

UPLAND HOUSING AUTHORITY

SUMMARY OF PROPOSED REVISIONS TO THE HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN 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:** Updated web addresses for external resources used by UHA.
Change Type: Update.
Location: Introduction
Reason: List of web addresses was out of date.
- 3. Description:** Changes UHA policy to state that UHA will review and revise the Administrative Plan as needed instead of annually.
Change Type: Discretionary.
Location: 1-III.D
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:** Reduces the amount of time a guest can remain in the unit from 30 consecutive days and 90 cumulative days to 14 consecutive days and 30 cumulative days. 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.
- 6. 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.

- 7. Description:** Add 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.
- 8. 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.
- 9. Description:** Adds clarification to policy to state that UHA will issue its notice of eligibility in writing.
- Change Type:** Discretionary.
Location: 3-III.F
Reason: UHA's practice is to issue all notices in writing. This change aligns the policy with current practice and ensures consistency.
- 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:** 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.

- 13. 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.
- 14. 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.
- 15. Description:** Updates UHA policy to state that UHA will not offer an informal review 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 review because the applicant's failure to act prevents the PHA from making an eligibility determination.
- 16. Description:** Removes obsolete policy regarding providing information about PHA-owned units during the voucher briefing.
- Change Type:** Discretionary
- Location:** 5-I.B
- Reason:** UHA does not have any PHA-owned HCV units.
- 17. Description:** Revises reporting timeframe for families from 15 calendar days to 30 calendar days.
- Change Type:** Discretionary
- Location:** 5-I.C
- 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.
- 18. Description:** Lists additional sources that UHA may choose to rely upon as evidence of serious and/or repeated lease violations (police reports, and affidavits from the owner, neighbors, or other credible parties with direct knowledge).
- Change Type:** Discretionary.
- Location:** 5-I.C
- Reason:** Provides additional clarity and guidance to staff regarding the types of information that UHA may consider.
- 19. Description:** Revises tolling time to greater of time remaining on voucher or 15 days. UHA will give written notice of decision and voucher term will restart on the day following the date of UHA's letter.
- Change Type:** Discretionary.
- Location:** 5-II.E
- Reason:** Replaces the existing complex policy with a policy that is clear and simple to implement.

- 20. Description:** Adds references to and updates information provided by Federal Register Notice dated 12/14/2012.
Change Type: Required.
Location: Throughout chapter 6.
Reason: FR 12/14/2012 provides additional guidance on the mandated exclusions from income.
- 21. Description:** Adds language regarding HUD's policy that allows PHAs to use tenant-provided documents to project income if EIV has been obtained, the tenant doesn't dispute the EIV, and the PHA doesn't require additional documentation.
Change Type: Discretionary.
Location: 6-I.C
Reason: According to mandatory HUD EIV training on May 2, 2011, and October 27-28, 2011, PHAs may use tenant-provided documents (such as pay stubs and Social Security award letters) as third-party verification in such situations.
- 22. 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.
- 23. Description:** Add examples to illustrate how imputed income is calculated.
Change Type: Clarification only.
Location: 6-I.J
Reason: No change to policy. Provides additional guidance only.
- 24. Description:** Update the list of income sources that are excluded.
Change Type: Required.
Location: 6-I.M
Reason: To comply with the Federal Register Notice issued on 12/14/2012.
- 25. Description:** Corrects policy to state that use of EIV is mandated by HUD, and HUD provides guidance on other forms of verification.
Change Type: Required
Location: 7-I.B
Reason: Correction to reflect correct requirements.
- 26. 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.
- 27. 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.

- 28. 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.
- 29. Description:** Revises UHA policy to state 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.
- 30. Description:** Revises UHA policy on rent reasonableness determinations to state that UHA will use a database of units available for rent in Upland as comparables to determine rent reasonableness, rather than using a range of rent amounts for each unit size.
- Change Type:** Discretionary
- Location:** 8-III.D
- Reason:** Using a database of units provides a more realistic method for determining rent reasonableness because it allows for consideration of multiple unit features.
- 31. Description:** Revises UHA policy to state that UHA will provide its determination on the RFTA within 15 days of receiving all documentation instead of "promptly".
- Change Type:** Discretionary
- Location:** 9-I.F
- Reason:** Although UHA previously removed most timeframes from its policies, in some areas it is beneficial to have an established timeframe to prevent misinterpretation of the term "promptly".
- 32. Description:** Replaces reference to Notice PIH 2011-3 with reference to 2012-42.
- Change Type:** Required.
- Location:** Throughout Chapter 10.
- Reason:** Notice PIH 2012-42 provided updated guidance on restricting moves by families under portability.
- 33. Description:** Adds language to policy to state that a family that wishes to move to a new unit under portability must not move out of the assisted unit until UHA has issued the family a voucher to move.
- Change Type:** Discretionary
- Location:** 10-I.C
- Reason:** Provides clarification that moving out of the unit before UHA has issued a voucher to move is considered a failure to comply with the family's obligations and is grounds for termination of assistance.
- 34. Description:** Corrects UHA policy to state that an applicant family that did not qualify as an Upland resident at the time of application (not at the time of selection from the waiting list) must reside in Upland with Section 8 assistance for at least 12 months before requesting portability.
- Change Type:** Correction
- Location:** 10-II.B
- Reason:** To comply with the requirements at 24 CFR 982.353(c).

- 35. Description:** Revises UHA policy to state that, for families porting in to UHA's jurisdiction, UHA will not conduct a new reexamination of the family's income. UHA will rely on the initial PHA's determination of family income and composition and will not re-verify the information. If the family reports a decrease in income or a changed income source, UHA verify only the information that has changed and will rely on the initial PHA's determination and documentation for other all other information.
Also revises UHA policy to state that UHA will not re-verify the need for a reasonable accommodation at port-in, but will verify the eligibility of any live-in aide.
- Change Type:** Discretionary.
Location: 10-II.C
Reason: The initial PHA will have already determined the family's circumstances and the need for a reasonable accommodation (if applicable) prior to the family porting in to UHA's jurisdiction. There is no need for UHA to re-verify and recalculate information that has not changed.
- 36. Description:** 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: 11-II.C
Reason: The definition of zero income is necessary to determine which families' income UHA must reexamine under this policy.
- 37. Description:** Adds statement that UHA will follow the notice requirements for termination of assistance when a family self-terminates their HCV assistance.
- Change Type:** Required
Location: 12-I.F
Reason: HUD regulations require the PHA to follow notice requirements regardless of the reason for termination.
- 38. Description:** Add new section regarding lifetime registered sex offenders to mandatory list of reasons for termination of assistance.
- Change Type:** Required.
Location: 12-I.D
Reason: To comply with Notice PIH 2012-28.
- 39. Description:** Adds language clarifying how to determine the applicable payment standard under the homeownership program.
- Change Type:** Required.
Location: 15.VII.K
Reason: Updates UHA policy to reflect the requirements of 24 CFR 982.635.
- 40. Description:** Replaces all three introductory paragraphs to improve clarity and adds references to relevant PIH notices and regulations.
- Change Type:** Clarification only.
Location: 16.I
Reason: No change to policy.
- 41. Description:** Adds new section 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-II.D
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.

- 42. Description:** Removes section that offers participants the opportunity to request a rehearing or further hearing.
Change Type: Discretionary.
Location: 16-III.C
Reason: This portion of the policy is not required.
- 43. 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-VI.C
Reason: To comply with Notice PIH 2012-28.
- 44. Description:** Adds guidelines for informal hearings, including requirements for conduct at hearings and requires the family to advise UHA if the family will have witnesses, an interpreter, or a representative attend the hearing with them.
Change Type: Discretionary.
Location: 16-III.C
Reason: To provide additional guidance on carrying out informal reviews and informal hearings.