

CITY OF NIAGARA FALLS, NEW YORK

DEPARTMENT OF COMMUNITY DEVELOPMENT

SECTION 8 LEASED HOUSING PROGRAM

1022 MAIN STREET - PO BOX 69

NIAGARA FALLS, NY 14302

(716) 286-8820

(716) 286-8824 FAX

September 30, 2019

Proposed Amendment to PHA Administrative Plan

Underlining and **Bold** indicate additions.

Bold and **[Brackets]** indicate deletions.

Chapter 4: APPLICATIONS, WAITING LIST AND TENANT SELECTION

4-I.B. "Applying for Assistance," p. 4-3

Policy on Applying for Assistance

PHA Policy

Depending upon the length of time that applicants may need to wait to receive assistance, the PHA may use a one- or two-step application process.

A one-step process will be used when it is expected that a family will be selected from the waiting list within 60 days of the date of application. At application, the family must provide all of the information necessary to establish family eligibility and level of assistance.

A two-step process will be used when it is expected that a family will be not be selected from the waiting list for at least 60 days from the date of application. Under the two-step application process, the PHA initially will require families to provide only the information needed to make an initial assessment of the family's eligibility, and to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and level of assistance when the family is selected from the waiting list.

Families may obtain **electronic** application **[forms from the PHA's office during normal business hours or]** from the City of Niagara Falls's website: niagarafallsusa.org **and from the Department of Community Development website: nf-cd.org**. **[Families may also request that an application be mailed to them via first class mail for purposes of reasonable accommodation.] Electronic devices with internet capability will be made available at the PHA office during normal business hours during the application process.**

Completed applications must be **[returned to the PHA by mail, by fax, or submitted in person during normal business hours.] submitted electronically.** Applications must be complete in order to be accepted by the PHA for processing. If an application is incomplete, the PHA will notify the family of the additional information required.

Applications received after the waiting list closes will be rejected. "Received" is defined as the date **[delivered to the PHA, if delivered in person, or the date postmarked (including fax time stamp) if mailed or faxed.] the electronic application is submitted to the PHA.**

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4-III.B. "Selection and HCV Funding Sources," p. 4-13

Policy on Special Admissions

PHA Policy

The PHA administers special admission (non-waiting list) assistance targeted by HUD through program funding as awarded and regulated by HUD.

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4-III.C. "Selection Method," p. 4-14

Policy on Local Preferences

PHA Policy

The PHA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding.

Otherwise, **homeless individuals and families**, families of more than one person, and elderly or disabled single person households will be selected before non-elderly or non-disabled single person households.

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Chapter 4: APPLICATIONS, WAITING LIST AND TENANT SELECTION

4-III.C. "Selection Method," p. 4-15

Policy on Order of Selection

PHA Policy

Families will be selected from the waiting list based on the targeted funding or selection preference(s) for which they qualify, and in accordance with the PHA's hierarchy of preferences, if applicable.

Within each targeted funding or preference category, families will be selected [**on a first-come, first-served basis**] by a random selection process according to the date and time their complete application is received by the PHA.

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Chapter 7: VERIFICATION

7-I.D. "Third-Party Written and Oral Verification," p. 7-7

Policy on Written Third-Party Verification Form

PHA Policy

The PHA will send third-party verification forms directly to the third party[.] **to be completed and returned to the PHA within 14 calendar days. If the third-party verification is not returned within 14 calendar days, the PHA will send a second request to the third party to be completed and returned to the PHA within 7 calendar days. If no response is received after the due date of the second request, the PHA will use oral third-party verification.**

Third-party verification forms will be sent when third-party verification documents are unavailable or are rejected by the PHA.

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Chapter 8: HOUSING QUALITY STANDARDS AND RENT REASONABLENESS DETERMINATIONS

8-II.A. "The Inspection Process Overview," p. 8-10

Policy on Inspection Costs

PHA Policy

The PHA will impose a \$25.00 reinspection fee to the owner for **[the first] each** reinspection when:

- The owner reports that an HQS deficiency has been repaired, but reinspection reveals that the deficiency has not been repaired; or
- When the time for repairs has elapsed and the deficiency has not been repaired.

The PHA may waive the fee if repairs for non-life threatening items were delayed due to circumstances beyond the owner's control, or the PHA determines that the owner made a good-faith effort to correct the deficiency, but the correction did not meet minimum HQS.

The PHA will make determinations on a case by case basis.

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Chapter 9: GENERAL LEASING POLICIES

9-I.H. "Changes in Lease or Rent," p. 9-14

Policy on Rent Increases

PHA Policy

Where the owner is requesting a rent increase, the PHA will determine whether the requested increase is reasonable in a timely manner so as to ensure 30 days notice is given to the owner and family of the rent charge. The owner will be notified of the determination in writing.

Rent increases will go into effect of the first of the month following the 60 day period after the owner notifies the PHA of the rent change or on the date specified by the owner, whichever is later.

For proposed rent increases of more than \$50 per month, the PHA will require the owner to provide documentation justifying such an increase (e.g., significant tax or insurance increase, major improvements to the unit, etc.).

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Chapter 10: MOVING WITH CONTINUED ASSISTANCE AND PORTABILITY

10-II.B. "Initial PHA Role," p. 10-9

Policy on Participant Families

PHA Policy

The PHA will determine whether a participant family may move out of the PHA's jurisdiction with continued assistance in accordance with the regulations and policies set forth here and in sections 10-I.A and 10-I.B of this chapter. **If a family is in a repayment agreement with the PHA, the participant will not be allowed to port out of the PHA jurisdiction until the repayment agreement is paid in full (VAWA regulations will be an exception to this policy).**

The PHA will notify the family of its determination in accordance with the approval policy set forth in section 10-I.C of this chapter.

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Chapter 16: PROGRAM ADMINISTRATION

16-III.C. "Informal Hearings for Participants," p. 16-18

Policy on Informal Hearing Officer

PHA Policy

The PHA has designated the following to serve as hearing officers:

[Richard Zucco, Attorney for the City of Niagara Falls]

The Director of Community Development or the Director's appointee that is a City staff member who does not have a day-to-day knowledge of the Leased Housing Program or Participant.