

LOUISVILLE METRO HOUSING AUTHORITY (LMHA)

ADMISSIONS AND CONTINUED OCCUPANCY POLICY (ACOP)

The LMHA is proposing changes to the following sections:

Preface

Section 7: Taking Applications

Section 8: Eligibility for Admission

Section 10: Tenant Selection and Assignment Plan

Section 14: Community Service

Section 16: Unit Transfers

Section 20: Termination

Glossary: Definition of “Work-Able Household”

Appendix D: Flat Rent Schedule

Public comment welcome from
November 13, 2015 – December 14, 2015

PREFACE

[...]

This document governs all LHMA public housing residents except those residing at ~~the~~ Liberty Green, Sheppard Square, or Park DuValle Phases II-IV-developments. Residents of these sites are governed by separate ACOP documents.

7.0 TAKING APPLICATIONS

[...]

Site-Based Waiting Lists

[...]

Management Office Addresses for Developments with a Site-Based Waiting List:

[...]

Wilart Arms Apartments

1797 Wilart Drive

Louisville, KY 40210

Phone: (502) 772-2249

Website: <http://wearehpi.org/your-new-home/multi-family-apartments/>

[...]

Changes proposed to Section 8.1.I.2 below will become effective immediately upon HUD approval of the Housing Authority's FY 2016 Moving to Work (MTW) Annual Plan:

8.0 ELIGIBILITY FOR ADMISSION

~~8.1 INTRODUCTION~~

~~There are five eligibility requirements for admission to public housing: qualifies as a family, has an income within the income limits, meets citizenship/eligible immigrant criteria, provides documentation of Social Security numbers, and signs consent authorization documents. In addition to the eligibility criteria, families must also meet the LMHA screening criteria in order to be admitted to public housing.~~

8.12 ELIGIBILITY CRITERIA

[...]

I. Eligibility for Scattered Site Units

The LMHA's internal Scattered Site Unit Referral List includes a variety of single- and multi-family units across a number of developments, including (but not limited to) the Liberty Green Community Center, Neighborhood Stabilization Program (NSP) units, Newburg, St. Francis, Stephen Foster, and Village Manor.

1. General Scattered Site Unit Eligibility Requirements

To be eligible for the LMHA's internal Scattered Site Unit Referral List, a family must have been living in an LMHA public housing unit for at least one year, have had no more than three late rent payments within the past 12 months, have an excellent or above average housekeeping record, and be lease compliant.

~~Any family that has more than three late rent payments within a 12-month period will be required to transfer to a non scattered site unit at the family's expense when a unit of the appropriate size becomes available. This policy change will become effective January 1, 2017.~~

~~Any family that does not remain lease compliant may be required to transfer to a non scattered site unit at the family's expense when a unit of the appropriate size becomes available. As described in Chapter 20, LMHA will terminate the lease for serious or repeated violations of material lease terms.~~

~~Families transferred back to a non scattered site unit due to the action or inaction of the family must wait at least one year before re-applying for transfer to a scattered site unit, and must meet the eligibility requirements at the time of re-application.~~

2. Additional Eligibility Requirements for Detached Single-Family Houses

In addition to meeting the general scattered site unit eligibility requirements stated above, all adult family members living in scattered-site, detached single-family houses must be full-time students or employed (working at least twenty hours per week) or elderly (62+) or disabled.

Any family containing an adult who falls out of compliance with the requirements above for a period of more than 90 consecutive calendar days will be transferred to another public housing unit within the LMHA's public housing stock that does not have a work / education requirement **at the family's expense** when a unit of the appropriate size becomes available.

~~All adult residents must participate in an approved case management program and meet annual self-sufficiency goals as defined in their case management plan. Participation in the LMHA's Public Housing Family Self-Sufficiency (FSS) Program fulfills the case management requirement.~~

~~In addition, the LMHA has established a five-year time limit on residency at all scattered-site, single-family houses.~~

~~At the end of the five-year residency time limit, families will be required either to relinquish their assistance, or if they are otherwise lease-compliant, will be permitted to transfer to a non-scattered-site public housing unit.~~

~~Families who have made significant progress toward their self-sufficiency goals, but are not quite ready to enter the private housing market, may request a temporary extension to the residency time limit. The LMHA will work with each approved family to update all outstanding goal dates in their case management plan, and to determine when the temporary residency extension will expire. The LMHA may revoke the family's residency extension at any point if the family fails to complete remaining self-sufficiency goals in a manner consistent with the updated case management plan. The Housing Authority expects that all families receiving a temporary residency extension will be prepared to move to non-subsidized housing by the time their extension expires.~~

~~The elderly (62+) and persons with disabilities will be exempt from the employment / school requirement, but will be subject to both the case management requirement and the five-year time limit on residency.~~

Working families on the LMHA's central waiting list are eligible for a preference for 3-bedroom, scattered site, single-family detached houses only. All adult household members must be working at least 20 hours per week or full-time students or elderly (62+) or disabled. ~~Families must comply with the case management requirements detailed above and are subject to the five-year residency time limit imposed on families admitted to these sites through the Housing~~

~~Authority's internal Scattered Site Unit Referral List.~~ Families will only be selected from the central waiting list when there are no eligible families on the internal Scattered Site Unit Referral List.

J. No-Smoking Requirement

At the time of admission to the Housing Authority's Public Housing Program, the applicant must sign an addendum to the public housing lease affirming that neither they nor any member of their household will smoke anywhere in their dwelling unit or in any common areas of their building, nor will any resident permit guests or visitors under their control to do so.

Those transferring between units will also be required to sign a no-smoking lease addendum unless they are transferred involuntarily by the Housing Authority for reasons beyond the family's control or cause. For these transfers only, signing the no-smoking lease addendum will be optional for residents moving to a smoking unit.

[...]

8.34 **GROUND'S FOR DENIAL**

The LMHA is not required or obligated to assist families where applicants or members of the applicant's household:

[...]

- F. Have a history of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other tenants or staff or cause damage to the property;

~~For the purpose of this Policy, if any member of the applicant family has been arrested at least two times within the prior five year period for this purpose, they will be determined to have engaged in criminal activity, drug related criminal activity, or violent criminal activity.~~

[...]

- O. Fugitive felons, parole violators, persons on home incarceration, persons under supervised probation, ~~persons awaiting trial for felonies or other serious charges,~~ and persons fleeing to avoid prosecution or custody or confinement after conviction for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees;

[...]

Changes proposed to Section 10.1.F below will become effective immediately upon HUD approval of the Housing Authority's FY 2016 Moving to Work (MTW) Annual Plan:

10.0 TENANT SELECTION AND ASSIGNMENT PLAN

10.1 PREFERENCES

The LMHA will select families based on the following preferences within each bedroom size (0-bedroom, 1-bedroom, 2-bedroom, etc.). These preferences are based on local housing needs and priorities:

- A. *Former Clarksdale residents who were relocated by the LMHA as a result of the Housing Authority's HOPE VI Revitalization of the site receive a one-time preference for all rental units built through the Liberty Green Revitalization effort. (Category I preference)*

These families should apply through the Liberty Green site-based waiting list for units at Liberty Green, and through the agency's central waiting list for all other units built through the Revitalization effort;

- B. *Former Sheppard Square residents who were relocated by the LMHA as a result of the Housing Authority's HOPE VI Revitalization of the site receive a one-time preference for all rental units built through the Sheppard Square Revitalization effort. (Category I preference)*

These families should apply through the Sheppard Square site-based waiting list for units at Sheppard Square, and through the agency's central waiting list for all other units built through the Revitalization effort;

- C. *An involuntarily displaced individual or family. (Category 13 preference)*

To qualify for this preference, an individual or family must meet at least one of the following criteria:

1. An individual or family displaced by government action;
2. An individual or family that includes a member who is unable to use critical elements of their current rental unit due to a mobility impairment and where the owner is neither legally obligated nor willing to make adaptive modifications;
3. An individual or family that is facing an eviction action due to reasons beyond their control or cause;
4. An individual or family that has been forced to vacate their home due to a fire that was beyond their control or cause; or

5. An individual or family whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized by a unit of local, state, or federal government;

D. *Individuals and families referred by the Family Health Centers Common Assessment Team that include an adult household member who is a homeless veteran. (Category 2 preference)*

For the purpose of determining eligibility for this preference, at least one adult household member must both:

1. Meet the criteria for “homeless” as the term is defined in this Plan’s Glossary; and
2. Be a veteran, where “veteran” means a person who wore the uniform of any of the military forces. The term “veteran” does not include National Guard members who were never called up for service.¹

In addition, the individual or family must be referred to the LMHA by the Family Health Centers Common Assessment Team.

Families or individuals that believe they may qualify for this admissions preference should contact:

Family Health Centers Common Assessment Team
1300 S. 4th St., Suite 200
Louisville, KY 40208
Phone: (502) 773-3811
Website: <http://www.fhclouisville.org/health-services/healthcare-for-the-homeless>

E. *Participants successfully graduating from the YouthBuild Louisville program. (Category 3 preference)*

This preference only applies to participants living in subleased LMHA public housing at the time of program completion. Such individuals receive a preference for either the Housing Choice Voucher or Public Housing Program, but not both;

F. *Working families receive a preference for 3-bedroom, scattered-site, single-family detached houses only. (Category 3 preference)*

All adult family members must be full-time students or employed (working at least 20 hours per week) or elderly (62+) or disabled. ~~In households containing elderly or disabled adults, at least one adult family member must be working or a full-time student.~~ See Glossary for definition of Work / Working.

¹ RX: *Housing Veterans. Report to Mayor Fischer on Ending Veteran Homelessness in Louisville, Kentucky.* 5 December 2014.

~~In addition, all adult family members must agree to participate in an approved case management program and meet annual self-sufficiency goals as defined in their case management plan. Participation in the LMHA's Public Housing Family Self-Sufficiency (FSS) program fulfills the case management requirement.~~

~~Finally, applicants should be aware that these sites have a five-year residency time limit. At the end of five years, families will be required either to relinquish their assistance, or if they are otherwise lease-compliant, will be permitted to transfer to a non-scattered-site public housing unit.~~

~~Families who have made significant progress toward their self-sufficiency goals, but are not quite ready to enter the private housing market, may request a temporary extension to the residency time limit. The LMHA will work with each approved family to update all outstanding goal dates in their case management plan and to determine when the temporary residency extension will expire. The LMHA may revoke the family's residency extension at any point if the family fails to complete remaining self-sufficiency goals in a manner consistent with the updated case management plan. The Housing Authority expects that all families receiving a temporary residency extension will be prepared to move to non-subsidized housing by the time their extension expires.~~

Working families will only be selected from the central waiting list when there are no eligible families on the LMHA's internal Scattered Site Unit Referral List.

~~*G. An individual or family residing in substandard housing. (Category 3 preference)*~~

~~To qualify as substandard housing, the unit must exhibit one or more of the following characteristics:~~

- ~~1. Should, but does not have:
 - ~~a. A useable toilet;~~
 - ~~b. A useable tub or shower; or~~
 - ~~c. A useable kitchen.~~~~

~~This category excludes housing units that would not be expected to have these features, for example single room occupancy units or congregate housing dwellings, unless said features are not available elsewhere on the premises for the use of the family;~~

- ~~2. Where there is no electricity or the electricity is unsafe;~~
- ~~3. Has no safe or adequate source of heat; or~~
- ~~4. Is declared unfit for habitation by a government agency;~~

~~H. An individual or family paying more than 50% of their household's gross income for rent and/or utilities for at least the past three months. (Category 3 preference);~~

GI. An individual or family displaced as a result of physical violence. (Category 3 preference)

To qualify for this preference, an individual or family must meet at least one of the following criteria:

1. Victims of domestic violence where the most recent incident of abuse occurred no more than thirty calendar days before the ~~submission of the pre-application date the applicant begins the full application process;~~
2. Victims of ~~recent~~ hate crime(s), where a hate crime is defined as actual or threatened physical violence or intimidation that is directed against a person or their property and is based on the person's race, color, religion, sex, perceived or actual sexual orientation or gender identity, national origin, handicap, or familial status. ~~The most recent incident must have occurred no more than thirty calendar days before the date the applicant begins the full application process. It must have occurred recently or be of a continuing nature;~~ or
3. Police informants for whom the law enforcement agency has recommended re-housing in order to avoid or minimize the risk of violence against family members.

~~HI. A homeless applicant, as verified through the Kentucky Homeless Management Information System (HMIS). The applicant must be identified within Kentucky HMIS as having been homeless within the thirty calendar days immediately prior to the date they begin the full application process. (Category 3 preference)~~

Applicants that qualify for a Category 1 preference will be housed first.

Applicants that qualify for a Category 2 preference (but not a Category 1 preference) will be housed before applicants that qualify for a Category 3 preference.

Applicants that qualify for a Category 3 preference (but not a Category 1 or 2 preference) will be housed before applicants that do not qualify for a preference.

Within the same preference category, applicants that qualify for multiple preferences will not be housed before applicants that qualify for fewer preferences.

Within the same preference category, the date and time of pre-application will be used to determine the sequence in which applicants are housed.

~~Notwithstanding the above, individuals who are elderly, or disabled, or displaced will be offered housing before other single persons.~~

[...]

14.0 COMMUNITY SERVICE

14.1 GENERAL

In order to be eligible for continued occupancy, each adult family member must either:

- A. Contribute eight hours per month of community service (not including political activities);
- B. Participate in an economic self-sufficiency program; or
- C. Perform eight hours per month of combined activities as previously described unless they are exempt from this requirement.

~~The eight hours of activity must be performed each month. An individual may not skip a month and then double up the following month unless special circumstances warrant it. The activity may be completed at eight hours each month or may be aggregated across a year. Any blocking of hours is acceptable as long as 96 hours is completed by each annual certification.~~

14.2 EXEMPTIONS

The following adult family members of tenant families are exempt from this requirement:

- A. Family members who are 62 or older;
- B. Family members who are blind or disabled as defined under 216(i)(1) or 1614 of the Social Security Act (42 U.S.C. 416(i)(1); **Section 1382c**) and who certify that, because of this disability, she or he is unable to comply with the community service requirements;
- C. Family members who are the primary care giver for someone who is blind or disabled as set forth in Paragraph B above;
- D. Family members engaged in work activities at least eight hours per month as defined in section 407(d) of the Social Security Act (**42 U.S.C. Section 607(d)**) as specified below:
 - 1. Unsubsidized employment;
 - 2. Subsidized private-sector employment;
 - 3. Subsidized public-sector employment;
 - 4. Work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;
 - 5. On-the-job-training;

6. Job-search ~~and job readiness assistance~~;
 7. Community service programs;
 8. Vocational educational training (not to exceed 12 months with respect to any individual);
 9. Job-skills training directly related to employment;
 10. Education directly related to employment in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency; ~~and~~
 11. Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate. ~~;~~ ~~and~~
 - ~~12. The provision of childcare services to an individual who is participating in a community service program.~~
- E. Family members who are ~~or would be exempt from work activity~~ able to meet requirements under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. Section 601 et seq.) or under any other State welfare program ~~of the State in which PHA is located including the a State administered Welfare-to-Work program~~; or
- F. Family members receiving assistance, benefits, or services under a State program funded under part A title IV of the Social Security Act (42 U.S.C. Section 601 et seq.) or under any other State welfare program (including the Supplemental Nutrition Assistance Program (SNAP)) of the State in which PHA is located, including State-administered welfare-to-work and who are in compliance with that program.

[...]

14.4 VOLUNTEER OPPORTUNITIES

Community service includes performing work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident within the community.

Eligible community service activities include, but are not limited to, serving at:

- A. Local public or nonprofit institutions, such as schools, Head Start Programs, before-or after-school programs, childcare centers, hospitals, clinics, hospices, nursing homes, recreation centers, senior centers, adult daycare programs, homeless shelters, feeding programs, food banks (distributing either donated or commodity foods), or clothes closets (distributing donated clothing);

- B. Nonprofit organizations serving LMHA residents or their children, such as: Boy or Girl Scouts, Boys or Girls Club, 4-H Clubs, Police Activities League (PAL), organized children's recreation, mentoring, or education programs, Big Brothers or Big Sisters, Garden Centers, community clean-up programs, beautification programs;
- C. Programs funded under the Older Americans Act, such as Green Thumb, Service Corps of Retired Executives, senior meals programs, senior centers, Meals on Wheels;
- D. Public or nonprofit organizations dedicated to seniors, youth, children, residents, citizens, special-needs populations or with missions to enhance the environment, historic resources, cultural identities, neighborhoods or performing arts;
- E. LMHA housing to improve grounds or provide gardens (so long as such work does not alter the Housing Authority's insurance coverage); or work through resident organizations to help other residents with problems, outreach and assistance with LMHA-run self-sufficiency activities including supporting computer learning centers; and
- F. Care for the children of other residents so parents may volunteer.

Otherwise eligible court-ordered service work may be counted toward the community service requirement.

Eligible self-sufficiency activities include, but are not limited to:

- A. Job readiness or job training while not employed;
- B. Training programs through local One-Stop Career Centers, Workforce Investment Boards (local entities administered through the U.S. Department of Labor), or other training providers;
- C. Higher education (junior college or college);
- D. Apprenticeships (formal or informal);
- E. Substance abuse or mental health counseling;
- F. Reading, financial and/or computer literacy classes;
- G. English as a second language and/or English proficiency classes;
- H. Budgeting and credit counseling; and
- I. For residents participating in ROSS or the Family Self-Sufficiency (FSS) Program, regular meetings with their ROSS Service Coordinator or FSS Program Coordinator.

~~An economic self-sufficiency program is one that is designed to encourage, assist, train, or facilitate the economic independence of participants and their families or to provide work for participants. These programs may include programs for job training, work placement, basic skills training, education, English proficiency, work fare, financial or household management, apprenticeship, and any program necessary to ready a participant to work (such as substance abuse or mental health treatment).~~

The LMHA will coordinate with social service agencies, local schools, and the Human Resources Office in identifying a list of volunteer community service positions.

Together with the resident advisory councils, the LMHA may create volunteer positions such as hall monitoring, litter patrols, and supervising and record keeping for volunteers.

14.5 THE PROCESS

Upon admission and each annual reexamination thereafter, the LMHA will do the following:

- A. Provide a list of volunteer opportunities to the family members.
- B. Provide information about obtaining suitable volunteer positions.
- C. Provide a volunteer time sheet to the family member. Instructions for the time sheet require the individual to complete the form and have a supervisor date and sign for each period of work.
- D. At least thirty calendar days before the family's lease anniversary date, the LMHA will determine whether each applicable adult family member is in compliance with the community service requirement. **LMHA will obtain third-party verification of community service hours administered through outside organizations.**

[...]

14.8 PROHIBITION AGAINST REPLACEMENT OF AGENCY EMPLOYEES

In implementing the service requirement, LMHA will not substitute community service or self-sufficiency activities performed by residents for work ordinarily performed by its employees or replace a job at any location where residents perform activities to satisfy the service requirement. **However, residents may do community service on LMHA property or with or through Housing Authority programs to assist with or enhance work done by an LMHA employee.**

16.0 UNIT TRANSFERS

16.5 COST OF THE FAMILY'S MOVE

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

- A. When the transfer is made at the request of the family or by others on behalf of the family (i.e., by the police);
- B. When the transfer is needed to move the family to an appropriately sized unit, either larger or smaller; ~~or~~
- C. When the transfer is needed because action or inaction by the family caused the unit to be unsafe or uninhabitable; **or**
- D. **When the family has failed to comply with ongoing scattered site eligibility requirements, and the move is necessary to transfer the family to a unit without such requirements.**

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

- A. When the transfer is needed in order to carry out modernization, disposition, or demolition activities;
- A. When action or inaction by the LMHA has caused the unit to be unsafe or uninhabitable; or
- B. When the transfer is needed because a family with disabilities needs the accessible unit.

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

20.0 TERMINATION

[...]

20.4 TERMINATION OF OVER-INCOME HOUSEHOLDS

As of April 1, 2016, work-able households (that do not have a valid contract of participation under the Family Self-Sufficiency Program) whose annual income exceeds 80% of area median income at the time of re-examination (either annual or interim) will be given a six-month termination notice.

Should the household experience a loss of income or a change in family composition during the six-month notice period, they may request an interim re-examination. If the family's new annual income, as verified by the interim re-examination, is found to be below 80% of area median income, the termination notice will be revoked.

During April 2016, LMHA will prepare a list of households whose annual income exceeds 80% of area median income as of April 1, 2016, as verified through their most recent re-examination. These families will immediately be scheduled for an interim re-examination, and given a six-month termination notice should their income still exceed 80% of area median income.

[...]

GLOSSARY

[...]

Work-Able Household: A household in which at least one adult household member is under the age of 62 and not disabled.

LOUISVILLE METRO HOUSING AUTHORITY PUBLIC HOUSING FLAT RENT SCHEDULE

*Rents Effective **January 1, 2016***

Public Housing Developments Where Families Pay for Their Own Utilities

Development	Unit Type	Number of Bedrooms	Flat Rent
Clarksdale HOPE VI Scattered Site Homes	House	3	\$781
Family Scholar House	Apartment	2	\$564
Liberty Green	Apartment	0	\$500
		1	\$550
		2	\$624
	House	4	\$795
	Townhouse	2	\$650
		3	\$724
Park DuValle	Apartment	1	\$550
		2 (Senior)	\$610
		2	\$640
		3	\$740
	House	3	\$790
		4	\$857
	Townhouse	2	\$665
		3	\$745
The Oaks	Apartment	0	\$388
		1	\$454
	House	3	\$781
		4	\$883
	Townhouse	2	\$564
		3	\$781
Sheppard Square	All Unit Types	2	\$520
		3	\$740
		4	\$821
Stephen Foster	Apartment	1	\$392
Village Manor	All Unit Types	2	\$564

All Other Public Housing Developments (LMHA Pays Utility Bills on Family's Behalf)

Number of Bedrooms	Flat Rent
0	\$436
1	\$510
2	\$646
3	\$889
4	\$1,009

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