

Proposed Summary of Changes
2020 Admissions and Continued Occupancy Policy (ACOP)
City and County
Effective January 1, 2020

Below is a summary of changes to be incorporated into the 2020 Admissions and Continued Occupancy Policy (ACOP).

Chapter 1 – Statement of Policies and Objectives

1. Section 1.8 – Violence Against Women Act (VAWA) – Language required by HUD to clarify when applicants and residents receive notification of their rights under VAWA. This language is consistent throughout other section regarding VAWA.

Chapter 3 - Eligibility and Suitability for Admissions Policies

2. Section 3.35 – Prohibition Against Denial of Assistance to Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking [24 CFR Part 5, Subpart L] - Added “HUD Regulation” and citation language to align with CFR. “Definitions under VAWA” from Section 3.35 to Section 16.5 definitions were repeated, removed to avoid inconsistencies and referenced where to locate in the ACOP.

Chapter 4 – Pre-Application, Management of the Interest List and Resident Selection

3. Section 4.2 – Interest List Structure – Added “phone” as an added communication method for an applicant.
4. Section 4.4 – Opening and Closing of the Interest List – Added additional methods of announcing when establishing an interest list.
5. Section 4.12 – Local Preferences, Displacement Referrals – Added additional language when displacement referrals is received from a unit of government to coordinate referral with the Agency.

Chapter 5 - Occupancy Standards & Unit Offers

6. Section 5.0 – Determining Unit Size - Updated the Guidelines for maximum persons in household for all bedroom sizes to allow flexibility and to be in line with industry standards.

7. Section 5.1 – Exceptions to Occupancy Standards – Added-clarifying language regarding accessible units, when an applicant who does not need the features accepts an accessible unit.
8. Section 5.2 – Occupancy Standards Are Applicable to Transfers – Added-clarifying language of when a Resident on the transfer list may take priority over an applicant.
9. Section 5.3 – Plan For Unit Offers – Removed language regarding oldest vacancy due to site based wait lists.
10. Section 5.4 – Time Limit for Unit Offer Acceptance or Refusal – Added-clarifying language to clarify which list an applicant may reapply to.
11. Section 5.5 – Offer of Accessible Units [CFR 960.206 (b)(2)(c)] – Updated language to clarify and to align with Section 5.2.
12. Section 5.6 – Applicants Unable To Take Occupancy – Removed language under “good cause” reason as would not be a reason to hold up a move in.

Chapter 6 – Income And Rent Determinations [24 CFR Part 5, Subparts E and F; 24 CFR 960, Subpart C]

13. Section 6.9 – Periodic Payments – Added additional required language per PIH Notice 2018-24.
14. Section 6.13 – Additional Exclusions From Annual Income - Annual Income Exclusions: Added Achieving a Better Life Experience (ABLE) account language consistent with the ABLE Act of 2014.

Chapter 7 – Verification

15. Section 7.1 – Items To Be Verified [24 CFR 982.516] – Added clarifying language regarding what items will not need to be verified at annual eligibility.
16. Section 7.2 - Use of HUD’s Enterprise Income Verification (EIV) System - Added HUD’s mandatory Income Validation Tool Language.
17. Section 7.3 – HUD’s Verification Hierarchy [Notice PIH 2018-18] - Added HUD’s mandatory Income Validation Tool Language.

18. Section 7.5 – Verification of Income – Added clarifying language regarding acceptable methods of verifications.
19. Section 7.11 – Family Relationships – Verification of Citizenship/Eligibility Immigrant Status [24 CFR 5.508] – Added language for Program Alignment.
20. Section 7.14 - Local Preferences – Clarified language about the Residency Preference. Added examples of acceptable forms of verification for Veteran’s Preference.

Chapter 8 – Leasing and Inspections

21. Section 8.2 – Execution of Lease [24 CFR 966.4(A)(3)] – Clarified language of when a new Resident Lease Agreement would be executed as the terms of the lease remain the same and amended to reflect the new family member (s).

Chapter 10 – Pets

22. Section 10.0 – Overview – Added language regarding a Service Animal consistent with regulations.

Chapter 14 – Grievance Procedures

23. Section 14.2 – Hearing And Appeal Provisions For Non-Citizens [24 CFR 5.514] – Added language to be consistent with regulation.
24. Section 14.5 – Applicability [24 CFR 966.51] – Added language to be consistent with regulation.
25. Section 14.7 – Procedures to Obtain A Formal Hearing – Added CFR citation.
26. Section 14.10 – General Procedures – Added CFR citation.

Chapter 16 – Program Administration

27. Section 16.10 – Repayment Agreements at Conclusion of Tenancy or Resolution of Eviction Proceedings – Added required language consistent with regulation.
28. Section 16.25 – Definitions [24 CFR 5.2003., FR Notice 11/16/16] – Added definitions per regulation. Moved from Section 3.35.

Chapter 17 – Mixed Finance Developments [24 CFR Part 940 Subpart F]

29. Section 17.5 – Rents – Added language to align with Section 42 Tax Credit Regulations.