

Chapter 1

Overall Approach

This Admissions and Occupancy Policy (ACOP) has been prepared by the Alaska Housing Finance Corporation (AHFC) in conformance with the requirements of 24 CFR 880. The plan sets forth AHFC's policies and operating procedures for the administration of the program in accordance with the requirements of the U. S. Department of Housing and Urban Development (HUD) and the AHFC Public Housing Moving to Work Plan.

Requirements for this program are incorporated by reference, as follows:

- **24 CFR 5** General HUD Requirements; Waivers
- **24 CFR 880** Section 8 Housing Assistance Payments Program for New Construction
- HUD Handbook 4350.3: Occupancy Requirements of Subsidized Multifamily Housing Programs

Throughout this plan, AHFC utilizes the term "family" to denote applicants and participants. A family may consist of a single individual. AHFC uses the term family in order to correspond with HUD's definition of family for purposes of eligibility. See the Qualify as a Family exhibit for additional definitions related to family members.

1. Waiver of Requirements

The CEO/Executive Director of AHFC or the Director of the Public Housing Division may waive all or part of any requirement set forth in these policies and procedures, to the extent that such a waiver would not conflict with state or federal law.

2. Fair Housing and Equal Opportunity

It is the policy of AHFC to comply fully with all federal, state, and local nondiscrimination laws, including the Fair Housing Act; Title VI of the Civil Rights Act; Section 504 of the Rehabilitation Act; the Americans with Disabilities Act; and the U.S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity. A copy of AHFC's 504 Equal Access Statement and the Fair Housing Poster, form HUD-928.1, is posted at each AHFC office site.

No person shall on the grounds of age, race, color, sex, religion, national or ethnic origin, familial status, disability, sexual orientation, gender identity, or marital status be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under AHFC housing programs.

To further its commitment to comply fully with applicable Civil Rights laws, AHFC will provide federal, state, or local information to applicants and tenants in the Section 8 New Multifamily program. The information will cover discriminatory practices and any recourse available to the family if they believe they are victims of illegal discrimination. Such information will be made available with the application. In addition, all applicable Fair Housing information and discrimination complaint forms are available at AHFC offices.

Notifications to tenants covering annual and interim reexaminations, inspections, appointments, or termination of assistance will include information about how to request a reasonable accommodation. In addition, all written information and advertisements will contain the appropriate Equal Opportunity language and logo.

AHFC provides a copy of the Housing Discrimination Complaint (form HUD-903) at any time upon request by the family. AHFC will assist the family in completing the form, if requested, and will provide them with the address of the nearest HUD Office of Fair Housing and Equal Opportunity.

Fair Housing and Equal Opportunity posters are posted at each AHFC office location. Information about fair housing and Section 504 reasonable accommodations are included in each application. AHFC will also post, in a conspicuous place within each of its offices, the following information:

- Information about access to this ACOP
- Income limits for admission
- Grievance Procedures

2.A Reasonable Accommodation

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the AHFC housing programs and related services. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability; rather, they make the program fully accessible to him/her in a way that would otherwise not be possible due to their disability.

Because disabilities are not always apparent, AHFC will ensure that all applicants/participants are aware of the opportunity to request reasonable accommodations. Guidelines are in the Reasonable Accommodations exhibit. Notifications to families covering regular and interim examinations, inspections, appointments, or termination of assistance will include information about how to request a reasonable accommodation. In addition, all written information and advertisements will contain the appropriate equal opportunity language and logo.

2.B Marketing Plan

AHFC will make every reasonable effort to attract applicants who are representative of the total eligible populations to enable it to achieve tenant selection goals specified in HUD regulations and this policy. These efforts will include the following outreach activities: press releases to major daily newspapers, community service announcements on radio stations, and direct contact with social service agencies serving applicants least likely to apply. Outreach efforts take into consideration applicants with special needs, families who are least likely to apply, and other eligible families.

2.C Limited English Proficiency (LEP) Plan

AHFC is committed to ensuring that Limited English Proficient (LEP) individuals have meaningful access to multifamily housing assistance information and/or services regardless of their ability to communicate in English. LEP individuals are defined as individuals who do not speak English as a primary language or are limited in their ability to read, write, speak, or understand English.

AHFC will follow the procedures below to assist LEP applicants or participants:

1. AHFC will use the Census Bureau Language Identification Flashcard, whenever necessary, to identify the language spoken by the LEP customer. See Exhibit 1-2.
2. AHFC field staff will communicate with LEP customers by using, in descending order: in-house bilingual staff, adult family members, volunteer interpreters, telephonic interpretation services, or contract interpreters.
3. AHFC will honor a customer's request to use a bilingual case manager or social service worker as the interpreter, when the customer is accompanied to a housing assistance appointment by an interpreter.
4. AHFC will honor a customer's request to use an adult family member or adult friend as interpreter, if the customer is accompanied by the interpreter at an appointment.

2.D AHFC Facilities

Newly constructed non-housing facilities (24 CFR 8.21) shall be designed to be readily accessible to and usable by people with disabilities. Alterations to existing facilities shall be accessible to the maximum extent feasible.

For existing non-housing facilities, AHFC shall operate each program or activity receiving federal financial assistance so that the program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.

2.E Occupancy of Accessible Dwelling Units

AHFC advertises the availability of accessible units (24 CFR 8.27) by signage and postings in each area office. AHFC will maximize utilization of accessible units by

eligible individuals whose disability requires the accessibility features of the particular unit. See the Transfer Policy exhibit.

2.F Section 504/24 CFR 8 – Major Provisions

2.F.1. New Construction

A minimum of five percent of the total units in a development or at least one unit (whichever is greater) is required for mobility-impaired persons. An additional minimum of two percent of the total units in a development or at least one unit (whichever is greater) is required for people with hearing or vision impairments.

2.F.2. Substantial Rehabilitation

If alterations are undertaken to a project that has 15 or more units and the cost of the alterations is 75 percent or more of the replacement cost of the completed facility, then the provisions of 24 CFR 8.22 (a) and (b) apply.

3. Public Housing Division Responsibilities

AHFC will comply with the consolidated Annual Contributions Contract (ACC), HUD regulations and Multifamily Housing Notices, and this ACOP. In administering the program, AHFC will:

1. Publish and disseminate information about the availability and nature of housing assistance under the program;
2. Explain the program to families;
3. Affirmatively further fair housing goals and comply with equal opportunity requirements;
4. Make efforts to help people with disabilities find satisfactory housing;
5. Screen all family members and deny assistance because of drug-related criminal activity, violent criminal activity, or alcohol abuse or a pattern of use or abuse that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.
6. Receive applications from families, determine eligibility, maintain the waiting list, select applicants, offer housing to each selected family, and provide housing information to families selected;
7. Determine who can live in the assisted unit at admission and during the family's participation in the program;
8. Obtain and verify evidence of citizenship and eligible immigration status in accordance with 24 CFR part 5;
9. Establish an occupancy standard that determines the number of bedrooms needed for families of different size or composition. The occupancy standard must provide for the smallest number of bedrooms needed to house a family

without overcrowding and shall be applied consistently for all families of like size and composition.

10. Inspect the unit before the assisted occupancy begins and at least annually during the assisted tenancy;
11. Determine the amount of tenant rent and security deposit;
12. Examine family income, size, and composition at admission and at least annually during the family's participation;
13. Verify family income, relying first upon electronic up-front income verification techniques; secondly, third party written or oral verification; and, lastly, lesser forms of verification only when up-front or third party information is unavailable and documented.
14. Establish and adjust the utility allowance;
15. Establish and adjust the market rent for each unit;
16. Determine whether to terminate assistance to a tenant family for violation of the Residential Lease Agreement;
17. Provide grievance procedures and conduct informal reviews for certain decisions concerning applicants for participation in the program;
18. Discuss certain decisions with tenant families when requested;
19. Provide sound financial management of the program, including engaging an independent public accountant to conduct audits.

4. Jurisdiction

AHFC operates the Section 8 New Multifamily Housing program in the following locations:

Property address	AHAP Date
Chugach View, Anchorage	05/25/1977
Golden Towers, Fairbanks	04/12/1977
Ptarmigan Park, Anchorage	09/12/1979
Sunset View, Cordova	09/12/1979
Glacier View, Seward	09/12/1979

5. Privacy Act and Confidentiality of Records

Families, applicants, or the public may request copies of documentation or policies from AHFC. See the Information Requests exhibit for types of information requests, releases of information, and documentation fees.

6. Utility Allowance Schedules

HUD Regulation 24 CFR 880.610

In connection with annual and special adjustments of contract rents, the owner must submit an analysis of the project's Utility Allowances. Such data as changes in utility rates and other facts affecting utility consumption should be provided as part of this analysis to permit appropriate adjustments in the Utility Allowances. In addition, when approval of a utility rate change would result in a cumulative increase of 10 percent or more in the most recently approved Utility Allowances, the project owner must advise the contract administrator and request approval of new Utility Allowances. Whenever a Utility Allowance for a unit is adjusted, the owner will promptly notify affected families and make a corresponding adjustment of the tenant rent and the amount of the housing assistance payment for the unit.

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At least annually, AHFC will obtain and analyze utility rate data for all utility providers in the local jurisdiction. AHFC will then determine whether a change of ten percent or more has occurred in the respective utility costs since the last revision of the Utility Allowance Schedule. If so, AHFC will make the appropriate adjustment to the Allowances for Tenant Furnished Utilities and Other Services (form HUD-52667). No adjustment will be made for any increase calculated to be less than \$1 per unit month.

7. Contract Rents

HUD Regulation 24 CFR 880.609

- (a) Automatic annual adjustment of Contract Rents. Upon request from the owner to the contract administrator, contract rents will be adjusted on the anniversary date of the contract in accordance with 24 CFR part 888.
- (b) Special additional adjustments. For all projects, special additional adjustments will be granted, to the extent determined necessary by HUD (for 24 CFR part 883 projects, by the Agency and HUD), to reflect increases in the actual and necessary expenses of owning and maintaining the assisted units which have resulted from substantial general increases in real property taxes, assessments, utility rates, and utilities not covered by regulated rates, and which are not adequately compensated for by annual adjustments under paragraph (a) of this section. The owner must submit to the contract administrator required supporting data, financial statements and certifications.
- (c) Overall limitation. Any adjustments of contract rents for a unit after Contract execution or cost certification, where applicable, must not result in material differences between the rents charged for assisted units and comparable

unassisted units except to the extent that the differences existed with respect to the contract rents set at Contract execution or cost certification, where applicable.

HUD Regulation 24 CFR 888.203

Use of contract rent automatic annual adjustment factors.

(a) To compute an adjustment to a Contract Rent, find the schedule of Automatic Annual Adjustment Factors for the appropriate Census Region or Standard Metropolitan Statistical Area –

(1) If the Contract Rent includes all utilities, use the factor shown on the basic schedule for the rent bracket within which the particular Contract Rent falls and for the applicable size of unit (by number of bedrooms).

(2) If the Contract Rent does not include all utilities but does include the highest cost utility, use the appropriate factor shown on the basic schedule.

(3) If the Contract Rent does not include any utilities or includes some utilities but not the highest cost utility, use the Annual Adjustment Factor for Contract Rent (Excluding Utilities).

(b) The adjusted monthly amount of the Contract Rent of a dwelling unit shall be determined by multiplying the Contract Rent in effect on the anniversary date of the contract by the applicable Automatic Annual Adjustment Factor (see paragraph (a) of this section) and rounding the result as follows:

(1) If the result contains a fractional dollar amount ranging from \$0.01 to \$0.49, round to the next lower whole dollar amount;

(2) If the result contains a fractional dollar amount ranging from \$0.50 to \$0.99, round to the next higher whole dollar amount.

HUD Regulation 24 CFR 888.204

Revision to the automatic annual adjustment factors.

If the application of the Annual Adjustment Factors results in rents that are substantially lower than rents charged for comparable units not receiving assistance under the U.S. Housing Act of 1937, in the area for which the factor was published or a portion thereof, and it is shown to HUD that the costs of operating comparable rental housing have increased at a substantially greater rate than the Adjustment Factors, the HUD Field Office will consider establishing separate or revised Automatic Annual Adjustment Factors for that particular area. Any request for revision of the factors must be accompanied by an identification of the area, its boundaries and evidence that the area constitutes the largest contiguous area in which substantially the same rent levels prevail. The HUD Field Office will publish appropriate notice of the establishment of any such revised Automatic Annual Adjustment Factors. These factors will remain in effect until superseded by the subsequent publication of Automatic Annual Adjustment Factors pursuant to §888.202.

8. Tenant Families with No Subsidy

Family income may rise to a level in which the family's contribution would exceed the gross rent of the unit. These families may choose to remain multifamily housing tenants. All obligations applicable to residency in multifamily housing continue to apply. As an unassisted tenant, the family is eligible to return to an income-based rent formula if family income decreases; the family is responsible for notifying AHFC

9. Quality Assurance

AHFC has developed a comprehensive quality assurance policy and procedure. See the Quality Assurance chapter.

10. Code of Conduct and Ethical Standards

The Public Housing Division adheres to the State of Alaska Executive Ethics Act (Alaska Statute 39.52.010). Every employee is required to acknowledge receipt and understanding of the Act at time of employment and annually.

In addition, AHFC's Personnel Rules include:

- Rule 15 - Drug- and Alcohol-Free Workplace Policy
- Rule 16 - Prohibited Employment Activities and Relationships
- Rule 17 - Reporting Misconduct or Violations of Law or Policy
- Rule 18 - Anti-Discrimination and Harassment
- Rule 19 - Threatening, Disruptive or Violent Behavior in the Workplace

Numbered Memo

20-18 Exhibit 1-3 Information Requests, Exhibit 1-4, and Chapter 1