

# ADMISSIONS AND CONTINUED OCCUPANCY POLICY

## Low-Income Public Housing Program

### Housing Authority of the County of Santa Cruz



The Admissions and Continued Occupancy Plan contains those policies of the Housing Authority of the County of Santa Cruz that have been adopted by the Board of Commissioners, governing the establishment and administration of the Low Income Public Housing Program. The Housing Authority reserves the right to amend the Admissions and Continued Occupancy Plan.

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**APRIL 2020**

*Please note that the electronic copy of this document contains hyperlinks to applicable HUD regulations and other references. An electronic copy of this document is available at the following website: <http://www.hacosantacruz.org/agency.htm>. If you cannot access the electronic copy of this document, copies of the referenced links and regulations will be available upon request.*

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## 1. DECONCENTRATION AND INCOME TARGETING

### Deconcentration Policy

It is Housing Authority of the County of Santa Cruz's policy to provide for deconcentration of poverty and encourage income mixing with a goal of bringing higher income families into lower income complexes and lower income families into higher income complexes. The Housing Authority of the County of Santa Cruz (the Housing Authority) will ensure that all marketing of our housing is targeted to all eligible income groups. Lower income residents will not be steered toward lower income complexes and higher income people will not be steered toward higher income complexes. Instead, residents decide where they would like to live. Each applicant that reaches the top of the waiting list will be offered the first available unit. However, if they do not wish to accept this unit offer, they will be given up to two additional offers. If an applicant declines three unit offers without good cause, that applicant will be cancelled from the waiting list.

### Income Targeting

The Housing Authority will follow the statutory requirement that at least 40% of newly admitted families in any fiscal year be families whose annual income is at or below 30% of the area median income. To ensure this requirement is met, the Housing Authority will monitor incomes of newly admitted families.

Federal regulations require that at least 40% of newly admitted families in any fiscal year must be families whose annual income is at or below 30% of the median area income. If it appears that this requirement will not be met, the Housing Authority reserves the right to select extremely low-income families ahead of other eligible families on an as-needed basis to ensure the HUD income targeting requirement is met.

## 2. ADMISSION PREFERENCES

### Preferences

The Housing Authority has adopted a first-come, first-served admission preference.

### Military Service Preference

Pursuant to the requirements of the [California Health and Safety Code, Section 34322.2](#), the Housing Authority gives a preference to veterans and current servicepersons, defined as follows. Such preference is in effect only to the extent that it is required by the above referenced Code.

A current serviceperson is defined as an individual who is an active member of a branch of the United States military, including the reserves or National Guard, and has served for at least 180 days.

A veteran is defined as an individual who has been honorably discharged from a branch of the United States military, including the reserves or National Guard. An honorable discharge must be evidenced by submission of a Department of Defense Form 214 (DD-214). Surviving spouses of an honorably discharged veteran are also eligible for the military service preference.

Such persons will be placed on the top of the wait list. If there is more than one applicant who qualifies for such a preference, they will be offered public housing units based on the date of their application.

#### Disabled Accessible Units

When selecting applicants for admission to Housing Authority owned units with disabled accessible features, the Housing Authority will give preference to applicants who are disabled and who require the features of an accessible unit. When an accessible unit becomes available, the Housing Authority will first offer the unit to a current occupant of another unit of the same project, or comparable projects under common control, having disabilities requiring the accessibility features of the vacant unit and occupying a unit not having such features. Or if no such occupant exists, then the Housing Authority will offer the unit to the applicant with the highest priority on the waiting list having a disability requiring the accessibility features of the vacant unit, based on the most current information available regarding accessibility needs. Such information will be updated periodically and verified during the qualification process and when the information is needed. When offering an accessible unit to an applicant not having disabilities requiring the accessible features of the unit, the Authority will require applicant to agree to move to a non-accessible unit when available.

### **3. APPLICANT SCREENING AND TERMINATION OF TENANCY**

In compliance with [24 CFR Part 966](#), the Housing Authority may deny assistance or terminate tenancy for a variety of criminal and drug-related activities. The Housing Authority will deny admission, as required by regulations, for the following:

1. Denial of admission for up to 3 years if previously evicted from federally assisted housing for drugs.
2. Denial of admission for manufacture or production of methamphetamine in federal housing.
3. Denial of admission for anyone subject to a lifetime sex offender registration requirement.

#### Background Reports

Tenant screening includes a background check to determine whether there is a history of criminal or drug activity. 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.

#### Registered Sex Offenders

The Housing Authority performs a criminal background check to determine if an applicant is a registered sex offender as required by HUD regulations. This check is performed nationally.

All sex offender and criminal background records are kept in a confidential, secure location where they are only available to those staff who have a specific, job-related need to view the information.

If an applicant is determined to be a registered sex offender through this process, they will be informed in writing that they will be denied admission based on this information. The Housing Authority gives the applicant Head of Household and the Subject of the Record a copy of the records used to make this determination. The Housing Authority gives the applicant an opportunity to dispute the accuracy of the information before denying admission.

### Ineligibility of Individuals Convicted of Manufacturing or Producing Methamphetamine

Individuals convicted of manufacturing or producing methamphetamine (speed) are ineligible to apply for and reside in Low Income Public Housing.

### Tenant Screening

When a Low Income Public Housing (LIPH) unit becomes available, names are selected from the Wait List for tenant screening, based on date of placement. Prospective tenants will be contacted to determine their continued interest in Public Housing. If they want to be considered for the available unit, the following steps will be followed:

1. Their income eligibility will be determined.
2. Their current residence will be inspected for housekeeping practices.
3. Prior landlord references will be checked to determine rent payment history and tenant adherence to lease agreements
4. A credit check will be requested.
5. A background check will be performed to determine if there is history of criminal or drug activity.
6. Their overall reliability, integrity, and suitability for tenancy will be evaluated.

If at any step during the screening process it is determined the prospective tenant cannot be selected for tenancy due to failure to pass the screening criteria, the Property Management Director will have the authority to discontinue consideration of the tenant. All rejections will be in writing, giving the prospective tenant an opportunity for appeal. The Housing Authority may consider admission of a family if the culpable family member will not reside with them.

### Denial of Admission and Termination of Tenancy

1. The Housing Authority may deny admission or terminate the tenancy of a household or an individual household member if it determines that a household member has engaged in abuse or a pattern of abuse of alcohol that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.
2. The Housing Authority may deny admission or terminate tenancy for current illegal drug use or pattern of drug use that threatens health, safety, or right to peaceful enjoyment of the premises by other residents.
3. The Housing Authority may deny admission or terminate the tenancy of a household or an individual household member if the Housing Authority determines that a household member has furnished false or misleading information concerning illegal drug use, alcohol abuse, or rehabilitation of illegal drug users or alcohol abusers.
4. The Housing Authority may deny admission or terminate the tenancy of a household or an individual household member if the Housing Authority determines that a household member has furnished false or misleading information about criminal history, financial history, or any other false or misleading information.
5. The Housing Authority may deny admission due to unfavorable information contained within the credit report.

6. The Housing Authority may terminate tenancy for a variety of other criminal or drug-related activities that may be in violation of the lease, Housing Authority screening and property management practices, or HUD regulations.
7. The Housing Authority may also terminate tenancy for any violation of the lease or program regulations.
8. The Housing Authority may deny admission of a household or an individual household member if the Housing Authority determines, based on evidence, that their overall level of reliability or integrity does not indicate that they will be suitable tenants.
9. If an individual or family is evicted for criminal activity, the Housing Authority must notify the local post office that the individual or family is no longer residing in the unit.

In enforcement of these requirements, the Housing Authority may consider circumstances, like participation in drug rehabilitation. In addition, the Housing Authority may allow the non-culpable member(s) to continue to apply for admission or continued tenancy.

#### **4. MANAGING THE WAITING LIST**

##### Opening and Closing the Waiting List

When the Housing Authority opens the waiting list, the opening will be announced publicly on our website, on our waiting list phone line, in our lobby, and in local newspapers of general circulation. The Housing Authority reserves the right to open and close waiting lists at any time.

Although applications are typically maintained in order of the date of pre-application, the Housing Authority may use computerized random selection to randomly sequence the applications received during a finite period of time after the waiting list re-opens. Such random selection may be used to avoid any potentially unsafe situations arising from the perception of urgency to be the first in line when the list opens. After this finite period of time, the Housing Authority will continue to maintain applications in order of the date of application.

##### Maintaining the Waiting List

The waiting list will be maintained in accordance with the following guidelines:

1. A pre-application will initiate placement of the family name on the waiting list;
2. All names on the waiting list will be maintained in order of date of pre-application and in accordance with any applicable preference; and
3. Any contacts between the Housing Authority and the applicant will be documented in the Housing Authority computer file.

##### Selecting Names from the Waiting List

When a family who has indicated its interest in the LIPH Program, has not rejected the LIPH Program, and appears to be within 30-60 days of being offered a unit, the family will be invited to an interview and the verification process will begin. The family will be required to complete a full application, present Social Security number for every household member information and citizenship/eligible immigrant information, and sign the Consent for Release of Information forms.

### Definition of a Family

A family is a person or group of people related by blood, marriage, adoption or affinity that live together in a stable family relationship. Furthermore, the Housing Authority has adopted HUD's definition of "family" as defined in CFR 5.403. This definition of family includes single individuals as well as groups of people residing together, regardless of actual or perceived sexual orientation, gender identity, or marital status.

### Changes to Head of Household or Family Members While on the Waiting List

While on the waiting list, the head of household may be changed to another family member only under the following circumstances:

1. If the family splits into two or more families, the family containing the head of household retains placement on the wait list.
2. If the head of household dies, another member can become the head of household if they provide verification of the death, and if they have the legal capacity to enter into a lease.
3. If the head of household no longer has the legal capacity to enter into a lease, another member can become the head of household if they provide verification of the incapacitation, and if they have the legal capacity to enter into a lease.
4. If the head of household engages in criminal activity directly related to domestic violence, dating violence, sexual assault or stalking (known as Violence Against Women Act crimes – VAWA) against a household member or affiliated individual, another member of the household can become the head of household if they provide verification of VAWA. When a family break-up results from the occurrence of domestic violence, the PHA must ensure that the victim retains assistance. (See 24 CFR 982.315(a).)

The "applicant family" is defined as those persons who were listed on the initial application. Any household members who the applicant family wishes to add at the time of leasing the unit must meet the criteria listed below. Changes to family members will not be processed while applicants are on the wait list. All changes will be processed at the time of the initial eligibility interview.

If the Household wishes to add any new members, the household must request advance permission in writing. The Housing Authority may consider additions to the household on a case by case basis. Individuals who may be added: The spouse, registered domestic partner, or significant other of the head of household; the parent of the head of household; the parent of the head of household's spouse, registered domestic partner; the child of the head of household or the child of the head of household's spouse, registered domestic partner; or the minor birth child of any existing household member other than the head of household or the spouse, registered domestic partner of the head of household.

### Updating the Waiting List

The Housing Authority will update and refresh its waiting list periodically to ensure that the pool of applicants reasonably represents the interested families for whom the Housing Authority has current information.

### Removal of Applicants from the Waiting List

The Housing Authority will not cancel an applicant's pre-application from the waiting list unless

1. The applicant requests in writing that the application be cancelled;
2. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program;

3. The applicant does not meet either the eligibility or suitability criteria for the program;
4. Mail is returned by the Post Office as undeliverable; or
5. The applicant rejects three suitable unit offers for reasons other than good cause.

#### Notification of Negative Actions

All pre-applicants who complete a pre-application to place their name on the waiting list are notified of the requirement to inform the Housing Authority of any change in their address; and, if they do not respond to wait list related correspondence from the Housing Authority within time frames specified in the correspondence, their application will be cancelled from the waiting list. Such applicants will be notified of the cancellation from the waiting list. If an applicant claims that his or her failure to respond to a request for information or updates was caused by a disability as defined in [24CFR 5.403](#), the Housing Authority will verify that there is in fact a disability and the disability caused the failure to respond, and provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date of the original application.

Any applicant whose application is being cancelled or denied will be notified by the Housing Authority, in writing, that he or she has fifteen (15) calendar days from the date of the written correspondence to present mitigating circumstances or request an informal review. The Housing Authority system of cancelling applicants from the waiting list will not violate the rights of persons with disabilities, as defined in [24CFR 5.403](#).

### **5. ELIGIBILITY DOCUMENTATION AND VERIFICATION**

#### Description of the Process

1. The Housing Authority complies with applicable HUD regulations, handbooks, and other guidance regarding third-party verification.
2. As a condition of housing assistance under the program, the Housing Authority requires the family members to complete a detailed Initial Application and an annual Personal and Financial Statement. Additionally, family members must execute a HUD approved Release and Consent Form, and a housing authority consent form, authorizing any financial institution, employer, Federal, State or local agency, etc. to release to the Housing Authority and to HUD such information as the Housing Authority or HUD determines to be necessary.
3. The Housing Authority shall also require the family to submit information and/or documentation to determine or evaluate a family's eligibility to receive housing assistance, for determining the family's adjusted income or tenant rent, for verifying related information, and for monitoring compliance with Equal Opportunity requirements or any other regulatory requirement.
4. The use or disclosure of information obtained from a family or from another source is limited to purposes directly connected with administration of the housing program under which the family is receiving or applying for assistance.
5. The Housing Authority obtains and documents in each family file, third party verification of income, assets, expenses related to deductions from annual income, and other factors that affect determination of adjusted income.



6. All income, assets, and other family information must be verified according to the following levels of priority.

- A. Upfront Income Verification: Upfront Income Verification is the verification of income, before or during a family reexamination, through an independent source that systemically and uniformly maintains income information in computerized form for individuals in the United States. In an effort to minimize over-subsidization due to tenant misreporting and non-reporting of income, HUD has an upfront income verification tool called Enterprise Income Verification (EIV). EIV contains data regarding wages and benefits received by all program participants with valid Social Security Numbers. Staff will review EIV data during each annual and interim reexamination, as well as within 120 days of each new admission or historical adjustment (reporting other changes to HUD).

The Housing Authority also obtains information from the state of California EDD for state unemployment, disability, and wage information on an as needed basis. Finally, when tax returns are needed to substantiate income, the Housing Authority may obtain tax return information directly from the IRS, but this tool is used only when no other satisfactory documentation is available. All of these upfront verification methods are used only to the extent that they are available and operational.

Upfront income verification systems such as EIV are considered to be “automated written third-party verification.” However, data within the EIV system may be out-of-date and can occasionally be inaccurate. Therefore, information provided by EIV must always be supported by some other form of current verification, such as tenant documents.

- B. Written Third-Party Verification (Tenant Documents):  
Written Third-Party Verification is an original or authentic document generated by a third-party source dated either within the 60-day period preceding the reexamination or Housing Authority request date. Such documentation may be in the possession of the tenant (or applicant) and is commonly referred to as tenant-provided documents. HUD’s position is that such tenant-provided documents are written third-party verification since these documents originated from a third-party source. The Housing Authority may, at its discretion, reject any tenant-provided documents and follow up directly with the source to obtain necessary verification of information. Requests for third-party verification forms will be documented in the tenant file. If direct third-party verification forms are received from a source, the request for that verification may be destroyed. However, if direct third-party verification forms are NOT received from a source, the request for the third-party verification form will remain in the tenant file to prove that such verification was requested.

The Housing Authority requires that all applicants and program participants provide current original documentation of all income, assets, and expenses at the time of initial application, annual and interim reexaminations. The Housing Authority will inspect and make a copy of the original document if the tenant requests the document be returned by the Housing Authority. Documents are considered current if they are dated within 60 days before the effective date of the determination or within 60 days following the request for documents. In some cases (such as tax returns) the

documents may be older than 60 days. In such cases, the most recent original document available will be obtained.

If the Housing Authority obtains EIV information, written third-party verification (tenant documents) will be used to support that data and to annualize income. For Social Security Benefits, if the EIV information matches the tenant provided information, additional third-party verification is not needed. If the Housing Authority does not obtain information from EIV for any reason (initial applications, income sources not contained in EIV, etc.) the Housing Authority will use written third-party verification (tenant documents) as the second highest form of verification. **If written third-party verification (tenant documents) are provided by the tenant containing sufficient information, no other form of verification is needed.**

- C. Written Third-Party Verification Form (HA Form): In cases where the tenant is unable to provide written third-party verification (tenant documents) or where the Housing Authority rejects the tenant documents, the Housing Authority will follow up directly with the source to obtain necessary verification of information. Requests for third-party verification forms will be documented in the tenant file. If direct third-party verification forms are received from a source, the request for that verification may be destroyed. However, if direct third-party verification forms are NOT received from a source, the request for the third-party verification form will remain in the tenant file to prove that such verification was requested.
- D. Verbal Third-Party Verification: If the income source does not respond to a written request for information within 10 days, or provides incomplete or unclear information, the Housing Authority staff may contact the source by phone to request clarification on incomplete information, using the Direct Third-Party Verification Form to create a record of the attempt or conversation. Staff will document the date and time of the telephone call, the name and title of the person contacted and the telephone number, along with the confirmed information.
- E. Tenant Declaration (Self Certification): If no other verification is available, staff will note the reason in the file on the Statement of Fact Regarding Reason Direct Third-Party Verification Was Not Obtained/Available Form and require the tenant to sign an affidavit declaring their income. In these cases, the Housing Authority may also require the tenant to sign IRS Form 4506T authorizing the HA to obtain a copy of the tenant's tax return, and staff may proceed to obtain the tax return from the IRS, even if it will not be received in time to complete the annual recertification.

## 6. UNIT TRANSFERS

- 1. Review of Transfer Requests for Existing LIPH Tenants – When an LIPH unit becomes available; Property Management staff will review the Transfer Request List to determine if the available unit is appropriate for a current LIPH family. Priority for unit transfers will be given as follows:
  - a. First priority will be given to any requests for reasonable accommodations that may be met with the available unit.
  - b. Second, the Housing Authority will allow any overcrowded families to be upsized

into the available unit.

- c. Third, the Housing Authority will transfer any families who are in units that are too large, and/or have requested transfers for other reasons, if and when such transfers are feasible.
- d. Finally, the Housing Authority will give priority to transferring families who are victims of domestic violence, dating violence, sexual assault or stalking (known as Violence Against Women Act, or VAWA crimes) that have requested an Emergency Transfer.

The Housing Authority reserves the right to deny or postpone a transfer for tenants who are not in good standing, with the exception of VAWA victim families.

2. Selecting Prospective Tenants from the LIPH Waiting List – If the vacant unit is not an appropriate match for an existing LIPH family who requires a reasonable accommodation, is either over or under-housed or has requested a transfer, Property Management staff will run a report to identify top applicants from the LIPH waiting list for the available unit size. Applicants who are eligible to receive the Military Preference will appear at the top of the waiting list, in order of their date of placement. All other applicants will be listed in the order of their date of placement on the waiting list.

Property Management staff will contact applicants in the order they placed their name on the waiting list and confirm current household composition and their interest in residing in the available unit. All unit offers and the acceptance or rejection of such offers will be documented in the Waiting List Applicant Offers/Rejections/Denials screen in housing authority software. Applicants may receive and reject up to two offers of suitable units at different complexes; when the third offer is rejected an application for assistance may be cancelled from the waiting list for unit rejection. Vacancies must be offered in the order they occur regardless of the location. Additionally, applicants will be offered all suitable units, regardless of whether or not they have already rejected a unit at that complex. The Housing Authority will send a letter to the applicant notifying them of the number of suitable units they have rejected, and the number of remaining offers.

In some situations, an applicant may decline a unit for “good cause.” “Good cause” to decline a unit includes but is not limited to the following:

- Any member of the family has special housing needs that relate to a disability and the available unit does not meet those needs.
- Moving into the available unit would be potentially dangerous or hazardous to any member of the family, because of a restraining order, witness protection program, VAWA crimes, or any other reason.
- Moving into the unit would require any member of the family to quit or change schools or jobs.

Applicants will be notified on their unit rejection letter that they have 15 days to notify the Housing Authority if they are rejecting the unit for good cause. In such cases the reason for declining the unit will be evaluated on a case by case basis by the Property Management Director. The Director will either approve or deny the request for good cause, or forward the decision to the Reasonable Accommodations unit. If the Property Management Director or Reasonable Accommodations staff determine that the reason does constitute good cause,

such unit rejections will not count towards the three unit offers that each eligible family may receive.

If an applicant declines a unit for reasons other than “good cause,” Property Management staff will note this information in housing authority software and will move on to the next applicant. In such cases, declining a suitable unit will count towards the three unit offers that each eligible family may receive. If a family declines three suitable units at different complexes for any reason, the family’s application for assistance will be cancelled.

## 7. RESIDUAL TENANT POLICY

### Tenancy Requirements

No household member may become Head of Household if they have resided in the unit for less than three years.

### Divorce or Separation between Head of Household and Co-Head of Household

In the event of divorce or separation between the head of household and co-head of household, the determination for which party remains in the unit shall be determined as follows:

1. Any arrangement agreed upon by all adult family members
2. The member(s) who are victims of domestic violence or other VAWA crimes
3. The member who has custody of the children
4. The member who stays in the unit
5. If none of the above circumstances apply and the family cannot agree to an arrangement within 30 days, no one in the family will be eligible for residual tenant status under this policy.

### Other Departure of Head of Household

In the event of the death, departure, or incapacity of the head of household, a remaining family member may apply for tenancy as a residual tenancy applicant under this policy.

When this policy does not apply: Remaining family members will not be considered eligible for residual tenancy if the head of household departed the unit due to

- Relocation to another Housing Authority-subsidized unit
- Relocation to another subsidized or non-subsidized unit
- Purchase of a home
- Eviction by the Housing Authority
- Vacated owing the Housing Authority money

“Departure,” for the purpose of this policy, is generally intended to mean abandonment, disappearance, institutionalization, or incarceration, not simply a voluntary move to a new home. If the head of household vacates for any reason other than death, incapacitation, or departure as defined herein, the remaining family members will not be eligible for tenancy and are expected

to vacate along with the head of household.

### Residual Tenant Status Application

To be considered for residual tenant status, the remaining family member must

1. Have resided in the unit for at least three years as a recorded family member on the lease.
2. Meet the eligibility requirements of the Low Income Public Housing program. (However, because the household member was already residing in public housing, he or she is not required to meet the income limits for admission to public housing.)
3. Meet the Housing Authority's tenant screening requirements.
4. Be of legal age and possess the legal ability to enter into a lease.

### Interim Redetermination of Family Income and Composition

When the Housing Authority receives information concerning a change in the family's income or household composition between regularly scheduled reexaminations, the Housing Authority will consult with the family and make any adjustments determined to be appropriate. Any change in the family income or household composition that results in an adjustment in the tenant rent must be verified.

### Changes to Household Composition

If any household member moves out of the assisted unit, the household must inform the Housing Authority in writing within 14 calendar days of the move out. If the household wishes to add any new members (including temporary family members), the household must request advance permission in writing before any new members move into the unit. All new household members (including temporary household members) will be subject to all Housing Authority eligibility and screening criteria.

When a family member is added, staff must first redetermine if the family would be overcrowded, or if the family is in a right-sized unit.

### Changes in Household Income

Families must notify the Housing Authority in writing within 14 days of a decrease in income. Decreases in Tenant rent are to be made effective the first of the month following that in which the change was reported. However, no decrease adjustment in tenant rent is to be processed until all facts have been verified.

Families must notify the Housing Authority in writing within 14 days of an increase in income, and the Housing Authority may conduct an interim redetermination. This interim redetermination may serve as the family's next annual reexamination. The sole exception to this is annual increases to fixed income sources like Social Security, which will be verified and processed at the next regular annual reexamination.

**8. POLICE OFFICERS IN PUBLIC HOUSING**

Pursuant to [24CFR 960.505](#), the Housing Authority has determined that occupancy of selected public housing units by police officers may be helpful to increase security for public housing residents.

Following is a list of the number and location of units that may be occupied by police officers:

<b>Number of Units</b>	<b>Location</b>
<b>1</b>	<b>81 – 87 Grandview Avenue</b>
<b>1</b>	<b>2635 Portola Drive</b>
<b>1</b>	<b>50 Arista Court</b>
<b>1</b>	<b>100 – 146 Seneca Court</b>
<b>1</b>	<b>310 – 314 Clifford Avenue</b>
<b>1</b>	<b>160 Blackburn Avenue</b>

The terms and conditions of the tenancy of police officers in public housing are specified in the lease agreement and employment contract executed between the Housing Authority and the police officer.

**9. PET OWNERSHIP POLICY**

General

Pet ownership by public housing tenants is allowed, subject to compliance with the requirements set forth in this policy.

Applications

Residents wanting to keep pets must apply to the Housing Authority using the Pet Application Form. Applications will be processed within thirty (30) days, provided all required documentation is submitted.

Approval and denial of pet applications shall be in writing. Approvals will be accompanied by a lease amendment the resident will be required to sign. Denials will include the reason for denial. Pets are not allowed to reside at Public Housing sites and within Public Housing units until the resident receives authorization from the Housing Authority.

Types of Pets

Please see the following for specific policies regarding small pets and large pets.

1. Small Pets (pets kept in cages/aquariums such as hamsters, turtles, birds, and fish)

- There is a limit of one cage and/or one aquarium for each Public Housing unit.
- With the exception of fish, there is a maximum of two animals per cage/aquarium.
- Aquariums are not to exceed 75 gallons.
- Small pets shall be maintained in their cage/aquarium within the tenant's unit.
- Pets/animals (except fish) left unattended for more than 24 hours are subject to removal and transfer to the proper authorities.
- Residents shall take adequate precautions to eliminate any pet odors within their unit and maintain their unit in a sanitary condition at all times.
- Residents are responsible for all damages, other than reasonable wear and tear, caused by their pets to the dwelling unit or common areas. Charges stemming from such damage will be levied on the resident at the time the damages occur or are identified by the Housing Authority.
- For small pets, no pet deposit will be required with proper authorization

2. Large Pets (dogs and cats)

- There is a limit of one large pet for each Public Housing unit.
- The breed of dog or cat cannot exceed 25 pounds in size at adulthood.
- Prohibited breeds: No vicious or intimidating dogs or cats will be approved. In all cases, the following breeds of dogs are prohibited – pit bulls, doberman pinschers, rottweilers, and bulldogs.
- Large pets shall be maintained within the tenant's unit. When outside of the unit they must be kept on a leash or carried and under the control of the resident or other responsible individual at all times.
- Residents shall not alter their unit, patio, or unit area to create an enclosure for an animal.
- Resident must agree to control the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to, loud or continuous barking, howling, whining, biting, scratching, or other such activities.
- Residents must agree to be present on the day of inspection or maintenance repairs to care for their pets or remove their pet from the unit so the unit is vacant until the inspection or maintenance repair is completed.
- Pets/animals (except fish) left unattended for more than 24 hours are subject to removal and transfer to the proper authorities.
- Residents shall take adequate precautions to eliminate any pet odors within their unit and maintain their unit in a sanitary condition at all times.
- Residents are responsible for all damages, other than reasonable wear and tear, caused by their pets to the dwelling unit or common areas. Charges stemming from such damage will be levied on the resident at the time the damages occur or are identified by the Housing Authority.
- A pet deposit shall be due and payable when the pet is authorized. Deposits will be refunded, less damage costs attributed to the pet, at the time the pet vacates the unit.

- Large pets must be spayed or neutered. Proof must be submitted with application for keeping the animal.
- For each large pet, the following must be attached to the application:
  1. Certificate signed by a licensed veterinarian or state/local authority that the animal has received all inoculations required by state or local law, and that the animal has no communicable disease(s) and is pest free.
  2. Statement signed and submitted by a licensed veterinarian or state/local authority that the specific animal in question (not the breed as a whole) does not pose a direct threat of harm to others and would not cause substantial physical damage to the property of others.
  3. Current license for the animal in compliance with local ordinance and requirements. The pet license must be visible at all times.
  4. Photograph of the animal.
- Cats are to use litter boxes kept within the resident's unit and cleaned periodically. Resident is not allowed to let waste accumulate. Waste is to be placed in a plastic bag, closed, and disposed of properly (by placing it in a sealed plastic bag and disposing of it in an outside trash bin).
- Dog owners are forbidden from permitting their animals to deposit waste on the project premises. If animal waste is deposited on the premises, resident pet owners shall be responsible for the immediate removal from the premises of any/all waste deposited by their pet by placing it in a sealed plastic bag and disposing of it in an outside trash bin.

Residents who violate these rules are subject to being required to correct the violation or remove the animal from the dwelling unit within thirty (30) days' notice by the Housing Authority. The Housing Authority notice will contain a statement citing the policy violation. If the resident fails to correct the violation or remove the animal within thirty (30) days, the Housing Authority will begin the process of termination due to lease violations.

#### Pets Temporarily on Premises

Pets which are not owned by a tenant will not be allowed. Residents are prohibited from feeding or harboring stray animals.

#### Pet Care

- No pet (excluding fish) shall be left unattended in any unit for a period in excess of twenty-four (24) hours.
- All resident pet owners shall be responsible for adequate care, nutrition, exercise and medical attention for their pets.
- Resident pet owners must recognize that other residents may have chemical sensitivities or allergies related to animals or may be easily frightened or disoriented by animals. Pet owners must agree to exercise courtesy with respect to other residents.

#### Responsible Parties

At the time application is made to keep a pet, the resident pet owner will be required to designate two responsible parties for the care of the animal if the health and safety of the animal is



threatened by the death or incapacity of the owner or by other factors that render the owner unable to care for the animal.

#### Pet Removal

If the health or safety of the animal is threatened by the death or incapacity of the owner or by other factors that render the owner unable to care for the animal (including pets who are poorly cared for or have been left unattended for over twenty-four [24] hours), the situation will be reported to the responsible parties designated by the resident pet owner.

If the responsible party is unwilling or unable to care for the pet or if the Housing Authority, after reasonable efforts, cannot contact the responsible party the Housing Authority may contact the appropriate state or local agency and request the removal of the pet. Any cost to remove the animal will be charged to the resident owner.

#### Emergencies

The Housing Authority will take all necessary steps to ensure that pets which become vicious, display symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others are referred to the appropriate state or local entity authorized to remove such animals. Any cost to remove the animal will be charged to the resident owner.

#### Inspections

The Housing Authority may, after reasonable notice to the tenant, enter and inspect the premises.

#### Pet Policy Amendments

The Housing Authority reserves the right to amend the pet ownership policy, including the right to change or increase the required deposit.

### **10. ASSISTIVE/COMPANION ANIMAL POLICY**

#### General

Public housing tenants with special needs related to a disability may own an assistive or companion animal as a reasonable accommodation, subject to compliance with the requirements set forth in this policy.

#### Applications

Residents wanting to keep assistive or companion animals must apply to the Housing Authority using the Assistive / Companion Animal Application Form. Applications will be processed within thirty (30) days, provided all required documentation is submitted.

Approval and denial of assistive and companion animal applications shall be in writing. Approvals will be accompanied by a lease amendment the resident will be required to sign. Denials will include the reason for denial. Assistive and companion animals are not allowed to reside at Public Housing sites and within Public Housing units until the resident receives authorization from the Housing Authority.

### Types of Assistive/Companion Animals

Please see the following for specific policies regarding small animals and large animals.

#### 3. Small Animals (animals kept in cages/aquariums such as hamsters, turtles, birds, and fish)

- There is a limit of one cage and/or one aquarium for each Public Housing unit.
- With the exception of fish, there is a maximum of two animals per cage/aquarium.
- Aquariums are not to exceed 75 gallons.
- Small animals shall be maintained in their cage/aquarium within the tenant's unit.
- Animals (except fish) left unattended for more than 24 hours are subject to removal and transfer to the proper authorities.
- Residents shall take adequate precautions to eliminate any odors within their unit and maintain their unit in a sanitary condition at all times.
- Residents are responsible for all damages, other than reasonable wear and tear, caused by their animals to the dwelling unit or common areas. Charges stemming from such damage will be levied on the resident at the time the damages occur or are identified by the Housing Authority.

#### 4. Large Animals (dogs and cats)

- There is a limit of one large animal for each Public Housing unit.
- Large animals shall be maintained within the tenant's unit. When outside of the unit they must be kept on a leash or carried and under the control of the resident or other responsible individual at all times.
- Residents shall not alter their unit, patio, or unit area to create an enclosure for an animal.
- Resident must agree to control the noise of animals so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to, loud or continuous barking, howling, whining, biting, scratching, or other such activities.
- Residents must agree to be present on the day of inspection or maintenance repairs to care for their animals or remove their animals from the unit so the unit is vacant until the inspection or maintenance repair is completed.
- Animals (except fish) left unattended for more than 24 hours are subject to removal and transfer to the proper authorities.
- Residents shall take adequate precautions to eliminate any odors within their unit and maintain their unit in a sanitary condition at all times.
- Residents are responsible for all damages caused by their animals. Charges stemming from such damage will be levied on the resident at the time the damages occur or are identified by the Housing Authority.
- Large animals must be spayed or neutered. Proof must be submitted with application for keeping the animal.
- For each large animal, the following must be attached to application for keeping the animal, and at annual tenant recertification.
  1. Certificate signed by a licensed veterinarian or state/local authority that the

animal has received all inoculations required by state or local law, and that the animal has no communicable disease(s) and is pest free.

2. Statement signed and submitted by a licensed veterinarian or state/local authority that the specific animal in question (not the breed as a whole) does not pose a direct threat of harm to others and would not cause substantial physical damage to the property of others.
  3. Current license for the animal in compliance with local ordinance and requirements. The pet license must be visible at all times.
  4. Photograph of the animal (only required at time of application).
- Cats are to use litter boxes kept within the resident's unit and cleaned periodically. Resident is not allowed to let waste accumulate. Waste is to be placed in a plastic bag, closed, and disposed of properly (by placing it in a sealed plastic bag and disposing of it in an outside trash bin).
  - Dog owners are forbidden from permitting their animals to deposit waste on the project premises. If animal waste is deposited on the premises, resident owners shall be responsible for the immediate removal from the premises of any/all waste deposited by their animal by placing it in a sealed plastic bag and disposing of it in an outside trash bin.

#### Resident Violation of Rules

Residents who violate these rules are subject to being required to correct the violation or remove the animal from the dwelling unit within thirty (30) days notice by the Housing Authority. The Housing Authority notice will contain a statement citing the policy violation. If the resident fails to correct the violation or remove the animal within thirty (30) days, the Housing Authority will begin the process of termination due to lease violations.

#### Animal Care

- No assistive or companion animal (excluding fish) shall be left unattended in any unit for a period in excess of twenty-four (24) hours.
- All resident assistive or companion animal owners shall be responsible for adequate care, nutrition, exercise, and medical attention for their assistive or companion animals.
- Resident assistive or companion animal owners must recognize that other residents may have chemical sensitivities or allergies related to animals or may be easily frightened or disoriented by animals. Assistive or companion animal owners must agree to exercise courtesy with respect to other residents.

#### Responsible Parties

At the time application is made to keep an assistive or companion animal, the resident assistive or companion animal owner will be required to designate two responsible parties for the care of the animal if the health and safety of the animal is threatened by the death or incapacity of the owner; or by other factors that render the owner unable to care for the animal.

#### Animal Removal

If the health or safety of the animal is threatened by the death or incapacity of the owner or by other factors that render the owner unable to care for the animal (including assistive or

companion animals who are poorly cared for or have been left unattended for over twenty-four [24] hours), the situation will be reported to the responsible parties designated by the resident animal owner.

If the responsible party is unwilling or unable to care for the assistive or companion animal or if the Housing Authority, after reasonable efforts, cannot contact the responsible party the Housing Authority may contact the appropriate state or local agency and request the removal of the assistive or companion animal. Any cost to remove the animal will be charged to the resident owner.

#### Emergencies

The Housing Authority will take all necessary steps to ensure that assistive or companion animals which become vicious, display symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are referred to the appropriate state or local entity authorized to remove such animals. Any cost to remove the animal will be a charge to the resident owner.

#### Inspections

The Housing Authority may, after reasonable notice to the tenant, enter and inspect the premises.

#### Assistive/Companion Animal Policy Amendments

The Housing Authority reserves the right to amend the assistive/companion animal ownership policy.

### **11. COMMUNITY SERVICE REQUIREMENT**

The Housing Authority has implemented policies regarding community service as required by HUD. The Housing Authority will comply with all applicable HUD regulations and other guidance in the administration of this requirement.

All adult (18 years and older) members of public housing households must complete a minimum of eight (8) hours per month of community service (performance of voluntary work or duties) or self-sufficiency activities, unless they are exempt from community service requirements.

#### Exemptions

Exemptions exist for persons who are

- Age 62 or older
- Blind or disabled
- Caregiver to a family member who is blind or disabled
- Engaged in work, education, or job training for over 8 hours per month.

Community service activities may be completed at any agency that provides activities that are a public benefit, and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. Economic self-sufficiency activities include job training, employment counseling, work placement,

basic skills training, education (junior college, college), English proficiency, workfare, financial or household management, apprenticeship, and any program necessary to ready a participant for work (including a substance abuse or mental health treatment program) or other work activities.

Community Service information will be verified and audited in accordance with HUD requirements.

**12. FAMILY SELF-SUFFICIENCY PROGRAM**

The Housing Authority has implemented a Family Self-Sufficiency Program for its Santa Cruz County public housing sites.

**13. NONSMOKING POLICY**

The Housing Authority of the County of Santa Cruz has a nonsmoking policy in Low Income Public Housing units. The lease states that smoking is not permitted inside the unit by the resident, members of the household, or guests. The nonsmoking policy extends to all outdoor areas up to 25 feet from the housing.

**14. OVER INCOME LIMITS**

After a family's income has exceeded 120 percent of the area median income (AMI) for two consecutive years (2-year grace period), the Housing Authority will continue to house over-income families without providing them subsidy and raise the rent by charging the family a monthly rent equal to the applicable Fair Market Rent (FMR).

The Housing Authority will notify a family of the potential changes to monthly rent after one year of the family's income exceeding the over-income limit and if the family's income continues to exceed the over-income limit for the next 12 consecutive months, the family will be subject to either a higher rent or termination.

If the Housing Authority discovers through an annual or interim reexamination that a previously over-income family has income that is now below the over-income limit, the family is no longer considered over-income. The family is entitled to a new 2-year grace period if the family's income once again exceeds the over-income limit.

**15. MINIMUM HEATING STANDARDS**

All units have individual heating units and temperatures are resident-controlled; the heating equipment in each unit have the capacity of heating to at least 68 degrees Fahrenheit. (HOTMA. PIH Notice 2018-19)