**Procedure for**

**Annual Reexamination of Income and Family Circumstances**

**Qualification for Continued Occupancy**

Residents of public housing who meet the following criteria are eligible for continued occupancy

1. Qualify as a family

	1. Remaining family members qualify as a family if at least one of them can pass screening and is either of legal age or a court recognized emancipated minor under age 18.
	2. Family members who have already provided their birth certificates, baptismal certificates or US Passports need not do so again.
2. Are in full compliance with the resident obligations as described in the dwelling lease. Leases can be terminated only for serious or repeated violation of the material terms of the lease or other good cause.
3. Whose family members verify Social Security numbers.

	1. Residents document social security numbers of children born, adopted or placed in the family by a Court since admission or previous reexamination.
	2. It is not necessary to re-verify social security numbers of persons who have already provided such verification.
4. Who meet HUD standards on citizenship or immigration status or are paying a pro-rated rent

	1. US citizens may certify to their status on the HUD 214 form.
	2. Residents document the citizenship or eligible immigrant status of children born, adopted, or placed in the family by a Court since admission or previous reexamination.
5. Whose public housing residents are in compliance with PHA’s 8 hour per month Community Service or Economic Self Sufficiency requirements, if applicable. This requirement is applicable to non-exempt adult family members of resident families.
6. Whose adult members have not engaged in violent or drug-related criminal activity since their admission or the last annual reexamination as documented by a criminal history check.
7. Have met the requirements of the "Over-Income" rule

## Annual Reexamination

1. All reexaminations are conducted by PHA staff at the central office by interviewing adult family members and verifying information about their income, assets, deductions and family size and composition.
2. The staff sends out reexamination notice and forms packet to residents and participants 90 days before each resident’s anniversary date.
3. Reexam notice packet includes the following
	1. Date and time of the reexam appointment
	2. Location of the reexam appointment
	3. When and how to reschedule the reexam appointment
	4. Who must attend the reexam appointment (all adult family members)
	5. What the resident should bring to the appointment
4. For any children added to the family by birth, adoption or court-awarded custody, and any adults added with PHA’s permission since the last reexam

	1. Birth certificate
	2. Social security card or acceptable documentation of social security number
	3. Citizenship or eligible immigration documentation
5. Names, addresses, and phone numbers of

	1. Income sources (earned and unearned income of all family members)
	2. Asset sources
	3. Community service or economic self sufficiency verification sources
	4. Childcare providers
	5. Disability service providers
	6. Medical service providers
	7. Full-time Student’s school (for students, other than head or spouse) age 18 or older
	8. Forms that must be filled out and turned in at the appointment
	9. Notice that failure to either attend or reschedule the reexam appointment is a serious lease violation for which the lease or assistance may be terminated.
	10. New needs because of a family member’s disability.
6. Staff orders a criminal history report on all adult family members before the annual reexamination

	1. The criminal history report is handled as described in the **Procedure on Applicant Screening**
	2. If all adult family members pass the criminal history check, proceed with the reexamination
	3. If one or more adult family members to not pass the criminal history check, begin the process of lease termination. Do not sign a new lease with a family that contains a member that does not pass the criminal history check.
7. PHA staff conducts the annual unit inspection before the annual reexamination
8. At reexamination interview

	1. All adult members of the household sign application for continued occupancy; and
	2. Sign verification releases for income, asset and deduction information and the HUD 9886 Privacy Act form; and
	3. Sign release for criminal history report on all adult family members for following year’s annual reexamination;
	4. If the inspection raised any questions, staff and resident family discuss at the reexam interview
9. After interview, PHA staff verifies income, allowances, new family member Social Security numbers, and other data deemed necessary in accordance with **Procedure on Verification.**
10. As verifications are returned, staff analyzes information and determines
11. Eligibility of the resident as a family or as the remaining member of a family;
12. Unit size required for the family (using the Occupancy Guidelines); and
13. Income-based and flat rent the family can choose between.
14. Staff estimates income of residents with a history of employment whose reexamination occurs when they are not working (e.g. school bus drivers) based on past and anticipated employment.
15. Staff asks residents with seasonal or part-time employment of a cyclical nature for third party documentation of their employment including start and ending dates.
16. Staff computes income in accordance with the definitions and procedures set forth in Federal regulations and this policy. **24 CFR § 5.609**
17. If families do not respond to the initial reexamination appointment, staff schedules a final appointment in the same month.
18. If residents do not respond to the final request, PHA will begin termination of the lease.
19. If the criminal history check reveals that an adult member of the resident family has been involved in violent or drug-related criminal activity that violates the lease, PHA staff will begin lease termination. If the only evidence of such a violation is an open arrest, staff will follow the procedure on **Criminal Background Checks with Open Arrests.**

## Reexamination of Income 24 CFR § 960.257

## PHA reexamines the incomes of all residents who have chosen to pay income-based rent at least annually after which, if appropriate, their rents will be adjusted.

1. The annual reexamination of income is equivalent to the income certification at admission.
2. PHA reexamines the incomes of residents who have opted to pay flat rent every three years.
3. If a family’s income increases (or their deductions decrease) and they would experience an increase in their share of the rent, they will be given 30 days’ notice of the rent increase so long as they responded to all notices in a timely manner.
4. If the family has caused delays in the reexamination process (or misrepresented any information related to income or deductions), they lose the right to 30 days’ notice and the rent increase is made retroactive to the first of the month following the completion of the reexamination or the misrepresentation (whichever is earlier).

**Reexamination of family composition**

1. PHA reexamines the family composition of both families paying income-based rent and flat rent annually.
2. The purpose of this reexamination is to ensure that the size and type of unit in which the family is living is appropriate for the family's size and needs.
3. Unless the family has requested an interim occupancy transfer, the annual reexamination is the point at which PHA makes determination about a resident’s eligibility or requirement to transfer.
4. As with rent adjustments, the lease stipulates the amount of notice required for transfers, so PHA schedules reexaminations far enough in advance that transfers can be carried out concurrent with the execution of new annual leases. Transfers are covered in more detail in the **Procedure on Transfers.**

## Choice of Rent

## During the reexamination process, PHA gives each resident the choice between paying an income-based or flat rent.

## The annual reexamination is the only time a resident can change from income-based to flat rent (not at an Interim redetermination of rent).

## Staff will explain the hardship exemption if a family selects the flat rent.

## Community service/economic self-sufficiency requirement PHA requires all non-exempt adult members of resident families to complete 8 hours per month of any combination of Neighborhood Service or Economic Self Sufficiency activity.

## PHA staff will verify compliance with this requirement on a monthly basis.

## At each annual reexamination, staff gathers the years’ verifications for all non-exempt family members and documents the file.

4. If an non-exempt family member is not in compliance with the Community Service requirement, PHA will make a determination on enforcement actions.

### Remaining family members and prior debt (all residents and participants)

1. If the head of household dies or leaves the dwelling unit permanently for any reason, the remaining family members may continue to occupy the unit if

	1. the remaining family members report the death or departure of the former head within 30 days; and
	2. there is at least one household member living in the unit and listed on the lease who can pass screening and is either of legal age and capacity or an emancipated minor; and
	3. the new head signs a lease within 30 days.
2. A new lease must be signed to correct the family's composition in their tenant file.
3. PHA may permit an adult not on the lease, to be a new head of household after the death or departure of the original head of household.

	1. This would usually occur when the only family members remaining in the unit are children, who otherwise would have to leave the unit and perhaps be placed in foster care.
	2. PHA will consider whether there are any remaining family members capable of executing a lease before permitting a new head of household in the unit.
4. A new head of household would be charged for any outstanding debt incurred by the former head or spouse.
5. PHA may establish a payment plan with the new head of household, especially in the case where there could be an eviction due to delinquent amounts incurred by the former head.
6. PHA shall not hold remaining family members under age 18 responsible for rent arrearages incurred by the former head of household, nor for any amounts incurred before a new head of household attained age 18.

### Change in reexamination date

If a family member begins working, qualifies for an Earned Income Disallowance, and the incremental earned income is excluded in accordance with HUD requirements, the date for their next regular reexamination will be permanently adjusted to be 12 months following the date that the income disallowance began.

**Zero income families**

Families that report zero income, and have no income excluded for rent computation, will have their circumstances examined every 90 days until they have a stable income.

PHA will require zero income families to complete a zero income form.

1. The form asks residents to estimate how much they spend on: telephone, cable TV, food, clothing, transportation, health care, child care, debts, household items, etc. and whether any of these costs are being paid or contributed by an individual outside the family.
2. If any such payments or contributions are regularly received they are to be considered income.

**Special Reexaminations**If PHA cannot estimate anticipated annual income based on the available information with any degree of accuracy at the time of admission or regular reexamination, a temporary determination must be made with respect to income and a special reexamination scheduled every 60 or 120 days (as stated in PHA's ACOP) until a reasonably accurate estimate of income can be made.

The resident must be notified in advance of the date for the special reexamination(s). Special reexaminations shall also be conducted when there is a change in the head of household that requires a remaining family member to take on the responsibilities of a leaseholder.

### Determination of Need for Transfer

1. If the reexamination reveals that any change in the unit size or unit type is required, a public housing resident must be placed on the centrally-administered transfer list in accordance with PHA’s transfer criteria specified in the Admission and Continued Occupancy Policy and the **Procedure on Transfers** and moved to an appropriate unit that conforms with the size and design required by the family, when one becomes available. **24 CFR § 966.4 (c)(3)**
2. The transfer unit must reflect the number-of-persons-per-unit standards in the Admission and Continued Occupancy Policy.
3. After discussing with the resident the need for the public housing transfer during the reexamination process, PHA must provide the resident with a written notice indicating the reasons for the transfer and the approximate date, if known, for the move.
4. PHA must conform to the notice required in the lease.
5. Involuntary public housing transfers are considered adverse actions and, as such, are subject to PHA’s Grievance Procedures.
6. The public housing transfer cannot be processed until the time to request a grievance hearing has expired or the procedure has been completed.
7. Public housing residents who refuse mandatory transfers are subject to lease termination.

**REEXAMINATION FORM**

1. Name of head of household:

1. Name of adult co-head of household:

3. PHA address, Street, Apt. # and Zip
Current Area Code, Home & Work Phone #s

### For Statistical Purposes Only

4. Race of Head: Caucasian/White African American/Black Asian Pacific Islander/Native Hawaiian Native American/ Alaskan Native

5. Ethnicity of Head: Hispanic/Latino Non-Hispanic/Non-Latino

### FAMILY INFORMATION

6. List all persons who will live in the unit, including foster children, & live-in aides (for the care of a family member). Each box must be completed for each member. No one except those listed on this form may live in the unit.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | First Name & Last Name if different from Head’s | Date of Birth | Sex | **Social SecurityNumber** | **Relation to Head** | **Disabled Person?** | **Birthplace: Country** | **Full-timeStudent?** |
| **H** |  |  |  | \_\_\_ \_\_ \_\_\_\_ | Head |  |  |  |
| **2** |  |  |  | \_\_\_ \_\_ \_\_\_\_ |  |  |  |  |
| **3** |  |  |  | \_\_\_ \_\_ \_\_\_\_ |  |  |  |  |
| **4** |  |  |  | \_\_\_ \_\_ \_\_\_\_ |  |  |  |  |
| **5** |  |  |  | \_\_\_ \_\_ \_\_\_\_ |  |  |  |  |
| **6** |  |  |  | \_\_\_ \_\_ \_\_\_\_ |  |  |  |  |
| **7** |  |  |  | \_\_\_ \_\_ \_\_\_\_ |  |  |  |  |
| **8** |  |  |  | \_\_\_ \_\_ \_\_\_\_ |  |  |  |  |

### Family Income Information

7. List the source and amount of all income expected for the coming 12 months for all family members, including yourself. Include all earnings, contributions and benefits received from working, TANF, VA, Social Security, SSI, SSID, Unemployment, Worker’s Compensation, Pension, Child Support, etc.

|  |  |  |  |
| --- | --- | --- | --- |
| **Family Member Name** | **Income Source** | **Amount $** | **Frequency – Per** |
|  |  |  | Week Month Year |
|  |  |  | Week Month Year |
|  |  |  | Week Month Year |
|  |  |  | Week Month Year |

8 Do you have a checking or savings account or own any Certificates of Deposit, stocks, bonds, etc? Yes No If yes, describe the type of asset(s):

 What is the market value of all assets?

9 Do you own any real estate? Yes No If yes, what is the address and value?

1. Have you sold any real estate in the past two years? Yes No If yes, what was the address?
2. Have you disposed of any other assets for less than market value in the past two years?Yes No
If yes, what assets?

**Deductions in Calculating Rent**

12 Is the head of household or spouse age 62 or older or a person with a disability? Yes No If yes, please answer the following questions. If no, please skip down to question # 14.

13 Does your household have any medical expenses (include insurance, medicare deduction, doctor visits, hospital, clinic costs, medicine, therapy, supplies, medical transportation, etc.)? Yes No If yes, please describe the type of expense (not your medical condition) and the unreimbursed amount you spend per month on all medical expenses: Type of expense:

Monthly medical expense:$

Name, address & phone # of someone who can verify the expense:

14 Do you have expenses on behalf of a household member with disabilities so an adult in the family can work? Yes No If yes, describe the expense and monthly amount:
Name, address & phone # of someone who can verify the expense:

15 Do you have childcare expenses for children under age 13 so an adult in the family can work, go to school or attend job training? Yes No If yes, name, address and phone # of childcare provider:

 Monthly unreimbursed childcare cost: $

16 Is any member of the household 18 or older other than head and spouse a full time student or person with a disability? Yes No If yes, Name of the family member and the name and address of someone who can verify this information: Name of family member:

 Name, address & phone # of someone who can verify this information:

1. Drivers License or State ID #: Applicant:
2. Co-applicant:

 Automobile: Year: Make: Model: License:

I/we certify that the statements on this application are true to the best of my/our knowledge and belief and understand that they will be verified. I/we authorize the release of information to the Housing PHA by my/our employer(s), the Department of Public assistance, the Social Security Administration, and/or other business or government agencies. I/we understand that any false statement made on this application will cause me/us to be disqualified for admission.

Head Signature Date

Co-applicant Signature Date

**Warning: 18 U.S.C. 1001 provides, among other things that whoever knowingly and willfully makes or uses a document or writing containing false, fictitious or fraudulent statement or entry in any matter within the jurisdiction of a department or agency of the United States shall be fined not more than $10,000 or imprisoned for not more than five years or both**.