

## **Chapter 1**

### **STATEMENT OF POLICIES AND OBJECTIVES**

#### **INTRODUCTION**

The Roanoke-Chowan Regional Housing Authority in Gaston, North Carolina is referred to as "PHA" or "Housing Authority" or "RCRHA" throughout this document.

The Public Housing Program was created by the U.S. Housing Act of 1937.

Administration of the Public Housing Program and the functions and responsibilities of the Public Housing Authority (PHA) staff shall be in compliance with the Roanoke-Chowan Regional Housing Authority (RCRHA) contracts and agreements, and this Admissions and Continued Occupancy Policy. The administration of the RCRHA's housing program will also meet the requirements of the Department of Housing and Urban Development. Such requirements include any Public Housing Regulations, Handbooks, and applicable Notices. All applicable Federal, State and local laws, including Fair Housing Laws and regulations also apply. Changes in applicable federal laws or regulations shall supersede provisions in conflict with this policy. Federal regulations shall include those found in Volume 24 CFR, Parts V, VII and IX. (Code of Federal Regulations).

#### **A. FARMVILLE HOUSING AUTHORITY MISSION STATEMENT**

It is the mission of the RCRHA to provide affordable housing to eligible people within our community while creating and promoting opportunities for independence, self-sufficiency, and an improved quality of life.

Our organization is committed to teamwork that values integrity, initiative, innovation and trust.

RCRHA's goals are to maximize housing opportunities for eligible persons, to facilitate opportunities for self-sufficiency of the residents, and to create a team-based environment that promotes communication and development of all employees.

#### **B. LOCAL OBJECTIVES**

This Admissions and Continued Occupancy Plan for the Public Housing Program is designed to demonstrate that RCRHA is managing its program in a manner that reflects its commitment to improving the quality of housing available to its public, and its capacity to manage that housing

in a manner that demonstrates its responsibility to the public trust. In addition, this Admissions and Continued Occupancy Policy is designed to achieve the following objectives:

To provide improved living conditions for very low and low income families while maintaining their rent payments at an affordable level.

To operate a socially and financially sound public housing agency that provides decent, safe, and sanitary housing within a drug free, suitable living environment for tenants and their families.

To avoid concentrations of economically and socially deprived families in any one or all of the RCRHA's developments.

To lawfully deny the admission of applicants, or the continued occupancy of residents, whose habits and practices reasonably may be expected to adversely affect the health, safety, comfort or welfare of other residents or the physical environment of the neighborhood, or create a danger to RCRHA employees.

To attempt to house a tenant body in each development that is composed of families with a broad range of incomes and rent-paying abilities that are representative of the range of incomes of low-income families in RCRHA's jurisdiction.

To provide opportunities for upward mobility or families who desire to achieve self-sufficiency.

To facilitate the judicious management of RCRHA's housing inventory, and the efficient management of RCRHA staff.

To ensure compliance with Title VI of the Civil Rights Act of 1964 and all other applicable Federal laws and regulations so that the admissions and continued occupancy are conducted without regard to race, color, religion, creed, sex, national origin, disability or familial status.

### **C. PURPOSE OF THE POLICY**

The purpose of this Admissions and Continued Occupancy Policy (ACOP) is to establish guidelines for RCRHA staff to follow in determining eligibility for admission and continued occupancy. These guidelines are governed by the requirements of the Department of Housing and Urban Development (HUD) with latitude for local policies and procedures. These policies and procedures for admissions and continued occupancy are binding upon applicants, residents, and RCRHA.

RCRHA's Board of Commissioners must approve the original policy and any changes. This required document is incorporated in the Agency Plan that is provided to HUD.

## **D. FAIR HOUSING POLICY**

### **Nondiscrimination**

It is the policy of RCRHA to fully comply with Title VI of the Civil Rights Act of 1964, Title VIII and Section 3 of the Civil Rights Act of 1968 (as amended), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, state and local Fair Housing laws, and any legislation protecting the individual rights of residents, applicants or staff which may be subsequently enacted.

RCRHA shall not discriminate because of race, color, sex, religion, familial status (in non-elderly designated housing), disability, or national origin in the leasing, rental, or other disposition of housing or related facilities, including land, included in any development or developments under its jurisdiction.

RCRHA shall not take any of the following actions on account of race, color, sex, religion, familial status, disability or national origin:

Deny to any family the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to lease housing suitable to its needs.

Provide housing that is different than that provided others.

Subject a person to segregation or disparate treatment.

Restrict a person's access to any benefit enjoyed by others in connection with any program operated by the Housing Authority.

Treat a person differently in determining eligibility or other requirements for admission.

Deny a person access to the same level of services.

Deny a person the opportunity to participate in a planning or advisory group that is an integral part of the public housing program.

RCRHA shall not automatically deny admission to a particular group or category of otherwise eligible applicants (e.g. families with children born to unmarried parents or elderly pet owners). Each applicant in a particular group or category will be treated on an individual basis in the normal processing routine.

RCRHA will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504 of the Rehabilitation Act of 1973, RCRHA will make such physical or procedural changes as will reasonably accommodate people with disabilities.

RCRHA records with respect to applicants for admission shall indicate for each application the date of receipt, the determination of eligibility or non-eligibility, the preference rating if any, and the date, location, identification, and circumstances of each vacancy offered and whether that vacancy was accepted or rejected.

**Affirmative Marketing**

As conditions may require, RCRHA will post notices of housing availability in particular neighborhoods or developments to encourage fuller participation. RCRHA may issue public announcements of availability to encourage applications for assistance. Among the marketing efforts RCRHA may engage in depending on the situation are the following:

Send informational spots to local media outlets such as radio stations, cable TV, newspapers, or other periodicals for broadcast or publication.

Special outreaches to minorities, persons with disabilities and very low-income families.

Distribute pamphlets and brochures.

Post notices in places of employment, unemployment offices, welfare offices, post offices, grocery stores, churches, community halls, public transportation centers, and with other agency community service providers.

Conduct outreach to organizations that assist people with disabilities, the elderly, students, immigrants, homeless people and victims of domestic violence.

RCRHA will monitor the benefits received as a result of the above activities, and will increase or decrease the outreach activities accordingly.

To reach minority groups, it may be necessary to canvas neighborhoods or make mass mailing to areas with heavy concentration of minority citizens. If language is a problem, brochures may be printed in other languages as required.

**Operations**

In order to further the objectives of nondiscrimination, RCRHA shall:

Include in the admissions briefings for all RCRHA programs a section on compliance with Civil Rights laws. The briefings shall explain to all participants what should be done if they believe they have been discriminated against.

Prominently display Fair Housing posters in every development office owned by RCRHA and in RCRHA's administrative offices. Such posters shall be posted in such a manner as to be easily readable from a wheelchair.

Use the Equal Housing Opportunity logo and/or statement in all advertising and in all marketing publications of RCRHA. RCRHA shall be particularly conscious of human models used in its publications so as to avoid signaling any sense of discrimination.

RCRHA shall maintain a TDD/TTY machine or access to a TDD/TTY for the use of the hearing impaired. RCRHA shall use the telecommunications relay service through the local service provider. The number 1-800-735-2962 for TDD and then for voice 1-800-735-8262.

As many publications as feasible shall be printed both in English and in any other languages as may be commonly spoken within the Town of Farmville. RCRHA will try to employ staff with bi-lingual language capabilities in English and any other language as may be commonly spoken within the Town of Farmville, or maintain a relationship with a service or individual that can provide the service.

### **E. SERVICE AND ACCOMMODATIONS POLICY**

This policy is applicable to all situations described in this Admissions and Continued Occupancy Policy when a family initiates contact with RCRHA, when RCRHA initiates contact with a family including when a family applies, and when RCRHA schedules or reschedules appointments of any kind.

It is the policy of RCRHA to be service-directed in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services to the families within our jurisdiction.

RCRHA's policies and practices will be designed to provide assurances that all persons with disabilities will be provided reasonable accommodation so that they may fully access and utilize the housing program and related services. The availability of specific accommodations will be made known by including notices on RCRHA forms and letters to all families, and all requests will be verified so that the RCRHA can properly accommodate the need presented by the disability.

#### **Federal Americans with Disabilities Act of 1990**

With respect to an individual, the term "disability," as defined by the 1990 Act means:

A person with a physical or mental impairment that substantially limits one or more of the major life activities of an individual; has a record of such impairment; or is regarded as having such impairment. (The disability may not be apparent to others, i.e., heart condition).

#### **Undue Hardship**

Requests for reasonable accommodation from persons with disabilities will be granted upon verification that they meet the need presented by the disability and they do not create an "undue financial and administrative burden" for RCRHA, meaning an action requiring "significant difficulty or expense."

In determining whether accommodation would create an undue hardship, the following guidelines will apply:

The nature and cost of the accommodation needed;

The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation.

If more than one accommodation is equally effective in providing access to the RCRHA's programs and services, the RCRHA retains the right to select the most efficient or economical choice.

Any request for an accommodation that would enable a tenant to materially violate essential lease terms will not be approved, i.e. allowing nonpayment of rent, destruction of property, disturbing the peaceful enjoyment of others, etc.

### **Other Accommodations**

Qualified families will be offered an accessible unit, upon request by the family, when an accessible unit is available. Due to the limited number of accessible units, RCRHA will offer vacant accessible units with features for person with disabilities as follows:

First, to a current qualified resident of the same development under common control, who requires a unit with accessible features. If no such resident exists, then,

Second, to a current qualified resident in another development under common control, who requires a unit with accessible features. If no such resident exists, then,

Third, to an eligible qualified applicant on the Waiting List having a disability and requiring the features of an accessible unit. If no such applicant exists, then,

Fourth, to an otherwise eligible applicant without a disability requiring an accessible unit. This applicant shall be required to move to a non-accessible unit when the accessible unit is needed as an accommodation for a qualified family and non-accessible unit is available. Proper notice will be given.

## **F. TRANSLATION OF DOCUMENTS**

### **Foreign Language Interpretation**

RCRHA will try and maintain bilingual staff or retains the potential services to assist non-English speaking families and will consider providing translation of RCRHA documents into other languages upon request by an applicant or resident. RCRHA will endeavor to have access to people who speak languages other than English in order to assist non-English speaking families. However, applicants and residents who speak languages other than English are

encouraged to utilize an interpreter of their choice. In general, RCRHA is not required by the Fair Housing Act, 24 CFR 8.6, to pay costs associated with a foreign language interpreter. RCRHA shall remain in compliance with the Final Guidance to Federal Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons dated January 22, 2007 in the Federal Register.

In determining whether it is feasible to translate documents into languages other than English, RCRHA will consider the following factors:

Number of families in the County who do not speak English and who speak another language,

Estimated cost to RCRHA per client for translation of English documents into another language,

Evaluation of the need for translation by the bilingual staff and by agencies that work with non-English speaking clients, and

The availability of local organizations to provide translation services to non-English speaking clients.

**Interpretation for Visual or Audible Impairments**

Documents intended for use by applicants and residents will be made available in formats accessible for those with vision or hearing impairments in compliance with the Fair Housing Act, 24 CFR 8.6, including communication by way of TDD/TTY for those applicants or program participants who are speech or hearing impaired.

**G. PUBLIC HOUSING MANAGEMENT ASSESSMENT SYSTEM (PHAS)**

**OBJECTIVES** [24 CFR 901 & 902]

RCRHA operates its public housing program with efficiency and can demonstrate to HUD or independent auditors that RCRHA is using its resources in a manner that reflects its commitment to quality and service. RCRHA policies and practices are consistent with the new Public Housing Assessment System (PHAS) outlined in the 24 CFR Parts 901 and 902 final published regulations.

RCRHA is continuously assessing its program and consistently strives to make improvements. The RCRHA acknowledges that its performance ratings are important to sustaining its capacity to maintain flexibility and authority. RCRHA intends to diligently manage its current program operations and continuously make efforts to be in full compliance with PHAS. The policies and procedures of this program are established so that the standards set forth by PHAS are demonstrated and can be objectively reviewed by an auditor whose purpose is to evaluate performance.



## **H. FAMILY OUTREACH**

RCRHA will publicize and disseminate information to make known the availability of housing units and housing-related services for low-income families on a regular basis.

RCRHA will communicate the status of housing availability to other service providers in the community. RCRHA will advise them of housing eligibility factors and guidelines in order that they can make proper referrals for those who seek housing.

## **I. QUALITY HOUSING AND WORK RESPONSIBILITY ACT (QHWRA)**

RCRHA shall comply with the Quality Housing and Work Responsibility Act of 1998 (QHWRA). QHWRA amends the Housing Act of 1937 to include the following operational practices of the Public Housing program:

Deregulation and decontrol of public housing agencies, enabling agencies to perform as property and asset managers;

Flexibility in use of Federal assistance to enable the agency to leverage and combine assistance amounts with amounts obtained from other sources;

The facilitation of mixed income communities and the deconcentration of poverty;

An increased accountability to HUD with rewards for effective management of the Public Housing programs; and

Ability to create incentives and economic opportunities for residents of Public Housing to work, become self-sufficient.

## **J. FEDERAL PRIVACY ACT**

RCRHA's practices and procedures are designed to safeguard the privacy of applicants and residents.

Applicants and residents, including all adults in their households, are required to sign the form HUD-9886, "Authorization for Release of Information and Privacy Act Notice." This document incorporates the Federal Privacy Act Statement and describes the conditions under which HUD will release family information.

RCRHA's policy regarding release of information is in accordance with State and local laws that may restrict the release of family information.

Files will never be left unattended or placed in common areas.

The criminal background check information will be retained in the applicant/tenant file, kept in a secured area under lock and key, with access only by persons authorized by RCRHA. The HUD regulations require that upon making a determination of eligibility, the criminal background check information will be destroyed. However this is subject to the laws of the State of North Carolina. RCRHA is governed by the provisions of Chapter 132 and 132-1 of the public records laws of the State of North Carolina and as such, no person may destroy, sell, loan, or otherwise dispose of any public record without the consent of the State of North Carolina. As such, RCRHA shall maintain these records in a manner to protect the confidentiality requirements in a secure manner, but shall not destroy the record unless with the consent of the State of North Carolina.

Any and all information that would lead one to determine the nature and/or severity of a person's disability must be returned to the tenant or destroyed. However, the personal information documenting the need for a reasonable accommodation will be maintained in the folder must not be released except on an "as needed" basis in cases where an accommodation is under consideration. All requests for access and granting of accommodations based on this information must be approved by the Executive Director.

RCRHA staff will not discuss or access family information contained in files unless there is a business reason to do so. Staff will be required to disclose whether s/he has relatives living in Public Housing or assisted housing. Inappropriate discussion of family information, or improper disclosure of family information by staff will result in disciplinary action.

#### **K. POSTING OF REQUIRED INFORMATION**

RCRHA will maintain bulletin boards in conspicuous areas of the Administrative Office and the individual site development offices. The bulletin boards will contain:

- Statement of policies and procedures governing Admission and Continued Occupancy Policy (ACOP)
- Information on application taking.
- Directory of RCRHA's housing sites including names, address of offices and office hours.
- Income limits for admission.
- Current schedule of routine maintenance charges.
- A copy of the lease.
- RCRHA's grievance procedures.
- A Fair Housing Poster.
- An Equal Opportunity in Employment poster.
- Current Resident Notices.
- Required public notices.
- Security Deposit Charges.
- Schedule of Utility Allowances (if applicable).
- Flat Rent Schedule