

**Housing Choice Voucher (HCV) Administrative Plan Changes
2009 - Present**

Effective Date	Old Policy	New Policy	Location in Plan	Annual or One-Time Change
2009 Changes				
4/16/2009	none	<p>Emancipated Minor. An individual who is a minor and is legally free from parental control and supervision meets this definition. A minor who is not "emancipated" may not be a responsible party to the Lease Agreement. If it is unclear whether a minor has been legally declared "emancipated" request a copy of the Emancipation Order or military papers. Emancipation occurs by operation of the law or court order.</p> <p>- Operation of the Law occurs when (1) a person reaches 18 years of age, or (2) during the period when a minor is on active duty with the armed forces of the United States.</p> <p>- Court Order pursuant to a petition filed by a minor with the probate court. The court may issue an "Emancipation Order" if it determines that emancipation is in the best interest of the minor. A copy of the Emancipation Order is required to confirm that the minor is emancipated.</p> <p>*NOTE: Marriage does not automatically emancipate a minor.</p>	GL-6	One-Time
4/16/2009	The head of household must have the legal capacity to enter into a lease under state and local law. A minor who is emancipated under state law may be designated as head of household.	The head of household must have the legal capacity to enter into a lease under state and local law. A minor (17 years old and under) who is emancipated under state law (Emancipation Order or Military papers is required) may be designated as head of household.	3-1.D (pg. 3-4)	One-Time
4/16/2009	If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past five years, the family will be denied assistance.	If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past three years, the family will be denied assistance.	3-III.C (pg. 3-20)	One-Time
4/16/2009	Any conviction for drug-related or violent criminal activity within the past 5 years	Any conviction for drug-related or violent criminal activity within the past 3 years	3-III.C (pg. 3-20)	One-Time
4/16/2009	Any arrests for drug-related or violent criminal activity within the past 5 years.	Any arrests for drug-related or violent criminal activity within the past 3 years.	3-III.C (pg. 3-20)	One-Time
4/16/2009	Any record of eviction from public or privately-owned housing as a result of criminal activity within the past 5 years.	Any record of eviction from public or privately-owned housing as a result of criminal activity within the past 3 years.	3-III.C (pg. 3-20)	One-Time
4/16/2009	Any family member has been evicted from federally-assisted housing in the last 5 years.	Any family member has been evicted from federally-assisted housing in the last 12 months .	3-III.C (pg. 3-21)	One-Time
4/16/2009	Any PHA has ever terminated assistance under the program for any member of the family due to violation of any family obligation in the last 5 years.	Any PHA has ever terminated assistance under the program for any member of the family due to violation of any family obligation in the last 12 months .	3-III.C (pg. 3-21)	One-Time

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4/16/2009	If the PHA can determine from the information provided that a family is ineligible, the family will not be placed on the waiting list. Where a family is determined to be ineligible, the PHA will send written notification of the ineligibility determination within 10 business days of receiving a complete application. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review and explain the process for doing so (see Chapter 16).	All applications will be accepted, except where the applicant is a minor. PHA may deny an application if applicant owes any PHA money. Eligibility will be determined once the family has reached the top of the waiting list. Where a family is determined to be ineligible, the PHA will send written notification of the ineligibility determination within 10 business days of receiving a complete application. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review and explain the process for doing so (see Chapter 16).	4-I.D (pg 4-5)	One-Time
4/16/2009	The PHA's waiting list will be purged every twelve (12) months to ensure the waiting list is current and accurate. The mailing will request current information and confirmation of continued assistance.	The PHA's waiting list will be purged every twelve months (we reserve the right to purge more frequently) to ensure the waiting list is current and accurate. The mailing will request current information and confirmation of continued assistance.	4-II.F (pg. 4-10)	One-Time
4/16/2009	The head of household and the spouse/co head will be strongly encouraged to attend the interview together. However, either the head of household or the spouse/co head may attend the interview on behalf of the family. Verification of information pertaining to adult members of the household not present at the interview will not begin until signed release forms are returned to the PHA.	The head of household and any adult household member 18 years of age and older must attend the interview together.	4-III.E (pg 4-14)	One-Time
4/16/2009	The initial term of a voucher must be at least 60 calendar days. The initial term must be stated on the voucher [24 CFR 982.303(a)].	The initial term of a voucher must be at least 60 calendar days. The initial term must be stated on the voucher [24 CFR 982.303(a)]. For voucher issuance associated with adding/deleting family members, refer to Chapter 11.	5-II.E (pg. 5-11)	One-Time
4/16/2009	Prescription medicines and insulin, but <u>not</u> nonprescription medicines even if recommended by a doctor	Prescription medicines and insulin. Exception to the IRS rule, the PHA will accept nonprescription medicines recommended by doctor for preventive care. Verification must be obtained through recommending physician.	6-II.D (pg 6-27)	One-Time
4/16/2009	The PHA does not conduct damage claim inspections or an inspection without a Request for Lease Approval.	The PHA does not conduct damage claim inspections or an initial inspection without a Request for Tenancy Approval.	8-II.A (pg. 8-8)	One-Time
4/16/2009	The PHA will make all HAP abatements effective as of the last day following the expiration of the PHA specified correction period (including any extension).	The PHA will make all HAP abatements effective as of the first day following the expiration of the PHA specified correction period (including any extension).	8-II. G (pg. 8-13)	One-Time
4/16/2009	All requests for rent adjustments by the owner must be made at least 60 days prior to the expiration of the HAP contract between the PHA and the owner of the unit. All rents adjustments will be effective on the first day of the new HAP contract between the PHA and the owner not the unit.	All requests for rent adjustments by the owner must be made at least 90 - 60 days prior to the expiration of the HAP contract between the PHA and the owner of the unit. All rents adjustments will be effective on the first day of the new HAP contract between the PHA and the owner not the unit.	8-III.B (pg. 8-15)	One-Time
4/16/2009	Completed RTA (including the proposed dwelling lease) must be submitted as hard copies, in-person.	The original completed RTA (including the proposed dwelling lease) must be submitted as hard copies, in-person.	9-1.B (pg 9-2)	One-Time

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4/16/2009	All requests for rent adjustments by the owner must be made at least 60 days prior to the expiration of the HAP contract between the PHA and the owner of the unit. Where the owner is requesting a rent increase, the PHA will determine whether the requested	All requests for rent adjustments by the owner must be made at least 90 - 60 days prior to the expiration of the HAP contract between the PHA and the owner of the unit. Where the owner is requesting a rent increase, the PHA will determine whether the requested	9-I.H (pg. 9-10)	One-Time
4/16/2009	The PHA will begin the annual reexamination process 120 days in advance of its scheduled effective date. Generally, the PHA will schedule annual reexamination effective dates to coincide with the family's anniversary date.	The PHA will begin the annual reexamination process 90 - 120 days in advance of its scheduled effective date. Generally, the PHA will schedule annual reexamination effective dates to coincide with the family's anniversary date.	11-I.B (pg. 11-2)	One-Time
4/16/2009	Any family member has been evicted from federally-assisted housing in the last five years.	Any family member has been evicted from federally-assisted housing in the last 12 months.	12.I.E (pg. 12-5)	One-Time
4/16/2009	Any PHA has ever terminated assistance under the program for any member of the family.	Any PHA has ever terminated assistance under the program for any member of the family within the last 12 months..	12.I.E (pg. 12-5)	One-Time
4/16/2009	When termination is initiated by the PHA, the notice to terminate will be sent to the family and the owner at least 30 calendar days prior to the effective date of the termination. However, if a family vacates the unit without informing the PHA, 30 days notice will not be given. In these cases, the notice to terminate will be sent at the time the PHA learns the family has vacated the unit.	When termination is initiated by the PHA, the notice to terminate will be sent to the family and the owner at least 30 calendar days prior to the effective date of the termination. However, if a family vacates the unit without informing the PHA, 30 days notice will not be given. In these cases, the notice to terminate will be sent at the time the PHA learns the family has vacated the unit. In the case where the Head of Household has passed away, the contract will terminate the last day of the month in which the tenant passed, given there are no eligible remaining family members still residing in the unit.	12-II.F (pg. 12-12)	One-Time
4/16/2009	Owners that wish to indicate their willingness to lease a unit to an eligible HCV family or to help the HCV family find a unit must notify the PHA by completing an "Available Housing Units" form provided by the PHA and filing the document with the PHA. The PHA will maintain a listing of such owners and provide this listing to the HCV family as part of the informational briefing packet. In the event that an owner wishes to remove the unit from the PHA's available units listing, it is the owner's responsibility to have the unit removed from the PHA's available units listing.	Owners that wish to indicate their willingness to lease a unit to an eligible HCV family or to help the HCV family find a unit must notify the PHA by completing an "Available Housing Units" form provided by the PHA and filing the document with the PHA. The PHA will post this listing for all HCV families in search of available units. In the event that an owner wishes to remove the unit from the PHA's available units listing, it is the owner's responsibility to have the unit removed from the PHA's available units listing.	13-I.B (pg. 13-3)	One-Time
4/16/2009	The PHA has adopted a policy that defines when the housing assistance payment by the PHA is deemed received by the owner. The HAP is deemed to be received by the owner on the date the payment is mailed by the PHA to the owner.	The PHA has adopted a policy that defines when the housing assistance payment by the PHA is deemed received by the owner. The HAP is deemed to be received by the owner on the date the payment is mailed by the PHA to the owner. For direct deposits, the HAP is deemed to be received on the date the payment is released from the bank.	13-II.B (pg. 13-10)	One-Time

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4/16/2009	The monthly HAP payments made by the PHA to the owners under the HCV Program shall be distributed to the owners via first class mail to the owner's last address as listed in the PHA's records. The alternative of giving the owners the opportunity to receive HAP payments by direct deposit is currently being researched by the PHA.	The monthly HAP payments made by the PHA to the owners under the HCV Program shall be distributed to the owners via first class mail to the owner's last address as listed in the PHA's records. Direct Deposit is also available if the owner chooses this method of receiving payment. A Direct Deposit form and a voided check or deposit slip must be provided.	13-II.C (pg. 13-12)	One-Time
4/16/2009	All HAP payments made by the PHA to owners are deemed to be received by the owner on the date that the payment is mailed by the PHA to the owner.	All HAP payments made by the PHA to owners are deemed to be received by the owner on the date that the payment is mailed or released for payment by the PHA to the owner.	13-II.C (pg. 13-13)	One-Time
4/16/2009	The PHA does not allow owners to pay indebtedness owing to the PHA in installments.	Replace with: At the PHA discretion, owners indebtedness to the PHA, may be repaid in installments.	14-II.C (pg. 14-7)	One-Time
4/16/2009	Violation of contract obligations	Insert "Termination" in the column	14-II.C (pg.14-8)	One-Time
4/16/2009	None	Add Section: PART X: AFFIRMATIVELY FURTHERING FAIR HOUSING FOR FAMILY SELF-SUFFICIENCY (FSS)	Chapter 16 - Program Administration	One-Time

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2010 Changes				
3/18/2010	A request for an informal hearing must be made in writing and delivered to the PHA either in person or by first class mail, by the close of business day, no later than 10 business days from the date of the PHA's decision or notice to terminate assistance. The PHA must schedule and send written notice of the informal hearing to the family within 10 business days of the family's request. The family may request to reschedule a hearing for good cause, or if it is needed as a reasonable accommodation for a person with disabilities. Good cause is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family. Requests to reschedule a hearing must be made orally or in writing prior to the hearing date. At its discretion, the PHA may request documentation of the "good cause" prior to rescheduling the hearing. If the family does not appear at the scheduled time, and was unable to reschedule the hearing in advance due to the nature of the conflict, the family must contact the PHA within 24-hours of the scheduled hearing date, excluding weekends and holidays.	The family has the opportunity to request an informal hearing in the event of a change or termination of their housing assistance. The request must be submitted by the Head of Household or legal representative, in writing, within 10 days from the date of the eviction/termination notice or other adverse action. If the family does not request a hearing in accordance with the policy, then AHA's disposition of the decision or termination will become final. The hearing will be conducted by the AHA's Compliance Coordinator. In the event that the Compliance Coordinator is unavailable to conduct the informal hearing, the Program Manager from a different department or a designated AHA official will act as the Hearing Officer. The hearing will be scheduled and conducted within 30 days of receiving the request for hearing. During the hearing, AHA and the family may have all witnesses in the matter present. The family will be afforded a hearing provided the basic safeguards of due process, which shall include:	Chapter 16 - Program Administration	One-Time
3/18/2010	The PHA will reschedule the hearing only if the family can show good cause for the failure to appear, or if it is needed as a reasonable accommodation for a person with disabilities. Informal Hearing Officer [24 CFR 982.555(e)(4)]: Informal hearings will be conducted by a person or persons approved by the PHA, other than the person who made or approved the decision or a subordinate of the person who made or approved the decision. Attendance at the Informal Hearing PHA Policy: Hearings may be attended by a hearing officer and the following applicable persons: A PHA representative(s) and any witnesses for the PHA, the participant and any witnesses for the participant, the participant's counsel or other representative, any other person approved by the PHA as a reasonable accommodation for a person with a disability.	a) The opportunity to examine before the hearing, and at the expense of the family, to copy all documents, records and regulations of AHA which are relevant to the hearing. Any document not made available after the request of the family will not be relied on by AHA at the hearing. b) The right to be represented by counsel or other person selected as a representative at the family's own expense. c) A decision based solely and exclusively upon the facts d) AHA must be given the opportunity to examine at AHA offices, before the hearing, any family documents that are directly relevant to the hearing. AHA must be allowed to copy any such document at AHA's expense. If the family does not make the document available for examination on request of AHA, the family may not rely on the document at the hearing.	Chapter 16 - Program Administration	One-Time
3/18/2010	Hearing Officer's Decision [24 CFR 982.555(e)(6)]: The person who conducts the hearing must issue a written decision, stating briefly, the reasons for the decision. Factual determinations relating to the individual circumstances of the family must be based on a preponderance of evidence presented at the hearing. A copy of the hearing must be furnished promptly to the family.	After the hearing is completed, the Hearing Officer will carefully review the information provided and render a decision within 15 days. A final written decision will be mailed to the family and copy placed in the client file. The decision will be mailed to the family at the address the family has on file with AHA. If the family or AHA fails to appear at the scheduled hearing, the Hearing Officer may make a determination that the party has waived his right to a hearing. Both AHA and the family shall be notified of the determination by the Hearing Officer.	Chapter 16 - Program Administration	One-Time

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		<p>The Hearing Officer shall require AHA, the family, counsel and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the Hearing Officer to obtain order may result in exclusion from the proceedings or in a decision adverse to the interest of the disorderly party and granting or denial of the relief sought, as appropriate.</p> <p>AHA is not bound by a hearing decision concerning: 1) A matter of which AHA is not required to provide for an informal hearing. 2) A matter in excess of the authority of the person conducting the hearing. 3) A determination which is or may subsequently be ruled contrary to program regulations, handbook requirements of state, federal or local law.</p> <p>If AHA should determine it is not bound by such a hearing decision, it will promptly notify the family of the decision in writing and of the reasons for the determination.</p>		
3/18/2010	Applicants are also required to update their application information, by coming into the office and completing an application update form at least every six (6) months, to determine their continued interest in the program. Applicants must respond to requests from the PHA to update information on their application.	Applicants are no longer required to check status of applications every six (6) months.	4-II.F (pg.4-10)	One-Time

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2011 Changes				
7/1/2011	The PHA has adopted a policy that defines when the housing assistance payment by the PHA is deemed received by the owner. The HAP is deemed to be received by the owner on the date the payment is mailed by the PHA to the owner	The PHA has adopted a policy that defines when the housing assistance payment by the PHA is deemed received by the owner. The HAP is deemed to be received by the owner on the date the payment is transmitted by the PHA to the PHA's bank for direct deposit to the owner's deposit account.	13-II.B (pg. 13-10)	One-Time
7/1/2011	<p>The monthly HAP payments made by the PHA to the owners under the HCV Program shall be distributed to the owners via first class mail to the owner's last address as listed in the PHA's records. The alternative of giving the owners the opportunity to receive HAP payments by direct deposit is currently being researched by the PHA. For reasons of efficiency and security the PHA will not allow owners to pick up their monthly HAP payments at the PHA's office.</p> <p>In the event that an owner reports that a check due by the PHA to the owner has not been received by its due date or has been lost or stolen, the PHA shall determine whether or not its records indicate that the check was mailed. If mailed, the PHA shall issue a stop payment order on the check in question and issue and mail a replacement check to the owner. The PHA shall have ten (10) business days to issue and mail a replacement check in order to process the replacement check and confirm that the original check is not received by the owner on a later date. If the PHA determines that the check was not mailed, the PHA shall stop payment on the original check and immediately issue a replacement check and either (at the owner's discretion) mail the check to the owner or allow the owner to pick up the check at the PHA's office. (The remainder of this policy can be found on pg. 13-12 of the Administrative Plan.)</p>	<p>Each owner must provide written notification to the PHA (that the PHA acknowledges receiving) of a deposit account with a financial institution that the owner will receive HAP payments from the PHA (including the name of the financial institution, the name on the account, the account number and other information concerning the account as required by the PHA). Owner must select a financial institution that has the capability of receiving direct deposits from the PHA's bank.</p> <p>Likewise, each owner must provide written notification (that the PHA has acknowledged receiving) to the PHA of any change in owner's direct account for this purpose. The monthly HAP payments made by the PHA to the owners under the HCV Program shall be distributed to the owner via direct deposit to the owner's deposit account as listed in the PHA's records. For reasons of efficiency and security, the PHA will not allow owners to pick up their monthly HAP payments at the PHA's office. In the event that an owner reports that a payment due by the PHA to the owner has not been received by its due date, the PHA shall determine whether or not its records indicate that the payment was made. If the PHA determines that the payment was not made, the PHA shall initiate the payment immediately. If the PHA determines that the payment was made, the PHA shall so inform the owner of the date of payment and the account number to which the deposit was made. (remainder of PHA policy on Page 13-12 of the Administrative Plan is unchanged)</p>	13-II.C (pg. 13-12)	One-Time
7/1/2011	All HAP payments made by the PHA to owners are deemed to be received by the owner on the date that the payment is mailed by the PHA to the owner. (remainder of PHA policy on Page 13-13 and 13-14 of the Administrative Plan is unchanged)	All HAP payments made by the PHA to owners are deemed to be received by the owner on the date that the payment is transmitted by the PHA to the PHA's bank for direct deposit to the owner's checking account. (remainder of PHA policy on Page 13-13 and 13-14 of the Administrative Plan is unchanged)	13-II.C (pg.13-13)	One-Time

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2012 Changes				
3/5/2012	<p>The terms <i>family</i> and <i>household</i> have different meanings in the HCV program.</p> <p>Family To be eligible for assistance, an applicant must qualify as a family. A family may be a single person or a group of persons. Family as defined by HUD includes a family with a child or children, two or more elderly or disabled persons living together, one or more elderly or disabled persons living with one or more live-in aides, or a single person. A single person family may be an elderly person, a displaced person, a disabled person, or any other single person. The PHA has the discretion to determine if any other group of persons qualifies as a family.</p>	<p>The terms <i>gender identity</i> and <i>sexual orientation</i> must be defined by the PHA in accordance with 24 CFR 5.100. The terms <i>family</i> and <i>household</i> have different meanings in the HCV program.</p> <p>Gender Identity Gender identity means actual or perceived gender-related characteristics.</p> <p>Sexual Orientation Sexual orientation means homosexuality, heterosexuality, or bisexuality</p> <p>Family To be eligible for assistance, an applicant must qualify as a family. Family includes but is not limited to the following, regardless of actual or perceived gender identity, sexual orientation or marital status: A family may be a single person or a group of persons. Family as defined by HUD includes a family with a child or children, two or more elderly or disabled persons living together, one or more elderly or disabled persons living with one or more live-in aides, or a single person. A single person family may be an elderly person, a displaced person, a disabled person, or any other single person. The PHA has the discretion to determine if any other group of persons qualifies as a family.</p>	3-I.B.	One-Time