

Exhibit 2-8 Live-In Aide

Live-in aides help people who are elderly or disabled accomplish activities of daily living, including personal care, which the individual is not able to perform because of his/her disability or age. Some people may require assistance during the night as well as during the day. An individual who has a live-in aide may also have other aides who provide assistance throughout the day.

For purposes of rental assistance, AHFC is concerned with a live-in aide whose primary residence will be in an assisted unit. In some circumstances, AHFC may provide additional assistance for elderly or disabled persons who require assistance around the clock from a state funded agency.

As a reasonable accommodation, a disabled or elderly family may request that AHFC assign a larger unit or voucher size than what is required by the occupancy standard in Public Housing and Section 8 New housing or the subsidy standard established in the Housing Choice Voucher program. Refer to Exhibit 1-1 for an in-depth discussion of Reasonable Accommodations and Reasonable Accommodation Requests.

2-8.1 DEFINITIONS

The following is a description of different types of live-in aides.

2-8.1.A AHFC Definition

A live-in aide (24 CFR 5.403) is defined as a specific person who resides with one or more elderly, near-elderly, or disabled persons or multiple or rotating caregivers provided through state-funded agencies and meets all of the following conditions:

1. Is qualified to provide the needed care recommended by a medical professional as essential to the well-being of the household member;
2. Is not obligated for the support of that person – a live-in aide will maintain separate finances from the household member;
3. Would not be living in the unit except to provide the necessary supportive services;
4. Establishes the unit as his/her primary residence;
5. Was not living with the elderly or disabled person as a family member receiving assistance prior to becoming the aide; and
6. Will not be eligible to continue to receive the benefit of assistance if the elderly or disabled person is no longer eligible to receive assistance.

2-8.1.B Family Member as a Live-in Aide

A family member already living in the unit may provide the necessary care to a disabled family member. However, this family member cannot be classified as a live-in aide. This family member will continue to be counted as a family member for purposes of determining eligibility, income, and unit size or subsidy level.

If a proposed live-in aide is a relative of a family member, staff may ask the proposed live-in aide to provide verification of his/her prior residence.

2-8.1.C State-Funded Agency Live-In Aides

Public and Indian Housing (PIH) Notice 2009-22 issued July 29, 2009 expanded the regulatory definition of a "live-in aide" to include multiple or rotating caregivers provided through a state-funded program. There are instances where the source for the live-in aide is an agency licensed and funded by the State of Alaska Senior & Disabilities Services.

2-8.2 VERIFICATION PROCEDURES

AHFC must verify the need for live-in aide care before approving additional subsidy for the family. AHFC must also approve an individual live-in aide for occupancy in the unit.

The criminal and drug-related screening requirements required of an adult household member shall apply to an individual live-in aide before and during their occupancy of an assisted unit. Staff shall perform a screening check on the individual prior to approval. The live-in aide must pass criminal and drug screening requirements.

1. If it is not apparent to staff that a family needs a live-in aide, send the *Medical Verification for a Live-In Aide*, form VF231, to the appropriate medical professional to establish the need for live-in care.
2. Once the need for the aide has been established, staff must screen the aide for suitability for the unit. To collect the information necessary for screening the aide, the aide must complete the *Live-In Aide Application and Personal Declaration*, form VF230. For all aides not referred by an agency:
 - a. Run a public records check for criminal activity.
 - b. Run a sex offender registration requirement check.
 - c. Check the aide against AHFC records to ensure the aide does not have a previous debt owed to AHFC.
 - d. Check the aide against AHFC records to ensure the aide does not have a previous history with AHFC that would fail the screening process, such as eviction from a public housing unit in the last 12 months.

Documentation to Add a Specific Live-In Aide

1. Approved *Reasonable Accommodation Request*, form RA800. If the family member has an apparent disability, this may not be necessary.
2. *Medical Verification Form for Live-In Aide*, form VF231.
3. *Live-In Aide Application and Personal Declaration* form VF230.
4. Post the live-in aide in the family screen with relationship "LiveIn".

3. Aides provided through the state-funded program are screened for criminal activity including sex offender registration by the agency.

Documentation to Add a State-Funded Agency Live-In Aide

1. Approved *Reasonable Accommodation Request*, form RA800. If the family member has an apparent disability, this may not be necessary.
2. *Medical Verification for a Live-In Aide*, form VF231.
3. *Agency-Funded Rotating Live-in Aide Verification*, form VF237

AHFC may conduct an inspection to verify that additional subsidy granted for a live-in aide is being used for that purpose.

2-8.3 DENIAL OF AN INDIVIDUAL

AHFC may refuse to approve a particular person as a live-in aide or may withdraw such approval if:

1. The person commits fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program;
2. The person commits drug-related criminal activity or violent criminal activity;
3. Is a registered sex offender; or
4. The person currently owes rent or other amounts to AHFC or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.

Staff must notify the family if a live-in aide is not approved for residency in the unit. Send the *Application Ineligibility Notice* (form AP110) and attach any supporting documentation for the family's review. The family is eligible to grieve the aide's denial under AHFC's grievance procedures.

2-8.4 SUBSIDY OR OCCUPANCY STANDARD

Under HUD regulations, the addition of a live-in aide entitles the family to additional subsidy in order to provide the live-in aide with his/her own bedroom. The addition of a live-in aide must not result in overcrowding in the existing unit. Once a live-in aide has been approved for a family, the subsidy/occupancy standard will be increased by one (1) bedroom size to allow the live-in aide to reside with the family.

If a live-in aide has family members that will also reside in the unit, the family is responsible for accommodating the live-in aide's household appropriately. AHFC will not provide additional subsidy to a family to house a live-in aide's family members.

2-8.5 REGULAR EXAMINATION PROCESS

AHFC is required to examine the family's composition regularly to ensure that the subsidy is appropriate for the family size and composition. If a family member's disability and continuing need for a live-in aide is apparent and the live-in aide remains the same, the family will not be required to re-verify their need for the live-in aide. The family will complete and sign the *Recertification for Live-in Aide* (form VF238). Staff will file this form with the income certification documentation.

2-8.5.A Change of Live-in Aide

If a family wants to change the person serving as the live-in aide, the family must complete the verification process for the new live-in aide. AHFC must screen the live-in aide for suitability before the live-in aide moves into the unit.

1. Housing Choice Voucher Program

AHFC will reduce the family's subsidy standard and corresponding payment standard if the family fails to find a replacement at the next regular examination date. Send the *Possible Subsidy Reduction* (form PW323) to the family.

2. Public and S8N Multifamily Housing

AHFC will adhere to the *Transfer Policy* if the family is considered overhoused. See Chapter 7.

The family does not have to wait until the regular examination in order to change the live-in aide. Make changes in the database and notes screen.

2-8.5.B Change of Agency-Funded Aide

The family does not need to re-verify its need for the aide or aides if an agency is providing the live-in aide or if an agency provides multiple or rotating aides.

2-8.5.C Families “Between” Live-In Aides

The family must notify AHFC:

1. Whenever a live-in aide will no longer provide services to the family and is vacating the unit.
2. Whenever a live-in aide no longer uses the unit as his/her primary residence. The aide may or may not continue to provide services to the family.
3. Whenever the family no longer requires the services of a live-in aide.

2-8.6 EXPENSE DEDUCTIONS

If a family is required to pay for the expense of a live-in aide out of their own pocket, the live-in aide expense may qualify as a medical expense deduction. See Chapter 3 for detailed guidance on this subject.

Forms

AP110 Application Ineligibility Notice

PW323 Possible Subsidy Reduction

RA800 Reasonable Accommodation Request

VF230 Live-in Aide Application and Personal Declaration

VF231 Medical Verification for a Live-in Aide

VF237 Agency-Funded Rotating Live-in Aide Verification

VF238 Recertification for Live-in Aide

Administrative Desk Manual

None