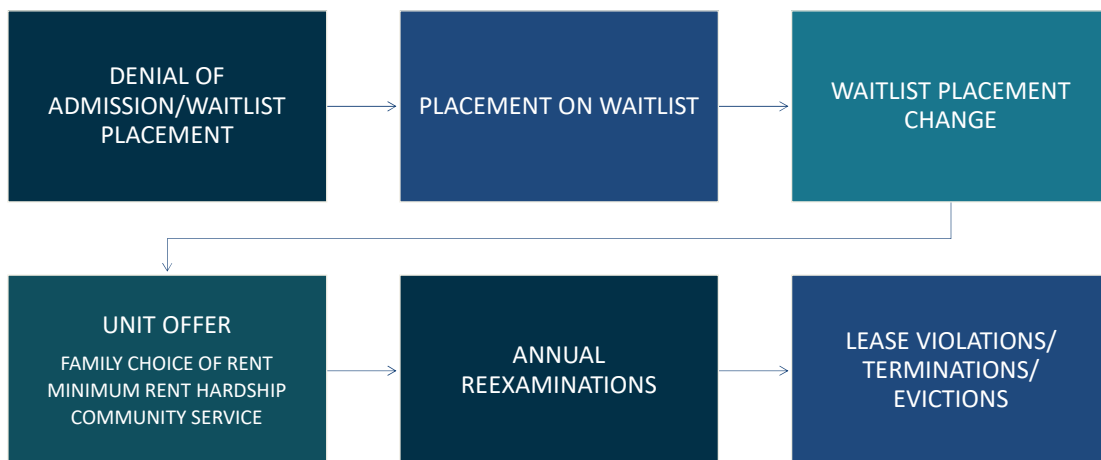


PUBLIC HOUSING NOTIFICATIONS & REQUIRED WORDING

Presented by Derek Antoine

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OVERVIEW



APPLICATION – FORMS

- HUD-9886-A
- HUD-52675
- HUD-92006
- PREFERENCES
- PHA AUTHORIZATION FORMS
- CITIZENSHIP

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DENIAL OF ADMISSION/ WAITLIST PLACEMENT

CRIMINAL BACKGROUND VS OTHER DENIALS

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DENIAL OF ADMISSION/WAITLIST PLACEMENT

→ MUST DENY VS MAY DENY

- ✓ EVICTED FOR DRUG-RELATED CRIMINAL ACTIVITY
- ✓ "CURRENTLY ENGAGED IN" ILLEGAL USE OF A DRUG OR ABUSE OF ALCOHOL
- ✓ CONVICTED OF METHAMPHETAMINE ON PREMISES OF FEDERALLY ASSISTED HOUSING
- ✓ SUBJECT TO LIFETIME SEX OFFENDER REGISTRATION

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DENIAL OF ADMISSION/WAITLIST PLACEMENT

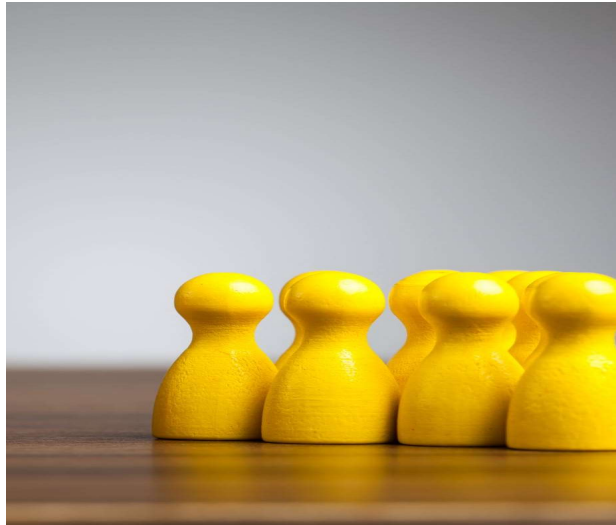
→ CRIMINAL RECORD BASIS

- ✓ 2 STEP PROCESS
- ✓ DISCOVERY

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OTHER DENIALS

- DISCRETIONARY
- ACOP
- SUITABILITY



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DENIAL NOTIFICATION REQUIREMENTS



"PROMPTLY"



**WITHIN
NOTIFICATION**

- ✓ REASON
- ✓ REASONABLE ACCOMMODATION
- ✓ INFORMAL HEARING
- ✓ VAWA

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PLACEMENT ON WAITLIST

APPROXIMATE OCCUPANCY DATE

INFORMATION CHANGE

VAWA INFO (optional)

HOW TO UPDATE

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WAITLIST PLACEMENT CHANGE

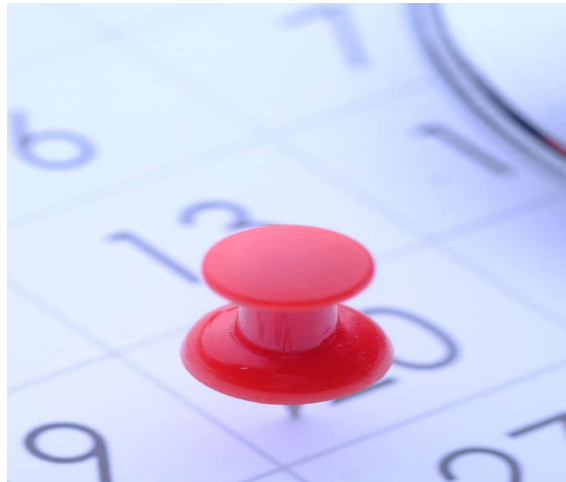
- FAMILY REQUESTED
- ✓ UPDATE
- ✓ PREFERENCE
FACTOR



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WAITLIST PLACEMENT CHANGE

- PHA REQUESTED
- ✓ INTEREST/PURGE
- ✓ PREFERENCE FACTOR
- ✓ TIMEFRAME AND NOTIFICATION



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UNIT OFFER



NOTIFICATION

- ✓ TIMEFRAME
- ✓ MONETARY REQUIREMENTS
- ✓ PRE-OCCUPANCY ORIENTATION



FOLLOW-UP

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LEASE-UP

→ DOCUMENTS

- ✓ LEASE
- ✓ HOUSE RULES
- ✓ PET AGREEMENTS
- ✓ KEY RECEIPT
- ✓ ANY OTHER PHA
SPECIFIC
DOCUMENTS
- ✓ VAWA



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FAMILY CHOICE OF RENT

- INCOME-BASED VS FLAT
- AMOUNT
- PHA FINANCIAL HARDSHIP POLICY

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MINIMUM RENT HARDSHIP

- REQUIRED
- DETERMINATION TIME
- GRIEVANCE

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COMMUNITY SERVICE REQUIREMENTS

- EXEMPT
- PIH NOTICE 2021-14
- NON-EXEMPT

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ANNUAL RE-EXAMINATIONS

- APPOINTMENT LETTER
 - ✓ TIME FRAME
 - ✓ MISSED APPOINTMENT INFO
 - ✓ PACKET
- EIV INCOME REPORT AND IVT REPORT



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ANNUAL REEXAMINATIONS

- APPOINTMENT
 - ✓ SIGNATURE FORMS
 - ✓ VERIFICATIONS
 - ✓ COMPLETION
- STREAMLINED

18

ANNUAL REEXAMINATIONS

→ COMPLETION

- ✓ HUD-50058
- ✓ NOTICE OF RENT ADJUSTMENT
- ✓ MISSED APPOINTMENTS

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LEASE VIOLATIONS/TERMINATIONS

→ APPROPRIATENESS

- ✓ PROGRESSIVE
- ✓ ACOP
- ✓ FORMAL NOTICE

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LEASE VIOLATIONS/TERMINATIONS

→ FAILURE TO PAY RENT

✓ 30 DAYS

✓ ENFORCEMENT

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LEASE VIOLATIONS/TERMINATIONS

→ RESIDENT INITIATED

✓ WRITTEN NOTICE

✓ FORWARDING ADDRESS

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LEASE VIOLATIONS/TERMINATIONS

→ PHA INITIATED

✓ WRITTEN NOTICE

- 30 DAYS
 - MOST CASES
- "REASONABLE PERIOD OF TIME"
 - DRUG, CRIMINAL, HEALTH AND SAFETY

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LEASE VIOLATIONS/TERMINATIONS

→ NOTICE

- ✓ REASON(S)
- ✓ DUE PROCESS
- ✓ GRIEVANCE POLICY
- ✓ VAWA
- ✓ REASONABLE ACCOMMODATION

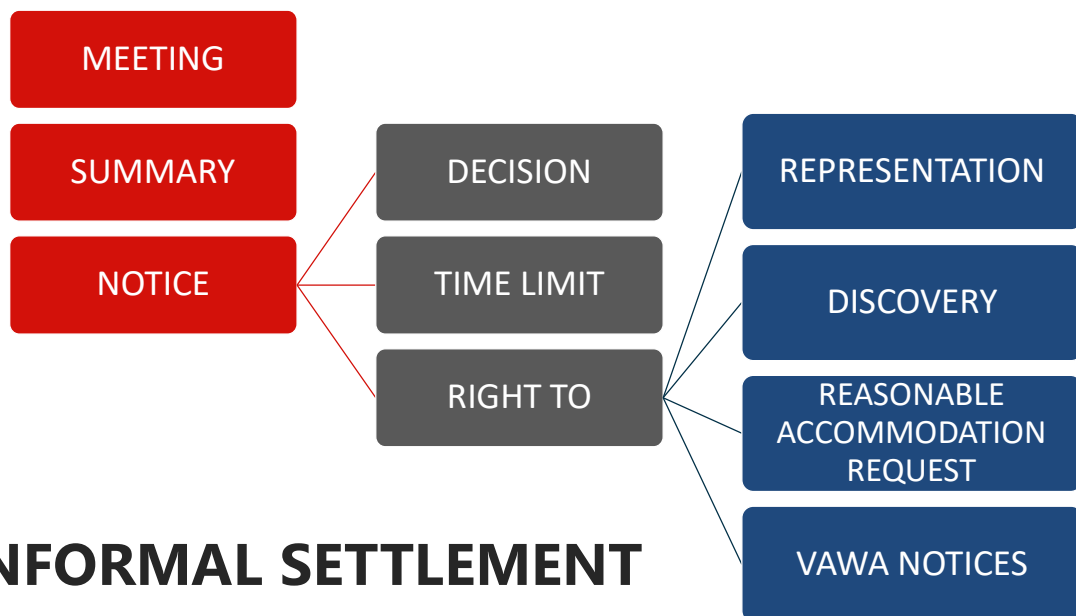
24

LEASE VIOLATIONS/TERMINATIONS

→ GRIEVANCE PROCESS - RESIDENT

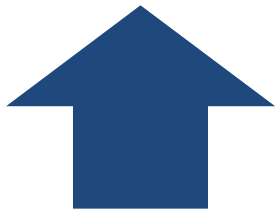
- ✓ INFORMAL SETTLEMENT
- ✓ HEARING
- ✓ COURT
- ✓ EVICTION

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HEARING REQUEST



IN WRITING



IF NO REQUEST

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SCHEDULING HEARING

- HEARING OFFICER
 - ✓ CONVENIENT TIME
- WRITTEN NOTIFICATION
 - ✓ TIME AND PLACE
 - ✓ PROCEDURES

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HEARING – RIGHT TO...

- DOCUMENT REVIEW AND COPIES
- REPRESENTATION
- PRIVATE
- PRESENT EVIDENCE
- CROSS-EXAMINATION
- FACTUAL DECISION

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HEARING

- FAILURE TO APPEAR
 - ✓ TIMEFRAME
 - ✓ DETERMINATION

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HEARING DECISION

→ WRITTEN DECISION

- ✓ COPY TO TENANT AND PHA
- ✓ MAINTAIN LOG
- ✓ BINDING UNLESS
 - DOESN'T CONCERN PHA ACTION OR FAILURE TO ACT
 - CONTRARY TO LAWS AND REGULATIONS
- ✓ COURT

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HEARING DECISION

"A DECISION BY THE HEARING OFFICER OR BOARD OF COMMISSIONERS IN FAVOR OF THE PHA OR WHICH DENIES THE RELIEF REQUESTED BY THE COMPLAINANT IN WHOLE OR IN PART WILL NOT CONSTITUTE A WAIVER OF, NOR AFFECT IN ANY MANNER WHATEVER, ANY RIGHTS THE COMPLAINANT MAY HAVE TO A TRIAL DE NOVO OR JUDICIAL REVIEW IN ANY JUDICIAL PROCEEDINGS, WHICH MAY THEREAFTER BE BROUGHT IN THE MATTER."

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EVICCTIONS

→ PROCESS

- ✓ EVICTION NOTICE(S)
- ✓ FILE WITH COURT
- ✓ COURT HEARING

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IMPORTANT TO KNOW

- CFR
- PIH NOTICES
- OCCUPANCY GUIDEBOOK
- STATE/LOCAL LAWS
- ACOP
- PHA POLICIES AND PROCEDURES
- LEASE

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BEST PRACTICE CONSIDERATIONS

- REASONABLE ACCOMMODATION
- LEP
- VAWA
- WORDING
- ADMINISTRATIVE BURDEN

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