

ADMINISTRATIVE PLAN
FOR THE HOMELESS PREVENTION PROGRAM

Resolution 24-06-02 adopted June 25, 2024 to be effective July 1, 2024

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1. OVERVIEW, OBJECTIVES AND PROGRAM DESCRIPTIONS

1.1. OVERVIEW

The Homeless Prevention Program was created by Washoe Affordable Housing Corporation (WAHC) in June 2017 and transferred to the Reno Housing Authority (RHA) effective June 1, 2024. RHA applies annually for funds from the Nevada Housing Division’s (NHD) Account for Affordable Housing Trust Funds. RHA may also seek other funding sources in the future to support this program.

Administration of this program will comply with all federal, state and local housing laws and fair housing regulations.

1.2. OBJECTIVE

The objective of RHA’s Homeless Prevention Program is to prevent homelessness arising from emergencies that temporarily jeopardize a family or individual’s ability to pay rent or utilities and to shorten the shelter stays of homeless individuals who have either identified a long-term housing unit that will be ready for occupancy within 30 days or who are on a waiting list for long-term income-based housing, thereby increasing their chance of long-term success and housing stability. The number of households served is limited by the funding available from RHA’s reserves and the annual application for funds through the NHD. The jurisdiction for this program is Washoe County.

The Homeless Prevention Program allocates resources to preventing homelessness so that families do not have to experience shelters or live on the streets. It also helps minimize public resources dedicated to the homeless population within Washoe County.

1.3. PROGRAM DESCRIPTIONS

The Homeless Prevention Program has the following features:

1.3.1. Emergency Rental Assistance

1.3.1.1. Eligible households facing an emergency situation, as defined in Appendix 1, that have received an eviction notice for non-payment of rent or due to a utility shut-off may receive one-time assistance to pay the unpaid rent or utility bills to resolve the eviction or utility shut-off situation.

1.3.1.1.1. The payment is made directly to the landlord or utility company.

1.3.2. Motel Assistance

1.3.2.1. Eligible households exiting homelessness who have identified a suitable long-term housing unit but where the unit is not yet ready, may receive assistance to pay for a motel for up to 30 days while the unit becomes available.

1.3.2.1.1. The payment is made directly to the landlord.

1.3.3. Short-Term Tenant-Based Rental Assistance

1.3.3.1. Eligible households experiencing homelessness whose only income is Social Security or who are pending approval for Social Security benefits, may be provided short-term tenant-based rental assistance for up to two (2) years to ensure their portion of the rent is 30% of their adjusted income while long-term income-based housing is secured.

1.3.3.1.1. The payment is made directly to the landlord.

1.4. NONDISCRIMINATION AND REASONABLE ACCOMMODATIONS

1.4.1. Federal regulations prohibit discrimination because of race, color, sex, religion, familial status, age, disability or national origin.

1.4.1.1. If an applicant or participant believes that any family member has been discriminated

against by RHA or an owner, the family should advise RHA.

- 1.4.2. A person with a disability may require special accommodations in order to have equal access to the program. If an applicant or participant indicates that an exception, change, or adjustment to a rule, policy, practice, or service is needed because of a disability, the family must explain what type of accommodation is needed to provide the person with the disability full access to the program. If the need for the accommodation is not readily apparent, the family must explain the relationship between the requested accommodation and the disability. There must be an identifiable relationship between the accommodation and the disability.
- 1.4.2.1. The definition of disability for the purpose of reasonable accommodation is different than the definition used for admission. The Fair Housing definition used for this purpose is: “A person who has a physical or mental impairment that substantially limits one or more major life activity, has a record of such impairment, or is regarded as having such impairment.”
- 1.4.2.1.1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic skin; and endocrine.
- 1.4.2.1.2. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term “physical or mental impairment” includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.
- 1.4.2.1.3. “Major life activities” means functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, and learning.
- 1.4.2.2. RHA will provide the applicant or participant with the necessary forms to be completed with RHA staff. RHA staff will send the Reasonable Accommodation forms directly to a professional third party, of the applicant or participants choosing, who is competent to make the assessment and provide written verification that the individual needs the specific accommodation due to their disability and the change is required for them to have equal access to the housing program. The professional third party provider must return the completed Reasonable Accommodation forms directly to RHA for final review by the Director of Rental Assistance or designated staff. In the case where the professional third party provider fails to respond, a second request for verification may be made of a different provider of the applicant or participants choosing.
- 1.4.2.3. 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 them in a way that would otherwise not be possible. The requested accommodation will not violate or release applicant/participant from any family obligation under the program.

2. CONDITIONS GOVERNING ELIGIBILITY

2.1. ELIGIBILITY FOR ASSISTANCE

To be eligible for financial assistance through the Homeless Prevention Program, applicants must meet the following criteria and provide acceptable documentation of each criterion, as outlined in Section 4.2:

- 2.1.1. Must reside in Washoe County at the time of application. Must verify they have lived in Nevada for the past two years.
- 2.1.2. Have annual income that does not exceed the HUD determined low-income limits (60% of Area Median Income) set forth in Appendix 2.
- 2.1.3. Must not have combined assets with a current cash value exceeding the equivalent of three months of rent at the household's current unit, or have ownership interest in a suitable dwelling unit which they have a legal right to reside in.
- 2.1.4. Citizenship Status: At least one household member must be a U.S. citizen or national or non-citizen with an eligible immigration status as defined in 24 CFR 5.508 (see Appendix 1, "Eligible Immigration Status").
- 2.1.5. Must meet one of the following program-specific criteria:
 - 2.1.5.1. Emergency Rental Assistance: Facing eviction or utility shut-off for non-payment as a result of an emergency situation, as defined in Appendix 1, which occurred in the last 90 days, that has associated costs exceeding one month of rent at the household's current unit.
 - 2.1.5.2. Motel Assistance: Exiting homelessness with a suitable long-term housing unit identified but that is not currently available to move-in and household is able to secure a motel unit in the interim.
 - 2.1.5.2.1. The new unit must be available for occupancy within 30 days (as verified by the landlord/property manager) and must be located within Washoe County.
 - 2.1.5.3. Short-Term Tenant-Based Rental Assistance: Experiencing homelessness with only household income from Social Security or who are pending approval for Social Security benefits, and are on a waiting list for long-term income-based housing assistance.
- 2.1.6. Must not have received assistance from WAHC/RHA's Homeless Prevention Program within three years preceding the date of application or have been denied for assistance within 90 days preceding the date of application.

3. APPLICATION PROCEDURE

3.1. SELECTION

3.1.1. Eligible households will be selected according to the date and time applications were received.

3.2. PREFERENCE

3.2.1. No preferences will be given beyond the date and time the application was received.

3.3. APPLICANT WITHDRAWAL

3.3.1. An applicant may, at any time, request their application to be withdrawn should they no longer require the assistance. Withdrawn applicants are not considered denied, and therefore can reapply with no time restriction for future assistance.

3.4. FUNDING

3.4.1. Emergency Rental Assistance Program

3.4.1.1. RHA will accept applications until the 10th of each month, or until sufficient applications have been received to utilize 1/12th of the awarded funding for this activity for the year; whichever is sooner. A waiting list will not be maintained and those wishing to apply after the deadline will need to wait until the following month.

3.4.1.2. RHA will provide up to 2 months of total eligible rent and fees. Eligible rent includes the rent documented in the lease verified by the landlord and/or property manager.

3.4.2. Motel Assistance Program

3.4.2.1. RHA will accept direct referrals for this assistance from designated community partners. Referrals will be accepted until the funding allocated for this activity has been depleted.

3.4.2.2. RHA will provide up to 30 days of total eligible rent and fees. Eligible rent includes the rent documented in the lease or summary of charges verified by the landlord and/or property manager.

3.4.3. Short-Term Tenant-Based Rental Assistance Program

3.4.3.1. RHA will accept direct referrals for this assistance from designated community partners whose scope of services includes homeless services. Referrals will be accepted until the funding allocated for this activity has been depleted.

3.4.3.2. RHA will provide up to two (2) years of total eligible rent and fees. Eligible rent includes the rent documented in the lease verified by the landlord and/or property manager.

4. RECEIPT OF APPLICATIONS AND DETERMINATION OF ELIGIBILITY

This section sets forth the basic steps which are to be taken in obtaining and verifying information from applicant households for the purpose of determining whether they meet the conditions of eligibility for assistance set forth in Section 2.

4.1. ESTABLISHING APPLICANTS

4.1.1. Receipt of Applications

4.1.1.1. *Emergency Rental Assistance Program.* Any household wishing to apply will be given the opportunity to complete an application. Applications will be accepted until the 10th of each month or until sufficient applications have been received to utilize 1/12th of the awarded funding for this activity for the year; whichever is sooner. A waiting list will not be maintained and those wishing to apply after the deadline will need to wait until the following month.

4.1.1.2. *Motel Assistance.* RHA will accept direct referrals for this assistance from designated community partners. Referrals will be accepted until the funding allocated for this activity has been depleted.

4.1.1.3. *Short-Term Tenant-Based Rental Assistance.* RHA will accept direct referrals for this assistance from designated community partners whose scope of services includes homeless services. Referrals will be accepted until the funding for this activity has been depleted.

4.1.2. Applications will be mailed or emailed to interested households upon request. Applications are available on RHA’s website and can be submitted via email. Applications are also available to be picked up from the office.

4.1.3. Applicants must submit the application and all supporting documentation to RHA either by email, fax or in the office drop box. RHA does not accept walk-in appointments.

4.1.4. The application process will involve two phases. The first phase results in the household’s completion of the application and submitting all required documentation. The second phase is determining eligibility through review of supporting documents.

4.2. PROCEDURE GOVERNING RECEIPT OF APPLICATIONS

4.2.1. The application constitutes the basic record of each household applying for assistance, as well as the required supporting documentation to verify eligibility. Each applicant, therefore, will be required to supply information as called for on the Application and sign the application, attesting to the accuracy of the data provided. Each application will reflect the date and time received. The application and all other materials relating to the household’s eligibility are to be maintained in an active file for each applicant not classified as denied or withdrawn.

4.2.2. Applicants will contact RHA to return the completed application. Applicants must submit the following additional documentation along with their application in order to determine eligibility for assistance:

4.2.2.1. *Proof of Identity.* In order to prevent program abuse, RHA will require applicants to furnish verification of legal identity for all household members.

4.2.2.1.1. Applicants must provide a current picture ID for all adult members of the household. This may include a DMV-issued driver’s license or identification card, or other state or federally issued picture identification card.

4.2.2.2. *Proof of Residency.* RHA will require applicants to furnish verification of Washoe County Residency.

4.2.2.2.1. If the picture ID provided for proof of Identity does not list a Washoe County address, the applicant must provide other proof of residency, such as a lease

agreement, utility bill, or postal verification.

4.2.2.2.2. Applicant must verify they have lived in Nevada for the last 2 years.

4.2.2.2.2.1. Documentation may include (but is not limited to) leases, bank statements, paycheck stubs, IDs, official mail, vehicle registration, etc. which shows a date of at least 2 years prior to the application.

4.2.2.2.2.2. For applicants exiting homelessness who do not have any of the above documentation, a Self Certification co-signed by a Case Manager, shelter staff, or referring partner will be accepted.

4.2.2.3. *Income.* Proof of applicant’s current income is needed. Current is defined as the most recent 6 weeks of paycheck stubs for employment or the current year’s award letter for benefits such as Social Security, pension, welfare cash assistance, etc. RHA will determine income based on the guidelines in 24 CFR 5.609.

4.2.2.4. *Assets.* Verification of all household assets is needed. Households may self-certify assets up to \$50,000. For assets exceeding \$50,000, the household will be required to provide three (3) consecutive months of statements for all accounts.

4.2.2.5. *Proof of Program-Specific Eligibility.*

4.2.2.5.1. *Emergency Rental Assistance.*

4.2.2.5.1.1. Proof of an emergency situation that is preventing the applicant from being able to pay their unpaid rent and/or utility bills. Applicant must provide:

- Proof of medical event, job loss, death in the family, accident, or other emergency in the last 90 days, that includes decrease of income, or medical bills that have caused expenses over one month rent amount; AND
- Proof of costs associated with the emergency demonstrating the costs exceed one month of rent at the family’s current unit.

4.2.2.5.1.2. Proof of pending eviction or utility shut-off.

- Eviction notice showing the cause is for non-payment of rent and the amount of rent due; OR
- Notice from utility provider showing utilities will be or have been shut off due to non-payment and the amount due.

4.2.2.5.2. *Motel Assistance.*

4.2.2.5.2.1. Proof of acceptance in a long-term housing unit within Washoe County and the date it will be available for occupancy, which must be within 30 days and verified by the landlord/property manager.

4.2.2.5.3. *Short-Term Tenant-Based Rental Assistance.*

4.2.2.5.3.1. Proof of active status on a waiting list for long-term income-based housing within Washoe County.

4.2.2.5.3.2. Proof of household’s only income source from Social Security OR proof of pending application for Social Security benefits.

4.2.3. Applicant Interview. The applicant will be required to furnish complete and accurate information verbally as requested by the interviewer. The interviewer will review the application with answers supplied by the applicant. All adult members must sign the General Release of Information Form, and any other

documents required by RHA. Failure to do so will be cause for denial of the application.

4.2.4.If RHA determines at or after the review of the application that additional information or document(s) are needed, RHA will request the document(s) or information in writing. The household will be given ten (10) calendar days to supply the information. If the information is not supplied in this time, RHA will provide the household a notification of denial for assistance.

4.2.4.1. RHA may, at its discretion, grant an additional ten (10) calendar days for the applicant to supply the required information if RHA determines the reason the applicant has been unsuccessful is beyond their control.

4.2.5.If, during the application review, it appears that the applicant is not eligible, the applicant is to be so informed in writing as to the reasons for ineligibility. The application will then be classified as denied. A copy of the denial letter will be attached to the application.

4.2.6.After receipt of initial application, changes affecting applicant information will be recorded. Such changes are to be dated and the reason and authority for such changes noted in the record.

4.2.7.The applicant may make an appeal of a determination of denial, in writing, within 10 calendar days of the notification of denial. The appeal will be considered by the Director of Rental Assistance or designated staff. A decision will be made within 10 calendar days of receiving the written appeal. Once the appeal has been decided the applicant will either be approved or denied. Any decision is final. If denied, the applicant must wait 90 days to apply again.

4.3. VERIFICATION AND DOCUMENTATION OF APPLICANT DATA

To assure that the data upon which determinations of eligibility, priority status, and amount of assistance to be paid are full, true and complete, the information submitted by each applicant/participant is to be verified.

4.3.1.Methods of Verification. The applicant is responsible for providing all verification of residency, income, assets, proof of emergency situation, housing crisis, and citizenship. RHA will only make independent attempts to verify information if it is beyond the applicants control to obtain the information. Should the applicant fail to provide acceptable verification, as outlined below, the application will be denied. RHA will independently verify the owner/management agent to whom the assistance or security deposit will be paid.

4.3.1.1. *Written Third Party Verification* –An original or authentic document generated by a third party source dated within the 120-day period preceding RHA’s request date. All documents will be photocopied and retained in the applicant/participant file. In cases where documents are viewed which cannot be photocopied, staff viewing the documents will complete a certification statement for the file. RHA will accept faxed or emailed documents.

4.3.1.1.1. RHA may reject a document for the following reasons:

4.3.1.1.1.1. The document is not original.

4.3.1.1.1.2. The original document has been altered, mutilated, or is not legible.

4.3.1.1.1.3. The document does not appear to be authentic.

4.3.1.1.2. If a document is rejected, the staff member will do the following:

4.3.1.1.2.1. Get concurrence from the Director of Rental Assistance or designated staff.

4.3.1.1.2.2. Place a copy of the document in the file.

4.3.1.1.2.3. Note on the document the reason why the document is being rejected.

4.3.1.2.*Third-Party Oral* – Oral third-party verifications may be used when written third-party is

not possible. When third-party oral verification is used, staff will be required to originate the call and note with whom they spoke, the date of the conversation, and the facts provided. Third-party oral may be used to clarify information provided on the third-party written.

4.3.1.3. *Certification/Self-Declaration* – When verification cannot be made by the above verification methods, households will be required to submit a self-certification.

4.4. SUPPLYING REQUIRED INFORMATION

4.4.1. The household must supply any information that RHA determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status. “Information” includes any requested certification, release, or other documentation.

4.4.2. All information supplied by the household must be true and complete.

4.5. SUMMARY OF VERIFICATION DATA

4.5.1. Verification data is to be reviewed and evaluated as received for completeness, accuracy and conclusiveness. Where the information received is not complete in all respects, follow-ups or new efforts to obtain such information are to be made and carried through to conclusion. If, during the verification process, it becomes evident that for one or more reasons an applicant is ineligible, the investigation is to be discontinued and the applicant notified in writing of his/her ineligibility, and the reasons therefore.

4.5.2. As verification of all necessary items for each application is completed, a summary of the verified information is to be prepared on a Certification Form attached to the application. The summary is to cover the following determinations and the basis for such:

4.5.2.1. Eligibility of the applicant as a family

4.6. NOTIFICATION TO APPLICANTS

4.6.1. If determined to be ineligible for assistance, the applicant is to be informed in writing of the determination. The reasons for the determination will be included in the written notification.

4.6.2. Applicants are required to inform RHA of changes in address or phone number. Applicants are also required to respond to requests from RHA to update information on their application and to determine their continued interest in assistance.

4.7. REFERRAL FOR FINANCIAL GUIDANCE

4.7.1. All applicants, regardless of approval or denial, will be referred to Opportunity Alliance for financial guidance.

4.8. CERTIFICATION

As a part of the application record of each household determined to be eligible for assistance, a designated staff member is to complete and sign the eligibility certification.

5. ASSISTANCE AMOUNT DETERMINATION AND APPROVAL PROCESS

The accurate determination of the proper amount of assistance to be paid will ensure that RHA is efficiently utilizing its resources. This section defines how the amount of assistance will be determined. An applicant may only receive one of the benefits offered through this program. At no point may an applicant receive multiple types of assistance (Emergency Rental Assistance, Motel Assistance, and Short-Term Tenant-Based Rental Assistance) during a two-year period.

5.1. EMERGENCY RENTAL ASSISTANCE

- 5.1.1. For households eligible under criteria 2.1.5.1, RHA will provide a one-time payment to pay unpaid rent or utility bills to prevent eviction or utility shut-off. The payment will be made directly to the landlord or utility provider. The amount paid is determined by the amount owed up to the month they receive the notice (two month maximum).
- 5.1.2. The applicant must be able to provide an eviction notice or utility notice demonstrating the amount of rent or utilities that is due and the due date. RHA may attempt to independently verify the information on the provided documentation, including the amount owed, if it has reason to question the authenticity of the document.
 - 5.1.2.1. If unpaid rent, the applicant must also provide the contact information for the landlord.
 - 5.1.2.2. If the amounts owed are unpaid utilities, the applicant must provide their account number and contact information for the billing department of the utility provider, if this is not contained on the utility notice.
- 5.1.3. RHA will verify the payee is the management agent or owner of the unit by searching records through the Washoe County Assessor's Office, or by requesting documentation directly from the payee that may include a management agreement, title, or deed. The assistance will not be paid until RHA can verify the payee is the management agent or owner of the unit.
- 5.1.4. RHA will make every effort to issue the assistance payment to the payee on or before the eviction date or utility shut-off date. If there are pending verification items, or if the payee's identity cannot be verified prior to the eviction or shut-off date, but payment will still resolve the eviction or utility issue, RHA will issue payment within 3 business days of verifying the payee or final information.
- 5.1.5. RHA will mail the check to the payee, or upon request, the check may be picked up with corresponding photo identification at the RHA main office.

5.2. MOTEL ASSISTANCE

- 5.2.1. For households eligible under criteria 2.1.5.2, RHA will provide up to 30 days of rent payment for a motel unit to allow the household's long-term housing unit to become available for occupancy. The payment will be made directly to the landlord. The amount paid is determined by the lease or summary of charges, verified by the landlord and/or property manager (up to the 30-day maximum).
- 5.2.2. The applicant must be able to provide documentation of their acceptance at a long-term housing unit and the date the unit will be available for occupancy. RHA may attempt to independently verify the information on the provided documentation if it has reason to question the authenticity of the document.
 - 5.2.2.1. If the long-term housing unit is not available for occupancy within 30 days, the household must have proof that they have additional assistance to cover the gap; otherwise, the application will be denied.
- 5.2.3. RHA will verify the payee is the management agent or owner of the unit by searching records through the Washoe County Assessor's Office, or by requesting documentation directly from the payee that may include a management agreement, title, or deed. The assistance will not be paid until RHA can verify the payee is the management agent or owner of the unit.
- 5.2.4. RHA will mail the check to the payee, or upon request, the check may be picked up with corresponding photo identification at the RHA main office.

5.3. SHORT-TERM TENANT-BASED RENTAL ASSISTANCE

- 5.3.1. For households eligible under criteria 2.1.5.3, RHA will provide up to two (2) years of rent payments to allow the household's pending application for long-term income-based housing assistance to be processed. The payment will be made monthly and paid directly to the landlord. The amount paid is determined by the lease, verified by the landlord and/or property manager.
- 5.3.1.1. Prior to approval, the unit that will receive the short-term tenant-based rental assistance will need to pass inspection following HUD's current protocols with exceptions approved by Nevada Housing Division.
- 5.3.2. The applicant must be able to provide documentation of their active status on a waiting list for long-term income-based housing assistance. RHA may attempt to independently verify the information on the provided documentation if it has reason to question the authenticity of the document.
- 5.3.2.1. If at any point during the two-year assistance period the household is determined to be ineligible for the long-term income-based housing assistance they had applied for, their short-term tenant-based rental assistance will end effective on the last day of the month, 30 days after the denial for long-term income-based rental assistance.
- 5.3.3. RHA will verify the payee is the management agent or owner of the unit by searching records through the Washoe County Assessor's Office, or by requesting documentation directly from the payee that may include a management agreement, title, or deed. The assistance will not be paid until RHA can verify the payee is the management agent or owner of the unit.
- 5.3.4. RHA will mail the check to the payee, or upon request, the check may be picked up with corresponding photo identification at the RHA main office.

6. USE OF PROGRAM RECEIPTS

6.1. PROGRAM RECEIPTS

RHA shall use program receipts to provide homeless prevention assistance for eligible households. Program receipts may only be used to pay program expenditures.

6.2. PROGRAM EXPENDITURES

RHA shall reserve the right to utilize up to 6% of program receipts for administrative expenditures.

APPENDIX 1 - DEFINITION OF TERMS

ANNUAL INCOME. All amounts, monetary or not, which:

- a. Go to, or on behalf of, the family head or to any other family member; or
- b. Are anticipated to be received from a source outside the family during the 12-month period following approval for assistance; and
- c. Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

APPLICANT. For the purposes of this document, the term "applicant" includes the head of household, spouse, all dependents, and all other adult members of the household and their dependents.

DISABLED FAMILY. A household with a household member who is a person with disabilities. It may include two or more persons with disabilities living together.

DISABLED PERSON. "Disabled Person" means a person who is under a disability as defined in Section 223 of the Social Security Act or in Section 102 (5) of the Developmental Disabilities Services and Facilities Construction Amendments of 1970, or who is handicapped as defined in this Part. Section 223 of the Social Security Act defines "disability" as:

- a. Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to last for a continuous period of not less than 12 months; or
- b. In the case of an individual who has attained the age of 55 and is blind (within the meaning of "blindness" as defined in Section 416(1) of this title), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time. Section 102 (5) of the Developmental Disabilities Services and Facilities Construction Amendments of 1970, defines "disability" as: a disability attributable to mental retardation, cerebral palsy, epilepsy or another neurological condition of an individual found by the Secretary (of Health, Education and Welfare) to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen, which has continued or can be expected to continue indefinitely and which constitutes a substantial handicap to such individual.

ELDERLY FAMILY. A household with a household member who is at least 62 years of age. It may include two or more persons who are at least 62 years of age living together.

ELDERLY PERSON. A person who is at least 62 years old.

ELIGIBLE FAMILY. A household which qualifies as a Low-Income Family and which meets the other requirements of this Administrative Plan. The term "Family" includes Elderly, Disabled Person, or a single person.

ELIGIBLE IMMIGRATION STATUS. 24 CFR 5, Subpart E.

- a. Restrictions on assistance. Financial assistance under this program is restricted to:

Citizens; or

Noncitizens who have eligible immigration status in one of the following categories:

A noncitizen lawfully admitted for permanent residents, as defined by Section 101(a)(30) of the Immigration and Nationality Act (INA)(8 U.S.C. 1101 (a)(20) and 1101 (a)(15), respectively) (immigrants). (This category includes a noncitizen admitted under Section 210 or 210A of the INA (8 U.S.C. 1160 or 1161) who has been granted lawful temporary resident status);

A noncitizen who entered the United States before January 1, 1972, or such later date as enacted by law, and has continuously maintained residence in the United States since then, and who is not ineligible for citizenship, but who is deemed to be lawfully admitted for permanent residence as a result of an exercise of discretion by the Attorney General under Section 249 of the INA (8 U.S.C. 1259);

A noncitizen who is lawfully present in the United States pursuant to an admission under Section 207 of the

INA (8 U.S.C. 1157) (refugee status); pursuant to the grant of asylum (which has not been terminated) under Section 208 of the INA (8 U.S.C. 1153 (a)(7)) before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic national calamity;

A noncitizen who is lawfully present in the United States as a result of an exercise of discretion by the Attorney General for emergent reasons deemed strictly in the public interest under Section 212 (d)(5) (parole status);

A noncitizen who is lawfully present in the United States as a result of the Attorney General's withholding deportation under Section 243(h) of the INA (8 U.S.C. 1253(h)) (threat to life or freedom); or

A noncitizen lawfully admitted for temporary or permanent residence under Section 245 A of the INA (8 U.S.C. 1255(a) amnesty granted under INA 245 A).

b. Family eligibility for assistance.

A family shall be eligible for assistance so long as at least one member of the family residing in the unit is determined to have eligible status, as described in paragraph (a) of this section;

EMERGENCY SITUATION. An event including a medical event, job loss, death in the family, accident, or other emergency that has affected a household member within the last 90 days, and whose associated costs or expenses exceed one month of rent at the household’s current unit.

FAMILY (HOUSEHOLD). "Family" includes, but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

- a. A single person, who may be an elderly person, displaced, person, disabled person, near-elderly person or any other single person; or
- b. A group of persons residing together, and such group includes, but is not limited to:
 - i. Households with or without children;
 - ii. An elderly family;
 - iii. A disabled family and;
 - iv. A minor who has been awarded a decree of emancipation by a competent court having jurisdiction over said minor.

Also included in the Family for purposes of determining the amount of relocation assistance may be:

- a. Children who are subject to a joint custody agreement but live with one parent at least 51% of the time will be considered members of the household. “51% of the time” is defined as 183 days of the year, which do not have to run consecutively. (There will be a self-certification required of households who claim joint custody or temporary guardianship.)
- b. Other persons who will live regularly as part of the Family group, including foster children and members of the Family temporarily absent, and whose income and resources are available for use in meeting the living expenses of the group.
- c. Lodgers may not be included in the Family.

INCOME. The types of money which are to be used as income for purposes of calculating the family’s income are defined by HUD in federal regulations. See 24 CFR 5.609.

INCOME LIMITS. The maximum annual income a household may have to be eligible for assistance as determined by HUD (Appendix 2).

LANDLORD. This term means either the owner of the property or his/her representative or the managing agent or his/her representative, as shall be designated by the owner.

LEASE. A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a household.

LOW-INCOME FAMILY. A household whose income does not exceed 60 percent of the median household income

for the area, as determined by HUD with adjustments for smaller and larger households (Appendix 2, Income Limits)

NET FAMILY ASSETS. Value of equity in savings, checking, direct express, IRA and Keogh accounts, real property, stocks, bonds and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles is excluded from the definition.

NON-CITIZEN. A person who is neither a citizen nor a national of the United States.

OWNER. Any person or entity, including a cooperative, having the legal right to lease or sub-lease a dwelling unit.

SECURITY DEPOSIT. The amount the owner/manager collects from the tenant at the date of lease up, as outlined in the lease agreement for protecting the landlord from damages, unpaid rent, or if the tenant breaks or violates the terms of the lease or rental agreement.

UNPAID RENT. Rent owed to the landlord resulting from the failure of the tenant to pay their portion of the rent through the end of the month.

UTILITIES. Includes electricity, gas, water, sewer or trash collection.

APPENDIX 2 - INCOME LIMITS

# Persons	30% AMI (Extremely Low-Income)	50% AMI (Very Low-Income)	60% AMI (Low-Income)
1	\$21,250	\$35,450	\$42,540
2	\$24,300	\$40,500	\$48,600
3	\$27,350	\$45,550	\$54,660
4	\$30,350	\$50,600	\$60,720
5	\$32,800	\$54,650	\$65,580
6	\$35,250	\$58,700	\$70,440
7	\$37,650	\$62,720	\$75,300
8	\$40,100	\$66,800	\$80,160

<https://www.hudexchange.info/programs/home/home-income-limits/>