

UPLAND HOUSING AUTHORITY
SUMMARY OF PROPOSED REVISIONS TO THE PUBLIC HOUSING
ADMISSIONS AND CONTINUED OCCUPANCY POLICIES EFFECTIVE
2/1/2014

- 1. Description:** Minor revisions to formatting and language.
Change Type: Clarification only.
Location: Throughout.
Reason: To improve clarity and readability. These changes do not alter the content or intent of the policy.
- 2. Description:** Revises reporting timeframe for families from 15 calendar days to 30 calendar days.
Change Type: Discretionary.
Location: Throughout.
Reason: Current policy requires families to report information, such as increases to income, birth of children, and notices from the landlord, to UHA within 15 calendar days. This timeframe was designed to allow sufficient time for UHA to process the information. However, in many situations allowing additional time for the family to report the change would benefit both the family and UHA. For example, when the family reports a change in income, allowing 45 days would provide enough time for the family to obtain one or more pay stubs to support their report of the change. UHA feels that, in light of current funding circumstances and experience with the existing reporting requirement, 30 days is a reasonable timeframe.
- 3. Description:** Changes UHA policy to state that UHA will review and revise the ACOP as needed instead of annually.
Change Type: Discretionary.
Location: 1-III.C
Reason: Allows UHA the flexibility to revise policies as often as needed.
- 4. Description:** Adds “large-print” forms as an example of a reasonable accommodation for a person with disabilities.
Change Type: Clarification only.
Location: 2-II.B
Reason: Provides additional guidance for staff on the types of reasonable accommodations that UHA can provide.
- 5. Description:** Expands introduction to state that if the family demonstrates eligibility for assistance and the UHA later denies assistance to the family, the UHA shall have the burden of demonstrating, based on a preponderance of evidence, the grounds for its denial.
Change Type: Discretionary.
Location: Chapter 3 Introduction
Reason: To align the Public Housing policy with the Section 8 policy adopted in 2013.
- 6. Description:** Expands policy on guests to list circumstances that would cause UHA to an individual to be residing in the unit rather than a guest. Actions include representing the unit’s address as the individual’s own address, paying rent for the unit, and holding a utility account for the unit.
Change Type: Discretionary.
Location: 3-I.J
Reason: Addresses the need for additional guidance in determining when an individual is and is not a guest. This policy provides specific parameters.

- 7. Description:** Expands UHA policy regarding who may serve as live-in aide. A live-in aide must be available to provide the type of care and the amount of care that the elderly or disabled tenant requires. UHA will not approve a live-in aide that does not meet these requirements.
- Change Type:** Discretionary.
Location: 3-I.M
Reason: Based upon recent training on reasonable accommodations, UHA has determined that additional guidance is needed regarding who is qualified to serve as a live-in aide. The live-in aide should be able to provide the type of care needed, which might include skilled medical care. Additionally, if a live-in aide is needed, the elderly or disabled person is assumed to need care throughout the day (not occasionally, intermittently, or for only a portion of the day), and thus the live-in aide must be available to provide care throughout the day. The live-in aide should not have other obligations outside the home, such as employment, school, or a family living elsewhere.
- 8. Description:** Adds policy stating that UHA will use the Dru Sjodin website to screen applicants for sex offender status and that UHA will ask whether the applicant, or any member of the applicant's household, is subject to a lifetime registered sex offender registration requirement in any state.
- Change Type:** Required.
Location: 3-III.D
Reason: To comply with the requirements stated in Notice PIH 2012-28.
- 9. Description:** Replaces paragraphs explaining when UHA will offer applicants the opportunity to remove an ineligible household member from the application. UHA must offer the family the opportunity if the family would be ineligible due to a family member with a lifetime sex offender registration status, and may offer the opportunity if the family would be ineligible due to other criminal activity by the culpable member.
- Change Type:** Required.
Location: 3-III.E
Reason: To comply with the requirements stated in Notice PIH 2012-28.
- 10. Description:** Removes UHA policy stating that certification of criminal/sex offender status will be required in order to make a preliminary determination of eligibility for placement on UHA's waiting list.
- Change Type:** Discretionary.
Location: 4-I.B
Reason: Allows UHA flexibility to determine the information that will be required to accept or deny a pre-application. UHA may still ask for this information on the pre-application if desired, but the information will not be required in order to make a preliminary determination of eligibility for placement on the waiting list. UHA will still require and verify this information as part of the full application process when the family is selected from the waiting list.
- 11. Description:** Changes UHA policy regarding how pre-applications are accepted to remove the requirement that pre-applications be submitted via mail only. UHA will provide instructions to applicants regarding the format in which pre-applications can be submitted when the waiting list is opened.
- Change Type:** Discretionary
Location: 4-I.B
Reason: This change will allow UHA to accept pre-applications in other formats, including web-based formats, as determined by UHA at the time of waiting list opening.

- 12. Description:** Adds policy regarding timeframes for notice of ineligibility and information to be provided with the notice. UHA will give written notice of UHA's decision of eligibility or denial of assistance no later than ten days from the date of decision or seventy-five days from the date of UHA's written notice of selection from the waiting list, whichever is sooner.
The written notice will include: (1) a description of the reason(s) upon which the determination to deny assistance was based, (2) the family's right to an informal hearing of the decision denying assistance, (3) the informal hearing includes an opportunity to present written or oral objections to rebut the decision denying assistance, and (4) the family opportunity to inspect UHA's documents related to the family's application for assistance and to obtain copies thereof at the family's expense.
The written notice of denial also shall state that the family may obtain an informal hearing of the decision denying assistance by completing and submitting the prescribed request form, included with the written notice of denial, no later than fifteen (15) days from the date of the written notice.
If additional information that would cause UHA to determine that the family is ineligible for assistance becomes available to UHA at any time after UHA has issued a notice of eligibility, UHA will issue the family a written notice of denial, as described herein, within thirty (30) days from the date the additional information is discovered.
- Change Type:** Discretionary.
Location: 4-III.E
Reason: UHA adopted this policy for its HCV program in September 2013. This revision will align the two policies.
- 13. Description:** Replaces statement that UHA will not accept incomplete pre-applications with statement that UHA will deny applications that do not include information required by UHA and/or program regulations.
- Change Type:** Discretionary
Location: 4-I.B
Reason: Allows UHA the flexibility to determine at the time of waiting list opening which information will constitute an incomplete application. For example, UHA may determine that an applicant's Social Security Number is necessary in order to place the applicant on the waiting list, while their e-mail address is not. In this case, an application that is submitted without the applicant's Social Security Number would be denied, while an application that does not include the applicant's email address would not.
- 14. Description:** Removes statement that UHA will send written notification to the family of its preliminary determination of eligibility.
- Change Type:** Discretionary.
Location: 4-I.C
Reason: Allows UHA to notify successful applicants that they have been added to the waiting list in other forms, such as through the online application and waiting list system.
- 15. Description:** Revises statement regarding how eligible applicants will be placed on the waiting list. In order to allow for a variety of application methods, including online applications, eligible applicants may not be placed on the waiting list according to preferences and date/time of application.
- Change Type:** Discretionary.
Location: 4-I.C
Reason: Allows UHA to implement an online waiting list application system, which may require lottery numbers to be assigned to applicants to determine their placement on the waiting list. Applicants would still be selected primarily based upon any preferences for which they qualify, such as Upland residency or U.S. veteran status.

- 16. Description:** Updates UHA policy to state that UHA will not offer an informal hearing to an applicant that fails to respond to the purge/waiting list update notice.
- Change Type:** Discretionary.
Location: 4-II.F
Reason: UHA is not required to provide an informal hearing because the applicant's failure to act prevents the PHA from making an eligibility determination.
- 17. Description:** Adds temporary policy to allow UHA to conduct streamlined annual income reexaminations for elderly and disabled families with fixed income.
- Change Type:** Discretionary.
Location: 6-I.C
Reason: Notice PIH 2013-3 offers PHAs the opportunity to adopt certain policies that may reduce the administrative burdens and cost of the Section 8 and Public Housing programs, including the option to conduct streamlined annual reexaminations for certain families. This option eliminates the requirement to conduct costly and time-consuming verifications for families whose only sources of income are fixed, such as Social Security or a retirement pension, and therefore do not change substantially from year to year.
- 18. Description:** Adds examples to illustrate how imputed income from welfare sanctions are computed.
- Change Type:** Clarification only.
Location: 6-I.J
Reason: No change to policy. Provides additional guidance only.
- 19. Description:** Replaces incorrect exhibit 6-4.
- Change Type:** Correction.
Location: Exhibit 6-2
Reason: Previous exhibit referred to HCV regulations on the Earned Income Disallowance, rather than the Public Housing regulations.
- 20. Description:** Corrects policy to state that use of EIV is mandated by HUD, and HUD provides guidance on other forms of verification.
- Change Type:** Regulatory
Location: 7-I.B
Reason: Correction to reflect correct requirements.
- 21. Description:** Removes UHA policy requiring self-certifications of income to be signed in the presence of a UHA employee or notary public. Instead, requires that the self-certification be signed by the head of household and other adult household members to which the certification pertains.
- Change Type:** Discretionary
Location: 7-I.B
Reason: A notarized or witnessed statement is unnecessary. UHA does not require notarization or witnesses for other certifications. Instead, signature of the head of household and other adult household member(s) are sufficient.
- 22. Description:** Removes section regarding HUD Enterprise Income Verification (EIV) income discrepancy reports.
- Change Type:** Discretionary.
Location: 7-I.C
Reason: According to mandatory HUD EIV training on May 2, 2011, and October 27-28, 2011, PHAs are no longer required to view or print the EIV discrepancy reports.
- 23. Description:** Updates information and references to HUD notices regarding excluded income. Also updates UHA policy to state that UHA will accept the family's self-certification of fully excluded income, but will verify partially excluded income.
- Change Type:** Required.
Location: 7-III.H
Reason: To comply with the requirements of Notice PIH 2013-04.

- 24. Description:** Add statement that when a family claims it has medical expenses and UHA verifies the expenses through a third party, the third party will be required to certify that the costs are not reimbursed by another source. Previous policy did not require certification that the costs are not reimbursed.
- Change Type:** Discretionary.
Location: 7-IV.B
Reason: Provides a method for UHA to confirm that medical expenses used to calculate the medical expense deduction for an elderly/disabled household are not reimbursed.
- 25. Description:** Revises UHA policy to state that UHA will conduct interim reexaminations of income for families with zero income quarterly instead of monthly. Defines “zero income” as any family that receives no income, monetary or otherwise, from any source whatsoever; OR receives only income that is restricted for specific purposes and cannot be used to meet the family’s other expenses. Food stamps and WIC are examples of restricted income because they can be used to purchase groceries only, and cannot be used to pay utilities or rent, to purchase gasoline, etc.
- Change Type:** Discretionary.
Location: 9-III.C
Reason: Reexamining the income of a family with no income quarterly, rather than monthly, is sufficient. It is unlikely that changes to a family’s income will occur often enough to justify monthly reexaminations.
The definition of zero income is necessary to determine which families’ income UHA must reexamine under this policy.
- 26. Description:** Adds new section mandatory termination of assistance for lifetime registered sex offenders erroneously admitted after June 25, 2001.
- Change Type:** Required.
Location: 13-II.G
Reason: To comply with Notice PIH 2012-28.
- 27. Description:** Revises informal hearing and grievance hearing procedures to match HCV procedures. This change describes the requirements for requesting an informal hearing, the requirements for conduct during the hearing, the timeframes for UHA to make a final decision, and requirements for the family to notify UHA if the family will have witnesses, an interpreter, or a representative attend the hearing with them.
- Change Type:** Discretionary.
Location: 14-I.B, 14-III.G
Reason: UHA adopted some of these revisions to its HCV program in September 2013. This revision will align the two policies and provide additional guidance on carrying out informal hearings and grievance hearings.
- 28. Description:** Add new section and UHA policy describing how the passbook savings rate that is used to calculate imputed asset income will be established and revised by UHA.
- Change Type:** Required.
Location: 16-I.F
Reason: To comply with PIH 2012-29. According to the notice, HUD field offices will no longer provide housing authorities with a passbook savings rate. Instead, PHAs are required to establish their own passbook savings rate based upon guidance in the notice.
- 29. Description:** Adds statement that UHA will retain a record of sex offender screening in the tenant file, but will not retain the actual screening report.
- Change Type:** Required.
Location: 16-V.C
Reason: To comply with Notice PIH 2012-28.