

QUINCY HOUSING AUTHORITY
ADMISSIONS
AND
CONTINUED OCCUPANCY POLICY

FEDERAL PUBLIC HOUSING PROGRAM



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INTRODUCTION

This Admissions and Continued Occupancy Policy (ACOP) sets forth the Authority's policies that govern its federally-funded public housing programs. The Authority also owns and operates a Section 8 housing program and state-funded public housing programs; however, this ACOP does not govern those programs. The Authority's Section 8 program is governed by its Section 8 Administrative Plan and applicable federal regulations and the Authority's state housing programs are governed by state law and regulations issued by the Mass. Department of Housing and Community Development (DHCD). Although this ACOP may refer to these other housing programs from time to time within this document, this is done to provide background information or for explanatory reasons.

SECTION I BASIC POLICY

In accordance with the Quincy Housing Authority's adopted Methods of Administration and consistent with HUD regulations, 24 CFR 960, the Authority has established the following Tenant Selection policies:

The Authority shall implement policies and procedures embodying standards and criteria for tenant selection which take into consideration the needs of individual families for public housing and the statutory purpose in developing and operating socially and financially sound public housing projects which provide a decent home and a suitable living environment and foster economic and social diversity in the tenant body as a whole, which shall:

1. Provide for de-concentration and income-mixing in accordance with the PHA Plan.
2. Preclude admission of applicants whose habits and practices reasonably may be expected to have a detrimental effect on the tenants or the project environment.
3. Assure that selection by the Authority among otherwise eligible applicants is objective and reasonable.
4. Not deny admission to Public Housing or evict a current Public Housing resident solely for reasons related to incidents of domestic violence in which the applicant or family member was a victim.
5. The tenant selection criteria to be established and information to be considered shall be reasonably related to individual attributes and behavior of an applicant and shall not be related to those which may be imputed to a particular group or category of persons of which an applicant may be a member.

It is the policy of the Quincy Housing Authority to comply fully with existing state and federal laws protecting the individual rights of applicants, tenants, or staff, and any laws subsequently enacted.

SECTION II
PROCESSING APPLICATIONS FOR ADMISSION

- A. The Quincy Housing Authority maintains one citywide waiting list for its Family Public Housing Program, and one citywide waiting list for its Elderly Public Housing Program. The citywide lists will apply to both the Authority's federal and state public housing programs. When a federal public housing unit becomes available, the applicant will be selected from the citywide list according to federal rules, regulations, preferences and priorities; when a state public housing unit becomes available, the applicant will be selected from the city-wide list according to state rules, regulations, preferences and priorities.
- B. The Quincy Housing Authority may close its Family Public Housing waiting list, and/or its Elderly Public Housing waiting list when it determines that there are sufficient applicants on a waiting list. During the period when the waiting list is closed, the Quincy Housing Authority will not maintain a list of individuals who wish to be notified when the waiting list reopens.
- C. If the waiting list is open, an application form completed in ink or type written and signed by the head of household will be accepted from each family, elderly, near elderly, disabled, handicapped, or single person seeking admission to the Quincy Housing Authority's Family or Elderly Public Housing Programs. A notice informing all applicants of their rights under VAWA will be attached to each application form (Exhibit V). It shall be recommended that applicants come into the office to fill out the application. Accommodations for full and complete access to the process by persons with disabilities will be made on request.
- D. The staff member accepting the application will render all possible assistance. Each completed application shall be dated, time-stamped and numbered when received, and it shall be promptly posted to the master file.
- E. After a completed application is received, the Quincy Housing Authority shall make a preliminary determination of eligibility based on current information provided by the applicant, and determine whether the applicant may be entitled to a preference and the appropriate bedroom size required. The Housing Authority may at this time verify information as provided by the applicant, but is not required to do so. The applicant shall be notified of the Authority's preliminary determination and may request an informal hearing as defined in Section VII of this Plan if found ineligible or not to be entitled to a preference category requested. If the Housing Authority makes a preliminary determination that the applicant is not eligible based upon negative history, the QHA shall remind the applicant of the opportunity to assert rights under VAWA by including Exhibit V in the preliminary determination notice.

- F. Each applicant found eligible after a preliminary review shall be placed on the appropriate citywide waiting list, and shall be notified in writing of:
1. waiting list position
 2. control number
 3. preference categories
 4. size of unit appropriate for the family (and the option to choose a smaller unit where applicable)
 5. an estimated waiting time before placement.
 6. a final and verified determination of eligibility and qualification will be undertaken prior to occupancy; and
 7. the applicant's ongoing responsibility to notify the Quincy Housing Authority in writing of any change of address and to respond promptly to any Quincy Housing Authority inquiry or be removed from the waiting list.
- G. A folder shall be prepared for each applicant and the application folders shall be filed chronologically. Uniform sized forms shall be used for net income calculations and other eligibility determination and verification and they shall be attached to the application.
- H. Periodically, the application pool shall be analyzed and each applicant shall be contacted by mail to insure that he/she is still interested and still qualified for public housing. If the applicant does not respond, is no longer interested, or no longer qualifies, his application shall be immediately withdrawn from the waiting list. Applicants shall be notified of their removal from the waiting list, and shall further be advised of their right to request an informal hearing.

SECTION III ELIGIBILITY FOR ADMISSION

There are to be eligible for admission to federally-aided public housing developments operated by the Authority and as listed in Exhibit I hereof only those applicants:

1. Who qualify as a family as defined in Exhibit III hereof, and;
- 2.* Whose income does not exceed the income limits set forth in Exhibit II hereof, and;
3. Who can be housed under the occupancy standards set forth in Section X hereof, and;
4. who, after screening, have not been disqualified or determined ineligible.

*Income limits are revised by HUD from time to time and current income limits are posted in the main office.

No family shall be eligible for admission if the family does not intend to occupy the public housing unit at least nine months of each year.

The applicant and the applicant household shall be disqualified for public housing for any of the following reasons:

1. The applicant, or a household member has disturbed a neighbor or neighbors in a prior residence by behavior, which if repeated by a tenant in public housing, would substantially interfere with the right of other residents to peaceful enjoyment of their units or the rights of Quincy Housing Authority employees to a safe and secure workplace.
2. The applicant, or a household member, has caused damage or destruction of property at a prior residence, and such damage or destruction of property, if repeated by a tenant in public housing, would have a material adverse effect on the housing development or any unit in such development.
3. The applicant or a household member has displayed living habits or poor housekeeping at a prior residence, and such living habits or poor housekeeping, if repeated by a tenant in public housing, would pose a substantial threat to the health or safety of the tenant, other tenants, or Quincy Housing Authority employees, or would adversely affect the decent, safe and sanitary condition of all or part of the housing.
4. The applicant or a household member in the past has engaged in criminal activity, or activity in violation of M.G.L. c 151B, Sec. 4, which if repeated by a tenant in public housing, would interfere with or threaten the rights of other tenants or Quincy Housing Authority employees, to be secure in their persons or in their property or with the rights of other tenants to the peaceful enjoyment of their units and the common areas of the housing development.

5. The applicant was evicted because of drug related criminal activity from housing assisted under the U.S. Housing Act of 1937, for a minimum of a three year period, beginning on the date of such eviction, unless the applicant has successfully completed, since the eviction, a rehabilitation program approved by the QHA. The applicant must show that through rehabilitation or rehabilitating efforts, that the QHA can be reasonably certain that the applicant or household member will not engage in any similar conduct in the future. The applicant may not be subject to this provision if the drug related criminal activity was conducted by a household member who is no longer part of the household, and the applicant did not know of the activity or took reasonable steps to stop the activity.
6. The applicant, or any household member who will be assuming a part of the rent obligation, has a history of non-payment of rent, and such non-payment, if repeated by a tenant in public housing, would cause monetary loss; provided, however, that if the applicant or household member paid at least 50% of his/her household's monthly income for rent each month during a tenancy but was unable to pay the full rent, an eviction for non-payment of the balance shall not disqualify such individual from public housing pursuant to this paragraph. Other mitigating circumstances may also be considered.
7. The QHA has reasonable cause to believe the applicant abuses alcohol in a way that causes behavior that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents or QHA personnel.
8. The applicant or a household member has a history of failure to meet material lease terms or the equivalent at one or more prior residences, and such failure, if repeated by a tenant of public housing, would be detrimental to the housing authority or to the health, safety, security or peaceful enjoyment of other residents or Quincy Housing Authority employees.
9. The applicant or household member has failed to provide information reasonably necessary for the housing authority to process the applicant's application.
10. The applicant or household member has misrepresented or falsified any information required to be submitted as part of the applicant's application, or a prior application within 3 years, and the applicant fails to establish that the misrepresentation or falsification was unintentional.
11. The applicant or a household member has directed abusive or threatening behavior, which was unreasonable and unwarranted, towards a Quincy Housing Authority employee during the application process or any prior application process within 3 years.

12. The applicant or a household member does not intend to occupy housing, if offered, for at least nine months of each year.
13. The applicant or a member of the applicant household is a current illegal user of one or more controlled substances as defined in M.G.L. c. 94C, Sec. 1. A person's illegal use of a controlled substance within the preceding twelve months shall create a presumption that such person is a current illegal user of a controlled substance, but the presumption may be overcome by a convincing showing that the person has permanently ceased all illegal use of controlled substances.

In accordance with the Violence Against Women Act, The QHA will not deny an Applicant who would otherwise be eligible for housing but for the negative history of the applicant or household members related to domestic violence, dating violence, stalking or sexual assault.

14. The applicant shall be permanently prohibited admission to the Quincy Housing Authority's public housing program if any household member has been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
15. The applicant shall be prohibited admission to the Quincy Housing Authority's public housing program if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program.

Prior to disqualifying an applicant under C.1-13 above, the Quincy Housing Authority shall permit the applicant to show mitigating circumstances, which may include rehabilitation or rehabilitating efforts, sufficient so that when the potentially disqualifying behavior is weighed against the mitigating circumstances, the Quincy Housing Authority is reasonably certain that the applicant or household member will not engage in any similar conduct in the future. In making this determination, the Quincy Housing Authority shall consider all relevant circumstances, including:

1. the severity of the potentially disqualifying conduct;
2. the amount of time which has elapsed since the occurrence of such conduct;
3. the degree of danger, if any, to the health, safety and security of others or to the security of the property of others or to the physical conditions of the housing development and its common areas if the conduct recurred;
4. the disruption and inconvenience which recurrence would cause the Quincy Housing Authority, and
5. the likelihood that the applicant's behavior in the future will be substantially improved. The greater the degree of danger, if any, to the health, safety and security of others or to the security of property of others

or the physical condition of the housing, the greater must be the strength of the showing that a recurrence of behavior, which would have been disqualifying, will not occur in the future.

6. Evidence of Rehabilitation
7. Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs and the availability of such programs.
8. Evidence of the applicant family's willingness to attempt to increase family income and the availability of training or employment programs in the locality.
9. In the case of disability where the granting of a reasonable accommodation would eliminate the disqualifying behavior.

Not less than 40% of the families admitted to the Authority's public housing program from the waiting list during any fiscal year shall be extremely low income families.

Restriction on Assistance to Non-citizens

Section 214 of the Housing and Community Development Act of 1980, as amended prohibits HUD from making financial assistance available to persons who are not in eligible status with respect to citizenship or non-citizen immigration status. The provisions of this section apply to both applicants for assistance and persons already receiving assistance.

Financial Assistance is restricted to:

1. Citizens; or
2. Non-citizens who have eligible immigration status under one of the categories set forth in Section 214.

A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, as described in 24 CFR Part 5.506, or unless the family meets the conditions set forth in 24 CFR 5.506. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of the three types of assistance provided in 24 CFR 5.516, and 5.518.

SECTION IV SCREENING AND VERIFICATION PROCEDURES

At the time of determining final eligibility and qualification, the QHA shall require an applicant to provide the Quincy Housing Authority access to reliable and reasonably obtainable documentation verifying the accuracy of information appearing on the application for or otherwise necessary for the Quincy Housing Authority's determination. Income of applicants shall be verified by the procedure specified in HUD Regulations. If the Quincy Housing Authority has verified any information when making a preliminary determination of eligibility for the applicant, the Quincy Housing Authority shall re-verify such information on its final determination of eligibility and qualification. Non-receipt of requested documentation, without good cause established by the applicant, shall be cause for determining the applicant unqualified.

The Quincy Housing Authority shall require an applicant to provide the names and current addresses of all landlords (or housing providers) for at least the past five (5) years and the names and current addresses of two personal references who are not relatives. Non-receipt of landlord references or personal references, without good cause established by the applicant, shall be cause for determining the applicant unqualified. The Quincy Housing Authority will inform an applicant who is a victim of domestic violence, dating violence, sexual assault or stalking as defined in Exhibit III that the applicant may request that the Authority not contact a landlord reference if the Applicant's safety would be placed at risk. The Authority shall consider alternative sources of verification regarding tenant eligibility.

In determining qualification, the Quincy Housing Authority shall check CORI, and eligible citizenship status and may also check previous landlords, employers, neighbors, social workers, police records, public records, other sources of public information, credit reports, utility companies, and other reliable sources. The Quincy Housing Authority may also make a home visit, which shall be scheduled reasonably in advance. Observations by the person making such a visit shall be promptly reduced to writing and placed in the applicant's file.

Information regarding eligibility or qualification may be obtained by the Quincy Housing Authority from interviews with the applicant and with others, from telephone conversations, letters or other documents, and from other oral or written materials. All such information received shall be recorded in the applicant's file, including the date of its receipt, the identity of the source, and the person receiving the information.

As verified data is assembled, it shall be reviewed and evaluated in light of established eligibility criteria. If it is ascertained that for one or more reasons he or she does not meet the established conditions governing eligibility for admission, the applicant shall be advised in writing of his or her ineligibility, the basis for this determination, remind the applicant of their rights under VAWA by attaching a copy of Exhibit V. Advise the applicant of his or her right to request an informal hearing, and the procedures to do so. When the applicant is determined to be ineligible because of undesirability, the applicant's file must contain the information as to the reason for undesirability and the

persons or agencies contacted before the determination is made. Such determination shall be made by the Authority on a case-by-case basis.

If there is a time lag of more than 180 days between the date income determinations were made and the date of selection for admission, a re-check shall be made to ascertain that the income of the family has not changed, that the applicant has not changed address, and that other factors relating to eligibility are unchanged. Changes shall be verified before the family is admitted to occupancy.

All information about an applicant received by the Quincy Housing Authority shall be held in strict confidence, subject to limited staff access. Any release of information to any individual other than the applicant or HUD shall only take place after a written release form has been received by this office, which has been duly signed by the applicant.

SECTION V PREFERENCES

Residents will be selected from the citywide list of eligible applicants based on whether they qualify as a family, elderly, near elderly, disabled, handicapped or single person. (In accordance with the Allocation Plan, if applicable) Residents will also be selected from the list of eligible applicants based upon suitable size of unit, control number, preference, and income targeting.

Applicants will be granted preference as listed below:

1. Veterans

An applicant who meets the definition of a Veteran, as defined in M.G.L. c 121B, sec. 1.

1. Referral from the District Attorney's Office

An applicant who meets the definition of a referral from the District Attorney's Office as defined in Exhibit III of this plan.

Each of the preferences above shall be granted equal weight however an applicant who may qualify for both preferences shall be housed before an applicant qualifying for only one preference. Selection of applicants qualifying for the preferences above, shall be done based on date and time of application, and Residency preference.

2. Quincy Resident

An applicant who meets the definition of a Quincy resident, as defined in Exhibit III of this plan.

Applicants may claim qualification for a preference when they apply for admission or anytime thereafter until they are offered housing by certifying to the QHA that they qualify for a preference as outlined in this section. Before executing a lease with an applicant on the basis of a preference, the QHA must require the applicant to provide verification that he or she qualified for a preference by virtue of the applicant's current status.

SECTION VI SELECTION AND ASSIGNMENT

A. Residents will be selected from the citywide list of eligible applicants for dwelling units, based upon eligibility in accordance with applicable state and federal rules and regulations. Further, residents will be selected based upon suitable size and accessibility of unit, control number, applicable preferences, priorities and income targeting goals, using state rules if the unit is a state unit and federal rules if the unit is a federal unit. Placements in federal elderly/non-elderly disabled housing shall also be made in accordance with the approved allocation plan. (Exhibit IV.)

The selection and assignment of applicants shall be done in a uniform manner to assure equal opportunity and non-discrimination on the grounds of race, color, disability, sex, sexual orientation, religion, age, handicap, national origin, ethnicity, familial status, or marital status.

When an apartment is available for rental, it will be offered to the next applicant on the waiting list eligible for a unit of that size and type, subject to applicable preferences and income targeting requirements.

Notwithstanding any other selection preference, of the families initially admitted to the QHA's Public Housing Program during the QHA's fiscal year (July 1 – June 30), not less than 40% shall be extremely low income families. This is called the basic targeting requirement.

If admissions of extremely low income families to the QHA's voucher program during the QHA's fiscal year exceeds the 75 percent minimum targeting requirement for the QHA's voucher program, such excess shall be credited against the QHA's basic targeting requirement for the same fiscal year.

The fiscal year credit for voucher program admissions that exceed the minimum voucher program targeting requirement shall not exceed the lower of:

(A) Ten percent of the public housing waiting list admissions during the QHA's fiscal year;

(B) Ten percent of waiting list admissions to the QHA's Section 8 tenant based assistance program during the QHA fiscal year or:

(C) The number of qualifying low income families who commence occupancy during the fiscal year of the QHA public housing units located in census tracts with a poverty rate of 30% or more. For this purpose, qualifying low income family means a low income family other than an extremely low income family.

Unless another method is set forth by regulation for an Authority to maintain compliance with the above "income targeting", the QHA will follow the procedure hereafter set forth or such alternative procedure which implements the "income targeting" requirements. Whenever a Public Housing Unit is leased, the QHA shall record whether or not the family is:

- a. being initially offered public housing assistance by the QHA; and, if so,

b. whether or not the family is within the “targeted” lower income limit.

Thereafter, whenever a unit is offered, the QHA will check such records to determine whether the required 40% targeting percentage would be maintained by the offer of Public Housing to the next applicant family on the waiting list using the Authority’s selection preferences. If not, to comply with Income Targeting, the QHA shall skip higher-income families and select the next applicant who is an income-targeted family.

B. After an applicant is offered an apartment, the applicant must accept the offer within four (4) calendar days after the date the offer is communicated by the Occupancy Staff by phone or within seven (7) calendar days after the date the offer is mailed. Failure to accept an apartment offered, without good cause as hereafter described, will result in the following actions, unless the applicant can establish mitigating circumstances for his/her failure to timely respond.

1. If the applicant declines the apartment offer and the citywide waiting list is open at the time, the applicant will drop to the bottom of the list, meaning that his or her date of application will be changed to the date that the applicant declined the offer of a suitable apartment. If the applicant is dropped to the bottom of the list, the applicant will lose any priority s/he may have been entitled to. If the citywide waiting list is closed at the time, the applicant will be removed from the waiting list.
2. If the applicant fails to timely respond to the apartment offer, the applicant will be removed from the waiting list.

C. An applicant may request a special housing assignment upon a showing of good cause in the manner hereafter described. Upon submission of such request and the documentation submitted in support of it, the Authority will make a determination on whether the applicant qualifies for a special housing assignment. Applicants should apply for special housing assignments as soon as possible in order to assist the Quincy Housing Authority in assigning an appropriate apartment. The need for a special housing assignment shall otherwise be disclosed by the applicant during the screening process. The applicant must indicate if he/she requires special consideration in identifying a particular type of apartment or placement in a particular area of the city.

The following shall be the reasons for a special housing assignment. The following shall also serve as “good cause” for an applicant to decline an offer of an apartment which does not satisfy the applicant’s special housing assignment needs.

1. **PARTICIPATION IN A WITNESS PROTECTION PROGRAM.**
Acceptable Documentation: Written documentation on letterhead stationery from a law enforcement agency, which indicates that a Household Member(s) is, or might be endangered because they have provided essential information in a criminal prosecution. Documentation must specify the development(s) or areas of the city in which the affected Household Members might be endangered.

2. CRIME VICTIMS

Acceptable Documentation: The Quincy Housing Authority prefers documentation from a court of competent jurisdiction, and/or from a law enforcement agency in conjunction with – if appropriate - a temporary or permanent restraining order issued pursuant to MGL c.209A. Documentation must specify underlying circumstances which would require a Household Member(s) to be located away from a specific area of the city. A combination of the following documentation that establishes that the applicant and/or household member is a crime victim shall be acceptable:

- Medical reports reflecting incident(s);
- Police reports regarding incident(s);
- Court reports regarding incident(s);
- Documentation that Applicant has filed charges;
- Documentation that Applicant has attempted to obtain restraining orders;
- Legal action regarding incident(s);
- Letter from an attorney stating details of a case arising from incident(s);
- Psychological reports;
- Letter from a director of a social service agency regarding incident(s).
- Certification of Domestic Violence, Dating Violence, or Stalking, HUD Form 50066

3. THE TEMPORARY HOSPITALIZATION OF HEAD OR CO-HEAD OF HOUSEHOLD

Acceptable Documentation: A statement on letterhead stationery from a Qualified Health Care Provider indicating the name of the individual (must be head or co-head), the date of admission, date of anticipated discharge (if known).

4. THE ON-DUTY MILITARY ASSIGNMENT OF HEAD OR CO-HEAD OF HOUSEHOLD

Acceptable Documentation: A statement on letterhead stationery from the individual's commanding officer indicating the date the active duty began and anticipated length of active duty.

5. INELIGIBILITY DUE TO NON-CITIZEN STATUS

In the event that an applicant is offered an apartment at a Federal Program development for which the Household is ineligible due to its Non-Citizen status or is affected by the proration of rent as a result of a Household member's non-citizen status, the applicant may reject the offer for Good Cause and elect to remain on the citywide waiting list for State Program developments only.

Acceptable Documentation: Documentation submitted by the Applicant during the application and screening process indicating the Household's ineligible Non-Citizen status.

6. FINANCIAL HARDSHIP

The Quincy Housing Authority recognizes that in some instances a family applicant may experience a financial hardship by accepting a State Program unit either due to the costs of heat, electricity, and rent combined, or because the household would pay more in a State Program development than they would in a Federal Program development in which a flat rent would be available., OR the applicant is unable to have the heat and/or electricity turned on due to an outstanding debt with the gas or electric company. In such case, the applicant may elect to remain on the city wide waiting list for Federal Program developments only.

Acceptable Documentation: A letter from the gas and/or electric company denying service due to an outstanding debt or documentation submitted by the applicant demonstrating that the total monthly rent burden (rent, heat and electric*) would exceed 50% of the household's gross monthly income.

*The total monthly rent burden shall be determined by adding the monthly tenant rent to the utility allowances as approved for the Section 8 Housing Choice Voucher Program. The utility allowances for the Section 8 Housing Choice Voucher Program will be assessed each year, amended as necessary, and attached to this ACOP.

7. Reasonable Accommodation to a disability: An applicant may request a special housing assignment as a reasonable accommodation to a disability of applicant or a household member. Upon such request, applicant will be provided with the documentation to verify his/her disability and the necessity of a special housing assignment.

D. An applicant shall be removed from the citywide waiting list when s/he is housed, is issued and chooses to accept a voucher under the Designated Housing Program, when s/he has withdrawn his/her application, been determined ineligible or requests removal from the list. When the citywide waiting list is closed, an applicant shall be removed from the list when the applicant refuses an apartment offer without good cause.

E. The Quincy Housing Authority shall maintain a record of the units offered, including location, date and circumstances of each offer, and each rejection or acceptance.

F. If a non-elderly disabled applicant who is on the citywide list for the Elderly Housing Program declines an offer for a DHP voucher, the applicant will maintain his position on the citywide list for the public housing programs only.

SECTION VII

APPEAL PROCESS

- A. Notice of Determination. If upon a preliminary or final determination the applicant is determined ineligible or unqualified, or if the applicant is determined not to be eligible for a preference category for which applicant applied or if the applicant is involuntarily removed from the waiting list, or placed at the bottom of the list for a refusal of a unit offer without good cause, then the Quincy Housing Authority shall mail written notice of the determination to applicant at applicant's last known address. The notice shall set out the reason for the adverse determination, remind the applicant of their rights under VAWA by attaching a copy of Exhibit V and shall advise applicant of the provisions of the following paragraph concerning applicant's right to request an informal hearing with the Quincy Housing Authority. The notice shall state that the applicant may be represented at the informal hearing by counsel or by another person of applicant's choice at the applicant's expense.
- B. Request for an Informal Hearing. Within 30 days of mailing of notice of determination, the applicant may request an informal hearing with the Quincy Housing Authority. The request for an informal hearing shall be made in writing and shall be delivered or mailed to the Quincy Housing Authority within such 30 day period.
- C. Purpose of the Informal Hearing. The purpose of the informal hearing shall be to enable the applicant to discuss with the Quincy Housing Authority the reasons underlying the determination and to permit consideration of all pertinent information.
- D. Scheduling the Informal Hearing. Promptly after receipt of a request for an Informal Hearing, the Quincy Housing Authority shall notify the applicant of a time, date and place for the informal hearing. The date shall be within 30 days from the Quincy Housing Authority's receipt of the request. Thereafter, for good cause and with notice to applicant, the Quincy Housing Authority may reschedule the informal hearing to a later date. Unless the applicant agrees to a shorter period of time, the applicant should receive at least seven days prior notice of the time and date of the informal hearing.
- E. Applicant's Access to QHA Records. Prior to and at a private conference, the applicant or his or her representative, shall have the right to inspect the documentation on the basis of which the determination was made and any other documentation pertinent to the applicant's eligibility, qualification or entitlement to preference status. The Quincy Housing Authority shall make reasonable arrangements for photocopying any such documentation as applicant may specify with sufficient advance notice.

- F. Procedure at the Informal Hearing. The Executive Director shall conduct the informal hearing or shall designate one or more impartial persons to do so. Selection of persons who made the determination shall be avoided unless the Executive Director deems there to be good reason for their selection. The informal hearing officer or officers shall conduct the informal hearing fairly. Procedure shall be informal. At the informal hearing, applicant or applicant's representative may offer applicant's own testimony, may question the Quincy Housing Authority on pertinent matters, and may offer other testimony, documentation, information, and argument. The Quincy Housing Authority may also offer testimony, documentation, information and argument. The applicant and the Quincy Housing Authority may question each other's witnesses. Upon request, the QHA may give the applicant additional time to secure documentation or information.
- G. Tape Recordings or Notes of the Informal Hearing. The QHA shall tape-record the informal hearing, or shall take accurate notes of what occurred. If the applicant makes a written request at least two days before the informal hearing, the QHA shall tape-record the informal hearing, unless there is a good reason why it is unable to do so. An applicant may tape record the hearing at his or her own expense.
- H. The QHA's Decision Following an Informal Hearing. Within 30 days after the close of an informal hearing, or as soon thereafter as reasonably possible, the QHA shall notify the applicant in writing of its decision with an explanation of its reasons and shall specify any change, if appropriate, in the prior preliminary determination of the applicant's eligibility, qualifications, and/or preference status. The decision shall be mailed to applicant and applicant's representative, if any, at their last known addresses.
- I. Further Rights of Appeal: There shall be no further right of appeal for applicants of Federal Public Housing. If the applicant is on a waiting list for State Assisted Housing, they may be entitled to further rights of appeal as provided in those regulations. Applicants shall be notified of these rights.

SECTION VIII TRANSFERS

- A. Transfer for Administrative Reasons - transfer of a household from one unit to another, within the development or to another development, at the discretion of the Executive Director at any time, for a sound administrative reason, such as: fire in or condemnation of an occupied unit; harassment of a tenant or household member; over-housing; health or safety reasons; domestic violence, dating violence, stalking, sexual assault or for reasonable accommodation.

- B. Transfer for Good Cause - transfer of a household from one unit to another in the same development at the request of the head of household for the following reasons: (1) because the unit is no longer of appropriate unit size; (2) transfer for pet ownership as defined below; and (3) other good cause as defined below. No transfer shall be approved until;
 - a. the head of household has filed a transfer application complete with all supporting documentation;
 - b. the household is current in rent, charges and fees owed to the QHA, or is current in any repayment agreement, and
 - c. the household is not in violation of any lease provision or is not subject to eviction proceedings or is not in violation of the terms of an agreement for judgment in a prior eviction proceeding.

- C. Transfer for Pet Ownership: transfer of a household from one development to another because the household lives in a development which does not allow pets. This transfer shall only be approved after the household has applied for, and obtained permission to obtain a pet, and has met the conditions of pet ownership as provided in the Quincy Housing Authority Pet Policy.

- E. Transfers will be made without regard to race, color, sex, sexual orientation, religion, age, handicap, disability, national origin, ethnicity, familial status or marital status.

- F. Good cause transfer requests will be considered for the following reasons: health and safety issues relating to the household and not resulting from any action on the part of the household; harassment of a household member. Tenant must present clear evidence of the grounds for transfer to the satisfaction of the Quincy Housing Authority.

- G. Transfer applicants who have been denied a transfer will be notified of such determination in writing, and the reasons for the determination. The notification will indicate the rights of the transfer applicant to an appeal through the QHA grievance procedure.

- H. Transfers will be done at the rate of one transfer for every four new admissions. Transfers for Administrative reasons may be done at any time at the QHA's discretion; however, if such transfer(s) are not in accordance with the one-in-five transfer ratio, the next unit assignments shall be made so that the one-in-five transfer ratio is restored. The fact that the QHA has not restored the one-in-five transfer ratio shall not be used as a basis to deny an emergency transfer request.

SECTION IX
LEASING OF APARTMENTS

- A. Prior to the receipt of keys or the taking of possession of an apartment, a lease agreement will be signed by the adult household members and a designated representative of the QHA. The lease agreement shall be kept current at all times, and shall reflect the rent being charged and the conditions governing occupancy. One copy of the lease shall be given to the tenant, and one executed copy shall be retained in the tenant file.
- B. The lease agreement will reflect all members of the family who will occupy the apartment.
- C. If, at any time during the term of the lease, a change in the family status requires changing or amending any provision of the lease, either:
 - 1. the existing lease shall be canceled and a new lease agreement executed, or
 - 2. an appropriate rider shall be prepared and made a part of the existing lease, or
 - 3. appropriate insertions shall be made within the lease, or
 - 4. in instances of domestic violence, dating violence, sexual assault or stalking, the Authority will bifurcate the lease in order to remove the offending household member.

All copies of such new leases, riders, or insertions shall be dated and signed or initialed by the tenant and by the QHA's authorized representative.

- D. If, through any cause, the signer of the lease ceases to be a member of the tenant's family, the lease shall be voided and a new lease agreement shall be executed and signed by a remaining member of the family who can qualify as head of household, and the family is otherwise eligible for continued occupancy. If no member of the family is qualified to sign a new lease, or if the family is no longer eligible for continued occupancy, the existing lease shall be terminated and the family shall be required to vacate.
- E. In the event of family break-up, divorce or separation between household members, one of whom is the Tenant, the QHA shall determine which member(s) shall be remaining household members eligible for continued occupancy unless a Massachusetts court with jurisdiction has issued a determination of who shall be eligible for continued occupancy. If those persons do not include the Tenant named in this lease, the Tenant shall vacate. When making a determination of who shall be eligible for continued occupancy, the QHA shall consider the interest of all family members. The QHA shall decide continued occupancy on a case by case basis by taking into consideration the interests of the minor children, ill, elderly, and/or disabled family members. The QHA shall also consider whether family members were forced to leave the unit as a result of actual or threatened

violence by a spouse or other family members.

The QHA shall take this factor into consideration regardless of whether the individuals leaving the unit are the victims or the perpetrators. The QHA shall also consider who was the original Tenant on the lease. In the event that any such remaining members of the Tenant's household are approved for continued occupancy, if the size of the leased premises is no longer appropriate for the household, such remaining members shall transfer to a smaller unit if and when offered by the QHA.

- F. In the event that Tenant ceases to occupy the leased premises, one or more remaining members of Tenant's household may be given permission for continued occupancy, provided that:
1. The remaining household members are current in their financial obligations to the QHA, including any debt incurred by the household before Tenant vacated, and are not subject to eviction proceedings. If an outstanding rent balance is determined by the Authority to be the fault of the departing household member, and not caused by the remaining household members, or if the outstanding rent balance is determined by the Authority to be the result of domestic violence, stalking, dating violence, or sexual assault which prevented the household member from meeting financial obligations, the Authority will allow the remaining household members to enter into a reasonable repayment plan for the rent arrearage.
 2. the remaining members of the household are eligible and qualified for public housing.
 3. the remaining adult household members (or emancipated minors) have resided in the leased premises for at least one year or, if the premises has been leased by the household for less than one year, for the period of the lease. The Authority may, in its discretion, waive this provision if, in its opinion, the household member did not have an intent to skip (jump or avoid) the waiting list for a public housing apartment when s/he moved into the unit.
 4. At least one adult member (or emancipated minor member) of the household applies for and signs a new lease with the QHA. An adult who has court appointed guardianship or other legal authority to act on behalf of the remaining household members(s), may petition for continued occupancy on the household member's behalf, it being understood that this does not give that person a right to a tenancy under the lease unless the person has passed the QHA's screening criteria and been approved.
 5. In the event that any such remaining members of the Tenant's household are approved for continued occupancy, if the size of the leased premises is no longer appropriate for the household, such remaining members shall transfer to a smaller unit if and when offered by the QHA.

- G. If a tenant is transferred to a different dwelling in the same or another project operated by the QHA, the existing lease shall be canceled, and a new lease shall be executed.

SECTION X
OCCUPANCY STANDARDS

A. Occupancy Standards

1. The QHA shall provide one bedroom sleeping room of appropriate size for each 2 persons.

Exceptions to the 2 persons per bedroom room are as follows:

- a. persons of the opposite sex 6 years of age or older will not be required to occupy the same bedroom. This exception shall not apply to husband and wife, "significant others," or unmarried partners.
- b. a parent shall not be required to share a bedroom with a child two years of age or older.
- c. household members of different generations shall not be required to share a bedroom, This exception shall not apply to a parent with a child under the age of two.

2. An applicant or tenant may elect to house itself at the maximum density level that meet space requirements of applicable state and local codes, regardless of the age and sex of household members. If the applicant so elects, he or she shall be recorded as being eligible for either unit size, and shall be offered the first unit of either size which becomes available. In the event the applicant chooses the smaller unit, the family shall not be entitled to transfer due to overcrowding unless there is a subsequent increase in family composition or other good cause which warrants a larger unit.

3. The QHA may grant exceptions, relative to the number of bedrooms assigned, as a reasonable accommodation.

4. The QHA may allow occupancy by a foster child or a live-in aide under certain limited circumstances as determined by the QHA and not inconsistent with federal regulations. Approval of a live-in aide may be granted only if all of the requirements of HUD regulations are met, and if properly documented and verified to the QHA's satisfaction. Permission to allow occupancy of a foster child or live-in aide shall not be unreasonably withheld.

B. Dwellings will be assigned so that, should a person with a disability require a live in personal care attendant to provide assistance through the evening hours, it will not be necessary for both persons to occupy the same bedroom.

C. After occupancy, and when it is found that the size of the dwelling unit is no longer suitable for the family in accordance with these standards, the family may be required to move as soon as a dwelling unit of appropriate size becomes available, unless the family at initial occupancy, had elected to accept a smaller sized unit in accordance with A. above, in which case they shall only be transferred to a larger unit if there has been a subsequent increase in family composition or other good cause which warrants such a transfer.

D. Any additions to the household members named on the lease, with the exception of the birth, adoption, or court awarded custody of a child, shall require the advance written approval of the Authority. Such approval will be granted only if the new household members pass the Authority's screening criteria, and the additions of such persons would not result in an overcrowding of such unit and the Tenant is not then in violation of any term of the lease.

E. The QHA may allow occupancy by a foster child or a live in aide under certain limited circumstances as determined by the QHA and not inconsistent with federal regulations. Approval of a live in aide may be granted only if all the requirements of HUD regulations are met and if properly documented and verified to the QHA's satisfaction. Permission to allow occupancy of a foster child or live in aide shall not be unreasonably withheld.

SECTION XI
ANNUAL AND INTERIM REDETERMINATIONS

A. Reexaminations:

1. For families who pay an income-based rent, the PHA must conduct a reexamination of family income and composition at least annually, and must make appropriate adjustments in the rent after consultation with the family and upon verification of the information.
2. For families who choose flat rent, the PHA must conduct a reexamination of family composition at least annually, and must conduct a reexamination of family income at least once every three years. The family may request a reexamination at any time.

a. The reexamination schedule for each development is as follows:

Project Number	Name	Effective Date
20-1	Riverview	At lease anniversary date
20-2	Pagnano Towers	July 1
20-4	O'Brien Towers	At lease anniversary date
20-6	Drohan Apts.	December 1

3. For all families who include nonexempt individuals, as defined in the Community Service Policy the PHA must determine compliance once each twelve months with community service and self-sufficiency requirements.
4. A family may request an interim reexamination of family income or composition because of any changes since the last determination. The PHA must make the interim reexamination within a reasonable time after the family request.
5. The PHA may conduct an interim reexamination when it is felt that the family has not furnished correct or complete or accurate information concerning income, family composition, allowable deductions and allowances or other required eligibility information.
 - a. In instances where such misrepresentation is verified, the family will be obligated to reimburse the QHA for any resultant increase in Tenant Rent, retroactive to the date of the initial certification or reexamination at which the erroneous information was provided. In addition, and at QHA's discretion, the family's lease agreement may be terminated. The QHA may at its option enter into a repayment agreement, if the family can show that they can pay the balance off within a reasonable period of time.

6. ALL changes in household income between annual reexaminations must be reported by the Tenant to the PHA within ten (10) days of the change. The PHA shall determine whether an interim reexamination is required for determination of a new Tenant rent. A reexamination shall be conducted by the PHA in every case except when there is an increase in gross household income which is attributed solely to a single household member's monthly gross income increasing by less than 10%. In such case, the increase will be included in a redetermination at the next annual reexamination. If an interim reexamination is required, the PHA will conduct an interim reexamination and notify the resident of any increase or decrease in Tenant rent based on the new information.

B. Reexamination Procedures:

1. At the scheduled date for the initiation of the annual reexamination process, and at the request of the QHA, the tenant shall complete a Continued Occupancy Form, and submit it to the QHA, together with all required verification. ALL entries on the form shall be made in ink or typewritten, and the Continued Occupancy Form shall be dated and signed by the tenant under penalty of perjury.
Corrections or changes shall be made by lining through the original entry and substituting therefore the correcting data. Also, such changes shall be dated and signed or initialed by the tenant and by the Executive Director or his authorized representative, and the reasons for such changes shall be incorporated into the record.
2. Data assembled at the time of reexamination shall be filed in the folder set up for the family at the time of the application for admission.
3. To substantiate determinations with respect to eligibility for continued occupancy, size of unit required, and appropriateness of rental charges, and also to establish the validity for the certification of the tenant's eligibility for continued occupancy, the representations made by the tenant family, in its application for continued occupancy which differ from those previously verified shall be verified. Employment and income data shall be verified in every instance. Staff should use upfront income verification techniques, which is considered a type of third party verification, during required reexaminations (and initial application, if available) of family income. All verified findings shall be documented and placed in the tenant's folder.
4. As verified data is assembled, it, together with pertinent data on file, shall be reviewed and evaluated in light for rent re-determination.
5. Action Following Reexaminations:
 - a. Notices of Rent Change as made periodically necessary by verified changes in family composition, an increase or decrease in annual income, or as a result of regularly scheduled or interim reexaminations will be prepared.

- b. One copy of the Notice of Rent Change shall be forwarded to the family, and one copy will be filed in the tenant folder.
- c. Residents who fail to complete their Continued Occupancy Form, or who fail to submit all necessary verification as required by QHA, will be subject to eviction.
- d. All notices of Rent Change shall include a notice that Tenant may grieve the rent determination as provided in the Grievance Procedure.

SECTION XII METHODS OF ADMINISTRATION

Methods of Administration, staffing arrangements, assignment of responsibilities, and procedures shall provide for the following:

- A. Administration of all dwelling units on a uniformly non-discriminatory basis in respect to race, color, disability, handicap, sex, sexual orientation, religion, age, national origin, ethnicity, familial status or marital status, including non-discrimination in maintenance, equipment, facilities, and services, and in treatment of tenants.
- B. That the race, color, disability, handicap, sex, sexual orientation, religion, age, national origin, ethnicity, familial status or marital status of the tenants of the dwelling units or of the staff, shall not be a factor in the assignment of managers and other staff responsible for the administration of the dwelling units.
- C. Such location of facilities for filing of applications for tenancy and such circumstances for acceptance of applications as will afford the applicant the greatest opportunity for the exercise of his rights under the Tenant Selection and Assignment Plan adopted by the QHA.
- D. Instruction of the QHA's staff concerning its obligations under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, as amended, and HUD and DHCD regulations and requirements pursuant thereto by suitable means such as providing them with copies of all pertinent documents, conducting training sessions, and maintaining review through regular supervisory channels.
- E. Posting, in a conspicuous place in the QHA facilities in which applications are received of notice that the facilities and services in the QHA public housing program are provided on a non-discriminatory basis, and of its plan for tenant selection and assignment of units, and inclusion of such information in material distributed to tenants and prospective applicants, to the general public, and to agencies, institutions, organizations, and political subdivisions which may refer applicants, as well as to furnish each applicant, at the time of filing application, with specific information on the local public housing developments and distribution of the units by number of bedrooms.
- F. Receipt and processing by the QHA of complaints from, or on behalf of, any person who believes himself to be subject to discrimination by the QHA or its staff.
 - 1. Keeping a record of each complaint, including the date of the complaint, by who made, investigation and hearing (if any) and evaluation.

2. A written notice to the complainant of the action taken.
3. Posting in a conspicuous place in all facilities of the QHA which are open to the public, of a notice that complaints of discrimination may be filed with the QHA, HUD or DHCD, at a designated address, including notice that the filing of a complaint with the QHA will not prevent the subsequent filing of a complaint with HUD or DHCD.
4. A prohibition against intimidating or retaliatory action or threat thereof by the QHA or its staff against any applicant or tenant because of participation in Civil Rights activities or for having asserted any of his rights under the Civil Rights Act, and HUD regulations and requirements pursuant thereto.
5. Periodic review by the QHA of its practices to assure that they are in conformity with its obligations under HUD and DHCD regulations and requirements.

G. HUD will, from time to time, review and determine the adequacy of any plan for selection of applicants and assignment of dwelling units to accomplish the purposes of the Civil Rights Act of 1964, and HUD regulations and requirements pursuant thereto.

EXHIBIT I
LIST OF FEDERALLY AIDED PUBLIC HOUSING DEVELOPMENTS

1. Riverview MASS 20-1 (Family housing)
This project consists of 45 wood frame dwellings consisting of four apartments of one, two, three or four bedrooms, for a total of 180 family units. The individual buildings are addressed on the following streets: Quarterdeck Road, Sextant Circle, Doane Street and 65 Yardarm Lane. (Management and Operations relating to this development are conducted at the central office of the Authority located at 80 Clay Street, Quincy, MA.) This development contains the following bedroom sized units:

1 bedroom	14	plus	4 wheelchair accessible units
2 bedroom	81	plus	5 wheelchair accessible units
3 bedroom	67		
4 bedroom	9		

2. Constanzo Pagnano Towers MASS 20-2 (Elderly/Non-Elderly Disabled housing)
This is a high-rise building, fourteen stories, containing 156 one-bedroom apartments of elderly housing, 4 of which are wheelchair accessible. The first floor contains a community room, health room, library and various community space. This building is located at 109 Curtis Avenue, Quincy, MA in the Quincy Point area of the City.

3. O'Brien Towers MASS 20-4 (Elderly/Non-Elderly Disabled housing)
This is a three-part, Y-shaped building of 8 stories and contains 275 one-bedroom units, 10 of which are wheelchair accessible, and is located at 73 Bicknell Street, Quincy, MA. The first floor contains a community room, health room, library and various other community space.

4. Drohan Apartments MASS 20-6 (Elderly/Non-Elderly Disabled housing)
This is a three-story building containing 30 one-bedroom units, and 10 one-bedroom wheelchair accessible units, for a total of 40 units, and is located at 170 Copeland Street, Quincy, MA. The first floor contains a community room, library and various other community space.

EXHIBIT II
INCOME LIMITS AND RENT CALCULATIONS FOR FEDERALLY AIDED
DEVELOPMENTS

A. Definitions:

Sec. 5.609 Annual income.

(a) Annual income means all amounts, monetary or not, which:

- (1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
- (2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- (3) Which are not specifically excluded in paragraph (c) of this section.
- (4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

(b) Annual income includes, but is not limited to:

- (1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
- (2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
- (3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (b)(2) of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;
- (4) The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions,

disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided in paragraph (c)(14) of this section);

(5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);

(6) Welfare assistance. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:

(i) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus

(ii) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph (b)(6)(ii) shall be the amount resulting from one application of the percentage;

(7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;

(8) All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section).

(c) Annual income does not include the following:

(1) Income from employment of children (including foster children) under the age of 18 years;

(2) Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);

(3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in paragraph (b)(5) of this section);

(4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;

(5) Income of a live-in aide, as defined in Sec. 5.403;

(6) The full amount of student financial assistance paid directly to the student or to the educational institution;

(7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;

(8)(i) Amounts received under training programs funded by HUD;

(ii) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under

a Plan to Attain Self-Sufficiency (PASS);

(iii) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;

(iv) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time;

(v) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program;

(9) Temporary, nonrecurring or sporadic income (including gifts);

(10) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;

(11) Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);

(12) Adoption assistance payments in excess of \$480 per adopted child;

(13) Removed and Reserved

(14) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.

(15) Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;

(16) Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or

(17) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the Federal Register and distributed to PHAs and housing owners identifying the benefits that

qualify for this exclusion. Updates will be published and distributed when necessary.

(d) Annualization of income. If it is not feasible to anticipate a level of income over a 12-month period (e.g., seasonal or cyclic income), or the PHA believes that past income is the best available indicator of expected future income, the PHA may annualize the income anticipated for a shorter period, subject to a redetermination at the end of the shorter period.

Adjusted income means annual income of the members of the family residing or intended to reside in the dwelling unit, after making the following deductions:

- (a) \$480 for each dependent;
- (b) \$400 for any elderly family or disabled family;
- (c) The sum of the following, to the extent the sum exceeds three percent of annual income:
 - (1) Unreimbursed medical expenses of any elderly or disabled family; and
 - (2) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed, but this allowance may not exceed the earned income received by family members who are 18 years of age or older who are able to work because of such attendant care or auxiliary apparatus; and
- (d) Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education.

Imputed Welfare Income:

The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent.

Specified welfare benefit reduction.

- (1) A reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program, or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.
- (2) Specified Welfare benefit reduction does not include a reduction or termination of welfare benefits by the welfare agency:
 - (i) at expiration of a lifetime or other time limit on the payment of welfare benefits.
 - (ii) because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self-sufficiency or work activities requirements; or

(iii) because a family member has not complied with other welfare agency requirements.

A family's annual income includes the amount of imputed welfare income (because of a specified welfare benefits reduction, as specified in notice to the PHA by the welfare agency), plus the total amount of other annual income as determined in accordance with 24 CFR 5.609.

A family's annual income includes imputed welfare income in family annual income as determined at the PHA's interim or regular reexamination of family income and composition, during the term of the welfare benefits reduction.

The amount of the imputed welfare income is offset by the amount of additional income a family receives that commences after the time the sanction was imposed. When such additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income is reduced to zero.

Self Sufficiency Incentives: The following definitions apply for the purposes of this section.

Disallowance: Exclusion from annual income.

Previously Unemployed includes a person who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

Qualified family. A family residing in public housing:

(i) whose annual income increases as a result of employment of a family member who was unemployed for one or more years previous to employment.

(ii) Whose annual income increases as a result of increased earnings by a family member during participation in any economic self-sufficiency or other job training program; or

(iii) Whose annual income increases, as a result of new employment or increased earnings of a family member, during or within six (6) months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act as determined by the PHA in consultation with local agencies administering temporary assistance for needy families (TANF) and Welfare-to-Work (WTW) Programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance – provided that the total amount over a six-month period is at least \$500.

Disallowance of increase in annual income.

(1) Initial twelve month exclusion. During the cumulative twelve month period beginning of the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the PHA must exclude from annual income of a qualified family any increase in income of the family member as a result of employment over prior income of that family member.

(2) Second twelve-month exclusion and phase-in. During the second cumulative twelve month period after the date a member of a qualified family is first employed or the family

first experiences an increase in annual income attributable to employment, the PHA must exclude from annual income of a qualified family fifty percent of any increase in income of such family member as a result of employment over income of that family member prior to the beginning of such employment.

(3) Maximum four year disallowance. The disallowance of increased income of an individual family member is limited to a lifetime 48 month period.

Inapplicability to admission: The disallowance of increases in income as a result of employment under this section does not apply for purposes of admission to the program (including the determination of income eligibility and income targeting)

B. INCOME LIMITS FOR ADMISSION

There shall be admitted to occupancy families whose annual income as defined in Section A does not exceed the following limits. Selection of residents shall be made in accordance with the applicable rules and regulations regarding selection, occupancy and income limits.

Number of Persons	Lower Income	Very Low Income	Extremely Low
1	\$46,300	\$29,450	\$17,700
2	\$52,950	\$33,650	\$20,200
3	\$59,550	\$37,850	\$22,750
4	\$66,150	\$42,050	\$25,250
5	\$71,450	\$45,400	\$27,250
6	\$76,750	\$48,800	\$29,300
7	\$82,050	\$52,150	\$31,300
8	\$87,350	\$55,500	\$33,350

*Income limits are revised by HUD from time to time and current income limits are posted in the main office.

RENT OPTIONS:

Once a year, the PHA must give each family the opportunity to choose between the two methods for determining the amount of tenant rent payable monthly by the family. The family may choose to pay as tenant rent either a flat rent, or an income based rent. The income based rent shall be the highest of 30 percent of monthly adjusted income, or 10 percent of family's monthly income.

Flat rents as approved July 1, 2005 are as follows:

1BR	\$ 819
2BR	\$ 1013
3BR	\$ 1260
4BR	\$ 1459

EXHIBIT III DEFINITIONS

Appropriate Unit Size :

a unit is of "appropriate unit size" for a household if it meets the following criteria:

- a. persons of the opposite sex, age 6 or over, excepting husband and wife (or those in a similar living arrangement), do not have to share the same bedroom;
- b. no more than two persons share any bedroom;
- c. husband and wife (or those in a similar living arrangement) must share a bedroom, as must same sex household members without regard to age;
- d. persons of the opposite sex, age 6 and over, may share a bedroom at the residents election; and
- e. the number of occupants does not violate the maximum number of occupants permissible under the provisions of the state sanitary code.

This definition of "Appropriate Unit Size" may be waived for good cause.

Child Care Expenses:

Amounts anticipated to be paid by the Family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care, and, in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.

Dating Violence:

Violence committed by a person:

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

Dependent:

A member of the family household (excluding foster children and foster adults) other than the family head or spouse, who is under 18 years of age, or is a person with a disability, or is a full-time student.

Disability Assistance Expenses:

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

Displaced Person:

A person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under Federal disaster relief laws.

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 cohabitated with or has cohabited 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 persons acts under the domestic or family violence laws of the jurisdiction.

Elderly Family:

A family whose head or spouse (or sole member) is a person who is at least 62 years of age. This may include two or more persons who are at least 62 years of age living together, or one or more persons who are at least 62 years of age living with one or more live-in aides.

Family:

Family includes, but is not limited to:

1. a family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size.)
2. an elderly family
3. a near elderly family
4. a disabled family
5. a displaced family
6. the remaining member of a tenant family, and
7. a single person who is not an elderly, or displaced person, or a person with disabilities or the remaining member of a tenant family.

Full-Time Student:

A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the education institution attended. An educational institution includes vocational schools with diploma or certificate programs, as well as institutions offering degree programs.

Homeless Shelter:

A place of temporary residence for homeless persons or families or victims of domestic violence, provided or operated by an agency recognized by the Commonwealth of Massachusetts and/or local government as a provider who has as a primary goal/objective to provide temporary shelter to homeless persons or families or victims of domestic violence. Examples: Father Bill's Shelter; Battered women's shelter or safe homes operated by agencies such as DOVE,

Transitional Housing Programs.

Immediate Family Member:

A spouse, partner, brother or sister or child of the person, or an individual to whom that person stands in place of a parent; or any other person living in the household of that person and related to that person by blood or marriage.

Live-In Aide:

A person who resides with an elderly, disabled, or handicapped person or persons and who (a) is determined by the PHA to be essential to the care and well-being of the person(s); (b) is not obligated for support of the person(s) and (c) would not be living in the unit except to provide necessary supportive services.

Medical Expenses:

Those medical expenses, including medical insurance premiums, that are anticipated during the period for which income is computed, and that are not covered by insurance.

Minority:

Any person who is either not white or is of Spanish origin, as defined by the United States Census Bureau.

Near Elderly Family:

A family whose head or spouse (or sole member) is at least 50 years of age, but below the age of 62 years.

Net Family Assets:

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

Person With Disabilities

(1) Means

A person who:

- (i) has a disability as defined (42 U.S.C 423),
- (ii) Is determine, pursuant to HUD regulations, to have a physical, mental or emotional impairment that -
 - A. is expected to be of long continued and indefinite duration.
 - B. Substantially impedes his or her ability to live independently, and
 - C. Is of such a nature that such ability could be improved by more suitable housing conditions: or.
- (iii) Has a developmental disability as defined in 42 U.S.C. 6001.
- (2) Does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome
- (3) For purposes of qualifying for low income housing, does not include a person whose disability is based solely on any drug or alcohol dependence, and
- (4) Means "individual with handicaps" as defined in 24 CFR Section 8.3 for purposes of reasonable accommodation and program accessibility for persons with disabilities.

Quincy Resident:

A person who lives or works in the city of Quincy or who has been hired to work in the City of Quincy at the time of application and at the time of final determination of eligibility and qualification. In the case of an applicant staying in a homeless shelter, the applicant shall be allowed to select (for residency preference purposes) either the community from which he or she was displaced or the community in which he or she is temporarily housed. Information which may be considered in verifying residency may include, but is not limited to:

- a. municipal voting records or annual street listings
- b. car registration
- c. school registration
- d. rent receipts, tax or utility bills
- e. receipt of public assistance, social security or similar benefits
- f. other information requested by the Quincy Housing Authority.

These documents are not conclusive evidence. The determination shall be made by the Quincy Housing Authority after considering all the information.

There shall be no minimum time period to establish residence.

Sexual Assault:

Any conduct proscribed by chapter 109A of Title 18, whether or not the conduct occurs in the special maritime and territorial jurisdiction of the United States or in a Federal prison and includes both assaults committed by offenders who are strangers to the victim and assaults committed by offenders who are known or related by blood or marriage to the victim.

Single Person:

A person who lives alone or intends to live alone, and who does not qualify as an elderly, disabled, near elderly or displaced person or as the remaining member of a tenant family.

Stalking:

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 or 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 (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person.

Referral from the District Attorney's Office

An applicant who is referred initially by the District Attorney's offices through the various Court programs. Although initial referrals must be made by the District Attorney's offices, the final decision of the selection of referred applicants will be made by the Housing Authority. The final decision for eligibility for a preference as a referral from the District Attorney's Office will be made by the Authority based on a review of the facts, issues, and circumstances of the case, including the urgency of need. Abusive situations must be documented. To be eligible for the priority the applicant must show that the applicant has taken all available steps to stop the abuse, including restraining orders, no contact with the abuser, filing criminal complaints, applying for and pursuing all available opportunities for other housing programs, seeking, applying for, and pursuing all available opportunities for services and assistance.

Applicants who meet the criteria above must meet all other eligibility criteria, including but not limited to, income, CORI screening, landlord referrals.