

HOUSING AUTHORITY OF MORGANTOWN
COMMUNITY SERVICE

[08-2001]

[24 CFR Part 960 Subpart F and 24 CFT 903.7]

INTRODUCTION

INSTRUCTION: *The Quality Housing and Work Responsibility Act of 1998 mandates Housing Authorities to require that adults living in public housing comply with community service requirements. On March 29, 2000, the Changes to Admission and Occupancy Requirements in the Public Housing and Section 8 Housing Assistance Program Final Rule was published in the Federal Register and instructions issued on June 29, 2000 in PIH 2000-22. Community Service requirements are effective October 1, 2000. Housing Authorities with fiscal year beginning January 1, April 1, or July 1, 2001 will include information regarding community service in their next annual plan, and implement the provision at the start of their next fiscal year.*

A. REQUIREMENT

Each adult resident of the Housing Authority of Morgantown shall:

Contribute 8 hours per month of community service (not including political activities) within the community in which that adult resides; or

Participate in an economic self-sufficiency program (defined below) for 8 hours per month; or

Perform 8 hours per month of combined activities (community service and economic self-sufficiency program)

B. EXEMPTIONS

The Housing Authority of Morgantown shall provide an exemption from the community service requirement for any individual who, as codified at 24 CFR 960.601, are:

Is 62 years of age or older;

Is blind or disabled, as defined under 216(i)(1) or 1614 of the Social Security Act (42 U.S.C. Section 416(i)(1); Section 1382c), and who certify that, because of this disability, she or he is unable to comply with the service provisions of this subpart, or is a primary caretaker of such individual;

Is engaged in work activities as defined in section 407(d) of the Social Security Act (42 U.S.C. 607(d), specified below, or is engaged in work activities on a permanent

part-time basis at public employment of no less than 20 hours per week as adopted by PHA policy.

- a. Unsubsidized employment;
- b. Subsidized private-sector employment;
- c. Subsidized public-sector employment;
- d. Work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;
- e. On-the-job training;
- f. Job-search;
- g. Community Service Programs;
- h. Vocational educational training (not to exceed 12 months with respect to any individual);
- i. Job skills training directly related to employment;
- j. Education directly related to employment in the case of a recipient who has not received high school diploma or a certificate of high school equivalency;
- k. Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalency, in the case of a recipient who has not completed secondary school or received such a certificate;
- l. Self-employment**

Able to meet requirements under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. Section 601 et.seq.) or under any other welfare program of the State in which PHA is located including a State administered Welfare-to-Work program; or,

A member of a family receiving assistance, benefits, or services under a State program funded under Part A of title IV of the Social Security Act (42 U.S.C. Section 601 et. Seq.), or under any other welfare program of the State in which the PHA is located, including a State-administered Welfare-to-Work program, and has not been found by the State or other administering entity to be in noncompliance with such a program.

The Housing Authority of Morgantown will re-verify exemption status annually except in the case of an individual who is 62 years of age or older.

The Housing Authority of Morgantown will permit residents to change exemption status during the year if the status changes.

Persons, who are not exempt from the community service requirement at the time of move in, will not be required to perform 8 hours of Community Service for the month of move in but will be required to meet the requirement effective on the first day of the following month.

C. DEFINITION OF ECONOMIC SELF-SUFFICIENCY PROGRAM

For purposes of satisfying the community service requirement, participating in an economic self-sufficiency program is defined, in addition to the exemption definitions described above, by HUD as: Any program designed to encourage, assist, train, or facilitate economic independence of assisted families or to provide work for such families.

These economic self-sufficiency programs can include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment.)

In addition to the HUD definition above, the Housing Authority of Morgantown's definition includes any other activities as approved by the Housing Authority of Morgantown on a case-by-case basis.

The Housing Authority of Morgantown will give residents the greatest choice in identifying community service opportunities. These choices may include and are not restricted to volunteering at: The Boys and Girls Club, Morgantown Mission, Butler County School System, Butler County Library, Butler County Extension Service, Head Start, Senior Citizens, Adult Active Day Care, City of Morgantown Park and Street Department and local churches.

The Housing Authority of Morgantown will consider a broad range of self-sufficiency opportunities. These may include, but are not restricted to: Parenting Classes, Resident Councils, Resident Advisory Board, any programs sponsored by the Housing Authority of Morgantown through the PHDEP grant, Adult Learning Programs, Literacy, Butler County Cooperative Extension Services and Even Start.

D. RESIDENT RESPONSIBILITIES

At lease execution or re-examination, after the effective date of the adopted policy, all adult members (18 or older) of a public housing resident family must:

Provide documentation, if applicable, that they qualify for an exemption; (Documentation provided by the tenant will be used by the Housing Authority of Morgantown to determine whether the resident is exempt from the Community Service and Self-Sufficiency Responsibility) and,

Sign a certification that they have received and read the policy and understand that if they are not exempt, failure to comply with the community service requirement will result in nonrenewal of their lease, per 24 CFR 966.4(1)(2)(iii)(D).

When a non-exempt person becomes exempt, it is his or her responsibility to report this to the Housing Authority of Morgantown and provide documentation. When an exempt person becomes non-exempt, it is his or her responsibility to report this to the Housing Authority of Morgantown as soon as possible.

E. ANNUAL DETERMINATIONS

Requirement- For each public housing resident subject to the requirement of community service, the Housing Authority of Morgantown shall, 30 days before the expiration of each lease term, review and determine the compliance of the resident with the community service requirement.

Such determination shall be made in accordance with the principles due process and on a nondiscriminatory basis.

The Housing Authority of Morgantown will verify compliance annually. If qualifying activities are administered by an organization other than the Housing Authority of Morgantown, the Housing Authority of Morgantown will obtain verification of family compliance from such third parties.

Family members will not be permitted to self-certify that they have complied with community service requirements.

E. NONCOMPLIANCE

If the Housing Authority of Morgantown determines that a resident subject to the community service requirement has not complied with the requirement, the Housing Authority of Morgantown shall notify the resident of such noncompliance by providing a written notification which must include a brief description of the finding of non-compliance with the community service requirement and a statement that the Housing Authority of Morgantown will not renew the lease at the end of the current 12-month lease term unless the resident enters into a written agreement with the Housing Authority or the family provides written assurance that is satisfactory to the Housing Authority explaining that the tenant or other noncompliant resident no longer resides in the unit. The written agreement must include the means through which a noncompliant family member will comply with the community service requirement, and that:

The determination of noncompliance can be cured by performing community service, for the number of hours owed, within a specified period of time from the re-certification date. The period of time will be proportionate to the amount of hours owed; and

The determination of noncompliance is subject to the administrative grievance procedure under the Housing Authority of Morgantown Grievance Procedures; and

Unless the resident enters into an agreement to comply with the community service requirement, the resident's lease will not be renewed, and

The Housing Authority of Morgantown may not renew or extend the resident's lease upon expiration of the lease term and shall take such action as is necessary to terminate the tenancy of the household, unless the Housing Authority of Morgantown enters into an agreement, before the expiration of the lease term, with the resident providing for the resident to cure any noncompliance with the community service requirement, by participating in an economic self-sufficiency program for or contributing to community service as many additional hour as the resident needs to comply in the aggregate with such requirement over the 12-month term of the lease; and

Should a family member refuse to sign a written agreement, or fail to comply with the terms of the agreement, the Housing Authority of Morgantown is initiate termination of the lease at the end of the current 12-month lease (24 CFR 966.53©) due to the fact that the family is failing to comply with lease requirements. The Housing Authority of Morgantown will provide a notice to the resident of the grounds for terminating the tenancy and for non-renewal of the lease, notification of the right of the resident to be represented by counsel, provide an opportunity for the resident to refute the evidence presented by the Housing Authority, and a decision on the merits.

Any applicant for housing by the Housing Authority of Morgantown who owes any other housing program community service must satisfy that agencies requirements for the hours owed or provide volunteer service equivalent to those hours owed at The Boys and Girls Club of Butler County prior to the processing of the application. If the applicant chooses to remedy this situation by providing volunteer service at the Boys and Girls Club of Butler County, the HA will provide proof to the agency owed upon request.

Ineligibility for Occupancy for Noncompliance

The Housing Authority of Morgantown shall not renew or extend any lease, or provide any new lease, for a dwelling unit for any household that includes an adult member who was subject to the community service requirement and failed to comply with the requirement.

In cases where the lease agreement of a family or individual has been terminated for any lease violations and is requesting consideration for housing, the Housing Authority of Morgantown will review the resident's community service component for compliance. If the resident is found to be in non-compliance in this area, the cure will include performing the required hours of community service owed before consideration is given for housing.

F. HOUSING AUTHORITY OF MORGANTOWN RESPONSIBILITY

The Housing Authority of Morgantown will ensure that all community service programs are accessible for persons with disabilities.

The Housing Authority of Morgantown will ensure that:

The conditions under which the work is to be performed are not hazardous;

The work is not labor that would be performed by the Housing Authority of Morgantown employees responsible for essential maintenance and property services; or

The work is not otherwise unacceptable.

**G. HOUSING AUTHORITY OF MORGANTOWN IMPLEMENTATION OF
COMMUNITY SERVICE REQUIREMENT**

The Housing Authority of Morgantown will administer its own community service program, with cooperative relationships with other entities. Forms will be provided to collaborating agencies to document community service.

Community Service shall commence on October 1, 2001 for all residents living in family sites: West Heights (KY041-01), Kent Manor (KY041-02), Huff Ingram (KY041-03), and Dabbs-Tuck (KY041-06).