

Longmont Housing Authority Policy Changes

Color-codes for changes in Admin. Plan and Matrix: **Black** = original policy **Red** = Changes to Policy

Chapter	Changes to Policy
2.I.A Overview	<p>To further its commitment to full compliance with the applicable Civil Rights laws, LHA will provide Federal/State/local information to voucher holders regarding unlawful discrimination and any recourse available to families who believe they are victims of a discriminatory act. Such information will be made available during the family briefing session, and all applicable fair housing information and complaint forms will be made a part of the voucher holder’s briefing packet, and available upon request. at the front desk.</p> <p>All Housing Authority staff will be required to attend fair housing training and informed of the importance of affirmatively furthering fair housing and providing equal opportunity to all families, including providing reasonable accommodations to persons with disabilities, as a part of the overall commitment to quality customer service.</p> <p>Fair housing posters are posted throughout the Housing Authority office, including in the lobby and interview rooms, and the equal opportunity logo will be used on all outreach materials. Staff will attend local fair housing training sponsored by HUD and other local organizations to keep current with new developments.</p> <p>The LHA will inform all new voucher holders of Colorado HB20-1332, which prohibits housing discrimination due to participation in public housing assistance or based on a person's source of income.</p>
2-I.B. Nondiscrimination	<p>Longmont Housing Authority will not deny any family or individual the equal opportunity to apply for or receive assistance under the Section 8 programs on the basis of race, color, religion, creed, national or ethnic origin, age, familial status, handicap or disability, as well as additional protections afforded under the regulations and executive orders with regard to gender identity, and sexual orientation. LHA does not identify any additional protected classes.</p>

<p>Discrimination complaints</p>	<p>Applicants or participants who believe that they have been subject to unlawful discrimination by either the LHA or owner may notify the LHA either orally or in writing.</p> <p>Within 10 business days of receiving the complaint, the LHA will provide a written notice to those alleged to have violated the rule. The LHA will also send a written notice to the complainant informing them that notice was sent to those alleged to have violated the rule, as well as information on how to complete and submit a housing discrimination complaint form to HUD’s Office of Fair Housing and Equal Opportunity (FHEO).</p> <p>Within 10 business days, the LHA will attempt to remedy discrimination complaints made against the LHA and owners. The LHA will make reasonable attempt to determine whether the applicant’s or participant’s assertions have merit and take any warranted corrective actions. LHA will provide the applicant or participant with information about how to file a discrimination complaint.</p> <p>Within 10 business days following the conclusion of the LHA's investigation, the LHA will provide the complainant and those alleged to have violated the rule with findings and either a proposed corrective action plan or an explanation of why corrective action is not warranted.</p> <p>The LHA will keep a record of all complaints, investigations, notices, and corrective actions. (See Chapter 16.)</p>
<p>2-II.E Approval/Denial of a Requested Accommodation</p>	<p>After a request for an accommodation is presented, the LHA will respond in writing within 10 business days.</p> <p>If the LHA denies a request for an accommodation because there is no relationship, or nexus, found between the disability and the requested accommodation, the notice will inform the family of the right to appeal the LHA decision through an informal review (if applicable) or informal hearing (see Chapter 16).</p> <p>If the LHA denies a request for an accommodation because it is not reasonable (it would impose an undue financial and administrative burden or fundamentally alter the nature of the LHA’s operations), the LHA will discuss with the family whether an alternative accommodation could effectively address the family’s disability-related needs without a fundamental alteration to the HCV program and without imposing an undue financial and administrative burden.</p> <p>If the LHA believes that the family has failed to identify a reasonable alternative accommodation after interactive discussion and negotiation, the LHA will notify the family in writing of its determination within 10 business days from the date of the most recent discussion or communication with the family.</p>

<p>2-III.B. Oral Interpretation</p>	<p>When exercising the option to conduct remote briefings, informal reviews, or hearings, the LHA will coordinate with a remote interpretation service which, when available, uses video conferencing technology rather than voice-only interpretation.</p> <p>Where LEP persons desire, they will be permitted to use, at their own expense, an interpreter of their own choosing, in place of or as a supplement to the free language services offered by the LHA. The LHA, at its discretion, may choose to use the language services even when LEP persons desire to use an interpreter of their choosing. The interpreter may be a family member or friend. If the interpreter chosen by the family is a minor, the LHA will not rely as on the minor to serve as the interpreter.</p> <p>The LHA will analyze the various kinds of contacts it has with the public, to assess language needs and decide what reasonable steps should be taken. "Reasonable steps" may not be reasonable where the costs imposed substantially exceed the benefits.</p> <p>Where feasible and possible, according to its language assistance plan (LAP), the LHA will train and hire bilingual staff to be available to act as interpreters and translators, will pool resources with other LHAs, and will standardize documents.</p>
<p>3-I.B. Family and Household (24 CFR 982.201©)</p>	<p>A family also includes two or more individuals who are not related by blood, marriage, adoption, or other operation of law but who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of the family joint finances, such as bank accounts & credit cards or Joint ownership of property, or the woman(and, if applicable, kids) using the man's surname or filing joint tax returns.</p> <p>Each family must identify the individuals to be included in the family at the time of application, and must notify the LHA if the family's composition changes.</p>

<p>3-I.M. Live-In Aide</p>	<p>A family's request for a live-in aide must be made in writing. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or case worker, that the live-in aide is essential for the care and well-being of the elderly, near-elderly, or disabled family member. For continued approval, the family must submit a new, written request-subject to LHA verification-at each annual reexamination .</p> <p>No other adult or children may move into the unit, other than the specifically identified live-in Aide. In the event that the live-in Aide has children or partner, the addition of those members can be requested under the LHA, "adding new members" policy. All income, other than the live-in Aide will be counted as Household income if approved.</p> <p>In addition, the family and live-in aide will be required to submit a certification stating that the live-in aide is (1) not obligated for the support of the person(s) needing the care , and (2) would not be living in the unit except to provide the necessary supportive services. Live-in aids will not be required to declare whether they are a citizen, a national, or an eligible noncitizen.</p> <p>The LHA will not approve a particular person as a live-in aide, and may withdraw such approval if [24 CFR 982.316(b)]:</p> <p>The person commits or has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;</p> <p>The person commits or has committed drug-related criminal activity or violent criminal activity; or</p> <p>The person currently owes rent or other amounts to the LHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.</p> <p>The LHA will notify the family of its decision in writing within 10 business days of receiving the background check and a request for a live-in-aide, including all required documentation related to the request.</p>
<p>Criminal Activity</p>	<p><i>Drug-related criminal activity</i>, defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug [24 CFR 5.100]. The LHA will take into consideration the verifiable completion of a drug rehabilitation program and at least three years of no criminal activity</p>

<p>3-III.D. Screening</p>	<p>For every adult household member, the LHA will perform a criminal background check through local law enforcement and/or a company that performs criminal back ground checks. for every adult household member.</p> <p>If the results of the criminal background check indicate that there may be past criminal activity, but the results are inconclusive, the LHA will request a fingerprint card and will request information from the National Crime Information center (NCIC).</p> <p>The LHA will use the Drug Sjodin National Sex Offender database to screen applicants for admission.</p>
<p>Eligible for Placement on the Waiting List</p>	<p>The LHA will send written notification of the preliminary eligibility determination within 10 business days of receiving a complete application.</p> <p>Placement on the waiting list does not indicate that the family is, in fact, eligible for assistance. A final determination of eligibility will be made when the family is selected from the waiting list.</p> <p>Applicants will be selected for the waiting list using a computer generated lottery system. LHA will estimate the number of applicants that may be housed within 12 months and that number will be the number of applicants placed on the waiting list. It is not guaranteed that all applicants will be included in the selection. Each time the LHA selects someone off the waiting list the computer systems will mix up the list again at that time. LHA cannot inform applicants of their number placement on the list because of the lottery system that is used.</p> <p>All applicants will be issued a unique number at the time the application is received. Once the generated lottery is known the unique numbers selected will be posted on the LHA web-site.</p>
<p>Reopening the Waiting list</p>	<p>The LHA will open the waiting list at least every 12 months. If LHA determines there are not enough applicants on the lottery waiting list to fill vouchers within the 12 month period, the list will be reopened earlier for additional applicants. The LHA will announce the reopening of the waiting list at least 10 business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of households, this information will be contained in the notice.</p>

Purging the Waiting List

All applicants remaining on the waiting list, and not provided with housing, will be removed at least every 12 months. The waiting list will be reopened for a new lottery selection process. Applicants that are remaining on the list can reapply for the current lottery.

The application will inform the applicant that the waiting list will be purged within 12 months. It will notify the applicant that all households remaining on the waiting list at that time will be removed and a new lottery group will be selected. Households not housed and removed from the waiting list can reapply for the new lottery draw.

The waiting list will be updated 12 months to ensure that all applicants and applicant information is current and timely.

To update the waiting list, the PHA will send an update request via first class mail to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program. This update request will be sent to the last address that the PHA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

The family's response must be in writing and may be delivered in person, by mail, or by fax. Responses should be postmarked or received by the PHA not later than 10 business days from the date of the PHA letter.

If the family fails to respond within 10 business days, the family will be removed from the waiting list/lottery pool without further notice.

If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list/lottery pool without further notice.

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have 10 business days to respond from the date the letter was re-sent.

Targeted Funding	<p>LHA may administer the following types of targeted funding if such funding is available:</p> <ul style="list-style-type: none"><i>Mainstream for Persons with Disabilities</i><i>Frail Elderly</i><i>Shelter plus Care</i><i>HOPWA</i><i>Family Unification Program</i><i>Welfare to Work</i><i>VASH</i> <p>When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the waiting list is searched for the first available family meeting the targeted funding criteria.</p> <p>Applicants who are admitted under target funding which are not identified as a Special Admission are identified by codes in the automated system.</p> <p>The LHA does not currently administer any type of targeted funding.</p>
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<p>Order of Selection</p>	<p>Families will be selected from the waiting list in numerical order based on the numbers that were assigned to each application, by lottery, at the time the applications were placed on the waiting list.</p> <p>Families that qualify for a specified category of program funding (targeted funding) may be selected from the waiting list ahead of higher placed families that do not qualify for the targeted funding. However, within any targeted funding category, applicants will be selected in numerical order based on the numbers that were assigned to each application, by lottery, at the time the applications were placed on the waiting list.</p> <p>(a) The Section 8 lottery pool will contain the following information for each applicant listed:</p> <ul style="list-style-type: none"> · Applicant name. · Social Security number. · Date of birth. · Home/ mailing address. · Date and time of application · Racial or ethnic designation of head of household. · Qualification for any local preference. <p>(b) The order of selection from the lottery pool will be based on a random drawing technique (lottery).</p> <p>(c) The lottery pool will be opened annually, depending on funding availability. When LHA opens the lottery process, LHA will issue public notice that families may apply for the Housing Choice Voucher (HCV) Program. The notice will comply with the Equal Opportunity plan and with HUD Fair Housing requirements.</p> <p>(d) As applicants are needed for the Section 8 program, random drawings will occur from the lottery pool. LHA will determine the number of applicants drawn based on need. Drawn numbers will be posted at all lottery sites.</p> <p>At the end of each year the Section 8 lottery pool is purged.</p> <p>Within each preference category, families will be selected in random order, by a lottery selection method. Documentation will be maintained by the LHA as to whether families on the list qualify for and are interested in the Section 8 Voucher program. If a higher placed family on the waiting list is found to not qualify for the preference listed on the application, there will be a notation maintained so that the LHA does not have to ask higher placed families each time preference selections are made.</p> <p>Among applicants with equal preference status, the waiting list will be organized by lottery drawing number. LHA will offer public notice when changing its preference system and the notice will be publicized using the same guidelines as those for opening and closing the waiting list.</p>
<p>In-Person Briefings</p>	<p>In-person briefings will generally be conducted in group meetings. At the family's written request, the PHA may provide an individual briefing.</p> <p>Generally, the head of household is required to attend the briefing. If the head of household is unable to attend, the LHA may approve another adult family member to attend the briefing.</p> <p>Families that attend group briefings and still need individual assistance will be referred to an appropriate LHA staff person.</p> <p>Briefings will be conducted in English. For limited English proficient (LEP) applicants, the LHA will provide interpretation services in accordance with the LHA's LEP plan (See Chapter 2).</p>

Remote Briefings	<p>The LHA has the sole discretion to require that briefings be conducted remotely in case of local, state, or national physical distancing orders, and in cases of inclement weather or natural disaster. If the LHA schedules a remote briefing, the PHA will conduct a face-to-face briefing upon request of the applicant as a reasonable accommodation for a person with a disability if safety and health concerns can be reasonably addressed.</p> <p>In addition, the LHA will conduct a briefing remotely upon request of the applicant as a reasonable accommodation for a person with a disability, if an applicant does not have child care or transportation that would enable them to attend the briefing, or if the applicant believes an in-person briefing would create an undue health risk. The LHA will consider other reasonable requests for a remote briefing on a case-by-case basis.</p>
Conducting Remote Briefings	<p>At least 10 business days prior to scheduling the remote briefing, the LHA will provide written notification via first class mail and/or email to families participating in the briefing to advise of technological requirements and to request the family notify the LHA of any known barriers. If any family does not respond within five business days, or if the written notification is returned by the post office or the email is rejected, the LHA will contact the family by telephone to identify potential technological barriers and to determine which technology resources are accessible to the family. The LHA will resolve any barriers using the guidance in Section 6 of Notice PIH 2020-32, including offering the family the opportunity to attend an in-person briefing or have a one-on-one briefing over the phone, as appropriate.</p> <p>The LHA will conduct remote briefings via a videoconferencing platform when available. If applicants are unable to adequately access the videoconferencing platform, the briefing will be conducted by telephone conferencing call-in. If the family is unable to adequately access the telephone conferencing call-in, the remote briefing will be postponed, and an in-person alternative or one-on-one briefing over the phone will be provided.</p> <p>The LHA will provide login information and/or conferencing call-in information and an electronic copy of the briefing packet via email at least five business days before the briefing. The LHA will provide a paper copy of the briefing packet upon family request, and may reschedule the briefing to allow adequate time for the family to receive the physical briefing packet.</p> <p>The LHA will ensure that all electronic information stored or transmitted as part of the briefing meets the requirements for accessibility for persons with disabilities and persons with LEP, and is secure, including ensuring personally identifiable information (PII) is protected.</p> <p>The LHA will ensure that families who participate in remote briefings have the opportunity to ask questions as part of the briefing.</p> <p>If families lose connectivity during any remote briefing or otherwise feel they were unable to access information presented during the briefing, the family may request a one-on-one briefing over the phone or in person with the LHA.</p>

<p>Briefing Packet</p>	<p>The PHA will provide the following additional materials in the briefing packet:</p> <p>Information on how to fill out and file a housing discrimination complaint form</p> <p>The form HUD-5380 domestic violence certification form and the form HUD-5382 notice of occupancy rights, which contains information on VAWA protections for victims of domestic violence, dating violence, sexual assault, and stalking</p> <p>“Is Fraud Worth It?” (form HUD-1141-OIG), which explains the types of actions a family must avoid and the penalties for program abuse</p> <p>“What You Should Know about EIV,” a guide to the Enterprise Income Verification (EIV) system published by HUD as an attachment to Notice PIH 2017-12</p> <p>The HUD pamphlet on lead-based paint entitled Protect Your Family from Lead in Your Home</p>																					
<p>5-II.B. Determining Family Unit (Voucher) Size</p>	<p>The LHA will assign one bedroom for each two persons within the household, except in the following circumstances:</p> <p>Persons of the opposite sex (other than spouses, and children under age 5) will be allocated separate bedrooms. Adults with a significant other will be allocated a one bedroom.</p> <p>Children of separate genders over the age of 5 will be allocated separate bedrooms.</p> <p>Persons of different generations will be allocated separate bedrooms.</p> <p>Live-in aides will be allocated a separate bedroom.</p> <p>Single person that is pregnant will be allocated one bedroom until the child turns one.</p> <p>The PHA will reference the following chart in determining the appropriate voucher size for a family:</p> <table border="0" data-bbox="451 1149 966 1502"> <tr> <td colspan="3">Persons in Household</td> </tr> <tr> <td colspan="3">(Minimum – Maximum)</td> </tr> <tr> <td>1 Bedroom</td> <td>1</td> <td>2</td> </tr> <tr> <td>2 Bedrooms</td> <td>2</td> <td>4</td> </tr> <tr> <td>3 Bedrooms</td> <td>3</td> <td>6</td> </tr> <tr> <td>4 Bedrooms</td> <td>4</td> <td>8</td> </tr> <tr> <td>5 Bedrooms</td> <td>6</td> <td>10</td> </tr> </table>	Persons in Household			(Minimum – Maximum)			1 Bedroom	1	2	2 Bedrooms	2	4	3 Bedrooms	3	6	4 Bedrooms	4	8	5 Bedrooms	6	10
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Voucher Rescissions	<p>If, due to budgetary constraints, the LHA must rescind vouchers that have already been issued to families, the LHA will do so according to the instructions under each of the categories below. The LHA will first rescind vouchers that fall under Category 1. Vouchers in Category 2 will only be rescinded after all vouchers under Category 1 have been rescinded.</p> <p>Category 1: Vouchers for which a Request for Tenancy Approval (RTA) and proposed lease have not been submitted to the LHA.</p> <p>Vouchers will be rescinded in order of the date and time they were issued, starting with the most recently issued vouchers.</p> <p>Category 2: Vouchers for which a Request for Tenancy Approval and proposed lease have been submitted to the LHA.</p> <p>Vouchers will be rescinded in order of the date and time the RTA was submitted to the LHA, starting with the most recently submitted requests.</p> <p>Families who have their voucher rescinded will be notified in writing and will be reinstated to their former position on the waiting list. When funding is again available, families will be selected from the waiting list in accordance with LHA selection policies described in Chapter 4.</p>
Second 12-Month Exclusion	<p>During the second 12-month exclusion period, the LHA will exclude 100 percent of any increase in income attributable to new employment or increased earnings.</p>

File Documentation	<p>The LHA will document, in the family file, the following:</p> <p>Reported family annual income</p> <p>Value of assets</p> <p>Expenses related to deductions from annual income</p> <p>Other factors influencing the adjusted income</p> <p>Reported family annual income</p> <p>Value of assets</p> <p>Expenses related to deductions from annual income</p> <p>Other factors influencing adjusted income</p> <p>Partially excluded income of full-time students, Earned Income Disallowance and Adoption Assistance Payments</p> <p>Full-time student status (only for students 18 years of age or over)</p> <p>Child care expenses</p> <p>Total medical expenses for all family members in households whose head or Co-head is elderly or disabled</p> <p>Disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family, which allows an adult member to be employed</p> <p>Disability for determination of preferences, allowances or deductions</p> <p>U. S. Citizenship/eligible immigrant status</p> <p>Social Security Numbers for all family members except non-contending family members (and certain elderly)</p>
Written Third-Party Verification	<p>Third-party documents provided by the family must be dated within 60 days of the LHA request date.</p> <p>If the LHA determines that third-party documents provided by the family are not acceptable, the LHA will explain the reason to the family and request additional documentation.</p> <p>As verification of earned income, the LHA will require the family to provide the two most current, consecutive pay stubs. At the LHA's discretion, if additional paystubs are needed due to the family's circumstances (e.g., sporadic income, fluctuating schedule, etc.), the LHA may request additional paystubs or a payroll record.</p> <p>The PHA will also accept verifications in the form of computerized printouts delivered by the family from the Veterans Administration and Welfare Assistance/City and County Courts.</p>

Marriage	<p>Certification by the head of household is normally sufficient verification. If the LHA has reasonable doubts about a marital relationship, the LHA will require the family to document the marriage.</p> <p>A marriage certificate generally is required to verify that a couple is married.</p> <p>In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns). as required by Colorado State Law.</p>
7-II.H. Verification of Preference Status	<p>The LHA will offer a preference to any household that has been terminated from the LHA's HCV program due to insufficient program funding. The LHA will verify this preference using LHA's termination records.</p> <p>Families who have been involuntarily displaced due to government actions. The LHA will verify this preference by obtaining written verification from the governmental entity that is displacing the family and/or court documents concerning the involuntarily displacement.</p> <p>Families that resides in the City of Longmont or includes a family member who works, or has been notified that they are hired to work, in Longmont. The LHA will verify this preference by obtaining such things as utility billing invoices in the families name, pay stubs showing employment is in Longmont, or other methods that support the family lives or works in Longmont.</p>
Wages	<p>For wages other than tips, the family must provide originals of the two most current, consecutive pay stubs when hours worked is consistent. When working hours varies LHA will as for 3 months of consecutive pay stubs.</p>
7-III.D. Alimony or Child Support	<p>The methods the PHA will use to verify alimony and child support payments differ depending on whether the family declares that it receives regular payments.</p> <p>If the family declares that it <i>receives regular payments</i>, verification will be sought in the following order:</p> <ul style="list-style-type: none"> Copy of the receipts and/or payment stubs for the 60 days prior to PHA request Third-party verification form from the state or local child support enforcement agency Third-party verification form from the person paying the support Family's self-certification of amount received <p>If the family declares that it <i>receives irregular or no payments</i>, in addition to the verification process listed above, the family must provide evidence that it has taken all reasonable efforts to collect amounts due. This may include:</p> <ul style="list-style-type: none"> A statement from any agency responsible for enforcing payment that shows the family has requested enforcement and is cooperating with all enforcement efforts If the family has made independent efforts at collection, a written statement from the attorney or other collection entity that has assisted the family in these efforts <p>Note: Families are not required to undertake independent enforcement action. The LHA will not require that the family undertake enforcement action but will count the full amount of the court order or agreement if they do not make an effort to collect the full amount.</p>
Remote Video Inspections	<p>The LHA will not conduct any HQS inspection using RVI.</p>

Initial Inspections	<p>The unit must pass the HQS inspection on or before the effective date of the HAP contract.</p> <p>The LHA will not rely on alternative inspections and will conduct an HQS inspection for each unit prior to executing a HAP contract with the owner.</p> <p>The LHA may rely on alternative inspections conducted under low-income housing tax credit (LIHTC) and HOME programs, as well as inspections performed by HUD, provided the unit passed inspection in the last 24 months. In this case, the LHA will approve the assisted tenancy and execute the HAP contract on or before the beginning of the lease term but prior to the LHA conducting an initial HQS inspection.</p> <p>Upon receipt of the Request for Tenancy Approval (RTA), the LHA will determine if the unit passed an alternative inspection within the previous 24 months.</p> <p>The LHA will provide the family with a list of life-threatening deficiencies as part of the briefing packet so that the family may immediately notify the LHA of any life-threatening deficiencies found in the unit.</p> <p>The LHA will conduct the HQS inspection within 15 days of receiving the RTA.</p> <p>If the unit passes HQS inspection, the LHA will pay HAP retroactive to the effective date of the HAP contract and the start of the assisted lease term.</p> <p>If the unit does not pass the LHA’s HQS inspection because of non-life-threatening conditions, the LHA will follow the LHA’s policies on paying HAP for units with non-life-threatening deficiencies. The LHA will notify the owner in writing of any deficiencies, and the owner will have 30 days, or a LHA-approved extension, to correct the deficiencies.</p> <p>If the unit does not pass HQS inspection because of life-threatening deficiencies as identified in Section 8-I.C., the owner must correct the defects within 24 hours.</p> <p>The LHA will follow policies in Section 8-II.G., Enforcing Owner Compliance, if the owner does not correct the deficiencies within the required time frames listed above. Under no circumstances will the HAP contract continue beyond 180 days of the effective date of the HAP contract if the unit is not in compliance with HQS.</p>
8-II.C. ANNUAL/BIENNIAL HQS INSPECTIONS	<p>Each unit under HAP contract must be inspected biennially within 12 24 months of the last full HQS inspection. The PHA reserves the right to require annual inspections of any unit or owner at any time</p> <p>The PHA will accept the results of inspections performed by HUD or for the HOME or LIHTC programs. Inspections will only be accepted if HCV units are included in the population of units forming the basis of the sample.</p> <p>The PHA will not utilize inspection results other than from inspections conducted by HUD or for the HOME or LIHT programs.</p> <p>Inspection reports and other data must be provided to the PHA within five business days of the inspection. The PHA will review the inspection reports and determine whether the unit will receive a “pass” under HQS within five business days. If the PHA determines that the unit does not pass, the PHA will notify the owner and conduct an HQS inspect within 10 business days.</p>

<p>How Market Data is Collected</p>	<p>The LHA will collect and maintain data on market rents in the LHA's jurisdiction. Information sources include newspapers, realtors, market surveys, inquiries of owners and other available sources. The data will be maintained by bedroom size and market areas. Market areas may be defined by zip codes, census tract, neighborhood, and identifiable natural or man-made boundaries. The data will be updated on an ongoing basis and rent information that is more than 12 months old will be eliminated from the database.</p> <p>LHA will primarily utilize EZZRD – EZ-Reasonable Rent Determination - https://www.ezrrd.com/login which collects and maintains data on market rents in the Longmont Housing Authority jurisdiction. The data maintained by EZ-Reasonable Rent Determination is updated on an ongoing basis and rent information that is more than 12 months old is updated and will not be used for eligibility but may be used for reference.</p>
<p>9-I.A. TENANT SCREENING</p>	<p>In accordance with HUD requirements, LHA will furnish prospective owners with the family's current address as shown in the PHA's records and, if known to the PHA, the name and address of the landlord at the family's prior address.</p> <p>The PHA will make an exception to this requirement if the family's whereabouts must be protected due to domestic abuse or witness protection.</p> <p>The PHA will inform owners that it is the responsibility of the landlord to determine the suitability of prospective tenants. Owners will be encouraged to screen applicants for rent payment history, payment of utility bills, eviction history, respecting the rights of other residents, damage to units, drug related criminal activity or other criminal activity that is a threat to the health, safety or property of others, and compliance with other essential conditions of tenancy.</p> <p>The LHA will not provide additional screening information to the owner.</p>
<p>PHA-owned Units</p>	<p>The LHA does not have any eligible PHA owned units available for leasing under the voucher program.The LHA has managed units available for leasing under the voucher program.</p> <p>The LHA will inform the family of this housing at the time of the briefing. The LHA will also inform the family, both orally and in writing, that the family has the right to select any eligible unit available for lease and that the family is free to select a LHA-managed unit without any pressure or steering by the LHA.</p> <p>The PHA does not have any eligible PHA owned units available for leasing under the voucher program</p>
<p>Term of Assisted Tenancy</p>	<p>The PHA will not approve an initial lease term of less than one (1) year.</p> <p>LHA will approve an initial lease term of less than one (1) year under certain circumstances such as;</p> <p>In a tight rental market where a shorter lease term is the norm.</p> <ul style="list-style-type: none"> To allow a disabled household to rent an accessible unit. To allow a large family (4 bedroom unit or more) to rent an appropriate sized unit.

<p>Security Deposit</p>	<p>The PHA will allow the owner to collect any security deposit amount the owner determines is appropriate. Therefore, no modifications to the HAP contract will be necessary.</p> <p>Security Deposits charged by owners may not exceed those charged to unassisted tenants (nor the maximum prescribed by State or local law).</p>
<p>9-I.G. HAP CONTRACT EXECUTION</p>	<p>Owners who have not previously participated in the HCV program must attend a meeting with the PHA in which the terms of the Tenancy Addendum and the HAP contract will be explained. The PHA may waive this requirement on a case-by-case basis, if it determines that the owner is sufficiently familiar with the requirements and responsibilities under the HCV program.</p> <p>The owner and the assisted family will execute the dwelling lease and the owner must provide a copy to the PHA. The PHA will ensure that both the owner and the assisted family receive copies of the dwelling lease.</p> <p>The owner and the PHA will execute the HAP contract. The PHA will not execute the HAP contract until the owner has submitted IRS form W-9. The PHA will ensure that the owner receives a copy of the executed HAP contract.</p> <p>As required under VAWA 2013, once the HAP contract and lease have been executed and the family has been admitted to the program, the PHA will notify families of their rights under VAWA by providing all families with a copy of the domestic violence certification form (HUD-5382) as well as the VAWA notice of occupancy rights (form HUD-5380).</p> <p>Owners must provide the current address of their residence (not a Post Office box). If families lease properties owned by relatives, the owner's current address will be compared to the subsidized unit's address.</p> <p>Owners must provide an employer identification number or social security number.</p> <p>Owners must also submit proof of ownership of the property, such as a grant deed or tax bill, and a copy of the management agreement if the property is managed by a management agent.</p> <p>The owner must provide a home telephone number and business number.</p> <p>A family may not lease properties owned by a parent, child, grandparent, grandchild, sister or brother of any family member. The PHA will waive this restriction as a reasonable accommodation for a family who is a person with a disability.</p>

<p>10-I.A. ALLOWABLE MOVES</p>	<p>If the family and the owner mutually agree to terminate the lease for the family's unit, the family must give the LHA a copy of the termination agreement.</p> <p>If a family requests permission to move with continued assistance or for an external transfer to another covered housing program operated by the LHA based on a claim that the move is necessary to protect the health or safety of a family member who is or has been the victim of domestic violence, dating violence, sexual assault, or stalking, the LHA will request that the resident request the emergency transfer using form HUD-5383, and the LHA will request documentation in accordance with section 16-IX.D of this plan.</p> <p>The LHA reserves the right to waive the documentation requirement if it determines that a statement or other corroborating evidence from the family or family member will suffice. In such cases the LHA will document the waiver in the family's file.</p> <p>LHA has adopted an emergency transfer plan, which is included as Exhibit 16-3 to this</p> <p>The PHA may choose to provide a voucher to facilitate an emergency transfer of the victim without first terminating the assistance of the perpetrator.</p> <p>Before granting an emergency transfer, the PHA will ensure the victim is eligible to receive continued assistance based on the citizenship or immigration status of the victim.</p> <p>The PHA has adopted an emergency transfer plan, which is included as Exhibit 16-3 to this plan and discusses external transfers to other covered housing programs.</p>
<p>Zero HAP Families Who Wish to Move</p>	<p>If a zero HAP family requests to move to a new unit, the family may request a voucher to move. However, if no subsidy will be paid at the unit to which the family requests to move, the LHA will not enter into a HAP contract on behalf of the family for the new unit.</p>
<p>11-I.B STREAMLINED ANNUAL REEXAMINATIONS</p>	<p>The PHA will streamline the annual reexamination process by applying the verified COLA or interest rate to fixed-income sources. The PHA will document in the file how the determination that a source of income was fixed was made.</p> <p>If a family member with a fixed source of income is added, the PHA will use third-party verification of all income amounts for that family member.</p> <p>If verification of the COLA or rate of interest is not available, the PHA will obtain third-party verification of income amounts.</p> <p>Third-party verification of fixed sources of income will be obtained during the intake process and at least once every three years thereafter.</p> <p>Third-party verification of non-fixed income will be obtained annually regardless of the percentage of family income received from fixed sources.</p>

<p>Notification of and Participation in the Annual Reexamination Process</p>	<p>Families generally are required to participate in an annual reexamination interview, which must be attended by the head of household, spouse, or cohead. If participation in an in-person interview poses a hardship because of a family member's disability, the family should contact the LHA to request a reasonable accommodation (see Chapter 2).</p> <p>Notification of annual reexamination interviews will be sent by first-class mail and will contain the date, time, and location of the interview. In addition, it will inform the family of the information and documentation that must be brought to the interview.</p> <p>If the family is unable to attend a scheduled interview, the family should contact the LHA in advance of the interview to schedule a new appointment. If a family does not attend the scheduled interview, the LHA will send a second notification with a new interview date and appointment time.</p> <p>If a family fails to attend two scheduled interviews without LHA approval, or if the notice is returned by the post office with no forwarding address, a notice of termination (see Chapter 12) will be sent to the family's address of record, and to any alternate address provided in the family's file.</p> <p>An advocate, interpreter, or other assistant may assist the family in the interview process. The family and the LHA must execute a certification attesting to the role and the assistance provided by any such third party.</p> <p>LHA conducts annual reexaminations by mail.</p> <p>Notification of the annual reexamination will be sent by first-class mail and will contain the date and time the completed annual reexamination paperwork is due to LHA. The notification will inform the family of the information and documentation that must be submitted with the completed packet.</p> <p>If a family fails to submit a completed packet in the required time or is returned by the post office with no forwarding address, a notice of Proposed Termination (see Chapter 12) will be sent to the family's address of record, and to any alternate address provided in the family's file.</p> <p>If the family fails to respond to the Proposed Termination, the family will be sent notice of termination of assistance and will be afforded an Informal Hearing.</p> <p>An advocate, interpreter, or other assistant may assist the family in the reexamination process. The family and the PHA must execute a certification attesting to the role and the assistance provided by any such third party.</p> <p>The Housing Manager may make exceptions to these policies if the family is able to document an emergency situation that prevented them from responding to the notification to recertify or if requested as a reasonable accommodation for a person with a disability.</p>
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New Family and Household Members Requiring Approval

The following adults may be added to the household (if approved in advance by LHA). This addition may result in a larger voucher size:

- The parent of the head of household, or the parent of the head of household's spouse/approved domestic partner.

- The child of the head of household, or the child of the head of household's spouse/approved domestic partner.

The following adults may be added to the household (if approved in advance by LHA). But will NOT increase the families' voucher size. Additionally, these adults will only be approved if they do not cause overcrowding;

- The spouse/approved domestic partner of an approved live-in aid

- The spouse, approved domestic partner, or significant other of the head of household

- The grandparent of the head of household, or the grandparent of the head of household's spouse/approved domestic partner

- The grandchild of the head of household, or the grandchild of the head of household's spouse/approved domestic partner.

The following children may be added to the household. These additions may result in a larger voucher size;

- The child of the head of household, or the child of the head of household's spouse/approved domestic partner

The following children may be added to the household, but will NOT increase the family's voucher size. Additionally, these children will only be approved if they do not cause overcrowding.

- The LHA will not approve the addition of a foster child or foster adult if it will cause overcrowding.

- The grandchild of the head of household, or the grandchild of the head of household's spouse/approved domestic partner.

- Minor birth child of any existing household members (other than the head of household, or the household's spouse/approved domestic partner).

Families must request LHA approval to add a new family member, live-in aide, foster child, or foster adult. This includes any person not on the lease who is expected to stay in the unit for more than 30 consecutive days or 90 cumulative days within a 12-month period and therefore no longer qualifies as a "guest." Requests must be made in writing and approved by the LHA prior to the individual moving into the unit.

The LHA will not approve the addition of a new family or household member unless the individual meets the LHA's eligibility criteria (see Chapter 3) and documentation requirements (see Chapter 7, Part II).

~~The LHA will not approve the addition of a foster child or foster adult if it will cause a violation of HQS space standards.~~

~~If the LHA determines an individual meets the LHA's eligibility criteria and documentation requirements, the LHA will provide written approval to the family. If the approval of a new family member or live-in aide will cause overcrowding according to HQS standards, the approval letter will explain that the family will be issued a voucher and will be required to move.~~

If the LHA determines that an individual does not meet the LHA's eligibility criteria or documentation requirements, the LHA will notify the family in writing of its decision to deny approval of the new family or household member and the reasons for the denial.

The LHA will make its determination within 10 business days of receiving all information required to verify the individual's eligibility.

<p>Required Reporting</p>	<p>Families are required to report all increases in earned income, including new employment, within 10 business days of the date the change takes effect. The PHA will conduct an interim reexamination to recalculate the new family share of rent and new subsidy amount.</p> <p>The LHA will only conduct interim reexaminations for families that qualify for the earned income disallowance (EID), and only when the EID family's share of rent will change as a result of the increase. In all other cases, the LHA will note the information in the tenant file, but will not conduct an interim reexamination.</p>
<p>Optional Reporting</p>	<p>If the LHA makes a calculation error at admission to the program or at an annual reexamination, an interim reexamination will be conducted, if necessary, to correct the error, but the family will not be charged retroactively. Families will be given decreases, when applicable; retroactive to when the decrease for the change would have been effective if calculated correctly.</p> <p>If the reporting will not result in an increase or decrease in tenants rent, LHA will note the information in the tenant file, but will not conduct an interim reexamination</p> <p>Families may report changes in income or expenses at any time.</p>
<p><i>Insufficient Funding [24 CFR 982.454]</i></p>	<p>The LHA will determine whether there is sufficient funding to pay for currently assisted families according to the policies in Part VIII of Chapter 16. If the LHA determines there is a shortage of funding, prior to terminating any HAP contracts, the LHA will determine if any other actions can be taken to reduce program costs.</p> <p>In the event that the LHA decides to stop issuing vouchers as a result of a funding shortfall, and the LHA is not assisting the required number of special purpose vouchers (NED families, HUD-Veterans Affairs Supportive Housing (VASH) families, and family unification program (FUP) families), when the LHA resumes issuing vouchers, the LHA will issue vouchers first to the special purpose voucher families on its waiting list until it has reached the required number of special purpose vouchers, when applicable.</p> <p>If after implementing all reasonable cost cutting measures there is not enough funding available to provide continued assistance for current participants, the LHA will terminate HAP contracts as a last resort.</p> <p>Prior to terminating any HAP contracts, the LHA will inform the local HUD field office. The LHA will terminate the minimum number needed in order to reduce HAP costs to a level within the LHA's annual budget authority.</p> <p>If the LHA must terminate HAP contracts due to insufficient funding, the LHA will do so in accordance with the following criteria and instructions:</p> <p>Families who have been assisted in the HCV program the longest will be the first to be terminated, excluding families that include elderly or disabled family members</p> <p>Families comprising the required number of special purpose vouchers, including nonelderly disabled (NED), HUD-Veteran's Affairs Supportive Housing (HUD-VASH), and family unification program (FUP) will be the last to be terminated.</p>

<p>Use of Criminal Conviction Records after Admission [24 CFR 5.903]</p>	<p>The regulation at 24 CFR 5.903 governs a PHA's access to and use of criminal conviction records obtained from a "law enforcement agency" such as the National Crime Information Center (NCIC), police departments, and other law enforcement agencies that hold criminal conviction records. While the regulatory listing of permitted uses for these records includes PHA screening of applicants for admission to the HCV program, it specifically excludes the use of records for lease enforcement and eviction of HCV participants and excludes by omission a PHA's use of records to terminate assistance for participants. While a PHA has regulatory authority to use criminal conviction records for the purpose of applicant screening for admission, there is no corresponding authority to use these records to check for criminal and illegal drug activity by participants, and therefore, PHAs may not use records for this purpose. The limitations, however, do not apply to criminal conviction information searches from non-federal sources (i.e., sources other than the "law enforcement agencies" defined in 24 CFR 5.902(b)). There is no prohibition that bars a PHA from using non-federal sources to conduct criminal background checks of program participants.</p>
<p>13-II.B. HAP CONTRACT CONTENTS</p>	<p>Proof of payment received will be HAP transaction reports showing "P" for paid by the payees name. The LHA has not adopted a policy that defines when the housing assistance payment by the LHA is deemed received by the owner. Therefore, no modifications to the HAP contract will be necessary.</p>
<p>13-II.G. FORECLOSURE [Notice PIH 2010-49]</p>	<p>If a property is in foreclosure, the LHA will make all reasonable efforts to determine the status of the foreclosure and ownership of the property and will continue to make payments to the original owner until ownership legally transfers in accordance with the HAP contract.</p> <p>The LHA will attempt to obtain a written acknowledgement of the assignment of the HAP contract from the successor in interest. This will include a request for owner information, including a tax identification number and payment instructions from the new owner. Even if the new owner does not acknowledge the assignment of the HAP contract in writing, the assignment is still effective by operation of law.</p> <p>The LHA will inform the tenant that they must continue to pay rent in accordance with the lease, and if the new owner refuses to accept payment or cannot be identified, the tenant should pay rent into escrow. Failure to pay rent may constitute an independent ground for eviction.</p> <p>In the event that the LHA is unable to make HAP payments to the new owner due to an action or inaction by the new owner that prevents such payments (e.g., rejection of payments or failure to maintain the property according to HQS), or due to an inability to identify the new owner, the LHA will either use the funds to pay:</p> <p>The utilities that are the owner's responsibility after taking reasonable steps to notify the owner; except that if the unit has been or will be rendered uninhabitable due to termination or threat of termination of service, prior notice is not required. In the latter case, the LHA shall notify the owner within a reasonable time after making the utility payment;</p> <p>or</p> <p>For the family's reasonable moving costs, including security deposit costs.</p> <p>The LHA will also refer the tenant, as needed, to the local legal aid office in order to ensure adequate protection of the tenant's rights and enforcement of the successor in interest's performance under the HAP contract.</p>

<p>Scheduling an Informal Review</p>	<p>A request for an informal review must be made in writing and delivered to the PHA either in person or by first class mail, by the close of the business day, no later than 10 business days from the date of the PHA’s denial of assistance. The PHA must schedule and send written notice of the informal review within 10 business days of the family’s request. If the informal review will be conducted remotely, at the time the PHA notifies the family of the informal review, the family will be informed:</p> <p>Regarding the processes to conduct a remote informal review;</p> <p>That, if needed, the PHA will provide technical assistance prior to and during the informal review; and</p> <p>That if the family or any individual witness has any technological, resource, or accessibility barriers preventing them from fully accessing the remote informal review, the family may inform the PHA and the PHA will assist the family in either resolving the issues or allow the family to participate in an in-person informal review, as appropriate.</p>
<p>Conducting Remote Informal Reviews</p>	<p>The PHA will conduct remote informal reviews via a video conferencing platform, when available. If, after attempting to resolve any barriers, applicants are unable to adequately access the video conferencing platform at any point, or upon applicant request, the informal review will be conducted by telephone conferencing call-in. If the family is unable to adequately access the telephone conferencing call-in at any point, the remote informal review will be postponed, and an in-person alternative will be provided promptly within a reasonable time.</p> <p>At least five business days prior to scheduling the remote review, the PHA will provide the family with login information and/or conferencing call-in information and an electronic and/or physical copy of all materials being presented via first class mail and/or email. The notice will advise the family of technological requirements for the hearing and request the family notify the PHA of any known barriers. The PHA will resolve any barriers using the guidance in Section 6 of Notice PIH 2020-32, including offering the family the opportunity to attend an in-person hearing.</p> <p>If the informal review is to be conducted remotely, the PHA will require the family to provide any documents directly relevant to the informal review at least 24 hours before the scheduled review through the mail, via email, or text. The PHA will scan and email copies of these documents to the PHA representative the same day.</p> <p>Documents will be shared electronically whenever possible.</p>
<p>Informal Hearing Procedures <i>Notice to the Family</i> [24 CFR 982.555(c)]</p>	<p>In cases where the LHA makes a decision for which an informal hearing must be offered, the notice to the family will include all of the following:</p> <ul style="list-style-type: none"> The proposed action or decision of the LHA. A brief statement of the reasons for the decision, including the regulatory reference. The date the proposed action will take place. A statement of the family’s right to an explanation of the basis for the LHA’s decision. A statement that if the family does not agree with the decision the family may request an informal hearing of the decision. A deadline for the family to request the informal hearing. To whom the hearing request should be addressed. A copy of the LHA’s hearing procedures. <p>That the family may request a remote informal hearing</p>

<p><i>Scheduling an Informal Hearing</i> [24 CFR 982.555(d)]</p>	<p>A request for an informal hearing must be made in writing and delivered to the LHA either in person or by first class mail, by the close of the business day, no later than 10 business days from the date of the LHA's decision or notice to terminate assistance.</p> <p>The LHA must schedule and send written notice of the informal hearing to the family within 10 business days of the family's request.</p> <p>If the PHA hearing will be conducted remotely, at the time the notice is sent to the family, the family will be notified: Regarding the processes involved in a remote informal hearing; That the PHA will provide technical assistance prior to and during the informal hearing, if needed; and That if the family or any individual witness has any technological, resource, or accessibility barriers, the family may inform the PHA and the PHA will assist the family in either resolving the issue or allow the family to participate in an in-person hearing, as appropriate.</p> <p>The family may request to reschedule a hearing for good cause, or if it is needed as a reasonable accommodation for a person with disabilities. Good cause is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family. Requests to reschedule a hearing must be made orally or in writing prior to the hearing date. At its discretion, the PHA may request documentation of the "good cause" prior to rescheduling the hearing.</p> <p>If the family does not appear within 20 minutes of the scheduled time, and was unable to reschedule the hearing in advance due to the nature of the conflict, the family must contact the PHA within 24 hours of the scheduled hearing date, excluding weekends and holidays. The PHA will reschedule the hearing only if the family can show good cause for the failure to appear, or if it is needed as a reasonable accommodation for a person with disabilities. If the family cannot show good cause for the failure to appear, or a rescheduling is not needed as a reasonable accommodation, the PHA's decision will stand.</p>
<p>Pre-Hearing Right to Discovery [24 CFR 982.555(e)]</p>	<p>The family will be allowed to copy any documents related to the hearing at no cost to the family. The family must request discovery of LHA documents no later than 12:00 p.m. on the business day prior to the scheduled hearing date.</p> <p>The PHA must be given an opportunity to examine at the PHA offices before the hearing any family documents that are directly relevant to the hearing. Whenever a participant requests an informal hearing, the PHA will automatically mail a letter to the participant requesting a copy of all documents that the participant intends to present or utilize at the hearing. The participant must make the documents available no later than 12:00 pm on the business day prior to the scheduled hearing date.</p> <p>If the hearing will be conducted remotely, the PHA will compile a hearing packet, consisting of all documents the PHA intends to produce at the informal hearing. The PHA will mail copies of the hearing packet to the family, the family's representatives, if any, and the hearing officer at least three days before the scheduled remote informal hearing. The original hearing packet will be in the possession of the PHA representative and retained by the PHA.</p> <p>Documents will be shared electronically whenever possible.</p> <p>For in-person hearings, the PHA will not require pre-hearing discovery by the PHA of family documents directly relevant to the hearing.</p> <p>If the informal hearing is to be conducted remotely, the PHA will require the family to provide any documents directly relevant to the informal hearing at least 24 hours before the scheduled hearing through the mail, via email, or text. The PHA will scan and email copies of these documents to the hearing officer and the PHA representative the same day.</p> <p>Documents will be shared electronically whenever possible.</p>

<p>Procedures for Rehearing or Further Hearing</p>	<p>The hearing officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision. If the family misses an appointment or deadline ordered by the hearing officer, the action of the PHA will take effect and another hearing will not be granted.</p>
<p>Issuance of Decision [24 CFR 982.555(e)(6)]</p>	<p>The hearing officer will mail a “Notice of Hearing Decision” to the LHA and to the participant on the same day. This notice will be sent by first-class mail. The participant will be mailed the original “Notice of Hearing Decision” and a copy of the proof of mailing. A copy of the “Notice of Hearing Decision” will be maintained in the LHA’s file.</p>
<p>Effect of Final Decision [24 CFR 982.555(f)]</p>	<p>The Executive Director has the authority to determine that the LHA is not bound by the decision of the hearing officer because the LHA was not required to provide a hearing, the decision exceeded the authority of the hearing officer, the decision conflicted with or contradicted HUD regulations, requirements, or the decision was otherwise contrary to federal, state, or local laws.</p> <p>In such a case, the LHA will mail a “Notice of Final Decision” to the LHA and the participant on the same day. The “Notice of Final Decision” will be sent by first-class mail. A copy of this notice will be maintained in the LHA’s file</p>
<p>16-IV.A. OVERVIEW</p>	<p>When an action or inaction of an owner or participant results in the overpayment of housing assistance, the LHA holds the owner or participant liable to return any overpayments to the LHA.</p> <p>The LHA will enter into repayment agreements in accordance with the policies contained in this part as a means to recover overpayments.</p> <p>When an owner or participant refuses to repay monies owed to the LHA, the LHA will utilize other available collection alternatives including, but not limited to, the following:</p> <ul style="list-style-type: none"> Collection agencies Small claims court Civil law suit State income tax set-off program

<p>Owner Debts to the PHA</p>	<p><i>LHA may determine an owner has been overpaid monthly subsidy, whether due to a family's change of income or the family has vacated the property after the subsidy has been paid for that month.</i></p> <p><i>LHA will prorate that month's subsidy and family rent portion and will notify the owner of the prorated rent portions. The owner will remit a check in the amount owed to LHA within 30 days of determination of debt.</i></p> <p><i>The debt owed to LHA <u>will not be deducted from the family's monthly subsidy or another family's subsidy.</u></i></p> <p><i>If the owner fails to repay the debt within the required time frame and is entitled to future HAP payments, LHA will abate the next month's subsidy until remittance is received from the landlord/owner.</i></p> <p><i>If the owner is not entitled to future HAP payments the PHA may, in its sole discretion, offer to enter into a repayment agreement on terms prescribed by LHA.</i></p> <p><i>If the owner refuses to repay the debt, does not enter into a repayment agreement, or breaches a repayment agreement, LHA will ban the owner from future participation in the program and pursue other modes of collection.</i></p> <p><i>Any amount due to the PHA by an owner must be repaid by the owner within 30 days of the PHA determination of the debt.</i></p> <p><i>If the owner fails to repay the debt within the required time frame and is entitled to future HAP payments, the PHA will reduce the future HAP payments by the amount owed until the debt is paid in full.</i></p> <p><i>If the owner is not entitled to future HAP payments the PHA may, in its sole discretion, offer to enter into a repayment agreement on terms prescribed by the PHA.</i></p> <p><i>If the owner refuses to repay the debt, does not enter into a repayment agreement, or breaches a repayment agreement, the PHA will ban the owner from future participation in the program and pursue other modes of collection.</i></p> <p><i>When an owner refuses to repay monies owed to the PHA, the PHA will utilize other available collection alternatives including, but not limited to, the following:</i></p> <ul style="list-style-type: none"> <i>Collection agencies</i> <i>Small claims court</i> <i>Civil lawsuit</i> <i>State income tax set-off program</i>
<p>Family Debts to the PHA</p>	<p><i>Any amount owed to the LHA by an HCV family must be repaid by the family. If the family is unable to repay the debt within 30 days, the LHA will offer to enter into a repayment agreement in accordance with the policies below.</i></p> <p><i>If the family refuses to repay the debt, does not enter into a repayment agreement, or breaches a repayment agreement, the LHA will terminate assistance in accordance with the policies in Chapter 12 and pursue other modes of collection.</i></p> <p><i><u>When a family refuses to repay monies owed to the PHA, in addition to termination of program assistance, the PHA will utilize other available collection alternatives including, but not limited to, the following:</u></i></p> <ul style="list-style-type: none"> <i><u>Collection agencies</u></i> <i><u>Small claims court</u></i> <i><u>Civil lawsuit</u></i> <i><u>State income tax set-off program</u></i>

<p>16-VII.B. REPORTING REQUIREMENT</p>	<p>Upon notification by the owner, the LHA will provide the public health department written notice of the name and address of any child identified as having an elevated blood lead level within five business days.</p> <p>Upon notification by the owner, the LHA will notify the HUD field office and the HUD Office of Lead Hazard Control and Healthy Homes (OLHCHH) of the child's address within five business days.</p>
<p>Notification to Public</p>	<p>The PHA will post the following information regarding VAWA in its offices and on its Web site. It will also make the information readily available to anyone who requests it:</p> <p>A summary of the rights and protections provided by VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, sexual assault, or stalking (see sample notices in Exhibits 16-1 and 16-2)</p> <p>The definitions of <i>domestic violence</i>, <i>dating violence</i>, <i>sexual assault</i>, and <i>stalking</i> provided in VAWA (included in Exhibits 16-1 and 16-2)</p> <p>An explanation of the documentation that the PHA may require from an individual who claims the protections provided by VAWA (included in Exhibits 16-1 and 16-2)</p> <p>A copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking</p> <p>A statement of the PHA's obligation to keep confidential any information that it receives from a victim unless (a) the PHA has the victim's written permission to release the information, (b) it needs to use the information in an eviction proceeding, or (c) it is compelled by law to release the information (included in Exhibits 16-1 and 16-2)</p> <p>The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibits 16-1 and 16-2)</p> <p>Contact information for local victim advocacy groups or service providers</p> <p>The LHA will post the following information regarding VAWA in its offices and on its website . It will also make the information readily available to anyone who requests it.</p> <p>A copy of the notice of occupancy rights under VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, sexual assault, or stalking (Form HUD-5380, see Exhibit 16-1)</p> <p>A copy of form HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation (see Exhibit 16-2)</p> <p>A copy of the LHA's emergency transfer plan (Exhibit 16-3)</p> <p>A copy of HUD's Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, Form HUD-5383 (Exhibit 16-4)</p> <p>The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibits 16-1 and 16-2)</p> <p>Contact information for local victim advocacy groups or service providers</p>

<p>Notification to Program Applicants and Participants</p>	<p>Whenever the LHA has reason to suspect that providing information about VAWA to a participant might place a victim of domestic violence at risk, it will attempt to deliver the information by hand directly to the victim or by having the victim come to an office or other space that may be safer for the individual, making reasonable accommodations as necessary. For example, the LHA may decide not to send mail regarding VAWA protections to the victim's unit if the LHA believes the perpetrator may have access to the victim's mail, unless requested by the victim.</p> <p>When discussing VAWA with the victim, the LHA will take reasonable precautions to ensure that no one can overhear the conversation, such as having conversations in a private room.</p> <p>The victim may, but is not required to, designate an attorney, advocate, or other secure contact for communications regarding VAWA protections.</p>
<p>16-IX.D. DOCUMENTATION</p>	<p>Any request for documentation of domestic violence, dating violence, sexual assault or stalking will be in writing, will specify a deadline of 14 business days following receipt of the request, will describe the three forms of acceptable documentation, will provide explicit instructions on where and to whom the documentation must be submitted, and will state the consequences for failure to submit the documentation or request an extension in writing by the deadline.</p> <p>The LHA may, in its discretion, extend the deadline for 10 business days. Any extension granted by the PHA will be in writing. In determining whether to extend the deadline, the LHA will consider factors that may contribute to the victim's inability to provide documentation in a timely manner, including cognitive limitations, disabilities, limited English proficiency, absence from the unit, administrative delays, the danger of further violence, and the victim's need to address health or safety issues. Any extension granted by the LHA will be in writing.</p> <p>Once the victim provides documentation, the LHA will acknowledge receipt of the documentation within 10 business days.</p>
<p>Conflicting Documentation</p>	<p>If presented with conflicting certification documents (two or more forms HUD-50066) from members of the same household, the LHA will attempt to determine which is the true victim by requiring each of them to provide third-party documentation in accordance with 24 CFR 5.2007(e) and by following any HUD guidance on how such determinations should be made.</p> <p>When requesting third-party documents, the LHA will provide contact information for local domestic violence and legal aid offices. In such cases, applicants or tenants will be given 30 calendar days from the date of the request to provide such documentation.</p> <p>If the LHA does not receive third-party documentation within the required timeframe (and any extensions) the LHA will deny VAWA protections and will notify the applicant or tenant in writing of the denial. If, as a result, the applicant or tenant is denied or terminated from the program, the LHA will hold separate hearings for the applicants or tenants.</p>

Solicitation and Selection of PBV Proposals

LHA Request for Proposals for Rehabilitated and Newly Constructed Units

The LHA will advertise its request for proposals (RFP) for rehabilitated and newly constructed housing in the following newspapers and trade journals.

Longmont Daily Times Call

The advertisement will state the number of vouchers available to be project-based, the type of units that will be considered, the submission deadline, and will note how to obtain the full RFP with information on the application and selection process. Advertisements will also contain a statement that participation in the PBV program requires compliance with Fair Housing and Equal Opportunity (FHEO) requirements.

In addition, the LHA will post the RFP and proposal submission and rating and ranking procedures on its website. The LHA will publish its advertisement in the newspapers and trade journals mentioned above for at least one day per week for three consecutive weeks. The advertisement will specify the number of units the LHA estimates that it will be able to assist under the funding the LHA is making available. Proposals will be due in the LHA office by close of business 30 calendar days from the date of the last publication.

In order for the proposal to be considered, the owner must submit the proposal to the LHA by the published deadline date, and the proposal must respond to all requirements as outlined in the RFP. Incomplete proposals will not be reviewed.

The LHA will rate and rank proposals for rehabilitated and newly constructed housing using the following criteria:

Owner experience and capability to build or rehabilitate housing as identified in the RFP;

Extent to which the project furthers the LHA goal of deconcentrating poverty and expanding housing and economic opportunities;

If applicable, the extent to which services for special populations are provided on site or in the immediate area for occupants of the property; and

In order to promote partially assisted projects, projects where less than 25 percent of the units will be assisted will be rated higher than projects where 25 percent or more of the units will be assisted. In the case of projects for occupancy by the elderly, persons with disabilities or families needing other services, the LHA will rate partially assisted projects on the percentage of units assisted. Projects with the lowest percentage of assisted units will receive the highest score.

LHA Requests for Proposals for Existing Housing Units

The LHA will advertise its request for proposals (RFP) for existing housing in the following newspapers and trade journals.

Longmont Daily Times Call

The advertisement will state the number of vouchers available to be project-based, the type of units that will be considered, the submission deadline, and will note how to obtain the full RFP with information on the application and selection process. Advertisements will also contain a statement that participation in the PBV program requires compliance with Fair Housing and Equal Opportunity (FHEO) requirements.

In addition, the LHA will post the notice inviting such proposal submission and the rating and ranking procedures on its website.

The LHA will periodically publish its advertisement in the newspapers and trade journals mentioned above for at least one day per week for three consecutive weeks. The advertisement will specify the number of units the LHA estimates that it will be able to assist under the funding the LHA is making available. Owner proposals will be accepted on a first-come first-served basis and will be evaluated using the following criteria:

Experience as an owner in the tenant-based voucher program and owner compliance with the owner's obligations under the tenant-based program;

Extent to which the project furthers the LHA goal of deconcentrating poverty and expanding housing and economic opportunities;

If applicable, extent to which services for special populations are provided on site or in the immediate area for occupants of the property; and

Extent to which units are occupied by families that are eligible to participate in the PBV program.

LHA Selection of Proposals Subject to a Previous Competition under a Federal, State, or Local Housing Assistance Program

The LHA will accept proposals for PBV assistance from owners that were competitively selected under another federal, state or local housing assistance program, including projects that were competitively awarded Low-Income Housing Tax Credits on an ongoing basis.

The LHA may periodically advertise that it is accepting proposals, in the following newspapers and trade journals:
Longmont Daily Times Call

The advertisement will state the number of vouchers available to be project-based, the type of units that will be considered, the submission deadline, and will note how to obtain the full RFP with information on the application and selection process. Advertisements will also contain a statement that participation in the PBV program requires compliance with Fair Housing and Equal Opportunity (FHEO) requirements.

In addition to, or in place of advertising, the LHA may also directly contact specific owners that have already been selected for Federal, state, or local housing assistance based on a previously held competition, to inform them of available PBV assistance.

Proposals will be reviewed on a first-come first-served basis. The PHA will evaluate each proposal on its merits using the following factors:

Extent to which the project furthers the LHA goal of deconcentrating poverty and expanding housing and economic opportunities; and

Extent to which the proposal complements other local activities such as the redevelopment of a public housing site under the HOPE VI program, the HOME program, CDBG activities, other development activities in a HUD-designated Enterprise Zone, Economic Community, Choice Neighborhood, or Renewal Community.

Supportive Services

LHA will develop housing for occupancy by families in need of supportive services. This may include disabled families, families in need of particular supportive services or families participating in the Family Self Sufficiency (FSS) program. The families must receive the services, or successfully complete the service program, to be eligible for continued occupancy. Families that do not continue to receive services or complete the required service program will be terminated in accordance with the PHA policies in Section 12-II.F. The following types of services will be provided depending on the needs of the family:

- Transportation for activities such as grocery shopping, attending medical and dental appointments.
- Supervised taking of medications.
- Treatment for drug rehabilitation in the case of current abusers.
- Treatment of alcohol addiction in the case of current abusers.
- Training in housekeeping and homemaking activities.
- Family budgeting.
- Child care.
- Parenting skills.
- Computer labs and tutoring.
- Work skills development and job training.
- Supportive services for the homeless.
- Education.
- After school activities/tutoring.
- Case management.

Families receiving supportive services.

The PHA requires that all families residing in an excepted unit participate in services as defined by the service plan developed by the PBV participant and the Family Resource Coordinator. On an annual basis, the PHA will monitor all families that are receiving services to determine if such families will be allowed to continue receiving PBV assistance.

Statement of Participant Responsibility and Service Plan

At the time of initial lease execution between the family and the owner, the family and LHA must sign a Section 8 Project-based Voucher Program Statement of Family Responsibility (HUD form 52578b). The statement of participant responsibility will contain all family obligations including the family's receipt of supportive services and take appropriate action regarding those families that fail without good cause to complete their supportive services requirement. The participant family must provide LHA with the service agency evaluation of the family's adherence to the Statement of Family Responsibility at the time of each annual reexamination.

Excepted units will be limited to units for elderly families

<p>Promoting Partially Assisted Projects</p>	<p>Excepted units will be limited to units for elderly families.</p> <p>The PHA will not provide assistance for excepted units. Beyond that, the PHA will not impose any further cap on the number of PBV units assisted per project.</p> <p>Beyond that, the PHA will not impose any further cap on the number of PBV units assisted per project</p>
<p>17-VI.C. ORGANIZATION OF THE WAITING LIST</p>	<p>LHA will establish and manage a single waiting list for the Suites Apartments and will manage a single list for each of the following projects;</p> <ul style="list-style-type: none"> Fall River Apartments Aspen Meadows Neighborhood Briarwood Apartments Crisman Apartments
<p>Emergency Transfers under VAWA</p>	<p>When the victim of domestic violence, dating violence, sexual assault, or stalking has lived in the unit for less than one year, the LHA will provide several options for continued assistance.</p> <p>The LHA will first try to transfer the participant to another PBV unit in the same development or transfer to a different development where the LHA has PBV units. The LHA will expedite the administrative processes in this case in an effort to conduct the transfer as quickly as possible.</p> <p>If no units are available for an internal transfer, or if there is reasonable cause to believe that such a transfer would put the victim in jeopardy, the participant may receive continued assistance through an external transfer to either tenant-based rental assistance (HCV). Such a decision will be made by the LHA based on the availability of tenant-based vouchers. Such families must be selected from the waiting list for the applicable program. The PHA has adopted a waiting list preference for victims of domestic violence, dating violence, sexual assault, and stalking in its HCV in order to expedite this process. See Section 4-III.C. of this administrative plan.</p> <p>If a victim wishes to move after a year of occupancy in the unit, but no tenant-based vouchers are available, the LHA will offer the participant an internal transfer to another PBV unit in the same development or a transfer to a different development where the LHA has PBV units. The LHA will expedite the administrative processes in this case in an effort to conduct the transfer as quickly as possible.</p>