant Noncompliance

If an annual or special inspection reveals that a unit is no longer in a decent, safe and sanitary condition according to the applicable HQS criteria because of the tenant's lack of maintenance, the owner is still responsible for taking appropriate action to correct deficiencies. In addition to contacting the owner, in writing, on any deficiencies and corrective actions needed, the PHA should also advise the family of its responsibilities with respect to any lease requirements and also point out the possible consequences of noncompliance. If the owner is unable to obtain compliance from the family but does not take appropriate steps to evict the family, the PHA shall either stop the HAP Payments or terminate the HAP Contract.

H. Termination of Payments and Contracts

If the PHA has decided to stop making housing assistance payments to an owner in accordance with the HAP Contract, the owner must be sent advance written notification. The PHA must also promptly notify the family of this action and apprise them of their responsibilities. Housing assistance payments may be stopped until:

1. The owner corrects the deficiencies; in which case the housing assistance payment may be resumed; or
2. termination or expiration of the HAP Contract.

The PHA must not resume HAP Payments until the owner has corrected the deficiencies. No retroactive payments may be made for the period the unit was not in decent, safe and sanitary condition. When the deficiencies are corrected, however, a prorated housing assistance payment may be provided to the owner.

If the PHA has decided to terminate the HAP Contract according to its term, both the family and owner must be notified, in writing, of the reasons for termination and the date upon which it will take effect. The family must be notified that if it chooses to be rehoused in another unit, the PHA will issue another voucher so that the family can locate another as soon as possible, provided the family is still eligible for participation.

I. Adjustments and/or Held Checks

Prior to the HAP check run, if the unit is not inspected, the deficiencies are not completed or the check is being prorated or held for any reasons, the amount the landlord is entitled will not be released until the following month.

J. Remote Video Inspections

The Housing Authority may provide the option for an inspection using Remote Video Inspections (RVIs) using video streaming technology via a person at the inspection site who serves as a proxy. The Housing Authority is responsible for conducting the inspection, and any judgments made about whether a condition is a violation of HQS is made by the inspector.

The proxy for the inspection, which can be the landlord, property representative, tenant or any adult associated with the tenancy, will be instructed on the proper technology and equipment necessary to complete an inspection. The Housing Inspector will provide adequate privacy to safeguard any Personally Identifiable Information (PII).

Once the RVI is scheduled, the Housing Inspector uses the WCHA's designated streaming web-based platform to contact the proxy. The Housing Inspector uses the same inspection form currently used to record any deficiencies.

If the unit passes inspection, the Housing Authority follows its same procedure to process HAP for initial inspections or proceed with Annual Recertifications. If the unit fail, the Housing Authority follows its procedures as outlined its plan. When possible, the Housing Inspector will document items that fail with a file photo. The Housing Authority will allow clear pictures to be submitted for consideration of repairs made to cited items to pass inspection.

K. Quality Inspections

The Housing Authority must conduct supervisory Quality Controlled Inspections of files drawn in an unbiased manner of units which are subsidized under the voucher program. The minimum number of files drawn will be in accordance with 985.2 of the HUD Regulations. The inspections are conducted on a monthly basis from a random "drawing" of inspected units that were previously inspected and passed the previous month by our contracted inspector. The quality inspections are conducted by the Director, Voucher Coordinators and/or another designated person appointed by the Director. The Housing Authority will perform additional Remote Video Inspection Quality Control in addition to the required percentage under SEMAP.

L. Over/Under-Crowding Unit Policy

1. Violation of HQS Space Requirements

a. If the Housing Authority determines that a unit does not meet the HQS space standards because of an increase in family size or a change in family composition, the Housing Authority must issue the family a new Voucher, and the Housing Authority and the family must try and find an acceptable unit as soon as possible.

b. If an acceptable unit is available for rental by the family, the Housing Authority must terminate the HAP Contract at the end of the calendar month that follows the month in which the Housing Authority gives notice to the owner.

c. If any acceptable unit is not available for rental by the family, the Housing Authority must terminate the HAP Contract at the end of the lease renewal.

VIII. LEASES AND CONTRACT

A. Lease Provisions

The Authority shall provide the tenant and owner with a sample lease and lease addendum that meets all requirements as set by the United States Department of Housing and Urban Development (HUD). The provisions of this lease/lease addendum shall supersede any other lease provisions in effect. Any additional provisions desired by either the owner and/or tenant must first be approved by the Housing Authority before being included in said lease. A substitute lease meeting basic HUD requirement may be approved by the Authority.

B. Security Deposits

An owner may collect a security deposit not to exceed one (1) month's contract rent unless the tenant has occupied and/or made a security deposit prior to involvement with the Housing Assistance Program.

C. Rent Reasonableness

The gross rent for each unit for which a lease has been approved shall be reasonable in relation to rent currently being charged for comparable units in the private unassisted market. The Authority maintains a Rent Reasonableness file which contains rent information for comparable unassisted units of various bedroom sizes and housing types. This file is updated regularly to include current data. Should the gross rent of a proposed assisted unit be higher than that of a comparable unassisted unit, the rent will be declared unreasonable and the unit will not be eligible to receive rental assistance.

The Authority must determine the reasonable rent before any increase in the rent to the owner if there is a five percent decrease in the published FMR in effect 60 days before the contract anniversary (for the unit size rented by the family) as compared with the FMR in effect one year before the contract anniversary.

This procedure will be repeated whenever a landlord requests an increase in the contract rent of an assisted unit, as well as annually on a renewal of the lease.

D. HAP Contracts and Voucher

When it has been determined that the unit meets Housing Quality Standards and all items with respect to the lease have been identified and approved, the Housing Assistance Payment Contract/Voucher Contract will be drawn up between the owner and the Housing Authority. A Housing Authority representative will arrange with the Landlord and Tenant to sign all required documents and clarify all program requirements.

E. Requests for Payment

A Housing Assistance Payment is the difference between rent (including utilities) and the tenant payment.

A Voucher Payment is the difference between applicable payment standard and 30% of adjusted family income or 10% of annual income whichever is greater or minimum \$50.00 total tenant payment.

Housing Assistance Voucher Payments will be mailed and/or direct deposit into the landlord's bank account by the fifth business day of each month except in cases where there are circumstances involved either tenant and/or owner program violations which must be resolved to the Housing Authority's satisfaction prior to release of payment.

Interim or annual changes will be made by the Section 8 Program Coordinators and monitored by the bookkeeper. A record will be kept of all initial lease-up, annual and interim changes. Total amounts will be double checked regularly to ensure accuracy.

IX. RE-EXAMINATIONS AND ADJUSTMENTS

A. Annual Re-examinations

A re-examination of family income, composition, asset, medical, disability or child care expenses of each assisted family shall be performed annually to determine if the family is eligible for continued assistance under the program and to determine appropriate adjustments to be made in the Total Tenant Payment. This process will begin ninety (90) days prior to the anniversary date of the Assisted Lease and Contract. A re-evaluation of the dwelling unit will also be made at this time.

All family members over the age of 18 will be required to sign an Authorization for the Release of Income consent form 9886, to verify all sources of income, assets or allowances.

The Authority will document all forms of income and assets, as defined in 24 CFR 5.609 et. all, through written third-party verifications. Fax and e-mail's will be an acceptable source of third-party verification. Oral verifications will be accepted if written verifications cannot be obtained. Tenant provided documents generated by a third party will also be considered an acceptable form of "third party written" verification.

If written third party or oral third party verification for income and/or assets cannot be obtained and has been documented, the Authority will accept a tenant supplied award letter, paystubs, tax information (IRS form 4506-T), etc. or asset statements as proof of verification. If all above options have been exhausted, the Authority may accept when requested a notarized tenant certification.

For the purpose of calculating seasonal self-employment, the Authority will annualize current income and conduct an interim reexamination when income changes.

The Authority will also use an online computer matching system to compare the participants reported income to any discrepancies reported to the IRS Wages, Employment Compensation Office, Social Security or other sources using the EIV (Enterprise Income Verification) system.

All family members over the age of 18 will be required to complete a Release of Information form indicating if any criminal activity occurred in the past year and consent to the processing of a criminal record check.

Once the re-examination/re-evaluation process has been completed, the family and owner shall be notified of any changes in family contribution and Housing Assistance Payment/Voucher Payment by issuance of a Housing Assistance Payments Program Annual Lease Addendum.

B. Interim Re-examination

When a family reports a change in income, family composition or expenses that result in a reduction in the Total Tenant Payment, the Authority, after proper verification, shall make a reduction effective the first day of the month following the report change. Notification and documentation of verification(s) must be received by the 25th of the month in order for the reduction to be effective the first of the following month.

If a decrease in income will last less than one month and has been confirmed, no rental change shall be made.

Families shall be required to report any change in family composition regardless of whether the Total Tenant Payment would be affected to assure that the family remains housed in an appropriate size dwelling unit.

Any income changes resulting in less than \$200.00 per month will not be considered substantial and no change will be required.

Families shall be required to report changes in family circumstances such as obtaining employment, going on or off welfare or unemployment and any changes in family composition. Any changes which will result in an increase in family payment will be made effective following thirty (30) days' notice provided the family informed the Authority of their change within ten (10) calendar days of the effective date that the change occurred.

C. Contract Rent Adjustments

1. Owners of units under Housing Assistance Payments Contract may request the Authority's approval for an adjustment to their contract rents effective on the anniversary date of the Housing Assistance Payments Contract. Such request must be submitted, in writing, at least 60 days before the contract anniversary with verification that an increase is warranted.

2. At the discretion of the WCHA, payment standard amounts on the schedule may be adjusted annually to assure continued affordability. The payment standard amounts may be established for a unit size at any level between 90 percent and 110 percent of the published FMR for that unit size. The Authority may establish a separate payment standard amount within the basic range for a designated part of an FMR area.

D. Failure to Report Accurate Information

An applicant shall be informed of the obligations to immediately report income, family composition or expense changes. Each applicant shall be required at the time the application is completed to sign a form indicating they are both aware of and understand this requirement.

Any person who then fails to report such changes, shall be liable for repayment of Housing Assistance wrongly provided. A schedule of no more than 24 months in length shall be provided for the repayment which shall be administered by the Authority's Administrative Assistant or other staff member to be assigned. A willful violation of the requirement shall also be cause to remove the tenant from the Section 8 Program.

If a payment schedule agreement has been signed and the family is entitled to a utility reimbursement check, the Authority has the right to apply this check to any balance owed.

E. Family Break-Up Policy

The following policy will be utilized to determine which members of an assisted family continue to receive assistance in the Section 8 Rental Assistance Program if the family breaks up:

1. A "break-up" is defined as a legal separation of the head of household and spouse either through divorce or a court obtained legal separation.
2. Upon learning of the break-up of a family, the Authority will request, in writing, that the parties involved determine which family member will continue to receive assistance.
3. If the family members cannot reach an agreement, the Authority will determine who will continue to receive assistance, with the following factors taken into consideration:
 - a. which family members are remaining in the original assisted unit;
 - b. which family member has legal custody (temporary or permanent) of any minor children.
 - c. whether there are any ill, elderly or disabled family members;
 - d. whether family members were forced to leave the unit as a result of actual or threatened physical violence against family members by a spouse or other member of the household.
 - e. if the family break-up results from domestic violence, the PHA must ensure that the victim retains assistance.
4. When a court determines the disposition of the property between members of the assisted family in a divorce or separation under a settlement or judicial decree, the Authority will be bound by the court's determination of which family members continue to receive assistance in the program.
5. In the case of death of the head and/or spouse, the right of survivorship would be retained by the legal guardian of the children of the assisted family.

X. DENIALS AND TERMINATIONS

A. Grounds

The following are grounds for HAP and Voucher Contract terminations:

1. Automatic Housing Assistance Payments terminations:

- a. The assisted family vacates the unit in violation of the assisted Lease and any applicable vacancy period has ended.
- b. The family has moved from the unit according to lease terms or mutual consent between tenant and owner.
- c. The owner has required the family to move under the lease terms.
- d. The owner has evicted the family.
- e. The owner does not wish to enter into a new Housing Assistance Payment Contract/Voucher Contract.
- f. The Housing Assistance Payment Contract/Voucher Contract has expired.
- g. The PHA must deny or terminate assistance if any family member fails to meet the eligibility requirements concerning individuals enrolled at an institution of higher education as specified in 24 CFR 5.612.

2. Housing Authority initiated Housing Assistance Payment terminations:

- a. The unit is not in compliance with Housing Quality Standards.
- b. The unit is either overcrowded or under occupied and request for a waiver has been denied.
- c. A family's Total Tenant Payment equals or exceeds the Gross Rent of the unit and the family has been paying the full contract rent for six months after the last HAP payment was issued.
- d. A family has failed to satisfy a liability for claims the Housing Authority may have required to be satisfied by a specific date.
- e. Where the Housing Assistance Payment Contract/Voucher Contract is expiring and the Housing Authority is unable to approve a new Request for Tenancy Approval and/or Contract.

f. The Housing Authority has determined that the owner is not in compliance with the terms of the Housing Assistance Payment Contract/Voucher Contract.

g. The Housing Authority has determined that the family is not in compliance with terms of its voucher.

h. Any family member commits fraud, bribery or any other corrupt or criminal acts in connection with any federal housing program.

i. Any member of the family has ever been evicted from Federally-assisted housing in the last five years.

j. If a Housing Authority has ever terminated assistance under the Certificate or Voucher Program for any member of the family.

k. If any member of the family commits drug-related criminal activity, or violent criminal activity.

l. The Authority determines, in accordance with HUD requirements, that available funding is insufficient to support continued assistance.

m. Denial or termination can be for engaging in threatened abusive behavior toward Housing Authority personnel.

n. If a participating family is evicted due to a lease violation, illegal move, or is in non-compliance with program regulations, participation in the rental program will be denied for a period of eighteen months.

o. If any member of the family fails to sign and submit consent forms for obtaining information in accordance with program requirements.

p. If a family member does not establish citizenship or eligible immigration status or fails to disclose and document the social security number for any household member.

q. If the PHA determines that any member of the household has ever been convicted of drug-related criminal activity for the manufacture or production of methamphetamine on the premises of federally assisted housing.

r. The PHA may terminate assistance for criminal activity if the PHA determines that the household member has engaged in such an activity.

s. The determination to terminate assistance must be based on a preponderance of evidence standard.

t. The PHA can terminate assistance regardless of whether the household member has actually been arrested or convicted for the identified activity.

3. Housing Authority discretion to consider circumstances:

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

b. As a condition of continued assistance for other family members, the family must certify that the family member(s) who participated in or who were culpable for the action or failure will not reside in the unit.

4. Prohibition Against Terminations under VAWA

The PHA and owners of assisted units may not incidents of domestic violence, dating violence or stalking as serious or repeated violations of the lease or other “good cause” for termination of assistance, tenancy or occupancy rights, or program assistance of a victim of abuse under the Violence Against Women Reauthorization Act of 2005.

The PHA and owner may not consider criminal activity directly relating to abuse, engaged in by a member of a tenant’s household or any guest or other person under the tenant’s control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant’s family is the victim or threatened victim of that abuse.

The PHA and/or owner may request in writing that the victim or a family member on the victim’s behalf, certify that individual is a victim of abuse and that Certification of Domestic Violence, Dating Violence or Stalking, Form HUD-91066, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified time frame may result in eviction.

A written certification must include the name of the perpetrator and address and be provided to the PHA and/or owner within 14 business days after the individual receives a request from the PHA and/or owner.

- The PHA and/or owner may extend the 14 day deadline, at their discretion.
- If the individual does not submit the written certification within the required time frame (including any approved extension), the PHA and/or owner may proceed with terminating the tenancy or assistance of the family.

An individual may satisfy the certification requirement by providing documentation "signed by an employee, agent, or volunteer of a victim service provider, any attorney, or a medical professional, from whom the victim has sought assistance in addressing the actual or threatened abuse".

B. Termination and Moves

The landlord shall not terminate the tenancy except for:

1. Serious or repeated violations of the terms and conditions of the lease.
2. Violation of Federal, State or Local Law which imposed obligations on a tenant in connection with the occupancy or use of the dwelling unit and surrounding premises.
3. Other good cause. However, during the first year of the term of the lease, the owner may not terminate the tenancy for "other good cause" unless the termination is based on malfeasance or misfeasance of the tenant family.
4. When an owner wishes terminate the lease in accordance with the terms of the lease, though no fault of the tenant; the owner must provide the assisted tenant and the Housing Authority with at least a ninety (90) day written notice at which time the Housing Assistance Payments are terminated. The owner must indicate the grounds of termination which may include but are not limited to (a) owner does not wish to renew lease at its annual renewal date, (b) tenant's failure to accept the owner's offer of new lease or revision (c) reclaiming the unit for the owners personal use (d) selling the unit (e) new owner does not wish to participate in program, (f) foreclosure/bankruptcy (g) major renovations to the unit where tenant must vacate.

If an assisted family wishes to obtain another Voucher for the purpose of finding another dwelling unit, said family must give the Housing Authority and the owner at least thirty (30) days notice, in writing, of the family's intention to vacate the unit. It is recommended that the Authority be notified sixty (60) days in advance to allow time for transferring/processing of the Voucher.

The Housing Authority shall issue another Voucher or process a Request for Tenancy Approval as the case may be.

The Housing Authority does not permit participating families to move during the first year of their lease even when mutual agreement is established by the landlord and tenant. An exception is made during the first year, only if a family with a disability needs to relocate due to a medical condition. A doctor's note will be required to establish the need to relocate.

Participating family's are eligible to access portability during the first year after admission to the program. The assisted family may only move one time per year using their portability option.

C. Illegal Activities/Drug and Criminal-One Strike Your Out Policy

a. At any time, the Housing Authority may deny assistance to an applicant, or terminate assistance to a participant family if any member of the family commits:

1. Drug-Related criminal activity; or
2. Violent criminal activity.

b. If the Authority seeks to deny or terminate assistance because of illegal use, or possession for personal use, of a controlled substance, such use or possession must have occurred five years before the date that the Housing Authority provides notice to the family of the Housing Authority determination to deny or terminate assistance. The Authority may not deny or terminate assistance for such use or possession by a family member, if the family member can demonstrate that he or she:

1. Has an addiction to a controlled substance, has a record of such an impairment, or is regarded as having such an impairment; and
2. Is recovering, or has recovered from, such addiction and does not currently use or possess controlled substances. The Housing Authority may require a family member who has engaged in the illegal use of drugs to submit evidence of participation in, or successful completion of, a treatment program as a condition to being allowed to reside in the unit.

c. Evidence of criminal activity. In determining whether to deny or terminate assistance based on drug-related criminal activity or violent criminal activity, the Housing Authority may deny or terminate assistance if the preponderance of evidence indicates that a family member has engaged in such activity, regardless of whether the family has been arrested or convicted.

d. Violent criminal Activity includes any felonious criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

e. The Housing Authority may deny if preponderance of evidence indicates the family has engaged in drug-related criminal activity or violent criminal activity, regardless of whether the family member has been arrested or convicted.

f. The Authority may permit family members not involved in the proscribed activities to continue receiving assistance on the condition that family members determined to have engaged in the proscribed activities will not reside in the unit.

g. The Authority may deny continued assistance if it has cause to believe that any household member's abuse or pattern of abuse of alcohol, disturbances or repeated patterns of nonviolent criminal activity may threaten the health, safety or right to peaceful enjoyment of the premises by the other residents.

h. The Authority will not allow an applicant to apply or participate in any housing assistance program until the sentence and any and all probation/parole has been completed and all fines have been paid in full.

“For the purposes of this Policy, “Drug Related Criminal Activity” shall be defined as the illegal manufacture, sale, distribution, use or possession or possession with the intent to manufacture, sale, distribute or use a controlled substance and/or the possession of drug related paraphernalia, as defined in Section 102 of the Controlled Substance Act 21 U.S.C. 802 and/or under Pennsylvania Law.”

D. Absence from Unit

Because of the large demand for very limited housing assistance, it is important that assistance only be provided to families who are occupying the dwelling unit for which assistance is being paid. For this reason, the following policy shall be followed regarding a Section 8 Voucher Program participant's absence from the subsidized dwelling unit.

1. An "absence" is defined as no member of the family residing in the unit.
2. It shall be the obligation of the family to notify the Housing Authority, in writing, of any absence which is planned to be greater than thirty (30) days. No Housing Authority notification shall be required for any absence less than thirty (30) days. This does not relieve the family from providing owner notification for lesser periods, if required by the owner.
3. Any family who is absent from the dwelling unit for a period of greater than thirty (30) consecutive calendar days, without having received prior approval from the Authority, shall be terminated from the program. Such absence will be verified by letters to the unit, phone calls, visits, or questioning the landlord and/or neighbors.
4. Absences greater than thirty (30) days shall only be approved for the following reasons:
 - a. medical reasons, such as hospitalization or rehabilitation, as verified by a licensed physician;
 - b. family emergencies which require the presence of the family, as verified by medical or law enforcement authorities;
 - c. incarceration, as verified by law enforcement authorities.
5. Under no conditions will an absence be approved for a period of more than one hundred eighty (180) days. Any absence greater than one hundred eighty (180) consecutive calendar days shall result in termination of assistance.
6. All requests for approval shall be in writing, with a copy to the owner of the unit. The notification shall include the following:
 - a. The dates the family is intending to be absent;
 - b. The purpose of the absence;
 - c. Any verification(s), as required above.
7. The family shall promptly notify the Housing Authority and owner, in writing, upon return to the unit.

E. Notice and Opportunity for Hearing/Grievance Procedures

1. The Authority shall give a participant in the Section 8 Voucher Program an opportunity for an informal hearing to consider whether decisions relating to the Family are in accordance with law, HUD regulations and Housing Authority rules, in the following cases.

The informal hearing may be conducted in person, telephonically, via video-teleconferencing or through other platforms. A written summary of this meeting shall be made and retained in the participant's file.

- a. A determination of the amount of the Total Tenant Payment of Tenant Rent.
- b. A decision to deny or terminate assistance on behalf of the participant because of their action or failure to act.
- c. A determination that a participant family is residing in a unit with a larger number of bedrooms that appropriate under the Housing Authority's standards, and the Housing Authority determines to deny the family's request for an exception from the standards.
- d. In the case of an assisted family who wants to move to another dwelling unit with continued participation in the Section 8 Program, a determination of the number of bedrooms entered on the Voucher under the standards established by the Authority will be made in accordance with the Occupancy Standards.
- e. Denial by an Initial or Receiving PHA for continuing assistance to a Housing Voucher holder or participant who wants to move with continued assistance.
- f. A determination of the appropriate utility allowance (if any) for tenant paid utilities from the Housing Authority utility allowance schedule.
- g. A determination to terminate assistance because the participant family has been absent from the assisted unit for longer than the maximum period permitted under the Housing Authority policy and HUD rules.

2. The Authority is not required to provide an opportunity for an informal hearing for the following reasons:

- a. To review discretionary administrative determinations by the Authority, or to consider general policy issues or class grievances.
- b. To review the Housing Authority's determination that a unit does not comply with Housing Quality Standards or that the owner has failed to provide decent, safe and sanitary housing, or that the Contract Unit is not decent, safe and sanitary because of an increase in family size or change in family composition.

c. To review a decision by the Housing Authority to exercise any remedy against the owner under the outstanding Contract, including the termination of housing assistance payment to the owner.

d. To review the Housing Authority's decision not to approve a family's request for an extension to the term of the Voucher issued to an assisted family which wants to move to another dwelling unit with continued assistance.

e. Establishment of the Housing Authority schedule of utility allowances for families in the program.

f. The Authority's determination to approve a unit or lease.

g. The Authority's decision not to approve an extension or suspension of a voucher term.

3. Where a hearing is requested, the Authority shall proceed with a hearing in a reasonable expeditious manner upon request of the participant.

a. The hearing shall be conducted by the Executive Director, Chairperson or their designee, not by the person who made the disputed decision.

b. The participant may be represented by a lawyer or other representative at his/her expense.

c. The Executive Director, Chairperson, or designee shall regulate the conduct of the hearing in accordance with the Housing Authority's hearing procedures. The person who conducts the hearing must issue a written decision, stating briefly the reasons for the decision. Decisions will be based on preponderance of evidence presented at the hearing.

d. The Housing Authority and the participant shall be given the opportunity to present evidence and question any witness.

e. The family will be given the opportunity to examine before the hearing any documents that are directly related to the hearing. The family will be allowed to copy any such documents at their expense.

f. The Housing Authority must be given the opportunity to examine at the Housing Authority Office before the hearing any family documents that are directly relevant to the hearing. The Housing Authority must be allowed to copy any such documents at the Authority's expense. If the family does not make the documents available for examination on request of the Housing Authority, the family may not rely on the documents at the hearing.

F. Housing Authority Disapproval of Owner

In order for a participant and/or potential owner to participate in the Wayne County Housing Authority's Rental Assistance Programs, they must submit a copy of the deed to their property along with documentation that all property taxes have been paid. If the owner can not provide a copy of the deed or provide documentation that the taxes are paid, their tenants will be informed to relocate to another unit that qualifies under the program guidelines and the owner will not be allowed to participate in the program.

1. The Housing Authority must not approve a unit when directed by HUD if:
 - a. Federal action is pending on government instituted administrative or judicial action against the owner for a Fair Housing or other federal equal opportunity requirement violations;
 - b. A court or administrative agency has determined that the owner violated Fair Housing or other Federal equal opportunity requirements;
 - c. The owner is debarred, suspended or subject to a limited denial of participation under 24 CFR Part 24.
2. The Housing Authority may deny approval to lease a unit from an owner for any of the following reasons:
 - a. The owner violated owner obligation under the Section 8 HAP Contract;
 - b. The owner has committed fraud, bribery or any other corrupt or criminal act involving any Federal Housing Program;
 - c. The owner has engaged in drug trafficking or is subject to a lifetime registration requirement under a State sex offender registration program;
 - d. The owner has a history or practice of noncompliance with HQS for tenant based programs or housing standards for project based under any federal housing program;
 - e. The owner has a history or practice of renting units that fail State or Local housing codes;
 - f. The owner has not paid State, Local, County, School and/or Real Estate taxes, fines or assessments;
 - g. The owner had a previous contract with the Housing Authority for a Section 8 Moderate Rehabilitation unit(s) and had their contract canceled before the expiration date of the 15 year term.

XI. ELECTRONIC SIGNATURES, TRANSMISSION AND STORAGE

The Authority has chosen to utilize electric communication procedures for applicants, participants and landlords that conform with the Uniform Electronic Transaction Act (UETA) of Pennsylvania 1999 Act 69. Transmissions will also conform with the National Institute of Standards and Technology (NIST). Signatures, whether electronic or on paper (“wet”) is the means by which a person indicates an intent to associate himself/herself with a document in a manner that has legal significance and constitutes legally binding evidence of the signer’s intention regarding a document.

Applicants, participants and landlords may complete documents online or by hand and then transmit and/or scan and email documents and signatures electronically. Applicants, tenants and landlords may also submit information and documents using methods, such as online systems, tablets or smart phone apps, email or other electronic media. The Authority will also give applicants, participants and landlords the opportunity to provide information or documents in paper form using wet signatures. The Authority will keep an electronic acknowledgement of receipt to reflect applicants, participants and landlords were provided with and electric transmission of a document.

A. Electronic File and Document Storage

The Authority will create forms or documents used for the management of the program and these forms or documents may be stored electronically. The Authority may maintain paper files, electronic files or a combination of both; and convert paper files to electronic storage.

B. Date Retention

The date retention/records retention policy of the Authority is the same for both paper and electronic documents and records.

C. Regulatory Restrictions

The Authority will require some notices to applicants, tenants and landlords be sent by first class mail, delivered directly and/or posted in public places. These include but are not limited to denial/revoking of assistance, termination notices, changes in lease terms or occupancy requirements, and increase or decreases in rents.

D. Accessibility of Electronic Media

The Authority will provide all notices and communications consistent with Section 504 of the 1973 Rehabilitation Act and HUD’s Section 504 regulations and Titles II or III of the Americans with Disabilities Act (ADA) and its implementing regulations. The Authority will also provide reasonable accommodations to afford users an equal opportunity to participate, complete and sign documents or submit documents in paper copy. The Authority will also ensure that effective communication of electronic media includes reasonable steps taken to ensure meaningful access for persons with Limited English Proficiency (LEP) across technological platforms.

XII. MONITORING PROGRAM PERFORMANCE

In order for the Authority to serve its population and to meet its leasing schedule, an ongoing tally will be kept as applications are received from families. Demographic characteristics will be recorded. Adjustments will then be made in selection procedures in regard to unit size and elderly/non-elderly mix and outreach to those least likely to apply.

The agency will regularly monitor certain factors to assess the progress of its leasing schedule including: adequacy of family briefing, number of available units meeting housing acceptability criteria, degree of owner participation (number of such owners), adequacy or inadequacy of fair market rents, or inappropriate scheduling of vouchers relative to those available.

In the event the leasing schedule is still not being met, those activities of the Authority seen as directly impacting on program vitality, e.g., outreach and publicity, landlord contract, etc., will be increased within reasonable limits.

XIII. EXPANDING HOUSING OPPORTUNITIES

The Authority provides form printed handouts describing the information and services it offers. These are distributed at the main office and through other agencies as a way of letting the general public know of services and technical assistance available.

The Authority has implemented a policy to encourage participation by owners of rental units. The Authority also informs rental voucher holders of the full range of areas where they may lease units both inside and outside the jurisdiction of the Authority.

Included in the rental voucher and holders packet is a list of landlords or other parties who are willing to lease units or help families find units. Also included in the packet is an explanation of how to use portability.

The Authority has established relations with local non-profit agencies in our area to provide counseling or other related services. Since Pike Counties total population is less than 10% minority, the concern for families that may want to relocate to low-poverty or non-minority areas is non-existent.

XIV. SPECIAL HOUSING TYPES

A. HOMEOWNERSHIP PROGRAM

The Authority currently does not administer any Homeownership programs under Section 8 (y) of the U.S. Housing Act of 1937.

B. MANUFACTURED HOME SPACE RENTAL

The Authority currently does not administer assistance for individuals or families that own their manufactured home and lease the space for lot rent.

XV. COMMUNITY SERVICE AND SELF-SUFFICIENCY PROGRAM PROCEDURES

The WCHA has been allocated subsidy for the Family Unification Program. Eligible families that have been certified by the Public Child Welfare Agency that the lack of adequate housing (a primary factor in the imminent placement of the family's, child or children, in out-of-home care or in the delay of discharge of a child, or children, to the family from out-of-home care); and the Public Child Welfare Agency (PCWA) has provided written certification to the WCHA that the family is eligible based upon the criteria established in Section 8 (x) of the U.S. Housing Act of 1937 and the Family Unification eligibility requirements will receive this funding.

XVI. SECTION 8 OPERATING RESERVE ACCOUNTING REQUIREMENTS

In compliance with Handbook 7420.7, Change 9, the Housing Authority County of Wayne Board of Commissioners at their regular scheduled March 18, 1991 Board Meeting adopted the following Resolution, therefore, making it a part of the Administrative Plan.

RESOLUTION #85

"Resolution Establishing a Threshold for the Section 8 Existing Operating Reserve"

BE IT RESOLVED, that the Board of Commissioners of the Housing Authority of the County of Wayne, hereby establish a threshold for the amount of expenditures which may be made from the Section 8 Existing Operating Reserve for other housing purposes without prior approval of the Board, the maximum amount to be set at \$10,000, this being consistent with the threshold for formal bidding requirements and subject to procurement policies of the Authority.

/s/ Thomas J. Shepstone
Secretary

XVII. EQUAL OPPORTUNITY HOUSING PLAN

Section 8 Housing Choice Voucher Program

A. Outreach to Lower-Income Families

Action to be taken:

The following items are applicable to the Existing Housing & Housing Voucher Programs:

1. Media to be used (name and type):

Press Releases to all local newspapers and radio:
 - a. Wayne Independent - newspaper
 - b. News Eagle - newspaper
 - c. WDNH - radio
 - d. WYOU – radio
 - e. WCHA Website

2. Other suitable means to be used to publicize programs:

Brochures will be distributed at local levels:
 - a. Chamber of Commerce
 - b. Bureau of Aging
 - c. Public Welfare
 - d. Human Resource Council

3. Group or groups less likely to apply, if any:
N/A

4. Special outreach to group identified in 3:
N/A

5. Special outreach to persons expected to reside, if identified in HAP:

Brochures will be distributed to local agencies:
 - a. Human Resource Council
 - b. Bureau of Aging
 - c. Public Welfare
 - d. Social Security Administration
 - e. Tri-County Human Services

The Wayne County Housing Authority has access to the PA Relay Service for the hearing impaired.

The Wayne County Housing Authority is encouraging the participation by owners with accessible units. All owners are informed during briefings.

B. Promoting Greater Housing Opportunities for Families Outside Areas of Low-Income and Minority Concentration.

Actions to be taken:

The following items are applicable to the Existing Housing and Housing Voucher Programs:

1. Media to be used to notify owners about the program(s):
 - a. Personal contact with property owners.
 - b. Press release in local newspapers.
 - c. Brochures delivered to real estate agents.

2. Action to encourage participation by owners of units outside low-income and minority areas:

N/A

3. Actions to explain program requirements including equal opportunity to owners:
 - a. Brochures and owner handbooks
 - b. Briefings

4. Information on Local, State and Federal Fair Housing Laws and use of Form HUD-903.1 to be provided as follows:
 - a. Information on Housing Laws is explained to owners and applicants at the time of the briefing and Contract/Lease signing. HUD-903.1 is given to each applicant.

These items are applicable only to the Existing Housing Program and Housing Vouchers:

5. Information on general locations and characteristics of neighborhoods and on listings, to be provided to Voucher Holders as follows:
 - a. Voucher holders will be supplied with current landlord listings of available units.

6. Actions to be taken to assist Voucher Holders during housing search, when requested:

Refer to Administrative Plan

7. Actions taken to promote broadest geographical choice in selection of units by Voucher Holders, if any:

Refer to Administrative Plan

8. Geographical areas in which PHA's and Vouchers may be issued:

Wayne and Pike County

C. Ensuring Equal Opportunity to Applicants for Participation in the PHA's Existing Housing Program and in the Selection of Voucher Holders.

Action to be taken:

1. System for taking, processing and filing applications, establishing waiting list:

Refer to Administrative Plan

2. Preference or priority categories in order, if any, for issuance of Vouchers and method used for selection of Voucher Holders:

Refer to Administrative Plan

D. Provision of Services and Assistance to Families that Allege They Have Encountered Discrimination During Their Housing Search.

Actions to be taken:

1. Services to be provided in finding a unit under the Existing Housing Program and Housing Voucher Program:

Refer to Administrative Plan.

2. Assistance to be given to Voucher Holders in the exercise of their rights under Federal, State and/or Local Law and name of persons responsible for giving assistance, training of these persons:

Refer to Administrative Plan.

E. Utilization of a Local Fair Housing Organization Serving the Handicapped.

The PHA will subcontract with a Fair Housing Organization or Organization serving the Handicapped in its Existing Housing.

YES _____ NO _____ X _____

Name of Organization _____

Services to be provided by this Organization:

- a.
- b.

F. Promoting Employment Opportunity in the PHA's Employment Practices - Existing Housing Programs or Housing Voucher Programs.

1. Existing or proposed staffing pattern by position, race/ethnicity, gender and salary. (Asterisk staff members employed by PHA in other programs prior to making application for the Section 8 - Existing Housing Program).

Executive Director - White, Male
Administrative Assistant - White, Female
Section 8 Coordinator (2) - White, Female
Clerk Typist - White, Female
Accountant - White, Male

The Wayne County Housing Authority is governed by the Pennsylvania State Civil Service hiring policy.

2. Actions to be taken to promote equal opportunity in employment practices.

The Wayne County Housing Authority is governed by the Pennsylvania State Civil Service hiring policy.

XVIII. DEFINITIONS

ADJUSTED INCOME: Annual Income less (a) \$480.00 for each dependent; (b) \$400.00 for any Elderly family; (c) medical expenses in excess of three (3%) percent of Annual Income for any elderly family; (d) Handicap Assistance expense in excess of three (3%) percent of annual income for any elderly family; and (e) child care expenses. These numbers shall be considered automatically adjusted whenever HUD publishes new standards.

ANNUAL CONTRIBUTIONS CONTRACT (ACC): A written agreement between HUD and an Authority to provide annual contributions to the Authority for housing assistance payments and administrative fees.

ANNUAL INCOME: Is the anticipated total income from all sources, including net income derived from assets, received by the family Head and Spouse (even if temporarily absent) and by each additional family member. Annual income is anticipated income for the twelve (12) month period following the effective date of initial determination or reexamination of income, exclusive of income that is temporary, non-recurring, or sporadic or is specifically excluded from income by other federal statute.

Annual income will also include any financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or from an institution of higher education (as defined under the Higher Education Act of 1965), shall be considered income to that individual, except that financial assistance described in this paragraph is not considered annual income for persons over the age of 23 with dependent children or the full amount of student financial assistance paid directly to the student or to the educational institution. Financial assistance does not include loan proceeds for the purpose of determining income.

ASSISTED LEASE: A written agreement between an owner and an eligible family for the leasing of an existing housing unit. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP contract between the owner and the PHA.

CHILD CARE EXPENSES: Amounts anticipated to be paid for the care of children under 13 years of age to enable adults to work or attend school.

CONTRACT RENT: The total amount of rent specified in the Housing Assistance Payments Contract as payable by the Housing Authority and the tenant to the owner of an assisted unit.

DECENT, SAFE AND SANITARY HOUSING: Housing meeting the Housing Quality Standards.

DEPENDENT: A member of the Family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a Disabled person or Handicapped person, or is a full-time student.

DISABLED PERSON: A person under a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423) or in Section 102 of the Development Disabilities Services Facilities Construction Amendment of 1970 (42 U.S.C. 2691 (1)).

DISABLED FAMILY: A family which the head, spouse or cohead is a person with disabilities.

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

DRUG: A controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

DRUG-RELATED CRIMINAL ACTIVITY: Drug Related Criminal Activity shall be defined as the illegal manufacture, sale, distribution, use or possession or possession with the intent to manufacture, sale, distribute or use a controlled substance and/or the possession of drug related paraphernalia, as defined in Section 102 of the Controlled Substance Act 21 U.S.C. 802 and/or under Pennsylvania law.

ELDERLY FAMILY: A family whose head, spouse, cohead, or sole member is a person who is at least 62 years of age, disabled or handicapped.

ELECTRONIC SIGNATURE: An electronic or digital image of a handwritten signature. The image can be a scanned image of an ink-based signature handwritten on paper or a special computer-generated image.

ELECTRONIC RECORD: A contract or other record created, generated, sent, communicated, received, or stored by electronic means.

ELIGIBLE FAMILY: A family as defined in 24 CFR Part 812 that, at the time if initially received assistance under the Housing Voucher Program, (1) qualified as a Extremely-Low Income Family, Very-Low Income Family or as a Lower Income family displaced by Rental Rehabilitation program activity, or (2) has been continuously assisted under the 1937 Act.

EXTREMELY LOW-INCOME FAMILY: A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

FAMILY: A group of persons regularly living together and have established a familiar status together for at least six consecutive months, related by blood, marriage, adoption, guardianship or operation of law; or an Elderly family, Single Person, near-elderly family, a disabled family or a Displaced family, each as defined herein of this policy. Also the remaining member of a tenant family. Other persons, including foster children, Live-in Aides and members temporarily absent, may be considered a part of the family group if they are living or will live regularly with the family.

FAMILY UNIFICATION ELIGIBLE FAMILY: A family that the Public Child Welfare Agency (PCWA) has certified is a family for who the lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home, or in the delay of discharge of a child or children, to the family from out-of-home care; and the PHA has determined is eligible for Section 8 rental assistance.

FAIR MARKET RENT: The rent, including utilities, and all maintenance management and other services which, as determined at least annually by HUD, would be required to be paid in order to obtain decent, safe and sanitary existing rental housing of a non-luxury nature.

FEDERALLY ASSISTED HOUSING: Public housing and housing receiving project-based or tenant-based assistance under Section 8 (42 U.S.C. 1437f).

FULL-TIME STUDENT: A person who is attending school or vocational training on a full-time basis.

GROSS RENT: The total monthly cost of housing, which is the sum of the Contract Rent and any Utility Allowance for the assisted unit.

GUEST: A person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. A guest can stay no longer than two weeks (14 days) in a calendar year, consecutively.

HANDICAPPED PERSON: A person having a physical or mental disability that (a) is expected to be of long-continued and indefinite duration; (b) substantially impedes his or her ability to live independently; and (c) is of such nature that such ability could be improved by more suitable housing conditions.

HOUSEHOLD: The family and any PHA-approved live-in aide.

HOUSING ASSISTANCE PAYMENT: The amount of housing assistance payment on behalf of an eligible family determined in accordance with schedules and criteria established by HUD.

HOUSING VOUCHER: A document issued by an Authority declaring a Family to be eligible for participation in the Housing Voucher Program and stating the terms and conditions for the family's participation.

HOUSING VOUCHER CONTRACT: A written contract between an Authority and an Owner, in the form prescribed by HUD for the Housing Voucher Program, in which the Authority agrees to make housing assistance payments to the Owner on behalf of a Eligible Family.

IMPUTED ASSETS: Asset(s) disposed of for less than Fair Market Value during two years preceding examination or reexamination.

IMPUTED INCOME: HUD passbook rate X total cash value of assets. Calculation used when assets exceed \$5,000.00.

INITIAL PHA: A PHA administering a Housing Voucher Program with a Housing Voucher Holder or Housing Voucher Participant who desires to move or who has moved to another area.

INITIAL PAYMENT STANDARD: Payment Standard based on the FMR in effect at the time the ACC is executed by HUD for the first increment of funding in the PHA's Housing Voucher Program.

MAINSTREAM VOUCHER: Vouchers that will serve households that include a non-elderly person(s) with disabilities, defined as any family that includes a person with disabilities who is at least 18 years old and no yet 62 years old at the time of the initial HAP Contract.

MEDICAL EXPENSES: Those medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance may be deducted for elderly, disabled or handicapped households.

MINIMUM RENT: Ten (10%) percent of the Family's monthly income is its minimum rent - the minimum amount of shelter costs not covered by the Housing Voucher Assistance.

MONTHLY INCOME: One-twelfth (1/12) of adjusted income.

NEAR ELDERLY FAMILY: A family whose head, spouse, cohead, or sole member is a person who is at least 50 years of age but below the age of 62.

NET FAMILY ASSETS: Value of equity in realty property, savings, stocks, bonds, and other forms of capital investments.

OCCUPANCY STANDARD: Standard established by the Authority for determining the appropriate number of bedrooms for families of different sizes and compositions.

OWNER: Any private person or entity who has the legal right to lease an assisted unit.

PAYMENT STANDARD: The payment standard is the FMR by bedroom size published for effective in the Federal Register for the Section 8 Program, or the exception FMR approved by HUD for a designated municipality, county or similar locality.

PUBLIC CHILD WELFARE AGENCY (PCWA): The agency that is responsible under applicable State law for determining that a child is a imminent risk of placement in out-of-home care or that a child in out-of-home under the supervision of the public agency may be returned to his or her family.

PUBLIC HOUSING AGENCY (PHA): Any state, county, municipality or other governmental entity or public body which is authorized to engage in or assist in the development or operation of housing for low-income families.

RECEIVING PHA: A PHA administering a Section 8 Housing Voucher Program that accepts a Housing Voucher holder or Voucher participant from another PHA.

RESPONSIBLE ENTITY: For the Section 8 tenant-based program, the PHA administering the program under the ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.

SECURITY DEPOSIT: Sum of money, the amount of which is stipulated in a lease agreement, deposited by the tenant with the owner to cover the cost of tenant-caused damages, possible delinquent rent upon the tenant vacating the unit, etc.

SINGLE PERSON: A person living alone or intending to live alone who is at least 18 years of age.

TENANT RENT: The amount payable monthly by the family as rent to the unit owner.

TOTAL TENANT PAYMENT: The portion of the Gross Rent payable by an eligible family participating in the Section 8 program.

UTILITY ALLOWANCE: An estimate of the cost of utilities and other essential housing services for an assisted unit which are not included in the Contract Rent, but are the responsibility of the family.

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.

VERY-LOW INCOME FAMILY: A family whose annual income does not exceed fifty (50%) percent of the median income from the area, as determined by HUD.

VIOLENT CRIMINAL ACTIVITY: Any criminal activity that has one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause or be reasonably likely to cause, serious bodily injury or property damage.

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

XVIV. CODE OF CONDUCT

Public service is a public trust. Each employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution, laws and ethical principles above private gain. To ensure that every citizen can have complete confidence in the integrity of the Authority, each employee shall respect and adhere to the principles of ethical conduct set forth in the following sections:

(a) In compliance with the conflict of interest requirements of the Housing Choice Voucher Program, the Authority shall follow the requirements set forth in 24 CFR 982.161.

(b) Any officer, employee of the PHA, contractor, subcontractor or agent of the PHA are prohibited from the solicitation or acceptance of gifts or gratuities in excess of a nominal value from any person or entity seeking official action from doing business with, or conducting activities regulated by the employee's agency or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.

(c) Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, sex, religion, disability, age, handicap, familial status, national origin, sexual orientation or gender identity.

Any officer, employee of the PHA, contractor, subcontractor or agent of the PHA that is in violation of the Code of Conduct shall be subject to disciplinary remedies.

MISSION STATEMENT

The Wayne County Housing Authority Board of Commissioners, Executive Director and staff are responsible for leading and directing the activities and services of the Authority.

All are delivered in a timely manner and are of the highest level of quality. The Wayne County Housing Authority has always maintained a "people-oriented" attitude. We will strive to establish positive relationships with the public, media, public officials, tenants and landlords.

The Wayne County Housing Authority must ensure safe, decent, healthy and desirable living environments for all residents and applicants. Management must efficiently and competently perform day to day tasks necessary to maintain this environment. Specific duties include:

- 1) serving the needs of low, very-low and extremely low-income families in Wayne and Pike County;
- 2) maintaining the availability of decent, safe, sanitary, and affordable housing;
- 3) recommending and implementing policies established by the Board, screening applicants, selecting residents, lease units to eligible applicants, supporting the Housing Programs under the Authority's jurisdiction, day to day work tasks necessary to maintain contractual agreements between and among the Authority, HUD, landlords and tenants; and
- 4) finally, the ambition of all Wayne County Housing Authority staff is to meet the immediate needs of our residents, ensure equal opportunity and promote self-sufficiency.

Maintenance must efficiently and effectively repair and maintain Housing Authority property in a timely manner. The Maintenance Department is responsible for routine upkeep of grounds and equipment, "housekeeping" of Authority property in all common areas, routine and emergency repair, and the refurbishing or replacement of mechanical systems, fixtures, appliances and the structures themselves. All staff must protect the physical integrity of the building and will strive for resident satisfaction.

Improved communication among all departments has enhanced the Authority's abilities to handle any inner office, resident and/or landlord problems quickly and efficiently, as well as, eliminate larger problems.

By establishing a good rapport with all residents and participants we are confident that our best possible services are being provided to all and these goals are being obtained.