

Chapter 2

ELIGIBILITY FOR ADMISSION

INTRODUCTION

This Chapter defines both HUD's and BHA's criteria for admission and denial of admission to the program. The policy of BHA is to strive for objectivity and consistency in applying these criteria to evaluate the qualifications of families who apply. BHA staff will review all information provided by the family carefully and without regard to factors other than those defined in this Chapter. Families will be provided the opportunity to explain their circumstances, to furnish additional information, if needed, and to receive an explanation of the basis for any decision made by BHA pertaining to their eligibility.

A.

QUALIFICATION FOR ADMISSION

It is BHA's policy to admit qualified applicants only. An applicant is qualified if he or she meets the following criteria:

Is a family as defined in this Chapter

Heads a household where all member of the household are either citizens or eligible non-citizens (24 CFR Part 200 and Part 5, Subpart E)

Has an Annual Income at the time of admission that does not exceed the low income limits for occupancy established by HUD and posted separately in BHA offices. The Quality Housing and Work Responsibility Act of 1998 authorizes the BHA to admit families whose income does not exceed the low-income limit (80% of median area income) once the HA has met the annual 40% targeted income requirement of extremely low-income families (families whose income does not exceed 30% of median area income)

Provides a Social Security number for all family members

Meets or exceeds the resident Selection and Suitability Criteria as set forth in this policy, including attendance of the BHA occupancy orientation program.

Any resident family of Pequonnock Apartments that must relocate from the complex because of the disposition and any former resident family that vacated the complex on or after December 14, 1999 for any reason other than having been evicted in accordance with a court judgment. The family must remain in good standing with the Authority.

The qualifying factors of eligibility will not be verified until the family is in a position on the waiting list to be offered a housing unit. Once the applicant is entered into the system, the application is positioned on the waiting list based on the date and time of the application. A third-party verification of qualifying factors occurs after the applicant interview. This provision does not apply to resident families of Pequonnock Apartments. These families may be admitted permanently or temporarily into public housing as soon as possible provided that they maintain their good standing with the Authority.

B.

FAMILY COMPOSITION

The applicant must qualify as a Family. Discrimination on the basis of familial status is prohibited, and a group of persons may not be denied solely on the basis that they are not related by blood, marriage or operation of law. For occupancy standards purposes, the applicant may claim a spousal relationship.

A Family is defined as:

Two or more persons sharing residency whose income and resources are available to meet the family's needs, and who are either related by blood, marriage or operation of law, or who have evidenced a stable relationship over a period of time (not less than one year)

An elderly household whose head, spouse or sole member is 62 years of age or older, handicapped or disabled (as defined by HUD in CFR 5.403). The household may be one or more elderly, handicapped or disabled persons who are not related, and may include a person providing care to a household member

A single person who has been displaced by government action or whose unit has been extensively damaged or destroyed as a result of a disaster, declared or otherwise formally recognized pursuant to Federal disaster relief laws

Households may include children expected to be born to pregnant women, children who are in the process of being adopted by an adult, or children under 18 whose custody is being obtained by an adult. In those instances where an immediate determination of pregnancy cannot be made, the BHA may require the applicant to obtain a physician's certificate

Single persons, with no children, who are pregnant or in the process of securing legal custody of any individual under the age of 18, will constitute a family under Section 3(a) of the United States Act of 1937 as amended

A single person who lives alone or intends to live alone, and who does not qualify as an elderly family or displaced person or as the remaining member of a resident family

Near elderly single persons that have attained the age of 50. Near elderly assignment shall be considered only in high vacancy areas, provided they meet all other eligibility requirements

Applicants who have not reached the age of 18 years and are not emancipated need not wait a full twelve months to reapply if they will attain the legal age limit within a twelve-month period.

This matter must be closely monitored and verified.

Head of Household

A Head of Household is defined as the adult member of the household who is designated by the family as head, is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease under State/local law. Emancipated minors who qualify under State law will be recognized as head of household if there is a court order recognizing them as an emancipated minor. Persons who are married are legally recognized as adults under State law. A family may designate an elderly or disabled family member as head of household solely to qualify the family as an Elderly Family, provided that the person is at least partially responsible for paying the rent.

Spouse of Head

The Spouse of Head is defined as the husband or wife of the head. For proper application of the Non-citizens Rule, the definition of spouse is the marriage partner who, in order to dissolve the relationship, would have to be divorced. It includes the partner in a common law marriage. The term "spouse" does not apply to boyfriends, girlfriends, significant others, or co-heads.

Co-Head

A Co-Head is defined as an individual in the household who is equally responsible for the lease with the Head of Household. A household may have either a spouse or co-head, but not both. A co-head never qualifies as a dependent.

Live in Aide

A Family may include a Live in Aide, provided that such live in aide:

Is determined by BHA to be essential to the care and well being of an elderly person, a near-elderly person, or a person with disabilities

Is not obligated for the support of the person(s)

Would not be living in the unit except to provide care for the person(s).

When an applicant or resident can provide documentation to the satisfaction of the Housing Authority that a live in aide is required and available, the following provisions shall apply: The live in aide must submit information as requested and be reviewed by the Resident Selection staff for eligibility under the Resident Selection criteria of this policy.

If BHA determines an individual proposed as a live in aide is ineligible, the reside or applicant may propose an alternate live in aide for screening, or may appeal to Authority's determination to a review officer.

The applicant and the live in aide may each be allocated a separate bedroom. However, because there are no two-bedroom units in the elderly developments, the Authority may allow the applicant to choose from the following options with the understanding that no transfer request will be honored after occupancy solely on the basis of this decision:

To be considered for a one-bedroom unit in an elderly complex, or

To be considered for a two-bedroom unit in a family complex.

A live in aide is not considered to be an assisted family member and has no rights or benefits under the program. Income of the live in aide will not be counted for purposes of determining eligibility or level of benefits. Live in aides may not be considered as a remaining member of the resident family.

Relatives are not automatically excluded from being live in aides, but they must meet all of the elements in the live in aide definition described above. Family members of a live in aide also reside in the unit, providing doing so does not increase the subsidy by the cost of an additional bedroom and that the presence of the family member(s) does not overcrowd the unit.

A live in aide may only reside in the unit with the approval of BHA. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or caseworker. The verification provider must certify that a live in aide is needed for the care of the family member who is elderly, near elderly (50-61) or disabled. The live in aide must sign a disclaimer that their only purpose is to take care of the resident who requires a live in aide, and that the live in aid has no right to the apartment if the primary residents vacate the unit or die. The live in aide must abide by all the rules and regulations of the BHA.

The primary resident is responsible for all actions of all household members with respect to the requirements of the dwelling lease. A live in aide who is engaged in violations of the lease must be required by the resident to vacate the unit. The Site Manager will provide as much resource/ referral to the head of household should they request the live-in aide to vacate the unit. If the resident fails to take such action, it may be cause for the BHA to initiate the eviction of the household.

Verification of the need for a live in aide must include the hours the care will be provided. BHA has the right to disapprove a request for a live in aide based on the "Other Eligibility Criteria" described in this Chapter.

C.

INCOME ELIGIBILITY

The applicant must be income eligible. The applicant's total family income must not exceed BHA Income Limits. Income limits are revised annually by HUD. Income limits will, at all times, be posted in the Resident Selection Office. This provision does not apply to displaced Pequonnock Apartment families eligible for relocation services.

D.

HOUSEHOLD COMPOSITION

The applicant's household composition must conform to unit sized available in BHA development is accordance with HUD-established occupancy standards.

E.

OCCUPANCY BY LAW ENFORCEMENT OFFICIALS

In order to provide an increased sense of security for public housing residents BHA may allow public housing units to be occupied by police officers. Police officers will not be required to be income eligible to qualify for admission to BHA's public housing program.

F.

MANDATORY SOCIAL SECURITY NUMBERS [24 CFR 5.216]

Families are required to provide verification of Social Security Numbers for all family members prior to admission. This requirement also applies to persons joining the family after admission to the program. Failure to furnish verification of social security numbers is grounds for denial of admission or termination of tenancy.

G

CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS

In October 1998 Congress passed the Quality Housing and Work Responsibility Act of 1998. As a result, Housing Authorities may no longer elect to "opt out" of the Non-citizens rule. Housing Authorities must immediately begin to apply the provisions of section 214 of the HCDA of 1980. In order to receive assistance, a family member must be a U.S. citizen or eligible immigrant. Individuals who are neither may elect not to contend their status. Eligible immigrants are persons who are in one of the six immigrant categories as specified by HUD.

For the Citizenship/Eligible Immigration requirement, the status of each member of the family is considered individually before the family's status is defined. A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called "mixed". Such applicant families will be given notice that their assistance will be pro-rated and that they may request a hearing if they contest this determination.

Applicant families that include no eligible members will be ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.

Non-citizen students defined by HUD in the non-citizen regulations are not eligible for assistance.

The HA will establish and verify eligibility no later than the date of the family's annual reexamination following October 21, 1998.

No individual or family applying for financial assistance may receive such financial assistance prior to the affirmative establishment and verification of eligibility of every individual or family member.

H.

OTHER ELIGIBILITY CRITERIA

The applicant household must meet the Resident Selection Criteria established by BHA to protect the rights and needs of the public housing community for a decent, safe and livable environment. It is sometimes necessary to deny admission to public housing applicants whose habits and practices may reasonable be expected to have a materially detrimental effect on other residents or the immediate environment. All applicants will be processed in accordance with HUD's regulations (24 CFR Part 960) and sound management practices. Applicants will be required to demonstrate ability to comply with essential provisions of the lease as summarized below.

All applicants must demonstrate through an assessment of current and past behavior the ability:

To maintain an apartment in a health, safe and secure condition

To live peaceably with neighbors in a residential community

To pay rent and other charges as required by the lease in a timely manner

To care for and avoid damaging the unit and common areas

To obtain and maintain the necessary utility services at a BHA unit

To use facilities, appliances and equipment in a reasonable way

To create no health or safety hazards, and to report maintenance needs in a timely manner

Not to interfere with the rights and peaceful enjoyment of others and to avoid damaging the property of others

Not to engage in criminal activity or alcohol abuse that threatens the health, safety or right to peaceful enjoyment of other residents or staff and not to engage in drug-related criminal activity on or off BHA premises

Not to have ever been convicted of manufacturing or producing methamphetamine, also known as "speed"

To comply with necessary and reasonable rules and program requirements of HUD and BHA; and

To comply with local health and safety codes.

The BHA will reject an applicant if any of the following facts are verified:

An applicant or a member of the applicant who were former residents of the Bridgeport Housing Authority and left in good standing may submit an application any time after their account was closed and has a zero balance.

An applicant or a member of the applicant who left the Authority in poor standing (i.e. under eviction proceedings, within the lease agreement and the Admissions and Continued Occupancy Policy, but not necessarily evicted must wait twenty-four months from the time their account was closed.

An applicant or a member of the applicant who were evicted by the Authority for non-payment of rent and/or debt to the Authority and failure to comply with other lease and policy requirements will be denied admissions for a minimum of three years. The Authority reserves the right to extend this restriction if the Authority determines that the applicant's situation continues to threaten the health, safety and peaceful enjoyment of the premises of other residents that reside in public housing.

An applicant or a member of the applicant who has been convicted of a sex offense and is registered in a State approved registry or who has been convicted of illegal manufacture of illegal substances, as per Federal statutes, will be denied admissions indefinitely.

An applicant or a member of the applicant who were engaged in criminal activity specific to methamphetamine production/manufacturing is permanently barred from receiving any assistance from the Authority.

Extenuating circumstances reveal the applicant's behavior that threatens the health, safety and peaceful enjoyment of the premises of other residents that reside in public housing

The applicant or a member of the applicant's household has a history of disturbance or neighbors, damage to property, or housekeeping habits at prior residences, which would be likely to interfere with other residents in such a way as to endanger their health or safety or materially diminish their enjoyment of the premises

The applicant or a member of the applicant's household has been convicted of crimes of physical violence to persons or property or other criminal acts which would seriously and adversely affect the health, safety or welfare of other residents. Examples include conviction of possession, distribution, use or sale of narcotics, illegal possession of dangerous weapons, rape, prostitution, assault, other sexual offense, fraud, larceny and/or breaking and entering. In determining an applicant's ineligibility based upon criminal records, the BHA shall consider bona-fide evidence or rehabilitation. Persons convicted of sexual offenses and subject to lifetime sexual offender registration requirement are permanently barred from admissions into public housing.

Previous outstanding debts, fraud or lease violations to BHA exist, or tenancy terminated by BHA. In the case of rent or other amounts due, no previous resident may be readmitted unless all previous amounts owed have been paid; but, payment of such debt does not necessarily entitle an applicant to eligibility under this section. Even when the full amount has been paid, the applicant may re-apply until after twelve to thirty six months depending on severity. This includes any former resident of any other Housing Authority or assisted housing, or any former resident of any of the units that are owned and/or managed by the Authority.

The past and present performance of the applicant or other member of the household in meeting financial obligations has been poor as demonstrated by a credit report and/or landlord references, or the screening criteria used by any private or not-profit firm employed by the BHA involving but not necessarily limited to:

Credit checks – no more than three (3) negative credit reports from three (3) different creditors that have been charged off or turned over to a collection agency due to non-payment. Conditional

Exceptions: If the applicant request a conference to discuss making arrangements with the creditors to repay in a limited amount of time (three months). If it is realistically financially feasible, the applicant is granted approval on a case by case basis to make arrangements and to submit proof of payments and a letter from the creditor indicating the account is paid in full

Home visits – home visits for non-residents who are being screened will be conducted and completed by the landlord of the current residence

Criminal and/or other background checks

Landlord references – negative landlord reference report stating that applicant failed to pay rent on a timely basis, violated lease agreement, was a nuisance, sublet the unit, and did not maintain the unit properly. In determining an applicant's ineligibility based on a previous history of non-payment of rent, the BHA will consider whether:

The applicant was residing in a sub-standard unit and was withholding rent payments pending repairs in a manner consistent with local ordinances; or

The record of non-payment was due to the applicant being required to pay excessive rent relative to his/her income and the applicant demonstrated responsible efforts to resolve the non-payment problem; or

The record of non-payment was due to the lateness of entitlement payments, wherein, lateness was not due to failure of the applicant to comply with reporting requirements nor due to any other fault of the applicant; or

A decrease in current income occurred, which would cause a financial hardship to maintain responsibilities and obligations.

BHA reserves the right, in the case of extreme hardship, to amend the Payment Agreement. Full documentation of the hardship will be required. In no case will the debt be forgiven

Either spouse is responsible for the entire debt incurred as a previous BHA resident. Children of the head or spouse who had incurred a debt to BHA will not be held responsible for the parent's previous debt.

I.

ONE STRIKE POLICY

All federally assisted housing is intended to provide a place to live and raise families, not a place to commit crime, to use or sell drugs or terrorize neighbors. It is the intention of the Housing Authority of the City of Bridgeport to fully endorse and implement a policy that is designed to:

Help create and maintain a safe and drug-free community

Keep our program participants free from threats to their personal and family safety

Support parental efforts to instill values of personal responsibility and hard work

Help maintain an environment where children can live safely, learn and grow up to be productive citizens

Assist families in their vocational/educational goals in the pursuit of self-sufficiency.

Administration

All screening procedures shall be administered fairly and in such a way as not to discriminate on the basis of race, color, nationality, religion, sex, familial status, disability or against other legally protected groups, and not to violate right to privacy. To the maximum extent possible, BHA will involve other community and governmental entities in the promotion and enforcement of this policy. This policy will be posted on BHA's bulletin board and copies made readily available to applicants and residents upon request.

HUD Definitions

Drug-related criminal activity is the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)). Drug-related criminal activity means on or off, not just near, the premises.

Criminal activity includes any criminal activity that threatens the health, safety or right to peaceful enjoyment of the resident's public housing premises by other residents or employees of BHA.

Screening for One Strike

In an effort to prevent drug related and other criminal activity, as well as other patterns of behavior that pose a threat to the health, safety or the right to peaceful enjoyment of the premises by other residents, BHA will endeavor to screen applicants at the time the initial application is made, as thoroughly and fairly as possible.

If in the past BHA initiated a lease termination, which may or may not have resulted in eviction for any reason cited under the One Strike Notice, for a family, as a prior resident of public housing, BHA shall have the discretion to consider all circumstances of the case regarding the extent of participation by non-involved family members.

BHA will ferret out information concerning a family's criminal activities as part of the processing of an application for assistance. Initial screening will include routine inquiries of the family and any other information provided to BHA regarding this matter; and complete criminal checks. The inquiries will be standardized and directed to all applicants by inclusion in the application form.

If as a result of the standardized inquiry and/or criminal check, or the receipt of a verifiable referral, there is indication that the family or any family member is engaged in drug-related criminal or violent criminal activity, BHA will conduct closer inquiry to determine whether the family should be denied admission

If the screening indicates that any family member has been arrested or convicted within the prior three years for drug-related or violent criminal activity, BHA shall obtain verification through police/court records.

FBI and Law Enforcement Records

BHA will check criminal history for all applicants and adults/family members in the household to determine whether any member of the family has engaged in violent or drug-related criminal activity. Verification of any past activity will be done prior to final eligibility and will include a check of conviction records.

BHA has applied to the Federal Bureau of Investigation (FBI) and obtained a unique Originating Agency Identifier (ORI) number in order to maximize its efforts in obtaining applicant criminal record history. BHA, through the BHA Chief of Security, processes and funnels requests in order to obtain National Crime Information Center (NCIC) data for the purpose of accessing FBI criminal records. BHA will do a name check only through its local law enforcement agency to access limited information from the NCIC. The Housing Authority also checks criminal histories of applicants.

If the channeling agency indicates to BHA that there is a criminal history record indexed in the Interstate Identification Index which might belong to the applicant, BHA must submit an applicant fingerprint card to the FBI through the appropriate channel in order to verify whether the criminal record is in fact the applicant's. Should the applicant instead elect to withdraw their application, no further action will be necessary.

Standard for Violation

Persons evicted from public housing, Indian housing, Section 23, or any Section 8 program because of drug-related criminal activity are ineligible for admission to Public Housing for a three-year period beginning on the date of such eviction. The BHA will waive this requirement if:

The person demonstrates successful completion of a rehabilitation program approved by the BHA, or the circumstances leading to the eviction no longer exist. For example, the individual involved in drugs is no longer in the household because the person is incarcerated.

BHA will permanently deny admission to public housing persons convicted of manufacturing or producing methamphetamine on the premises of the assisted housing project in violation of any Federal or State law. "Premises" is defined as the building or complex in which the dwelling unit is located, including common areas and grounds.

BHA will deny participation in the program to applicants where BHA determines there is reasonable cause to believe that the person is illegally using a controlled substance or engages in drug-related or other criminal activity. The same will apply if it is determined that the person abuses alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents. This includes cases where BHA determines that there is a pattern of illegal use of controlled substances or a pattern of alcohol abuse.

Engaged in or engaging in or recent history of drug related criminal activity means any act within the past three (3) years by applicants or participants, household members, or guests which involved drug-related criminal activity including, without limitation, drug-related criminal activity, possession and/or use of narcotic paraphernalia, which did or did not result in the arrest and/or conviction of the applicant or participant, household members, or guests.

Engaged in or engaging in or recent history of criminal activity means any act within the past three (3) years by applicants or participants, household members, or guests which involved criminal activity that would threaten the health, safety or right to peaceful enjoyment of the public housing premises by other residents or employees of the HA, which did or did not result in the arrest and/or conviction of the applicant or participant, household members, or guests.

Other criminal activity

Other criminal activity means a history of criminal activity involving crimes of actual or threatened violence to persons or property, or a history of other criminal acts, conduct or behavior which would adversely affect the health, safety, or welfare of other residents.

For the purposes of this policy, this is construed to mean that a member of the current family has been convicted of any criminal or drug-related criminal activity within the past three (3) years.

HUD defines violent criminal activity as any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against a person or property, and the activity is being engaged in by any family member.

No family member may have engaged in or threatened abusive or violent behavior toward BHA personnel at any time. No family member may have committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program in the last three (3) years.

Evidence

The HA must have evidence of the violation.

Preponderance of evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. The intent is not to prove criminal liability, but to establish that the act(s) occurred.

Preponderance of evidence is not to be determined by the number of witnesses, but by the greater weight of all evidence.

Credible evidence may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence, can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants, evidence gathered by BHA inspectors and/or investigators, and evidence gathered from the BHA Hotline (576-7983). Residents may call into this number to report problems in the site. Caller identities are not required and shall remain private.

The BHA may pursue fact-finding efforts as needed to obtain credible evidence, including obtaining information from drug abuse treatment centers. BHA will inquire of all applicants whether they are currently using or in the past have ever engaged in the illegal use of a controlled substance. BHA will inquire of all applicants who respond in the affirmative whether they are

currently receiving treatment or have ever received treatment at a drug abuse treatment facility. All applicants who respond in the affirmative will be required to sign a written consent authorizing the HA to receive information from the drug abuse treatment facility stating only whether the facility has reasonable cause to believe that the applicant is currently engaging in the illegal use of a controlled substance. The authorization will be sent to the drug abuse treatment facility with a HA postage paid return addressed envelope addressed to the attention of the Resident Selection Office.

Confidentiality of Criminal Records

BHA will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose for which it was requested is accomplished.

All criminal reports, while needed by the Resident Selection Office for screening for criminal behavior, will be housed in a locked file with access restricted to individuals responsible for such screening.

Misuse of the above information by any employee will be grounds for termination of employment. Penalties for misuse are contained in the Personnel Policy.

If the family is determined eligible for initial or continued assistance, the BHA's copy of the criminal report shall be shredded as soon as the information is no longer needed for eligibility or continued assistance determination.

If the family's assistance is denied or terminated, the criminal record information shall be shredded immediately upon completion of the review or hearing procedures and a final decision has been made.

BHA will document in the family's file that the family was denied admission or the tenancy was terminated due to findings in the Criminal History Report

Disclosure of Criminal Records to Family

Before BHA takes any adverse action based on a criminal conviction record, the applicant will be provided with a copy of the criminal record and an opportunity to dispute the record. Applicants will be provided an opportunity to dispute the record at an informal hearing. Residents may contest such records at the court hearing in the case of evictions.

Hearings

If information is revealed that would cause BHA to deny admission to the household and the person disputes the information, s/he shall be given an opportunity for an informal hearing according to BHA's hearing procedures outlined in the Chapter on Complaints, Grievances and Appeals.

J.

SCREENING FOR SUITABILITY [24 CFR 960.204, 960.205]

In developing its admission policies, the aim of BHA is to attain a resident body composed of families with a broad range of incomes and to avoid concentrations of the most economically deprived families and families with serious social problems. Therefore, it is the policy of BHA to deny admission to applicants whose habits and practices may reasonably be expected to have a detrimental effect on the operations of the development or neighborhood, or on the quality of life for its residents.

BHA will conduct a detailed interview of all applicants. The interview form will contain questions designed to evaluate the qualifications of applicants to meet the essential requirements of tenancy. Answers will be subject to third party verification.

With regards to the displaced Pequonnock Apartment families eligible for relocation services, a third-party provider will interview and assess the needs of the family and coordinate with the Authority their choices for temporary and/or permanent occupancy at one of the Authority's complexes most suitable for the family; for a Section 8 voucher within the jurisdiction of the City of Bridgeport; and for Section 8 vouchers to be administered outside the jurisdiction of the City of Bridgeport.

An applicant's intentional misrepresentation of any information related to eligibility, award of preference for admission, housing history, allowances, family composition or rent will result in denial of admission.

Applicants must be able to demonstrate the ability and willingness to comply with the terms of the lease, either all or with assistance which they can demonstrate that they have or will have at the time of admission. The availability of assistance is subject to verification by BHA.

BHA's minimum age for admission as head of household is 18, to avoid entering into leases that would not be valid or enforceable under applicable law. BHA does not permit a parent or legal guardian to co-sign the lease on the applicant's behalf if the head of household is under 18.

As a part of the eligibility determination, BHA will screen each applicant household to assess their suitability as renters. BHA will complete a complete credit check and rental history check on all applicants.

BHA shall rely upon sources of information which may include, but not be limited to, BHA records, personal interviews with the applicant or resident, correspondence with previous landlords, employers, family social workers, parole officers, criminal and court records, and home visits for all applicants. This will be done in order to determine whether the individual attributes, prior conduct, and behavior of a particular applicant is likely to interfere with other residents in such a manner as to diminish their enjoyment of the premises by adversely affecting their health, safety or welfare.

Factors to be considered in the screening are housekeeping habits, rent paying habits, prior history as a resident, criminal records, the ability of the applicant to maintain the responsibilities of tenancy, and whether the conduct of the applicant in present or prior housing has been such that admission to the program would adversely affect the health, safety or welfare of other residents, or the physical environment, or the financial stability of the project.

BHA's examination of relevant information pertaining to past and current habits or practices will include, but is not limited to, an assessment of:

The applicant's past performance in meeting financial obligations, especially rent
Eviction or a record of disturbance of neighbors sufficient to warrant a police call, destruction of property, or living or housekeeping habits at present or prior residences which may adversely affect the health, safety, or welfare of other residents or neighbors

Any history of criminal activity on the part of any applicant family member involving criminal acts, including drug-related criminal activity

Any history or evidence of repeated acts of violence on the part of an individual, or a pattern of conduct constituting a danger to peaceful occupancy by neighbors

Any history of initiating threats or behaving in a manner indicating an intent to assault employees or other residents

Any history of alcohol or substance abuse that would threaten the health, welfare, or right to

peaceful enjoyment of the premises by other residents

The ability and willingness of an applicant to comply with the essential lease requirements will be verified and documented by BHA. The information to be considered in the screening process shall be reasonably related to assessing the conduct of the applicant and other family members listed on the application in present and prior housing

The history of applicant conduct and behavior must demonstrate that the applicant family can reasonably be expected not to:

Interfere with other residents in such a manner as to diminish their peaceful enjoyment of the premises by adversely affecting their health, safety, or welfare [24CFR 960.205(b)]

Adversely affect the physical environment or financial stability of the project [24CFR 960.205(b)]

Violate the terms and conditions of the lease. [24CFR 8.3]

Require services from BHA staff that would alter the fundamental nature of BHA's program. [24CFR 8.3].

Rent Paying Habits

BHA will examine any Housing Authority records from a prior tenancy, and will request written references from the applicant's current landlord and may request written references from former landlords for up to the past three (3) years.

Based upon these verifications, BHA will determine if the applicant was chronically late with rent payments, was evicted at any time during the past three (3) years for nonpayment of rent, or had other legal action initiated against him/her for debts owed. Any of these circumstances could be grounds for an ineligibility determination, depending on the amount of control the applicant had over the situation.

Applicants will not be considered to have a poor credit history if they were late paying rent because they were withholding rent due to substandard housing conditions in a manner consistent with a local ordinance; or had a poor rent paying history clearly related to an excessive rent relative to their income (using 50% of their gross income as a guide,) and responsible efforts were made by the family to resolve the nonpayment problem.

The lack of credit history will not disqualify a family, but a poor credit history will, with the exceptions noted above.

Where past rent paying ability cannot be documented, BHA will check with the utility company(s) to determine whether the family has been current and timely on their payments. The applicant is ineligible for necessary utility services to be billed in his/her name for the BHA units if the applicant is delinquent with the utility companies and has no utility payment plan in effect. In such cases, the applicant will be given 30 days from the date of interview to arrange a payment plan with the utility companies. Should the applicant fail to implement such a plan, they will be determined ineligible.

Screening Applicants Who Claim Mitigating Circumstances

Mitigating circumstances are facts relating to the applicant's record of unsuitable rental history or behavior, which, when verified would indicate both: (1) the reason for the unsuitable rental history and/or behavior; and (2) that the reason for the unsuitable rental history and behavior is no longer in effect or is under control, and the applicant's prospect for lease compliance is an acceptable one, justifying admission.

If unfavorable information is received about an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct. In order to be factored into BHA's screening assessment of the applicant, mitigating circumstances must be verifiable.

If the mitigating circumstances claimed by the applicant relate to a change in disability, medical condition or course of treatment, BHA shall have the right to refer such information to persons who are qualified and knowledgeable to evaluate the evidence and to verify the mitigating circumstance. BHA shall also have the right to request further information reasonably needed to verify the mitigating circumstance, even if such information is of a medically confidential nature. Such inquiries will be limited to the information necessary to verify the mitigating circumstances or, in the case of a person with disabilities, to verify a reasonable accommodation.

Examples of Mitigating Circumstances include:

Evidence of successful rehabilitation

Evidence of the applicant family's participation in and completion of social service or other appropriate counseling service approved by BHA

Evidence of successful and sustained modification of previous disqualifying behavior

Consideration of mitigating circumstances does not guarantee that the applicant will qualify for admission. BHA will consider such circumstances in light of:

The applicant's ability to substantiate through verification the claim of mitigating circumstances and his/her prospects for improved future behavior; and

The applicant's overall performance with respect to all the screening requirements.

Qualified and Unqualified Applicants

Information that has been verified by BHA will be analyzed and a determination will be made with respect to:

The eligibility of the applicant as a family;

The eligibility of the applicant with respect to income limits for admission;

The eligibility of the applicant with respect to citizenship or eligible immigration status;

Preference category (if any) to which the family is entitled.

Applicants who are determined to be unqualified for admission will be promptly notified with a Notice of Denial of Admission stating the reason for the denial. BHA shall provide applicants an opportunity for an informal hearing.

Applicants who have requested a reasonable accommodation as a person with a disability and who have been determined eligible, but fail to meet the Applicant Selection Criteria, will be referred to the City of Bridgeport Office of Persons with Disabilities.

BHA will make every effort to accurately estimate an approximate date of occupancy. However, the date given by BHA does not mean that applicants should expect to be housed by that date. The availability of a suitable unit to offer a family is contingent upon factors not directly controlled by BHA, such as turnover rates, and market demands as they affect bedroom sizes and project location.

Documenting Findings

An authorized representative of BHA shall document any pertinent information received relative to the following:

Criminal Activity - includes the activities listed in the definition of criminal activity in this Chapter

Pattern of Violent Behavior - includes evidence of repeated acts of violence on the part of an individual, or a pattern of conduct constituting a danger to peaceful occupancy of neighbors

Pattern of Drug Use - includes a determination by BHA that the applicant has exhibited a pattern of illegal use of a controlled substance that might interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents

Drug Related Criminal Activity - includes a determination by BHA that the applicant has been

involved in the illegal manufacture, sale, distribution, use or possession of a controlled substance
Pattern of Alcohol Abuse - includes a determination by BHA that the applicant's pattern of alcohol abuse might interfere with the health, safety or right to peaceful enjoyment of the premises by other residents

Initiating Threats - or behaving in a manner indicating intent to assault employees or other residents

Abandonment of a Public Housing Unit - without advising BHA officials so that staff may secure the unit and protect its property from vandalism

Non-Payment of Rightful Obligations - including rent and/or utilities and other charges owed to BHA or any other BHA

Intentionally Falsifying an Application for Leasing - including uttering or otherwise providing false information about family income and size, using an alias on the application for housing, or making any other material false statement or omission intended to mislead

Record of Serious Disturbances of Neighbors, Destruction of Property or Other Disruptive or Dangerous Behavior - consists of patterns of behavior which endanger the life, safety, or welfare of other persons by physical violence, gross negligence or irresponsibility; which damage the equipment or premises in which the applicant resides, or which are seriously disturbing to neighbors or disrupt sound family and community life, indicating the applicant's inability to adapt to living in a multi-family setting. Includes judicial termination of tenancy in previous housing on the grounds of nuisance or objectionable conduct, or frequent loud parties, which have resulted in serious disturbances of neighbors

Grossly Unsanitary or Hazardous Housekeeping - includes the creation of a fire hazard through acts such as hoarding rags, papers, or other materials; severe damages to premises and equipment, if it is established that the family is responsible for the condition; seriously affecting neighbors by causing infestation, foul odors, depositing garbage in halls; or serious neglect of the premises.

This category does not include families whose housekeeping is found to be superficially unclean or due to lack of orderliness, where such conditions do not create a problem for neighbors

Destruction of Property from previous rentals

Whether Applicant or resident is Capable of Maintaining the Responsibilities of Tenancy - In the case of applicants for admission, the person's present living arrangements and a statement obtained from applicant's physician, social worker, or other health professional will be among factors considered in making this determination. The availability of a live-in attendant will be considered in making this determination.

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 that might indicate a reasonable probability of favorable future conduct or financial prospects.

BHA may waive the policies prohibiting admission in these circumstances if the person demonstrates to BHA's satisfaction that the person is no longer engaging in illegal use of a controlled substance or abuse of alcohol and has successfully completed a supervised drug or alcohol rehabilitation program.

Prohibited Criteria for Denial of Admission

Applicants will NOT be rejected because they:

Have no income

Are not employed

Do not participate in a job training program

Will not apply for various welfare or benefit programs
Have children

Have children born out of wedlock
Are on welfare

Are students

K.

HEARINGS

If information is revealed that would cause BHA to deny admission to the household and the person disputes the information, s/he shall be given an opportunity for an informal hearing.

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