

**RENTAL ASSISTANCE POLICY MANUAL**  
**FOR**  
**RONAN HOUSING AUTHORITY (RHA)**  
**LAKE COUNTY COMMUNITY HOUSING (CHDO)**

**SECTION 8 HOUSING CHOICE**  
**VOUCHER PROGRAM**

**AND**

**RURAL DEVELOPMENT**  
**515 HOUSING ASSISTANCE PROGRAMS**

(Revised 11-15-2011)

## **NONDISCRIMINATION**

The Ronan Housing Authority ("RHA") will administer the Section 8 and all Tenant Based Rental Assistance Programs in a manner that will ensure consistent and fair treatment to all persons interested in program participation.

The RHA will not discriminate at any stage of the application/participation process because of race, color, national origin, religion, creed, age, gender, familial or marital status, or physical or mental disability. The RHA is bound by the nondiscrimination requirements of Federal, state, and local law. The RHA will abide by the nondiscrimination requirements of:

- A. Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin in programs receiving Federal financial assistance 42 U.S.C. 2000d;
- B. Title VIII of the Civil Rights Act of 1968, which prohibits discrimination based on race, color, religion, national origin, or sex in the sale, rental or advertising of housing;
- C. Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based on handicap in programs receiving Federal financial assistance 29 U.S.C. 794;
- D. The Age Discrimination Act of 1975, which prohibits discrimination based on age in programs receiving Federal financial assistance 42 U.S.C. 6101-6107;
- E. Executive Order 11063, which required the U.S. Department of Housing and Urban Development ("HUD") to take whatever action is necessary to prohibit discrimination based on race, color, national origin, religion (creed), or sex in housing receiving Federal financial assistance;
- F. Fair Housing Act of 1988, which amends Title VIII of the Civil Rights Act of 1968, prohibits discrimination in housing on the basis of handicaps and familial status 42 U.S.C. 3610-3619;
- G. ADA Act, Title II of the Americans with Disabilities Act, 42. U.S.C. 12101 as applicable;
- H. Montana Human Rights Statutes, Title 49 of the Montana Codes Annotated which prohibit discrimination based on sex, marital status, race, creed, religion, age, familial status, physical or mental disability, color or national origin.

No preference will be shown any applicant because of political affiliation or acquaintance with any public official at the Federal, state, or local level. In addition, there shall be no discrimination against any applicant receiving part or all of his income from public assistance or based upon the location of housing selected by the applicant, providing such applicant is otherwise eligible.

RHA policies relative to Acquisition, Displacement and Relocation, Affirmative Marketing, Equal Opportunity, Fair Housing and maintaining a Drug-free Work Place may be found in the addenda attached to this plan.

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**APPROACH AND OBJECTIVES IN PROGRAM ADMINISTRATION**

The objective in the administration of the Section 8 and Rural Housing 515 Rental Assistance Program is to provide affordable, safe, decent, sanitary housing to very low- income and low- income families residing within the boundaries of Lake County, Montana. The RHA and CHDO will ensure through its administration of the program that participants will be aware of the wide variety of housing types and neighborhoods available to them. All efforts will be made to ensure that participants take advantage of the freedom of housing choice and expansion of housing opportunities made possible by the Section 8 and 515 Programs. By consistent and thorough enforcement of minimum housing quality standards, these programs will enhance community efforts to improve and maintain the existing housing stock. This Administrative Plan addresses all local discretionary program functions in the Section 8 Voucher and 515 Programs. All other operational procedures will be developed and implemented according to Federal regulations found at 24 Code of Federal Regulation 982, Part 5. The requirements of the Section 8 Housing Assistance Payments Program, Existing Housing and Moderate Rehabilitation Processing Handbook, 7420.3 and Section 8 Occupancy Requirements of Subsidized Multifamily Housing Program Handbook 4350.3 will also be followed. The requirements of Rural Development Hand Book 2-3560 will determine the policies for the 515 program, The RHA further assures all programs are administered in accordance with its policies and procedures established in accordance with the Fair Housing Act and attached as an Addendum, including Acquisition, Displacement and Relocation Policy; Affirmative Marketing Policy; Equal Opportunity Policy; Fair Housing Policy; and Policy to Ensure a Drug-Free Workplace.

**Jurisdiction**

Section 8 Vouchers: Section 8 Vouchers may be issued only within the jurisdiction of the RHA, which includes the City of Ronan, Montana and a ten (10) mile radius thereof.

Rural Development 515 Program

The CHDO owns and manages 53 USDA 515 apartments in Lake County including 24 mixed use and family units in Polson, 21 elderly apartments in Ronan and 8 elderly units in St. Ignatius.

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**DEFINITIONS**

**RHA and CHDO**

The City of Ronan Housing Authority is a City of Ronan sponsored governmental agency primarily responsible for especially low income housing activities within a ten mile radius of the Ronan City limits. RHA owns 27 units of rental housing in Ronan including 8 tax credit apartments and is responsible for 36 section 8 vouchers and portable voucher units from the Blackfeet Housing Authority. The Lake County Community Housing Organization is a private non-profit component unit of the Housing Authority and is organized to enhance low income housing activities throughout Lake County. The CHDO owns 71 apartment units of which 53 are Rural Development 515 projects and Rural Development and tax credit in Polson, Ronan and St Ignatius. Collectively the RHA and CHDO are referred to as the Housing Authority or RHA or HA.

**Section 8 Vouchers**

Section 8 Vouchers are currently funded for one year at a time from the Department of Housing and Urban Development. All payments of Vouchers are issued directly to the landlord.

**USDA Rural Development 515 Apartments**

The CHDO owns and manages 53 USDA 515 apartments in Lake County. The 515 program offers rental assistance to needy families qualified for the units on 52 of these units. Qualified tenants pay 30% of their income for rent.

**Applicant**

A person or a family that has applied for housing assistance.

## **Family**

A family is either a single person or a group of persons and includes:

- (1) a household with or without children; a child who is temporarily away from home due to placement in foster care should be considered a member of the family;
- (2) an elderly family;
- (3) a family with disabilities;
- (4) a displaced family;
- (5) the remaining member of a tenant family;
- (6) a single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

***(7) Foster children will not be considered in determining family size without court documentation assigning those children to the family.***

## **Elderly Family**

A family whose head of household or spouse or sole member is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides.

## **Disabled Families**

***A disabled family is a family in which the head, spouse, co-head, or sole member is a person with disabilities. A person with disabilities is a person who has a disability as defined in 42 U.S.C. 423; has a developmental disability as defined in 42 U.S.C. 6001; or is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that (a) is expected to be of long-continued and indefinite duration, (b) substantially impedes his or her ability to live independently, and (c) is of such a nature that the ability to live independently could be improved by more suitable housing conditions. For medical verification, a statement from the affected family member=s doctor will be required. If the medical statement is incomplete or deficient, it will be returned to the participant with a reasonable period of time to correct the deficiencies. If there is reason to doubt the validity of the medical opinion, the HA has the right to require a second opinion. If the second opinion and the original opinion conflict, the HA has the right to request a third opinion. Second and third opinions must be paid for by the HA. A certification of disability by a doctor or other medical professional is required and must include the following statement: "I certify under penalty of perjury that this person meets the social security definition of a disability".***

## **Live-in Aide**

A person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who is determined to be essential to the care and well-being of the person(s); is not obligated for the support of the persons; and would not be living in the unit except to provide the necessary supportive service.

## **Displaced Family**

A family in which each member, or whose sole member, is a person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.

## **Hard to House**

A family qualifies as Hard to House if there are three or more minors or if there is a disabled family member and the family is moving to a different unit.

## **Remaining Family Member**

A family member of an assisted tenant family who remains in the unit when other members of the family have left the unit.

### **Continuously Assisted**

There may be times when a participating family needs to move from their unit and is not in a position to immediately start a housing search. The family may request, in writing, a deferral of subsidy issuance for a period up to 180 days for medical, educational or employment reasons.

1. Reasons to need a break in assistance:
  - a. Care of a child, parent, or other relative with a serious health condition, including psychological support.
  - b. The head of household=s own serious health condition.
  - c. A participant family member has the opportunity to be employed or to receive educational benefits in an area that has no eligible housing opportunities at this time. There must be the possibility of eligible housing available by the end of the 180 day subsidy deferral.
2. Participant Requirements - The participant has primary responsibility for requesting a break in assistance and providing the required information or documentation to support the request before they move from the current assisted unit. The participant is expected to request leave in advance and in writing, except in emergencies or other unforeseeable circumstances. Advance notice is typically thirty days, in accordance with rescission of the lease, or as soon as practical.
3. HA Requirements - Normal verification procedures and time frames will be followed in confirming the break in assistance request.
  - a. For educational and employment request, verification will include written verification from the educational facility or employer and rental market documentation that eligible housing is not available.
  - b. For medical verification, a statement from the affected family member=s doctor will be required. If the medical statement is incomplete or deficient, it will be returned to the participant with a reasonable period of time to correct the deficiencies. If there is reason to doubt the validity of the medical opinion, the HA has the right to require a second opinion. If the second opinion and the original opinion conflict, the HA has the right to request a third opinion. Second and third opinions must be paid for by the HA. **A certification of disability by a doctor or other medical professional is required and must include the following statement: "I certify under penalty of perjury that this person meets the social security definition of a disability"**
  - c. If the information the participant supplies is insufficient, the HA will start termination of assistance procedures with the right of appeal.
  - d. Once the HA has determined that the requested break in assistance is qualified, written notice will be given within five business days from when the designation was made. If the break has already begun, the notice will be sent to the participant at the last known address by certified mail, return receipt requested.

### **APPLICATION REQUIREMENTS**

A Lake County Housing Assistance Office Application Form, attached as an addendum must be filled out in full to be placed on the waiting list.

### **PREFERENCES FOR SELECTION**

The waiting list is not based on any preferences. Some apartments and subsidies may be available only to elderly or disabled families and these families may move ahead of others when one of these units is available. All applicants are reviewed on first come, first served basis except as provided under the "Waiting List Procedures" below.

### **WAITING LIST PROCEDURES**

A merged waiting list will be maintained for all eligible families wishing to participate in the section 8 voucher, rental or 515 programs. Selection of families will be by date and time. The waiting list is always open, applications are accepted on a continuous basis to ensure a sufficient number of eligible applicants.

If at any time there is a shortage of applicants, notification of the open waiting list will be published in the local newspapers as well as notification sent to the State Department of Commerce Section 8 Program Manager to be included in a mailing to Lake County residents appearing on the State's Section 8 waiting list. Also, assistance will be



enlisted from community groups and agencies such as church groups, advocacy groups for the homeless, elderly and disabled who are service providers and whose primary target is low-income groups of people. The HA will consider closing its waiting list when it has insufficient funds available to assist all applicants on the waiting list over a reasonable period of time, i.e. 12 to 24 months. This prevents false hope among families that assistance will be available in the near future.

A family will be processed through the waiting list using the following procedures:

1. In order to be placed on the waiting list an interested family must complete an initial eligibility application. Applications are available at the HA office, on line at lakccountyhousing.org or will be mailed upon request.
2. Applications/certifications will be dated and time stamped upon receipt in the HA office and names will be placed on the waiting list in the strict order in which they are received.
3. All applications will be reviewed to determine if the family appears to meet income and family definition requirements of this Plan and HUD regulations.
4. The appropriate bedroom size will be determined based upon the subsidy standards stated within the Administration Plan and the family will be placed on the waiting list by time and date of application. Bedroom size is provided as a guideline only. A client may be approved for assistance in a unit larger or smaller than the specified standard if they are unable to find a suitable unit of the specified size or where other special need circumstances apply. **Section 8 program clients will only receive assistance for the unit size for which they are eligible.**
5. Final eligibility will be determined upon verification of income and data submitted at the time the applicant=s name comes up to the top of the list and funding becomes available to provide assistance.
6. If, at the time the applicant=s name has come to the top of the list and is then determined to be ineligible, the applicant will be notified in writing and advised of the reasons for the determination. They will also be advised of their right to request an informal review of the decision by notifying the HA within 10 days of the notification.
7. Opening, closing and reopening of the waiting list will be announced by public notice in the local newspapers with similar notice to interested social service groups.
8. All changes in family income, composition, address or telephone number must be reported to the HA by the family.
9. HA maintains a single waiting list for Section 8, 515 and housing applicants, and applicants are selected from the top of the list based on date of application and the availability of funds for the program for which they are eligible. Households who are selected for rental housing without assistance because of the availability of a unit and also meet the qualifications for RHA=s Section 8 program do not lose their eligibility for Section 8, and remain in their place on the waiting list.
  - A Applicants that refuse to take an assisted unit or a voucher will lose their place on waiting list and their name will be moved to the bottom and the next qualified person will be granted the opportunity.
  - B When a unit or voucher becomes available the next qualified applicant will be notified by phone. The family will have two days to respond before the next qualified family is contacted.
  - C It is the responsibility of the family to provide current contact information.

#### **REMOVING NAMES FROM THE WAITING LIST**

Applications are good for six months. At six month intervals, letters will be sent to each applicant on the waiting list asking if they are still interested in remaining on the waiting list. Applicants are required to update information and must return the update by the time specified, or their name is eliminated from the list.

#### **DETERMINATION OF ELIGIBILITY**

When the family is selected for further action from the waiting list, they must meet all of the eligibility requirements of the most current version of the housing programs being administered by the HA. At a minimum, the applicant must be a family, and must be income eligible. Eligible applicants include single persons who are not elderly persons, or displaced persons, or persons with disabilities.

**Preference over single persons:** An applicant that is a one- or two-person elderly, disabled or displaced family, must be given preference over an applicant that is a single person who is not an elderly or displaced person, or a person with disabilities, regardless of the applicant's Federal or local preference (if any).

**Housing assistance limitation for single persons:** A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family, may not be provided public housing and other project based assistance, a housing unit with two or more bedrooms; or housing assistance for which the family unit size as determined by the HA subsidy standard exceeds the one bedroom level.

**Income eligibility:** In addition to qualifying as a family, the applicant must also be income eligible, with assistance provided only to very low- and low- income families. The applicant's gross annual income must be very low or equal to the maximum income limit most recently published by the Department of Housing and Urban Development (HUD) for low income families in the area of the authority's jurisdiction for the Section 8 or 515 programs. The current HUD, RD or Tax Credit regulations shall prevail at all times.

The applicant must complete and sign form HUD-9886 ARelease of Information/Privacy Act@ allowing RHA access to documents it may need to verify income claimed by the applicant. The applicant must also furnish the RHA with verifications of all income, to include value of, and income derived from, all assets. Such verification may include: Social Security benefit statement; SSI benefit statement; welfare benefit statement; recent checking or savings account statement or recent pay stub. All such benefit statements and pay stubs must be current. HA will obtain written or oral third party income verification in addition to any tenant supported documentation. Zero income applicants will be required to provide a statement of survival form **with appropriate documentation, quarterly**, to the HA. Income eligibility for the program will be based on the information obtained relative to all anticipated income for the **12** month period following the effective date or initial determination for the programs. Gross annual income will be calculated based on the definition of annual income, which is income derived from all sources received by the family (even if one member is temporarily absent) and includes all members 18 years of age or older and income from all assets.

Income is determined according HUD, Tax Credit or RD guidelines and is documented by using Section 8 HUD form 50058 AFamily Report@, RD Form 3560-8, or Tenant Income Certification Form. The form is kept in the family=s file and used as the basis for determining capacity to contribute to rent; the HA share; and as the basis of comparison during recertification.

### **References**

**Rental references will be requested from prior landlords of up to two years. If there is no response within 10 days, it is assumed that the reference is positive. Tenants without a rental history may be required to produce other references based on available credit history. Credit and criminal checks will be pulled when the applicant is selected for a program. A poor credit history does not preclude an applicant from participation, however increased documentation of current activities and prior landlord references will be required.**

### **Conflict of Interest**

A potential conflict of interest exists with any person who is an employee, agent, consultant, officer or elected or appointed official of Lake County or the Ronan Housing Authority. Such person is prohibited from receiving a HOME-assisted activity, or occupy a HOME assisted unit, a 515 unit or section 8 voucher either for themselves or those with whom they have family ties, during their tenure and for one year thereafter, if such person exercises or has exercised any functions or responsibilities with respect to activities assisted with HOME funds or is in a position to participate in a decision-making process or gain inside information with regard to these activities.

### **Rent Determination**

Tenant contribution to rent is calculated at 30% of adjusted gross annual income, or \$50.00, whichever is greater. The maximum subsidy amount may not exceed the difference between the current published fair market rent for the unit (including utility allowance) and 30% of the family=s adjusted income. HA has adopted certain exemptions to the minimum rent requirements for hardship circumstances. Hardship exemptions include the following situations:

- < The family has lost eligibility or is awaiting an eligibility determination for Federal, State, or local assistance program
- < The family would be evicted as a result of the imposition of the minimum rent requirement

< The income of the family has decreased because of changed circumstances, including loss of employment, death in the family or other circumstances

A utility allowance, as determined annually by the City of Ronan Housing Authority, Montana Department of Commerce or Rural Development, will be added to the rent before subsidy is determined. The utility allowance to be used is always based on the actual size of the selected unit. Under no circumstances may rent plus the utility allowance exceed the most recently published fair market rent for the unit. For Section 8 subsidy calculation, Form 50058 will be followed to determine the subsidy amount. the following calculation is provided as a sample:

Landlord rent:	350	
Utility allowance:	<u>75</u>	
Total	425	- Total may not exceed fair market rent for unit size

Tenant contribution based on 30% of income = \$300.00  
 Subsidy = \$125.00

The amount of the utility reimbursement is the amount by which the Housing Assistance Payment, or 515 subsidy, payment exceeds the rent to the owner. When there is a utility reimbursement, HA pays the full amount of the rent to the owner and sends the utility reimbursement to the utility company. In the event the utilities are kept in the owner=s name, the utility reimbursement is sent to the family.

**Zero Income Families**

**Families claiming to have no income will be required to document how they survive with no money. A zero income form must be completed with receipts for all expenses shown and documentation of all gifts or other income used to pay such things as a phone, car, furnishings, cable, clothing and entertainment. This form must be updated every three months. Rental assistance checks will be suspended for failure to adequately update the form and provide the proper documentation.**

**OCCUPANCY STANDARDS**

The following standards will be used to determine the size of unit for which an applicant qualifies for assistance. These standards are developed in accordance with Federal regulations which state that there must be at least one bedroom or living/sleeping room of appropriate size for each two persons in the family. Families may not be eliminated from the program for failing to meet the occupancy standard, but will generally be provided assistance based on the smallest appropriate unit size and discouraged from accepting units below that minimum size due to possible overcrowding and unsafe living conditions which may occur as a result.

<u>Voucher size</u>	<u>Minimum Persons</u>	<u>Maximum Persons</u>
0-Bedroom	1	1
1-Bedroom	1	2
2-Bedroom	2	4
3-Bedroom	3	6
4-Bedroom	4	8
5-Bedroom	5	10

In determining family unit size for a particular family, the HA may grant an exception to its established occupancy standards if the RHA determines that the exception is justified by the age, sex, health, handicap, or relationship of family members or other circumstances. Every family member, regardless of age, will be counted a person. Larger size units may be approved beyond occupancy standard qualifications for medical or disability reasons. If no eligible unit of smaller size is available within the HA=s jurisdiction, the family may be approved for a larger unit providing the unit qualifies within the fair market rent limitations for the family=s size and meets all other program requirements. **Assistance payments will be based on the eligible unit size for the family.** The occupancy standards included in this plan are for reference purposes. A family may rent either a smaller or larger size unit than stated as long as the unit complies with minimum housing quality standards space requirements.

## **FAMILY OBLIGATIONS**

### **Supplying Required Information**

1. The family must supply any information that the HA, RD or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status. "Information" includes any requested certification, release or other documentation.
2. The family must supply any information requested by the HA, RD or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition in accordance with HUD requirements. Reexamination will be conducted annually. The family is required to report changes in income and family composition ***within 10 days*** of such changes.
3. The family must disclose and verify social security numbers and must sign and submit consent forms for obtaining information.
4. Any information supplied by the family must be true and complete.

### **Housing Quality Standards (HQS) Breach Caused by Family**

The family is responsible for a HQS breach that is caused by any of the following:

- 1) The family fails to pay for any utilities that the owner is not required to pay for, but which are to be paid by the tenant, or
- 2) The family fails to provide and maintain any appliances that the owner is not required to provide, but which are to be provided by the tenant, or
- 3) Any member of the household or guest damages the dwelling unit or premises beyond ordinary wear and tear.

### **Allowing HA Inspection**

The family must allow the HA to inspect the unit at reasonable times and after reasonable notice. The HA will provide a minimum of **24** hours notice to the family.

### **Violation of Lease**

The family may not commit any serious or repeated violation of the lease.

### **Family Notice of Move or Lease Termination**

The family must notify the HA and the owner before the family moves out of the unit, or terminates the lease on notice to the owner.

### **Owner Eviction Notice**

The family must promptly give the HA a copy of any owner lease termination within 10 days of receipt of the notice.

### **Use and Occupancy of Unit**

- 1) The family must use the assisted unit for residence by the family. The unit must be the family's only residence.
- 2) The composition of the assisted family residing in the unit must be approved by the HA. The family must give written notification to the HA of the birth, adoption or court awarded custody of a child within 10 days. The family must request HA approval to add any other family member as an occupant of the unit. No other person (i.e., nobody but members of the assisted family) may reside in the unit (except for a foster child or live-in-aide).
- 3) The family must give written notification to the HA if any family member no longer resides in the unit within 10 days of the change.
- 4) If the HA has given approval, a foster child or live-in-aide may reside in the unit. The HA will not unreasonably withhold such approval if request for such approval is made in writing and if the assisted unit is of such size as provided under the above written AOccupancy Standards@ so as to assure that living conditions are not overcrowded.
- 5) Members of the household may engage in legal profit making activities in the unit, but only if such activities are incidental to primary use of the unit for residence by members of the family.
- 6) The family must not sub-lease or let the unit.

7) The family must not assign the lease or transfer the unit.

**Absence from Unit**

As noted above, the family is to notify HA of any changes which may occur in the family composition during the term of the contract. This notification includes any absence by a family member in excess of ninety (90) days. If such absence is temporary, the family will be asked to certify that such absence is temporary and does not represent a change in family composition, which may otherwise result in a reduction in the family's HAP payment.

**Interest in Unit**

The family must not own or have any interest in the unit or rent from a family member closer than a cousin.

**Fraud and Other Program Violation**

Members of the family must not commit fraud, bribery, or other corrupt or criminal act in connection with the programs.

**Crime by Family Members**

The members of the family may not engage in drug related criminal activity, or violent criminal activity.

**Other Housing Assistance**

An assisted family, or members of the family, may not receive Section 8 tenant-based assistance while receiving another housing subsidy, for the same unit, or for a different unit, under any duplicative (as determined by HUD or in accordance with HUD requirements) federal, state, or local housing assistance program.

**Family Break-up**

If a family breaks-up while assistance is being provided, assistance will be continued as follows:

- a. Assistance will continue with the custodial parent, where there are minor children involved; or with the ill, elderly or disabled family members as applicable; or in section 8 cases, with the family member forced to leave the unit as a result of actual or threatened physical violence against family members by a spouse or other household member.
- b. If a court determines the disposition of property between family members, RHA is bound by the decision of the court as to which family members continue to receive assistance in the program.

**ASSISTANCE ISSUANCE**

**Family Briefing**

When a family is selected to participate in a rental assistance program, RHA will conduct an oral briefing individually to include information on the following:

- a) description of how the program works;
- b) family and owner responsibilities
- c) where the family may lease a unit; and
- d) explanation of portability and a list of portability contacts at neighboring HAs (Section 8 only)
- e) Other items discussed depending on the program may include:
  - § term of the voucher
  - § policy on any extensions or suspensions of the term and an explanation of how the family can request an extension
  - § how the RHA determines the housing assistance payment for the family
  - § how the RHA determines maximum rent for an assisted unit (rent reasonableness)
  - § HUD-required tenancy addendum, which must be included in the lease
  - § form that the family uses to request RHA approval of their assisted tenancy with HQS Checklist
  - § statement of RHA policy on providing family information to prospective owners
  - § RHA occupancy standards and when RHA will consider exceptions

- \$ HUD lead-based paint brochure *AProtect Your Family from Lead in Your Home*
- \$ information on how to fill out and file a housing discrimination complaint (for HUD-903)
- \$ a list of landlords or others who may be willing to lease a unit or a list of other organizations that will help families find units
- \$ a notice that if the family includes a disabled person, the family may request a current listing of accessible units that are known to the RHA and may be available
- \$ family obligations under the applicable program
- \$ grounds on which RHA may terminate assistance because of family action or failure to act
- \$ RHA informal hearing procedures
- \$ information on the rent/payment standard with a copy of the current utility allowances

### **Tenant Screening**

Tenant screening and selection are the responsibility of the owner. Owners are permitted and encouraged to screen families on the basis of their tenant histories. An owner may consider a family's background with respect to such factors as:

- 1) Payment of rent and utility bills;
- 2) Caring for a unit and premises;
- 3) Respecting the rights of others to the peaceful enjoyment of their housing;
- 4) Drug related criminal activity or other criminal activity that is a threat to the life, safety or property of others; and
- 5) Compliance with other essential conditions of tenancy.

### **Issuance**

When a family is selected from the waiting list and the HA issues a Voucher the family has a period of 60 days (up to 120 days if disabled) to find an acceptable unit. When the family finds a unit, and the owner is willing to lease the unit under the program. The family must submit to the HA a request for tenancy approval and a copy of the proposed lease. Both documents must be submitted during the term of the Voucher. At the end of the 60 days, the family may request an extension in 30 day increments, not to exceed 120 days.

### **Extensions**

Vouchers will only be extended beyond 60 days (120 days if disabled) if:

- a) The family can verify extenuating circumstances, or is a hard-to-house family, and through their contact with the HA, can clearly demonstrate that they have made every effort to secure a suitable unit, and
- b) The family has not refused a suitable unit without good cause, and
- c) There is a reasonable possibility that an extension of the Voucher will result in an approvable lease and the execution of a Housing Assistance Payments (HAP) contract.
- d) The family needs and requests an extension of the initial voucher term as a reasonable accommodation to make the program accessible for a person with a disability.

The length and number of extensions will be determined by the RHA based on the ability of the family to demonstrate the need for more time to secure a lease. During the initial or any extended term of a Voucher, the HA may require the family to report progress in leasing a unit.

### **Denial of Assistance or Termination of Assistance**

An APPLICANT or PARTICIPANT may be denied assistance for any of the following grounds:

1. If the family violates any family obligation under the program;
2. If any member of the family has been evicted from federally assisted housing in the last five years;
3. If a HA has ever terminated assistance under the program for any member of the family;
4. If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program;
5. If the family currently owes rent or other amounts to the RHA or to another HA in connection with the Section 8, Rural Development 515 or other Low-Rent Housing Program;

6. If the family has not reimbursed any HA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;
7. If the family breaches an agreement with the HA to pay amounts owed to a HA, or amounts paid to an owner by a HA;
8. If the family has engaged in or threatened abusive or violent behavior toward HA personnel.

The HA will terminate program assistance for the following:



If a family is evicted from housing assisted under the Section 8, 515 or HOME Assistance Program for serious violation of the lease;

- 1.) If any member of the family fails to sign and submit consent forms for obtaining information;
- 2) If any member of the family does not submit required evidence of citizenship or eligible immigration status.

There will be immediate and permanent denial of admission to any Housing Program of persons convicted of manufacturing or producing methamphetamine (commonly referred to as speed) in violation of any Federal, state or local law.

In each of the cases identified in this section, the applicant or participant will be notified of their right to an informal review or hearing, whichever is appropriate, and as provided for in the Tenant Packet which is included as an addendum to this plan.

The RHA will obtain sex and violent offender records information to screen applicants for denial of admission to any housing Program.

RHA will require every applicant family to submit a consent form signed by each adult household member.

RHA will notify the household member of the subject of the record and will provide the applicant a copy of the information obtained. The applicant will be given an opportunity to dispute the accuracy and relevance of the information.

RHA will maintain complete confidentiality and once the purpose for which the record was requested has been accomplished, the information will be destroyed.

An OWNER may be disapproved for participation, even though rental units may individually qualify, if the HA has been notified by HUD that the owner has been debarred or suspended; if the federal government has instituted an administrative or judicial action against the owner, or a court or administrative agency has determined that the owner is in violation of the Fair Housing Act or other federal equal opportunity requirement and such action is pending; or that the owner has previously violated obligations under a housing assistance payments contract; committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program; has engaged in drug trafficking; has a history or practice of non-compliance with HQS or state or local housing codes for units leased under any federal housing program; or has not paid State or local real estate taxes, fines or assessments.

**SECURITY DEPOSITS**

**Section 8 Vouchers**

The owner may collect a reasonable security deposit from the tenant. When the family moves out of the contract unit, the owner, subject to State and local law, may use the security deposit, including any interest on the deposit, in accordance with the lease, as reimbursement for any unpaid tenant rent, damages to the unit or other amounts that the tenant owes under the Lease. Section 8 funds will not be used to pay security deposits.

**Rental Units**

Security Deposits for RHA owned or managed rental units are \$300 or \$550 for certain managed properties. Payment of the deposit is required prior to move in and will be returned within 30 days of move out in accordance to Montana Landlord Tenant Law less any unpaid rent or deductions for cleaning or damages to the unit.

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**HOUSING QUALITY STANDARDS AND LEASE APPROVAL**

The RHA will follow the requirements for minimum housing quality standards as stated in the 24 Code of Federal Regulation 982.401 and the Section 8 Administrative Practices Handbook, 7420.7. The RHA will use the standard form HUD-52580 to record all housing quality standard inspections conducted during program operation.

## **Special Housing Types**

In addition to standard stick-built single family residential units and multi-family apartment units, families may select special housing types to include manufactured housing if such housing passes inspection to meet applicable housing quality standards and meets all other program requirements. Except where the HA will extend reasonable accommodation for persons with disabilities as provided below, the HA will not provide assistance in single room occupancy housing, congregate housing, group homes, shared or cooperative housing.

In addition, the HA may provide Section 8 assistance for a family that owns a manufactured home and leases a space for the manufactured home. In such case, assistance is provided only for the cost of the space rental and may not be used to assist with the payment for the purchase of the home itself. In addition, even though the HA is assisting with the cost of the space only, the manufactured home must be inspected for conformance with HQS; the family must meet all other elements of the program and the rent for the space may not exceed established FMR for trailer spaces in Lake County.

Reasonable accommodation will be made for persons with disabilities in all special type housing, including single room occupancy (SRO), congregate housing, group homes, shared and cooperative housing in order to assure the program is readily accessible to persons with disabilities. In such cases, assistance will be based on the individual's income and rent requirements to participate in the housing utilizing the 0 or 1 bedroom FMR depending upon number of rooms for the private use of the individual excluding kitchen and bath facilities. The housing must comply with housing quality standards and, in the case of group homes, be licensed by the State.

## **Housing Quality Standards and Initial Inspections**

- The family and owner will be provided with a copy of the checklist of the HQS standards.
- When the family locates a unit, the RHA will conduct an inspection before approving the lease.
- Any and all items failing must be corrected before the lease can be approved. No HAP payment may be made until such corrections have been made and the unit has been reinspected to assure compliance.
- Annual re-inspections will be conducted during the annual re-certification of the participant. Any and all deficiencies noted at the time of reinspection must be corrected; for emergency deficiencies, such as no smoke alarms, 24 hours; for non-emergency deficiencies, 30 days. HAP payments will be abated until such deficiencies are corrected. If at any time deficiencies are not corrected within the time agreed by the inspector and owner, HAP payments will be terminated and the family will be required to relocate.
- Interim inspections will be conducted upon a request from either the landlord or the tenant. Any and all deficiencies noted at the time of such interim inspection must be corrected, as noted above, or further HAP payments will be abated until such deficiencies are corrected. If at any time deficiencies are not corrected within the time agreed by the inspector and owner, HAP payments will be terminated and the family will be required to relocate.

## **Lead Hazard Reduction Procedure**

With the increasing concerns about the hazards of residual lead and new lead hazard reduction rules that became effective September 15, 2000, the Ronan Housing Authority is implementing the following procedures:

1. All potential landlords and applicants for any rental assistance, rehabilitation or first time home-buyer will be issued and will sign for the EPA pamphlet, *Protect Your Family From Lead In Your Home* or an equivalent pamphlet that has been approved for use in Montana by the EPA.
2. During the conduct of initial and annual inspections of pre-1978 units that are occupied or will be occupied by families with children under 6 years of age, the RHA will conduct a visual assessment for deteriorated paint surfaces.

Deteriorated paint surfaces are defined as interior or exterior paint or other coating that is peeling, chipping, flaking, cracking, is otherwise damaged or has separated from the substrate of the surface or fixture. If the assisted family is elderly or not expected to have children under the age of six residing in the house, no further action is required.

3. If the home was constructed after January 1, 1978 and passes the HQS inspection, no further action is required.
4. Houses constructed prior to 1978 that have been identified as having the potential for lead-based paint and expected to have families with children under the age of six will not be eligible for assistance. The owner or agent will be notified in writing of potential lead hazard with a Summary Notice of Lead Based Paint Risk Assessment and given a list of known *certified* lead based paint abatement supervisors.
5. Copies of the Lead Hazard Reduction Regulations will be available for all owners at the RHA office and mailed upon request.
6. RHA program managers will continue to take advantage of all ongoing training in lead hazard inspection and abatement and the agency will evaluate engaging a certified lead hazard inspector for its Lake County activities.

### **Quality Control**

While all units are inspected annually at the time of tenant re-certification, the Property Manager's Supervisor will conduct additional inspections of at least 5% of the Section 8 program units annually to insure that HQS, as required by the Section 8 program guidelines, has been met.

### **Fair Market Rents**

The RHA will not subsidize units on which rent plus the utility allowance exceeds the most current published Fair Market Rent for the unit size within Lake County. Units will be disapproved if the rent is not reasonable as established by the comparability data established by the RHA. Where proposed rents exceed those of other comparable units in the area considering type, age, amenities, housing services, maintenance and utilities, the RHA may choose not to execute a contract where such rent appears to be excessive for the market.

### **Rent Reasonableness**

Upon initial lease-up and request for lease approval, the HA first verifies that the proposed rent plus utility allowance for the area does not exceed the most current published fair market rent for the unit size. After completion of a satisfactory HQS inspection, the proposed rent for the unit is compared with the rent of other comparable units used in the study which is not only based on the location and size of the unit but considers type, age, amenities, housing services, maintenance and utilities provided to the family. If the unit is deemed to be Arent reasonable@ a contract is executed. If the unit is not found to be Arent reasonable@ and the family still wishes to rent the unit, the HA will negotiate with the owner to reduce the rent to a rate comparable with the results of the study. If no agreement is reached as to a Areasonable@ rent, then no contract will be executed. **A county-wide landlord survey is conducted annually for comparable units rents, etc.**

### **Over-FMR Tenancy**

The HA will approve over-FMR tenancy at the family's request on a case-by-case consideration, limited to budgetary restrictions as a reasonable accommodation so that the program is readily accessible to, and usable by, persons with disabilities.

The HA will not approve an over-FMR tenancy unless it is determined that the initial family share is reasonable, taking into account other family expenses such as child care, un-reimbursed medical expenses and other appropriate family expenses as determined by the HA. Any new admission or any family who moves may not pay more than 40% of adjusted monthly income toward the initial rent for the unit if the gross rent for the unit is greater than the applicable payment standard for the family. This limit applies only at time of initial leasing of a unit, not after.

### **Rent Limitations due to Other Governmental Subsidies**

The HA may provide rental assistance to tenants in units subsidized by other governmental programs including units built with HOME Program funds, Rural Development 515 loans provided that the base rent used to calculate the assistance is established Anet@ of such subsidies or at the lowest level required to cover operating costs of the project. Tax credit projects with section 8 tenants may charge more than the maximum allowable rent for a unit up to the HUD established maximum fair market rent provided that the tenant does not pay more than the allowable rent for that unit.

### **Lease Approval and HAP Contract**

The lease approval and HAP contract will be executed once the inspection determines the unit is safe, sanitary, and in decent condition and the rent is considered reasonable. Leases must be for at least one year, unless mutually agreed otherwise by the tenant and landlord. The lease must meet the requirements of 24 CFR 982.308, a copy of which is attached in the addendum.

### **Continued Occupancy**

**Portability, Section 8 Vouchers Only:** The family=s initial Voucher and HAP contract is for a 12 month period. Non-resident families applying to the program must live within the RHA=s jurisdiction at least one year. A family with an RHA Voucher may then apply for approval to Aport@ or use its Voucher anywhere outside the RHA jurisdiction, in Montana or anywhere in the United States where a Housing Agency administers the Section 8 Tenant Based Program, under the following circumstances:

1. Non-resident families at time of application have completed a full 12 month period under a HAP contract with RHA living within the boundaries of RHA=s jurisdiction.
2. There is a Housing Agency in the area where the family is moving to which administers a Section 8 Tenant Based Program that is eligible to receive and administer the Voucher. If the receiving HA does not have the same type of assistance available, a portable family may be offered another form of assistance by the receiving HA and will have to qualify for the existing programs offered by the receiving HA. Under such circumstances the Voucher is returned to RHA and may not be eligible for portability.
3. Subsidized families wanting to move to a new unit or new jurisdiction must give the landlord and the RHA written notice of intent to move at least thirty days prior to moving from the assisted unit.

The family will be issued a new Voucher by the receiving HA providing they meet the program income and eligibility requirements of the program in the area to which they are moving. A family may not port in and/or out of the RHA jurisdictional area more than once in a twelve month period. **Due to budget constraints, a port to a higher cost area may be denied until the HA has enough funding to cover the costs. The HA may not issue any other vouchers until the port is serviced.**

**Annual Reexaminations:** Must be conducted before the anniversary date of the signed lease. Participants will be contacted 90 days prior to the date in order to set up an appointment to verify income and family composition. The re-certification will involve a review of all statements and conditions included in determining initial eligibility, including the HQS inspection, to insure that the family is still income eligible and the unit is still safe, sanitary and decent housing. Family income may be verified by the receipt of a pay-stub or social security deposit no more than 30 days old and/or third party verification of employment to be obtained by the RHA staff. If adjustment is required (an increase or decrease to the 30% income rule) the proposed change will go into effect on the first day of the following month if a decrease, and the first day of the second month if an increase. The re-certification will also insure that both parties are abiding by the lease.

**Interim Examinations:** RHA will conduct an interim reexamination of family income and composition within 30 days of receipt of a request for such a reexamination by the family or upon being notified of a substantial change in family income or composition as required below. Such reexamination will not result in a change in the HAP contract except when such change increases or decreases the tenant payment by at least \$25.00. The family must report changes when they occur as follows:

- 1) Changes in family composition.

- 2) Changes of more than \$100 per month in gross family income (either an increase or decrease). If the change is so substantial that it may increase or decrease the total tenant payment by more than \$25.00, the family may request an interim reexamination and change to the HAP contract.
- 3) Persons showing zero income must verify such on a quarterly basis.

The family and landlord will be notified in writing of the results of any reexamination and/or changes to its contract via a *ANotice of Change to Lease and Contract*.

**Continued Participation**

All of the participants of assisted housing will continue to receive assistance until the Total Tenant Portion equals the gross rent standard for the contract unit. Termination of housing assistance payments does not preclude the resumption of payments as a result of later changes in income, rents, or other circumstances during the term of the lease and contract. However, should 6 months lapse since the date of the last HAP, the contract will be terminated and the Voucher will be terminated. If at the time of the annual re-exam such a circumstance exists, the contract will expire on the anniversary of the lease.

**Move Outs, Termination of HAP, or Evictions**

**Move-outs:** During the initial briefing session, RHA shall inform both the tenants and landlords of their responsibilities concerning move-outs. The initial lease is for one year, however the lease may be canceled with mutual consent or agreement when there is a need to move. After the first year, the owner should have a successive definite term in the lease, i.e., month-to-month, year-to-year, if he/she wants the legal authority to terminate without cause. If the owner fails to put a definite term in the lease after the first year, it is considered a successive indefinite lease and the owner will only be able to terminate for cause, or other good cause. Both parties must notify the RHA when a move has been undertaken.

**Evictions:** A landlord may evict a tenant for good cause by initiating legal procedures as required by state law. The landlord must notify RHA of this action.

**Termination of the HAP Contract by RHA:** Termination of the contract may result due to any of the following reasons, but cancellation is not limited to:

1. Fraud
2. Failure to satisfy any claim under the lease and HAP contract or owes RHA monies.
3. Landlord or tenant failure to correct any sub-standard condition or repairs deemed necessary.
4. Tenant has moved.
5. Failure to comply with any other HUD regulations or HUD or RHA requirements.

**Payments for Damages/Vacancy Loss -:** Under the Section 8 contracts, the RHA has no responsibility for damages or unpaid rent except for the portion of the rent due from the RHA under the HAP contract. The owner, subject to State and local law, may use the security deposit, including any interest on the deposit, in accordance with the lease, as reimbursement for any unpaid tenant rent, damages to the unit or other amounts that the tenant owes under the Lease. Under no circumstances may Section 8 funds be used to reimburse the landlord for damages over and above the amount of the security deposit.

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**INFORMAL REVIEW**

24 CFR 982.554

The HA will provide an applicant the opportunity for an *Informal Review* if the applicant is denied participation. The RHA will use the following procedures to conduct the review:

- 1) The applicant will be given written notification of the denial of assistance, stating the reason(s) for the denial.
- 2) The notice will state that the applicant has a right to request, in writing, an informal review of the decision to deny participation within 10 days of the date of the notification.

- 3) The informal review will be conducted within 10 business days of the request. The Executive Director will select a person not involved in the decision to conduct the review.
- 4) The applicant may present written or oral arguments relative to the decision.
- 5) The applicant will be informed, in writing, of the results of the review within 15 days of the date of review.

The HA is not required to provide the applicant an opportunity for an informal review for any of the following:

- 1) Discretionary administrative determinations
- 2) General policy issues or class grievances
- 3) A determination of the family unit size under the HA subsidy standards
- 4) A HA determination not to approve an extension or suspension of a voucher term
- 5) A HA determination not to grant approval of the tenancy
- 6) A HA determination that a unit selected by the applicant is not in compliance with HQS
- 7) A HA determination that the unit is not in accordance with HQS because of the family size or composition

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### INFORMAL HEARING

24 CFR 982.555

#### When a Hearing is Required

A HA must give a participant family an opportunity for an informal hearing to consider whether the following HA decisions relating to the individual circumstances of the participant family are in accordance with the law, HUD regulations, and HA policy:

- 1) A determination of amount of the family=s annual or adjusted income, and the use of such income to compute the housing assistance payment.
- 2) A determination of the appropriate utility allowance for tenant paid utilities from the utility allowance schedule.
- 3) A determination of the family unit size under the HA subsidy standards.
- 4) A determination that a Voucher family is residing in a unit with a larger number of bedrooms than appropriate for the family unit size under RHA subsidy standards, or RHA determination to deny the family=s request for an exception from the standards.
- 5) Determination to terminate assistance for a family because of family=s action, or failure to act, including:
  - a. Family fails to pay for any utilities that the owner is not required to pay for, but which are to be paid by the tenant.
  - b. Family fails to provide and maintain any appliances that the owner is not required to provide, but which are to be provided by the tenant.
  - c. Any member of the household or guest damages the dwelling unit or premises (damages beyond ordinary wear and tear).
  - d. Determination to terminate assistance because the family has been absent from the assisted unit for longer than the maximum period permitted under RHA policy.

#### Denial of Hearing

RHA will deny a participant family an informal hearing for any of the following:

- 1) Discretionary administrative determinations by the HA.
- 2) To consider general policy issues, or class grievances.
- 3) Establishment of the HA schedule of utility allowances for families on the program.
- 4) HA determination not to approve an extension or suspension of a Voucher term.
- 5) HA determination not to approve a unit or lease.
- 6) HA determination that an assisted unit is not in compliance with HQS.
- 7) HA determination that the unit is not in accordance with HQS because of family size.
- 8) HA determination to exercise (or not) any right or remedy against the owner under a HAP contract.

#### Request for Hearing

A participant must request the hearing in writing from RHA (Ronan Housing Authority, P.O. Box 146, Ronan, MT 59864). The written request must be received by the HA within 20 days of the date of the written notice of the questioned decision. Informal hearings will be scheduled by RHA within thirty days of receiving a written hearing request from the participant if the matter qualifies for an informal hearing. If the matter does not qualify for an informal hearing, RHA will send notice to the participant within 20 days of the receipt of a written request for hearing, with an explanation of the reasons for denial of the request for hearing. HA must give opportunity for a fair hearing before terminating HAP payments for any family under an outstanding HAP contract

**Informal Hearing Procedures**

- 1) Within 10 days of receipt of a request for an Informal Hearing in accordance with the RHA's policies, the Executive Director will select a Hearing Officer and schedule the hearing. The Hearing Officer will be someone other than the person who made the decision under review or a subordinate of that person.
- 2) Both Housing Authority and complainant shall be provided the opportunity for discovery as follows:
  - a. By family. The family must be given the opportunity to examine, before the hearing, any HA documents that are directly relevant to the hearing. The family must be allowed to copy any such document at the family=s expense. If the HA does not make the document available for examination on request of the family, the HA may not rely on the document at the hearing.
  - b. By HA. The HA must be given the opportunity to examine, at HA offices before the hearing, any family documents that are directly relevant to the hearing. The HA must be allowed to copy any such document at the HA=s expense. If the family does not make the document available for examination on request of the HA, the family may not rely on the document at the hearing.
- 3) The family participant may be represented by a lawyer or other representative.
- 4) The Hearing Officer will conduct the hearing in accordance with the following guidelines:
  - a)The participant or the participant's representative will first be given an opportunity to present his/her objections to the decision in question, and only the specific decision pertinent to this hearing. The participant may present evidence or question witnesses at this time.
  - b)The RHA will then have an opportunity to explain the decision. The RHA may present evidence and question witnesses. The participant will then have the opportunity to question any RHA witnesses.
  - c)The Informal Hearing is not intended to duplicate procedures - under judicial review so the rules of admissibility under such proceeding will not be applied in the course of the hearing.
  - d)The Hearing Officer will issue a written decision stating the reasons for the decision within 10 business days after the hearing. Decisions will be based on evidence presented at the hearing. A copy of the decision will be sent certified mail to the participant within 15 business days after the hearing.
  - e)The RHA is not bound to hearing decisions if:
    1. the HA is not required to provide an opportunity for a hearing;
    2. the decision exceeds the authority of the hearing officer
    3. the decision is contrary to HUD regulations or requirements or Federal, state or local law.

If the HA determines it is not bound by a hearing decision, the HA must promptly notify the family of the determination and reasons for determination.

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**COLLECTION POLICIES**

In the interest of sound fiscal management and program integrity the RHA will make all efforts to collect amounts owed the agency as a result of unreported income or amounts paid to owners on behalf of participants. The following procedures will be followed to ensure maximum collection of applicant/participant debt:

**Applicants**

No applicant will be admitted to the Rental Assistance Program until any/all debts owed the PHA have been paid. Their name may be placed on the waiting list as a potentially eligible applicant, but no Voucher will be issued until all debts are paid in full. No extended payback arrangements will be made with applicants.

**Participants**

Participants in the Section 8 Voucher Program must agree to pay back any amounts owed the RHA in order not to jeopardize their continued assistance. The following procedures will be followed for program participants:

1. **Unreported Income:** A limited payback arrangement based upon the financial circumstances of the family will be negotiated, once the amount of overpayment of housing assistance payments has been established. The agreement will ensure that the full amount of the overpayment is reimbursed to the HA within a period negotiated with the family and the HA. If the family requests a new Voucher because they wish to move and the debt is not fully repaid, the remaining balance must be paid before the new Voucher will be issued.
2. **Payments of Damages:** If a family is found liable for damages beyond those covered by its security deposit; moves without giving proper notice and with rent owing to its landlord; or moves without paying utilities, the family is responsible for reimbursing its landlord for costs incurred to cure damages and for the unpaid rent and/or utilities. If the family is willing to execute a payback agreement, payments will be established to ensure that the entire debt is paid in full by the end of the initial term of the current contract. Should the family fail to make payments as agreed, HA may terminate its HAP agreement with family until the prior debt is paid in full.

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**STAFFING**

Executive Director:	Overall Program Responsibility
Housing Manager:	Responsible for all rental property, tax credit and 515 programs
Bookkeeper /S8 Manager:	Rental assistance programs and assist the Housing Manager

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**OPERATING RESERVES - SECTION 8 VOUCHERS**

Earned Administrative Fees which exceed expenditures for program expenditures shall be handled according to guidelines found in HUD handbook 7420.7 CHG-9. ~~The threshold for the amount of expenditures which may be made from the operating reserve without prior Board approval is \$250.00. For operating reserve expenditures which exceed the Board threshold, the PHA Board must make a decision that the expenditures are necessary and reasonable for other related housing purposes consistent with the HA's mission and goals.~~

**ADDENDUM**

**AFFIRMATIVELY FURTHER FAIR HOUSING**



**CIVIL RIGHTS POLICIES**  
**CURRENT INCOME GUIDELINES**  
**RENT REASONABLENESS**  
**HOUSING RENTAL ASSISTANCE CONTRACT (PHA/LANDLORD)**  
**TENANT/PHA RENTAL ASSISTANCE CONTRACT**  
**CFR 24 982.308 LEASE REQUIREMENTS**  
**CHANGE TO LEASE & CONTRACT**  
**NOTIFICATION OF AVAILABILITY OF VOUCHER**  
**INELIGIBILITY LETTER**  
**TENANT PACKET**  
**APPLICATION FOR HOUSING**  
**SECTION 8 HOME OWNERSHIP ADMINISTRATIVE PLAN**

ADMINISTRATIVE PLAN ADDENDUM  
TO  
AFFIRMATIVELY FURTHER FAIR HOUSING  
IN LAKE COUNTY MONTANA

To affirmatively further awareness of fair housing including the rights of tenants and the responsibilities of landlords, the City of Ronan Housing Authority hereby adopts this addendum to its administrative plan.

The PHA will administer the program in conformity with the Fair Housing Act, Title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act; and

- The PHA will affirmatively further fair housing in the administration of the program using the following resources:

1. The pamphlet, Access and Choice-Promoting Equal Housing Opportunity will be distributed to all housing applicants and existing housing clients that use the services of the HA. This handout describes the protected classes and provides contacts for those suffering discrimination including the Housing Discrimination Hotline: 1-800-669-9777 and the Federal Information Relay Service: 1-800-887-8339.
2. The poster: Fair Housing-Its Your .Right and It's the Law, is posted at all RHA properties and the RHA office.
3. RHA will continue to examine existing and proposed programs for impediments to fair housing by being vigilant and proactive to avoid discrimination or the appearance of discrimination based on membership of a protected class. Examination of programs may include using outside resources such as Montana Fair Housing to assist in reviewing programs.
4. Impediments identified will be addressed in the most reasonable fashion available in view of the resources available.
5. Staff is required to attend fair housing training at least every other year as available and earn and display certificates for such training.
6. Construction of new projects will meet all ADA requirements and go further to build for visitability and convertibility when possible. Construction will include wider doors, ramps rather than steps and door handles rather than knobs.
7. RHA is committed to work with local jurisdictions to help implement any initiatives to further fair housing opportunities especially those that directly or indirectly involve RHA.
8. An affirmative fair housing file system will be initiated to track fair housing issues and progress in the RHA jurisdiction.
9. When contacted about fair housing complaints, RHA staff and counselors will assist in gaining access to supportive services such as Montana Fair Housing.

10. Continue to work with organizations such as Summit Independent Living and Mission Mountain Enterprises to find funding to offset the costs of accessibility features for disabled families.
11. Persons who qualify for HCV cannot be denied access to other PHA programs should they choose not to participate.
12. Consider approving higher rents to landlords that provide accessible units with structural modifications for persons with disabilities
13. Provide technical assistance through referrals to local or state fair housing offices to owners interested in making reasonable accommodations or units accessible to persons with disabilities.

Submitted to the Board of Directors for approval on July 1, 2010

Adopted by email response on July 3, 2010 by four out seven members of the Board of Directors of the City of Ronan Housing Authority.

Jan Niemeyer  
Executive Director