Chapter 1: Overview of Program and Plan - no significant changes to the way we do business

Chapter 2: Fair Housing and Equal Opportunity - no significant changes to the way we do business

Chapter 3: Eligibility

3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ADMISSION

Criminal Activity [24 CFR 960.203(c)]

LHC Policy
If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past five years, the family will be denied admission.

Criminal activity that may threaten the health or safety of LHC staff, contractors, subcontractors, or agents.

Evidence of such criminal activity includes, but is not limited to any record of convictions, arrests, or evictions for suspected drug-related or violent criminal activity of household members within the past 5 years. A conviction for such activity will be given more weight than an arrest or an eviction. A record of arrest(s) will not be used as the basis for the denial or proof that the applicant engaged in disqualifying criminal activity.

3-III.D. SCREENING

Resources Used to Check Applicant Suitability [PH Occ GB, pp. 47-56]
Police and court records within the past five years will be used to check for any evidence of disturbance of neighbors or destruction of property that might have resulted in arrest or conviction. A record of arrest(s) will not be used as the basis for the denial or proof that the applicant engaged in disqualifying activity.

3-III.E. Criteria for Deciding to Deny Admissions

Consideration of Circumstances [24 CFR 960.203(c)(3) and (d)]

LHC Policy
LHC will consider the following facts and circumstances prior to making its decision:
The seriousness of the case, especially with respect to how it would affect other residents’ safety or property
The effects that denial of admission may have on other members of the family who were not involved in the action or failure to act
The length of time since the violation occurred, including the age of the individual at the time of the conduct, as well as the family’s recent history and the likelihood of favorable conduct in the future

While a record of arrest(s) will not be used as the basis for denial, an arrest may, however, trigger an investigation to determine whether the applicant actually engaged in disqualifying criminal activity. As part of its investigation, LHC may obtain the police report associated with the arrest and consider the reported circumstances of the arrest. LHC may also consider:

- Any statements made by witnesses or the applicant not included in the police report
- Whether criminal charges were filed
- Whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal
- Any other evidence relevant to determining whether or not the applicant engaged in disqualifying activity

Evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety and/or property.

Chapter 4: Applications, Waiting List and Tenant Selection - no significant changes to the way we do business

Chapter 5: Occupancy Standards and Unit Offers - no significant changes to the way we do business

Chapter 6: Income and Rent Determinations

6-I.E. EARNED INCOME DISALLOWANCE [24 CFR 960.255]
Calculation of the Disallowance
Calculation of the earned income disallowance for an eligible member of a qualified family begins with a comparison of the member’s current income with his or her “baseline income.” The family member’s baseline income is his or her income immediately prior to qualifying for the EID. The family member’s baseline income remains constant throughout the period that he or she is participating in the EID. While qualification for the disallowance is the same for all families, calculation of the disallowance will differ depending on when the family member qualified for the EID. Residents qualifying prior to May 9, 2016 will have the disallowance calculated under the “Original Calculation Method” described below, which requires a maximum lifetime
disallowance period of up to 48 consecutive months. Residents qualifying on or after May 9, 2016 will be subject to the “Revised Calculation Method,” which shortens the lifetime disallowance period to 24 consecutive months. Under both the original and new methods, the EID eligibility criteria, the benefit amount, the single lifetime eligibility requirement and the ability of the applicable family member to stop and restart employment during the eligibility period are the same.

**Revised Calculation Method**

*Initial 12-Month Exclusion*

During the initial exclusion period of 12 consecutive months, the full amount (100 percent) of any increase in income attributable to new employment or increased earnings is excluded.

**LHC Policy**

The initial EID exclusion period will begin on the first of the month following the date an eligible member of a qualified family is first employed or first experiences an increase in earnings.

*Second 12-Month Exclusion*

During the second exclusion period of 12 consecutive months, the LHC must exclude at least 50 percent of any increase in income attributable to employment or increased earnings.

**LHC Policy**

During the second 12-month exclusion period, the LHC will exclude 100 percent of any increase in income attributable to new employment or increased earnings.

**Lifetime Limitation**

The EID has a two-year (24-month) lifetime maximum. The two-year eligibility period begins at the same time that the initial exclusion period begins and ends 24 months later. During the 24-month period, an individual remains eligible for EID even if they receive assistance from a different housing agency, move between public housing and Section 8 assistance, or have breaks in assistance.

---

Chapter 7: Verifications

7-II.B. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and Notice PIH 2012-10]

The family must provide documentation of a valid social security number (SSN) for each member of the household, with the exception of individuals who do not contend eligible immigration status. Exemptions also include, existing residents who were at least 62 years of age as of January 31, 2010, and had not previously disclosed an SSN.

If an applicant family includes a child under 6 years of age who joined the household within the 6 months prior to the date of program admission, an otherwise eligible family may be admitted and must provide documentation of the child’s SSN within 90 days. A 90-day extension will be granted if the LHC determines that the resident’s failure to comply was due to unforeseen circumstances and was outside of the resident’s control.

**LHC Policy**
The LHC will grant one additional 90-day extension if needed for reasons beyond the applicant’s control, such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency.

When a resident requests to add a new household member who is at least 6 years of age, or who is under the age of 6 and has an SSN, the resident must provide the complete and accurate SSN assigned to each new member at the time of reexamination or recertification, in addition to the documentation required to verify it. The LHC may not add the new household member until such documentation is provided.

When a resident requests to add a new household member who is under the age of 6 and has not been assigned an SSN, the resident must provide the SSN assigned to each new child and the required documentation within 90 calendar days of the child being added to the household. A 90-day extension will be granted if the LHC determines that the resident’s failure to comply was due to unforeseen circumstances and was outside of the resident’s control. During the period the LHC is awaiting documentation of the SSN, the child will be counted as part of the assisted household.

LHC Policy
The LHC will grant one additional 90-day extension if needed for reasons beyond the resident’s control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency.

LHC Policy
The LHC will verify each disclosed SSN by:
- Obtaining documentation from applicants and residents that is acceptable as evidence of social security numbers
- Making a copy of the original documentation submitted, returning it to the individual, and retaining a copy in the file folder

Once the individual’s verification status is classified as “verified,” the LHC may, at its discretion, remove and destroy copies of documentation accepted as evidence of social security numbers. The retention of the EIV Summary Report or Income Report is adequate documentation of an individual’s SSN.

LHC Policy
Once an individual’s status is classified as “verified” in HUD’s EIV system, the LHC will remove and destroy copies of documentation accepted as evidence of social security numbers.

Minor Children working: Will not verify start date but must have PH certification form and 2 paystubs?

Chapter 8: Leasing and Inspections

8-I.F. PAYMENTS UNDER THE LEASE
Late Fees and Nonpayment

LHC Policy

If the family fails to pay their rent by the 1st day of the month, and the LHC has not agreed to accept payment at a later date, a 14 day Notice to Vacate will be issued to the resident on the 2nd day of the month for failure to pay rent, demanding payment in full or the surrender of the premises.

8-I.F. PAYMENTS UNDER THE LEASE

Accepted forms of payment

LHC Policy

Any payments made to LHC must be in form of personal check, certified / cashier’s check or money order. LHC does not accept cash as a form of payment. All new move in rental payments must be paid in the form of money order or certified check. No personal checks will be accepted at move in.

Chapter 9: Recertification’s

9-I.B STREAMLINED ANNUAL REEXAMINATIONS [24 CFR 960.257]

HUD permits LHCs to streamline the income determination process for family members with fixed sources of income. While third-party verification of all income sources must be obtained during the intake process and every three years thereafter, in the intervening years the LHC may determine income from fixed sources by applying a verified cost of living adjustment (COLA) or rate of interest. The LHC may, however, obtain third-party verification of all income, regardless of the source. Further, upon request of the family, the LHC must perform third-party verification of all income sources.

Fixed sources of income include Social Security and SSI benefits, pensions, annuities, disability or death benefits, and other sources of income subject to a COLA or rate of interest. The determination of fixed income may be streamlined even if the family also receives income from other non-fixed sources.

LHC Policy

The LHC will streamline the annual reexamination process by applying the verified COLA or interest rate to fixed-income sources. The LHC will document in the file how the determination that a source of income was fixed was made.

If a family member with a fixed source of income is added, the LHC will use third-party verification of all income amounts for that family member.

If verification of the COLA or rate of interest is not available, the LHC will obtain third-party verification of income amounts.

Third-party verification of fixed sources of income will be obtained

Chapter 10: Pet Policy - no significant changes to the way we do business

Chapter 11: Community Service
11-I.B. REQUIREMENTS

- The required community service or self-sufficiency activity may be completed 8 hours each month or may be aggregated across a year. Any blocking of hours is acceptable if **96 hours** is completed by each annual certification of compliance [Notice PIH 2015-12].

Chapter 12: Transfer Policy - no significant changes to the way we do business

Chapter 13: Terminations

13-II.G. LIFETIME REGISTERED SEX OFFENDERS [Notice PIH 2012-28]
Should LHC discover that a member of an assisted household was subject to a lifetime registration requirement at admission and was erroneously admitted after June 25, 2001, the LHC must immediately terminate assistance for the household member. In this situation, the LHC must offer the family the opportunity to remove the ineligible family member from the household. If the family is unwilling to remove that individual from the household, the LHC must terminate assistance for the household.

13-III.E. CRITERIA FOR DECIDING TO TERMINATE TENANCY
Consideration of Circumstances [24 CFR 966.4(I)(5)(vii)(B)]

LHC Policy
The LHC will consider the following facts and circumstances before deciding whether to terminate the lease for any of the HUD required lease provisions or for any other reasons:
The seriousness of the offending action, especially with respect to how it would affect other residents’ safety or property
The length of time since the violation occurred, including the age of the individual at the time of the conduct, as well as the family's recent history, and the likelihood of favorable conduct in the future
While a record of arrest(s) will not be used as the basis for termination, an arrest may, however, trigger an investigation to determine whether the participant actually engaged in disqualifying criminal activity. As part of its investigation, the LHC may obtain the police report associated with the arrest and consider the reported circumstances of the arrest. The LHC may also consider:
- Any statements made by witnesses or the participant not included in the police report whether criminal charges were filed
- Whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal
Any other evidence relevant to determining whether the participant engaged in disqualifying activity
Evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety and/or property.

Limits on VAWA Protections [24 CFR 5.2005(d) and (e), FR Notice 8/6/13]] including but not limited to transferring the victim to a different unit, barring the perpetrator from the property, contacting law enforcement to increase police presence or develop other plans to keep the property safe, or seeking other legal remedies to prevent the perpetrator from acting on a threat” [24 CFR 5.2005(d)(3)]. Additionally, HUD regulations state that restrictions “predicated on public safety cannot be based on stereotypes, but must be tailored to particularized concerns about individual residents” [24 CFR 5.2005(d)(3)].

13-III.B. MANDATORY LEASE PROVISIONS [24 CFR 966.4(l)(5)]
Drug and/or Crime On or Off the Premises [24 CFR 966.4(l)(5)(i)(B)]
A record of arrest(s) will not be used as the basis for the termination or proof that the participant engaged in disqualifying criminal activity.
Threat to Other Residents [24 CFR 966.4(l)(5)(ii)(A)]
A record of arrest(s) will not be used as the basis for the termination or proof that the participant engaged in disqualifying criminal activity.

Alcohol Abuse [24 CFR 966.4(l)(5)(vi)(A)]
A record of arrest(s) will not be used as the basis for the termination or proof that the participant engaged in disqualifying criminal activity

13-III.D. ALTERNATIVES TO TERMINATION OF TENANCY
Exclusion of Culpable Household Member [24 CFR 966.4(l)(5)(vii)(C)]
Additionally, under the Violence against Women Reauthorization Act of 2013, the LHC may bifurcate a lease in order to terminate the tenancy of an individual who is a tenant or lawful occupant of a unit and engages in criminal activity directly related to domestic violence, dating violence, sexual assault, or stalking.

Medical Marijuana – The legalization of medical marijuana in the State of Michigan directly conflicts with the HUD definition of a controlled substance in Section 102 of the Controlled Substances Act. The conflicting State and Federal law presents a challenge to administer a federally funded Housing Choice Voucher Program. Thus, will consider the information provided in the Michigan Medical Marijuana Act (Initiated Law 1 of 2008) throughout the termination process. Caregivers, as defined in the Michigan Medical Marihuana Act, will not be permitted and will not receive the considerations outlined in the Michigan Medical Marijuana Act. The Michigan Medical Marijuana Act will not supersede any other LHC policy or procedure related to program violations. Regardless of State Law. LHC will terminate HCV assistance if there are lease violations or drug-related criminal activity that threatens the health or safety of, or the right to peaceful enjoyment of the premises by, other residents or persons residing in the immediate
vicinity of the premises. LHC will apply the following standard when LHC staff or LHC inspectors have witnessed the possession and/or use of marijuana in the assisted unit:

- Termination for a violation of the Controlled Substances Act verified during HQS.

Chapter 14: Grievance Policy

14-I.B. INFORMAL APPLICANT REVIEW [24 CFR 960.208(a)]
Notice of Denial [24 CFR 960.208(a)]
The LHC must give an applicant prompt notice of a decision denying eligibility for admission. The notice must contain a brief statement of the reasons for the LHC decision, and must also state that the applicant may request an informal hearing to dispute the decision. The notice must describe how to obtain the informal hearing. When denying eligibility for admission, the LHC must provide the family a notice of VAWA rights as well as the HUD VAWA self-certification form (form HUD-50066) in accordance with the Violence against Women Reauthorization Act of 2013, and as outlined in 16-VII.C. The notice and self-certification form must accompany the written notification of the denial of eligibility determination.
Prior to notification of denial based on information obtained from criminal or sex offender registration records, the family, in some cases, must be given the opportunity to dispute the information in those records which would be the basis of the denial. See Section 3-III.G for details concerning this requirement.

Chapter 15: Program Integrity - no significant changes to the way we do business
Chapter 16: Program Administration – no significant changes to the way we do business