

Standard Operating Policy # 2-04

Name: Termination of Housing Choice Voucher Participation

Board Resolution: 811-10

Effective Date: 11/1/2010

The Fairfield Metropolitan Housing Authority places immense significance on the rules and regulations of the Department of Housing and Urban Development and the Code of Federal Regulations concerning compliance while participating on, or applying for, the Housing Choice Voucher Program. The Housing Authority strives to give those in non-compliance the benefit of the doubt and retain their rental assistance while rectifying the violation(s). Thus, this policy is designed to meet the rules and regulations of the program while promoting equal treatment of all applicants and participants regarding the removal, or denial, of Housing Choice Voucher participation.

Falsification of Documentation:

Defined as intentionally filling out and/or signing paperwork in which the information is not true and/or complete

First Offense will result in the applicant or participant being required to sign documentation acknowledging the offense and returning the documentation to FMHA by the required deadline. If money is owed as a result of the falsification, the client will also be required to enter into a repayment agreement. This documentation will include information to the client concerning: (a) not repeating an offense of falsification; (b) how to correct the issue(s); (c) the consequences of a second violation. If the client(s) does not return the signed documentation, termination or denial of participation will occur. Termination requires the ineligibility to participate on the Voucher Program for at least two (2) years from the date of the termination or denial.

A second offense within 24 months will result in termination, or denial, of the customer's Housing Choice Voucher participation, repayment of any monies that may be owed to the Housing Authority and ineligibility to participate on the Voucher Program for at least two (2) years from the date of the termination or denial.

Non-Reporting of Income/Family Composition with No Falsification Involved:

Defined as not reporting changes in income or family composition within 10 calendar days

First offense of non-reporting of income or family composition will result in an appropriate warning letter being dispatched which explains the offense and the consequences to any additional instances of non-reporting. The client will be required to sign documentation acknowledging this violation and return the signed documentation to FMHA by the required deadline date. A twelve (12) month repayment agreement will also be mailed to the client(s) for any monies owed to the Housing Authority. If the client(s) does not return the signed documentation, termination, or denial, of participation will occur. Termination requires the ineligibility to participate on the Voucher Program for at least two (2) years from the date of the termination or denial.

Second Offense will result in termination, or denial, of the customer's Housing Choice Voucher participation, any monies that may be owed to the Housing Authority will require payment in full prior to future participation and ineligibility to participate on the Voucher Program for at least two (2) years from the date of the termination or denial.

Repayment/Debt Collection:

A thirty day deadline will sent requiring payment in full within 30 days for those client(s) who are in violation of their twelve (12) month repayment agreement. If the client(s) does not return the signed documentation and payment in full, termination or denial of participation will occur.

Anyone who has already been in a repayment agreement, who commits another violation of the same type, will NOT be allowed to enter into another agreement. Payment in full must be submitted within 30 days or termination, or denial, of participation will occur. Termination requires the ineligibility to participate on the Voucher Program for at least two (2) years from the date of the termination or denial.

Housing Quality Standards (HQS) Inspections:

A letter rescheduling the inspection, as well as the consequences for missing an inspection and how to correct the issue will be sent to those client's who miss two (2) scheduled inspections, within a series of inspections (i.e. initial inspection series, annual inspection series, special inspection series, etc.) If the client(s) does not return the letter signed acknowledging the violation occurred or misses the scheduled inspection, termination or denial of participation will occur. Termination requires the ineligibility to participate on the Voucher Program for at least two (2) years from the date of the termination or denial

A second violation for missing scheduled inspections within a 24 month period of the signed documentation regarding the first violation will result in termination, or denial, of the client(s) Housing Choice Voucher participation. Termination requires the ineligibility to participate on the Voucher Program for at least two (2) years from the date of the termination or denial.

Tenant 30-day HQS Violations:

A letter extending the date to complete the repairs will sent to those clients who do not correct any tenant caused Housing Quality Standard violation(s). The letter will include: (a) not repeating an offense of non-correction of tenant caused HQS violations; (b) how to correct the issue(s); (c) the consequences of a second violation. The letter must be signed and returned to FMHA by the required deadline. If the repairs are not made by the new inspection date or the letter is not returned by the required deadline termination or denial of participation will occur. Termination requires the ineligibility to participate on the Voucher Program for at least two (2) years from the date of the termination or denial.

A second violation for non-correction of tenant caused HQS violations, for a violation occurring within a 24 month period of the date of the first hearing, will result in termination of the client(s) Housing Choice Voucher participation.

Tenant 24-hour HQS Violations:

Termination will be sent to those client's who do not correct a 24-hour tenant caused Housing Quality Standard violation(s), as required by HUD. At the time of the hearing, information will be given to the client(s) concerning: (a) not repeating an offense of non-correction of tenant caused HQS violations; (b) how to correct the issue(s); (c) the consequences of a second violation. Failing to make the repair as required by the deadline date will result in termination of benefits. Termination requires the ineligibility to participate on the Voucher Program for at least two (2) years from the date of the termination or denial.

A second hearing for non-correction of tenant caused 24-hour HQS violations, for a violation occurring within a 24 month period of the date of the first hearing, will result in termination of the client(s) Housing Choice Voucher participation. Termination requires the ineligibility to participate on the Voucher Program for at least two (2) years from the date of the termination or denial.

Missing Deadlines:

A letter giving a non-extendable deadline will be sent to those clients who miss two, or more, requests for information (given written deadline(s)) and a 30 day given to raise their rental portion to the full amount. The letter will give the client's information concerning: (a) not repeating an offense of missing deadlines; (b) how to correct the issue(s); (c) the consequences of a second offense. The letter will also require the client sign and return the letter acknowledging the offense. If the client(s) does not return information original requested or the letter by the deadline, termination of participation will occur. Termination requires the ineligibility to participate on the Voucher Program for at least two (2) years from the date of the termination or denial.

Second violation for missing deadlines, within a 24 month time period from the date of the first violation letter, will result in termination of the customer's Housing Choice Voucher participation. Termination requires the ineligibility to participate on the Voucher Program for at least two (2) years from the date of the termination or denial.

Reasonable accommodation for a person(s) with a disability request will ALWAYS be considered, with appropriate documentation and other evidence always reviewed and considered.

The hearing officer has the right, and responsibility, to determine the outcome of any hearing, using appropriate regulations, policies, evidence submitted, witnesses presented, court determinations, etc.

A determination of the hearing results will be mailed, within ten (10) calendar days of the hearing, whenever possible.