

5/4/2021 Revisions to Caribou Housing Agency Administration Plan	
Page No.	Changes Made in Plan
Overall	Changed layout
	<ul style="list-style-type: none"> Merged policies in with regulations Moved regulations/policies from prior chapters into chapters to follow order of CHA procedures.
3	1.5 – Changed policy on when public hearing and Board approval is needed.
3	1.6 – New section
3	1.7 – New section
12	2.1.B – added text
15	2.2.C. – added Marijuana section
22	2.7 – added section
34	4.4.E – added section
39	5.1.B – added 2 nd paragraph
40	5.1.C.2 – added 6 th paragraph
42	5.1.C.7 – added 4 th paragraph
55	5.7.C.2.(b) – added text
56	5.7.C.2 – added 2 nd paragraph
57	5.7.D.(2)(a) – added text
56	5.7.D(2)(b) – added text
56	5.7.D(3)(a) – added text
57	5.7.D(4) -added text
57	5.7.D(4)(a) – added text
57	5.7.D(5)(a) – added text
58	5.7.E(9)(a) – added text
60	5.9 – added section
61	5.10.B(5) – added text
62	5.10.B(9) – added text
63	5.11 – added 1 st bullet and section
63	5.12.A. – new section
64	5.12.B – new Section
85-88	6.2.B – text
91	6.3.A – added text
92	6.3.B – added text
95	6.3.D.(3) – added table
95	6.3.E – added section
161-165	Exhibit 8.2 – added table
170	9.2.B(1)(a) – added text

171	9.2.B(1)(c) – added text
179	10.2.(2)(a) – added text
180	10.2(2)(e) – added text
180	10.2(2)(f) – added text & bullet
182	10.2(2)(e) – added text & bullet
182	10.2(2)(f) – added text
183	10.2(2)(b) – added 1 st bullet
184	10.2(2)(h) – added text
188	10.3 – added text
189	10.3 – added text
194	10.6A(2) - added 2 nd section
219	11.7.F – added text
222	11.8 – added text
228	12.1.C – added section
233-234	13.1.A – added text
237	13.3.A – added text
247	14.1.A – added text
258- 260	15.2.B. – added text
263	15.3.C. – added section
269	16.2 – added section
293	18.0 – new chapter
303	19.0 – new chapter
377	24.3.B – added text
377	24.4 – added section
378-380	24.5 – added section

1.0 INTRODUCTION

1.5 UPDATING AND REVISION OF THE PLAN

The CHA will revise this administrative plan as needed to comply with changes in HUD regulations, operations or when needed to ensure staff consistence in operation.

Substantive changes to the plan require public hearing and approval of the Board of Commissioners. Whereas, technical and clarification changes do not need Board approval.

Any changes must be included in the Agency Plan, and copy provided to HUD

1.6 RIGHT TO PRIVACY

All adult members of applicant and participant households are required to annually 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.

Unless otherwise authorized by law, any request for applicant or participant information will not be released unless there is a signed release of information request from the applicant or participant.

1.7. REQUIRED POSTINGS

CHA will post, in a conspicuous place and at a height easily read by all persons including persons with mobility disabilities, the following information:

- a) Income Limits for Admission;
- b) Grievance Procedure;
- c) Fair Housing Poster;
- d) Any current CHA notices; and
- e) CHA's SEMAP score and designation.

2.0 EQUAL OPPORTUNITY

2.1 NONDISCRIMINATION

B. Discrimination Complaints

- 6.) Caribou Housing will refer the family to outside resources if they feel they have been discriminated against by a landlord.

C. Medical Use of Marijuana in Housing

HUD issued memoranda entitled “Medical Use of Marijuana in Public Housing” (September 24, 1999) and “Medical Marijuana Use in Public Housing and Housing Choice Voucher Programs” (February 10, 2011) that mandated that all public housing authorities in states where medical marijuana is legalized adopt a policy prohibiting the use and possession of medical marijuana in public housing programs.

- As such, the CHA will not permit the use of medical marijuana as a reasonable accommodation.

2.7 EMERGENCY CONTACT

CHA must notify the family of their right to provide an emergency contact and give the family an opportunity to provide the emergency contact. CHA may use HUD-92006, *Supplement to Application for Federally Assisted Housing*, to meet this requirement. The family is not required to provide an emergency contact and may choose to check the box at the bottom of the form “Check this box if you choose not to provide the contact information.”

4.0 SELECTION FOR VOUCHER ASSISTANCE

4.4 NOTIFICATION OF SECTION

E. Documentation Returned to CHA After Deadline

If the family returns the required documents, *after* the initial deadline, without CHA approval, they will be mailed a letter of denial and be offered to be placed back on the waiting list (according to preferences, date, and time).

5.0 ELIGIBILITY FOR ADMISSION

5.1 FAMILY AND HOUSEHOLD MEMBERS

B. Household

Household members will appear on the voucher but do not qualify as remaining family members to assume the voucher.

2.) Spouse, Cohead and Other Adult

All adult members (spouse, cohead, other adults) is responsible for ensuring that the family fulfills all its responsibilities under the program.

7.) Guests

Guests who represent the unit address as their residence address for receipt of benefits or other purposes will be considered unauthorized occupants. In addition, guests who remain in the unit beyond the allowable time limit will be considered unauthorized occupants, and their presence constitutes a violation of the lease.

5.7 DENIAL OF PROGRAM ASSISTANCE

C. HUD Mandatory Denials of Assistance

- 2.) b.) Illegal drugs include medical and recreational marijuana

A pattern (for the purposes listed above) consist of three or more incidences, with a minimum of two incidences occurring within the twelve months.

D. Permissive Denials of Assistance

Criminal Activity [24 CFR 982.553]

- 2.). *Violent criminal activity*, defined by HUD as any 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].

a.) Including, but not limited to arson, assault, aggravated assault, assault by threat, crime of a sexual nature, domestic violence, kidnapping, murder, manslaughter, property destruction or rape.

b.) However, CHA may reconsider the applicant if there is sufficient evidence that members of the household are not currently engaging in such activity or have not engaged in such activity during a reasonable period prior to admission. "Sufficient evidence" is a notarized certification by a household member with supporting documentation (verified by CHA) from a probation officer, social service agency worker, or criminal records.

- 3.) Criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity.

(1) a.) However, CHA may reconsider the applicant if there is sufficient evidence that members of the household are not currently engaging in such activity or have not engaged in such activity during a reasonable period prior to admission.

“Sufficient evidence” is a notarized certification by a household member with supporting documentation (verified by CHA) from a probation officer, social service agency worker, or criminal records

- 4.) Criminal activity that includes, but not limited to burglary, disturbing the peace, extortion, fraud, gang affiliation, larceny, prostitution or soliciting for prostitution, public lewdness, shoplifting, theft, unlawful entry, vandalism

- (2) a.) However, CHA may reconsider the applicant if there is sufficient evidence that members of the household are not currently engaging in such activity or have not engaged in such activity during a reasonable period prior to admission. “Sufficient evidence” is a notarized certification by a household member with supporting documentation (verified by CHA) from a probation officer, social service agency worker, or criminal records

- 5.) Criminal activity that may threaten the health or safety of property owners, management staff, and persons performing contract administration functions or other responsibilities on behalf of the CHA (including a CHA employee or a CHA contractor, subcontractor, or agent).

- (3) a.) However, CHA may reconsider the applicant if there is sufficient evidence that members of the household are not currently engaging in such activity or have not engaged in such activity during a reasonable period prior to admission. “Sufficient evidence” is a notarized certification by a household member with supporting documentation (verified by CHA) from a probation officer, social service agency worker, or criminal records.

E. Previous Behavior in Assisted Housing [24 CFR 982.552(c)]

The CHA will deny assistance to an applicant family if any member of the family is currently engaged in or has engaged in any of the following activities within five (5) years of being pulled from the Waiting List.

- 9.) If the family breached the terms of a repayment agreement entered to with any PHA, unless the family pays the full amount of the debt prior to being selected from the waiting list

- a.) If the debt owed to any PHA is six years or older, the three criteria listed immediately above are not applicable.

5.9 EIV SYSTEM SEARCHES

CHA must use HUD’s EIV system to search for all household members using the “Existing Tenant Search” and all adult household members in the Search for Former Tenant. All adult

household members must also sign the HUD-52675. The CHA may be required to deny assistance to household members who are already receiving assistance from another program or who owe an outstanding debt to another PHA.

A. Existing Tenant Search and Avoiding Duplicate Subsidy

Prior to admission into the program, the CHA must search for each family member in the EIV Existing Tenant Search. The search will show if any family member is currently assisted by another public housing agency.

B. HUD-52675 Debts Owed to PHAs and Terminations

All adult household members must sign the HUD-52675. The form is only required to be signed by each adult one time. The form notifies the adults that their debt and terminations information will be shared with other PHAs and will be accessible by HUD staff, CHA staff, and contractors. Prior to admission to the program, the CHA must search for each adult family member in the EIV Debts Owed to PHAs and Terminations database. If any information on debts or terminations is returned by the search, the CHA will determine if the offenses violate their admissions policies

5.10 CRITERIA FOR DECIDING TO DENY ASSISTANCE

B. Consideration of Circumstances [24 CFR 982.552(c)(2)]

- 5.) The family's history and likelihood of favorable conduct in the future,
- 9.) If previously incarcerated, the length of time the culpable family member has been released into society.

5.11. NOTICE OF ELIGIBILITY OR DENIAL

- If the rejection is based on a debt owed to a PHA,
 - The notice shall inform the applicant that she or he has 30 calendar days from the date of the notification letter to make a payment arrangement with the PHA and provide a copy of the payment arrangement; or
 - Has 10 business days to request in writing an informal review.

5.12. PROHIBITION AGAINST DENIAL UNDER VAWA

The Violence against Women Reauthorization Act of 2005 (VAWA) prohibits denial of assistance to an otherwise qualified applicant on the basis the applicant is or has been a victim of domestic violence, dating violence or stalking.

Any federal, state, or local law provision that provides greater protection to victims of such violence take precedence over VAWA.

A. Definition

- 1) *Domestic Violence*. Includes felony or misdemeanor crimes of violence committed by A current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- 2) *Dating Violence*. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on consideration of the following factors: length of relationship, type of relationship, frequency of interaction between the persons involved in the relationship.
- 3) *Stalking*. Stalking mean to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or to place under surveillance with the intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to that person, a member of the immediate family of that person, or the spouse or intimate partner of that person
- 4) *Immediate Family*. In relation to VAWA, immediate family member means with respect to a person: a spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in the position or place of a parent or any other person living in the household of that person and related to that person by blood and marriage.

B. Rights of Applicants/Certification

The CHA will notify applicants of their rights under VAWA by providing information of the law in the Voucher packet.

Victim Documentation

The CHA will ensure that an otherwise qualified applicant will not be denied assistance on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking by:

- 1) Requesting an individual certify via a HUD-approved certification form (HUD-50066) that the individual is a victim of such violence and that the incident or incidents in question are bona fide incidents of such actual or threatened abuse; or
- 2) The individual may satisfy the certification requirement by providing documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a

medical professional, from whom the victim has sought assistance in addressing the actual or threatened abuse.

The above certifications must include the name of the perpetrator and be provided within 14 business days after the individual receives the request from the CHA.

Perpetrator Documentation

If the perpetrator of the abuse is a member of the applicant family, the applicant must provide additional documentation consisting of one the following:

- A signed statement:
 - 1.) Requesting that the perpetrator be removed from the application, and
 - 2.) Certifying that the perpetrator will not be permitted to visit or stay as a guest in the assisted unit.

In order to reinstate the perpetrator or to initially remove them from the application, CHA may request documentation that the perpetrator has successfully completed, or is currently undergoing rehabilitation or treatment. The document must be signed by an employee of a licensed professional from whom the perpetrator has sought or is receiving assistance.

All information provided to the CHA, owner, or manager regarding domestic violence, dating violence, or stalking will be retained in confidence. The information will not be entered into any shared database nor provided to any related entity, except if disclosure is requested or consented to by the individual in writing, is required for use in an eviction proceeding or is otherwise required by law.

6.0 VOUCHER BRIEFING, REQUEST FOR TENANCY APPROVAL

6.2 FAMILY OBLIGATIONS

B. Family Obligations [24 CFR 982.551]

The family (including each adult household member) must:

- Report all changes in annual income if the family has zero income prior to the change.
 - Within 10 days.
- Follow the CHA's policy regarding guests. A guest is defined as a person temporarily staying in the unit with the consent of the head of household or another adult member. See 24 CFR 5.100. A guest may visit a family in an assisted unit for a total of 30 calendar

days in a calendar year; however, each visit cannot exceed 14 consecutive calendar days. A visit is defined as an overnight stay.

Participants may request a time extension to this visitor timeframe. Persons that exceed the time as a guest will be considered an unauthorized occupant and the family will be subject to program termination. Verification of an unauthorized occupancy can be established through the following:

- (1) Statements from landlord;
 - (2) Statement from neighbors;
 - (3) Government issued ID's or reports;
 - (4) Police reports;
 - (5) Post Office report; or
 - (6) Other documentation or investigations.
- Attend informational briefings and required appointments including but not limited to those scheduled to discuss violations of family obligations and allegations of criminal activity in the family's unit, building or local area.
 - Continue to meet ongoing eligibility requirements in the case of students. If a student enrolled at an institution of higher education is under the age of 24, is not a veteran, is not married, does not have dependent children and is not residing with his/her parents in an HCV assisted household, the CHA will terminate the student's assistance if, at the time of re-examination, either the student's income or the income of the student's parents (if applicable) exceeds the applicable income limit. The CHA is required by HUD to terminate a family's assistance if they do not meet this obligation. See 24 CFR 982.552(b)(5).

The family (including each family member) must not:

- Engage in any drug-related criminal activity
 - Or allow guest to engage in any drug related criminal activity
 - Drug-related criminal activity is 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]. Drug means a controlled substance as defined in Section 802 of the Controlled Substances Act [21 USC 802] or any other illegal drug.
 - The CHA may terminate assistance for a family if:

- Any illegal drug use or pattern of illegal drug use by a household member or guests that interferes with the health, safety or right to peaceful enjoyment of the premises by other residents.
 - The CHA may terminate assistance for drug-related criminal activity by a household member if the CHA determines that the household member has engaged in the activity within the last five years.
- Engage in any violent criminal activity
 - Or allow guest to engage in any violent criminal activity
- Engage in any other criminal activity
 - Or allow guest to engage, in any other criminal activity
 - Other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. Immediate vicinity means within a one-mile radius of the premises. See 24 CFR 5.100.
 - The CHA may terminate assistance for criminal activity by a household member or guest if the CHA determines that the household member has engaged in the activity within the last five years.
- Be evicted due to serious violation of the lease.
 - The CHA is required by HUD to terminate a family's assistance if they do not meet this obligation. See 24 CFR 982.552(b)(2).
 - The family is responsible for any serious or repeated violation of the lease that is caused by any guest/visitor/unauthorized person.
 - CHA considers a family evicted if the landlord files an eviction action and the court entered an order of possession, even if:
 - (1) a money judgment is not entered concurrently with the order of possession, or
 - (2) the family moves out of the subsidized unit before the order of possession is entered or physically enforced.
 - CHA may consider a family to be evicted if the order of possession is an agreed order. The CHA will not consider a family to be evicted, however, if the order of possession is entered concurrently with a written settlement agreement pursuant to which the family repays all unpaid back rent and rent when due while they remain in possession of the subsidized unit.

- Threaten or engage in abusive or violent behavior or criminal activity toward CHA personnel or its representatives. See 24 CFR 982.552(c)(1)(ix) and 24 CFR 5.100. CHA personnel include CHA employees or CHA contractors, subcontractors, or agents.
 - Or allow guest to threaten or engage in behavior
 - Abusive or violent behavior towards CHA personnel or agents and contractors includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.
 - Threatening refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.
- Engage in behavior that disturbs or threatens the health, safety or right to peaceful enjoyment of the other residents and persons residing in the immediate vicinity of the premises.

- Or allow guest to engage in behavior

6.3 SUBSIDY STANDARDS AND VOUCHER ISSUANCE

A. Determining Family Unit Size

- Foster children will be included in determining unit size only if they will be in the unit for more than 7 months

B. Exceptions to Subsidy Standards

Requests for upgrades in bedroom size or exceptions to the subsidy standards may include, but are not limited to:

- Two elderly or disabled household members may be given separate bedrooms as a reasonable accommodation for a person with a disability or because of a medical necessity or health condition.
- For requests to approve an additional bedroom for medical equipment that has been determined necessary by a knowledgeable professional (e.g. doctor or health professional), the additional bedroom should not be approved for the purpose of storing exercise equipment or other medical equipment if such equipment could be stored in the common living space, one of the existing bedrooms, a garage, or storage area.

D. Voucher Term and Extensions

3). Suspensions of Voucher Term [24 CFR 982.303(c)]

Example: Voucher Term Expiration	
Voucher Issued	May 1
Family Submits Request for Tenancy Approval	May 15
CHA Denies Unit	May 24
Tolling Time	9 Days (May 16- May 24)
New Voucher Expiration Date	July 8 (June 29 + 9 days)

E. Voucher and Changes in Family Composition

Families are not required to move from an assisted unit when there is a change in family composition that results in the number of bedrooms in the unit exceeding the number of bedrooms for which the family is eligible. Instead, the CHA would reduce the subsidy standard to conform with the CHA's policies and reduce the payment standard accordingly at the family's next annual recertification after the change in family composition.

8.0 VERIFICATION

Exhibit 8-2 TYPES AND TIMING OF VERIFICATIONS

The following chart comes from PIH Notice 2010-19.

Level	Verification Technique	Ranking
6	Up-front Income Verification (UIV) using HUD's Enterprise Income Verification (EIV) system (not available for income verifications of applicants)	Highest (Mandatory)
5	Up-front Income Verification (UIV) using non-HUD system	Highest (Optional)
4	Written Third-Party Verification	High (Mandatory to supplement EIV reported income sources and when EIV has no data; Mandatory for non-EIV reported income sources; Mandatory when participant disputes EIV-reported employment and income information <u>and</u> is unable to provide acceptable documentation to support dispute)
3	Written Third-Party Verification Form	Medium-Low (Mandatory if written third party verification documents are not available or rejected by the PHA; and when the applicant or participant is unable to provide acceptable documentation)

	First	Second	Third	Fourth	Last
Full-time Student			Letter from school		
Disability			Letter from medical professional	Proof of SSI or Social Security Disability payments	

Income Type	Upfront	Written Third Party	Oral Third Party	Document Review	Tenant Declaration
	First	Second	Third	Fourth	Last
Wages/Salaries		Verification directly from employer (i.e. fax, email, mail).	Verification from employer via phone.	Pay Stubs; W-2	Notarized statement or affidavit from the tenant that declares the family's total annual income

Effective Date of Employment: The CHA will confirm start and termination dates of employment.

	First	Second	Third	Fourth	Last
Self-Employment				Schedule C;	Notarized statement or affidavit from the tenant that declares the family's total annual income.
Verification of Self-Employment Income: Typically, it is a challenge to obtain third party verification of self-employment income. When third party verification is not available, the CHA WLL request a notarized tenant declaration that includes a perjury statement.					

	First	Second	Third	Fourth	Last
Social Security Benefits	EIV	Verification received directly from SSA.	Verification from SSA via phone.	SSA benefit Letter	Notarized statement or affidavit from the tenant that declares monthly social security benefits.
Gifts			Letter from source	Bank deposits	
Welfare Benefits		Verification received directly from Welfare Agency (i.e. fax, mail)	Verification from welfare agency via phone	Welfare benefit letter	Notarized statement or affidavit from the tenant that declares monthly welfare benefits.
Child Support		Verification directly received Welfare Agency (i.e. fax, mail)	Verification from welfare agency via phone	Welfare benefit letter – 6 months' worth	Notarized statement or affidavit from the tenant that declares monthly welfare benefits.

Unemployment Benefits	.	Verification received directly from Unemployment (i.e. fax, mail)	Verification from Unemployment via phone	Unemployment benefit letter	Notarized statement or affidavit from the tenant that declares maximum benefits.
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	First	Second	Third	Fourth	Last
Pensions		Verification received directly from source (i.e. fax, mail)	Verification from source via phone	Family provides benefit document	Notarized statement or affidavit from the tenant that declaring
Assets		Verification received directly from source (i.e. fax, mail)	Verification from source via phone	Family provides benefit document	Notarized statement or affidavit from the tenant that declaring
Savings/Checking			Letter from bank if amount is \$6,000 or more. If under \$5,000 can self-certify, but must verify every three years	Most current statement	
CD/Bonds, etc.			Letter from bank	Tax Return; CD brochure	
Stocks			Letter from bank	Stock or most current statement	
Real Property			Letter from tax office	Property tax bill	
Life Insurance			Letter from insurance company	Current Statement	
Assets Disposed of, less than Market Value				Original receipt and receipt at disposition.	

	First	Second	Third	Fourth	Last
Medical Expense			Prescription record from pharmacy		
Need for Live-In Aide			Accommodation form received from Medical Provider		
Disability Expense			Letters from supplies, care givers	Bills and receipts	
Childcare Cost			Letter from care provider	Bills and receipts	

9.0 RENT REASONABLENESS AND RENT CALCUATIONS

9.2 CALCULATING FAMILY SHARE AND CHA SUBSIDY

B. Financial Hardships Affecting Minimum Rent [24 CFR 5.630]

1.) Financial Hardship Criteria

- a.) When the family has lost eligibility for or is awaiting an eligibility determination for a Federal, State or local assistance program;
 - A hardship will be considered to exist only if the loss of eligibility has an impact on the family's ability to pay the minimum rent.
 - Loss of eligibility due to fraud will not be considered a hardship under this circumstance
- c.) When the income of the family has decreased because of changed circumstances, including loss of employment;
 - For a family to qualify under this provision, the loss of employment (or source of income) must have been involuntary, and the income in question must have been included in the calculation of the family's annual income.

10. HOUSING QUALITY STANDARDS

10.2 HOUSING QUALITY STANDARDS (HQS)

Food Preparation and Refuse Disposal

2.) Acceptability Criteria

- a.) The dwelling unit must have an oven, a stove or range, and a refrigerator of appropriate size for the family. All the equipment must be in proper operating condition. Either the owner or the family may supply the equipment. A microwave oven may be substituted for a tenant-supplied oven and stove or range. A microwave oven may be substituted for an owner-supplied oven and stove or range if the tenant agrees and microwave ovens are furnished instead of an oven and stove or range to both subsidized and unsubsidized tenants in the building or premises.

- Refrigerator gaskets must be intact and have a good seal.
- Drip pans for electric stoves are required due to fire hazard.

Space and Security

2.) Acceptability Criteria

- e.) All doors designed with knobs should have all knobs present and in working condition.
- f.) All closets designed with doors should have all knobs present and in working condition.
- All closets designed with doors must be in working condition

Illumination and Electricity

2.) Acceptability Criteria

e.) Electrical wiring:

- No extension cord wiring used as permanent wiring.
- No open wires, all wires must be in approved conduit to code and property covered in a junction box where appropriate.

f.) In assessing stairway lighting, all treads and risers must be illuminated.

Structure and Materials

2.) Acceptability Criteria

b.) Window sashes must be in good condition, solid and intact, and properly fitted to the window frame. Damaged or deteriorated sashes must be replaced. All windows must have trim intact.

- Windows in bathrooms, if located within bathtub, must be safety glass.

h.) Gutters and downspouts must channel water way from the exterior walls and foundation and be free of rot, peeling paint, or excessive rust. There must be approved joist hangers and framing anchors to secure carport roof rafters to fascia

10.3 ADDITIONAL REQUIREMENTS

Bathrooms

- In a single bedroom unit, the bathroom may be off the bedroom.
- In a multi bedroom unit, the bathroom must have access from common areas, such as a hall.

Bedrooms

- All bedrooms shall have access from common areas, such as a hall within the dwelling. It shall not be necessary to travel through another bedroom or bathroom to enter a bedroom.
- Bedrooms in basements or attics are not allowed unless they meet local fire and City Code requirements and must have adequate ventilation and an emergency exit capability.
- Must have a door for privacy.

Clutter/Debris/Housekeeping

Clutter, excessive debris, or garbage conducive to unsafe or unsanitary conditions, infestation of rodents or insects, or a fire hazard or would impede an inspection must be corrected or will result in an HQS fail.

Remove excessive glass, trash, junk cars, discarded furniture, appliances and other debris from property and alleyways.

Storage Units/Shed/Garage

Storage units of all types at single family homes or attached to units shall be exclusively for the use of the tenant unless otherwise agreed to by tenant in the lease. Minimum landlord items specific to the tenant's unit maintenance is all that should be stored at the property during the life of the lease.

10.6 THE INSPECTION PROCESS

A. Initial HQS Inspection

2.) Inspection Results

Appliances [Form HUD-52580]

If the family is responsible for supplying the stove and/or refrigerator, CHA will allow the stove and refrigerator to be placed in the unit after the unit has met all other HQS requirements. The required appliances must be in place before the HAP contract is executed by CHA. CHA will execute the HAP contract based upon a certification from the family that the appliances have been installed and are working. A confirmatory inspection will be scheduled within 30 days of HAP contract approval.

11.0 LEASE AND HAP CONTRACT

11.7 HOUSING ASSISTANCE PAYMENT CONTRACTS

F. HAP Contract Term and Terminations

If CHA terminates the HAP contract, the CHA must give the owner and the family written notice. The notice must specify the reasons for the termination and the effective date of the termination. Once a HAP contract is terminated, no further HAP payments may be made under that contract [HCV Guidebook pg.15-4].

- CHA may provide less than a thirty (30) notice, if it is discovered that the family vacated the unit, and the owner failed to inform CHA of the vacancy in a timely manner.
- For deceased tenants, no HAP payments can be paid after the month the tenant passes away. Therefore, if a tenant passes away on Feb 28th, March payment will need to be returned to CHA

11.8 CHANGES IN LEASE OR RENT [24 CFR 982.308]

The CHA will agree to such an increase only if the amount of the rent to owner is considered reasonable according to the rent reasonableness standards. If the requested rent is not found to

be reasonable, the owner must either reduce the requested rent increase, or terminate the tenancy in accordance with the terms of the lease.

- No rent increase is permitted during the initial term of the lease [24 CFR 982.309(a)(3)].
- CHA will only process only one rent increase in a 12-month period.

12.0 MOVING WITH CONTINUED ASSISTANCE AND PORTABILITY

12.1: MOVING WITH CONTINUED ASSISTANCE

C. Zero HAP Families Who Wish to Move [24 CFR 982.455]

A participant who is not receiving any subsidy, but whose HAP contract is still in force, may request a voucher to move to a different unit. The CHA must issue a voucher to move unless it has grounds to deny assistance under the program regulations. However, if the PHA determines no subsidy would be paid at the new unit, the CHA may refuse to enter a HAP contract on behalf of the family.

13.0 REEXAMINATIONS

13.1 ANNUAL REEXAMINATIONS [24 CFR 982.516]

Notification of and Participation in the Annual Reexamination Process [Notice PIH 2009-36].

Option 1:

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 CHA to request a reasonable accommodation (see Chapter 2).

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.

If the family is unable to attend a scheduled interview, the family should contact the CHA in advance of the interview to schedule a new appointment. If a family does not attend the scheduled interview, the CHA will send a second notification with a new interview date and appointment time.

If a family fails to attend two scheduled interviews without PHA 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.

Option 2 -Mail

Annual reexaminations may be conducted by mail. Notification of the annual reexamination will be sent by first-class mail and will inform the family of the information and documentation that must be provided to the CHA, and the deadline for providing it. Documents will be accepted by mail, by email, by fax, or in-person.

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, as well as to any alternate address provided in the family's file.

B. Conducting Annual Reexaminations

Option 1:

Families will be asked to bring all required information (as described in the reexamination notice) to the reexamination appointment. The required information will include a CHA-designated reexamination form, an Authorization for the Release of Information/Privacy Act Notice, as well as supporting documents or forms related to the family's income, expenses, and family composition.

Any required documents or information that the family is unable to provide at the time of the interview must be provided within 10 business days of the interview. If the family is unable to obtain the information or materials within the required time frame, the family may request an extension.

If the family does not provide the required documents or information within the required time (plus any extensions), the family will be sent a notice of termination (See Chapter 12).

Option2 - Mail

Families will be asked to supply all required information (as described in the reexamination notice) before the deadline specified in the notice. The required information will include a CHA-designated reexamination form, an Authorization for the Release of Information/Privacy Act Notice, as well as supporting documents or forms related to the family's income, expenses, and family composition.

The CHA will notify the family in writing if any required documentation or information is missing. The missing information or documentation must be provided within 10 business days of the date the PHA notifies the family. If the family is

unable to obtain the information or materials within the required time frame, the family may request an extension.

If the family does not provide the required documents or information within the required time period (plus any extensions), the family will be sent a notice of termination.

13.3 INTERIM REEXAMINATIONS [24 CFR 982.516]

A. Changes in Family and Household Composition

New Family Members Not Requiring PHA Approval

The addition of a family member as a result of birth, adoption, or court-awarded custody does not require PHA approval. However, the family is required to promptly notify the PHA of the addition [24 CFR 982.551(h)(2)].

- The family must inform the CHA of the birth, adoption, or court-awarded custody of a child within 10 business days.

The addition of a new family member should be limited to:

- Birth of a child by a current family member;
- Adoption of a child by a current family member;
- Court-awarded custody of a child to a current family member;
- Legal guardianship of a minor granted to a current family member;
- As result of marriage by a current family member;
- As a result of a reasonable accommodation for a current disabled family member;
- As a result of a returning family member from active military service;
- As a result of a returning and now disabled family member;
- As a result of a returning child, including adult children (including spouse and/or children of the returning child);
- As a result of returning or placement of a parent to an existing minor in the family;
- As a result of returning or placement of elderly or disabled parents or grandparents to be cared by current family members; or
- As a result of returning or placement of a foster child(ren) or foster adult (s) if their presence would not result in a violation of HQS space standards according to 24 CFR 982.401.

CHA will not approve requests for additions to family composition where the request intends to provide housing assistance to extended families or multiple households. Information will be provided to the participant regarding other housing alternatives for the second household.

14.0 OWNER OR FAMILY DEBTS TO THE CHA

14-1 REPAYMENT POLICY

A. Owner Debts to the PHA

If CHA decides to allow the owner to participate in the program in the future, outstanding debts will be collected from future HAP payments.

15.0 GROUNDS FOR TERMINATION OF ASSISTANCE BY CHA

15.2 MANDATORY POLICIES AND OTHER AUTHORIZED TERMINATIONS

B. Other Authorized Reasons for Termination of Assistance [24 CFR 982.552(c), 24 CFR 5.2005(c)]

The family (including each family member) must not:

- Engage in any drug-related criminal activity
 - Or allow guest to engage in any drug related criminal activity
 - Drug-related criminal activity is 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]. Drug means a controlled substance as defined in Section 802 of the Controlled Substances Act [21 USC 802] or any other illegal drug.
 - The CHA may terminate assistance for drug-related criminal activity by a household member if the CHA determines that the household member has engaged in the activity within the last five years.
- Engage in any violent criminal activity
 - Or allow guest to engage in any violent criminal activity
 - Violent criminal activity is defined by HUD as any 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].

- Engage in any other criminal activity

- Or allow guest to engage, in any other criminal activity
- Other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. Immediate vicinity means within a one-mile radius of the premises. See 24 CFR 5.100.
- The CHA may terminate assistance for criminal activity by a household member or guest if the CHA determines that the household member has engaged in the activity within the last five years.

- Be evicted due to serious violation of the lease.

- The CHA is required by HUD to terminate a family's assistance if they do not meet this obligation. See 24 CFR 982.552(b)(2).
- The family is responsible for any serious or repeated violation of the lease that is caused by any guest/visitor/unauthorized person.
- CHA considers a family evicted if the landlord files an eviction action and the court enter an order of possession, even if:

(1) a money judgment is not entered concurrently with the order of possession, or

(2) the family moves out of the subsidized unit before the order of possession is entered or physically enforced.

- CHA may consider a family to be evicted if the order of possession is an agreed order. The CHA will not consider a family to be evicted, however, if the order of possession is entered concurrently with a written settlement agreement pursuant to which the family repays all unpaid back rent and rent when due while they remain in possession of the subsidized unit.

- Threaten or engage in abusive or violent behavior or criminal activity toward CHA personnel or its representatives. See 24 CFR 982.552(c)(1)(ix) and 24 CFR 5.100. CHA personnel include CHA employees or CHA contractors, subcontractors, or agents.

- Or allow guest to threaten or engage in behavior
- Abusive or violent behavior towards CHA personnel or agents and contractors includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.
- Threatening refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

- Engage in behavior that disturbs or threatens the health, safety or right to peaceful enjoyment of the other residents and persons residing in the immediate vicinity of the premises.

– Or allow guest to engage in behavior

15.3 APPROACH TO TERMINATION OF ASSISTANCE

C. Criteria for Deciding to Terminate Assistance

***Use of Criminal Conviction Records after Admission* [24 CFR 5.903]**

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.

16.0 COMPLAINTS, INFORMAL REVIEWS AND INFORMAL HEARINGS

16.1. COMPLAINTS

The CHA will investigate and respond to complaints by participant families, owners, and the vernal public CHA may require that complaints other than HQS violations be put in writing.

16.2. APPLICANT/TENANT CONFERENCE

CHA may, at their discretion, hold a tenant conference with an applicant/participant

- To gather more information prior to making a decision on whether to deny or terminate; or
- To discuss the situation prior to scheduling an informal review/hearing.

16.3 INFORMAL REVIEWS

E. Remote Informal Reviews

CHA has the sole discretion to require that informal reviews be conducted remotely in case of local, state, or national physical distancing orders, and in cases of inclement weather or natural disaster.

In addition, CHA may conduct an informal review 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 informal review, or if the applicant believes an in-person informal review would create an undue health risk. CHA will consider other reasonable requests for a remote informal review on a case-by-case basis.

All policies and processes for remote informal reviews must be conducted in accordance with due process requirements and be in compliance with HUD regulations.

Conducting Remote Informal Reviews

The CHA must ensure that the applicant has the right to hear and be heard.

CHA may conduct remote informal reviews via telephone conferencing call-in or via videoconferencing. If the informal review will be conducted via videoconferencing, CHA will ensure that all applicants, applicant representatives, CHA representatives and the person conducting the informal review can adequately access the platform (i.e., hear, be heard, see, and be seen). If any applicant, applicant representative, CHA representative, or person conducting the informal review is unable to effectively utilize the videoconferencing platform, the informal review will be conducted by telephone conferencing call-in.

Whether the informal review is to be conducted via videoconferencing or telephone call-in, CHA will provide all parties login information and/or conferencing call-in information before the review.

18.0 MAINSTREAM VOUCHER PROGRAM

Mainstream Vouchers (MSV) are a sub-set of the Housing Choice Voucher (HCV) program. Sec811 Mainstream Vouchers are awarded to Public Housing Authorities through a competitive

Notice of Funding Availability (NOFA) to serve low-income households that include person(s) with disabilities. The program is designed to help tenants with disabilities live independently in the community. Caribou Housing Agency (CHA) was awarded 40 MSV in January 2021. This program helps to further the goals of the Americans with Disabilities Act by helping persons with disabilities live in the most integrated setting. The program also encourages partnerships with health and human service agencies with a demonstrated capacity to coordinate voluntary services and supports to enable individuals to live independently in the community

18.1 PURPOSE AND SCOPE

MSVs enables families with a member who is a person with disabilities to lease affordable private housing of their choice. MSVs also assist persons with disabilities who often face difficulties in locating suitable and accessible housing on the private market. Only a family that includes a disabled person and is eligible may receive an MSV.

Applicants will be selected from the Maine HCV wait list.

- CHA will give preference for an MSV first to those households who have members who are adult disabled persons who are not elderly (are of age 18 but no older than 61 years of age)

The disabled person indicated is:

- transitioning out of institutional or other separated settings;
- at serious risk of institutionalization;
- homeless; or
- at risk of becoming homeless

If at any time there are no such applicant families available, CHA may turn to any household on the wait list with a head of household, spouse or co-head who is disabled.

ACC number of units and funding are to be entered and monitored separately from the HCV financial management and in VMS. It has been assigned a program increment to do so.

18.2 WORKING WITH LOCAL PARTNERS (Notice PIH 2020-01, HUD, Mainstream Program Implementation FAQs 3.22.2019, NOFA FR FR-6300-N-43)

A major aspect of the administration of the Mainstream Voucher Program is the CHAs commitment to work with local partners to expand opportunities for individuals and families to access quality affordable rental housing. CHA has a history of successful collaborations with local partners which includes;

CHA currently administers a voucher referral program with DHHS). In administering the MHCVP, CHA will work directly with local partners who will be assisting with coordinating outreach and referral of eligible persons that meet the CHA's waiting list preference criteria, as

well as, assist persons with disabilities to apply to and obtain acceptance in housing programs. In addition, CHA and local partners will work together to provide ongoing behavioral health and social services to CHA's Mainstream Voucher holders (on a voluntary basis).

- CHA will meet regularly with local agencies to ensure that partnerships remain viable. These local agency partners include but are not limited to:
- Meetings will be held to develop plans and discuss potential referrals (once waiting list is opened), continued case management, and available services for Mainstream Vouchers holders.

18.3 MAINSTREAM PROGRAM DEFINITIONS

All definitions in the main body of the Section 8 Housing Choice Voucher (HCV) Administrative Plan where appropriate, will apply to the Mainstream Voucher Program.

Eligible Family: A family composed of one or more non-elderly persons with disabilities, which may include additional members who are not elderly persons with disabilities.

Disability: CHA will use the definition of disability which is used in the Housing Choice Voucher Program. (42 U.S. Code §423) for Mainstream eligibility.

A Mainstream *eligible non-elderly disabled* family is:

- 1.) .A person 18 years of age or older and less than 62 years of age, and who has a disability and is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that is expected to be of long continued and indefinite duration and; •
 - a.) Substantially impedes his or her ability to live independently, and
 - b.) Is of such a nature that the ability to live independently could be improved by more suitable housing conditions or;
 - c.) Has a development disability as defined in 42 U.S.C. 6001.

Targeted Funding: HUD may award a PHA Funding for a specialized category of families on the waiting list. The PHA must use this funding only to assist the specified category. To assist families within a targeted funding category, the PHA may skip families that do not qualify within the targeted funding category.

18.4 GENERAL REQUIREMENTS AND ELIGIBILITY (

A. Eligible Population [Notice PIH 2020-01]

Mainstream Vouchers (also formerly known as Mainstream 5-Year Vouchers or Section 811 Vouchers) are tenant-based vouchers that serve a special population of households. All

Mainstream Vouchers will now serve households that include a non-elderly person(s) with disabilities, defined as any family that includes a person with disabilities who is at least 18 years old and not yet 62 years old at the effective date of the initial Housing Assistance Payment (HAP) Contract, (i.e., the effective date of the New Admission [action code =1] on the form HUD-50058 (or form HUD-50058 MTW). Once eligible, participants do not “age out” of eligibility.

Existing families receiving Mainstream Vouchers, where the eligible family member is now age 62 or older, will NOT “age out” of the Mainstream Voucher Program as long as the family was eligible on the day it was first assisted under a HAP contract.

B. Nondiscrimination & Fair Housing

Aside from separate funding appropriations and serving a specific population, Mainstream Vouchers are administered the same as regular voucher assistance in that Mainstream Vouchers are regulated under the same program requirements as the HCV Program. The same regulations at 24 CFR Part 982 apply to Mainstream Vouchers. Federal nondiscrimination laws and requirements apply as with all HCVs, including for example, requirements regarding nondiscriminatory eligibility criteria, and obligations to provide reasonable accommodations for person with disabilities. See 24 C.F.R. § 5.105(a). There is no special authority to treat families that receive a Mainstream Voucher differently from other applicants and participants of the HCV program. For example, the PHA cannot apply different payment standards, establish conditions for allowing portability, or screening

- CHA will treat all Mainstream applicants and voucher holders with the same service, laws, and regulations as all other CHA HCV applicants and participants.

B. Reasonable Accommodation

Request for an Accommodation If an applicant or participant in any Federal housing program administered by CHA, including the Mainstream Voucher Program, indicates that an exception, change, or adjustment to a rule, policy, practice, or service is needed because of a disability, HUD requires that the CHA treat the information as a request for a reasonable accommodation, even if no formal request is made [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act].

The family must explain what type of accommodation is needed to provide the person with the disability full access to the CHA’s programs and services. If the need for the accommodation is not readily apparent or known to CHA, the family must explain the relationship between the requested accommodation and the disability. There must be an identifiable relationship, or nexus, between the requested accommodation and the individual’s disability.

- CHA will follow all regulations and policies governing reasonable accommodation listed in the current HCVP Administrative Plan.

C . DENIAL OF ASSISTANCE

- CHA will follow the regulations and policies governing the denial of assistance as listed in the current HCVP Administrative Plan.

18.5 WAITING LIST ADMINISTRATION AND PREFERENCES

CHA must lease the awarded vouchers by selecting Mainstream-eligible applicants from the waiting list. The CHA is not permitted to reassign existing participants to the Mainstream Voucher Program to make regular tenant-based vouchers available. There is no provision that allows CHA to admit tenants without following their waiting list procedures when using a Mainstream Voucher.

A. New Preferences Added [24 CFR 982.207(c); Notice PIH 2020-01, NOFA FR-6300-N-43.]

CHA will grant one additional point to non-elderly persons with disabilities.

CHA will limit the number of preferences awarded to 40, the number of vouchers awarded in January 1, 2021. The agency will increase the number of preferences granted if the authority receives additional Mainstream Awards in the future.

Families will be selected from the waiting list based on the targeted funding or selection preference(s) for which they qualify, and in accordance with the CHA's hierarchy of preferences, if applicable. Within each targeted funding or preference category, families will be selected on a first-come, first-served basis according to the date and time their complete application is received by the PHA.

A. The Waiting List (Notice PIH 2020-01), (24 CFR §982.204, 207), (NOFA, FR6300-N-43), (HUD Mainstream Program Implementation FAQ, 3.22.2019)

CHA will maintain only one tenant-based voucher assistance waiting list from which Mainstream Program applicants will be pulled. CHA will apply all required HUD regulations governing the administration of CHA's Housing Choice Voucher waiting list to the MHCVP.

B Opening the Waiting List and Notifying the Public [Notice PIH 2020-01]

- CHA will comply with the requirements for opening the waiting list under 24 CFR 982.206, including the requirement to provide public notice and to accept applications from families for whom the list is open, and in accordance with current Administrative Plan.

If the waiting list does not have a suitable number of Mainstream Voucher eligible applicants the CHA may update the waiting list.

Updating Waiting List for change in eligible population: CHAs may choose to do a full waiting list update if there is not a suitable number of Mainstream eligible applicants. A full update may be done regardless of whether a CHA will be opening the waiting list or not.

A Full Waiting List Update is performed on the entire existing waiting list to determine if all current applicants meet the eligibility criteria for Mainstream Vouchers and the new preferences that were adopted. This also ensures that the CHA is offering the opportunity for current applicants on the waiting list who qualify for the Mainstream preferences to receive the benefit of the preference and move up on the waiting list accordingly.

- When performing a full waiting list update, CHA will notify all currently active tenant--based HCV waiting list applicants that new preferences have been added. The notice will include information on how to successfully apply and establish their preference status. In addition, CHA will provide with each notice, a preference update form which, may be directly (in office) or indirectly (mail, email) submitted to CHA.
- CHA may also make available preference update forms for partnering agencies with whom CHA may be working with to identify current waiting list applicants eligible for newly adopted Mainstream preferences.

C. Selecting Applicants [24 CFR 982.554(a)].

CHA will notify the family by first class mail when it is selected from the waiting list. The notice will inform the family of the following:

- 1.) Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview.
- 2.) Who is required to attend the interview
- 3.) All documents that must be provided at the interview, including information about what constitutes acceptable documentation

If a notification letter is returned with no forwarding address, the family will be removed from the waiting list. A notice of denial will be sent to the family's address of record, as well as to any known alternate address.

CHA must verify all information provided by the family. Based on verified information, CHA must make a final determination of eligibility and must confirm that the family qualified for any special admission, targeted funding admission, or selection preference that affected the order in which the family was selected from the waiting list.

If CHA determines that the family is ineligible, CHA will send written notification of the ineligibility determination within 10 business days of the determination. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review. If a family fails to qualify for any criteria that affected the order in which it was selected from the waiting list the family will be returned to its original position on the waiting list. CHA will

notify the family in writing that it has been returned to the waiting list, and will specify the reasons for it.

If CHA determines that the family is eligible to receive assistance, CHA will invite the family to attend a briefing in accordance with the policies.

C. Eligibility Verification

Mainstream “eligible families” must meet the same HUD eligibility verification requirements as any other tenant-based voucher applicant. To be eligible for the Mainstream Housing Choice Voucher Program:

- 1.) The applicant family (single or multiple household members) must;
 - a.) Qualify as a family as defined by HUD and CHA.
 - b.) Have income at or below HUD-specified income limits.
 - c.) Qualify on the basis of citizenship or the eligible immigrant status of family members.
 - d.) Provide social security number information and birth certificates for family members as required.
 - e.) Consent to the CHA’s collection and use of family information as provided for in CHA-provided consent forms.
- When determining the eligibility of Mainstream applicants, CHA will follow the regulations and policies governing the verification of eligibility which is listed in detail in the current HCVP Administrative Plan.

D. Criteria for Beneficiaries/Ongoing Program Participation

This program has eligibility criteria for beneficiaries. Mainstream Voucher recipient households must include a person that meets the definition of a non-elderly person with a disability. If the household member who qualified for the Mainstream Voucher program is no longer a member of the household and no other household member meets the eligibility criteria for the Mainstream Voucher, CHA may, but is not required to, offer the family a regular Housing Choice Voucher if funding is available and the household is otherwise eligible.

18.6 PORTABILITY

Portability is a required feature of the Housing Choice Voucher Program (§8(r) of the U.S. Housing Act of 1937).

Applicants where the head, co-head, or spouse did not have legal domicile in the PHA’s jurisdiction at the time the family first submitted their application do not have the right to portability until they have leased a unit in the jurisdiction for 12 months, however, the PHA may choose to allow portability during this period (CFR §982.353(c)(2)). PHAs must keep in mind

that persons with disabilities may request a reasonable accommodation to port out before meeting the one-year residency requirement if there is a nexus between the person's disability and their need to move out of the jurisdiction.

If a Mainstream Voucher participant ports to another PHA and the receiving PHA chooses to bill the initial PHA, then the voucher will remain a Mainstream Voucher. If the PHA chooses to absorb the voucher, the voucher will be considered a regular Housing Choice Voucher, or a Mainstream Voucher if the receiving PHA has a Mainstream Voucher available, and the Mainstream Voucher at the initial PHA will be freed up to lease to another Mainstream-eligible family.

- CHA will not permit Mainstream Voucher portability for voucher holders where the head, co-head, or spouse did not have legal domicile in the PHA's jurisdiction at the time the family first submitted their application until they leased a unit in the jurisdiction for at least twelve (12) months. CHA may allow portability for Mainstream Voucher holders as a reasonable accommodation before the twelve (12) month period on a case-by case basis.

18.7 MAINSTREAM VOUCHER UTILIZATION

A. Voucher Allocation

In January 2021, CHA was awarded forty (40) Mainstream Vouchers with the opportunity to apply for additional vouchers via HUD grants in the future. HUD expects that PHAs will make every effort to utilize at least 80% of awarded vouchers within the first year of receiving them. After the first year of program administration, HUD reserves the right to recapture and reallocate funding if the PHA does not comply with the terms of an 80% leasing rate. In addition, if the PHA does not maintain a leasing rate of at least 80% after the first year, HUD may recapture and reallocate the funding.

B. Voucher Utilization (Notice PIH 2020-01, NOFA, FR-6300-N-43, HUD Mainstream Program Implementation FAQ 3.22.2019)

Once a Mainstream eligible applicant is pulled from the waiting list, they are subject to the same regulations and policies governing all tenant-based housing choice applicants and voucher holders. This includes but is not limited to, verification of eligibility, voucher utilization, leasing, income/subsidy determination & verification, annual re-examinations, and all other regulations and policies that are applied to tenant-based voucher holders in this Plan, unless noted otherwise.

Once a Mainstream voucher is issued to a non-elderly, disabled Mainstream eligible family, they cannot "age-out" of the Mainstream subsidy.

C. Reissuance of Mainstream Vouchers

At turnover, ALL Mainstream turnover vouchers must be reissued to the next Mainstream eligible family on the PHA's waiting list. Turnover occurs when a family receiving Mainstream voucher assistance leaves the program.

D. PIC Reporting [Notice PIH 2020-01]

CHA ensures:

- **Form HUD-50058 and Form HUD-50058 MTW** – PHAs must submit a form HUD-50058 (or form HUD-50058 MTW) to IMS/PIC or successor system for all transactions, including Voucher Issuance (action code 10), Voucher Expiration (action code 11), and End of Participation (action code 6). For a full list of required actions, see the Form HUD-50058 Instruction Booklet. Submission of all required actions is important for HUD's monitoring and evaluation of the Mainstream Voucher Program.
- **Other Special Program field** – All Mainstream families will be coded on line 2n of the Family Report (form HUD-50058) and on line 2p of the MTW Family Report as "MS5". In cases of portability, the initial PHA must include "MS5", as applicable, on the HUD-50058, Family Report sent to the receiving PHA. Receiving PHAs must maintain the "MS5" code on their Family Reports for the duration of the family's participation in the Mainstream Voucher Program if the receiving PHA is billing the initial PHA. The PHA should not code more families than the number of Mainstream Vouchers awarded.
- **Homeless at admission** – PHAs must use line 4c "Homeless at admission? (Y or N)" of the HUD-50058 or MTW Family Report to accurately report whether the family being admitted to the program was homeless at the time of admission.

E. VMS Reporting [Notice PIH 2020-01]

All PHAs must report all Mainstream Vouchers leased under the Mainstream 5-Year HAP and UML fields in the Voucher Management System. As with IMS/PIC reporting, PHAs must not report more Mainstream families than the established calendar year baseline of Mainstream Vouchers. Mainstream Vouchers that have been ported and are being billed to the initial PHA must be reported under the Mainstream 5-Year field. If the PHA chooses to absorb the voucher, the voucher will be considered a regular voucher and the Mainstream Voucher at the initial PHA will be freed up to lease to another eligible family.

No other VMS line item will include Mainstream Voucher activity, such as Restricted Net Position (RNP), Unrestricted Net Position (UNP), Cash/Investment, Non-MTW Administrative Expenses, etc.

- CHA will follow regulations written above from Notice PIH 2020-01

F. SECTION EIGHT MANAGEMENT ASSESSMENT PROGRAM [Notice PIH 2020-01] (SEMAP Indicator 13 (Lease-up))

Mainstream Vouchers, excluding all new awards for the first year, must be included in the utilization rate for the purposes of determining the PHA's overall utilization under Indicator 13. PIC's calculation of the Lease-up indicator incorrectly excludes Mainstream Vouchers from consideration. The Financial Management Center (FMC) determines the Indicator 13 utilization rate for all PHAs using VMS reported expenses and leasing and sends the calculations to the appropriate Field Office to distribute to the PHA. Using VMS, PHAs can approximate their overall utilization rate for SEMAP by adding the Mainstream 5-Year data to the overall HCV program data.

- Example of how newly awarded Mainstream Vouchers are handled:

Effective date of new vouchers: 6/1/2018

First increment expiration: 5/31/2019

- CHA will follow regulations written above from Notice PIH 2020-01.

G. Financial Data Schedule Reporting [Notice PIH 2020-01]

As clarified in PIH Notice 2012-21, PHAs should report Mainstream Vouchers under the Catalogue of Federal Domestic Assistance (CFDA) number 14.879 "Mainstream Vouchers" in the Financial Assessment of Public Housing Agencies (FASS-PH). This applies to all Mainstream Vouchers, including those awarded prior to 2018.

- CHA will follow regulations written above from Notice PIH 2012-21.

H. Monitoring [Notice PIH 2020-01]

All Grantees will be required to cooperate with HUD, Department of Health and Human Services (DHHS), and Centers for Medicare & Medicaid Services (CMS), or any contractors affiliated with HUD, DHHS, and CMS in evaluating this program. HUD will monitor utilization, program requirements, and compliance with PHA's individual NOFA application, including preference implementation and service offerings.

- CHA will follow regulations written above from Notice PIH 2020-01.

19.0 FOSTER YOUTH TO INDEPENDENCE VOUCHER PROGRAM

[NOTICE PIH 2019-20]

Foster Youth to Independence allows for PHAs without a current Family Unification Program (FUP) voucher allocation to request vouchers to service youth under the age of 25 with a history of child welfare involvement for up to 36 months, with Foster Youth to Independence (FYI).

19.1 DEFINITIONS

Continuums of Care (CoCs)

Department of Health and Human Services (DHHS)

Public Child Welfare Agency (PCWA) PCWA means the agency that is responsible under applicable State law for determining that a child is at imminent risk of placement in out-of-home care or that a child in out of-home care under the supervision of the public agency may be returned to his or her family, or that a youth is at least 18 years and not more than 24 years of age and left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless at age 16 or older. For purposes of this program, the PCWA is the State of Alaska Office of Children's Services.

Eligible Household A youth certified by a PCWA as meeting the following conditions: a) Has attained at least 18 years and not more than 24 years of age; b) Has left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act at age 16 or older; and c) Is homeless or is at risk of becoming homeless at age 16 or older. Eligibility is not limited to single persons. Youth may be pregnant or have custody of minor children.

Homeless (24 CFR 578.3) means:

- 1.) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - a) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
 - b) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, State, or local government programs for low-income individuals); or
 - c) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;
- 2) An individual or family who will imminently lose their primary nighttime residence, provided that:

- a.) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
 - b.) No subsequent residence has been identified; and
 - c.) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;
- 3.) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
- a.) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);
 - b.) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
 - c.) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
 - d.) Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or
- 4.) Any individual or family who:
- a.) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence

or has made the individual or family afraid to return to their primary nighttime residence;

- b.) Has no other residence; and (iii) Lacks the resources or support networks, e.g., family, friends, and faith based or other social networks, to obtain other permanent housing.

***At Risk of Becoming Homeless* (24 CFR 576.2)**

1.) An individual or family who:

- a.) Has an annual income below 30 percent of median family income for the area, as determined by HUD;

- b.) Does not have sufficient resources or support networks, e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the “homeless” definition in this section; and

c.) Meets one of the following conditions:

- i. Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
- ii. Is living in the home of another because of economic hardship;
- iii. Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
- iv. Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;
- v. Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;
- vi. Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
- vii. Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient’s approved consolidated plan;

- d.) A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C.

9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(m) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(m)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or

- e.) A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

Required Supportive Services The services listed in (A) through (E) below must be provided for a period of 36 months to FUP-eligible youth receiving rental assistance through this notice. A FUP-eligible youth cannot be required to participate in these services as condition of receipt of the voucher.

- 1) Basic life skills information/counseling on money management, use of credit, housekeeping, proper nutrition/meal preparation; and access to health care (e.g., doctors, medication, and mental and behavioral health services).
- 2) Counseling on compliance with rental lease requirements and with HCV program participant requirements, including assistance/referrals for assistance on security deposits, utility hook-up fees, and utility deposits.
- 3) Providing such assurances to owners of rental property as are reasonable and necessary to assist a FUP-eligible youth to rent a unit with a voucher.
- 4) Job preparation and attainment counseling (where to look/how to apply, dress, grooming, and relationships with supervisory personnel, etc.).
- 5) Educational and career advancement counseling regarding attainment of general equivalency diploma (GED); attendance/financing of education at a technical school, trade school or college; including successful work ethic and attitude

19.2. FYI ELIGIBILITY

FYI will be administered in accordance with applicable HCV program regulations and requirements, as set forth in 24 CFR 982. For CHA to be eligible to request FYI it must meet all the following:

- Currently administering the HCV program.
- Does not currently administer FUP vouchers awarded under any fiscal year.
- Have a partnership with a public child welfare agency (PCWA).
- Accept FUP-eligible youth referrals.
- Determine HCV eligibility.

CHA has a Memorandum of Agreement (MOA) with the Department of Health and Human Services (DHHS) Child Welfare Services (CWS) to receive referrals for FYI.

1.) CWS will identify eligible youth and provide a written certification to the CHA verifying eligible child welfare history.

- DHHS will provide or secure 36 months of supportive services.

2.) The CHA will accept referrals from CWS, verify eligibility for FYI, and will request a voucher for the youth through HUD.

- The Youth cannot be assisted until HUD has approved the FYI voucher.
- CHA can only request up to 25 FYI vouchers per fiscal year; and
- administer FYI for eligible youth for up the 36 months.

3.) CHA may admit the young person that is not on the CHA's HCV waiting list, or without considering the young person's waiting list position.

19.3 . PARTENERSHIP AGREEMENT

PHAs applying for assistance under this notice must enter into a partnership agreement with a PCWA. HUD strongly encourages adding the CoC, or a CoC recipient it designates, to the partnership. The partnership agreement may take the form of a Memorandum of Understanding (MOU) or letters of intent between the parties.

19.4 . RESPONSIBILITIES OF EACH PARTY

A. DHHS Responsibilities

Under its collaboration with CHA, DHHS has agreed to:

- 1) Develop and implement a system for identifying eligible youth within the agency's caseload and review referrals from BHA and other Community of Care (CoC) Members.
- 2) Develop and implement a system for prioritization of referrals to ensure that youth are prioritized for a FYI TPV based upon level of need and appropriateness of the intervention.
- 3) Receive youth Release of Information and provide written certification to the CHA that a youth meets eligibility conditions listed above
- 4) Collaborate with CHA on the provision of services to FYI-TPV recipients for no more than thirty-six (36) months. The organization(s) to provide these services will be identified from various community-based organizations. Services include:
 - a) Basic life skills information and counseling on money management, use of credit, housekeeping, proper nutrition, meal preparation, and access to health care (e.g. doctors, medication, and mental and behavioral support services).

- b) Counseling on compliance with rental lease requirements and with HCV program participant requirements, including assistance/referrals for assistance on security deposits, utility hook-up fees, and utility deposits.
- c) Providing such assurances to owners of rental property as are reasonable and necessary to assist a FUP-eligible youth to rent a unit with a voucher.
- d) Job preparation and attainment counseling (where to look/how to apply, dress, grooming, and relationships with supervisory personnel, etc.).
- e) Educational and career advancement counseling regarding attainment of general equivalency diploma (GED); attendance/financing of education at a technical school, trade school or college; including successful work ethic and attitude models.

B. CHA Responsibilities

- 1) Accept referrals of Youth certified by DHHS as eligible for assistance under this notice.
- 2) Determine if youth referred by DHHS are eligible for HCV assistance.
- 3) Make referrals of possible eligible youth to DHHS.
- 4) Formally request FYI—TPV vouchers for eligible youth and provide HUD with all required information.
- 5) Apply all policies and procedures of the HCV programs to the lease-up and ongoing management of the FYI participant's tenancy and make proper use of funding for HAP Contract obligations with participating landlords.
- 6) Collaborate DHHS on the provision of services to TPV recipients for no more than thirty-six (36) months. The organization(s) to provide these services will be identified from various community-based organizations. Services include:
 - a) Basic life skills information and counseling on money management, use of credit, housekeeping, proper nutrition, meal preparation, and access to health care (e.g. doctors, medication, and mental and behavioral support services).
 - b) Counseling on compliance with rental lease requirements and with the HCV program participant requirements, including assistance and referrals for assistance for security deposits, utility hook-up fees, and utility deposits.
 - c) Provide such assurances to owners of rental property as are reasonable and necessary to assist an eligible youth to rent a unit with a voucher.
 - d) Job preparation and attainment counseling, including where to look, how to apply, dress, grooming, and relationships with supervisor and co-workers.
 - e) Education and career advancement counseling regarding attainment of GED, attendance, and financing of education (including technical school, trade school, and college), work ethic, and attitude.

19.5 MINIMUM AND MAXIMUM VOUCHER REQUESTS

There is no minimum request size. A PHA request may be as small as one voucher. Given the limited nature of this resource, each PHA is limited to a maximum award of 25 vouchers under this notice in a fiscal year. PHAs that have not reached the maximum annual cap may submit more than one application under this notice. An application for FYI Vouchers under this notice may not occur until the PHA has received a referral of a FUP-eligible youth by the partnering PCWA.

Applying for funds under this notice does not exclude PHAs from pursuing funding under a future FUP NOFA, assuming all eligibility requirements of the NOFA are otherwise met.

19.6 ADMINISTRATION OF FYI VOUCHER

Waiting List

CHA will not run a waiting list for FYI applicants.

The CHA, upon receipt of a referral(s) from the public child welfare agency (PCWA) of an eligible youth, must compare the name(s) with youth already on the CHA's HCV waiting list. Any youth on the PHA's HCV waiting list that matches with the PCWA's referral must be assisted in order of their position on the waiting list in accordance with CHA admission policies. Any youth certified by the PCWA as eligible and not on the HCV waiting list must be placed on the waiting list (pending HCV eligibility determination).

If the CHA has a closed HCV waiting list, it must reopen the waiting list and place on the waiting list a FYI applicant youth who is not currently on the CHA's HCV waiting list. The CHA may reopen the waiting list to accept an FYI eligible youth without opening the waiting list for other applicants

Eligibility

A young person eligible to receive a FYI must meet all of the following requirements:

- 1) Has attained at least 18 years of age and not more than 24 years of age;
- 2) Left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act at age 16 or older; and
- 3) Is homeless or at risk of becoming homeless.

A young person who meets the above requirements and is pregnant and parenting is also eligible if the children they are parenting do not have an open child welfare case. The young person must not have reached 25 years of age at the time of referral and at the time of lease-up.

- To determine initial eligibility all referrals will be sent to Dulcey Laberge at the DHHS for verification: Dulcey.Laberge@maine.gov.

FYI Family Lease Up

Once the applicant family has been found eligible for an FYI Voucher, the family is to follow all of the same rules and policies as an HCV participant.

- Once leased, the eligible young person may continue on the program for 36 months even if they turn 25 while on the program.

19.7 50058 CODING

All FYI 50058s created must have code “FYI” in line 2n. These vouchers will be reported in the Voucher Management System in category “Family Unification – Non MTW

19.8 CONTINUATION OF ASSISTANCE

For FYI Voucher holders who reach the three-year maximum use of the voucher and continue to demonstrate need. HCV Vouchers may be allocated if they are available.

THIS SECTION WILL BE AMENDED AS REQUIRED UPON RECEIPT OF ANY FURTHER CLARIFYING OR NEW REGULATIONS PROVIDED BY THE DEPT. OF HOUSING AND URBAN DEVELOPMENT.

24.0 OWNERS

24.3 OWNER QUALIFICATIONS [24 CFR 982.306]

B. CHA may choose not to approve an assistance tenancy if: [24 CFR 982.306(c)]

If the CHA disapproves an owner, it will not terminate the HAP contract for families that are already living in the owner’s properties unless the owner has violated the HAP contract for such units. When applicable, owners may request a review of the CHA’s decision to deny an RTA and/or terminate a HAP contract.

24.4 OWNER SUSPENSION

Owners that meet the following criteria will be issued a formal warning letter and be required to attend an upcoming CHA-HQS Training.

- For smaller owners (20 units or less in HCV), they have two or more HAP contract terminations due to HQS violations.
- For larger owners (21 units or more), 10% or more of their HAP contracts have been terminated due to HQS violations.

Owners are not allowed to enter into any new HAP contracts until they attend a CHA-HQS Training, which should occur within 60 days of being issued a warning. However, on a case by case basis, CHA may allow this to happen outside of this designated timeframe. Moreover, an owner who was recently issued a warning letter, but has not yet attended an HQS Training (prior to the 60 days expiring) may submit an RTA. However, moving forward with the lease up process is contingent on the owner attending the next training.

If an owner meets these requirements, but then subsequently has a HAP contract termination due to HQS within the next 12 months, they will be added to the Do Not Lease list and have a moratorium on new HAP contracts for a year subject to the requirements to lift the suspension listed below.

If CHA becomes aware of owners that are creating additional vendor ID's with the purpose of circumventing this policy, we reserve the right to place them on the Owner Suspension List.

Requirements to Lift a Suspension

For the suspension to be lifted, a year must pass.

If an owner has met the requirements to be removed (served one year) from the Suspension List, but has additional HAP contract terminations due to HQS violations during the suspension period, CHA will remove them from the Suspension List. However, they will be placed back in Warning status and, if any HAP contracts are terminated due to HQS violations within the next 12 months (the 12 months starts the date they are placed back into Warning status) they will return to the list.

Owners Meeting Suspension Criteria for a Second Time

Property owners placed on the Suspension List, removed (due to meeting all the requirements), and then subsequently exceeds the suspension criteria for a second time, will return to the list to serve a second one-year suspension. Additionally, they will be required to attend another HQS Training.

Owners currently suspended, but have had subsequent HAP contract terminations due to HQS will be removed from the list on a case-by-case basis (using the same factors outlined above). However, no owner that meets this criterion will be removed from the list without attending a CHA-HQS Training.

24.5 OWNER DO NOT LEASE LIST

Any owner who is suspended from the HCV Program will be placed on CHA's Do Not Lease List for a specified period of time.

A. Reasons

Owners may be placed on this list for the following reasons:

1) *Criminal Background Issue-Criminal Activity*

The suspension period lasts three years from the date of conviction or release from a correctional institution. If parole or supervised release is a condition of the sentence, suspension will remain in place for three years after the sentence is successfully completed.

2.) *Criminal Background Issue-Arson, Sex offender, Child Molestation*

If an owner is convicted of arson or is placed on the lifetime sex offender registry list, they remain on the list permanently.

For owners who have been required to register on the Maine Sex Offender Registry for a defined period of time, the suspension lasts as long as the owner is required to register.

3.) *HUD Debarment*

Owners remain on the list until they are removed from the HUD Debarment List.

4.) *City's Problem Landlord/Problem Building Owner List*

The owners on this list have three or more serious building code violations. Owners remain on the list until they are removed from the City's Problem Landlord/Problem Building Owner List.

5.) *Committed Fraud*

Any owner placed on the list due to proven allegations of fraud against the CHA remains on the list for at least three years. If the fraud has resulted in the owner owing money to the CHA, they will not be removed until the entire amount is paid back.

6.) *Lead Violation*

If an owner is placed for knowingly falsifying information regarding lead paint, they are placed on the list for a three-year period.

7.) *HAP Contract Terminations due to HQS Violations*

If an owner is suspended for too many HQS fails as determined by the Owner Suspension Guidelines, the owner will be subject to the Do Not Lease list. Upon first offense, owners will be placed on the list for one year for the first violation. However, any subsequent violations result in a three-year suspension.

8.) *Engaging in Physical or Verbal Abuse Towards CHA Personnel*

CHA reserves the right to place on the Do Not Lease List for up to three years any owner who engages in physical or verbal abuse towards CHA personnel (including CHA employee, CHA contractor, subcontractor, agent). To be removed the owner will be required to attend an Owner Briefing.

9.) Fair Housing Violations

CHA reserves the right to place on the Do Not Lease List for up to three years any owner who violates any state, local, or federal fair housing law.

10.) HAP Contract and Other Violations

CHA reserves the right to place on the Do Not Lease List for up to three years any owner who violates the HAP Contract or any federal, state, or local law as it relates to landlord-tenant issues.

B. Procedures for Adding Owners to the Do Not Lease List

Upon receiving information that an owner may fall into one of the categories listed above, a staff member will notify the owner that they are being placed on the Do Not Lease List. If there is a Request for Tenancy Approval being processed, the owner and tenant will receive a letter stating that the unit is currently ineligible to participate in the HCV program. The letter will state the reason for the suspension and how long the suspension is anticipated to be effective.

For a suspension lasting up to one (1) year: the owner will be placed on the Do Not Lease list and be informed of his/her right to contest the decision through submitting documents or meeting with a staff member. Only after staff has determined that the suspension decision was made in error will the owner be removed from the Do Not Lease list.

For a suspension lasting more than one (1) year: staff will send the owner notification of the decision to place the owner on the Do Not Lease list indicating the effective date of the suspension. The notice will inform the owner of his/her right to contest the decision by either submitting documents or meeting with a staff member. If no communication is received to contest the suspension decision, suspension becomes effective on the original notice date.

CHA staff will review the HUD Debarment List, and City's Problem Landlord List, on a quarterly basis. CHA staff will add or remove owner's names in accordance with the procedures and policies outlined above. For owners who are placed on the Do Not Lease List for HAP Contract Termination due to HQS Violations, CHA will review those names monthly.

C. Opportunities for Dispute

Once CHA has sent notice to the owner of either the suspension or its intention to place the owner on the Do Not Lease list, the owner shall have thirty (30) days to contest the decision. This may be done through written documents, telephonically, or in-person. To contest the decision in-person, the owner must schedule a meeting with a designated CHA representative within 30 days of the date on the notification letter. After hearing and/or reading any evidence against the reason for the owner's suspension, the designated CHA representative will send the owner notification within 30 days of the decision to either uphold or overturn the suspension. In the case where the owner has already been placed on the Do Not Lease list, the letter will indicate that the owner has been removed from the list.