

ADMISSION AND
OCCUPANCY POLICY:
STATEMENT OF POLICIES GOVERNING
ADMISSION TO, AND
CONTINUED OCCUPANCY OF, THE
HUD-AIDED LOW-INCOME
HOUSING PROJECTS OWNED AND
OPERATED BY THE
HOUSING AUTHORITY OF THE
CITY OF FRANKLIN

APPROVED JANUARY 26, 2005

MISSION STATEMENT:

The Housing Authority of the City of Franklin will provide safe, affordable housing to law-abiding, economically responsible families.

I. PROGRAM APPROACH AND OBJECTIVES

A. PURPOSE OF THE ADMISSION AND OCCUPANCY POLICY

1. This Public Housing Admissions and Occupancy Policy establishes the Housing Authority of the City of Franklin's discretionary policies and procedures that will be used in the administration of the public housing program in accordance with U.S. Department of Housing and Urban Development requirements. The approach to program functions contained in this policy are applicable to admission and occupancy in the public housing program.
2. This public housing admissions and occupancy policy complies with the provisions of 24 CFR 960 and 966.
3. Additional requirements can be found in the Housing Authority of the City of Franklin Public Housing Agency Plan. Pet ownership by families residing in properties owned by the authority is regulated by the Pet Policy.
4. The overall objectives for the Housing Authority of the City of Franklin public housing program are intended to achieve the following:
 - a Provide decent, safe and sanitary housing at an affordable cost to very-low-income families.
 - b Encourage self-sufficiency of program participants; and
 - c Assure compliance with HUD regulations, Equal Housing Opportunity requirements, and the Housing Authority of the City of Franklin's policies.

B. NON-DISCRIMINATION

1. Complying with Civil Rights Laws
 - a. The Housing Authority of the City of Franklin will give equal treatment to rights of applicants and residents in the way it carries out its programs. It is the policy of the Housing Authority to comply with all civil rights laws, included but not limited to:
 1. Title VI of the Civil Rights Act of 1964, which forbids discrimination on the basis of race, color, religion, national origin or sex;

2. Title VII of the Civil Rights Act of 1968 (as amended by the 1974 HCDA and the Fair Housing Amendments Act of 1988), which extends protection against discrimination based on disability and familial status, and spell out forms of prohibited discrimination;
 3. Executive Order 11063;
 4. Section 504 of the Rehabilitation Act of 1973; which describes specific housing rights of persons with disabilities;
 5. The Age Discrimination Act of 1975, which establishes certain rights of the elderly
 6. Title II of the Americans with Disabilities Act, otherwise Section 504 and the Fair Housing Amendments govern,
 7. Any applicable State laws or local ordinances, and
 8. Any legislation protecting the individual rights of tenants, applicants or staff that may subsequently be enacted.
- b. The Housing Authority of the City of Franklin shall not discriminate because of race, color, age, disability, sex, familial status, religion, or national origin in the leasing, rental, or other disposition of housing or related facilities (including land) included in any project under its jurisdiction covered by a contract for annual contributions under the United States Housing Act of 1937, as amended, or in the use or occupancy thereof.
- c. The Housing Authority of the City of Franklin shall not, on account of race, color, sex, familial status, religion, age, handicap, or national origin:
1. Deny to any family the opportunity to apply for such housing, nor deny to any eligible Applicant the opportunity to lease such housing suitable to its needs.
 2. Provide housing which is different than that provided to others.

3. Subject a person to segregation or disparate treatment.
 4. Restrict a person's access to any benefit enjoyed by others in connection with the public housing program.
 5. Treat a person differently in determining eligibility or other requirements for admission.
 6. Deny a person access to the same level of services.
 7. Deny a person the opportunity to participate in a planning or advisory group which is an integral part of the public housing program.
 8. Publish or cause to be published an advertisement or notice indicating the availability of housing that prefers or excludes persons who are members of a protected class.
- d. The Housing Authority of the City of Franklin shall not automatically deny admission to a particular group or category of otherwise eligible Applicants (e.g., unwed mothers, families with children born out of wedlock, elderly, or families whose head or Spouse is a student). Each Applicant in a particular group or category will be treated on an individual basis in the normal processing routine.
- e. The Housing Authority of the City of Franklin will correct situations or procedures that create a barrier to equal housing opportunity for all. To permit people with disabilities to take full advantage of the Housing Authority of the City of Franklin's housing program and non-housing programs, in accordance with Section 504, and the Fair Housing Amendments Act of 1968, refer to the Reasonable Accommodation's Policy.

II. Eligibility for Admission and Processing of Applications

A. Affirmative Marketing

1. The Housing Authority of the City of Franklin will conduct affirmative marketing as needed so the waiting list includes a mix of applicants with races, ethnic backgrounds, ages and disabilities proportionate to the mix of those groups in the eligible population of the area. The marketing plan will take into consideration the number and distribution of vacant units, units that can be expected to become vacant because of move-outs, and characteristics of families on the waiting list. The Housing Authority of the City of Franklin will review these factors regularly to determine the need for and scope of marketing efforts. All marketing efforts will include outreach to those least likely to apply.
2. Marketing and informational materials will:
 - a. Comply with Fair Housing Act requirements on wording, logo, size of type, etc;
 - b. Describe the housing units, application process, waiting list and preference structure accurately;
 - c. Use clear and easy to understand terms and more than strictly English-language printed media;
 - d. Contact agencies that serve potentially qualified applicants least likely to apply to ensure that accessible/adaptable units are offered to applicants who need their features;
 - e. Make clear who is eligible: low-income individuals and families; working and non-working people; and people with both physical and mental disabilities; and
 - f. Be clear about Housing Authority of the City of Franklin's responsibility to provide reasonable accommodations to people with disabilities.

B. Qualifying for Admission

1. It is the Housing Authority of the City of Franklin's policy to admit only qualified applicants.
2. An applicant is qualified if he or she meets all of the following criteria:
 - a. Those who qualify as a Family, as defined in the Definition of Terms.

- b. Have at least one family member who is either a U.S. citizen or an eligible immigrant.
- c. Whose Annual Income at the time of admission, does not exceed the income limits for occupancy posted separately in Authority Offices and as defined in Definition of Terms of this policy.
- d. Provide Social Security Cards for every family member age 6 or older or certify that they do not have Social Security numbers.
- e. Who meet or exceed the Screening and Tenant Selection Criteria set forth in Part I, Section F of this policy.

C. Establishing and Maintaining the Waiting List

- 1. It is the policy of the Housing Authority of the City of Franklin to administer its waiting lists as required by HUD's regulations
- 2. Opening and Closing Waiting Lists
 - a. In order to maintain a balanced application pool, the Authority at its discretion, may restrict application taking, suspend application taking, or close waiting lists for a period of time.
 - b. If the Authority has too many applications, it may elect to:
 - 1. close the waiting list completely;
 - 2. close the list during certain times of the year; or
 - 3. restrict intake by type of project, or by size and type of dwelling unit.
 - c. Decisions about the waiting list will be based on the number of applications available for a particular size and type of unit, and the ability of the Authority to house an applicant in an appropriate unit within a reasonable period of time. Closing the waiting lists, restricting intake, or opening the waiting lists will be publicly announced.

- d. During the period when the waiting list is closed, the Authority will not maintain a list of individuals who wish to be notified when the waiting list is reopened.
3. Determining if the Waiting List may be closed
 - a. The Housing Authority of the City of Franklin will use its procedures on opening and closing the waiting list to determine whether the waiting list should be closed.
4. Updating the Waiting List
 - a. Once each year the Housing Authority of the City of Franklin will update each waiting list who have been on the list for at least one year by contacting all applicants in writing.
 - b. If there is no response to the certified letter, the Housing Authority of the City of Franklin will withdraw the name of an applicant from the waiting list.
 - c. At the time of initial intake, the Housing Authority of the City of Franklin will advise families that they must notify the Housing Authority of the City of Franklin when their circumstances, mailing address or phone numbers change.
 - d. The Housing Authority of the City of Franklin will remove an applicant's name from the waiting list only in accordance with its Procedure on Updating the Waiting List and Removing Applications.
5. Change in Preference Status While on the Waiting List
 - a. Situations of some families who do not qualify for a local or ranking preference when they applied may change so they become qualified for a preference. The family should contact the Housing Authority fo the City of Franklin so their status may be recertified or reverified. Applicants whose preference status changes while they are on the waiting list retain their original date and time of application (s), or application number, as applicable.

- b. If the Housing Authority of the City of Franklin determines that the family does not qualify for a preference, they will be moved up on the waiting list in accordance with their preference(s) and their date and time of application. They will then be informed in writing of how the change in status has affected their place on the waiting list.

D. Processing Applications for Admission

1. The Housing Authority of the City of Franklin will accept and process applications in accordance with applicable HUD Regulations and the Housing Authority of the City of Franklin's Procedure on Taking Applications and Initial Processing. The Housing Authority of the City of Franklin will assume that the facts certified by the applicant in the preliminary application are correct, although those facts will be reverified later in the application process. The applicant will be required to place a preliminary application.
2. Interview and Verification Process
 - a. Once the preliminary application is received, the applicant will be contacted by certified mail and scheduled to come to the Housing Authority of the City of Franklin for an interview to process their application. Applicants who fail to attend their scheduled interview or who cannot be contacted to schedule an interview will have their applications withdrawn, subject to reasonable accommodations for people with disabilities. Incomplete preliminary applications will be returned to the applicant and will not be processed until all required information is provided.
 1. If the applicant does not have the Birth Certificates for all members of the household, Social Security Cards for all members of the household, Photo Id for all members who are over 18 years of age, and proof of income, Citizenship or eligible immigration status at the time of the interview they will be given five days to provide the documentation or their name will be removed from the waiting list.

2. The following information will be required during the interview process and be verified according to Housing Authority of the City of Franklin's Procedure on Verification to determine eligibility for admission to Housing Authority of the City of Franklin's housing:
 - a. Family composition and type
 - b. Annual Income
 - c. Asset Information
 - d. Preferences
 - e. Applicant Screening Information
- b. All this information will be reverified by third party written verification to substantiate applicant or resident claims. If attempts to obtain third party written verification are unsuccessful, the Housing Authority of the City of Franklin may use the following:
 1. Phone verification with the results recorded in the file, dated, and signed by Housing Authority of the City of Franklin staff,
 2. Review of documents, and if no other form of verification is available,
 3. Applicant certification. Applicant must cooperate fully in obtaining or providing the necessary verifications.
 4. Verify 60 days after admission to the program through the UIV System.
- c. Applicants reporting zero income will be asked to complete a family expense form to document how much they spend on: food, transportation, health care, child care, debts, household items, etc. and what the source of income is for these expenses. These costs may be considered regular monthly income and rent will be computed on these estimated.

3. The Housing Authority of the City of Franklin's application for admission will indicate for each applicant the date and time of receipt; applicant's race and ethnicity; determination by Housing Authority of the City of Franklin as to eligibility of the applicant; when eligible, the unit size for which eligible; and the date, location, identification, and circumstances of each vacancy offered and accepted or rejected.

E. The Preference System

1. An admission preference does not guarantee admission. Preferences establish the order of placement on the waiting list. Every applicant must still meet the Housing Authority of the City of Franklin's Selection Criteria before being offered a unit.
2. Factors other than preferences that affect the selection of applicants from the waiting list before applying its preference system, the Housing Authority of the City of Franklin will match the characteristics of the available unit to the applicants available on the waiting list. Unit size, accessibility features, or type of project limit the admission of families to households whose characteristics match the vacant unit available.
3. By matching unit and family characteristics, families lower on the waiting list may receive an offer of housing before families with an earlier date and time of application or families with a higher preferences (e.g. the next unit available is an accessible unit and the only applicant family needing such features is in the non-preference pool, ie. have no preference).
4. Factors other than the preference system that affect applicant selection are described below:
 - a. When selecting a family for a unit with accessible features, the Housing Authority of the City of Franklin will give a preference to families that include persons with disabilities who can benefit from the unit's features. First preference will be given to existing tenant families seeking a transfer and second preference will be given to applicant families.

- b. If no family needing accessible features can be found for a unit with such features, the Housing Authority of the City of Franklin will house a family not needing the unit features, but a non-disabled family in an accessible unit will be required to move so that a family needing the unit features can take advantage of the unit.
- c. When selecting a family for a unit in housing designated for elderly families, or disabled families, the Housing Authority of the City of Franklin will give a priority to elderly, disabled or near elderly families.
- d. When selecting a family for a unit in a property that houses elderly and disabled families, as opposed to a general occupancy development that houses non-elderly families as well, the Housing Authority of the City of Franklin will give equal priority to elderly families and disabled families.
- e. When selecting a single person at a Mixed Population development, elderly, disabled or displaced single persons have priority over other singles. Single applicant who are not elderly, disabled or displaced can only be admitted after single elderly or disabled families or single displaced persons have been offered units.
- f. Preferences will be granted to applicants who are otherwise qualified and who, at the time of the unit offer (prior to execution of a lease), meet the definitions of the preferences described below.

5. Local Preference

- a. There is one local preference in effect based on ranges of income. Applicants will be grouped as follows:
 - 1. Tier 1: Families with incomes between 0% and 30% of area media income. This group will constitute at least 40% of all admissions in any year;
 - 2. Tier 11: Families with incomes between 31% and 80% of area median income. The target for this group is 60% of all admissions in any year.

6. Ranking Preference

- a. There are two possible ranking preferences in effect: first is the Displacement Preference, and second is the Upward Mobility Preference. The Housing Authority of the City of Franklin's procedure on unit offers and applicant placement will be used to order the waiting list and make offers.
- b. Families that qualify for neither the Displacement nor the Upward Mobility preferences will be categorized as No-preference families.

7. Method of Applying Preferences

- a. To ensure that the Housing Authority of the City of Franklin admits the statutorily required 40% of applicants per year with incomes in Tier 1 and, at the same time, does not create concentrations of families by income at any of its properties, the Housing Authority of the City of Franklin will rank applicants within both income tiers, in order, as Displacement, Upward Mobility or no-preference. Four out of every ten applicants admitted will be from Tier 1. Within each of the ranking preference categories, offers will be made by oldest application.
- b. The Housing Authority of the City of Franklin will house applicants from Tiers 1 and 11 on the waiting list by selecting first from the Displacement applicants, then from Upward Mobility applicants within each Tier, and then, if the Upward Mobility applications are exhausted, by selecting from the No-preference applicants within each Tier.
- c. The Housing Authority of the City of Franklin will also offer units to existing residents on the transfer list. Some types of transfers are processed before new admissions and some types of transfers are processed with new admissions, using a ratio set forth in the Tenant Selection and Assignment Plan. Transfers do not count toward the 40% Tier 1 requirement.

- d. The Housing Authority of the City of Franklin will not hold units vacant for applicants' preferences, nor will it relax eligibility or screening criteria to admit otherwise unqualified applicants with preferences.
8. Definition of displacement and Upward Mobility Preference
- a. The Housing Authority of the City of Franklin defines Displacement Preference to include applicants who can document that they have been displaced by a natural disaster declared by the President of the United States, displaced, through no fault of their own, by governmental action, or displaced by domestic violence. These sub-categories are equal.
 - b. The Housing Authority of the City of Franklin defines Upward Mobility to include applicants with adult members who can document that they are employed or involved in job training, including job training undertaken as a requirement of persons receiving Temporary Assistance to Needy Families. Persons who cannot work because of age or disability also qualify for this ranking preference. These subcategories are equal.
9. Designated Housing
- a. The preference system will be used to match the characteristics of the family to the type of unit available including developments with HUD-approved designated populations. The ability to provide preferences for some family types will depend on unit size available.
 - b. Elderly families will receive a priority for admission at Colonial Manor. When there are insufficient elderly families, near-elderly families will receive a priority for this unit.
 - c. Couples will receive preference over single families at Colonial Manor in one bedroom units.
 - d. Non-elderly families will take preference at Dale Avenue for housing.

10. Administration of the Preferences

- a. Depending on the time an applicant may have to remain on the waiting list, the Housing Authority of the City of Franklin will either verify preferences at the time of the application (when the waiting list is short or non-existent) or require that applicants certify to their qualification for a preference at the time of pre-application (when the wait for admission exceeds four months). Verifying preferences is one of the earliest steps in processing applicants for admission. Preference verifications shall be no more than 120 days old at the time of certification.
- b. The Housing Authority of the City of Franklin will use a pre-application to obtain the families certification that qualifies for a preference. The family will be advised to notify the Housing Authority of the City of Franklin of any change that may affect their ability to qualify for a preference.
- c. Applicants that are otherwise eligible and self-certified as qualifying for a preference will be placed on the waiting list in the appropriate applicant pool.
- d. Applicants that self-certify to a preference at the time of pre-application and cannot verify current preference status at the time of certification will be moved into the No-preference category, and to a lower position on the waiting list based on date and time of application.

11. Notice and Opportunity for a Meeting

- a. If an applicant claims but does not qualify for a preference, the applicant can request a meeting:
 1. The Housing Authority of the City of Franklin will provide a notice that an applicant does not qualify for a preference containing a brief statement of the reasons for the determination, and that the applicant may meet with the Housing Authority of the City of Franklin to review the determination.

2. If the applicant requests the meeting, the Housing Authority of the City of Franklin will designate someone to conduct the meeting. A written summary of this meeting shall be made and retained in the applicants's file.
3. The applicant will be advised that he/she may exercise other rights if the applicant believes that illegal discrimination based on race, color, national origin, religion, age, disability, familial status has contributed to the Housing Authority of the City of Franklin's decision to deny the preference.

F. Screening Applicants for Admission

1. All applicants shall be screened in accordance with HUD's regulations and sound management practices. During screening, the Housing Authority of the City of Franklin will require applicants to demonstrate their ability to comply with essential provisions of the lease as summarized below:
 - a. The ability to pay rent and other charges as required by the lease in a timely manner;
 - b. The ability to care for and avoid damaging the unit and common areas;
 - c. The ability to use facilities and equipment in a reasonable way;
 - d. Not to create health; or safety hazards, and to report maintenance needs;
 - e. Not to interfere with the rights and peaceful enjoyment of others, and to avoid damaging the property of others;
 - f. Not to engage in criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents or staff; and not to engage in drug-related criminal activity; and
 - g. The ability to comply with necessary and reasonable rules and program requirements of HUD and the Housing Authority of the City of Franklin either with or without supportive services.

- h. How the Housing Authority of the City of Franklin will check ability to comply with essential lease requirements:
 - 1. Applicants' ability and willingness to comply with the essential lease requirements will be checked and documented in accordance with Housing Authority of the City of Franklin's Procedure on Applicant Screening. Applicant screening shall assess the conduct of the applicant and other family members listed on the application, in present and prior housing. Any cost incurred to complete the application process and screening will be paid by the Housing Authority of the City of Franklin.
 - 2. The history of the applicant's conduct and behavior must demonstrate that the applicant family can reasonably be expected not to:
 - a. Interfere with other residents in such a manner as to diminish their peaceful enjoyment of the premises by adversely affecting their health, safety, or welfare
 - b. Adversely affect the physical environment or financial stability of the project;
 - c. Violate the terms and conditions of the lease;
 - d. Require services from Housing Authority of the City of Franklin staff that would alter the fundamental nature of the Housing Authority of the City of Franklin's program.
 - 3. The Housing Authority of the City of Franklin will secure references from all applicants as part of the screening procedures. All information will be subject to third party verification.
 - 4. The Housing Authority of the City of Franklin will complete a credit check and a rental history check on all applicants.

5. Payment of funds owed to the Housing Authority of the City of Franklin or any other subsidized program is part of the screening evaluation. The Housing Authority of the City of Franklin will reject an applicant for unpaid balances owed the Housing Authority of the City of Franklin by the applicant for any program that Housing Authority of the City of Franklin operates or any other subsidized housing program.
6. The Housing Authority of the City of Franklin will complete a criminal background check on all adult applicants or any member for whom criminal records are available.
7. If any screening suggests that an applicant household member may be currently engaged in illegal use of drugs, the Housing Authority of the City of Franklin shall seek information from drug abuse treatment facility to determine whether the facility has reasonable cause to believe the household member is currently engaging in illegal drug use.
8. The Housing Authority of the City of Franklin may complete a home visit on applicants that have passed criminal history screening and have incomplete or questionable landlord references to determine if the applicant's housekeeping would create health or sanitation problems. The staff completing the home visit will consider whether the conditions they observe are the result of the applicant's treatment of the unit or are caused by the unit's overall substandard condition.
9. Housekeeping criteria to be checked shall include, but not be limited to:
 - a. Conditions in living room, kitchen (food preparation and clean-up), bathroom, bedrooms, entrance-ways, halls, and yard
 - b. Cleanliness in each room; and
 - c. General care of appliances, fixtures, windows, door and cabinets.

10. Other Housing Authority of the City of Franklin lease compliance criteria will also be checked, such as:
 - a. Evidence of destruction of property
 - b. Unauthorized occupants;
 - c. Evidence of criminal activity; and
 - d. Conditions inconsistent with application information.
11. All applicants shall have at least two days advance written notice of Home Visits.
12. All applicants may be asked to attend and complete the Housing Authority of the City of Franklin's Pre-Occupancy Orientation.
13. The Housing Authority of the City of Franklin's examination of relevant information respecting past and current habits or practices will include, but is not limited to, and assessment of the applicant's adult family members:
 - a. Past performance in meeting financial obligations, especially rent and utility bills
 - b. Record of disturbance of neighbors (sufficient to warrant a police call) destruction of property, or living or housekeeping habits that may adversely affect the health, safety, or welfare of other residents or staff or cause damage to the unit or development.
 - c. The Housing Authority of the City of Franklin may, if a statute requires that the Housing Authority of the City of Franklin prohibit admission for a prescribed period of time after some disqualifying behavior or event, choose to continue that prohibition for a longer period of time.
 - d. A record of eviction from housing or involuntary termination from residential programs.

- e. An applicant's ability and willingness to comply with the terms of the Housing Authority of the City of Franklin's lease.
- f. The Housing Authority of the City of Franklin is required to reject the applications of certain applicants for criminal activity or drug abuse of household members. The Housing Authority of the City of Franklin will follow the One Strike and You're Out Policy.
- g. An applicant's intentional misrepresentation of information related to eligibility, preference for admission, housing history, allowances, family composition or rent will result in rejection. Unintentional mistakes that do not confer any advantage to the applicant will be considered misrepresentations.
- h. Applicant must be able to demonstrate the ability and willingness to comply with the terms of the Housing Authority of the City of Franklin's lease, either alone or with the assistance that they can demonstrate they will have at the time of admission. Availability to assistance is subject to verification by the Housing Authority of the City of Franklin.
- i. The Housing Authority fo the City of Franklin prohibits admission to any member of the household who is subject to a lifetime registration requirement under a State sex offender registration program in accordance with 24CFR 982.553.

G. Screening applicants who claim mitigating circumstances

1. If negative information is received about an applicant, the Housing Authority of the City of Franklin shall consider the time, nature and extent of the applicant's conduct and the factors that might indicate a reasonable probability of favorable future conduct. This could be considered mitigating circumstances and must be verified.
2. Mitigating circumstances are facts relating to the applicant's negative rental history or behavior, that when verified, indicate: (1) the reason for the unsuitable rental history and/or behavior; and (2) that the reason for the unsuitable rental history and behavior is no longer in effect or is under control, and applicant's prospect for lease compliance is an acceptable one, justifying admission. Mitigating circumstances would overcome or outweigh information already gathered in the screening process.
3. If the applicant asserts that mitigating circumstances relate to a change in disability, medical condition or treatment, the Housing Authority of the City of Franklin shall refer such information to persons qualified to evaluate the evidence and verify the mitigating circumstance. The Housing Authority of the City of Franklin shall also have the right to request further information to verify the mitigating circumstance, even if such information necessary to verify the mitigating circumstances or, in the case of a person with disabilities, to verify a reasonable accommodation.
4. Examples of mitigating circumstances might include
 - a. Evident of successful rehabilitation;
 - b. The Evidence of the applicant family's participation in social service or other appropriate counseling services; or
 - c. Evidence of successful and sustained modification of previous disqualifying behavior.

5. Consideration of mitigating circumstances does not guarantee that applicant will qualify for admission. The Housing Authority of the City of Franklin will consider such circumstances in light of:
 - a. The applicant's ability to verify the mitigating circumstances and prospects for admission. The Housing Authority of the City of Franklin will consider such circumstances in light of:
 1. The applicant's over all performance with respect to all the screening requirements; and
 2. The nature and seriousness of any criminal activity, especially drug related criminal activity that appears in the applicant's record.

H. Qualified and Unqualified Applicants

1. Verified information will be analyzed and a determination made with respect to:
 - a. Eligibility of the applicant as a family;
 - b. Eligibility of the applicant with respect to income limits for admission;
 - c. Eligibility of the applicant with respect to citizenship or eligible immigration status;
 - d. Unit size required for and selected by the family;
 - e. Preference category (if any) to which the family is entitled; and
 - f. Qualification for the applicant with respect to the Selection Criteria
2. Qualified families will be notified by Housing Authority of the City of Franklin of the approximate date of admission insofar as the date can be determined, however the date stated by Housing Authority of the City of Franklin is an estimate and does not guarantee that applicant can expect to be housed by that date.

3. Unqualified applicants will be promptly notified by a Notice of Rejection from Housing Authority of the City of Franklin, stating the basis for such determination and offering an opportunity for informal hearing (see Procedure for Informal Hearing for Rejected Applicants). Informal hearing for applicants are different from the resident grievance process. Applicants are not entitled to use the resident's grievance process.
4. Applicants known to have a disability that are eligible but fail to meet the Selection Criteria, will be offered an opportunity for a second meeting to determine whether mitigating circumstances or reasonable accommodations will make it possible for them to be housed in accordance with the Screening Procedures.

I. Occupancy Guidelines

1. Units shall be occupied by families of the appropriate size. This policy maintains the usefulness of the units, while preserving them from excessive wear and tear and under-utilization.

<u>No. of Bedrooms</u>	<u>No. of Persons</u>	
	<u>Min.</u>	<u>Max.</u>
0	1	1
1	1	2
2	2	4
3	3	6
4	5	8

2. It will not be necessary for persons of different generations or opposite sex, other than husband and wife, to occupy the same bedroom, although they may do so at the request of the family. (An exception may be made for infants and young children up to the age of two who are of the opposite sex).
3. Exceptions to the largest permissible unit size may be made in case of reasonable accommodations for a person with disabilities.
4. Two children of the opposite sex will not be required to share a bedroom, although they may do so at the request of the family.

5. An unborn child will be counted as a person in determining unit size. Applicants are required to supply documentation of pregnancy.
6. The Housing Authority of the City of Franklin will count a child who is temporarily away from the home because the child has been placed in foster care, kinship care, or is away at school.
7. A single head of household parent shall not be required to share a bedroom with his/her child, although they may do so at the request of the family.
8. A live-in attendant may be assigned a bedroom. Single elderly or disabled resident with live-in attendants will be assigned one or two bedroom units.
9. One bedroom apartments will be offered to couples on the list first. If there are no couples on the list, the person at the top of the list will be offered the apartment at Colonial Manor.
10. The local Housing Code permits a minimum of 50 square feet in a bedroom per person. Two persons per bedroom will be the standard for the smallest units a family may be offered.
11. The largest units size that a family may be offered would provide not more than one bedroom per family member, taking into account family size and composition.
12. When a family applies for housing and when the waiting list is updated, some families will qualify for more than one unit size. These applicants will choose the waiting list where they wish to receive a unit offer. Based on the family's choice. They will be placed on the appropriate waiting list by unit size.
13. If a family opts for a smaller unit size than would normally be assigned under the largest unit size standard, the family will be required to sign a statement agreeing to occupy the unit assigned at their request until their family size or circumstances change.

14. When a family is actually offered a unit, if they no longer qualify for the unit size where they were listed, they will be moved to the appropriate list, retaining their preferences and date and time of application. This may mean that they may have to wait longer for a unit offer
15. The Housing Authority of the City of Franklin shall change the family's list at any time while the family is on the waiting list at the family's request.

III. Tenant Selection and Assignment Plan

A. Organization of the Waiting List

1. Each Applicant shall be assigned his/her appropriate place on a waiting list in sequence based upon date and time the application is received, suitable type or size of unit, and factors affecting preference or priority established by the Authority Policies, which are not inconsistent with the objective of Title VI of the Civil Rights Act of 1964 and the HUD regulations and requirements pursuant thereto.

B. Making Unit Offers to Applicants

1. To assure equal opportunity and nondiscrimination on grounds of race, color, sex, religion, national origin, disability or familial status, PLAN "A" will be used to make unit offers.
2. The first qualified applicant in sequence on the waiting list is made one offer of a unit of appropriate size and type.
3. The applicant must accept the vacancy offered or be dropped from the waiting list.
4. Applicants who are removed from the waiting list because they refuse the unit offer without good cause may not reapply for housing for 60 days.
5. The Housing Authority of the City of Franklin will first match the unit available to the highest ranking applicant for a unit of that size, type and special features (if any), taking into account any designated housing (if applicable). Preferences will then be used to determine the order of selection from the waiting list. If two applicants need the same type and size of unit and have the same preference status, the applicant with the earliest date and time of application will receive the earliest offer.
6. In the selection of a family for a unit with accessible features, the Housing Authority of the City of Franklin will give preference to families that include a person with disabilities who can benefit from the unit features.

7. Local and ranking preferences will be a factor in most admissions, although there may be instances (e.g. a unit with accessible features is ready and no applicant in the targeted preference group needs the features) Then the Housing Authority of the City of Franklin will make an offer to an applicant who does not qualify for a ranking preference. Certain types of transfers will also be processed with new admissions.
8. The applicant must accept the vacancy offered with five (5) working days of the date the offer is communicated (by phone, mail, or the method of communication designated by an applicant with disabilities) or be removed from the waiting list. All offers made over the phone will be confirmed by letter. If unable to contact an applicant by phone or first class mail, the Housing Authority of the City of Franklin will send a certified letter, return receipt requested.
9. If more than one unit of the appropriate size and type is available, the first unit to be offered will be the unit that is or will be ready for move-in first. "Ready for move-in" means the unit has no Housing Quality Standard deficiencies and is broom clean. If two units are ready for move-in in the same day, the first unit to be offered will be the unit that became vacant first.
10. The plan for selection of Applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion or national origin is as follows:
 - a. The Authority hereby establishes a plan in accordance with HUD Regulations (Plan A, per 7465.1 Rev-2, Chapter 5, PARA 5-7) under which the eligible Applicant first in sequence must accept the vacancy offered or be moved to last place on the eligible Applicant list. An applicant is not considered to have been offered a unit when:
 1. The unit is not of the proper size and type and the applicant would be able to reside there only temporarily (e.g., a specially designed unit that is for a special needs applicant needing such a unit).

2. If an applicant is willing to accept the unit offered but is unable to move at the time of the offer and presents clear evidence of his/her inability to move to the Authority's satisfaction, refusal of the offer shall not require that the applicant be placed at the bottom of the waiting list.
 3. If an applicant presents to the satisfaction of the Authority clear evidence that acceptance of the offer of a suitable vacancy will result in undue hardship or handicap not related to considerations of race, color, sex, religion national origin, or special needs, such as inaccessibility to source of employment or children's day care, refusal of the offer shall not require that the applicant be placed at the bottom of the waiting list.
11. Transfers to correct occupancy standards, to alleviate medical/special needs problems, to protect modernization or to correct or avoid concentrations of the most economically and socially deprived families shall take priority over new admissions.
 12. When the Housing Authority of the City of Franklin has less than ten applicants on its waiting list and the applicant refuses the unit offer, they will be removed from the waiting list and advised to reapply when they are ready to move.
 13. Applicants who have been removed from the list because they refuse the unit offer without good cause may not reapply for housing for 60 days.

C. Removing Applicant Names from the Waiting List

1. To ensure vacant units are filled in a timely manner, Housing Authority of the City of Franklin needs a waiting list that is accurate. While each applicant must keep the Housing Authority of the City of Franklin apprized of changes in address, phone number, income or other circumstances, no applicant shall be removed from the waiting list except when one of the following situations occurs
2. The applicant receives and accepts an offer of housing;
3. The applicant requests that his/her name be removed from the waiting list;

4. The applicant is rejected, either because he/she is ineligible for public housing at the time of certification, or because he/she fails to meet the applicant selection criteria; or
5. The application is withdrawn because the Housing Authority of the City of Franklin attempted to contact the applicant and was unable to do so. In attempting to contact an applicant, the following methods shall be undertaken before an application may be withdrawn:
 - a. The applicant will be sent a letter by certified mail to the applicant's last known address asking the applicant to contact the Housing Authority of the City of Franklin either by returning the update letter or in person within five (5) days.
 - b. The applicant will be telephoned using the telephone number listed on the application.
 - c. A contact will be made with personal references listed on the application.
 - d. The applicant will be contacted at their place of employment.
6. When the Housing Authority of the City of Franklin is unable to contact an applicant by the above methods to schedule a meeting for an interview or to make an offer, the Housing Authority of the City of Franklin shall suspend processing of that application.
7. Persons who fail to respond to Housing Authority of the City of Franklin attempt to contact them because of verified situations related to a disability shall be entitled to reasonable accommodation. In such circumstances the Housing Authority of the City of Franklin shall reinstate these individuals in their former waiting list positions.
8. Families whose applications were withdrawn may not reapply for 60 days.
9. Families who apply to be on more than one waiting list under the Housing Authority of the City of Franklin's jurisdiction will have their name removed from the other programs after being subsidized in one of the programs.

10. If the Housing Authority of the City of Franklin does not have a substantial waiting list and the families are on Public Housing and Section 8 waiting list they must put in writing which program they choose to participate in.
11. Applicants who are rejected for:
 - a. Owing money to other subsidized housing programs will not be housed until written proof is supplied verifying payment in full of all debts.
 - b. Unsatisfactory criminal records: Applicants cannot reapply for approximately 10 years from date of denial unless they have demonstrated through written documentation that they have completed certified counseling.
 - c. Certified sexual offenders will not be considered for housing.
 - d. Lack of positive references will not be considered unless they have secured services from local service agencies to improve their living environment. Proof of participation must be in written form.

D. Good Cause for Applicant Refusal of Unit Offer

1. If an applicant is willing to accept the unit offered but is unable to move at the time of the offer and presents clear evidence that acceptance of the offer of a suitable vacancy will result in undue hardship not related to considerations of race, color, sex, religion or national origin, the applicant will not be dropped to the bottom of the list.
2. Examples of "good cause" for refusal of an offer of housing are:
 - a. The family demonstrates that accepting the offer will place a family member's life, health or safety in jeopardy. The family must provide specific and compelling documentation such as restraining orders, other court orders, or risk assessments from a law enforcement agency. Reasons offered must be specific to the family. Refusals due to location alone does not qualify for this good cause exemption;

- b. A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members or live-in aide necessary to the care of the principal household member;
 - c. The unit is inappropriate for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30 day notice to move;
- 3. If good cause is verified, the refusal of the offer shall not require that the applicant be dropped to the bottom of the waiting list or otherwise affect the family's position on the waiting list.
 - 4. The Housing Authority of the City of Franklin will maintain a record of units offered, including location, date, and circumstances of each offer, and each acceptance or refusal, including the reason for the refusal.

E. Leasing Accessible units

- 1. Before offering a vacant accessible unit to a non-disabled applicant, the Housing Authority of the City of Franklin will offer such units:
 - a. First, to a current public housing resident having a disability that requires the special features of the vacant unit.
 - b. Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.
- 2. When offering an accessible/adaptable unit to a non-disabled applicant, the Housing Authority of the City of Franklin will require the applicant to agree to move to an available non-accessible unit within 30 days when a current resident or an applicant with a disability needs the unit. This requirement is also reflected in the lease signed with the applicant.

F. Administering the Applicant and Transfer Waiting Lists

1. Applications for admission and transfer will be processed at the main office. Initial intake, waiting list management, screening, and assigning of housing (including transfers) will be made from the main office. Offers may be made in person, in writing or by phone from the main office.

G. Transfers

1. The Housing Authority of the City of Franklin has three possible types of transfers: Emergency, Administrative - Category 1 and Category 2 transfers. The definition of each transfer is found in the Transfer section.
2. Emergency and Category 1 and 2 administrative transfers will take priority over admissions. The specific definitions of each type of transfer are covered in Section V, Transfers, below.
3. Tenants on the transfer list may refuse transfers offers for the "good cause" reasons cited in Section C above without losing their position on the transfer list.
4. Tenants who refuse a transfer offer without good cause may be removed from the transfer list and tenants whose transfer are mandatory are subject to lease termination.
5. Tenants may use the Housing Authority of the City of Franklin Grievance Procedure if they are refused the right to transfer or if Housing Authority of the City of Franklin is requiring them to transfer and they do not want to do so.

IV. Leasing Policies

A. General Leasing Policy

1. All units must be occupied pursuant to a lease that complies with HUD's regulations.
2. The lease shall be signed by the head, spouse, and all other adult members of the household and by an authorized representative of the Housing Authority of the City of Franklin, prior to actual admission.
3. If a resident transfers from one Housing Authority of the City of Franklin unit to another, a lease addendum will be executed for the dwelling into which the family moves.
4. If at any time during the life of the lease agreement, a change in the resident's status results in the need for changing or amending any provision of the lease, either:
 - a. A new lease agreement will be executed, or
 - b. A notice of Lease Amendment or Lease Addendum will be executed, or
 - c. An appropriate rider will be prepared and made a part of the existing lease.
 - d. All copies of such riders or insertions are to be dated and signed by the Resident and by the authorized representative of Housing Authority of the City of Franklin.
5. The resident must advise the Housing Authority of the City of Franklin if they will be absent from the unit for two weeks or more. Residents shall notify the manager, secure the unit and provide a means for Housing Authority of the City of Franklin to contact the resident in the event of an emergency. Failure to advise the Housing Authority of the City of Franklin of an extended absence is grounds for termination of the lease.
6. Family members over age 17 who move from the dwelling unit to establish new households shall be removed from the lease.
7. The resident shall report the move-out within 30 calendar days of its occurrence.

8. These individuals may not be readmitted to the unit and must apply as a new applicant households for placement on the waiting list.
9. Medical hardship, or other extenuating circumstances shall be considered by Housing Authority of the City of Franklin in making determinations under this paragraph.

B. Showing the Units Prior to Leasing

1. Once the unit is shown and the applicant accepts the unit, the manager will execute the lease.
2. When the unit is offered and the tenant is not sure if they are interested, the tenant is given five consecutive days to make a decision.
3. If the applicant refuses the unit, a signed reason for refusal should be obtained from the applicant. The form is then used for a "good cause" determination.
4. No lease will have an effective date before the unit is ready for occupancy.

C. Additions to the Household and Visitors

1. Only those persons listed on the most recent certification form and lease shall be permitted to occupy a dwelling unit.
2. Except for national births to or adoptions by family members or court awarded custody, any family seeking to add a new member must request approval in writing before the new member moves in.
3. Also included, would be situations in which a person (often a relative) comes to the unit as a visitor but continues to stay in the unit because the tenant needed support, for example, after a medical procedure.
4. All persons listed on the most recent certification form and the lease must use the dwelling unit as their sole residence.
5. When a resident requests approval to add a new person to the lease, the Housing Authority of the City of Franklin will conduct pre-admission screening of any proposed new adult member to determine whether the Housing Authority of the City of Franklin will grant such approval.

6. Children below the age which Juvenile Justice records are made available, or added through a formal custody award or kinship care arrangement, are exempt from the pre-admission screening process, although the resident still needs prior permission from Housing Authority of the City of Franklin to add children other than those born to, adopted by or awarded by the court to the family.
7. Examples of situations where the addition of a family or household member is subject to screening are:
 - a. Resident plans to be married and requests to add the new spouse to the lease;
 - b. Resident desires to add a new family member to the lease, employ a live-in aide, or take in a foster child(ren) over the age for which juvenile justice records are available;
 - c. A unit is occupied by a remaining family member(s) under age 18 and an adult, not part of the original household, requests permission to take over as the head of household.
8. Residents who fail to notify Housing Authority of the City of Franklin of additions to the household or who permit persons to join the household without undergoing screening are violating the lease. Persons added without Housing Authority of the City of Franklin approval will be considered unauthorized occupants and the entire household will be subject to eviction.

D. Visitors, Roomers, Lodgers

1. Visitors may be permitted in a dwelling unit so long as they have no previous history of behavior on Housing Authority of the City of Franklin premises that would be a lease violation.
2. Visits of less than three days need not be reported to or approved by the Manager.
3. Visits of more than three and less than fourteen day are permitted, provided they are reported to the Manager within 72 hours and authorized by the manger.
4. Visits of more than 14 calendar days shall be authorized only by the Project Manager with advance documentation of extenuating circumstances.
5. Visitors remaining beyond this period shall be considered unauthorized occupants and the head of the household shall be guilty of a breach of the lease.

6. Roomers and lodgers shall not be permitted to move in with any family. Violation of this provision is grounds for termination of the lease.
7. Residents will not be given permission to allow a former resident of Housing Authority of the City of Franklin who has been evicted to occupy the unit for any period of time. Violation of this requirement is grounds for termination of the lease.

V. Transfer Policy

A. General Transfer Policy

1. Transfers will be made without regard to race, color, national origin, sex, religion, or familial status. Residents can be transferred to accommodate a disability.
2. Residents will not be transferred to a dwelling unit of equal size except to alleviate hardship of the resident or other undesirable conditions.
3. Residents will receive one offer of a transfer. Refusal of that offer without good cause will result in lease termination for mandatory transfer or the removal of the household from the transfer list for voluntary transfers.

B. Types of Transfers

1. The order in which families are transferred shall be subject to the hierarchy by category set forth below. These transfers shall take priority over new admissions.
 - a. Emergency Transfers
 1. Emergency Transfers are mandatory when Housing Authority of the City of Franklin determines that conditions pose an immediate threat to resident life, health or safety. Emergency transfers may be made to permit repair of unit defects hazardous to life, health, or safety; alleviate verified disability problems of a life threatening nature; or protect members of the household from attack by the criminal element in a particular property or neighborhood.
 - b. Category 1 Administrative transfers (Mandatory)
 1. Category 1 Administrative transfers include mandatory transfers to remove residents who are witnesses to crimes and may face reprisals; provide housing options to residents who are victims of hate crimes or extreme harassment; alleviate verified medical problems of a serious (but not life-threatening) nature; permit modernization or demolition of units; or permit a family that requires a unit with accessible features to occupy such a unit.

2. Requests for these transfer will be made to the manager with necessary documentation to substantiate the need for a such transfers. Transfers may also be initiated by Housing Authority of the City of Franklin (e.g. moving a person with mobility problems to a unit with accessible features).
- c. Category 2 Administrative transfers (Occupancy)
 1. Category 2 Administrative transfers correct serious occupancy standards problems.
 2. Category 2 transfers will only be made if the family size is so small that is includes fewer persons than the number of bedrooms, or so large that the household members over age 4 would equal more than two persons per bedroom. These transfers are mandatory.

C. Processing Transfers

1. A transfer waiting list will be administered.
2. Transfers will be sorted into their appropriate categories by the Administrative Staff. Admissions will be made in the following manner:
 - a. First: Emergency transfers, then
 - b. Category 1 Administrative Transfers,
 - c. Category 2 Administrative Transfers,
3. Applicants, and, at a rate of four applicants to every transfer.
4. Within each category, transfer applications will be sorted by the date the completed file (including any verification needed) is received from the manager.
5. Category 2 transfers to correct occupancy standards may be recommended at time of re-examination or interim redetermination.
6. Residents in a Category 2 over/under housed status will be advised in their 30 day "notice of Result of Reexamination" that a transfer is recommended and that the family has been placed on the transfer list.

7. When a head of a household, originally housed in a bedroom by him/herself, has or adopts a child, the family will not be approved for a Category 2 transfer until the child is two (2) years of age. Exceptions: spouse or partner returns to the unit, marriage takes place, or family decides to remain in the unit and the unit is large enough (using the smallest-unit standard) to accommodate the number of persons now in the household.
8. Split-family transfers will be processed as Category 2 administrative transfers.
 - a. Families that split into 2 "new" households may be transferred to two different units or
 - b. A portion of the "old" household may be transferred to a single unit depending on family circumstances and unit availability.
 - c. Such transfers will be made in a manner that minimizes the impact on vacant units.

D. Good Record Requirement for Transfers

1. In general, and in all cases of all resident-requested transfers, residents will be considered for transfers only if the head of household and any other family members for the past two years:
 - a. Have not engaged in criminal activity that threatens the health and safety of residents and staff;
 - b. Do not owe back rent or other charges, or evidence a pattern of late payment;
 - c. Meet reasonable housekeeping standards and have no housekeeping lease violations; and
 - d. Exceptions to the good report requirements may be made for emergency transfers or when it is to Housing Authority of the City of Franklin's advantage to make the transfer. The exception to the good report requirement will be made by the central transfer administrator taking into account the recommendation by the Project Manager.
 1. Absent a determination of exception, the following policy applies to transfers:

2. If back rent is owed, the resident will not be transferred until a payment plan is established or, if prior payment plans have failed, back rent is paid in full.
3. A resident with housekeeping standards violations will not be transferred until he/she passes a follow-up housekeeping inspection.

E. Paying for Transfers

1. Residents shall bear the cost of transfers to correct occupancy standards. However, where there is a hardship due to health, disability, or other factors, the manager may recommend that families be reimbursed their out-of-pocket expenses for an occupancy standards transfer in an amount not to exceed a reasonable moving allowance established by Housing Authority of the City of Franklin. Transfers requested or required by Housing Authority of the City of Franklin and all transfers for reasonable accommodations will be paid for or made by Housing Authority of the City of Franklin.

VI. Eligibility for Continued Occupancy, Annual Reexaminations And Remaining Family Members

A. Eligibility for Continued Occupancy

1. Residents who meet the following criteria will be eligible for continued occupancy:
 - a. Those tenants who qualify as a family as define in 24CFR.
 - b. Those tenants who are in full compliance with tenants's obligations and responsibilities as listed in the tenants's dwelling lease. Including the following provision from the Anti-Drug Abuse Act of 1988 which permits the Authority to terminate tenancy in public housing for tenants' drug related criminal activity.
 1. The tenant, any member of the tenant's household, or a guest or other person under the tenant's control shall not engage in criminal activity, including drug-related criminal activity, on or near the Housing Authority's premises, while the tenant is a tenant in public housing, and such criminal activity shall be cause for termination of tenancy.
 2. The term drug-related criminal activity means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use of a controlled substance.
2. Whose family members, age 6 and older, each have Social Security numbers or have certifications on file indicating they have no Social Security number.
3. Who meet HUD standards on citizenship or immigration status or are paying a pro-rated rent.
4. Who are in compliance with the Housing Authority of the City of Franklin's 8 hours per month community service requirements

B. Remaining Family Members and Prior Debt

1. Remaining family members age 18 or older will be held responsible for arrearage incurred by the former head or spouse. The Housing Authority of the City of Franklin will not hold remaining family members (other than the head or spouse) responsible for any portion of the arrearage incurred before the remaining member attained age 18.
2. Remaining family members under age 18 shall not be held responsible for the rent arrearage incurred by the former head of household.

C. Reexaminations

1. Regular reexamination: Housing Authority of the City of Franklin shall, at least once a year, re-examine the family composition and incomes of all resident families, except that families paying Flat Rent shall have their incomes reexamine only every three years.
2. Special Reexaminations: When it is not possible to estimate family income accurately, a temporary determination will be made with respect to income and a special reexamination will be scheduled every 60 days until a reasonably accurate estimate of income can be made.
3. Special Reexamination shall be conducted when there is a change in the head of household that requires a remaining member to take on the responsibilities of a leaseholder.
4. New Reexamination Date Following Income Disallowance: When a family qualifies for an earned income disallowance, the date of their next interim reexamination shall be permanently adjusted to be 12 months following the date that the income disallowance began.
5. Zero Income Families: Unless the family has income that is excluded for rent computation, families reporting zero income will have their circumstances examined every 60 days until they have a stable income. Monetary or non-monetary contributions from persons not residing in the dwelling unit for any purpose other than payment or reimbursement of medical expense shall be considered income. Tenants will be required to complete a zero income form to be used to anticipate income and calculate rent.

6. Reexamination Procedures.
 - a. At the time of reexamination, all adult members of the household will be required to complete and sign an application for continued occupancy and other forms required by HUD.
 - b. Income, allowances, Social Security numbers, and such other data as is deemed necessary will be verified, and all verified findings will be filed in the residents's folder.
 - c. Third-party verification of income will be verified through the Upfront Verification System (UIV).
 - d. Verified information will be analyzed and a determination made with respect to:
 1. Eligibility of the resident as a family or as the remaining member of a family;
 2. Unit size required for the family (using the Occupancy Guidelines); and
 3. Rent the family should pay
7. Residents with a history of employment whose reexamination occurs when they are not employed will have income anticipated based on past and anticipated employment. Residents with seasonal or part-time employment of a cyclical nature will be asked for third party documentation of the employment including start and ending dates.
8. Income shall be computed in accordance with the definitions and procedures set forth in Federal regulations and this policy.
9. Families failing to respond to the initial reexamination appointment will be issued a final appointment within the same month. Failure to respond to the final request will result in the family being sent a notice of lease violation and referred for termination of the lease.

D. Action Following Reexamination

1. If there is any change in rent, the lease will be amended, a new lease will be executed or a Notice of Rent Adjustment will be issued.
2. If any change in the unit size is required, the resident will be placed on a transfer list in accordance with the transfer criteria described above in this policy and moved to an appropriate unit when one becomes available.

VII. Interim Rent Adjustments: Fixed Rent System

A. Adjusting Rent Between Regular Reexaminations

1. Residents are required to report all change in family composition or status to the housing manager with 10 calendar days of the occurrence. Failure to report within the 10 calendar days may result in a retroactive rent increase, but not a retroactive credit or rent reduction. In order to qualify for rent reductions, resident must report income decreases promptly. Residents are also required to report interim increases in income if they have been granted interim rent reductions.

B. The Housing Authority of the City of Franklin wishes to encourage families to improve their economic circumstances, so most changes in family income between reexaminations will not result in a rent change. Housing Authority of the City of Franklin will process interim changes in rent in accordance with the following:

1. The Housing Authority of the City of Franklin will process an interim reduction in rent if the income decrease will last more than 30 days.
 - a. Decreases reported between the 1st and the 15th will become effective the first of the next month.
 - b. Decreases reported from the 16th to the last day of the month will take effect the first day of the second month.
2. Housing Authority of the City of Franklin will either defer the increase of earned income from the employment of a current household member to the next regular reexamination or, if the individual is eligible for an earned income disallowance, will grant the disallowance.
3. Housing Authority of the City of Franklin will defer the increase in unearned income to the next regular reexamination.
4. Housing Authority of the City of Franklin will defer the increase of income from a person who has income that joins the family to the next regular reexamination.

5. Housing Authority of the City of Franklin will process an interim increase in rent if the resident has misrepresented or failed to report facts upon which rent is based, so the rent the Resident is paying is less than it should have been. Housing Authority of the City of Franklin will apply an increase in rent retroactive to the month following the month in which the misrepresentation occurred.
 6. Complete verification of the circumstances applicable to rent adjustments must be documented and approved.
- C. Housing Authority of the City of Franklin will process interim adjustments in rent as follows:
1. When a decrease in income is reported, and the Authority receives confirmation that the decrease will last less than 30 days, an interim adjustment will not be processed.
 2. Residents reporting decreases in income that are expected to last more than 30 days will have an interim adjustment processed.
 3. Residents granted a reduction in rent under these provisions will be required to report special reexaminations at intervals determined by the Housing Manager. Reporting is required until income increases or it is time for the next regularly scheduled reexamination, whichever occurs first.
- D. Effective Date of Adjustment
1. Resident will be notified in writing of any rent adjustment including the effective date of the adjustment a minimum of 30 days prior to the effective day.
 2. Rent decreases go into effect the first of the month following the reported change. Income decreases reported or verified after the tenant accounting cut-off date will be effective the first of the second month.
 3. Rent increases (except those due to misrepresentation) require 30 days notice and become effective the first of the second month.

VIII. INCOME DISCREPANCY PROCEDURES

- A. During third-party verification through UIV or other sources shows a resident has not reported all of the household income, the following procedure will commence:
1. The resident will be notified in writing and sent certified mail giving them 10 days from the date the notification is received to contact the Housing Authority of the City of Franklin and provide written verification of all household income.
 2. The Housing Authority of the City of Franklin will conduct an investigation by sending request for information to the agencies that are listed in the UIV data base, as well as the Department of Public Welfare.
 3. The Housing Authority of the City of Franklin will coordinate its investigation efforts with the Attorney General's Office and the City of Franklin Police Department.
 4. Any accounts in question will be referred to the Office of the Inspector General to conduct the investigation. It will be the discretion of the Office of Inspector General to recommend the type of charges to be filed. Any additional costs associated with the investigation and the filing of the charges will be added onto the tenant's account. The resident may remain in the unit and pay back the charges on a monthly basis.
 5. The resident will have a right to appeal in accordance with the Housing Authority of the City of Franklin's Grievance Procedure.
- B. Procedures for unreported income and reimbursement of back rent.
1. If it is determined that cost back rent is between \$1 to \$1,999, the tenant will be required to sign a repayment agreement with a 25 percent deposit. The time frame for the payback is:
 - A. \$1 - \$500: up to six months to be paid in full
 - B. \$501 - \$1,000: up to 12 months to be paid in full
 - C. \$1,001 - \$1,999: up to 18 months to be paid in full

2. If it is determined that cost back rent is between \$2,000 - \$9,999:
 - A. The Office of Inspector General will proceed with criminal charges.
 - B. The resident will be required to pay back all rent from unreported income and any costs incurred with the filing of the charges.
 - C. The resident will be evicted from unit.
 - D. They will not be permitted to utilize any housing assistance anywhere in the United States of America until all charges are satisfied.
3. If it is determined that cost of investigating and back rent is over \$10,000:
 - A. The Office of Inspector General will proceed with felony criminal charges.
 - B. The resident will be required to pay back all rent from unreported income and any costs incurred with the filing of the charges.
 - C. The resident will be evicted from unit.
 - D. They will not be permitted to utilize any housing assistance anywhere in the United States of America until all charges are satisfied.
4. A 25 percent deposit is required the day the payment agreement is executed.
5. A minimum payment of \$50 a month is required to enter into any payment agreement.

IX. LEASE TERMINATION PROCEDURES

A. General Policy: Lease Terminations

1. No resident's lease shall be terminated except for noncompliance with HUD regulations and the lease terms.
2. Tenants are permitted three eviction notices. The Authority follows the "Three Strikes and You're Out" procedure for those tenants who continuously violate the lease provisions. Families who receive (3) termination letters will automatically be evicted, and are still required to pay any fees involved as well as rent and charges.

B. Notice Requirements

1. No tenant shall be given a Notice of Lease Termination without being told by the Authority in writing the reason for the termination.
2. The resident must also be informed of his/her right to request a hearing in accordance with the Grievance Procedure, and be given the opportunity to make such a reply as he/she may wish.
3. Lease terminations for certain actions are not eligible for the Grievance Procedure, specifically any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or Housing Authority of the City of Franklin employees; and any drug-related criminal activity.
4. Notices of lease termination may be served personally or posted on the apartment door.
5. Notice shall include a statement describing right of any resident with a disability to meet with the manager and determine whether a reasonable accommodation could eliminate the need for the lease termination.

C. Record-Keeping Requirements

1. A written record of every termination and/or eviction shall be maintained by the Authority, and shall contain the following information:
 - a. Name of tenant, number and identification of unit occupied.
 - b. Date of the Notice of Lease Termination and any other state or local notices required, which may be on the same form and run concurrently.

- c. Specific reason(s) for the notices, with sections of the lease violated, and other facts pertinent to the issuing of the Notices described in detail.
- d. Date and method of notifying tenant, and
- e. Summaries of any conferences held with tenant including names conference participants and conclusions.
- f. Number of violations under the "Three Strikes and You're Out".

X. EXTRA UTILITY CHARGE - EXCESS GAS CONSUMPTION

A. Tenants with individual meters will be charged only when the tenant's consumption of the utilities exceed the allowable amounts posted on the Bulletin Board. (See Exhibits in Dwelling Lease, Appendix B) Tenants will be charged for extra appliances as provided by Pennsylvania Electric Company and posted on the bulletin board. Failure to pay Extra Utility Charge or Excess Gas Consumption is grounds for eviction.

1. Meters will be read by the Housing Authority of the City of Franklin on months that National Fuel Gas does not read the meters and each tenant will be charged for consumption in excess of the utility allowance.
2. The rate of ccf will be adjusted as needed.

XI. Ceiling Rents/Flat Rents

A. Intent and Purpose

1. Ceiling rents provide an incentive to remain in public housing to families whose flat rents were reduced because of hardship to income-based rents and whose incomes then increased so that the income-based rent is unreasonable for the housing being provided. The ceiling rent is thus in effect only for the portion of the year between the family's interim increase in rent and their next annual reexamination (when they can elect the Flat Rent).

B. Establishing Ceiling Rents

1. Housing Authority of the City of Franklin has established ceiling rents for all dwelling units inventory-wide. Ceiling rents for a class of units are based on the characteristics of the dwelling units, size, location or other characteristic that is unit based.
2. Housing Authority of the City of Franklin may revoke or raise ceiling rents at any time after giving reasonable notice to the affected tenant.

C. Calculating Ceiling Rents

1. Housing Authority of the City of Franklin will determine the minimum ceiling rents that can be charged for a unit. Ceiling rents are based on the flat rent plus any applicable utility allowance but never less than 75% of the average operating cost for units at the development.

D. What the Resident Pays

1. Tenants in units where ceiling rents are in effect pay the lower of the ceiling rent or income-based rent.

E. Ceiling Rent Adjustments

1. The minimum ceiling rent will be adjusted annually to reflect expenses as reported on the Statement of Operating Receipts and Expenditures as of the end of the most recent fiscal year.

F. Flat Rents

1. Flat rents are market-based rents. They vary by unit size and type and also by development location. Once each year, at the annual recertification, all residents are offered the choice of paying an income-based rent or the Flat rent. Flat rents represent the actual market value of Housing Authority of the City of Franklin housing units. Housing Authority of the City of Franklin will take the following information into account in developing its Flat rents Schedule:
 - a. Rents of non-assisted rental units in the immediate neighborhood
 - b. Size of Housing Authority of the City of Franklin units compared to non-assisted rental units from the neighborhood;
 - c. Age, type of unit and condition of Housing Authority of the City of Franklin units compared to non-assisted rental units from the neighborhood;
 - d. Land use in the surrounding neighborhood;
 - e. Amenities (childcare, laundry facilities, playgrounds, community rooms, social services, education/job training programs, etc.) At Housing Authority of the City of Franklin's properties and in the surrounding neighborhood;
 - f. Crime in Housing Authority of the City of Franklin developments and the surrounding neighborhood;
 - g. Quality of local schools serving each Housing Authority of the City of Franklin development;
 - h. Availability of public transportation at each Housing Authority of the City of Franklin development; and
 - i. Availability of accessible units for persons with mobility impairments.

G. Annual Update of Flat Rents

1. Housing Authority of the City of Franklin shall review the Flat Rent Structure annually and adjust the rents as needed. When a resident chooses Flat rent, his/her rent shall be adjusted only at the next regular reexamination/recertification rather than at the point the Flat rent may change.

H. Recertification of Families of Flat Rents

1. Families paying flat rents are required to recertify income only every three years, rather than annually, although they are still required to participate in an Annual Reexamination in order to ensure that unit size is still appropriate and community Service requirements (if applicable) are met.

XII. Definitions and Procedures to be used in Determining Income and Rent

A. Annual Income

1. Annual Income is the anticipated total income from all sources, including net income derived from Assets, received by the Family Head and Spouse (even if temporarily absent), and by each additional Family member including all net income from assets for the 12-month period following the effective date of initial determination or reexamination of income, exclusive of income that is temporary, nonrecurring, or sporadic as defined below, or is specifically excluded from income by other federal statute. Annual income includes but is not limited to:
 - a. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.
 - b. The net income from operation of a business or profession including any withdrawal of cash or assets from the operation of business. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining the net income from a business. An straight line depreciation of Assets used in the business or profession may be deducted as provided in IRS regulations. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the business.
 - c. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used in deductions in determining net income. An allowance for the straight line depreciation of real or personal property is permitted. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the property;
 - d. 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.

- e. The full amount received of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, (see B.14 below for treatment of delayed or deferred payment of social security or supplemental security income benefits).
 - f. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay. (See the paragraph B. 3 below concerning Lump-sum additions to Family Assets).
 - g. All Welfare Assistance payments (Temporary Assistance to Needy Families, General Assistance) received by or on behalf of any Family member.
 - h. Periodic and determinable allowances, such as alimony and child support payments, and regular cash contributions or gifts received from agencies or persons not residing in the dwelling made to or on behalf of family members; and
 - i. All regular pay, special pay, and allowances of a member of the Armed Forces. (See paragraph B. 7 below concerning exposure to hostile fire).
2. Items not Included in Annual Income
- a. Annual Income does not include the following:
 - 1. Income from the employment of children (including foster children) under the age of 18 years.
 - 2. Payments for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the resident 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, one-time lottery winnings and settlement for personal property losses. (See paragraph 4 and 5 in the previous section if payments are/will be periodic in nature). (See paragraph 14 below for treatment of delayed or deferred periodic payments of Social Security or Supplemental Security Income benefits).

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, provided the person meets the definition of a live-in aide(see section 12 of these policies).
6. The full amount of student financial assistance paid directly to the student or the educational institution;
7. The special pay to a Family member serving in the Armed Forces who is exposed to hostile fire.
8. Certain amounts received that are related to participation in the following programs:
 - a. Amounts received under HUD funded training programs (e.g. Step-up program: excludes stipends, wages, transportation payments, childcare vouchers, etc. for the duration of the training);
 - b. Amounts received by a person with disabilities that are disregarded for a limited time for purposes of Supplemental Security Income and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - c. 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.) to allow participation in a specific program (e.g., Job Training Partnership Act).

- d. A resident services stipend. A resident services stipend is a modes amount (not to exceed \$200/month) received by a public housing resident for performing a service for the Housing Authority of the City of Franklin, on a part-time basis , that enhances the quality of life in public hosing. Such services may include but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiative coordination. No resident may receive more than one such stipend during the same period of time; and
- e. Incremental earnings and/or benefits resulting to a family member from participation in qualifying state of local employment training program (including training programs not affiliated with the local government), and training of family members 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 a limited period as determined in advance by the Housing Authority of the City of Franklin;
- f. Temporary, nonrecurring, or sporadic income (including gifts).
- g. Reparation payment paid by foreign governments pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
- h. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of the household and spouse);
- i. Adoption assistance payments in excess of \$480 per adopted child;

j. The incremental earnings and benefits to any resident 1) whose annual income increases due to employment of a family member who was unemployed for one or more years previous to employment; or 2) whose annual income increases as the result of increased earnings by a family member during participation in any economic self sufficiency or other job training program; or 3) whose annual income increases due to new employment or increased earnings of a family member during or within six months of receiving state-funded assistance, benefits or services, will not be increased during the exclusion period. For purposes of this paragraph the following definitions apply:

1. State-funded assistance, benefits or services means any state program for temporary assistance for needy families funded under Part A of the Title IV of the Social Security Act, as determined by the Housing Authority of the City of Franklin in consultation with the local agencies administering Temporary Assistance for Needy Families (TANF) and Welfare-to-Work 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.
2. During the 12 month period beginning when the member first qualifies to a disallowance, the Housing Authority of the City of Franklin must exclude from Annual Income any increase in income as a result of employment. For the 12 months following the exclusion period, 50% of the income increase shall be excluded.

3. Regardless of how long it takes a resident to work for 12 months (to qualify for the first exclusion) or the second 12 months (to qualify for the second exclusion), the maximum period for the disallowance (exclusion) is 48 months.
4. Disallowance of increased income under this section is only applicable to current residents and will not apply to applicants who have begun working prior to admission (unless their earnings are less than would be earned working ten hours per week at minimum wage, under which they qualify as unemployed).
5. Deferred period payments of supplemental security income and social security benefits that are receive in a lump sum payment.
6. 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;
7. Amounts paid by a State agency to a family with a developmentally disabled family member living at home to offset the costs of services and equipment needed to keep the developmentally disabled family member at home;
8. Amounts specifically excluded by any Federal State from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937. (A notice will be published y HUD in the Federal Register identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary.)

- b. The following is a list of benefits excluded by the Federal Statute:
1. The value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977 (7 USC2017 (h));
 2. Payments to volunteers under the Domestic Volunteer Service Act of 1974 (42 USC5044 (g), 5088)
 3. Examples of programs under this Act include but are not limited to:
 - a. The Retired Senior volunteer Program (RSVP), Foster Grandparent Program (FGP), Senior Companion Program (SCP), and the Older American Committee Service Program;
 - b. National volunteer Anti-poverty Programs such as VISTA, Peace Corps, Service Learning Program, and Special Volunteer Programs;
 - c. Small Business Administration Programs such as the National Volunteer Program to Assist Small Business and Promote Volunteer Service to Persons with Business Experience, Service Corps of Retired Executive (SCORE) , and Active Corps of Executive (ACE).
 - d. Payments received under the Alaska Native Claims Settlement Act (43 USC 8624 (f));
 - e. Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25USC.459e);
 - f. Payments of allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42USC8624(f));
 - g. Payments received under programs funded in whole or in part under the Job Training Partnership Act (29USC1552(b));
 - h. Income derived from the disposition of funds of the Grand River Band of Ottawa Indians (Pub.L.94-540, 90 State 250304);

- i. The first \$2,000 of per capita shares received for judgment funds awarded by the Indian Claims Commission or the Court of Claims (25 USC 1407-08), or from funds held in trust for an Indian Tribe by the Secretary of Interior (25 USC 117b, 1407); and
4. Amounts of scholarships funded under the Title IV of the Higher Education Act of 1965 including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 USC 1087 uu).
 - a. Examples of the Title IV programs include but are not limited to: Basic Educational Opportunity Grants (Pell Grants), Supplemental Opportunity Grants, State Student Incentive Grants, College Work Study, and Byrd Scholarships.
5. Payments received from programs funded under Title V of the Older American Act of 1965 (42 USC 3056 (f)):
 - a. Examples of programs under this act include but are not limited to: Senior Community Services Employment Program (CSEP), National Census Center on the Black Aged, National Urban League, Association National pro Personas Mayores, National Council on Aging, American Association of Retired Person, National Council on Senior Citizens, and Green Thumb.
6. Payments received after January 1, 1989 from the Agent Orange Settlement Fund or any other fund established in the Re Agent Orange product liability litigation;
7. Payments received under the Maine Indian claims Settlement Act of 1980 (Pub. L. 96-420, 94 Stat. 1785);
8. The Value of any child care provided or arranged (or any amount received as payment for such care of reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 USC 9858q);

9. Earned income tax credit refund payments received on or after January 1, 1991 (26 USC 32 (i)).
10. Payments by the Indian Claims Commission to the Confederated Tribes and Banks of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation;
11. Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990;

B. Anticipated Annual Income

1. If it is not feasible to anticipate a level of income over a 12-month period, the Authority may use the annualized income anticipated for a shorter period, subject to a redetermination at the end of the shorter period. (This method would be used for teachers who are only paid for 9 months, or for tenants receiving unemployment compensation.)

C. Adjusted Income

1. Adjusted Income (the income upon which rent is based) means Annual Income less the following deductions and exemptions:

D. For All Families

1. Child Care Expenses - A deduction of amounts anticipated to be paid by the Family for the care of children under 13 years of age for the period for which Annual Income is computed. BUT ONLY when such care is necessary to enable a Family member to be gainfully employed or to further his/her education. Amounts deducted must be un-reimbursed expenses and shall not exceed: (a) the amount of income earned by the Family member released to work: or (b) an amount determined to be reasonable by the Authority when the expense is incurred to permit education or look for work.
2. Dependent Deduction - An exemption of \$480 for each member of the Family residing in the household (other than the head, or Spouse, Live-in Aide, or foster child) who is under eighteen years of age or who is eighteen years of age or older and has special needs, or a Full-Time Student.

3. Work-related Disability Expenses - a deduction of un-reimbursed amounts paid for attendant care or auxiliary apparatus expenses for special needs Family members where such expenses are necessary to permit a Family member(s), including the special needs member, to be employed. In no event may the amount of the deduction exceed the employment income earned by the Family member(s) freed to work.
 4. Equipment and auxiliary apparatus may include but are not limited to: Wheelchairs, lifts, reading devices for the visually impaired, and equipment added to cars and vans to permit their use by the special needs Family member. Also included would be the annualized cost differential between care and the cost of a van required by the family member with disabilities.
 5. For Non-Elderly Families and elderly Families without Medical Expenses: the amount of the deduction equals the cost of all un-reimbursed expenses for special needs care and equipment less three percent of Annual Income, provided the amount so calculated does not exceed the employment income earned.
 - B. For Elderly Families with Medical Expenses: the amount of the deduction equals the cost of all un-reimbursed expenses for special need care and equipment less three percent of Annual Income (provided the amount so calculated does not exceed the employment income earned).
- E. For Elderly and Disabled Families only
1. Medical Expense Deduction - A deduction of un-reimbursed Medical Expenses, including insurance premiums, anticipated for the period for which Annual Income is Computed.
 2. Medical Expenses include but are not limited to: services of physicians and other health care professionals, services of health care facilities, insurance premiums (including the cost of Medicare), prescription and non-prescription medicines, transportation to and from treatment, dental expenses, eyeglasses, hearing aids and batteries, attendant care (unrelated to employment of Family members), and payments on accumulated medical bills. To be considered by the Authority for the purpose of determining a deduction from income the expenses claimed must be verifiable.
 3. For elderly Families without special needs expenses: the amount of the deduction shall equal total Medical Expenses less three percent of Annual Income.

4. For elderly Families with both special needs and Medical Expenses: the amount of the deduction is calculated as described in paragraph 3 (b) above.
5. Elderly Household Exemption - An exemption of \$400 per household.

F. Computing Rent

1. The first step in computing rent is to determine each family's Total Tenant Payment. Then, if the family is occupying a unit that has tenant-paid utilities, the Utility Allowance is subtracted from the Total Tenant Payment. The result of this computation, if a positive number, is the Tenant Rent. If the Total Tenant Payment less the Utility Allowance is a negative number, the result is the utility reimbursement, which may be paid to the tenant or, directory to the utility company by the Housing Authority of the City of Franklin.
2. Total Tenant Payment is the highest of:
 - a. 30% of adjust monthly income, or
 - b. 10% of monthly income; but never less than the
 - c. Minimum Rent; and never more than the
 - d. Flat Rent, if chosen by the family
3. Tenant rent is computed by subtracting the utility allowance for tenant supplied utilities (if applicable) for the Total Tenant Payment. In developments where the Housing Authority of the City of Franklin pays all utility bills directly to the utility supplier, Tenant Rent equals Total Tenant Payment.
4. The Minimum Rent shall be \$.00 per month, but a hardship exemption shall be granted to residents who can document that they are unable to pay the \$.00 because of along term hardship (over 90 days). Examples under which resident would qualify for the hardship exemption to the minimum rent would e limited to the following:
 - a. The family has lost eligibility for or is applying for an eligibility determination for a Federal, State or local assistance program;
 - b. The family would be evicted as result of the imposition of the minimum rent requirements;

- c. The Income of the family as decreased because of changed circumstances, including loss of employment;
 - d. A death in the family has occurred; or
 - e. Other circumstances as determined by Housing Authority of the City of Franklin.
 - f. The minimum rent hardship exemption is retroactive to October 21, 1998, so if any resident who qualified for the hardship exemption was charged a minimum rent since that time, the resident may be entitled to a retroactive credit.
5. At initial certification and at each subsequent annual reexamination the resident shall be offered a choice of payment either the income-based rent or the Flat Rent applicable for the unit they will be occupying.

APPENDIX A

ONE STRIKE AND YOU'RE OUT POLICY

Admission

1. Any applicant and/or family member who carries a police record that involves drug-related activity will not be admitted to public housing.
2. Any applicant and/or family member whose reference and background check demonstrates a pattern that involves alcohol abuse, driving while under the influence of alcohol, and violence related to alcohol will not be admitted to public housing.
3. Any applicant and/or family member who was evicted from a public housing project anywhere in the United States of America for drug-related activity will not be admitted to public housing.
4. Any applicant and/or family member who was evicted from a public housing project anywhere in the United States of America for alcohol abuse, driving while under the influence of alcohol, or violence related to alcohol will not be admitted to public housing.
5. The applicant and/or family member may only be considered for a public housing unit at either if he/she can prove he/she has successfully completed an extensive rehabilitation program. The applicant is responsible for supplying the center's name, address, telephone number, and contact person(s).
6. Any applicant or family member who has been convicted of any misdemeanor, classified or unclassified, or felony offenses as those offenses are defined by the Pennsylvania Crimes Code, (Title 18, Pa.C.S.A.), may be disqualified from admission to housing authority-owned rental properties. If in the opinion of the Executive Director, the criminal convictions are of such character that admission to housing authority-owned rental properties would be inappropriate, the applicant would be denied.
7. Any applicant or family member who has been convicted of any summary offenses as those offenses are defined by the Pennsylvania Crimes Code, (Title 18, Pa.C.S.A.), may be disqualified from admission to housing authority-owned rental properties. If in the opinion of the Executive Director, the criminal convictions are of such character that admission to housing authority-owned rental properties would be inappropriate, the applicant would be denied.

8. The Housing Authority may waive consideration of any charges if they are over 10 years old and in the sole discretion of the Executive Director, they are not pertinent to the application for admission.
9. Any applicant or family member who is required lifetime registration with law enforcement agencies will not be permitted to public housing.
10. Any applicant or family member who is arrested for use, manufacture, sale, possession or possession with intent to deliver of methamphetamine or a.k.a. meth, crystal meth will not be permitted to be housed in public housing.

Occupancy

1. Any tenant who is arrested on or off the public housing property for a drug-related activity will be evicted promptly.
2. Any tenant whose references and background checks demonstrate a pattern that involves alcohol abuse, driving while under the influence of alcohol, violence related to alcohol, or any other substance will be evicted from public housing promptly.
3. The eviction or termination of any tenant from any public housing project of the Housing Authority of the City of Franklin will become a public record of every Housing Authority in the United States of America and said tenant will not be permitted housing assistance.
4. The tenant may seek rehabilitation, but cannot remain in the public housing project during that time. If he/she can prove he/she has successfully completed an extensive rehabilitation program, he/she may be permitted to place an application for future assistance. The applicant is responsible for supplying the center's name, address, telephone number, and contact person(s).

Definitions

1. Drug-related criminal activity - It is the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use a controlled substance.
2. Alcohol Abuse - Any alcohol-related action which interferes with the health, safety, or right of peaceful enjoyment of the premises by other residents, neighbors, and/or family members.
3. Rehabilitation - The applicant/tenant must be admitted to center for substance abuse or seek counseling on an outpatient basis. This must be supervised rehabilitation program.
4. Pattern of Abuse - Two or more arrests or recorded incidents including police, newspapers, social service agencies or any another source.

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