

CHAPTER 2 -RECEIPT OF APPLICATIONS AND DETERMINATION OF ELIGIBILITY

This Chapter describes the basic steps which are to be taken to establish an Application Pool, a Community-Wide Waiting List, and procedures for obtaining and verifying information from applicants for the purpose of:

- (1) determining whether they meet the conditions of eligibility for admission set forth in Chapter 1;
- (2) applying the resident selection criteria and occupancy standards contained in Chapter 3; and
- (3) determining the rent to be charged.

2-1 FAIR HOUSING / NON-DISCRIMINATION

It is the policy of HACK to fully comply with all Federal, State and local nondiscrimination laws; the Americans with Disabilities Act; and the U. S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity. HACK shall affirmatively further fair housing in the administration of its public housing program.

HACK shall not discriminate because of race, color, creed, age, sex, handicap, disability, religion, national origin, or familial status in the leasing, rental, or other disposition of housing or related facilities (including land) included in any development or developments under its jurisdiction covered by an Annual Contributions Contract under the United States Housing Act of 1937, as amended, or in the use or occupancy thereof.

2-1 (A) HACK shall not on account of race, color, creed, age, sex, handicap, disability, religion, national or ethnic origin, nor familial status: deny to any household the opportunity to apply for such housing, nor deny to any eligible applicant the opportunity to lease such housing suitable to its needs;

1. *provide housing which is different* from that provided others, with the exception of providing the opportunity for reasonable accommodations and modifications to policies for tenants and applicants with disabilities;
2. subject a person to segregation or disparate treatment;

3. restrict a person's access to any benefit enjoyed by others in connection with the public housing program;
4. treat a person differently in determining eligibility or other requirements for admission;
5. deny a person access to the same level of services; or
6. deny a person the opportunity to participate in a planning or advisory group which is an integral part of the public housing program.

2-1 (B) To further its commitment to full compliance with applicable Civil rights laws, HACK will provide Federal/State/local information to applicants/tenants of the Public Housing Program regarding discrimination and any recourse available to them if they believe they may be victims of discrimination. Such information will be made available with the application, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made available at the HACK office. In addition, all written information and advertisements will contain the appropriate Equal Opportunity language and logo.

HACK will assist any family that believes they have suffered illegal discrimination by providing copies of the appropriate housing discrimination forms to them. The HACK will also assist them in completing the forms if requested, and will provide them with the address of the nearest HUD office of Fair Housing and Equal Opportunity.

2-2 ESTABLISHING AN APPLICATION POOL

2-2 (A) HACK records, regarding applications for admission to any low-income housing assisted under the United States Housing Act of 1937, as amended, shall indicate for each application the date and time of receipt; the determination of HACK as to eligibility or non-eligibility of the applicant; where eligible, the unit size and adaptability or accessibility for which eligible; the preference rating, if any; and the date, location, identification, and circumstances of each vacancy offered and accepted or rejected.

2-2 (B) To assure compliance with the resident selection criteria and occupancy standards requirements contained in Chapter 3, applications are to be accepted from all persons, apparently eligible, seeking admission to HUD-assisted housing units. This rule applies, regardless of the number of eligible applications on hand, unless the number and type of applications received are such as to indicate future applicants would be unlikely to be offered units within one year.

2-2 (C) The pool of active applications shall be kept current by requesting each applicant to inform the Applications Office at least once every three hundred sixty-five (365) days of continued interest. Notations of dates of contacts and of the applicant's continued interest are to be made a part of the application record.

2-3 *MARKETING*

2-3 (A) HACK will conduct outreach efforts to obtain and maintain a well-balanced application pool. Outreach efforts will take into account the level of vacancy in HACK units, unit availability through turnover, and size of the Waiting List.

2-3 (B) Outreach efforts will be designed to attract applicants from the appropriate segments of the extremely low and very low-income population. HACK may also use a marketing program to achieve a more representative income mix of low-income households among those on the Waiting List and, thereby, attain a broad range of income in its developments, as required by Federal Law (7465.1 REV-2, Para. 5-3 (b) (2(a))).

2-4 *COMMUNITY-WIDE WAITING LIST*

2-4 (A) All applicants determined eligible will be placed on a centralized, County-Wide Waiting List, based on the size and type of unit required, Local Preferences for tenant selection, and the time and date of application filing. Applications will be dated and time stamped in the order received. Applications received on the same day will be randomly selected, opened, and date and time stamped in that order.

2-4 (B) Eligible applicants on the waiting list will be advised to notify the Applications Office, preferably in writing, in person, or via TTY, of any change in household composition, address, phone number, or TTY, income, need for disability accommodations or factors affecting eligibility or priority.

2-5 *PREFERENCES FOR TENANT SELECTION*

2-5 (A) A preference does not guarantee admission. The applicant must still meet HACK's tenant screening criteria before being accepted as a tenant.

2-5 (B) An applicant or any member of the applicant's family who has been previously evicted from housing assisted programs under the U.S. Housing Act because of drug-related criminal activity may not be given any tenant selection preference for three (3) years from the date of that eviction.

HACK may waive this restriction for a particular applicant if it has been determined that the evicted person:

1. has successfully completed a rehabilitation program approved by HACK and certified by the appropriate State agency and/or the Kern County Department of Mental Health;
2. clearly did not participate in or know about drug related criminal activity; or
3. has not participated in any drug-related (personal use/possession) criminal activity in the last year; or
4. the offending family member has been removed and no longer resides on the premises.

2-5 (C) Preferences will be given to applicants who are otherwise eligible and who, at the time information is verified, meet the definitions of the preferences described below.

1. In accordance with the Violence Against Women Reauthorization Act of 2013: Implementation in HUD Housing Programs section 5.2005 (e)(6) victims of domestic violence, dating violence, sexual assault or stalking will be given preference when approved for an emergency transfer. For more information on emergency transfers, please reference the Emergency Transfer Plan in appendix IX.

2-5 (D) PRIMACY OF LOCAL PREFERENCES

1. Applicants who qualify for a Local Preference will receive assistance before applicants who are not so qualified. The Local Preference for assistance shall take precedence, regardless of the Non-Local Preference applicant's qualifications with respect to State or other preferences established in these policies, broad range of income goals, place on the Waiting List, or date of the application.
2. Any move-in mandated by court orders related to desegregation or Fair Housing and Equal Opportunity will take precedence over Local Preferences. (24 CFR 960.211 (b) (3) and pg. 1131, 15 January 1988

2-5 (E) ORDER OF PREFERENCE:

HACK will select families based on the following preferences within each bedroom size category on our local housing needs and priorities.

Local Preferences for admission shall be granted to applicants whose verified circumstances at the time of being offered a unit (prior to execution of a lease) correspond to one of the following listed below in the order of priority, after date and time of application, as one of the following preferences;

1. Involuntarily displaced families (refer to 2-6 (H)),
2. Veteran or Serviceman not eligible for Veterans Affairs Supportive Housing or Veterans Administration funded permanent housing
3. Homeless Families
4. Families who live, work, or have been hired to work in Kern County

Preferences will be combined or aggregated to determine ranking and will be selected on the basis of the priorities as set forth above. Applicants are considered on the basis of any of the Local Preferences they can verify.

2-5 (F) ADMINISTRATION OF LOCAL PREFERENCES

1. HACK requires that applicants certify their qualification for a Local Preference at the time of application.
2. At the time of initial application, HACK will determine whether the applicant qualifies for any of Local Preferences. Only the applicants who certify to having qualifications for a preference will be given that status on the Waiting List.
3. Applicants that do not qualify for a preference at the time of application will be notified in writing in accordance with these policies and be advised to notify HACK of any change that may affect their ability to qualify for a preference. If otherwise eligible, the applicant application will then be placed on the Waiting List in a Non-Local Preference category.
4. Applicants that certify to qualifying for a Local Preference at the time of application but do not qualify for any Local Preference at the time of admission will lose the preference qualification and their standing on the Waiting List.
5. If an applicant has a Local Preference for involuntary displacement at the time of application and obtains standard, permanent replacement housing prior to HACK's verification at the time of admission, the applicant's preference would change accordingly.
6. At the time of the pre-admissions review, applicants that have lost the

original Local Preference may still qualify for one of the other Local Preferences and would not lose their position on the Waiting List.

7. At the time of the pre-admissions review, applicants who cannot qualify for any of the Local Preferences will be moved into a Non-Local Preference category on the Waiting List.

2-5 (G) QUALIFYING FOR A LOCAL PREFERENCE

1. An applicant qualifies for a Local Preference in accordance with the following:
 - a. **Involuntary Displacement:** If the applicant has been involuntarily displaced and is not living in standard, permanent replacement housing or within no more than six (6) months from the date of any verification the applicant will be involuntarily displaced. Examples of Involuntary Displacement include:
 - b. **Natural Disaster(s):** For applicants claiming displacement resulting from a disaster, such as, fire or flood, HACK will require a third-party written verification from a unit or agency of government, certifying that the applicant has been displaced or will be displaced within the next six months, as a result of a disaster.

HACK will ask the verifying agency to state the cause of the disaster, if known, for the purposes of conducting resident screening. [24 CFR 960.211(e)(1)]

- c. **Governmental Action:** For applicants claiming displacement resulting from code enforcement or a public improvement or development program carried on by a governmental body or agency, HACK will require a third-party verification from the appropriate unit or agency of government, certifying that the applicant has been moved or will be moving in the next six (6) months, as a result of code enforcement or a public improvement or development program. [24 CFR 960.211 (e)(2)]
- d. **HUD Disposition:** For applicants claiming displacement because of a HUD disposition of a multifamily project (including rental housing under Section 203 of the Housing and Community Development Amendments of 1978), HACK will require a third-party written verification from the appropriate governmental agency certifying the applicant has moved or will be moving because of the disposition.

- e. **Avoiding Reprisals:** For applicants claiming displacement resulting from the recommendation of a law enforcement agency to avoid or to minimize the risk of violence against family members, HACK will require a third-party verification from the appropriate agency, certifying that the applicant has been moved or will be moving within the next six (6) months, as a result of a threat to the family. HACK will establish safeguards to conceal the identity of families requiring protection against such reprisals.
- f. **Hate Crimes:** For applicants claiming displacement because one or more members of the applicant's family have been victims of one or more hate crimes, and the family has vacated housing, HACK will require a third-party verification from the appropriate governmental agency, certifying that the applicant has moved or will be moving as a result of a hate crime. For such verifications to be valid, the certification must state that:
- The applicant's family has had actual or threatened physical violence or intimidation directed against them or their property based on race, ethnicity, religion, sex, national origin, handicap, or familial status.
 - The hate crime occurred recently or is of a continuing nature. HACK will establish safeguards to conceal the identify of families requiring protection against such crimes
- g. **Residency Preference** will be provided to those families who live, work or have been hired to work in Kern County. Applicants must provide proof of residency, employment in Kern County, or a valid job offer to qualify.
- h. **Veteran or Serviceman** Households not eligible for Veterans Affairs Supportive Housing or Veterans Administration funded permanent housing will be given priority within each category.
- i. **Homeless Families** (this includes individuals and family households) who qualify move ahead of other families on the wait list who do not qualify for any preference. Criteria for applicants to receive this preference include, but are not limited to the following:
- a. Applicants certified to meet the HUD definition of homeless at the time of application; and

- b. Not eligible for HUD Continuum of Care (CoC) or other Housing Authority funded Permanent Supportive Housing programs due to availability or program requirements; and
- c. Applicants will be prioritized based on the use of a CoC approved service prioritization decision assessment tool and matched to the program through the Homeless Collaborative's Coordinated Entry System; and
- d. Receive Case Management from a Kern County Homeless Collaborative member agency who has committed to the following:
 - i. Provide available resources to assist families such as housing search counseling, job search assistance, benefit acquisition, moving expenses, security deposits and utility deposits.
 - ii. Provide on-going case management services for a minimum of 24 months after families re-housed

2-6 SOCIAL SECURITY NUMBER CERTIFICATION REQUIREMENT

According to Federal regulations, all family members 6 years or older must provide a Social Security number or certify that they do not have one.

If a number has been issued, but the card(s) cannot be provided at the application interview, the applicant must obtain a receipt from the Social Security office certifying that an application to obtain a social security number has been filed and must bring in Social Security card to the Application's Department when received. Documentation from other governmental agencies will also be accepted that establishes and states the number.

Misrepresentation, fraud, failure to provide documentation or certification, or incorrect information regarding the Social Security number shall constitute a basis for denial of assistance and removal from the Waiting List.

2-7 RESTRICTION ON ASSISTANCE TO NON-CITIZENS

Pursuant to federal regulations, financial assistance can only be made available to persons who are United States citizens, nationals, or in certain categories of eligible non-citizens.

Applicants, participants, and family members must certify that they are eligible citizens or provide proof of eligible immigration status.

Misrepresentation, fraud, failure to provide documentation or certification, or incorrect information regarding eligible immigration status may constitute a basis for denial of assistance and removal from the Waiting List.

2-8 APPLICATION INTAKE PROCEDURES

The purpose of the application is to determine whether the applicant meets the conditions of eligibility for admission, as well as the appropriate unit size and suitability of the applicant for occupancy. Applications must be in writing and signed by the Head of Household and other adults in the household (18 years or older). The application must contain all information necessary to allow HACK to make a decision concerning the applicant's eligibility.

2-8 (A) MINIMUM CONTENTS OF APPLICATION

The minimum contents of the application will be as follow:

1. Date and time of application.
2. Characteristics of each household member:
 - a. Name
 - b. Sex
 - c. Birth Date
 - d. Reasonable Accommodations needed
 - e. Social Security Number or indication that one has not been issued
3. Relationship of household members.
4. Size of the household.
5. Any information HACK should know to determine if the household qualifies for a preference.
6. Source(s) and estimate(s) of anticipated annual income and assets.
7. Race and ethnicity of Head of the Household.
8. Screening information, such as, prior landlords and credit history.

2-8 (B) BASIC PROCEDURE FOR COMPLETING FORMAL APPLICATION

In general, the following basic procedure must be followed in completing a formal application for occupancy:

1. List date of the application.
2. Request the applicant's name, address, and telephone number.
3. Request the names of all persons in the household who will be living with the applicant.
4. Request the relationship of all household members to the Head of Household.
5. Request the age and sex of all household members.
6. Request Social Security numbers of all household members.
7. Request the occupations of adult household members.
8. Request the amount of income received by all household members from all sources.
9. **Inquire about information concerning other appropriate income exemptions such as:**
 - a. \$480 per minor
 - b. Income of minors
 - c. Miscellaneous income
 - d. Other agency-approved exemptions that are appropriate
11. Ask for the amount currently paid for rent and utilities.
12. Ask about any assets of household members (savings account, land, bonds, stocks mobile homes, boats). Verify their value.
13. Ask if any household member is in the military service or a veteran. If yes, record the appropriate information.
14. Ask if household members have cars. Record appropriate information on the vehicle(s), including license plate numbers.
15. **The following questions will be asked of all applicants:**

- a. whether the applicant qualifies for a medical expense deduction or another allowance which is a part of the housing program(s);
- b. whether any member of the applicant's household is engaged in the current illegal use of a controlled substance;
- c. whether any member of the applicant's household has been convicted of illegal manufacture or distribution of a controlled substance;
- d. whether each member of the applicant's family qualifies for financial assistance as a U.S. citizen, national, or eligible non-citizen status.

2-8 (C) PROCEDURES GOVERNING FORMAL APPLICATION PROCESS

Procedures governing the formal application process are as follows:

1. The formal application constitutes the basic record of each applicant applying for admission. The applicant will, therefore, be required to supply all necessary information and verification called for on the application form, sign the application and, in so doing, attest to the data provided. The application and all other materials relating to the family's eligibility are to be maintained in an active file for each applicant.
2. During the application interview, if it appears that the applicant is definitely ineligible, the applicant is to be so informed, and the application classified as ineligible. In such instances, the applicant is to be notified in writing, and sufficient information is to be documented on the application form to establish ineligibility.
3. All documentation is to be made in ink or typed in. Corrections or changes are to be made by lining through the original entry. Such changes are to be dated and signed by the person recording the change and the reason and authority for such changes noted in the record. In the event the entries are entered into a computer with a print-out, an updated print-out will be made.
4. In analyzing an applicant's eligibility for housing, staff will first review and verify income and family composition. That verification shall be recorded, and the applicant shall be informed of such verification.
5. **Staff then will determine if there is any evidence to indicate that the applicant's current conduct would be detrimental to the well being of the housing complex or its residents. Relevant information**

regarding habits or practices to be considered may include, but will not be limited to:

- a. An applicant's past performance in meeting financial obligations especially rent. The primary reason for looking at an applicant's financial history is to determine if such history could have an effect on the applicant's conduct as a new resident. The existence of evidence of a past debt still owing to HACK by the applicant will be sufficient basis to deny housing.

When determining whether a past debt or past performance in meeting financial obligations is to be considered evidence that the current conduct of the applicant may be detrimental to the development or to its residents, factors to be considered are:

- the amount of the debt;
 - the age of the debt;
 - changes in family composition;
 - whether the applicant has made payments on the debt;
 - whether other debts were paid; and
 - the length of prior tenancy if applicable. In the event that a determination is made that past performance in meeting financial obligations will be a basis for denying eligibility for housing, the applicant, in addition to other rights herein, shall be informed in writing of:
 - the derogatory credit report received by HACK;
 - a statement as to how evidence shows a tendency to prove that the applicant's conduct may be detrimental to HACK, the complex or other residents; and
 - an explanation, in as much detail as is reasonable, of the basis for denial of eligibility as opposed to a checklist.
6. A former HACK resident or Section 8 participant (otherwise eligible) who applies owing a balance consisting of uncollected rent and/or miscellaneous charges will not be considered for housing until that balance is paid in full. In this case, HACK makes no distinction between an outstanding balance carried as a current receivable and an outstanding balance which has been written off as a collection loss.
 7. Otherwise eligible families who apply for housing with an outstanding balance owed to HACK may still be placed on a waiting list. Any balance

owed or satisfactory payment arrangements must be made prior to admission. Failure to pay or make arrangements prior to admission will result in the application being withdrawn from the Waiting List. Applicants who have their applications withdrawn for this reason will be sent a written notification regarding this action.

8. Staff will determine if the applicant has a history of disturbance to neighbors, destruction of property, or living or housekeeping habits at prior or present residences which may adversely affect the health, safety, or welfare of other tenants or neighbors; or a history of criminal activity on the part of any applicant family member involving crimes of physical violence to persons or property or other criminal acts which may affect the health, safety, or welfare of other persons. Other criminal acts may include, but are not limited to:
 - a. conviction(s) for drug-related offenses; or
 - b. organized gambling activities; or
 - c. gang-related criminal activities; or
 - d. violent criminal activities
9. An arrest shall not be treated as proof that the applicant or tenant engaged in disqualifying criminal activity. The arrest may, however, trigger an investigation to determine whether the applicant actually engaged in criminal activity.
10. A criminal background check on all adult household members, including live-in aides. This check will be made through State or local law enforcement or court records in those cases where the household member has lived in the local jurisdiction for the last three (3) years. Where the individual has lived outside the local area, the HACK may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC);
11. A home visits. The home visit provides the opportunity for the family to demonstrate their ability to maintain their home in a safe and sanitary manner. This inspection considers cleanliness and care of rooms, appliances, and appurtenances. The inspection may also consider any evidence of criminal activity; and

12. A check of the State's lifetime sex offender registration program for each adult household member, including live-in aides. No individual registered with this program will be admitted to public housing.

2-8 (D) GROUNDS FOR DENIAL

HACK is not required or obligated to assist applicants who:

1. Do not meet any one or more of the eligibility criteria:
2. Do not supply information or documentation required by the application process;
3. Have failed to respond to a written request for information or a request to declare their continued interest in the program;
4. Have a history of not meeting financial obligations, especially rent;
5. Do not have the ability to maintain (with assistance) their housing in a decent and safe condition where such habits could adversely affect the health, safety, or welfare of other tenants;
6. Have a history of criminal activity by any household member involving crimes of physical violence against persons or property and other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other tenants or staff or cause damage to the property;
7. Have a history of disturbing neighbors or destruction of property;
8. Currently owes rent or other amounts to any housing authority in connection with their public housing or Section 8 programs;
9. Have committed fraud, bribery or any other corruption in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from;
10. Were evicted from assisted housing within three (3) years of the projected date of admission because of drug-related criminal activity involving personal use or possession for personal use;
11. Were evicted from assisted housing within five (5) years of the projected date of admission because of drug-related criminal activity involving the illegal manufacture, sale, distribution, or possession with the intent to

manufacture, sell, distribute a controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802.

12. **Are illegally using a controlled substance or are abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. The HACK may waive this requirement if:**
 - a. The person demonstrates to HACK's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;
 - b. Has successfully completed a supervised drug or alcohol rehabilitation program;
 - c. Has otherwise been rehabilitated successfully; or
 - d. Is participating in a supervised drug or alcohol rehabilitation program.
13. Have engaged in or threatened abusive or violent behavior towards any HACK staff member or residents;
14. Have a household member who has ever been evicted from public housing;
15. Have a family household member who has been terminated under the certificate or voucher program;
16. Denied for Life: If any family member has been convicted of manufacturing or producing methamphetamine (speed).
17. Denied for Life: Has a lifetime registration under a State sex offender registration program.
18. Failure to participate in the Moving to Work (MTW) mandatory Building Hope program for eligible families.

2-9 MITIGATING CIRCUMSTANCES

In the event of the receipt of unfavorable information with respect to an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct and to factors which might indicate a reasonable probability of favorable future conduct or financial prospects; for example:

1. Evidence of rehabilitation; or

2. Evidence that an applicant or family member has successfully completed a substance abuse rehabilitation program certified by an appropriate State agency and/or the Kern County Department of Mental Health; or
3. Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service; or
4. Evidence that the applicant or family member did not participate in or have knowledge of any violent or drug related criminal activity.

2-10 VERIFICATION AND DOCUMENTATION OF APPLICATION DATA

2-10 (A) To assure that the data upon which determinations of eligibility, preference status, rent to be paid, and size of dwelling required are to be based are full, true, and complete, the information submitted by each applicant will be verified.

2-10 (B) COMPLETE AND ACCURATE VERIFICATION OF RECORDS CONSISTING OF, BUT NOT ROUTINELY LIMITED TO THE FOLLOWING:

1. Letters or other statements from employers and other pertinent sources giving authoritative information concerning all amounts of income;
2. Copies of documents in the applicant's possession which substantiate his statements, or a brief summary of the pertinent contents of such documents signed and dated by the staff member who viewed them;
3. Certified statements, or summary data from books of account, of self-employed persons and from persons whose earnings are irregular, such as salesmen, taxi drivers, etc., setting forth gross receipts, itemized expenses and net income;
4. Memoranda of verification data obtained by personal interview, telephone, or other means, with source, date received, and the person receiving the information clearly indicated;
5. **The following information will also be verified and documented in the tenant file:**
 - a. A record of the home visit of the applicant's housing accommodations must be kept in file; and
 - b. Handicap, disability, veteran or service status when they are a factor in determining eligibility or priority.

For persons who claim disability but who are not recipients of benefits under Section 223 of the Social Security Act or Section 102 (b) 5 of the Development Disabilities Services and Facilities Construction Amendment of 1970, proof of residence in an institution, documents showing hospitalization for disability or verification by a health or service professional, such as a social worker, may provide a basis for verification. If adequate verification is not available from other sources, then verification from a physician may be required. The receipt of veteran's benefits for disability, either service-incurred or otherwise, does not automatically establish eligibility by disability;

- c. Full-time student status; and
- d. Non-economic selection criteria when information provides the basis for denial of eligibility based on the past conduct of the applicants or members of his/her family.

2-10 (C) RETENTION OF EVIDENCE

A photocopy of each document (or the original if released by the person submitting the document), and a signed verification consent form, shall be retained by HACK. However, a photocopy need not be made or retained of any document bearing an identifying serial number if a record of such serial number and other necessary identifying information is made and retained in such manner as shall be prescribed by HUD.

2-11 VERIFICATION PROCEDURES

2-11 (A) The verification of information and sources of income will be processed as follows:

- 1. Staff will review the application for admission or for continued occupancy and note the following:**
 - a. Any occupations listed.
 - b. If any household member has been or is in the military service.
 - c. Source, type and amount of all income shown.
- 2. For each source of income mentioned on the application form, the appropriate blank verification form will be obtained for:**

- a. Wages or salary.
 - b. Public assistance benefits payments.
 - c. Military wages.
 - d. Social Security benefits payments.
 - e. Child support payments.
 - f. Income from self-employment.
3. On the appropriate forms, staff will insert the applicant's or resident's name(s) and the date and sign the form(s). Forms will be sent to the appropriate party or parties.
 4. Where circumstances warrant and agency policies permit, applicant/resident will be requested to bring an income check or checks, and staff will record the source and the amount on the appropriate form.
 5. Staff will telephone to inquire about verification forms not received in a reasonable length of time.
 6. Upon receipt of the completed verification forms, staff will compare the amounts stated on each with the amounts listed on the application.
 7. If the amounts cited on the verification forms are not the same as those on the application, the applicant or resident will be notified, or other appropriate actions will be taken to investigate the discrepancy.

2-12 SUMMARY OF VERIFICATION DATA

2-12 (A) COMPLETENESS AND ACCURACY

Verification data will be reviewed and evaluated as received for completeness, accuracy, and conclusiveness. Where the information received is not completely adequate in all respects, follow-ups or new efforts to obtain such information will be made and carried through to conclusion, completing all necessary verification of eligibility. If during the verification process, it becomes evident that, for one or more reasons, an applicant is ineligible, the investigation is to be discontinued and the applicant notified of his ineligibility and the reason(s) therefore.

2-12 (B) CITIZENSHIP

Age, relationship, U.S. citizenship, and Social Security numbers will generally be verified with documentation provided by the family. For citizenship, the family's certification will be accepted. (Or, for citizenship, documentation such as listed below will be required.) Verification of these items will include photocopies of the Social Security cards and other documents presented by the family, the INS SAVE approval code, and forms signed by the family.

2-12 (C) THIRD-PARTY VERIFICATION

Other information will be verified by third party verification. This type of verification includes written documentation with forms sent directly to and received directly by a source, not passed through the hands of the family. This verification may also be direct contact with the source, in person or by telephone. It may also be a report generated by a request from HACK or automatically by another government agency, i.e., the Social Security Administration. Verification forms and reports received will be contained in the applicant/tenant file. Oral third-party documentation will include the same information as if the documentation had been written, i.e., name, date of contact, amount received, etc.

2-12 (D) HAND-CARRIED DOCUMENTATION

When third party verification cannot be obtained, HACK will accept documentation received from the applicant/tenant. Hand-carried documentation will be accepted if HACK has been unable to obtain third party verification in a 4-week period of time. Photocopies of the documents provided by the family will be maintained in the file.

2-12 (E) NOTARIZED VERIFICATION

When neither third-party verification nor hand-carried verification can be obtained, HACK will accept a notarized statement signed by the head, spouse or co-head. Such documents will be maintained in the file.

2-12 (F) VERIFICATION CHART

The chart below outlines the factors that may be verified and gives common examples of the verification that will be sought. To obtain written third-party verification, HACK will send a request form to the source along with a release form signed by the applicant/tenant via first class mail.

ITEM TO BE VERIFIED	3 RD PARTY VERIFICATION	HAND CARRIED VERIFICATION
GENERAL ELIGIBILITY ITEMS		

SOCIAL SECURITY NUMBER	LETTER FROM SOCIAL SECURITY, ELECTRONIC REPORTS	SOCIAL SECURITY CARD
CITIZENSHIP	N/A	SIGNED CERTIFICATION, VOTER'S REGISTRATION CARD, BIRTH CERTIFICATE, ETC.
ELIGIBLE IMMIGRATION STATUS	INS SAVE CONFIRMATION#	INS CARD
DISABILITY	LETTER FROM MEDICAL PROFESSIONAL, SSI, ETC	PROOF OF SSI OR SOCIAL SECURITY DISABILITY PAYMENTS
FULL TIME STUDENT STATUS (IF > 18)	LETTER FROM SCHOOL	FOR HIGH SCHOOL STUDENTS, ANY DOCUMENT EVIDENCING ENROLLMENT
NEED FOR A LIVE-IN AIDE	LETTER FROM DOCTOR OR OTHER PROFESSIONAL KNOWLEDGEABLE OF CONDITION	N/A
CHILD CARE COSTS	LETTER FROM CARE PROVIDER	BILLS AND RECEIPTS
DISABILITY ASSISTANCE EXPENSES	LETTERS FROM SUPPLIERS, CARE GIVERS, ETC.	BILLS AND RECORDS OF PAYMENT

MEDICAL EXPENSES	LETTERS FROM PROVIDERS, PRESCRIPTION RECORD FROM PHARMACY, MEDICAL PROFESSIONAL’S LETTER STATING ASSISTANCE OR A COMPANION ANIMAL IS NEEDED	BILLS, RECEIPTS, RECORDS OF PAYMENT, DATES OF TRIPS, MILEAGE LOG, RECEIPTS FOR FARES AND TOLLS
VALUE OF AND INCOME FROM ASSETS		
THIRD-PARTY VERIFICATION OF FAMILY ASSETS WILL BE REQUIRED WHEN ASSETS EXCEED \$50,000. FAMILY ASSETS UNDER \$50,000 MAY BE VERIFIED USING A SELF-CERTIFICATION PROCESS.		
SAVINGS, CHECKING ACCOUNTS	LETTER FROM INSTITUTION	PASSBOOK, MOST CURRENT STATEMENTS
CDS, BONDS, ETC	LETTER FROM INSTITUTION	TAX RETURN, INFORMATION BROCHURE FROM INSTITUTION, THE CD, THE BOND
STOCKS	LETTER FROM BROKER OR HOLDING COMPANY	STOCK OR MOST CURRENT STATEMENT, PRICE IN NEWSPAPER
VERIFICATION REQUIREMENTS FOR INDIVIDUAL ITEMS		
REAL PROPERTY	LETTER FROM TAX OFFICE, ASSESSMENT, ETC.	PROPERTY TAX STATEMENT (FOR CURRENT VALUE), ASSESSMENT, RECORDS OR INCOME AND EXPENSES, TAX RETURN
PERSONAL PROPERTY	ASSESSMENT, BLUEBOOK, ETC	RECEIPT FOR PURCHASE, OTHER EVIDENCE OF WORTH
CASH VALUE OF LIFE INSURANCE POLICIES	LETTER FROM INSURANCE COMPANY	CURRENT STATEMENT

<p>ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE</p>	<p>N/A</p>	<p>ORIGINAL RECEIPT AND RECEIPT AT DISPOSITION, OTHER EVIDENCE OF WORTH</p>
<p>INCOME</p>		
<p>Level</p>	<p>Verification Technique</p>	<p>Ranking</p>
<p>1</p>	<p>Income determinations of pre-deduction income made by TANF, Medicaid, SNAP, EITC, LIHTC, or WIC within the last 12 months</p>	<p>Highest (Mandatory)</p>
<p>2</p>	<p>Upfront Income Verification using HUD’s EIV & IVT</p>	<p>Highest (Mandatory)</p>
<p>3</p>	<p>Upfront Income Verification using non-HUD system</p>	<p>Highest (Mandatory)</p> <ul style="list-style-type: none"> • Supplements EIV and IVT • Also used for: <ul style="list-style-type: none"> ○ Non-EIV/IVT reported income sources <p>Disputes of EIV/IVT reported information</p>
<p>4</p>	<p>Written Third Party Verification Or Written Third Party Verification Form Or Oral Third-Party Verification</p>	<p>High (Optional)</p> <ul style="list-style-type: none"> • Used for: <ul style="list-style-type: none"> ○ Non-EIV/IVT or non-HUD system reported income sources <p>Disputes of EIV/IVT or non-HUD system information</p>
<p>5</p>	<p>Self-Certification</p>	<p>High (Optional)</p> <ul style="list-style-type: none"> • To supplement EIV/IVT when EIV/IVT reported sources do not contain verification of the full retrospective period where applicable; or

		<ul style="list-style-type: none"> • When tenant cannot produce written third-party verification documents.
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2-12 (G) SOCIAL SECURITY NUMBER VERIFICATION

Prior to admission, each family member who has a Social Security number and who is at least 6 years of age must provide verification of their Social Security number. New family members at least 6 years of age must provide this verification prior to being added to the lease. Children in assisted households must provide this verification at the first regular reexamination after turning six. If a child is under the age of 6 was added to the applicant household within the 6- month period prior to the household's date of admission, the applicant may become a participant, as long as verification of his or her Social Security Number is received within 90 calendar days from the date of admission into the program.

2-12 (H) SOCIAL SECURITY AGENCY WRITTEN VERIFICATION

The best verification of the Social Security number is the original Social Security card. If the card is not available, HACK will accept letters from the Social Security Agency that establishes and states the number. Documentation from other governmental agencies will also be accepted that establishes and states the number. Driver's licenses, military IDs, passports, or other official documents that establish and state the number are also acceptable.

2-12 (I) STATEMENT OF NO SOCIAL SECURITY NUMBER

If an individual state that they do not have a Social Security number, they will be required to sign a statement to this effect. HACK will not require any individual who does not have a Social Security number to obtain a Social Security number.

2-12 (J) APPLICANT FAMILY

If a member of an applicant family indicates they have a Social Security number, but cannot readily verify it, the family cannot be housed until verification is provided.

2-12 (K) TENANT FAMILY

If a member of a tenant family indicates they have a Social Security number, but cannot readily verify it, they shall be asked to certify to this fact and shall have up to sixty (60) days to provide the verification. If the individual is at least 62 years of

age, they will be given one hundred and twenty (120) days to provide the verification. If the individual fails to provide the verification within the time allowed, the family will be evicted. If the individual fails to provide the verification within the time allotted, the family will be evicted unless the individual is a child under 6 and was added to the applicant household within the 6-month period prior to the household's date of admission, HACK will grant a single 90 day extension if it is determined that the applicant's failure to comply was due to circumstances that could not reasonably have been foreseen and were outside the control of the applicant.

2-12 (L) FILE CONTENTS

As verifications of all necessary items for each application are completed, a file containing the verified information will be prepared. The file will consist of the following determinations and the basis for such:

1. Eligibility of the applicant as a family;
2. Eligibility of the applicant with respect to income limits for admission;
3. Eligibility of the household with respect to housing need;
4. Eligibility of the household with respect to conduct, and financial obligations;
5. Size of the unit to which the household should be assigned;
6. Rent which the household is to pay;
7. Preference status, if any, of the household; and
8. Any reasonable accommodation to be made based on the disability of household members in the size or type of unit required by the household.

2-12 (M) 60-DAY LIMIT

Verification information must be dated within sixty (60) days of certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding changes.

2-12 (N) INTERIM REEXAMINATION VERIFICATION

When an interim reexamination is conducted, the Housing Authority will verify and update all information related to family circumstances and level of assistance. (Or, the Housing Authority will only verify and update those elements

reported to have changed.)

2-12 (O) CITIZENSHIP ELIGIBILITY VERIFICATION

For each family member, citizenship/eligible non-citizen status will be verified only once. This verification will be obtained prior to admission. If the status of any family member was not determined prior to admission, verification of their status will be obtained at the next regular reexamination. Prior to a new member joining the family, their citizenship/eligible non-citizen status will be verified.

2-12 (P) FREQUENCY OF SOCIAL SECURITY NUMBER VERIFICATION

For each family member age 6 and above, verification of Social Security number will be obtained only once. This verification will be accomplished prior to admission. When a family member who did not have a Social Security number at admission receives a Social Security number, that number will be verified at the next regular reexamination. Likewise, when a child turns six, their verification will be obtained at the next regular reexamination.

2-13 ELIGIBLE AND INELIGIBLE APPLICATIONS

2-13 (A) PLACEMENT ON WAIT LIST

Eligible applicants will be placed on the Waiting List.

2-13 (B) UNIT AVAILABILITY

The availability of a suitable unit to offer a family is contingent upon factors not directly controlled by HACK, such as; turnover rates and market demands as they effect the bedroom sizes and project location.

2-13 (C) CITIZENSHIP

The citizenship/eligible non-citizen status of each family member regardless of age must be determined.

Prior to being admitted, or at the first reexamination, all citizens and nationals will be required to sign a declaration under penalty of perjury. They will be required to show proof of their status by such means as a Social Security card, birth certificate, military ID, or DD 214 Form.

Prior to being admitted or at the first reexamination, all eligible non-citizens who are 62 years of age or older will be required to sign a declaration under penalty of perjury. They will also be required to show proof of age.

Prior to being admitted or at the first reexamination, all eligible non-citizens must sign a declaration of their status and a verification consent form and provide their original INS documentation. HACK will make a copy of the individual's INS documentation and place the copy in the file. HACK will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, HACK will mail information to the INS in order that a manual check can be made of INS records.

2-13 (D) DELAY OF ASSISTANCE

Assistance to an applicant shall not be delayed or denied; and assistance to a tenant shall not be delayed, denied, or terminated, except to the extent that delay is caused by the family, during the process of determining immigration status of the family member if:

1. The primary and secondary verification of any immigration documents that were timely submitted has not been completed;
2. The family member for whom required evidence has not been submitted has moved from the tenant's dwelling unit;
3. The family member who is determined not to be in eligible immigration status following INS verification has moved from the tenant's dwelling unit;
4. The INS appeals process (see Appendix IV) has not been concluded;
5. The HACK informal hearing process (see Appendix IV) pursuant to HACK policy, has not been concluded;
6. Assistance is prorated in accordance with Chapter 5;
7. Assistance for a mixed family is continued in accordance with Chapter 5; or
8. Deferral of termination of assistance is granted in accordance with Chapter 5.

2-13 (E) DELAY OF ASSISTANCE - IMMIGRATION STATUS

Assistance to an applicant may be delayed on the basis of ineligible immigration status after the conclusion of the INS appeal process but not denied until the conclusion of the informal hearing process, if an informal hearing is requested by the family.

Family members who do not claim to be citizens, nationals, or eligible non-citizens must be listed on a statement of non-eligible members and the list must

be signed by the head of household.

Non-citizen students on student visas, though in the country legally, are not eligible to be admitted to public housing. Any family member who does not choose to declare their status must be listed on the statement of non-eligible members.

If no family member is determined to be eligible under this section, the family's eligibility will be denied.

The family's assistance will not be denied, delayed, reduced, or terminated because of a delay in the process of determining eligible status under this section, except to the extent that the delay is caused by the family.

If the HACK determines that a family member has knowingly permitted an ineligible non-citizen (other than any ineligible non-citizens listed on the lease) to permanently reside in their public housing unit, the family will be evicted. Such family will not be eligible to be readmitted to public housing for a period of 24 months from the date of eviction or termination.

2-13 (F) INELIGIBLE/UNSUITABLE NOTIFICATION

Applicants determined to be ineligible or unsuitable for admission will be promptly notified. These applicants will receive a Notice of Ineligibility from HACK, stating the basis for such determination. HACK shall provide such applicant with an opportunity for an informal review of the determination. The applicant must contact HACK in writing within ten (10) working days of receipt of such determination. Upon receipt of the applicant's written request, HACK shall schedule an informal hearing. The hearing shall be scheduled within the 30-day period following the determination of ineligibility/unsuitability.

2-13 (G) CRIMINAL HISTORY DENIAL

Applicants who fail to disclose all past criminal history or who are currently abusers of any illegal substance or alcohol except as provided in CFR 24 Section 982.553 may be denied housing assistance. Those deemed ineligible because of failure to disclose criminal history will not be eligible to re-apply for housing assistance for 12 months from the date of denial of assistance during open application period.

Before HACK denies admission to an applicant on the basis of criminal record, HACK will notify the applicant of the proposed decision and provide the applicant and the subject of the record with a copy of the criminal record and an opportunity to dispute the accuracy and relevance of the record. HACK will also

notify the applicant that they have the right to an informal review of the decision after their application is denied.

2-13 (H) NOTICE OF INELIGIBILITY REQUIREMENT

The Notice of Ineligibility must include the above information plus a description of the informal hearing process. During the hearing, the applicant family will be afforded an opportunity to present evidence with respect to:

1. Information that affects eligibility issues
2. Information pertaining to programs certified by an appropriate state agency and/or the Kern County Department of Mental Health regarding the rehabilitation of the applicant.

2-13 (I) NOTICE OF INELIGIBILITY/DENIAL - IMMIGRATION STATUS

The Notice of Ineligibility/Denial of Assistance to an applicant or tenant on the basis of ineligible immigration status shall advise the family:

1. That financial assistance will be denied and provide a brief explanation of the reasons for the proposed denial or termination of assistance;
2. That the family may be eligible for proration of assistance;
3. That the family has a right to request an appeal to the INS of the results of secondary verification of immigration status and to submit additional documentation or a written explanation in support of the appeal in accordance with the procedures.
4. That the family has a right to request an informal hearing with HACK either upon completion of the INS appeal or in lieu of the INS appeal.
5. That assistance may not be delayed until the conclusion of the INS appeal process but may be delayed during the pendency of the informal hearing process with the Housing Authority.

2-13 (J) INFORMAL HEARING PROCESS

The informal hearing will conform to the following due process requirements:

1. If the decision to deny admission is based on allegations by a third party, HACK will attempt to have the third-party present.
2. HACK employee who made the decision must be present to provide

- available facts, and for questioning.
3. The hearing must be conducted by an employee of HACK who did not participate in the decision and who is not directly involved in the day-to-day administration of the program.
 4. The decision must be based solely on evidence presented at the hearing. The applicant has a right to inspect the file.

2-13 (K) GRIEVANCE PROCEDURE

NOTE: The grievance procedures for public housing tenants do not apply to HACK determinations affecting applicants. Also HACK does not need to provide an informal review for the following types of determinations:

1. To review discretionary administrative determinations by HACK, or to consider general policy issues on class grievances.
2. To review HACK's determination of the number of bedrooms necessary for the family.

2-13 (L) ELIGIBILITY INFORMATION RETENTION

HACK will retain information pertaining to applicant eligibility/ineligibility for a period of three years or until audited by HUD.

2-13 (M) DOCUMENT RETENTION

HACK shall retain the following documents that may have been submitted to the Housing Authority by a family or provided to the Housing Authority as part of the INS appeal or informal hearing process pertaining to applicant eligibility/ineligibility on the basis of eligible immigration status for a minimum period of five (5) years:

1. The application for financial housing assistance;
2. The form completed by the family for income reexaminations;
3. Photocopies of any original documents (front and back), including original INS documents;
4. The signed verification consent form;
5. The INS verification results (both primary and, if applicable, secondary);
6. The request for an INS appeal;

7. The final INS determination;
8. The request for an Housing Authority informal hearing; and
9. The final Housing Authority hearing decision.

2-14 RECHECKING VERIFICATION PRIOR TO ADMISSION

If there is a delay of any consequence between the determination of a family's eligibility and time of admission to a housing unit, the family will be questioned before admission in regard to any change in status. If changes are reported, each will be verified to determine the effect on eligibility, preference rating, rent, and unit size required.

2-15 CERTIFICATION

As a part of the application record of each family determined to be eligible for admission, a designated staff member will complete and sign the certification of eligibility.

2-16 ORGANIZATION OF THE WAITING LIST

Each applicant shall be assigned his/her appropriate place on a County-Wide Waiting List in sequence based upon the date and time the application was received, suitable type and/or size of unit required, and factors affecting preference or priority established by HACK's policy (Chapter 2), which is not inconsistent with the objectives of Title VI of the Civil Rights Act of 1964 and HUD regulations and requirements pursuant thereto.

2-17 RECORDS RETENTION

Records must be kept of final action taken on all applicants, including those who are inactive. Those records must be kept for a three year.