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ADMISSIONS AND CONTINUED OCCUPANCY POLICY

This Admissions and Continued Occupancy Policy defines the Iowa City Housing Authority's policies for the operation of the Public Housing Program, incorporating Federal, State and local law. If there is any conflict between this policy and laws or regulations, the laws and regulations will prevail.

1.0 FAIR HOUSING 24 CFR 960.103 (A)

It is the policy of the Iowa City Housing Authority (ICHA) to fully comply with all Federal, State and local nondiscrimination laws; the Americans with Disabilities Act; and the U. S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity.

No person shall, on the grounds of race, color, sex, religion, marital status, creed, sexual orientation, gender identity, age, national or ethnic origin, familial status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the Iowa City Housing Authority's programs.

To further its commitment to full compliance with applicable Civil Rights laws, the Iowa City Housing Authority will provide Federal/State/local information to applicants/tenants of the Public Housing Program regarding discrimination and any recourse available to them if they believe they may be victims of discrimination. Such information will be

made available, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made available at the Iowa City Housing Authority office.

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

2.0 REASONABLE ACCOMODATION 24 CFR 966.7 & 24 CFR 100.204

Individuals with disabilities may need a reasonable accommodation in order to take full advantage of the Iowa City Housing Authority housing programs and related services. The ICHA will provide a notice to each tenant that the tenant may, at any time during the tenancy, request reasonable accommodation. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability; rather, they make the program accessible to them in a way that would otherwise not be possible due to their disability.

3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS 24 CFR 5.502

The Iowa City Housing Authority will endeavor to provide accommodations for people who are not proficient in the English language. The City of Iowa City subscribes to a telephone interpreter service that provides interpretation in over 140 languages. At any time, a non-English speaking client family may request the use of this service in their contacts with the Housing Authority.

4.0 FAMILY OUTREACH

The Iowa City Housing Authority will publicize the availability and nature of the Public Housing Program for extremely low-income, very low and low-income families in a newspaper of general circulation or by other suitable means.

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

The Iowa City Housing Authority will communicate the status of housing availability to other service providers in the community and inform them of housing eligibility factors and guidelines so they can make proper referrals for the Public Housing Program.

5.0 RIGHT TO PRIVACY 24 CFR 5.212

All adult members of both applicant and tenant households are required to sign HUD Form 9886, Authorization for Release of Information and Privacy Act Notice. The Authorization for Release of Information and Privacy Act Notice states how family information will be released and includes the Federal Privacy Act Statement.

Any request for applicant or tenant information will not be released unless there is a signed release of information request from the applicant or tenant, with the exception of that information subject to the Iowa Open Records law.

6.0 REQUIRED POSTINGS 24 CFR 966.5

The Iowa City Housing Authority will make available, in a conspicuous place and at a height easily read by all persons including persons with mobility disabilities, the following information:

- A. Statement of Policies and Procedures governing Admission and Continued Occupancy
- B. Notice of the status of the waiting list (opened or closed)
- C. Income Limits for Admission
- D. Excess Utility Charges
- E. Utility Allowance Schedule
- F. Current Schedule of Routine Maintenance Charges
- G. Dwelling Lease
- H. Grievance Procedure
- I. Fair Housing Poster
- J. Equal Opportunity in Employment Poster
- K. Any current Iowa City Housing Authority Notices

7.0 TAKING APPLICATIONS

Families wishing to apply for the Public Housing Program will be required to complete an application for housing assistance. Applications will be accepted during posted times at the Iowa City Housing Authority Offices located in the Civic Center at:

410 East Washington Street, Iowa City, Iowa 52240

Upon request, applications will be mailed to interested families who do not reside in the Iowa City/Coralville, or who are unable, due to a disability or other good cause, to visit the Iowa City Housing Authority office.

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

Only completed applications will be accepted for all applicants and the Iowa City Housing Authority will verify the information.

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

Persons with disabilities who require a reasonable accommodation in completing an application may call the Iowa City Housing Authority to make special arrangements. A Telecommunication Device for the Deaf (TDD) is available for the hearing impaired. The TDD telephone number is (319) 356-5404.

The application process will involve two phases. The first phase requires the household to provide limited basic information including name, address, phone number, household composition, racial or ethnic designation, income and information establishing any preferences to which they may be entitled. This first phase results in the household's placement on the waiting list.

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

The applicant must report change in their applicant status, in writing, including changes in address, family composition, income, or preference factors. The Iowa City Housing Authority will annotate the applicant's file and will update their information on the waiting list.

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

8.0 ELIGIBILITY FOR ADMISSION

8.1 INTRODUCTION

There are five eligibility requirements for admission to Public Housing. The applicant must:

- 1) qualify as a family
- 2) have an income within the income limits
- 3) meet citizenship/eligible immigrant criteria
- 4) provide documentation of Social Security numbers, birth certificates, photo id's
- 5) sign HUD consent form 9886 and other ICHA required authorization documents
- 6) Has not been involved in drug-related or criminal behavior or has not displayed a pattern of other criminal behavior in the past 5 years. See page 9 (B3)

In addition to the eligibility criteria, families must also meet the Iowa City Housing Authority suitability criteria in order to be admitted to Public Housing.

8.2 ELIGIBILITY CRITERIA

A. Family status (at the time of application) 24 CFR 960.201 (a)(1)

A family is defined as:

1. A single person 62 years or older.
2. A disabled person either who is 18 years or older and is not declared as a dependent by a parent or guardian or who is a dependent living in a group home or similar supervised residence.
3. A household with a child or children who resides in the unit 51% of the time. (A child who is temporarily away from the home because of placement in foster care is considered a member of the family).
4. Two or more elderly persons or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in aides.
5. Two or more persons related by blood, marriage, domestic partnership (certified by City of Iowa City Clerk)), adoption or placement by a governmental or social service agency, as defined by City of Iowa City code.
6. A single adult that is not a part of another household.

B. Income eligibility CFR 24 960.202 (a)(2)

1. Income limits apply only at admission and are not applicable for continued occupancy.

2. A family may not be admitted to the Public Housing program from another assisted housing program (e.g., tenant-based Section 8) or from a Public Housing program operated by another housing authority without meeting the income requirements of the Iowa City Housing Authority.
3. If the Iowa City Housing Authority acquires a property for federal Public Housing purposes, the families living there must have incomes within the low-income limit in order to be eligible to remain as Public Housing tenants.
4. Income limit restrictions do not apply to families transferring within our Public Housing Program.
5. If there are no eligible families on the waiting list and the Iowa City Housing Authority has published a 30-day notice of available units in at least one newspaper of general circulation; families above the applicable income limit may be housed. They must vacate the unit if an eligible family applies.

C. Citizenship/Eligibility Status 42 USC 1436 a

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

D. Social Security Number Documentation 24 CFR 960.259 (a)(3)(i)

To be eligible, all family members over 6 years of age must provide a Social Security number.

E. Signing Consent Forms: 24 CFR 960.259(b)

1. In order to be eligible, each member of the family who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms.

2. The consent form must contain, at a minimum, the following:
 - a. A provision authorizing HUD or the Iowa City Housing Authority to obtain from Iowa Workforce Development Center any information or materials necessary to complete or verify the application for participation or for eligibility for continued occupancy;
 - b. A provision authorizing HUD or the Iowa City Housing Authority to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;
 - c. A provision authorizing HUD to request income information from the IRS, the Department of Human Services, and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and
 - d. A statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.

8.3 PUBLIC HOUSING TENANT SELECTION CRITERIA

In selecting families for admission to its Public Housing program, the Housing Authority is responsible for screening family behavior and suitability for assistance. The Housing Authority may consider all relevant information. The tenant selection criteria and information are reasonably related to individual attributes and behavior of an applicant and not related to those which may be imputed to a particular group or category of persons of which an applicant may be a member. This policy takes into account the importance of screening for program integrity, and the demand for assisted housing by families who will adhere to program responsibilities.

In selection of families for admission to its Public Housing program, the Housing Authority may consider all relevant information, which may include, but not limited to:

- a) An applicant's past performance in meeting financial obligations, especially rent;
- b) A record of disturbance of neighbors, destruction of property, or living or housekeeping habits at prior residences which may adversely affect the health, safety or welfare of other tenants; and
- c) A history of criminal activity involving crimes of physical violence to persons or property and any other criminal acts which would adversely affect the health, safety or welfare of other tenants.
- d) A history of abusing alcohol or drugs which would adversely affect the health, safety or welfare of other tenants.
- e) A history of fraud or intentional misrepresentation in connection with any Federal

housing assistance program.

8.4 GROUNDNS FOR DENIAL

Must deny 1-Year Period of Ineligibility

In accordance with 24 CFR 5.216, applicants and participants (including each member of the household) must disclose his/her assigned Social Security Number. Failure to disclose will result in denial of assistance

A. Life-Time Bans

The Housing Authority Must Prohibit Admission To Public Housing If Any Household Member:

1. Is subject to a “lifetime” registration requirement under a State sex offender registration program.
2. Has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.

The Housing Authority May Prohibit Admission To Public Housing If Any Household Member:

1. Is subject to a “any” registration requirement under a State sex offender registration program.

B. Ability to Comply with Lease

Applicants must provide information demonstrating their ability to comply with the essential elements of the lease. The Housing Authority may prohibit admission to Public Housing for failure to provide this information.

1. A credit check of the head, spouse and co-head;
2. A rental history check of all adult family members;
3. A check of employment history of all adult family members;
4. A criminal background check on all household members, including live-in aides. This check will be made through State or local law enforcement or court records in those cases where the household member has lived in the local jurisdiction for the last five (5) years.
5. All family members over the age of 18 must sign an affidavit certifying that that no family members (including minors) have participated in any criminal behavior listed in this section.
6. The Housing Authority may require a home visit to provide the opportunity for the

family to demonstrate their ability to maintain their home in a safe and sanitary manner. This inspection considers cleanliness and care of rooms, appliances, and appurtenances. The inspection may also consider any evidence of criminal activity.

C. Documentation Requirements

The Housing Authority must prohibit admission to Public Housing if:

1. The family fails to supply any information that the Housing Authority or HUD determines is necessary in administration of the Public Housing program, including submission of required evidence of citizenship or eligible immigration status (as provided by 24 CFR part 5, subpart E). "Information includes any requested certification, release or other documentation.
2. If the family fails to supply any information requested by the Housing Authority or HUD for use in a regularly scheduled reexamination or an interim reexamination of family income and composition in accordance with HUD requirements.
3. If the family fails to comply with the requirements of 24 CFR part 5, subpart B of this title regarding family verification and disclosure of social security numbers and family execution and submission of consent forms for obtaining wage and claim information from State Wage Information Collection Agencies (SWICAs).
4. If any information supplied by the family is not true and complete.

D. Eviction/Current Criminal Activity and Alcohol Abuse

The Housing Authority must prohibit to Public Housing to:

1. For an applicant for three (3) years from the date of the eviction if any household member has been evicted from Federally assisted housing for drug-related criminal activity. However, the Housing Authority may admit the household if the Housing Authority determines:
 - I. The evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the Housing Authority;
 - II. The circumstances leading to the eviction no longer exist (e.g., the criminal household member has died or is imprisoned).
2. If the Housing Authority determines that any household member is currently engaging in illegal use of a drug (For purposes of this section, a household member is "currently engaged in" the criminal activity if the person has engaged in the behavior recently enough to justify a reasonable belief that the behavior is current).
3. If the Housing Authority determines it has reasonable cause to believe that a household member's illegal use or pattern of illegal use of a drug may threaten the

health, safety, or right to peaceful enjoyment of the premises by other residents.

4. If the Housing Authority determines it has reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

E. Discretion to Deny for Criminal Activity (3-year period of ineligibility).

If any household member is currently engaged in, or has engaged in within five years before the admission the following criminal activity the HA may deny assistance, based on a preponderance of evidence, regardless of whether the household member has been arrested or convicted for such activity:

1. Drug-related criminal activity (defined at 24 CFR 5.100). A "drug" is also any controlled substance listed in Chapter 124 of the Iowa Code;
2. Violent criminal activity (defined at 24 CFR 5.100) [Note the exception for victims of domestic violence provided for below in section H.];
3. Other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity;
4. Other criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor or agent);
5. Criminal Street Gang Activity as defined in Chapter 723A of the Iowa Code or any federal, state, or city law substantially corresponds to this section;
6. Theft in the 3rd degree or higher or fraudulent practice in the 3rd degree or higher as defined in Chapter 714 of the Iowa Code or any federal, state, or city law substantially corresponds to this section;
7. Forgery or fraudulent criminal acts as defined in Chapter 715A of the Iowa Code or any federal, state, or city law that substantially corresponds to this section;
8. Burglary in the 3rd Degree or higher as defined in Chapter 713 of the Iowa Code or any federal, state, or city law that substantially corresponds to this section;
9. Disorderly conduct as defined in Section 8-5-1 of the City Code or section 723.4 of the Iowa Code or any federal, state, or city law that substantially corresponds to this section. If the activity constitutes violent criminal activity;
10. Required to register under a State sex offender registration program.

With respect to criminal activity, the Housing Authority may require an applicant to exclude a household member in order to be admitted to the housing program if that household member has participated in or been culpable for actions described in 24 CFR 960.204 that warrants denial.

If a person is denied for any reason listed above, the person will be ineligible for assistance for three years after the date of the denial notice.

F. Discretion to Deny for Other Miscellaneous Reasons (1-year period of ineligibility).

The Housing Authority may prohibit admission:

1. If any member of the family has ever been terminated from assistance under a Section 8 program or evicted from federally assisted housing.
2. If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program.
3. If the family currently owes rent or other amounts to the a) ICHA; b) to any other Housing Authority; c) to other Federally assisted housing under the 1937 Act (as amended); d) Federally assisted housing as defined in 24 CFR 5.100; or, e) any other affordable housing program receiving any Federal, State, or Local government assistance (e.g., CDBG, HOME, Tax Credits, General Obligation bonds, other grants and/or loans that establish limits on the rent a landlord may charge).
4. If the family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under a Section 8 assisted lease.
5. If the family has engaged in or threatened abusive or violent behavior toward Housing Authority personnel.
6. If a Welfare-to-Work (WTW) family fails, willfully and persistently, to fulfill its obligations under the WTW voucher program.
7. If the Housing Authority determines that it has reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
8. Use of an alias in the commission of a crime, in the application for government benefits or assistance, or to mislead or defraud a creditor.
9. Disorderly conduct as defined in Section 8-5-1 of the City Code or section 723.4 of the Iowa Code or a law of any city, county, or state that substantially corresponds to this section. If the activity does not constitute violent criminal activity.
10. Disorderly house as defined in Section 8-5-5 of the City Code or a law of any city, county, or state that substantially corresponds to this section.

If a person is denied for any reason listed above, the person will be ineligible for assistance for one year after the date of the denial notice.

G. Additional Considerations

The following applies to the Housing Authority's determination to approve or deny admission due to the action or failure to act by members of the family.

1. In the event of the receipt of unfavorable information with respect to an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct (including the seriousness of the offense). In a manner consistent with the Housing Authority's policies, procedures and practices, consideration may be given to factors which might indicate a reasonable probability of favorable future conduct, including but not limited to:

- a) Evidence of rehabilitation; and
 - b) Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs and the availability of such programs;
 - c) The effect the denial will have on family members not involved in the criminal activity and the extent to which the offending family member and applicant have taken personal responsibility and have taken all reasonable steps to prevent or mitigate the offending behavior.
2. In determining whether to deny admission for illegal drug use or a pattern of illegal drug use by a household member who is no longer engaging in such use, or for abuse or a pattern of abuse of alcohol by a household member who is no longer engaging in such abuse, the Housing Authority may consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully (42 U.S.C. 13661). For this purpose, the Housing Authority may require the applicant to submit evidence of the household member's current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.

H. Exception for Victims of Domestic Violence

Although the HA may deny Public Housing assistance if a member of the tenant family has engaged in violent criminal activity, there is an exception for victims of domestic violence. Domestic violence includes threatened domestic violence, dating violence, and stalking as those terms are defined in 42 U.S.C. 1437d. The Housing Authority may deny Public Housing assistance to the member of the household who committed the domestic violence but not to the victim. The Housing Authority may, however, deny the assistance to the victim for other reasons not premised on the act of domestic violence.

9.0 MANAGING THE WAITING LIST

9.1 OPENING AND CLOSING THE WAITING LIST 24 CFR 960.206

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

The notice will state that applicants already on waiting lists for other housing programs must apply separately for this program and such applicants will not lose their place on other waiting lists when they apply for Public Housing. The notice will be in compliance with Fair Housing requirements.

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

9.2 ORGANIZATION OF THE WAITING LIST 24 CFR 960.206 (e)(1)

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

- A. The application will be part of an active applicant's/tenant's permanent file, all dropped application will be kept for three (3) years.
- B. All applications will be maintained in order of bedroom size, preference, and then in order of date and time of application; and
- C. Any contacts between the Iowa City Housing Authority and the applicant will be documented in the applicant file.

9.3 FAMILIES NEARING THE TOP OF THE WAITING LIST

When a family appears to be within three (3) months of being offered a unit, the family will be sent a Tenant Information Form (TIF) to complete and return to the ICHA. This begins the verification process. It is at this point in time that the family's waiting list preference will be verified. If the family no longer qualifies to be near the top of the list, the family's name will be returned to the appropriate place on the waiting list. The Iowa City Housing Authority must notify the family, in writing, of this determination and give the family the opportunity for an informal review.

If not already done, the family will provide copies of social security cards, certified birth certificates, photo identification for all adult members, citizenship/eligible immigrant information and sign the consent for release of information forms.

9.4 PURGING THE WAITING LIST

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

9.5 REMOVAL OF APPLICANTS FROM THE WAITING LIST

The Iowa City Housing Authority shall remove an applicant's name from the waiting list when:

- A. The applicant requests in writing that the name be removed;

- B. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program (this includes mail undeliverable by the Postal Service which is returned to the ICHA); or
- C. The applicant does not meet either the eligibility or suitability criteria for the program.

Application forms from applicants removed from the waiting list will be destroyed three (3) years from date of removal.

9.6 MISSED APPOINTMENTS

If an applicant fails to keep a scheduled appointment, the Iowa City Housing Authority will allow the family to reschedule for good cause, as determined by the ICHA. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities will be given for good cause. When good cause exists for missing an appointment, the Iowa City Housing Authority will work closely with the family to find a more suitable time.

9.7 NOTIFICATION OF NEGATIVE ACTIONS CFR 24 960.208 (a)

Any applicant whose name is being removed from the waiting list will be notified by the Iowa City Housing Authority, in writing, that they have ten (10) calendar days from the date of the written correspondence to present mitigating circumstances or request an informal review. (See Section 21.1) The letter will also indicate that their name will be removed from the waiting list if they fail to respond within the timeframe specified.

The Iowa City Housing Authority system of removing applicant names from the waiting list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, the Iowa City Housing Authority will verify that there is, in fact, a disability and the disability caused the failure to respond, and provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

10.0 TENANT SELECTION AND ASSIGNMENT PLAN

10.1 PREFERENCES

The ICHA will select families based on the following preferences within each bedroom size category**:

24 CFR 960.206 (a)(1)

- A. Displaced: Individuals or families displaced by government action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to federal disaster relief laws.
- B. Families with children under the age of 18 or elderly or disabled families who are residents (have a legal domicile) in the Iowa City Housing Authority jurisdiction 24 CFR 982.207(b)(1);

- C. Adult families (2 or more household members) with no children under 18 years of age who are residents (have a legal domicile) in the Iowa City Housing Authority jurisdiction;
- D. Elderly or disabled families who are not residents (do not have a legal domicile) in the Iowa City Housing Authority jurisdiction 24 CFR 982.207(b)(1);
- E. Families with children under the age of 18 who are not residents (do not have a legal domicile) in the Iowa City Housing Authority jurisdiction 24 CFR 982.207(b)(1);
- F. Adult families (2 or more household members) with no children under 18 years of age who are not residents (do not have a legal domicile) in the Iowa City Housing Authority jurisdiction;
- G. Single, non-elderly, non-disabled families with no children under 18 years of age regardless of residency.

** Those referred by the Department of Human Services for the Family Unification Program will be given special exception.

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

NOTE: The use of a residency preference will not have the purpose or effect of delaying or otherwise denying admission to the HCV program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family.

Accessible Units: Accessible units will be first offered to families who may benefit from the accessible features. Applicants for these units will be selected utilizing the same preference system as outlined above. If there are no applicants who would benefit from the accessible features, the units will be offered to other applicants in the order that their names come to the top of the waiting list. Such applicants, must accept a transfer (at their own expense) if, at a future time, a family requiring an accessible feature applies. Any family required to transfer will be given a 30-day notice. 24 CFR 960.206 (c)

10.2 ASSIGNMENT OF BEDROOM SIZES

The following guidelines will determine each family’s unit size without overcrowding or over-housing:

Number of Bedrooms	Number of Persons	
	Minimum	Maximum
0	1	1
1	1	2

2	2	4
3	3	6
4	4	8

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons. Zero bedroom units will only be assigned to one-person families.

In determining bedroom size, the Iowa City Housing Authority will include the presence of children who are in the household at least 51% of the time, children to be born to a pregnant woman, children who are in the process of being adopted, children who are temporarily away at school, or children who are temporarily (less than 1 year) in foster-care. Other pending custody issues will be evaluated on a case by case basis, taking into account the reasonable likelihood of success. Documentation of guardianship will be required.

In addition, the following considerations may be taken in determining bedroom size:

- A. Children of the same sex **may** share a bedroom.
- B. Children of the opposite sex, both under the age of **5** may share a bedroom.
- C. Adults and children will not be required to share a bedroom. Foster adults and/or foster children will not be required to share a bedroom with family members.
- D. Live-in aides will get a separate bedroom.

Exceptions to normal bedroom size standards include the following:

- A. Units smaller than assigned through the above guidelines – A family may request a smaller unit size than the guidelines allow. The Iowa City Housing Authority may allow the smaller size unit so long as generally no more than two (2) people per bedroom are assigned. In such situations, the family will sign a certification stating they understand they will be ineligible for a larger size unit for **one year** or until the family size changes, whichever may occur first. The ICHA is under no obligation to allow a larger size unit and any moves allowed will be at the family’s own expense.
- B. Units larger than assigned through the above guidelines – A family may request a larger unit size than the guidelines allow. The Iowa City Housing Authority may allow the larger size unit if the family provides a verified medical need that the family must be housed in a larger unit.
- C. If there are no families on the waiting list for a larger size, smaller families may be housed if they sign a release form stating they will transfer (at the family’s own expense) to the appropriate size unit when an eligible family needing the larger unit applies. The family transferring will be given a 30-day notice before being required to move.

D. Larger units may be offered in order to improve the marketing of a development suffering a high vacancy rate.

10.3 SELECTION FROM THE WAITING LIST 24 CFR 960.202

The Iowa City Housing Authority shall follow the statutory requirement that at least 40% of newly admitted families in any fiscal year be families whose annual income is at or below 30% of the area median income. To insure this requirement is met, the ICHA shall quarterly monitor the incomes of newly admitted families and the incomes of the families on the waiting list. If it appears that the requirement to house extremely low-income families will not be met, higher income families on the waiting list will be skipped to reach extremely low-income families.

Outreach on a non-discriminatory basis to attract extremely low-income families to reach the statutory requirement will be considered to meet the 40% requirement explained in the preceding paragraph.

10.4 DECONCENTRATION POLICY 24 CFR 960.202

Iowa City has no designation of poverty/blight stricken areas. The ICHA continues to encourage income mixing by bringing higher income families into lower income areas and lower income families into higher income areas. (See Appendix I)

10.5 OFFER OF A UNIT

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

The Iowa City Housing Authority will contact the family first by telephone to make the unit offer. If the family cannot be reached by telephone, the family will be notified of a unit offer via first class mail. The family will be given five (5) business days from the date the letter was mailed to contact the Iowa City Housing Authority regarding the offer.

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

10.6 REJECTION OF UNIT

If in making the offer to the family the Iowa City Housing Authority skipped over other families on the waiting list in order to meet their deconcentration goal and the family

rejects the unit, the family will not lose their place on the waiting list and will not be otherwise penalized.

If the Iowa City Housing Authority did not skip over other families on the waiting list to reach this family and the family rejects the unit without good cause, the family will be removed from the waiting list and will need to reapply if they desire future consideration.

If the family rejects with good cause any unit offered, they will not lose their place on the waiting list. Good cause includes reasons related to health, proximity to work, school, and childcare (for those working or going to school). The family will be offered the right to an informal review of the decision to alter their application status.

10.7 ACCEPTANCE OF UNIT

The family will be required to sign a lease that will become effective no later than three (3) business days after the date of acceptance or the business day after the day the unit becomes available, whichever is later.

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

The head of household and all adult family members will be required to execute the lease prior to admission. One executed copy of the lease will be furnished to the head of household and the Iowa City Housing Authority will retain the original executed lease in the tenant's file. A copy of the grievance procedure will be attached to the resident's copy of the lease.

The family will pay a security deposit at the time of lease signing. The security deposit will be equal to the Total Tenant Payment (as defined in Section 13) or a set amount (\$300 for a 2 or 3 bedroom unit, and \$400 for a 4 bedroom), whichever is greater. An additional deposit will be required for approved pets (see section 18.0).

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

In the case of a move within Public Housing, the security deposit for the first unit will be transferred to the second unit. Additionally, if the security deposit for the second unit is greater than that for the first, the difference will be collected from the family. Conversely, if the security deposit is less, the difference will be refunded to the family.

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

11.0 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME

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

11.1 ANNUAL INCOME

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

- A. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member; 24 CFR 5.609 (a)(1) or
- B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; 24 CFR 5.609(a)(2) and
- C. Are not specifically excluded from annual income. 24 CFR 5.609(a)(3)

Annual income includes, but is not limited to:

- A. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services. 24 CFR 5.609(b)(1)
- B. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession is included in income, except to the extent the withdrawal is a reimbursement of cash or assets invested in the operation by the family. 24 CFR 5.609(b)(2)
- C. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from an investment is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income includes the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD. 24 CFR 5.609(b)(3)

- D. The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount. (However, deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts are excluded.) 24 CFR 5.609(b)(4)
- E. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay. (However, lump sum additions such as insurance payments from worker's compensation are excluded.) 24 CFR 5.609(b)(5)
- F. Welfare assistance 24 CFR 5.609(b)(6).
 - 1. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income consists of: 24 CFR 5.609(b)(6)
 - a. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus 24 CFR 5.609(b)(6)(i)
 - b. The maximum amounts that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this requirement is the amount resulting from one application of the percentage. 24 CFR 5.609(b)(6)(i)
 - 2. If the amount of welfare is reduced due to an act of fraud by a family member or because of any family member's failure to comply with requirements to participate in an economic self-sufficiency program or work activity, the amount of rent required to be paid by the family will not be decreased. In such cases, the amount of income attributable to the family will include what the family would have received had they complied with the welfare requirements and/or had not committed an act of fraud. 24 CFR 5.615 (c)
 - 3. If the amount of welfare assistance is reduced as a result of a lifetime time limit, the reduced amount is the amount that shall be counted as income. 24 CFR 5.615(c)
- G. Periodic and determinable allowances, such as alimony, child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling. 24 CFR 5.609(b)(7)
- H. All regular pay, special pay, and allowances of a member of the Armed Forces. (Special pay to a member exposed to hostile fire is excluded.) 24 CFR 5.609(b)(8)

11.2 ANNUAL INCOME EXCLUSIONS

Annual income does not include the following:

- A. Income from employment of children (including foster children) under the age of 18 years; 24 CFR 5.609(c)(1)
- B. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone); 24 CFR 5.609(c)(2)
- C. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses; 24 CFR 5.609(c)(3)
- D. Amounts received by the family that is specifically for or in reimbursement of, the cost of medical expenses for any family member; 24 CFR 5.609(c)(4)
- E. Income of a live-in aide; 24 CFR 5.609(c)(5)
- F. The full amount of student financial assistance paid directly to the student or to the educational institution; 24 CFR 5.609(c)(6)
- G. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire; 24 CFR 5.609(c)(7)
- H. Self-Sufficiency Incentives 24 CFR 960.255
 - 1. When an increase in annual income occurs as the result of employment under any of the following conditions:
 - a. Family member was previously unemployed for one or more years (previously unemployed means no more than would be earned for 10 hours of work per week for 50 weeks at the established minimum wage.) 24 CFR 960.255 (i) or
 - b. Family member has new employment as a result of participation in an economic self-sufficiency or other job-training program. 24 CFR 960.255 (ii) or
 - c. Family member has new employment during or within 6 months of receiving benefits or services under any state program for temporary assistance for needy families (FIP), provided that the total amount over a six-month period is at least \$500. 24 CFR 960.255 (iii)
 - 2. If any of the above conditions exist, that family member is eligible for 100% income exclusion of the income increase for a period of 12 straight months. 24 CFR 960.255 (b)
 - 3. During the second straight 12-month period, the family member is entitled to a 50% exclusion of the income increase. 24 CFR 960.255 (b) (2)

4. There is a maximum lifetime disallowance of 24 months. 24 CFR 960.255 (b) (3)
 5. The disallowance period shall begin as of the month following the first date of employment for the qualified family member. 24 CFR 960.255 (b)
 6. The exclusion of increases in income as a result of employment under this section does not apply for purposes of admission to the Public Housing program (including the determination of income eligibility and income targeting). 24 CFR 960.255 (c).
- I. The amounts received from the following programs:
1. Amounts received under training programs funded by HUD; 24 CFR 5.609(c)(8)(i)
 2. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS); 24 CFR 5.609(c)(8)(ii)
 3. Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and that are made solely to allow participation in a specific program; 24 CFR 5.609(c)(8)(iii)
 4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the Housing Authority or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiative coordination. No resident may receive more than one such stipend during the same period of time; 24 CFR 5.609(c)(8)(iv)
 5. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program; 24 CFR 5.609(c)(8)(v)
 6. Temporary, nonrecurring or sporadic income (including gifts); 24 CFR 5.609(c)(9)
 7. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era; 24 CFR 5.609(c)(10)
 8. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse); 24 CFR 5.609(c)(11)

9. Adoption assistance payments in excess of \$480 per adopted child; 24 CFR 5.609(c)(12)
10. Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts; 24 CFR 5.609(c)(13)(ii)(C)(14)
11. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit; 24 CFR 5.609(c)(13)(ii)(C)(15)
12. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; 24 CFR 5.609(c)(13)(ii)(C)(16); or,
13. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits. 24 CFR 5.609(c)(13)(ii)(C)(17)

These exclusions include:

- a. The value of the allotment of food stamps
- b. Payments to volunteers under the Domestic Volunteer Services Act of 1973
- c. Payments received under the Alaska Native Claims Settlement Act
- d. Income from submarginal land of the U.S. that is held in trusts for certain Indian tribes
- e. Payments made under HHS's Low-Income Energy Assistance Program
- f. Payments received under the Job Training Partnership Act
- g. Income from the disposition of funds of the Grand River Band of Ottawa Indians
- h. The first \$2000 per capita received from judgment funds awarded for certain Indian claims
- i. Amount of scholarships awarded under Title IV including Work-Study
- j. Payments received under the Older Americans Act of 1965
- k. Payments from Agent Orange Settlement
- l. Payments received under the Maine Indian Claims Act

- m. The value of child care under the Child Care and Development Block Grant Act of 1990
- n. Earned income tax credit refund payments
- o. Payments for living expenses under the Americorps Program
- p. Additional income exclusions provided by and funded by the Iowa City Housing Authority

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

11.3 DEDUCTIONS FROM ANNUAL INCOME

24 CFR 5.611

The following annual deductions will be made from annual income:

- A. \$480 for each dependent; 24 CFR 5.611 (a)
- A. \$400 for any elderly family or disabled family; 24 CFR 5.611 (b)
- B. For any family that is not an elderly or disabled family but has a member (other than the head, co-head, or spouse) who is a person with a disability, disability assistance expenses in excess of 3% of annual income. This allowance may not exceed the employment income received by family members who are 18 years of age or older as a result of the assistance to the person with disabilities. 24 CFR 5.611 (c)
- C. For any elderly or disabled family:
 - 1. That has no disability assistance expenses, an allowance for medical expenses equal to the amount by which the medical expenses exceed 3% of annual income; 24 CFR 5.611 (d)(1)
 - 2. That has disability expenses greater than or equal to 3% of annual income, an allowance for disability assistance expenses computed in accordance with paragraph C, plus an allowance for medical expenses that equal the family's medical expenses; 24 CFR 5.611 (d)(2)
 - 3. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that is equal to the total of these expenses less 3% of annual income. 24 CFR 5.611 (d)(3)

In addition, when calculating medical expenses the ICHA will use IRS Publication 502 for allowable medical deductions. Only those expenses specifically outlined in IRS 502 or 24 CFR 5.611 will be allowed. (See Section 8 Administrative Plan, Appendix C for IRS Publication 502.)

- E. Child care expenses. Only if head of household **and** co-head / spouse are working/going

to school. Childcare payments allowed for working/school hours only. 24 CFR 5.611 (e)

12.0 VERIFICATION

The Iowa City Housing Authority will verify information related to waiting list preferences, eligibility, admission, and level of benefits prior to admission. Periodically during occupancy, items related to eligibility and rent determination shall also be reviewed and verified. Income, assets, and expenses will be verified, as well as disability status, need for a live-in aide and other reasonable accommodations; full time student status of family members 18 years of age and older; Social Security numbers; and citizenship/eligible noncitizen status. Age and relationship will only be verified in those instances where needed to make a determination of level of assistance. 24 CFR 960.206

12.1 ACCEPTABLE METHODS OF VERIFICATION

Age, relationship, U.S. citizenship, and Social Security numbers will generally be verified with documentation provided by the family. For citizenship, the family's certification will be accepted. (Or for citizenship, documentation such as listed below will be required.) Verification of these items will include photocopies of the Social Security cards and other documents presented by the family, the INS SAVE approval code, and forms signed by the family. CFR 24 5.216(a) & CFR 24 5.508 (b)

Other information will be verified by third party verification. This type of verification includes written documentation with forms sent directly to and received directly by a source, not passed through the hands of the family. This verification may also be direct contact with the source, in person or by telephone. It may also be a report generated by a request from the Iowa City Housing Authority or automatically by another government agency, i.e. the Social Security Administration. Verification forms and reports received will be contained in the applicant/tenant file. Oral third party documentation will include the same information as if the documentation had been written, i.e. name date of contact, amount received, etc. 24 CFR 5.617 (b)

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

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

NOTICE PIH 2013-03 (HA)

The Housing Authority will accept a family's declaration of the amount of assets less than \$5,000, and the amount of income expected to be received from those assets. The Tenant Information Packet will serve as the declaration.

If the family has net family assets in excess of \$5,000, the PHA will obtain supporting documentation (SEE 12.2 Types of Verification) from the family to confirm the assets.

NOTICE PIH 2016-05 (HA)

The Iowa City Housing Authority will verify all assets via 3rd party documentation every 3rd year regardless of total asset amounts. Self-declaration for assets under \$5,000 is acceptable for years 1 and 2.

12.2 TYPES OF VERIFICATION 24 CFR 5.617 (b)

The chart below outlines the factors that may be verified and gives common examples of the verification that will be sought. To obtain written third party verification, the Iowa City Housing Authority will send a request form to the source along with a release form signed by the applicant/tenant via first class mail.

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
General Eligibility Items		
Social Security Number	An original SSN card issued by SSA; An original SSA-issued document, which contains the name and SSN of the individual; or An original document issued by a federal, state, or local government agency, which contains the name and SSN of the individual.	Social Security card
Citizenship	N/A	Signed HUD self-certification, Certificate of U.S. Citizenship, Certificate of Naturalization, state-certified birth certificate.
Eligible immigration status	INS SAVE confirmation #	Permanent lawful resident card, I 551 stamp on passport, or other INS documentation
Proof of Age	N/A	State certified birth certificate
Physical Characteristics (if	N/A	Photo i.d.

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
>18)		
Disability	Verification from medical professional, SSI, Etc.	Proof of SSI or Social Security disability payments
Full time student status (if >18)	Verification from the school/educational institution where enrolled	N/A
Need for a live-in aide	Letter from physician verifying condition requires a live-in-aide	N/A
Child care costs	Verification from child care provider of out of pocket childcare expenses	Bills and receipts
Disability assistance expenses	Verification from suppliers, care givers, etc.	Bills and records of payment
Medical expenses	Verification from providers, Prescription record from pharmacy, medical professional's letter stating assistance or a companion animal is needed, etc.	Bills, receipts, records of payment, for over the counter drugs etc.
Value of and Income from Assets		
Savings, checking accounts	Verification from financial institution	Most current statements Family's declaration of the amount of assets less than \$5,000 and for the amount of income expected to be received from those assets. The Tenant Information Packet will serve as the declaration.
CDs, bonds, etc	Verification from financial institution	Tax return, information brochure from institution, the CD, the bond. Family's declaration of the amount of assets less than \$5,000 and for the amount of income

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
		expected to be received from those assets. The Tenant Information Packet will serve as the declaration.
Stocks	Verification from broker or holding company	Stock or most current statement, price in newspaper or through Internet. Family's declaration of the amount of assets less than \$5,000 and for the amount of income expected to be received from those assets. The Tenant Information Packet will serve as the declaration.
Real property	Letter from tax office, assessment, etc.	Property tax statement (for current value), assessment, records or income and expenses, tax return. Family's declaration of the amount of assets less than \$5,000 and for the amount of income expected to be received from those assets. The Tenant Information Packet will serve as the declaration.
Personal property	Assessment, bluebook, etc	Receipt for purchase, other evidence of worth. Family's declaration of the amount of assets less than \$5,000 and for the amount of income expected to be received from those assets. The Tenant Information Packet will serve as the declaration.
Cash value of life insurance policies	Letter from insurance company	Current statement. Family's declaration of the amount of assets less than \$5,000 and for the amount of income expected to be received from

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
		those assets. The Tenant Information Packet will serve as the declaration.
Assets disposed of for less than fair market value	N/A	Original receipt and receipt at disposition, other evidence of worth. Family's declaration of the amount of assets less than \$5,000 and for the amount of income expected to be received from those assets. The Tenant Information Packet will serve as the declaration.
Income		
Earned income	Verification from employer Verification from Iowa Workforce Development Verification from HUD	Most recent pay stubs Employer Wage Record records Up-Front Income Verification (UIV) system.
Self-employed	N/A	Tax return from prior year, books of accounts
Regular gifts and contributions	Letter from source, letter from organization receiving gift (i.e., if grandmother pays day care provider, the day care provider could so state)	Bank deposits, other similar evidence if requested
Alimony/child support	Clerk of Court, Collection Services Center, letter from Human Services or child support recovery unit	Record of deposits, Collection Services Center, certified payment history, payment record from Clerk of Court
Periodic payments (i.e. social security, welfare,	Verification or electronic reports from the source	Award letter, letter announcing change in amount of future

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
pensions, workers comp, unemployment insurance.)		payments
Training program participation	Letter from program provider indicating <ul style="list-style-type: none"> - whether enrolled or completed - whether training is HUD-funded - whether Federal, State, local govt., or local program - whether it is employment training - whether it has clearly defined goals and objectives - whether program has supportive services - whether payments are for out-of-pocket expenses incurred in order to participate in a program - date of first job after program completion 	N/A Evidence of job start

12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS

The citizenship/eligible noncitizen status of each family member regardless of age must be determined. 24 CFR 5.508 (a)

Prior to being admitted all citizens and nationals will be required to sign a declaration under penalty of perjury. (A parent or guardian will sign on behalf of minors.) They will be required to show proof of their status by such means as a Social Security card, birth certificate, military ID, or military DD 214 Form. 24 CFR 5.508 (b) (1)

Prior to being admitted all eligible noncitizens who are 62 years of age or older will be required to sign a declaration under penalty of perjury. They will also be required to show proof of age. 24 CFR 5.508 (b) (2)

Prior to being admitted all eligible noncitizens must sign a declaration of their status and a verification consent form and provide their original INS documentation. (A parent or guardian will sign on behalf of minors.) The Iowa City Housing Authority will make a copy of the individual's INS documentation and place the copy in the file. The Iowa City Housing Authority will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility; the Iowa City Housing Authority will mail information to the INS in order that a manual check can be made of INS records. 24 CFR 5.512

Family members who do not claim to be citizens, nationals, or eligible noncitizens must be listed on a statement of non-eligible members and the head of the household must sign the list. 24 CFR 5.508 (e)

Noncitizen students on student visas, though in the country legally, are not eligible to be admitted to Public Housing. 42 U.S.C. §1436 (c) (2) (A)

Any family member who does not choose to declare their status must be listed on the statement of non-eligible members. 24 CFR 5.508 (e))

If no family member is determined to be eligible under this section, the family's eligibility will be denied. 42 U.S.C. §1436a (a); 24 CFR 506

The family's assistance will not be denied, delayed, reduced, or terminated because of a delay in the process of determining eligible status under this section, except to the extent that the delay is caused by the family. 24 CFR 5.514 (b)

If the Iowa City Housing Authority determines that a family member has knowingly permitted an ineligible noncitizen (other than any ineligible noncitizens listed on the lease) to permanently reside in their Public Housing unit, the family will be evicted. Such family will not be eligible to be readmitted to Public Housing for a period of 24 months from the date of eviction or termination. 24 CFR 5.514 (c) (ii) (B) (iii)

12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS 24 CFR 5.216

Prior to admission, each household member who has been assigned a social security number must provide verification of the number to the ICHA, in accordance with Notice PIH 2016-05.

If necessary, participant families will have 90 days to provide the SSN of a newborn; however, the number should be provided to the ICHA upon receipt.

Verification of the social security number is the original social security card; an original SSA issued document containing the name and SSN of the individual; or an original document issued by a federal, state, or local government agency, which contains the name and SSN of the individual.

12.5 TIMING OF VERIFICATION

Verification information must be dated within one hundred twenty (120) days of certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes.

When an interim reexamination is conducted, the ICHA will verify and update only those elements reported to have changed. It is the client's responsibility to report any changes within 30 days of the event.

12.6 FREQUENCY OF OBTAINING VERIFICATION

For each family member, citizenship/eligible noncitizen status will be verified only once. This verification will be obtained prior to admission. If the status of any family member was not determined prior to admission, verification of their status will be obtained at the next regular reexamination. Prior to a new member joining the family, their citizenship/eligible noncitizen status will be verified. 24 CFR 5.508 (g)

For each household member, verification of social security number will be obtained only once. This verification will be obtained prior to admission. When a child turns six (6), their verification will be obtained at the next regular reexamination. 24 CFR 5.216

Family composition, annual household income, and other factors affecting tenant rent will be verified at least annually.

13.0 DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT

13.1 FAMILY CHOICE

At admission and each year in preparation for their annual reexamination, each family is given the choice of having their rent determined under the formula method or having their rent set at the flat rent amount.

At the annual review, families will be instructed to make their choice by comparing their current rent to the Flat Rent for their unit. Upon completion of the annual review process, the ICHA will compare the two rent calculations. If the choice the family made is not the most beneficial to them, the Housing Authority will contact the family to further discuss their choice.

- A. Families who opt for the flat rent will be required to go through the income reexamination process annually. 24 CFR 960.257 (a) (2)
- B. Families who opt for the flat rent may request to have a reexamination and return to the formula based method at any time for any of the following reasons:
 - 1. The family's income has decreased. 24 CFR 960.253 (f) (3) (i)
 - 2. The family's circumstances have changed increasing their expenses for childcare, medical care, etc. 24 CFR 960.253 (f) (3) (ii)
 - 3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family. 24 CFR 960.253 (f) (3) (iii)

13.2 THE FORMULA METHOD 24 CFR 5.628(a)

The total tenant payment is equal to the highest of:

- A. 10% of monthly income;

B. 30% of adjusted monthly income; or

C. \$50 minimum rent

In the case of a family who has qualified for the income exclusion at Section 11.2(H) (11) of this document, upon the expiration of the 12-month period described in that section, an additional rent benefit accrues to the family. If the family member's employment continues, then for the 12-month period following the 12-month period of disallowance, the resulting rent increase will be capped at 50 percent of the rent increase the family would have otherwise received.

13.3 MINIMUM RENT

The Iowa City Housing Authority has set the minimum rent at **\$50**. 24 CFR 5.630

However if the family requests a hardship exemption, the Iowa City Housing Authority may suspend the minimum rent for the family until the Housing Authority can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature. 24 CFR 5.630(b)

A. A hardship may exist in the following circumstances:

1. When the family has lost eligibility for or is waiting an eligibility determination for a Federal, State, or local assistance program; 24 CFR 5.630(b)(i)
2. When the family would be evicted as a result of the imposition of the minimum rent requirement; 24 CFR 5.630(b)(ii)
3. When the income of the family has decreased because of changed circumstances, including loss of employment; 24 CFR 5.630(b)(iii)
4. When the family has an increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items; 24 CFR 5.630(b)(v)
5. When a death has occurred in the family. 24 CFR 5.630(b)(iv)

B. No hardship. If the Housing Authority determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension. 24 CFR 5.630(b)(v)(2)(B)(iii)

C. Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement in accordance with the Section 19 of this policy for any rent not paid during the period of suspension. During the

suspension period the Housing Authority will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period. 24 CFR 5.630(b)(2)(v)(2)(C)

- D. Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists. 24 CFR 5.630(b)(2)(v)(2)(B)
- E. Appeals. The family may use the grievance procedure (see Section 8.5 of this document) to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure. 24 CFR 5.630(b)(2)(v)(2)(C)(3)

13.4 FLAT RENT

The Iowa City Housing Authority has set a flat rent for each Public Housing unit. In doing so, it considered the size and type of the unit, as well as its condition, amenities, services, and neighborhood. The Iowa City Housing Authority determined the market value of the unit and set the rent at the market value. The amount of the flat rent will be reevaluated annually and adjustments applied. All Flat Rents will be set at no less than 80 percent of the applicable Fair Market Rent (FMR) adjusted, if necessary, to account for reasonable utilities costs. Affected families will be given a 30-day notice of any rent change. Adjustments are applied annually for each affected family (for more information on flat rents, see Section 15.3). 24 CFR 960.253 (b)

The Iowa City Housing Authority will post the flat rents in the Public Housing Coordinator's office.

13.5 CEILING RENT

The Iowa City Housing Authority has set ceiling rents to be equal to flat rents. 24 CFR 960.253 (d)

13.6 RENT FOR FAMILIES UNDER THE NONCITIZEN RULE

A mixed family is a family whose members include both those with citizenship or eligible immigration status, as well as those without citizenship or eligible immigration status. A mixed family will receive full continuation of assistance if all of the following conditions are met:

- A. The family's head or spouse has eligible immigration status; 24 CFR 5.518(a) (ii) and
- B. The family does not include any person who does not have eligible status other than the head of household, the spouse of the head of household, any parent of the head or spouse, or any child (under the age of 18) of the head or spouse. 24 CFR 5.518(a)(iii)

If a mixed family qualifies for prorated assistance but decides not to accept it, or if the family has no eligible members, the family may be eligible for temporary deferral of termination of

assistance to permit the family additional time for the orderly transition of some or all of its members to locate other affordable housing. Under this provision, the family receives full assistance. The maximum period of time for assistance under the provision is eighteen (18) months. The Iowa City Housing Authority will grant each family a period of six (6) months to find suitable affordable housing. If the family cannot find suitable affordable housing, the Iowa City Housing Authority will provide additional search periods up to the maximum time allowable. 24 CFR 5.518(a) (iii) (2) (b)

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

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

- A. Determine the total tenant payment in accordance with 24 CFR §5.628. (Annual income includes income of all family members, including any family member who has not established eligible immigration status.)
- B. Family maximum rent is equal to the applicable flat rent for the unit size to be occupied by the family.
- C. Subtract the total tenant payment from the family maximum rent. The result is the maximum subsidy for which the family could qualify if all members were eligible (“family maximum subsidy”).
- D. Divide the family maximum subsidy by the number of persons in the family (all persons) to determine the maximum subsidy per each family member who has citizenship or eligible immigration status (“eligible family member”). The subsidy per eligible family member is the “member maximum subsidy.”
- E. Multiply the member maximum subsidy by the number of family members who have citizenship or eligible immigration status (“eligible family members”). The product of this calculation is the “eligible subsidy.”
- F. The mixed family TTP is the maximum rent minus the amount of the eligible subsidy.
- G. Subtract any applicable utility allowance from the mixed family TTP. The result of this calculation is the mixed family tenant rent.

13.7 UTILITY ALLOWANCE

The Iowa City Housing Authority shall establish a utility allowance for all tenant-paid utilities (telephone and cable excluded). The allowance will be based on a reasonable consumption of utilities by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful environment. In setting the allowance, the Iowa City Housing Authority will review the actual consumption of tenant families as well as changes made or anticipated due to modernization (weatherization efforts, installation of energy-efficient appliances, etc.). Allowances will be evaluated at least annually as well as any time utility rate changes by 10% or more since the last revision to the allowances. 24 CFR 960.253(c) & (d) and 966.4(c) (4)

The utility allowance will be subtracted from the family's formula or flat rent to determine the amount of the Tenant Rent. The Tenant Rent is the amount the family owes each month to the Iowa City Housing Authority. The amount of the utility allowance is then still available to the

family to pay the cost of their utilities. Any utility cost above the allowance is the responsibility of the tenant. Any savings resulting from utility costs below the amount of the allowance belongs to the tenant.

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

Families with high utility costs are encouraged to contact HACAP (Hawkeye Area Community Action Program) at 356-5765 (in IC) or 1-800-332-5289 for an energy analysis. The analysis may identify problems with the dwelling unit that once corrected will reduce energy costs. The analysis can also assist the family in identifying ways they can reduce their costs.

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

13.8 PAYING RENT

Rent and other charges are due and payable on the first day of the month. All rents should be paid at the Iowa City Civic Center at 410 E. Washington Street in person or by mail. Cash shall be accepted as a rent payment only during regular business hours at the Treasury Division of Iowa City located in the Civic Center at 410 E. Washington Street in Iowa City. 24 CFR 966.4 (b) (1) (i)

If the rent is not paid by the fifth of the month, the rent is considered delinquent and a 3-day Notice of Non-Payment and a 14-day Termination Notice will be issued to the tenant. In addition, a late charge \$10.00 per day (maximum \$40) for each of the first four days after the rent becomes delinquent shall be charged to the tenant unless prior arrangements have been made. If rent is paid by a personal check and the check is returned for insufficient funds, this shall be considered a non-payment of rent and will incur the late charge plus an additional charge of \$10 for processing costs. 24 CFR 966.4 (b) (3)

14.0 CONTINUED OCCUPANCY AND COMMUNITY SERVICE

All Public Housing tenants 18 years of age or older, unless exempt, must perform eight (8) hours of community service per month. 24 CFR 960.603

Community service is defined as the performance of voluntary work or duties that are a public benefit, and serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. Community service is not defined as employment and may not include political activities. 24 CFR 960.601(b)

14.01 EXEMPT INDIVIDUALS: 24 CFR 960.601

An exemption from the community service requirement will be made for any adult who:

- (1) Is 62 years of age or older; 24 CFR 960.601 (b)(1)
- (2) (a) Is a blind or disabled individual, {as defined under 216(I)(1) or 1614 of the Social Security Act (42 U.S.C.416(i)(1); 1382c)}, and who certifies that because of this disability she or he is unable to comply with the service provisions of 24 CFR 960.601 (b)(2)(i) or

(b) Is a primary caretaker of such individual; 24 CFR 960.601 (b) (2) (ii)
- (3) Is engaged in work activities; 24 CFR 960.601 (b)(3)
(a) The Iowa City Housing Authority (ICHA) defines "work activities" as working at least 20 hours per week or maintaining full time student status.

Eligible "work activities" are:

- (a) Employment
 - (b) On-the-job training;
 - (c) Job search and job readiness assistance; (Resident Opportunity and Self Sufficiency program (ROSS), vocational rehabilitation, Promise Jobs, etc.)
 - (d) Community service programs;
 - (e) Job skills training directly related to employment;
 - (f) Education directly related to employment, in the case of a tenant who has not received a high school diploma or a certificate of high school equivalency;
 - (g) Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a tenant who has not completed secondary school or received such a certificate; and
 - (h) The provision of childcare services to an individual who is participating in a community service program.
- (4) Meets the work requirements for being exempt from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 *et seq*) or under any other welfare program of the State in which the PHA is located, including a State-administered welfare-to-work program; 24 CFR 960.601 (b) (4) or
 - (5) Is a member of a family who is receiving assistance, benefits, or services under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 *et seq.*) or under any other welfare program of the State in which the PHA is located, including a State-administered welfare-to-work (Promise Jobs) program, and has not been found by the State or other administering entity to be in noncompliance with such a program. 24 CFR 960.601(b)(5)

14.2 General Requirements 24 CFR 960.603

Except for any family member who is an exempt individual, each adult tenant of Public Housing must:

- (1) Provide 8 hours of community services per month (excluding political activities); 24 CFR 960.603 (a)(1) or
- (2) Participate in an economic self-sufficiency program for 8 hours per month; 24 CFR 960.603 (a)(2) or
- (3) Complete 8 hours per month of combined activities as indicated in (1) and (2) of this section. 24 CFR 960.603 (a)(3)

The ICHA Public Housing lease will specify that it shall be renewed automatically for all purposes, unless the family fails to comply with the service requirement. Violation of the service requirement is grounds for nonrenewal of the lease at the end of the twelve (12) month lease term, but not for termination of tenancy during the course of the twelve-month lease term. 24 CFR 960.603 (b)

14.3 Administration of the Service Requirement 24 CFR 960.605 (c)(1)

1. Exempt Status

- (a) The ICHA will verify the status of all tenants claiming an exemption from community service requirement.
- (b) All exemptions will be confirmed by 3rd party verifications except for blind/disabled tenants claiming an exemption.
- (c) Blind/disabled tenants claiming an exemption will be provided with a Self-Certification form allowing the tenant to provide an explanation as to why they are unable to complete the requirement. The ICHA will review the Self-Certification and make the final determination of exempt status.
- (d) Except in the case of an adult who is 62 years of age or older, the exempt status will be re-verified annually and may be changed at any time based on a change in the tenant's circumstance.
- (e) Tenants are required to report all changes in income, assets, family composition, and allowances. Tenants Community Service requirements will be based on the months of the non-exempt status.

2. Tracking of Eligible Community Service Activities

- (a) The ICHA will provide a Community Service Tracking sheet to each non-exempt Public Housing tenant.
- (b) The tenant will be required to maintain the sheet, securing the signature of a supervisor at the agency in which community service is performed.
- (c) The tenant will be required to submit the Community Service Tracking Sheet to the ICHA with the annual recertification packet.
- (d) All entries will be reviewed and verification of family compliance will be secured from such third parties.

14.4 ICHA Responsibilities 24 CFR 960.605 (c)(2)

The ICHA will provide a written description of the service requirements and the process for claiming status as an exempt person to each adult Public Housing tenant. The description will include the ICHA process for verification of such status. The ICHA will also notify the family of its determination, identifying the family members who are subject to the service requirement and the family members who are exempt persons. 24 CFR 960.605 (c)(2)

The ICHA will verify compliance annually, at least 30-days before the end of the twelve (12) month lease. 24 CFR 960.605 (3)

The ICHA must retain reasonable documentation of service requirement performance or exemption in participant files. 24 CFR 960.605 (4)

The ICHA must comply with non-discrimination and equal opportunity requirements listed at 24 CFR 5.105 (a). 24 CFR 960.605 (5)

14.5 Assuring Resident Compliance ***24 CFR 960.607***

ICHA notice of noncompliance.

- 1) If the ICHA determines that there is a family member who is required to fulfill a service requirement, but who has violated this family obligation (noncompliant resident), the ICHA must notify the tenant of this determination. 24 CFR 960.607 (b)
- 2) The ICHA notice to the tenant must:
 - (a) Briefly describe the noncompliance. 24 CFR 960.601(b)(2)(i)
 - (b) State that the ICHA will not renew the lease at the end of the twelve (12) month period unless: 24 CFR 960.601 (b)(2)(ii)
 - (i) Tenant and any other adult (non-compliant tenant) enter into a written agreement with the ICHA, in an effort to cure the non-compliance, and in fact cure such non-compliance in accordance to such agreement; or
 - (ii) The family provides written notice of assurance satisfactory to the ICHA that the tenant and non-compliant tenant are no longer living in the unit.
 - (c) State that the tenant may request a right to an appeal through a grievance hearing within ten (10) calendar days of notifying tenant of decision not to renew and that the tenant may exercise any available judicial remedy to seek timely redress for the ICHA's nonrenewal of the lease because of such determination. 24 CFR 960.607 (2)(iii)
- 3) Tenant agreement to comply with service requirement. If the tenant or another family member has violated the service requirement, the PHA may not renew the lease upon expiration of the term unless: 24 CFR 960.607 (c)
 - (a) The tenant, and any other non-compliant tenant, enter into a written agreement with the ICHA, in the form and manner required by the ICHA, to cure such noncompliance by completing the additional hours of community service or economic self-sufficiency activity needed to make up the total number of hours required over the twelve-month term of the new lease, 24 CFR 960.607 (c)(1) and
 - (b) All other members of the family who are subject to the service requirement are currently complying with the service requirement or are no longer residing in the unit. 24 CFR 960.607 (c)(2)

15.0 RECERTIFICATIONS

At least annually, the Iowa City Housing Authority will conduct a reexamination of family income and circumstances. The results of the reexamination determine (1) the rent the family will pay, and (2) whether the family is housed in the correct unit size. 24 CFR 960.209

15.1 GENERAL

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

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

15.2 NON-RESPONSE

If the family fails to respond to the initial letter, a second letter will be mailed. The second letter will advise of a new date by which the necessary forms must be completed and submitted, allowing for the same considerations for rescheduling and accommodation as above. The letter will also advise that failure by the family to submit the necessary paperwork will result in the Iowa City Housing Authority taking eviction actions against the family.

15.3 FLAT RENTS

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

- A. Each year at the time of the annual reexamination, the family has the option of selecting a flat rent amount in lieu of completing the reexamination process and having their rent based on the formula amount. 24 CFR 960.253 (a)
- B. The amount of the flat rent. 24 CFR 960.253 (e)(2)
- C. A fact sheet about formula rents that explains the types of income counted, the most common types of income excluded, and the categories of allowances that can be deducted from income.
- D. Families who opt for the flat rent will be required to go through the income reexamination at their annual review.

- E. Families who opt for the flat rent may request to have a reexamination and return to the formula-based method at any time for any of the following reasons: 24 CFR 960.253 (f)(1)
 - 1. The family's income has decreased. 24 CFR 960.253 (f)(3)(i)
 - 2. The family's circumstances have changed increasing their expenses for childcare, medical care, etc. 24 CFR 960.253 (f)(3)(ii)
 - 3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family. 24 CFR 960.253 (f)(3)(iii)
- F. The dates upon which the Iowa City Housing Authority expects to review the amount of the flat rent, the approximate rent increase the family could expect, and the approximate date upon which a future rent increase could become effective.
- G. The name and phone number of an individual to call to get additional information or counseling concerning flat rents.
- H. A certification for the family to sign accepting or declining the flat rent.

Each year prior to their anniversary date, Iowa City Housing Authority will send a reexamination letter to the family offering the choice between a flat and a formula rent. The opportunity to select the flat rent is available only at this time. At that time, the Iowa City Housing Authority may assist the family in identifying the rent method that would be most advantageous for the family. If the family wishes to select the flat rent method without meeting with the Iowa City Housing Authority representative, they may make the selection on the form and return the form to the Iowa City Housing Authority. 24 CFR 960.253 (a)

15.4 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATIONS

The new rent will generally be effective upon the anniversary date with thirty-(30) days' notice of any rent increase to the family. 24 CFR 966.4 (c)(1)

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

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

15.5 INTERIM REEXAMINATIONS

During an interim reexamination, only the information affected by the changes being reported will be reviewed and verified. 24 CFR 960.257 (b)

Families are required to report the following changes to the Iowa City Housing Authority between regular reexaminations. If the family's rent is being determined under the formula

method, and the income has decreased, these changes will trigger an interim reexamination. The family shall report these changes within ten (10) days of their occurrence. 24 CFR 966.4 (c)(2)

- A. A member has been added to the family through birth, adoption, or court-awarded custody.
- B. A household member is leaving or has left the family unit.
- C. The family has experienced a change in household income.

In order to add a household member, other than through birth or adoption (including a live-in aide), the family must request that the new member be added to the lease. Before adding the new member to the lease, the individual must complete an application form stating their income, assets, and all other information required of an applicant. The individual must provide their Social Security card, birth certificate, photo ID and must verify their citizenship/eligible immigrant status. (Their housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family.) The new family member will go through the screening process similar to the process for applicants. The Iowa City Housing Authority will determine the eligibility of the individual before adding them to the lease. If the individual is found to be ineligible or does not pass the suitability screening criteria, they will be advised in writing and the family will be given the opportunity for an informal review. If they are found to be eligible and do pass the suitability screening criteria, their name will be added to the lease. At the same time, if the family's rent is being determined under the formula method, the family's annual income will be recalculated taking into account the circumstances of the new family member. The effective date of the new rent will be in accordance with paragraph below 15.7.

Families are not required to, but may at any time, request an interim reexamination based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. Upon such request, the Iowa City Housing Authority will take timely action to process the interim reexamination and recalculate the tenant's rent.

Rent reductions, based on tenant reported changes, will take effect the month following the tenant's written notification to the ICHA. If a 3rd party verification cannot be secured prior to the first of the month, the ICHA will accept the tenant's notification to process the change and secure the 3rd party verification. If the 3rd party verification does not support the information supplied by the family, the ICHA will require reimbursement by the tenant and will enforce the family obligations.

Interim reexaminations based on increases in earned and unearned income will be processed.

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* Social Security cost of living increases will be processed at annual review only.

13.6 SPECIAL REEXAMINATIONS

If a family's income is too unstable to project for twelve (12) months, including families that temporarily have no income (0 renters) or have a temporary decrease in income, the Iowa

City Housing Authority may schedule special reexaminations every sixty (60) days until the income stabilizes and an annual income can be determined. 24 CFR 5.609 (e)

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

A change in circumstances or household income that would result in a decrease in the tenant's rent must be expected to last for at least thirty days before an interim review will be conducted. Any decrease in household income or increase in allowances or deductions that is reported to the Iowa City Housing Authority will be effective the first of the following month.

If the family caused a delay or did not report the change in a timely manner, the change will be effective the first of the month after the change is reported.

16.0 UNIT TRANSFERS

- (1) Tenant agrees that if the Authority determines that the size or design of the dwelling unit is no longer appropriate to Tenant's needs, the Authority shall send Tenant written notice. Tenant further agrees to accept a new lease for a different dwelling unit of the appropriate size or design. 24 CFR 966.4 (c)(3)
- (2) The Authority may require a Tenant to move into another unit if it is determined necessary to rehabilitate or demolish Tenant's unit.
- (3) If a Tenant makes a written request for special unit features in support of a documented disability or handicap, the Authority may modify Tenant's existing unit. If the cost and extent of the modifications needed are similar to those required for a fully accessible unit, the Authority may transfer Tenant to another unit with the features.
- (4) A tenant without disabilities who is housed in a unit with special features may be required to transfer to a unit without such features should a Tenant with disabilities need the unit.
- (5) In the case of involuntary transfers, Tenant shall be required to move into the dwelling unit made available by the Authority. Tenant shall be given 10 days' time in which to move following delivery of a transfer notice. If Tenant refuses to move, the Authority may terminate the Lease. 24 CFR 966.4 (c)(3)
- (6) Involuntary transfers are subject to the Administrative Grievance Procedure, and no such transfers may be made until either the time to request a Grievance has expired or the procedure has been completed. 14 CFR 966.4 (c)(4)
- (7) The Authority will consider any Tenant requests for transfers in accordance with the transfer priorities established in the Admissions and Occupancy Policies.

16.1 OBJECTIVES OF THE TRANSFER POLICY

The objectives of the Transfer Policy include the following:

- A. To address emergency situations.
- B. To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriate size unit.
- C. To facilitate relocation when required for modernization or other management purposes.
- D. To facilitate relocation of families with inadequate housing accommodations.
- E. To eliminate vacancy loss and other expense due to unnecessary transfers.

16.2 CATEGORIES OF TRANSFERS

Category 1: Emergency transfers. These transfers are necessary when conditions pose an immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, the health condition of a family member, a hate crime, the safety of witnesses to a crime, or a law enforcement matter particular to the neighborhood.

Category 2: Immediate administrative transfers. These transfers are necessary in order to permit family needing accessible features to move to a unit with such a feature or to enable modernization work to proceed.

Category 3: Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain Iowa City Housing Authority occupancy goals, to correct occupancy standards where the unit size is inappropriate for the size and composition of the family, to allow for non-emergency but medically advisable transfers, and other transfers approved by the Iowa City Housing Authority when a transfer is the only or best way of solving a serious problem. The Tenant Ownership Program of the ICHA may precipitate a move in order to accommodate a homeownership opportunity for a pre-qualified family.

16.3 DOCUMENTATION

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

16.4 COST OF THE FAMILY'S MOVE

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

- A. When the transfer is made at the request of the family or by others on behalf of the family (i.e. by the police);

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

The cost of the transfer will be borne by the Iowa City Housing Authority in the following circumstances:

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

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

16.5 TENANTS IN GOOD STANDING

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

16.6 TRANSFER REQUESTS

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

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

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

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

Upon transfer, the household is not eligible for consideration of another transfer for at least 1 year.

16.7 RIGHT OF THE IOWA CITY HOUSING AUTHORITY IN TRANSFER POLICY

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

17.0 INSPECTIONS

An authorized representative of the Iowa City Housing Authority and an adult family member will inspect the premises prior to commencement of occupancy. A move-in form indicating the condition of the premises will be made, all equipment will be provided, and the form will be signed by both parties with a copy retained in the Iowa City Housing Authority file and a copy given to the family member. An authorized Iowa City Housing Authority representative will inspect the premises at the time the resident vacates and will furnish a statement of any charges to be made. The resident's security deposit can be used to offset against any tenant caused damages to the unit. 24 CFR 966.4 (h)(4)(i)

17.1 MOVE-IN INSPECTIONS

The Iowa City Housing Authority and an adult member of the family will inspect the unit prior to signing the lease. Both parties will sign a written statement of the condition of the unit. A copy of the signed inspection will be given to the family and the original will be placed in the tenant file. 24 CFR 966.4 (h)(4)(i)

17.2 ANNUAL INSPECTIONS

The Iowa City Housing Authority will inspect each Public Housing unit annually to ensure that each unit meets the Iowa City Housing Authority's housing standards. Work orders will be submitted and completed to correct any deficiencies. 24 CFR 5.705 (a)

Tenant caused damages and repairs will be billed to the tenant.

17.3 PREVENTATIVE MAINTENANCE INSPECTIONS

This is generally conducted prior to the annual inspection. This inspection is intended to keep items in good repair. It checks weatherization; checks the condition of the smoke detectors, water heaters, furnaces, automatic thermostats and water temperatures; checks for leaks; and provides an opportunity to change furnace filters and provide other minor servicing that extends the life of the unit and its equipment. 24 CFR 966.4 (j)(1)

17.4 EXTERIOR INSPECTIONS

The Iowa City Housing Authority may periodically inspect the exterior of the dwelling and premises to ensure lease compliance. No advance notice of such inspections will be given.

17.5 SPECIAL INSPECTIONS

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

17.6 HOUSEKEEPING INSPECTIONS

Generally, at the time of annual reexamination, or at other times as necessary, the Iowa City Housing Authority will conduct a housekeeping inspection to ensure the family is maintaining the unit in a safe and sanitary condition. 24 CFR 966.4 (j)(1)

17.7 NOTICE OF INSPECTION

For inspections defined as annual inspections, preventative maintenance inspections, special inspections, and housekeeping inspections the Iowa City Housing Authority will give the tenant at least 48 hours' notice. 24 CFR 966.4 (j)(1)

17.8 EMERGENCY INSPECTIONS

If any employee and/or agent of the Iowa City Housing Authority has reason to believe that an emergency exists within the housing unit, the unit can be entered without notice. The person(s) who enters the unit will leave a written notice to the resident that indicates the date and time the unit was entered and the reason why it was necessary to enter the unit. 24 CFR 966.4 (j)(2)

17.9 PRE-MOVE-OUT INSPECTIONS

When a tenant gives notice that they intend to move, the Iowa City Housing Authority will offer to schedule a pre-move-out inspection with the family. The inspection allows the Iowa City Housing Authority to help the family identify any problems which, if left uncorrected, could lead to tenant charges. This inspection is a courtesy to the family and has been found to be helpful both in reducing costs to the family and in enabling the Iowa City Housing Authority to ready units more quickly for the future occupants. 24 CFR 966.4 (h)(4)(i)

17.10 MOVE-OUT INSPECTIONS

The Iowa City Housing Authority conducts the move-out inspection after the tenant vacates to assess the condition of the unit and determine responsibility for any needed repairs. When possible, the tenant is notified of the inspection and is encouraged to be present. This inspection becomes the basis for any claims that may be assessed against the security deposit. 24 CFR 966.4 (h)(4)(i)

18.0 PET POLICY 24 CFR 960.707

18.1 EXCLUSIONS

24 CFR 5.303 (a)

This policy does not apply to animals that are used to assist persons with disabilities. Assistive animals, that have current rabies and distemper inoculations and a current City license are allowed in all Public Housing facilities with no restrictions other than those imposed on all tenants to maintain their units and associated facilities in a decent, safe, and sanitary manner and to refrain from disturbing their neighbors.

18.2 PERMIT

Application for ICHA Pet Permit. Prior to housing any pet on premises, the resident shall apply to the Iowa City Housing Authority for a pet permit. When the permit is returned it shall be accompanied by the following:

1. A current license issued by the City of Iowa City per the Iowa City Code (all dogs and cats must be licensed).
2. Evidence that the pet has been spayed or neutered, and, with respect to cats, that the pet has been declawed on all four paws;
3. Evidence that the pet has received current rabies and distemper inoculations or boosters by a licensed veterinarian. (This information must be updated annually).
4. Picture of pet
5. The Iowa City Housing Authority, in its sole discretion, shall determine adequacy of the evidence.
6. **A pet deposit of \$200 which applies to new residents, current residents with new pets, or transfers.**
7. Tenants must identify in writing the name, address, and phone number of an alternate custodian for pets in the event of tenant illness or other absence from the dwelling unit. The identification of an alternate custodian must occur prior to the ICHA issuing a pet registration permit.
8. The privilege of maintaining a pet in a facility owned and/or operated by the ICHA shall be subject to the rules set forth in 18.4. This privilege may be revoked at any time subject to the ICHA Administrative Hearing if the animal should become destructive, create a nuisance, represent a threat to the safety and security of other residents, or create a problem in the area of cleanliness and sanitation.

18.3 APPROVAL

Residents must have the prior approval of the Housing Authority before moving a pet into their unit. Residents must apply for a pet permit, which must be fully completed before the Housing Authority will consider approval of the request.

18.4 TYPES AND NUMBER OF PETS

All tenants with pets permitted to be kept on the premises shall comply with the following rules:

- a. The Iowa City Housing Authority does not allow any pets prohibited or restricted as listed in the Iowa City Housing Code 8.4 1. (See Appendix II)
- b. All dogs and cats must be neutered or spayed. All cats must be declawed.
- c. No animal may exceed 30" (adult size) in height (measured from paw to top of head).
- d. Only one (1) 4 legged animal per unit allowed.
- e. In the case of fish, the maximum aquarium size is 50 gallons.
- f. Birds must be confined to a cage and there is a limit of two.
- g. No reptiles are allowed, with the exception of turtles.
- h. Any animal deemed to be potentially harmful to the health or safety of others, including attack or fight trained dogs, will not be allowed.
- i. Tenants are prohibited from feeding or harboring stray animals. The feeding of stray animals shall constitute having a pet without the written permission of the ICHA and is a violation of the Dwelling Lease.

18.5 INOCULATIONS AND LICENSES

Pets must be licensed yearly with the City of Iowa City and tenants must provide the ICHA with a copy of the renewal as well as proof of current rabies and distemper booster inoculations.

18.6 PET DEPOSIT

A pet deposit of \$200 is required at the time of registering a pet. The deposit is refundable after the family vacates the unit, (even if the pet is removed earlier) less any amounts owed due to damage beyond normal wear and tear.

18.7 FINANCIAL OBLIGATION OF RESIDENTS

Any resident who owns or keeps a pet in their dwelling unit will be required to pay for any damages caused by the pet. Also, any pet-related insect infestation in the pet owner's

unit will be the financial responsibility of the pet owner and the Iowa City Housing Authority reserves the right to exterminate and charge the resident.

18.8 NUISANCE OR THREAT TO HEALTH OR SAFETY

Tenants shall not permit their pet to disturb, interfere or diminish the peaceful enjoyment of other tenants. The term “disturb, interfere and diminish” shall include, but are not limited to, barking, howling, chirping, biting, scratching, and other similar activities. *VICIOUS AND/OR INTIMIDATING PETS WILL NOT BE ALLOWED.*

Repeated substantiated complaints of this nature by neighbors or Iowa City Housing Authority personnel regarding pets disturbing the peace of neighbors through noise, odor, animal waste, or other nuisance shall constitute a violation of the lease and may result in the revocation of the pet permit, termination of the Dwelling Lease agreement, or both.

The pet and its living quarters must be maintained in a manner to prevent odors and any other unsanitary conditions in the owner's unit and surrounding areas.

Tenant pet owners are solely responsible for the safety and health of their pet during those scheduled occasions when the dwelling units in the facility are being treated for deinfestation. The ICHA shall not be liable for the ill health or death of a pet as a result of the periodic deinfestation treatment.

18.9 DESIGNATION OF PET AREAS

Pets must be kept in the owner's apartment or on a leash and controlled by an adult at all times when outside. No outdoor cages may be constructed. Birds must be confined to a cage at all times. Pet owners must clean up after their pets and are responsible for disposing of pet waste. Tenants shall take adequate precautions and measures necessary to eliminate pet odors within or around the unit and shall maintain the unit in a sanitary condition at all times. Tenants must provide litter boxes for cat waste, which must be kept in the dwelling unit. Tenants shall not permit refuse from litter boxes to accumulate nor to become unsightly or unsanitary. Tenants are solely responsible for cleaning up pet droppings, if any, outside the unit and on facility grounds. Droppings must be disposed of by being placed in a sack and then placed in an acceptable refuse container outside the building.

18.10 VISITING PETS

Pets that meet the size and type criteria outlined above may visit the unit where pets are allowed for up to two weeks, with Iowa City Housing Authority approval. Tenants who have visiting pets must abide by the conditions of this policy regarding health, sanitation, nuisances, and peaceful enjoyment of others. If visiting pets violate this policy or cause the tenant to violate the lease, the tenant will be required to remove the visiting pet.

18.11 REMOVAL OF PETS

The Iowa City Housing Authority, or an appropriate community authority, shall require the removal of any pet from a unit if the pet's conduct or condition is determined to be a nuisance or threat to the health or safety of other occupants of the unit or of other persons in the community where the unit is located.

If pets are left unattended for a period of twenty-four (24) hours or more, the Iowa City Housing Authority may enter the dwelling unit, remove the pet and transfer it to the proper authorities, subject to the provisions of Iowa state law and pertinent local ordinances. The Iowa City Housing Authority accepts no responsibility for the animal under such circumstances.

In the event of the death of a pet, the tenants shall immediately remove and properly dispose of the remains. The remains shall not be placed in any container inside an ICHA facility or in a container on ICHA grounds. **If a new pet is desired, a new ICHA pet permit will be required.**

Should a breach of the rules set forth in 18.0 above occur, the lease will stand in violation and the ICHA may exercise any remedy available, under Federal, State or local law, including eviction.

19.0 REPAYMENT AGREEMENTS

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

The ICHA will allow for repayment agreements for those tenants whose rental amount is the minimum rent and who have had their rent abated for a temporary period.

Family Break-Ups - If there is a family break up and the initial household owes the ICHA a debt, all parties signed on the lease are jointly and severally liable for the debt. The responsible parties may not receive assistance in another assisted household until the debt is paid. This includes an individual being added as a live-in aid.

If the ICHA determines that the family committed fraud or was grossly irresponsible, the ICHA may require the family to repay the entire amount in full or have its assistance terminated, since fraud or gross irresponsibility are considered a violation of a family obligation.

In no case does the ICHA have a responsibility to enter into a repayment agreement. If the family's assistance is terminated and repayment has not been made, the money will

still be considered to be owed and the ICHA may take action to collect the amounts owed.

20.0 TERMINATION

20.1 TERMINATION BY TENANT

The tenant may terminate the lease at any time after the expiration of the initial lease term by submitting a 30-day written notice. If the tenant vacates prior to the end of the thirty (30) days, they will be responsible for rent through the end of the notice period or until the unit is re-rented, whichever occurs first.

20.2 TERMINATION BY THE HOUSING AUTHORITY

The Iowa City Housing Authority may terminate the lease for serious or repeated violations of material lease terms. Such violations include but are not limited to the following: 24 CFR 966.4

- A. Nonpayment of rent or other charges; 24 CFR 966.4 (l)(2)(i)
- B. A history of late rental payments; 24 CFR 966.4 (l)(2)(i)
- C. Failure to provide timely and accurate information regarding family composition, income circumstances, or other information related to eligibility or rent; 24 CFR 966.4 (c)
- D. Failure to allow inspection of the unit; 24 CFR 966.4 (j)(1)
- E. Failure to maintain the unit in a safe and sanitary manner; 24 CFR 966.4 (f)(6)
- F. Assignment or subletting of the premises; 24 CFR 966.4 (f)(1)
- G. Use of the premises for purposes other than as a dwelling unit (other than for Iowa City Housing Authority approved resident businesses) 24 CFR 966.4 (f)(3)
- H. Acts of destruction, defacement, or removal of any part of the dwelling unit or project. 24 CFR 966.4 (f)(9)
- I. Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents. 24 CFR 966.4 (f) (12)
- J. Any alcohol abuse or pattern of alcohol abuse on the property that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents 24 CFR 966.4 (f) (12);

- K. Or furnishing false or misleading information concerning illegal drug use, alcohol abuse, or rehabilitation of illegal drug users or alcohol abusers. 24 CFR 966.4 (1)(5)(vi)
- L. Drug-related criminal activity on or off the premises. 24 CFR 966.4 (f)(12)(A &B)
- M. Permitting persons not on the lease to reside in the unit more than fourteen (14) days each year without the prior written approval of the Housing Authority.
- N. Violation of the Pet Policy
- O. Failure to fulfill family obligations; 24 CFR 966.4 (f)
- P. Other good cause. 24 CFR 966.4 (1) (2) (ii)

The Iowa City Housing Authority must terminate the lease for the following:

- A. A lifetime registration requirement under a State sex offender registration program. 24 CFR 966.4(1)(5)(i)(A)
- B. Conviction of drug-related criminal activity for manufacture or production of methamphetamines on the premises of Federally assisted housing; 24 CFR 966.4 (e)(5)(i)(A)
- C. Non-compliance with the Non-Citizen requirements. 24 CFR Part 5;
- D. In accordance with 24 CFR 5.216, applicants and participants (including each member of the household) must disclose his/her assigned Social Security Number. Failure to disclose will result in termination of assistance.

Consideration of circumstances. In a manner consistent with such policies, procedures and practices, the ICHA may consider all circumstances relevant to a particular case such as the seriousness of the offending action, the extent of participation by the leaseholder in the offending action, the effects that the eviction would have on family members not involved in the offending activity and the extent to which the leaseholder has shown personal responsibility and has taken all reasonable steps to prevent or mitigate the offending action.

The ICHA may impose, as a condition of continued assistance for other household members, a requirement that household members who participated in, or were culpable for, the action or inaction will not reside in or visit the unit. The ICHA may permit other members of a household to receive assistance.

In determining whether to terminate tenancy for illegal drug use or a pattern of illegal drug use by a household member who is no longer engaging in such use, or for abuse or a pattern of abuse of alcohol by a household member who is no longer engaging in such abuse, the PHA may consider whether such household member:

1. Is participating in or has successfully completed a supervised drug or alcohol rehabilitation program.
2. Has otherwise been rehabilitated successfully. For this purpose, the PHA may require the tenant to submit evidence of the household member's current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.

Exception for Domestic Violence:

Although the HA may terminate Public Housing assistance if a member of the tenant family has engaged in violent criminal activity, there is an exception for victims of domestic violence. Domestic violence includes threatened domestic violence, dating violence, and stalking as those terms are defined in 42 U.S.C. 1437d. The Housing Authority may terminate assistance to the member of the household who committed the domestic violence but not to the victim. The Housing Authority may, however, deny the assistance to the victim for other reasons not premised on the act of domestic violence.

20.3 PENALTIES

Tenants terminated by the Iowa City Housing Authority will be denied all forms of rental assistance and are ineligible for any assistance for a minimum of 1 year and a maximum of 3 years pending the determination of the ICHA or the Hearing Officer. Severity and duplication of the violation will be taken into consideration when determining the duration of the penalty and the tenant will be notified in writing of the decision.

20.4 ABANDONMENT

The Iowa City Housing Authority will consider a unit to be abandoned when a resident has fallen behind in rent **AND** has clearly indicated by words or actions an intention not to continue living in the unit **AND** is not residing in the unit. The ICHA will take necessary steps to evict the tenant.

20.5 Return of Security Deposit 24 CFR 966.4 (B)(5)

After a family moves out, the Iowa City Housing Authority will return the security deposit within 30 days (Iowa Code 562A.12 (3)) or give the family a written statement of why all or part of the security deposit is not being returned. The rental unit must be restored to the same conditions as when the family moved in, except for normal wear and tear.

The Iowa City Housing Authority will be considered in compliance with the above if the required payment, statement, or both, are deposited in the U.S. mail with first class postage paid within 30 days (Iowa Code 562A.12(3)).

20.6 OVER-INCOME FAMILIES

The Iowa City Housing Authority may terminate the tenancies of families who are over income, subject to the following paragraph:

Unless it is required to do so by local law, the Iowa City Housing Authority may not terminate the tenancy of a family solely because the family is over the income limit for public housing, if the family has a valid contract for participation in an FSS program under 24 part 984. The Iowa City Housing Authority may not terminate the tenancy of a family for being over the income limit for public housing if the family currently receives the earned income disallowance provided by 42 U.S.C. 1437a(d) and 24 CFR 960.255 and 24 CFR 960.261.

The Iowa City Housing Authority will give adequate notice to over income families so they can secure other housing.”

21.0 APPEALS

21.1 ADMISSIONS REVIEW (APPLICANTS ONLY)

Applicability

1. The Iowa City Housing Authority will provide an opportunity for an Admission Review regarding a decision denying assistance to an applicant, including a decision:
 - a. Denying placement on the waiting list.
 - b. Denying participation in the Public Housing Program.
 - c. Denying a preference in determining eligibility for the Public Housing Program.
2. The Housing Agency is not required to provide an opportunity for an Admissions Review:
 - a. To review discretionary administrative determinations by the Iowa City Housing Authority, or to consider general policy issues or class grievances.
 - b. To review the ICHA’s determination of the number of bedrooms allowed under the standards established by the ICHA in accordance with HUD regulations.

B. Procedures

1. The Iowa City Housing Authority shall give an applicant prompt written notice of a decision denying assistance to the applicant, including a decision of ineligibility for housing, ineligibility for any of the selection preferences adopted by the Iowa City Housing Authority, or removal from or denying placement on the waiting list. The notice shall also state that the applicant may request in writing an Admissions Review of the decision, and shall describe how to obtain the Admission Review.

2. The applicant must submit a written request for an Admission Review within ten (10) calendar days of notification of the decision denying assistance.
3. If the applicant's request is not submitted within ten (10) calendar days or in another way fails to comply with requirements, the request will be denied and the applicant will be promptly notified in writing.
4. If the request meets the criteria, an Admissions Review will be scheduled within a reasonable time period.
5. The Admissions Review shall be conducted by any person or persons designated by the Administrator, other than a person who made or approved the decision under review or a subordinate of such person.
6. The applicant shall be given an opportunity to present written or oral objections to the Iowa City Housing Authority's decision.
7. The Iowa City Housing Authority shall notify the applicant in writing of the final decision within fourteen (14) calendar days after the Admissions Review, including a brief statement of the reason(s) for the final decision.

21.2 INS/CITIZENSHIP DENIAL INFORMAL REVIEW

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

The participant family may request that the Iowa City Housing Authority provide for an Informal Hearing after the family has notification of an INS decision on their citizenship status on appeal, or in lieu of request of appeal to the INS. The participant family must make this request within 30 days of receipt of the Notice of Denial or Termination of Assistance, or within 30 days of receipt of the INS appeal decision.

21.3 TENANT GRIEVANCE PROCEDURE 24 CFR 966.50

This Grievance Procedure sets forth the requirements, standards and criteria used by the ICHA to assure tenants are afforded an opportunity for a hearing if the tenant disputes within ten (10) days from the receipt of any ICHA action or failure to act involving the tenant's Dwelling Lease with the ICHA or ICHA regulations which adversely affect the individual tenant's rights, duties, welfare, or status.

A. Not Applicable

1. The ICHA Grievance Procedure shall not be applicable to disputes between tenant not involving the ICHA or to class grievances. 24 CFR 966.51(b)

2. This Grievance Procedure is not intended, nor shall be used for, initiating or negotiating policy changes between a group or groups of tenants and the ICHA's Administrator or City Council. 24 CFR 966.51(b)
3. Iowa has been determined by HUD to be a "due process" state, therefore, this Grievance Procedure does not apply to termination of tenancy or evictions that involve:
 - a. Any activity that threatens the health, safety or right to peaceful enjoyment or the premises of other tenants or employees of the ICHA. 24CFR 966.51(a)(2) (A)
 - b. Drug-related criminal activity that occurs on or off the ICHA premises. 24 CFR 966.51(a)(2)(B)
 - c. Violent criminal activity that occurs on or off the ICHA premises.
4. Upon any termination of tenancy or eviction referenced in Item 3 above, the tenant will be given the right to a full "due process" hearing in the appropriate judicial proceeding. 24 CFR 966.51 (a)(2)(iv)

B. General Procedures

1. If the Iowa City Housing Authority is unable to reach the tenant or if the grieving party does not request a hearing in accordance with these procedures, the ICHA's disposition of the grievance shall become final, provided that failure to request a hearing shall not constitute a waiver by the tenant of his right thereafter to contest the ICHA's action in disposing of the complaint in an appropriate judicial proceeding. 24 CFR 966.54(c)
2. Before an Administrative Hearing is scheduled for any grievance for rent or other charges as specified in the Dwelling Lease which the ICHA claims is due, the complainant shall pay to the ICHA an amount equal to the amount of the rent and other charges due and payable as of the first of the month preceding the month in which the act or failure took place. Deposits of the monthly rent, when due and owing, shall be made until the grievance is resolved. Failure to make such payments shall end the Hearing process but shall not constitute a waiver of any right the complainant may have to contest the ICHA's disposition of his/her grievances in an appropriate judicial proceeding. 24 CFR 966.55(e)
 - a. The escrow deposit will be waived for financial hardship as defined in 24 CFR 966.55 (d)(2).
3. The Iowa City Housing Authority must provide reasonable accommodation for persons with disabilities to participate in the hearing. Reasonable accommodation may include qualified sign language interpreters, readers, accessible locations, or attendants. 24 CFR 966.56(h)
4. If the tenant is visually impaired, any required notices to the tenant must be in an accessible format. 24 CFR 966.56 (h) (2)

C. Procedures to Obtain an Informal Settlement Hearing

1. The complainant shall submit a written request for an Informal Settlement Hearing to the ICHA administrative office within ten (10) days after receipt of the action of the ICHA citing:
24 CFR 966.55(a)
 - a. The reasons the tenant is disputing the ICHA actions; and 24 CFR 966.55 (a)(1)
 - b. The action or relief the tenant is requesting. 24 CFR 966.55(a)(2)
2. Upon receipt of a written request for an Informal Settlement Hearing, the Iowa City Housing Authority will make at least two attempts to contact the tenant and discuss the reason for the ICHA's action.

A summary of such discussion shall be prepared within 20 days and one copy shall be given to the tenant and one copy retained in the ICHA's tenant file. The summary shall specify the names of those present, the date of the discussion, the nature of the disposition and the reasons therefore. 24 CFR 966.54

If the grievance has not been resolved to the satisfaction of both parties, the summary will advise the tenant that they may request an Administrative Hearing by submitting a written request within 10 calendar days of receipt of the summary. Notification of the Administrative Hearing date will be sent to the tenant within a reasonable time. The written notice shall specify the time, place and the procedures governing the Administrative Hearing and shall be delivered to the tenant and the appropriate ICHA staff.

3. The Administrative Hearing Officer shall be an impartial person selected by the ICHA.
4. At the Administrative Hearing both parties (ICHA and tenant) will discuss the grievance. Both parties will have the opportunity to present any and all information regarding the grievance and support their position regarding the action taken by the ICHA.

D. Procedures Governing the Administrative Hearing

1. The Administrative Hearing shall be held before the Administrative Hearing officer.
24 CFR 966.56 (a)
2. The tenant shall be afforded the opportunity to:
 - a. Examine before the Administrative Hearing, and at the expense of the tenant, to copy all documents, records and regulations of the ICHA that are relevant to the Hearing. Any documents requested by the tenant, but not made available by the ICHA to the tenant, may not be relied on by the ICHA. 24 CFR 966.56 (b)(1)
 - b. The right to be represented by counsel or other person. 24 CFR 966.56 (b)(2)
 - c. The right to a private Hearing unless a public hearing is requested. 24 CFR 966.56 (b)(3)

- d. The right to present evidence and arguments in support of his/her complaint, to controvert evidence relied on by the ICHA, and to confront and cross-examine all witnesses on whose testimony or information the ICHA relies. 24 CFR 966.56 (b)(4)
 - e. A decision based solely and exclusively upon the facts presented at the hearing. 24 CFR 966.56 (c)
3. The Administrative Hearing Officer may render a decision without proceeding with the hearing if the Administrative Hearing Officer determines that an identical or similar issue has been previously decided in another proceeding. 24 CFR 966.56 (c)
 4. If the tenant or the ICHA fails to appear at the scheduled Hearing, the Administrative Hearing Office may make a determination to postpone the Hearing for a period not to exceed four (4) business days, or may make a determination that the party has waived his/her right to a Hearing. Both the ICHA and the tenant shall be notified of the determination provided that, if a tenant has waived his/her right to a Hearing, this shall not constitute a waiver of any right the tenant may have to contest the ICHA's disposition in an appropriate judicial proceeding. 24 CFR 966.56 (d)
 5. At the Hearing, the tenant must first demonstrate he/she is entitled to the relief sought and thereafter the ICHA must justify the action or failure to act in the matter against which the grievance is directed. 24 CFR 966.56 (e)
 6. The Hearing shall be conducted informally by the Administrative Hearing Officer and both oral and documentary evidence pertinent to the facts and issues raised by the tenant may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings. The Administrative Hearing Office shall require the ICHA, the tenant, counsel, and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with this procedure may result in exclusion from the proceedings or in a decision adverse to the interests of the disorderly party and the granting or denial of the relief sought. 24 CFR 966.56 (f)

E. Decision of the Administrative Hearing Officer

1. The Administrative Hearing Officer shall prepare a written decision, together with the reasons therefore, within ten (14) calendar days after the Hearing. A copy of the decision shall be sent to the tenant and the ICHA. The ICHA shall retain a copy of the decision in the tenant's file. A copy of this decision, with all names and identifying references deleted, shall be maintained on file by the ICHA and made available for inspection by the tenant, his/her representative or the Administrative Hearing Officer. 24 CFR 966.57 (a)
2. The decision of the Administrative Hearing Officer shall be binding on the ICHA that shall take all actions, or refrain from any actions, necessary to carry out the decision. 24 CFR 966.57 (b)
3. A decision by the Administrative Hearing Officer, in favor of the ICHA or which denies the relief requested by the tenant in whole or in part shall not constitute a waiver of, nor

affect in any manner whatever, any rights the tenant may have to a trial de novo or judicial review in any judicial proceedings, which may thereafter be brought in the matter. 24 CFR 966.57 (c)

F. Procedures Governing the Expedited Hearing Process (This process will be used ONLY if Iowa is determined by HUD to be a “due process” state.)

The ICHA may use the expedited grievance procedure when the following conditions exist:
24 CFR 966.55 (g)

1. Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premise by other residents or employees of the ICHA. 24 CFR 966.55 (g)(1)(i)
2. Any drug-related criminal activity on or near such premises. 24 CFR 966.55 (g)(1)(ii)

In the case of an Expedited Hearing the following procedures will be followed:

1. The resident will be notified in the Notice of Termination that the ICHA has opted for an Expedited Hearing.
2. A request for a hearing must be made by the family, in writing, within 5 days of receiving the Notice of Termination.
3. The Informal Settlement Hearing is not applicable. 24 CFR 966.55 (g)(2).
4. The Expedited Hearing shall occur within 7 days of the written request by the resident.
5. Notification of the Expedited Hearing date will be sent within 2 days of the request for hearing and will specify the time, place and procedures governing the Expedited Hearing.
6. The Expedited Hearing will be held before the Administrative Hearing Officer appointed by the ICHA.
7. The procedures listed in (D) (6) above shall be in effect for this hearing.
8. If the tenant fails to appear for the Expedited Hearing he/she shall waive the right to a hearing. This shall not constitute a waiver of any right the tenant may have to contest the ICHA’s disposition in an appropriate judicial proceeding.
9. The decision of the Administrative Hearing Officer shall be rendered within 5 business days of the hearing.
10. The decision of the Administrative Hearing Officer shall be binding on the ICHA who shall take all actions, or refrain from any actions, necessary to carry out the decision. 24 CFR 966.57 (b)
11. A decision by the Administrative Hearing Officer, in favor of the ICHA or which denies the relief requested by the tenant in whole or in part shall not constitute a waiver of, nor

affect in any manner whatever, any rights the tenant may have to a trial de novo or judicial review in any judicial proceedings, which may thereafter be brought in the matter. 24 CFR 966.57 (c)

G. Determination of Good Cause:

Purpose: To provide substantive guidelines for the determination of good cause for permitting untimely action or excusing the failure to act as required for good cause shown (e.g., late appeals, request to reschedule hearings, etc.).

Substantive Guidelines: In determining whether good cause has been shown for permitting an untimely action or excusing the failure to act as required, the Housing Authority may consider any relevant factors including, but not limited to, whether the party acted in the manner that a reasonably prudent individual would have acted under the same or similar circumstances, whether the party received timely notice of the need to act, whether there was administrative error by the Housing Authority, whether there were factors outside the control of the party that prevented a timely action, the efforts made by the party to seek an extension of time by promptly notifying the Housing Authority, the party's inability (i.e., physical and/or mental disability) to take timely action, the length of time the action was untimely, and whether any other interested party has been prejudiced by the untimely action. However, good cause cannot be established to accept or permit an untimely action or to excuse the failure to act, as required, that was caused by the party's failure to keep the Housing Authority directly and promptly informed by written, signed statement of his or her current and correct mailing address in person, by mail, by facsimile machine, or by Housing Authority-approved electronic means. A written decision concerning the existence of good cause need not contain findings of fact on every relevant factor, but the basis for the decision must be apparent from the decision.

22.0 SMOKE-FREE POLICY 24 CFR 965.653

Iowa's Smoke Free Air Act went into effect on July 1, 2008. This law mandates that City buildings and the grounds around them be smoke free, pursuant to Iowa Code, Chapter 142D. In addition, the Iowa City Housing Authority bans the use of "prohibited tobacco products" in all public housing units and interior common areas, including but not limited to, hallways, laundry centers, and similar structures, as well as in all outdoor areas, including but not limited to, parking lots, back yards, front yards, playgrounds and other areas frequented by children. Prohibited tobacco products include the use of cigarettes, cigars, pipes, water pipes (aka, hookahs) and Electronic Cigarettes. Electronic cigarette means vapor product as defined in Section 453A.1 of the Code of Iowa. Tenants and their guests are allowed to use "prohibited tobacco products" on the Public Right of Way.

Purpose of Smoke-Free Policy: The Iowa City Housing Authority is mitigating (i) the irritation and known health effects of secondhand smoke; (ii) the increased maintenance, cleaning, and redecorating costs from smoking; (iii) the increased risk of fire from smoking; and (iv) the higher costs of fire insurance for a non-smoke-free building.

APPENDIX I

INCOME LIMITS AND DECONCENTRATION WORKSHEET

<i>DEVELOPMENT NAME</i>	<i>NUMBER OF UNITS UNDER ACC AS OF 4/7/2008</i>	<i>NUMBER OF OCCUPIED UNITS</i>	<i>NUMBER OF UNITS OCCUPIED BY VERY POOR FAMILIES</i>	<i>% OCCUPIED BY VERY POOR FAMILIES</i>
<i>PUBLIC HOUSING</i>	<i>81</i>	<i>81</i>	<i>71</i>	<i>88%</i>

NUMBER NEEDED OF BELOW 30% OF MEDIAN AREA INCOME = 32

NUMBER NEEDED ABOVE 30% OF MEDIAN INCOME = 49

APPENDIX II

CHAPTER 4: ANIMAL CONTROL

8-4-1: DEFINITIONS:

As used in this Chapter, the following definitions shall apply:

ANIMAL: Any living creature, domestic or wild, except a human being.

ANIMAL ACTS OR EXHIBITIONS: Any display containing one or more live animals, which are exposed to public view for entertainment, instruction, or advertisement.

BOARDING KENNEL: Any commercial place or establishment, other than the City animal shelter, where dogs or cats or other animals not owned by the proprietor, owner, or person in possession of the premises are sheltered, fed, watered and generally cared for in return for consideration of a fee.

BREEDER: Any person who causes the breeding of a male or female dog or cat, or makes or allows a dog or cat to be available for breeding, or a person who offers to sell a puppy or kitten that is a direct offspring of their adult dog or cat. All breeders must possess a valid permit issued by the Division of Animal Control or its successor.

CAT KENNEL: Any lot, building, structure, enclosure or premises where five (5) or more cats over the age of four (4) months are kept or maintained.

CIRCUS: An event or performance which charges members of the public an admission fee to watch trained lions, tigers, elephants, or other animals perform under the whip or command of a ringmaster, trainer, or handler.

CITY POUND: Any public animal shelter or pound established or maintained by the City which may include any private or charitable organization or facility leased by the City or with whom the City has a contractual agreement for impoundment services.

COMMERCIAL KENNEL: A place or establishment where the owner or employees perform grooming or training services for dogs or cats in return for a consideration or fee.

DEFILEMENT: To foul, dirty, pollute or make filthy, either by the animal's body or wastes or by the animal carrying or dragging any foul material.

DOG KENNEL: Any lot, building, structure, enclosure, or premises where four (4) or more dogs over the age of four (4) months are kept or maintained.

DOG OR CAT SHOW: Any place where dogs or cats are being exhibited and/or judged.

FENCE: A physical barrier intended to prevent escape or intrusion, entry or exit, made of posts and wire, boards, stone, brick, or similar material. Invisible fencing systems using underground wire or electronic collar devices are not considered fencing for the purposes of this Chapter.

GUARD/ATTACK DOG: A dog trained to attack persons upon the command of its master or custodian or upon the actions of an individual.

LEASH: A rope, line, thong, chain or other similar restraint, not more than ten feet (10') in length, of sufficient strength to hold the animal in check.

LIVESTOCK: An animal belonging to the bovine, caprine, equine, ovine, or porcine species; ostriches, rheas, emus; farm deer, as defined in section 481A.1, Code of Iowa, as amended; or poultry.

MICROCHIP: An encapsulated biocompatible computer chip, programmed with a unique identification number, injected under the skin of an animal to provide permanent identification.

MOLEST: Includes not only biting and scratching a human or other animal, but also any annoyance, interference with or meddling with any such human or animal.

MOTION PICTURE, TELEVISION, OR THEATRICAL PERFORMANCE: Any place or performance where one or more animals are used in the production of any motion picture, television, radio or theatrical performance, whether for entertainment, instruction, or advertising.

OWNER: In addition to its ordinary meaning, includes any person who owns, keeps or harbors an animal.

PET SHOP: Any place of business or other commercial establishment where animals are bought, sold, exchanged, or offered for sale.

PIGEON OR DOVE LOFT: Any cage, loft, or enclosure where five (5) or more pigeons or doves are kept or maintained.

PRIVATE PROPERTY: All buildings and other property owned by a private person, including buildings, yards and service and parking areas.

PROHIBITED ANIMALS: The following genus/species of animals are hereby declared to be prohibited:

- A. Canidae within the order Carnivora (e.g., wolves, wolf-dog hybrids which are at least 50 percent wolf, coyotes, coyote-dog hybrids which are at least 50 percent coyote, foxes, jackals), but excluding *Canis familiaris*, the domestic dog.
- B. Felidae within the order Carnivora (e.g., lions, tigers, jaguars, leopards, cougars, lynx, ocelots, bobcats, jungle cats), but excluding *Felis domestica*, the domestic cat.
- C. Procyonidae within the order Carnivora (e.g., coatis, pandas, raccoons, procyonids).
- D. Ursidae of the order Carnivora (e.g., black bears, brown bears, grizzly bears, polar bears).
- E. Chiroptera (e.g., bats).
- F. Cetacea (e.g., whales, dolphins, porpoises).
- G. Pinnipedia (e.g., seals, sea lions, walrus).
- H. Sirenia (e.g., sea cows, manatees).
- I. Primates, including all families, (e.g., Cebidae, Cercopithecidae, Callithricidae, Lemuridae, Lorisidae, Tarsiidae, Colobinae, Hylobatidae, Pongidae; (e.g., monkeys, baboons, marmosets, tamarins, capuchin, chimpanzees, orangutan, gorillas, apes)).
- J. Formicidae within the order Hymenoptera (e.g., fire ants).
- K. Apidae; specifically Africanized strains of the *Apis Mellifera* honey bee.
- L. Proboscidea, Hyracoidea, Tubulidentata (e.g., elephants, hyraxes, aardvarks).
- M. Edentata, Pholidota (e.g., anteaters, sloths, armadillos).
- N. Marsupialia (e.g., kangaroos, wallabies, koala), except for sugar gliders.
- O. Crocodylidae of the order Squamata (e.g., crocodiles, alligators, caimans, gavials).
- P. Helodermatidae of the order Squamata (e.g., gila monsters, beaded lizards).

- Q. Lizards of the species komodoensis, salvadorii, salvator, niloticus, albigularis, and indicus.
- R. Crotalidae, Viperidae, Elapidae, Opisthoglyphous Colubridae, and all other orders which include poisonous or venomous reptiles (e.g., rattlesnakes, vipers, corals, copperheads, cottonmouths, moccasins, sea snakes, puff adders, malagasy hognoses).
- S. Eunectes of the order Squamata (e.g., green anaconda).
- T. Python sebae, Python reticulatus, Python molorus, Morelia amethystina of the order Squamata.
- U. Venomous spiders of the families Teridiidae and Loxoscelidae respectively, and scorpions of the order Scorpiones, excluding Pandinus imperator (emperor scorpion).
- V. All wild animals indigenous to the State of Iowa, as defined in chapter 481A, Code of Iowa, as amended.

PUBLIC PROPERTY: Buildings, right of way or other public property owned or dedicated to the use of the City and other governmental entities.

RESTRICTED ANIMALS: The following genus/species of animals are hereby declared to be restricted:

- A. Ferrets.
- B. Iguana iguana, lizards of the order of Chamaeleontidae, and lizards of the genus Varanus, but excluding the species komodoensis, salvadorii, salvator, niloticus, albigularis, and indicus.
- C. Vietnamese potbellied pigs (also subject to zoning requirements).
- D. Ostriches, emus, rheas, and peafowls (also subject to zoning requirements).
- E. Artiodactyla and Camelidae, including camels, alpacas, llamas, and vicuna (also subject to zoning requirements).
- F. Sugar gliders.
- G. Other small livestock-type animals (also subject to zoning requirements).

RODEO: A contest, exhibition or competition which charges members of the public an admission fee to watch the skill of contestants or entrants in horseridership where lassoing is performed involving cattle, horses, bulls, goats, pigs, and wild bovine and/or where contestants ride wild bulls or wild horses for public entertainment.

VETERINARIAN: A person duly licensed by the State of Iowa to practice veterinary medicine.

VETERINARY HOSPITAL: An establishment regularly maintained and operated by a veterinarian for the diagnosis and treatment of diseases and injuries to animals and which may board animals. (Ord. 97-3793, 7-15-1997)

GLOSSARY

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

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

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

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

Allowances: Amounts deducted from the household's annual income in determining adjusted annual income (the income amount used in the rent calculation). Allowances are given for elderly families, dependents, medical expenses for elderly families, disability expenses, and child care expenses for children under 13 years of age.

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

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

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

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

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

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

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

Ceiling Rent: Maximum rent allowed for public housing units.

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

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

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

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

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

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

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

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

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

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

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

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

Disabled Person: See "person with disabilities."

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

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

Domicile: The legal residence of the household head or spouse as determined in accordance with state and local law.

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

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

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

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

Electronic Cigarette: The term "electronic cigarette" means any electronic device that provides a vapor of liquid nicotine and/or other substances to the user as she or he simulates smoking. The term shall include such devices whether they are manufactured or referred to as e-cigarettes, e-cigars, e-pipes or under any product name.

Extremely low-income families: Those families whose income does not exceed the higher of 30 percent of the area median income or the federal poverty level.

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

Family includes but is not limited to:

- A. A single person 62 years or older.

- B. A disabled person either who is 18 years or older and is not declared as a dependent by a parent or guardian or who is a dependent living in a group home or similar supervised residence.
- C. Household with a child or children who resides in the unit 51% of the time. (A child who is temporarily away from the home because of placement in foster care is considered a member of the family).
- D. Two or more elderly persons or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in aides.
- E. Two or more persons related by blood, marriage, domestic partnership (certified by City of Iowa City Clerk)), adoption or placement by a governmental or social service agency, as defined by City of Iowa City code

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

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

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

Flat Rent: A rent amount the family may choose to pay in lieu of having their rent determined under the formula method. The flat rent is established by the housing authority set at the lesser of the market value for the unit or the cost to operate the unit.

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

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

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

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

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

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

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

Lit tobacco products: Lit tobacco products are those that involve the ignition and burning of tobacco leaves, such cigarettes, cigars, and pipes. Lit tobacco products also include the use of electronic cigarettes.

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

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

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

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

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

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

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

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

Net Family Assets:

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

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

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

Person with Disabilities: A person who:

- A. Has a disability as defined in Section 223 of the Social Security Act, which states:

"Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 12 months, or

In the case of an individual who attained the age of 55 and is blind and unable by reason of such blindness to engage in substantial, gainful activity requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time."

- B. Is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment that:
1. Is expected to be of long-continued and indefinite duration;
 2. Substantially impedes his or her ability to live independently; and
 3. Is of such a nature that such ability could be improved by more suitable housing conditions, or
- C. Has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act, which states:

"Severe chronic disability that:

1. Is attributable to a mental or physical impairment or combination of mental and physical impairments;
2. Is manifested before the person attains age 22;
3. Is likely to continue indefinitely;
4. Results in substantial functional limitation in three or more of the following areas of major life activity: (1) self care, (2) receptive and responsive language, (3) learning, (4) mobility, (e) self-direction, (6) capacity for independent living, and (7) economic self-sufficiency; and
5. Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated."

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. (1937 Act)

No individual shall be considered to be a person with disabilities for purposes of eligibility solely based on any drug or alcohol dependence.

Proration of Assistance: The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance. (24 CFR5.520)

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

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

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

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

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

Smoking. The term “smoking” means inhaling, exhaling, breathing, or carrying any lighted or heated cigar, cigarette, or other tobacco product or plant product in any manner or in any form. Smoking also includes use of an electronic cigarette.

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

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

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

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

Total Tenant Payment (TTP):

- A. Total tenant payment for families whose initial lease is effective on or after August 1, 1982:
 - 1. Total tenant payment is the amount calculated under Section 3(a)(1) of the 1937 Act which is the higher of:
 - a. 30% of the family’s monthly adjusted income;
 - b. 10% of the family’s monthly income; or

- c. If the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of such payments which is so designated.

If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under section 3(a)(1) should be the amount resulting from one application of the percentage.

2. Total tenant payment for families residing in public housing does not include charges for excess utility consumption or other miscellaneous charges.
- B. Total tenant payment for families residing in public housing whose initial lease was effective before August 1, 1982: Paragraphs (b) and (c) of 24 CFR 913.107, as it existed immediately before November 18, 1996), will continue to govern the total tenant payment of families, under a public housing program, whose initial lease was effective before August 1, 1982.

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

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

Very Low-Income Families: Low-income families whose incomes do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50% of the median for the areas on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes. Such ceilings shall be established in consultation with the Secretary of Agriculture for any rural area, as defined in Section 520 of the Housing Act of 1949, taking into account the subsidy characteristics and types of programs to which such ceilings apply. (1937 Act)

Violent Criminal Activity: [A]ny criminal activity that has as 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. 24 CFR 5.100

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

ACRONYMS

ACC	Annual Contributions Contract
CFR	Code of Federal Regulations
FSS	Family Self Sufficiency (program)
HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	Department of Housing and Urban Development
INS	(U.S.) Immigration and Naturalization Service
NOFA	Notice of Funding Availability
OMB	(U.S.) Office of Management and Budget
PHA	Public Housing Agency
QHWRA	Quality Housing and Work Responsibility Act of 1998
SSA	Social Security Administration
TTP	Total Tenant Payment