

RESOLUTION NO. 94-016

ADOPTED BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO

ON DATE OF NOV 22 1994

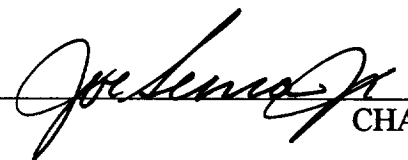
CHANGES TO SECTION 8 CERTIFICATE AND VOUCHER PROGRAM FOR ADMISSIONS

BE IT RESOLVED BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO:

Section 1: The changes to the admissions policy for the Section 8 certificate and voucher program, attached as Attachment I, are approved.

Section 2: The Executive Director is authorized to implement said changes to the admissions policy, effective January 18, 1995.

Section 3: The Executive Director is authorized to amend the Section 8 Administrative Plan, per Attachment II, to conform with the new admissions policy.


CHAIR

ATTEST


SECRETARY

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I. FEDERAL PREFERENCES

Applicants shall be given preference in the following descending order:

- A. Displaced by natural disaster (fire, flood, earthquake)
 - 1. Resident of Sacramento County
 - 2. Veteran
 - 3. Date and time of application

- B. Displaced by domestic violence (violence within the household)
 - 1. Resident of Sacramento County
 - 2. Veteran
 - 3. Date and time of application

- C. All other federal preferences (equal ranking) which includes:
 - 1. Involuntarily displaced because of:
 - a. Government action (code enforcement).
 - b. Action of housing owner (sale or withdrawal of unit for rental purposes).
 - c. Domestic violence (by someone living in the household). Applicant must agree that perpetrator will not become a part of household.
 - d. To avoid reprisals (applicants who have cooperated with law enforcement officials and have been referred for relocation).
 - e. Hate crimes (actual or threatened physical violence or intimidation based on a person's race, color religion, sex, national origin, handicap or familial status).
 - f. Inaccessibility of unit (impairment that makes a person unable to use critical elements of a unit and owner is not legally obligated to make the changes).
 - g. HUD disposition of multi-family project.

 - 2. Living in sub-standard housing (building code violations, and those persons in shelters or homeless).

 - 3. Rent burden (paying 50 percent or more of income for rent).

a. ~~Resident of Sacramento County~~
b. ~~Date and time of application~~

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- D. Displaced by natural disaster (fire, flood, earthquake)
 - 1. Non-resident of Sacramento County
 - 2. Date and time of application
- E. Displaced by domestic violence
 - 1. Non-resident of Sacramento County
 - 2. Date and time of application
- F. All other federal preferences (equal ranking)
 - 1. Non-resident of Sacramento County
 - 2. Date and time of application

II. LOCAL PREFERENCES

- A. Employment Income (wage income for at least 20 hours a week, including income from head or spouse or sole member, who are age 62 or over or receiving Social Security Disability, Supplemental Security Income Disability).
 - 1. Veteran *
 - 2. Resident of Sacramento County
 - 3. Date and time of application
- B. Employment Income (wage income for at least 20 hours a week, including income from head or spouse or sole member, who are age 62 or over or receiving Social Security Disability, Supplemental Security Income Disability).
 - 1. Non-Veteran *
 - 2. Resident of Sacramento County
 - 3. Date and time of application
- C. Local Special Needs (to insure an equitable division of resources based upon urgency of need). Examples of programs which will qualify for this exception:
 - 1. Homeless
 - 2. Transitional Living
 - 3. Transfers
 - 4. Others as determined by the Executive Director
- E. All other applicants
 - 1. Date and time of application

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* Section 8 = 10% rule; Public Housing = 50% rule

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IV. Applications, Determination of Eligibility, Selection of Families and Occupancy Standards

A. Applications

When applications are open, interested persons may apply by calling the Housing Authority's special application telephone number during the days and time so specified in the required public notices. The notices will provide potential applicants the necessary information to apply for assistance, including a Housing Authority telephone number to call, dates and times during which applications will be accepted and a brief program description including information on eligibility requirements and the availability of the Federal preferences. Those persons who call and express a desire to participate will have their names placed on the preliminary applications registration waiting list. No interested applicant will be denied the right to apply. All applicant telephone information will be retained according to date and time of preliminary telephone request, family type, federal and local preference.

Duplicate active applications will not be honored. Only one Certificate/Voucher will be issued per application. In the event of divorce, separation, or other reasons for family separation, the certificate/voucher will be issued to the person legally responsible for the minor children. Once the applicant's name is reached on the waiting list, a basic application packet with instructions, (including eligibility appointment date and time) will be mailed to the applicant for completion. The completed application information is to be submitted to the Central Tenant Selection Office at the time of the scheduled eligibility interview.

During the eligibility process, all applicants will be given the opportunity to show that they qualify for a federal or local preference. Failure to keep an eligibility interview appointment and/or failure to provide the necessary verification information within 30 days of scheduled appointment will result in no further consideration being given by the Housing Authority to the application and the case will be closed.

The Section 8 certificate waiting list shall be used in selecting applicants for the Housing Voucher Program. Applicants issued vouchers and/or certificates allocated in conjunction with the Authority's Rental Rehabilitation Program or Homeless Program need not be taken from the regular Section 8 program sequential waiting list. Rental Rehabilitation applicants may include families occupying units prior to the rehabilitation, however, the family must be in place at the time rehabilitation commences. Once issued a certificate or voucher, the family ~~must remain in the rehabed~~

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unit.

Applicants will not be penalized for refusing the first form of assistance offered (form = certificate or voucher). If the family refuses the second form of assistance offered, its name will be removed from the waiting list.

For application procedures pertaining to the Rental Rehabilitation, Moderate Rehabilitation, State Aftercare and Homeless Programs, please refer to the appropriate Section of this administrative Plan.

B. Determination of Eligibility

To be eligible for issuance of a Section 8 Existing Certificate of Family Participation or voucher, the applicant must meet the following requirements:

1. An eligible household must consist of a person or persons:
 - a. 62 years of age or older; or
 - b. Disabled or handicapped as defined by Section 202 of the Housing Act of 1958 and/or Section 223 of the Social Security Act or Section 102(a) of the Developmental Disabilities Services and facilities Amendments of 1970, or
 - c. Who are members of a family group, which consists of two or more persons sharing residency for at least one year and whose income and resources are available to meet the family needs; or
 - d. Who are participants in a family relationship determined to be stable by the Housing Authority.
 - e. Who are two or more elderly, disabled or handicapped persons living together, or one or more such persons living with another person who is determined to be essential to his or her care and well being; or
 - f. Who is the remaining participant family member. The remaining participant family member will be reassigned another bedroom size certificate, provided one is available, and will be required to assume occupancy of the appropriate size unit. The remaining participant family member will remain eligible, provided they continue to meet all other program requirements and continue occupancy in the new unit. Remaining member of a participant family will not include an unrelated member of the former family or person(s) whose service was necessary for the well-being of an elderly,

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disabled or handicapped head-of-household, or spouse and whose income was not counted for eligibility purposes.

- g. A single pregnant woman whose income is at or below the income limit for one person.
 - h. A person in the process of adopting or securing legal custody of an individual under the age of 18.
2. Meet the income limitations as established by the United States Dept. of Housing and Urban Development. Such income limitations may be subject to periodic changes by the United States Department of Housing and Urban Development. When such change occurs, those applicants on the waiting list that may be adversely affected will be so notified at the time of eligibility determination.
 3. The applicant must not be a past participant of any Section 8 or public housing program who has failed to satisfy liability for amounts owed to the Housing Authority for unpaid rent or damages.

Families determined ineligible for failure to satisfy the initial requirements will be notified in writing and given the opportunity to request an informal review to appeal the decision.

C. Selection of Families

Selection of applicants for Section 8 assistance will be conducted in a manner that ensures applicants who are otherwise eligible and who qualify for a Federal Preference and a local preference take precedence over non-resident Federal preference-holders and all other applicants.

Applicant families will be selected from among eligible families based on date and time of application.

The Federal Preferences are:

- involuntary displacement
- living in sub-standard housing
- paying more than 50 percent of family income for rent

The three Federal Preferences are defined as follows:

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1. Involuntary Displacement

An applicant is or will be involuntarily displaced if the applicant has vacated his or her housing unit as a result of one or more of the following actions:

- a. A disaster, such as fire or flood, that results in the uninhabitability of an applicant's housing unit;
- b. Activity carried on by an agency of the United States or by any state or local governmental body or agency in connection with code enforcement or public improvement or development program; or
- c. Action by a housing owner that results in an applicant's having to vacate his or her unit where:
 - (1) The reason for the owner's action is beyond an applicant's ability to control or prevent;
 - (2) The action occurs despite an applicant's having met all previously imposed conditions of occupancy; and
 - (3) the action taken is other than a rent increase¹.

Reasons for an applicant's having to vacate a housing unit include but are not limited to conversion of an applicant's housing unit to non-rental or non-residential use; closure of an applicant's housing unit for rehabilitation or for any other reason; notice to an applicant that he or she must vacate a unit because the owner wants the unit for the owner's personal or family use or occupancy; sale of a housing unit in which an applicant resides under an agreement that the unit must be vacant when possession is transferred; or any other legally authorized act that results or will result in the withdrawal by the owner of the unit or structure from the rental.

- d. An applicant is also involuntarily displaced if--

¹ Except in instances where project rents are being increased due to the owner's withdrawal or "opt-out" from a rent subsidy program. Living in Sub-Standard Housing

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- (1) The applicant has vacated his or her housing unit as a result of actual or threatened physical violence directed against the applicant or one or more members of the applicant's family by a spouse or other member of the applicant's household; or
- (2) The applicant lives in a housing unit with such an individual who engages in such violence.

The actual or threatened violence must have occurred within the past 30 days or be of a continuing nature.

- (3) To avoid reprisals (applicants who have cooperated with law enforcement officials and have been referred for relocation).
- (4) Hate crimes (actual or threatened physical violence or intimidation based on a person's race, color, religion, sex, national origin, handicap or familial status).
- (5) Inaccessibility of unit (impairment that makes a person unable to use critical elements of a unit and owner is not legally obligated to make the changes).
- (6) HUD disposition of multi-family project.

To qualify as involuntarily displaced, the applicant cannot be currently living in permanent replacement housing and reasons for displacement status must be verifiable in a form prescribed by this Agency.

Acceptable verification that an applicant is involuntarily displaced is identified in an Agency procedure which is available on request.

2. A unit is sub-standard if it:

- a. Is dilapidated--(does not provide safe and adequate shelter¹, and in its present condition endangers the health, safety, or well being of a family, or it has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. The defects may involve original construction, or they may result from continued neglect or lack of repair or from serious damage to the structure);

¹ Adequate ~~for family size~~ **FOR CITY CLERK USE ONLY**

- b. Does not have operable indoor plumbing;
- c. Does not have a usable flush toilet inside the unit for the exclusive use of a family;
- d. Does not have a usable bathtub or shower inside the unit for the exclusive use of a family;
- e. Does not have electricity, or has inadequate or unsafe electrical service;
- f. Does not have a safe or adequate source of heat;
- g. Should, but does not have a kitchen; or
- h. Has been declared unfit for habitation by an agency or unit of government.
- i. A "Homeless Family" is considered to be living in sub-standard housing if the family:
- j. Lacks a fixed, regular and adequate nighttime residence; or
- k. Has a primary nighttime residence that is:
 - (1) A supervised publicly or privately operated shelter designed to provide temporary living accommodation (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 - (2) An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - (3) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
- l. Single Room Occupancy (SRO) Housing is not substandard solely because it does not contain sanitary or food preparation facilities (or both).
- m. Acceptable verification that an applicant is living in sub-standard housing is Certification by one of this Agency's Housing Inspectors.
- n. Acceptable verification that an applicant is a ~~"homeless family" consists of Certification from a public or private facility that provides shelter for~~

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such individuals, or from the local police department or social service agency.

3. Paying More Than 50% of Family Income for Rent

Rent is defined as;

- a. The actual amount due, calculated on a monthly basis, under a lease or occupancy agreement between a family and a family's current landlord;
- b. The cost of tenant purchased utilities (except telephone) and the other housing services that are normally included in rent;
- c. For applicants who own a manufactured home, but who rent the space upon which it is located, rent includes the monthly payment to amortize the purchase price of the home calculated in accordance with HUD requirements;
- d. In the case of members of a cooperative, rent means the charges under the occupancy agreement between the members and the cooperative.
- e. Where utilities are purchased directly by tenants from utility providers:
 - (1) The utility allowance determined for the Section 8 Existing Housing Program is to be used or, if the family chooses, use the average monthly payments that it actually made for these utilities and services for the most recent 12-month period, or if information is not obtainable for the entire period, use the average of the past six months.
 - (2) Acceptable rent verification is having the family furnish copies of its most recent rental receipts (including canceled checks or money order receipts) and a copy of the family's current lease or occupancy agreement or the Authority may contact the landlord or its agent directly.
 - (3) To verify the actual amount a family paid for utilities and other housing services, the Authority must require the family to provide copies of the appropriate bills or receipts, or must obtain the information directly from the utility service supplier.

This Authority's ranking of the Federal Preferences provides that "displacement (resident of Sacramento County) takes **FOR CITY CLERK USE ONLY**

precedence over living in sub-standard housing or paying more than 50% of family income for rent; the latter two Federal Preferences having equal rank.

The Local Preferences are:

4. Employment Income (wage income for at least 20-hours a week, including income from head or spouse or sole member, who are age 62 or over or receiving Social Security Disability, Supplemental Security Income Disability).
 - a. Veteran
 - b. Resident of Sacramento County
 - c. Date and time of application
5. Employment Income (wage income for at least 20 hours a week, including income from head or spouse or sole member, who are age 62 or over or receiving Social Security Disability, Supplemental Security Income Disability).
 - a. Non-Veteran
 - b. Resident of Sacramento County
 - c. Date and time of application
6. Local Special Needs (to insure an equitable division of resources based upon urgency of need). Examples of programs which will qualify for this exception:
 - a. Homeless
 - b. Transitional Living
 - c. Transfers
 - d. Others as determined by the Executive Director
7. All other applicants
 - a. Date and time of application

All applicants will be categorized on the basis of preferences as set forth below:

FEDERAL PREFERENCES

8. Displaced by natural disaster (fire, flood, earthquake)
 - a. Resident of Sacramento County
 - b. Veteran
 - c. Date and time of application
9. Displaced by domestic violence (violence within the household)

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a. Resident of Sacramento County

- b. Veteran
 - c. Date and time of application
10. All other federal preferences (equal ranking) which includes:
- a. Involuntarily displaced because of:
 - (1) Government action (code enforcement).
 - (2) Action of housing owner (sale or withdrawal of unit for rental purposes).
 - (3) Domestic violence (by someone living in the household). Applicant must agree that perpetrator will not become a part of household.
 - (4) To avoid reprisals (applicants who have cooperated with law enforcement officials and have been referred for relocation).
 - (5) Hate crimes (actual or threatened physical violence or intimidation based on a person's race, color religion, sex, national origin, handicap or familial status).
 - (6) Inaccessibility of unit (impairment that makes a person unable to use critical elements of a unit and owner is not legally obligated to make the changes).
 - (7) HUD disposition of multi-family project.
 - b. Living in sub-standard housing (building code violations, and those persons in shelters or homeless).
 - c. Rent burden (paying 50 percent or more of income for rent).
 - (1) Resident of Sacramento County
 - (2) Date and time of application
11. Displaced by natural disaster (fire, flood, earthquake)
- a. Non-resident of Sacramento County
 - b. Date and time of application
12. Displaced by domestic violence
- a. Non-resident of Sacramento County
 - b. Date and time of application
13. All other federal preferences (equal ranking)
- a. Non-resident of Sacramento County
 - b. Date and time of application

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Within each of the preference categories above, the order of

selection for eligibility interview shall be determined by preference and earliest date and time of application.

Selection from this Wait List shall be made without regard to race, color, creed, religion, sex, handicap, national origin, marital status, familial status or source of income.

14. If the Authority determines that an applicant does not meet the criteria for receiving a Federal Preference, the Authority will promptly provide the applicant with written notice of the determination. The notice will contain a brief statement of the reasons for the determination and state that the applicant has the right to an informal hearing before an official designated by this authority.
15. Section 8 designated Units for the Homeless

The Housing Authority of the City of Sacramento has established special programs to address homelessness among the various homeless single person and family population in Sacramento.

A number of Section 8 certificates (Certificate/vouchers) are especially designated for homeless applicants participating in the Section 8 Existing Homeless Program and the Section 8 Moderate Rehabilitation Program for Single Room Occupancy Dwellings for Homeless Individuals. This allocation of Certificate/Vouchers will be counted against the 10 percent exception rule outlined in this administrative plan. This category does not include the special voucher allocation specifically designated for homeless individuals and families.

These certifications are to be processed as follows:

- a. Single individuals and families who are referred from a homeless shelter by the designated subcontractor serving as the SHRA Homeless Social Services Coordinator will be given a priority equal to the highest priority for Section 8 Existing Certifications (Certificate/Voucher) and may be referred to either homeless program depending on certification availability.
- b. The Section 8 Moderate Rehabilitation Program For Single Room Occupancy Dwellings for Homeless Individuals regulations require the PHA to maintain a separate waiting list for all applicants. Further applications for said pool will not be taken if the waiting period for applicants already in the pool is reasonably estimated to exceed 30 days and/or if there are further ~~FOR CITY CLERK USE ONLY~~ certifications available in the

designated allocation.

16. Qualifying for a Homeless Preference (special Housing Voucher allocation for housing the homeless)

An applicant qualifies for a homeless preference if they meet the definition of "homeless" as described in 24 CFR 882.219, specifically, a "homeless family" includes any individual or family who:

- a. Lacks a fixed, regular, and adequate nighttime residence; and
- b. Has a primary nighttime residence that is:
 - (1) A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 - (2) An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - (3) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

A "homeless family" does not include any individual imprisoned or otherwise detained pursuant to an Act of the Congress or a State Law.

Section 8 Homeless Vouchers (Special Allocation) Referral Process

Applicants referred to the Housing Authority for Section 8 Homeless Voucher assistance as follows:

- c. Each applicant will be certified as homeless by staff at the Homeless Shelters funded by the City and County of Sacramento.
- d. Each applicant will be referred to the Authority after an assessment by Homeless Program staff and shelter service providers regarding his/her ability to live independently and maintain a stable lifestyle.
- e. Each applicant will be referred for Section 8 Voucher assistance after being assessed that Voucher assistance is the best form of available housing.

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Other forms of available housing for the homeless would include:

- (1) Emergency shelter (Housing assistance of 30 days or less).
- (2) Temporary shelter (Housing assistance for up to 120 days).
- (3) Alternative housing (Congregate housing for up to 9 months).
- (4) Transitional housing for homeless individuals (Shared housing for up to 9 months).
- (5) Transitional housing for homeless families (Housing for up to six weeks).
- (6) Transitional housing for severely disabled (Housing for up to 12 months).
- (7) Permanent subsidized housing (Public housing, Section 8 Moderate Rehabilitation Program, and other forms of Section 8 assistance).

D. Occupancy Standards/Determination of Number of Bedrooms Listed on the Certificate of Participation and/or Voucher

Occupancy standards and determination of certificate/voucher bedroom size are based upon the ages and sexes of the family members who will reside in the assisted dwelling unit. The appropriate unit size for which the family is eligible must be listed on both HUD Form 50058, Application for Tenant Eligibility and Recertification, and HUD Form 52578, Certificate of Family Participation and in cases of voucher issuance, the appropriate voucher document. Therefore, the unit size designated on these forms should be assigned in accordance with the following standards:

1. No more than two persons should share a bedroom or living/sleeping room.
2. Children of the opposite sex over the age of 4 years are to be assigned separate bedrooms, when available.
3. Children of the same sex should share a bedroom.
4. Two adults (18 years of age or older) are not expected to share a bedroom unless married or living together as married.

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5. A single parent ~~should share a bedroom with a child under~~ **FOR CITY CLERK USE ONLY**

the age of 4 years.

6. For reasons of health, separate bedrooms may be provided for such individual family members as needed, provided the PHA receives written medical verification.
7. Each family member, regardless of age, is to be counted as a person, including live-in attendants. The proceeding principles result in the following standards:

<u>Certificate Bedroom Size</u>	<u>Minimum Number of Persons in Household</u>	<u>Maximum Number of Persons in Household</u>
0-BR	1	1
1-BR	1	2
2-BR	2	4
3-BR	4	6
4-BR	6	8
5-BR	8	10
6-BR	10	12

Occupancy Standards Waiver - The criteria and standards prescribed for the determination of an applicant's unit size to be listed on the certificate/voucher should apply to the vast majority of families. In some cases, however, the relationship, age, sex, health or handicap of the family members may warrant the assignment of a larger or smaller unit size than that which would result from strict application of the criteria. Such flexibility is permissible to the extent the determinations are made on the basis of these factors. Such allowable determinations should be documented in the tenant's file. For example: An elderly, handicapped or disabled person who requires a live-in attendant may be assigned a certificate/voucher to provide a private bedroom for the attendant in addition to other bedrooms for the family members who are not disabled or handicapped.

E. Flexibility of Unit Size Actually Selected

In accordance with regulations, a family may rent a larger dwelling unit than designated provided the rent the owner charges plus any allowances for utilities does not exceed the Fair Market Rent in the bedroom size designated on the certificate.

In cases of smaller sized units, the Fair Market Rent limitations must not be exceeded for the actual unit bedroom size and the unit must meet other Housing Quality Standards.

In cases where the family has been issued a voucher, the family may rent a unit for more or less than the Payment Standard, but ~~the amount of assistance (subsidy) remains the same (except~~ that the family must pay FOR CITY CLERK USE ONLY a minimum rent of 10 %

of unadjusted income). When the family selects a unit for less than the Payment Standards, it receives the savings in the form of a reduced tenant payment so long as the family pays the minimum rent.

Additionally, regardless of the number of bedrooms stated on the voucher, the Housing Authority shall not prohibit a family from renting an otherwise acceptable unit on the grounds that it is too large for the family. The family may also rent a unit with fewer bedrooms than stated on the voucher, provided the unit meets Housing Quality Standard space requirements. Should the Housing Authority determine that the selected unit does not meet HQS space requirements, the Housing Authority shall issue the family a new voucher and assist the family in locating a more suitable unit.

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