Chapter 1

STATEMENT OF POLICIES AND OBJECTIVES

INTRODUCTION

The Housing Authority of Kansas City, Missouri is referred to as "PHA" or "Housing Authority" or "HAKC" throughout this document.

The Public Housing Program was created by the U.S. Housing Act of 1937.

Administration of the Public Housing Program and the functions and responsibilities of the Public Housing Authority (PHA) staff will be in compliance with the Housing Authority of Kansas City’s (HAKC) Personnel Policy and HAKC’s Admissions and Continued Occupancy Policy (ACOP). The administration of the HAKC’s housing program will also meet the requirements of the Department of Housing and Urban Development (HUD). Such requirements include any Public Housing Regulations, Handbooks, and applicable Notices. All applicable Federal, State and local laws, including Fair Housing Laws and regulations also apply. Changes in applicable federal laws or regulations will supersede provisions in conflict with this policy. Federal regulations will include those found in the Code of Federal Regulations (CFR) Volume 24, Parts V, VII and IX.

ABOUT THE AUTHORITY

The Housing Authority of Kansas City, Missouri (HAKC) was established on July 14, 1941 by city ordinance and mayoral appointment of a five member Board of Commissioners, in accordance with Missouri enabling legislation. World War II suspended the operation of HAKC in 1942 until 1946 when HAKC was reactivated to provide housing for returning veterans. Since then additional units have been added and the program has expanded to include low-rent units for other families. Through its Division of Housing Operations, the HAKC leases and manages apartment complexes: Riverview Gardens (1953), Theron B. Watkins (1954), Guinotte Manor (1955), Chouteau Court (1959), Wayne Miner (1962), West Bluff (1964), Brush Creek Towers (1973), Dunbar Gardens (1973), Pemberton Heights (1981) and single family houses located throughout the City of Kansas City, Missouri. HAKC’s portfolio of housing units also includes mixed finance units to which this ACOP applies at Villa del Sol (1998), Cardinal Ridge (2001), Beacon Park (2011), Crooked Creek (2002), Mount Cleveland (2004) and Willow Glen Townhomes (2004) and Willow Glen Apartments (2007).

In 1977, the HAKC entered into its first Annual Contributions Contract (ACC) with HUD for the Section 8 Housing Assistance Payments Program. Since that time, HAKC, through its Section 8 Division, has entered into ACCs for the Section 8 Housing Choice Vouchers and Project Base Programs.
Organizational Structure

The Housing Authority is a municipal corporation. HAKC has a mandate to provide decent, safe, sanitary and in good repair housing for low-income, disabled, and senior families.

The HAKC is governed by a Board of officials that are generally called “Commissioners.” The Board of Commissioners establishes policies under which the HAKC conducts calendar, and ensures that those policies are followed by HAKC staff. The Commissioners is responsible for preserving and expanding the agency’s resources and assuring the agency’s continued viability and success. Formal actions of the HAKC are taken through written resolutions, adopted by the Commissioners and entered into the official records of the HAKC.

The principal staff member of the Housing Authority of Kansas City is the Executive Director (ED), who is selected and hired by the Commissioners. The ED oversees the day to day operations of the HAKC and is directly responsible for carrying out the policies established by the Commissioners. The ED’s duties include hiring, training, and supervising the HAKC’s staff, as well as budgeting and financial planning for the agency. Additionally, the ED is charged with ensuring compliance with federal, state and local laws, and program mandates.

The Housing Authority staff is employed to perform the following functions: clean and ready units; maintain and manage physical properties; coordinate social, recreational, and educational programs and formulate policies, procedures and written agreements with residents, contractors, landlords, and related governmental agencies. A management office is maintained at the development sites. The Central HAKC administrative offices are located at 920 Main Street, Suite 701, Kansas City, Missouri 64105.

Description of Programs Offered

HAKC operates the following subsidized housing programs:

- Public Housing (PH) - Rental subsidies provided on properties owned, operated and maintained by HAKC.

- Housing Choice Vouchers (HCV) program (formerly Section 8) - Rental subsidies provided to low income families residing in privately owned properties. The rental subsidies are family-based and therefore allow mobility for the family.

- Project Based Housing Choice Vouchers (PBHCV) - Rental subsidies provided to low income families residing in privately owned
properties. The subsidies are project-based rather than family-based and therefore there is no mobility.

- Mixed Finance - Rental subsidies provided on properties owned, managed, operated or maintained by HAKC or management firms. Subsidies vary based on the type of program in the mixed financed community- taxed credit, public housing, HCV project based, etc.

Legal Jurisdiction

HAKC is authorized to operate Public Housing within the corporate city limits of Kansas City, Missouri. For the HCV Program, the area of operation of the Housing Authority of Kansas City, Missouri is geographically defined as the Kansas City metropolitan area. The HAKC has cooperative agreements with the neighboring housing authorities of Independence, Liberty and Lee’s Summit, Missouri.

A. HOUSING AUTHORITY OF KANSAS CITY’S MISSION STATEMENT

The mission of the Housing Authority of the City of Kansas City, MO is to provide access to good quality affordable housing and services to the underserved and to create viable communities.

Our organization is committed to teamwork that values integrity, initiative, innovation and trust. HAKC’s goals are to maximize housing opportunities for eligible persons, to facilitate opportunities for self-sufficiency of the residents, and to create a team-based environment that promotes communication and development of all employees.

B. LOCAL OBJECTIVES

This Admissions and Continued Occupancy Plan (ACOP) for the Public Housing Program is designed to demonstrate that HAKC is managing its program in a manner that reflects its commitment to improving the quality of housing available to its public, and its capacity to manage that housing in a manner that demonstrates its responsibility to the public trust. In addition, this Admissions and Continued Occupancy Policy is designed to achieve the following objectives:

To provide improved living conditions for low income families while maintaining their rent payments at an affordable level.

To operate a socially and financially sound public housing agency that provides decent, safe, sanitary, and in good repair housing within a drug free, suitable living environment for tenants and their families.

To avoid concentrations of economically and socially deprived families in any one or all of the HAKC’s public housing developments.
Housing Authority of Kansas City
Statement of Policies
Adopted by Commission:
Effective: February 12, 2018

To lawfully deny the admission of applicants, or the continued occupancy of residents, whose habits and practices reasonably may be expected to adversely affect the health, safety, comfort or welfare of other residents or the physical environment of the neighborhood, or create a danger to HAKC’s employees or communities.

To attempt to house a tenant body in each development that is composed of families with a broad range of incomes and rent-paying abilities that are representative of the range of incomes of low-income families in HAKC’s jurisdiction.

To recognize that only through meaningful resident involvement and a resident-staff partnership can the HAKC accomplish its goals for comprehensive physical, management, and social revitalization. Therefore, HAKC will actively encourage and support resident participation in all aspects of the Authority’s planning and operations.

To provide opportunities for upward mobility for families who desire to achieve self-sufficiency.

To facilitate the judicious and efficient management of HAKC’s housing inventory and staff.

To ensure compliance with Title VI of the Civil Rights Act of 1964 and all other applicable Federal laws and regulations so that the admissions and continued occupancy are conducted without regard to race, color, religion, creed, sex, national origin, disability, sexual orientation or familial status.

To establish fair and equitable practices for selecting applicants to occupy housing units owned by HAKC.

To establish fair and reasonable procedures to govern the occupancy of housing in accordance with regulations of the U.S. Department of Housing and Urban Development (HUD).

To establish policies for items covered under federal regulations for the Public Housing Program.

To provide decent, safe, sanitary and in good repair housing for eligible participants.

C. PURPOSE OF THE POLICY

The purpose of this Admissions and Continued Occupancy Policy (ACOP) is to establish a statement of policies for staff to operate and manage the PH housing program in accordance with federal law, regulations and HUD requirements. This policy is required by HUD [CFR 24 Part 903]. HAKC’s Board of Commissioners must approve the original policy and any changes to the policies. The approved document is provided to HUD with the submission of the HAKC Agency Plan.
The ACOP contains policies and procedures that support the goals and objectives contained in the HAKC Agency Plan. All matters related to the public housing program not covered in the ACOP are governed by federal regulations, HUD handbooks and guidebooks, notices and applicable state and local laws. This policy is designed to ensure compliance with the Annual Contribution Contract (ACC). The HAKC is responsible for complying with all changes in HUD regulations pertaining to the public housing program. If HUD changes conflict with HAKC’s ACOP, HUD regulations will take precedence. Where the ACOP uses the words “must” or “will” the action is mandatory. Where the Policy uses the words “may” or “should”, the action is discretionary.

The ACOP will be made available in accordance to HUD regulations [CFR 24 Part 903]. All policy changes will be approved by the Board and communicated through official notices. It is understood that revised information may supersede, modify, or eliminate existing policies. The Executive Director is authorized to modify the procedural portions of the ACOP without Board approval in order to facilitate day-to-day program operations.

D. FAIR HOUSING POLICY

Nondiscrimination

It is the policy of HAKC to fully comply with all applicable Federal, State and local non-discriminatory law and to operate in accordance with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment, including but not limited to provisions under: Title VI of the Civil Rights Act of 1964, Title VIII and Section 3 of the Civil Rights Act of 1968 (as amended), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, state and local Fair Housing laws, and any legislation protecting the individual rights of residents, applicants or staff which may be subsequently enacted.

HAKC will comply with all laws and court orders relating to civil rights, including but not limited to:

- Fair Housing Act (42 U.S.C. §§3601-3631) and 24 CFR Parts 100, 108, and 110
- Executive Order 11063 on equal opportunity in housing and 24 CFR Part 107
- Executive Order 13166 on improving access to services for persons with limited English proficiency
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794) and 24 CFR Part 8
- Age Discrimination Act of 1975 (42 U.S.C. §§6101-6107) and 24 CFR Part 146
Housing Authority of Kansas City
Adopted by Commission:

Effective: February 12, 2018

- Title II of the Americans with Disabilities Act (42 U.S.C. §§12131-12134), 28 CFR 35
- The Violence Against Women Act 2013
- Applicable HAKC court orders and consent decrees
- All applicable state and local laws and ordinances

HAKC will not discriminate because of race, color, sex, religion, sexual orientation, familial status (in non-elderly designated housing), disability, or national origin in the leasing, rental, or other disposition of housing or related facilities, including land, included in any development or developments under its jurisdiction.

HAKC will not take any of the following actions on account of race, color, sex, religion, familial status, disability, sexual orientation or national origin:

- Deny to any family the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to lease housing suitable to its needs.
- Provide housing that is different than that provided to others except as approved reasonable accommodations
- Subject a person to segregation or disparate treatment.
- Restrict a person’s access to any benefit enjoyed by others in connection with any program operated by the Housing Authority.
- Treat a person differently in determining eligibility or other requirements for admission except as approved reasonable accommodations
- Deny a person access to the same level of services.
- Deny a person the opportunity to participate in a planning or advisory group that is an integral part of the public housing program.

HAKC will not automatically deny admission to a particular group or category of otherwise eligible applicants (e.g. families with children born to unmarried parents or elderly pet owners). Each applicant in a particular group or category will be treated on an individual basis in the normal processing routine.

HAKC will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504 of the Rehabilitation Act of 1973, HAKC will make such physical or procedural changes as will reasonably accommodate people with disabilities.
HAKC records with respect to applicants for admission will indicate for each application the date of receipt, the determination of eligibility or non-eligibility, the preference rating if any, and the date, location, identification, and circumstances of each vacancy offered and whether that vacancy was accepted or rejected. The HAKC may use an electronic format.

HAKC will identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504, and the Fair Housing Amendments Act of 1988, HAKC will make structural modifications to its housing and non-housing facilities (required, 24 CFR §§8.21, 8.23, 8.24, and 8.25) and make reasonable accommodations in its procedures or practices (required, 24 CFR §100.204) to permit people with disabilities to take full advantage of HAKC’s programs and services.

1. In making existing housing programs (see 24 CFR §8.24) or alterations to existing facilities (see 24 CFR §8.23(b)) to be readily accessible to and usable by individuals with handicaps, HAKC is not required to:

   (a) Make each of its existing facilities accessible (24 CFR §8.24(a)(1)), or make structural changes when other methods can be demonstrated to achieve the same effect; (24 CFR §8.24 (b))

   (b) Make building alterations that require the removal or altering of a load-bearing structural member; (24 CFR §8.32 (c))

   (c) Provide an elevator in any multifamily housing development solely for the purpose of locating accessible dwelling units (“units”) above or below the accessible grade level; or (24 CFR § 8.26)

   (d) Take any action that results in a fundamental alteration in the nature of the program or results in undue financial and administrative burdens. (24 CFR § 8.24(a)(2))

2. When HAKC is making substantial alterations (defined in 24 CFR § 8.23 as alterations to a development that has 15+ units and the cost is 75% or more of the replacement cost of the completed facility) to an existing housing facility, HAKC is not required to:

   (a) Provide an elevator in any multifamily housing development solely for the purpose of locating accessible units above or below the accessible grade level; (24 CFR §8.26)

   (b) Make building alterations that require the removal or altering of a load-bearing structural member; or (24 CFR §8.32 (c))
(c) Make structural alterations to meet minimum accessibility requirements where it is structurally impracticable. “Structural impracticability” is defined as: Changes having little likelihood of being accomplished without removing or altering a load-bearing structural member and/or incurring an increased cost of 50% or more of the value of the element of the building or facility involved. (24 CFR §8.32(c)) and Appendix A to Part 40, Uniform Federal Accessibility Standards (UFAS) 3.5 and 4.1.6(3))

3. Note that the undue burdens test above is not applicable to housing undergoing substantial alteration.

HAKC will not permit these policies to be subverted to do personal or political favors. HAKC will not offer units in an order different from that prescribed by this policy, since doing so violates the policy, federal law, and the civil rights of the other families on the waiting lists.

**Affirmative Marketing**

As conditions may require, HAKC will post notices of housing availability in particular neighborhoods or developments to encourage fuller participation. HAKC may issue public announcements of availability to encourage applications for assistance. Among the marketing efforts HAKC may engage in depending on the situation are the following:

- Send informational spots to local media outlets such as radio stations, cable TV, newspapers, or other periodicals for broadcast or publication.

- Special outreaches to minorities, persons with disabilities and very low-income families.

- Distribute pamphlets and brochures.

- Post notices in places of employment, unemployment offices, welfare offices, post offices, grocery stores, churches, community halls, public transportation centers, and with other agency community service providers.

- Conduct outreach to organizations that assist people with disabilities, the elderly, students, immigrants, and victims of domestic violence.

HAKC will monitor the benefits received as a result of the above activities, and will increase or decrease the outreach activities accordingly.

To reach minority groups, it may be necessary to canvas neighborhoods or make mass mailing to areas with heavy concentration of minority citizens. If language is a problem, brochures may be printed in other languages as required.
Operations

In order to further the objectives of nondiscrimination, HAKC will:

- Include in the admissions briefings for all HAKC programs a section on compliance with Civil Rights laws. The briefings will explain to all participants what should be done if they believe they have been discriminated against.

- Prominently display Fair Housing posters in every development’s office owned by HAKC and in HAKC’s administrative offices. Such posters will be posted in such a manner as to be easily readable from a wheelchair.

- Use the Equal Housing Opportunity logo and/or statement in all advertising and in all marketing publications of HAKC. HAKC will be particularly conscious of human models used in its publications so as to avoid signaling any sense of discrimination.

- HAKC shall maintain a TDD/TTY machine or access to a TDD/TTY for the use of the hearing impaired. HAKC shall use the telecommunications relay service through the local service provider. The Relay number is 711 for TDD/TTY.

HAKC Policy

The HAKC will provide meaningful access to its programs and activities by persons with Limited English Proficiency (LEP). In accordance with federal guidelines, the HAKC will make reasonable efforts to provide or arrange free language assistance for its LEP clients, including applicants, recipients and/or persons eligible for public housing and Section 8/Housing Choice Vouchers.

As many publications as feasible will be printed both in English or any other languages commonly spoken within the HAKC. HAKC will try to employ staff with bi-lingual language capabilities both in English or any other languages commonly spoken within the HAKC or maintain a relationship with agencies that can perform the service.

E. SERVICE AND ACCOMMODATIONS POLICY

This policy is applicable to all situations described in this Admissions and Continued Occupancy Policy when a family initiates contact with HAKC, when HAKC initiates contact with a family including when a family applies, and when HAKC schedules or reschedules appointments of any kind.

It is the policy of HAKC to be service-directed in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services...
to the families within our jurisdiction.

HAKC’s policies and practices will be designed to provide assurances that all persons with disabilities will be provided reasonable accommodation so that they may fully access and utilize the housing program and related services. The availability of specific accommodations will be made known by including notices on HAKC forms and letters to all families, and all requests will be verified so that the HAKC can properly accommodate the need presented by the disability. HAKC’s strategy is to achieve the attainable goals in the simplest manner possible, with the least expense, while complying with the Public Housing requirements and regulations.

Federal Americans with Disabilities Act of 1990 and Section 504

With respect to an individual, the term "disability," as defined by the 1990 Act means:

- A person with a physical or mental impairment that substantially limits one or more of the major life activities of an individual;
- Has a record of such impairment; or is regarded as having such impairment. (The disability may not be apparent to others, i.e., heart condition).

Undue Hardship

When making a determination, HAKC will view all resources and programs administered by the agency. Requests for reasonable accommodation from persons with disabilities will be granted upon verification that they meet the need presented by the disability and they do not create an "undue financial and administrative burden" for HAKC, meaning an action requiring "significant difficulty or expense."

In determining whether accommodation would create an undue hardship, the following guidelines will apply:

- The nature and cost of the accommodation needed;
- And the overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation.

If more than one accommodation is equally effective in providing access to the HAKC’s programs and services, the HAKC retains the right to select the most efficient or economical choice.

Any request for an accommodation that would enable a tenant to materially violate essential lease terms will not be approved, i.e. allowing nonpayment of rent, destruction of property, disturbing the peaceful enjoyment of others, etc.
Interpretation for Visual or Audible Impairments

Documents intended for use by applicants and residents will be made available in formats accessible for those with vision or hearing impairments in compliance with the Fair Housing Act, 24 CFR 8.6 (a) (2) or equally effective communication systems.

Other Accommodations

Qualified families will be offered an accessible unit, upon request by the family, when an accessible unit is available. Due to the limited number of accessible units, HAKC will offer vacant accessible units with features for person with disabilities as follows:

1. First, to a current occupant of another unit of the same development who requires the accessible features of the vacant, accessible unit and is occupying a unit not having the features;

2. Second, if there is no current resident in the same development that requires the accessible features of the vacant unit, then it will be offered to a resident with disabilities residing in another development under HAKC’s control, who has a disability that requires the special features of the vacant accessible unit;

3. Third, if there is no current resident who requires the accessible features of the vacant, accessible unit, then the vacant accessible unit will be offered to an eligible qualified applicant with disabilities on the waiting list who can benefit from the accessible features of the available, vacant, accessible unit;

4. Fourth, if there is not an eligible qualified resident or applicant with disabilities on the waiting list who wishes to reside in the available, accessible unit, then the HAKC will offer the available accessible unit to an applicant on the waiting list who does not need the accessible features of the unit. However, the HAKC may require the applicant to execute a lease that requires the resident to relocate, at the HAKC’s expense, to a non-accessible unit within thirty (30) days of notice by the HAKC that there is an eligible applicant or existing resident with disabilities who requires the accessibility features of the unit. See 24 CFR § 8.27. Although the regulation does not mandate the use of the lease provision requiring the nondisabled family to move, as a best practice, HUD strongly encourages recipients to incorporate it into the lease, which is included by reference in the ACOP. By doing so, the HAKC may not have to retrofit additional units because accessible units are occupied by persons who do not need the features of the units. In addition, making sure that accessible units are actually occupied by persons who needing the features will make recipients better able to meet their obligation to ensure that their program is usable and accessible to persons who need units with accessible features. See 24 CFR 8.20. Before occupying with an able-body in the unit, the HAKC will over-house a disabled family qualifying for the unit, with the understanding that they will move to an appropriate sized accessible unit when one becomes available.
Plain Language Paperwork

Documents intended for use by applicants and residents will be presented in accessible formats for those with vision or hearing impairments and they will be written simply and clearly to enable applicants and residents with learning or cognitive disabilities to understand as much as possible. All such requests for accommodation may be in accordance with HAKC’s Reasonable Accommodation Policy.

Form of Communication Other Than Plain Language Paperwork

At the point of initial contact, HAKC staff shall ask all applicants whether they need some form of communication other than plain language paperwork. Some alternatives might include: sign language interpretation, having materials explained orally by staff either in person or by phone, large type materials, information on tape, interpret and having someone (friend, relative, or advocate) accompany the applicant to receive, interpret and explain housing materials. The HAKC will attempt to provide sign language interpreters for the hearing impaired, if the need arises.

F. REQUESTS FOR REASONABLE ACCOMMODATIONS

The HAKC is dedicated to providing housing benefits through the public housing program and, in doing so, it prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status, sexual orientation and disability, consistent with the United States Fair Housing Act, 42 U.S.C. sections 3601-3619 and Section 504 of the Rehabilitation Act of 1973, as amended.
The HAKC recognizes the following terms and definitions:

1. The HAKC considers a person with a “disability” to include: (1) individuals with a physical or mental impairment that substantially limits one or more major life activities; (2) individuals who are regarded as having such impairment; and (3) individuals with a record of such impairment.

2. 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, epilepsy, Human Immunodeficiency Virus infection, cancer, heart disease, diabetes, intellectual disabilities, emotional illness (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.

3. The term “substantially limits” suggests that the limitation is “significant” or “to a large degree.”

4. The term “major life activity” means those activities that are of central importance to daily life, such as seeing, hearing, walking, breathing, performing manual tasks, caring for one’s self, learning, and speaking. This list of major life activities is not exhaustive.

5. The term “reasonable accommodation” is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces.

The HAKC is committed to making reasonable accommodations to rules, policies, practices, or services when such accommodations may be necessary to afford persons with disabilities with an equal opportunity to use and enjoy a dwelling. The HAKC will consider that a person is requesting a reasonable accommodation when that person makes it clear that he/she is requesting an exception, change, or adjustment to a rule, policy, or practice, or service because of a disability, regardless of whether the request is made verbally or in writing. Upon receipt of a request for a reasonable accommodation, the HAKC will engage the person in dialogue to discuss what type of accommodation he/she is requesting and, if the need for the accommodation is not readily apparent or not known to the HAKC, the requester will be asked to explain the relationship between the requested accommodation and his/her disability.

In order to show that a requested reasonable accommodation may be necessary, there must be an identifiable relationship or nexus between the requested accommodation and the individual’s disability. The HAKC is entitled to obtain information necessary to evaluate if a requested reasonable accommodation may be necessary due to a disability.

If a requester’s disability is known or otherwise obvious and if the need for the requested accommodation is readily apparent or known, then the HAKC will NOT seek any additional information about the requester’s disability or the disability-related need for the accommodation.
If the requester’s disability is known or readily apparent to the HAKC, but the need for the requested accommodation is NOT readily apparent or known, the HAKC will only request information that is necessary to evaluate the disability-related need for the information.

The HAKC does not ordinarily inquire into the nature and severity of an individual’s disability; however, in response to a request for a reasonable accommodation the HAKC may request reliable disability-related information that (1) is necessary to verify that the requester meets the Act’s definition of disability (i.e., has a physical or mental impairment that substantially limits one or more major life activity), (2) describes the needed accommodation, and (3) shows the relationship between the person’s disability and the need for the requested accommodation.

In many circumstances the requester may be able to verify the disability with information (e.g., proof that an individual under the age of 65 years of age receives either Supplemental Security Income or Social Security Disability Insurance benefits or a credible statement by the individual). In addition, a doctor or other medical professional, a peer support group, a non-medical service agency, or a reliable third-party who is in a position to know about the requester’s disability, may also be asked to provide verification of a disability.

The HAKC will maintain such information confidential and it will not be shared with anyone unless the person needs the information to make or assess the decision to grant or deny a request for the accommodation, the continuation of an accommodation or unless disclosure is otherwise required by law.

**Application, Screening, and Leasing Process**

All prospective applicants for housing benefits are provided an opportunity to inform the HAKC of their need for a reasonable accommodation at the preliminary application.

If an applicant who is an individual with a disability requires assistance in completing his/her preliminary application, he or she will receive assistance from a HAKC staff.

The need for a reasonable accommodation is documented in the preliminary application.

Applicants selected from the HAKC wait list are required to participate in a formal screening session. During this process, applicants are provided an opportunity to inform the HAKC of a need for a reasonable accommodation. This is documented on the HAKC Formal Application.

Applicants are asked to specify what types of accommodations are needed. The HAKC reserves the right to ask the applicant to verify their disability and the need for the requested accommodation.

If during the screening process, an applicant, as a result of his or her disability, is unable to provide requested information by any deadline given, or where the applicant provides information which is incomplete because of his or her disability, HAKC will offer the
applicant assistance by offering to contact a verifier (i.e., physician, caseworker, attorney, etc.). If HAKC is still unable to verify the need for a reasonable accommodation or is unable to obtain the necessary information, the applicant will be provided an opportunity to submit a request for reasonable accommodation on his/her behalf, and identify and document the difficulties he/she has experienced in obtaining the requested documentation. All actions performed by HAKC to assist the applicant to obtain the necessary information will be properly documented and retained in the screening file (as applicable). If the information from the applicant and the documentation provided and/or any other relevant circumstances that are documented are acceptable, HAKC will proceed with the screening process.

Current Residents

A current resident may make a request for a reasonable accommodation at any time during their residency. It is preferred that all requests be made in writing; however, in cases when residents are unable to submit a written request, HAKC will offer appropriate assistance with documenting the request. After the initial request, HAKC will conduct an interview with the resident to gather necessary facts related to the resident’s request for reasonable accommodations. The resident must provide the HAKC with enough information in order to properly review the request for a decision and verify the need for a reasonable accommodation. As mentioned above, the HAKC may need to request additional information from a professional and/or physician, etc.

Once a request for a reasonable accommodation is verified then HAKC will then analyze the request to determine whether the request can be granted or whether it will be denied. Provided the verification demonstrates a disability-related need for the requested accommodation the HAKC will grant the request, unless the request is unreasonable, i.e., if the request would impose an undue financial and administrative burden on the HAKC or it would fundamentally alter the nature of the HAKC’s operations. In cases where the request is denied because it is unreasonable HAKC will engage the requester in an interactive process in which HAKC and the requester discuss the requester’s disability-related need for the requested accommodation and possible alternative accommodations.

Once a requester’s request for a reasonable accommodation has been verified and approved, the HAKC will make every effort to meet the request for accommodation within the current existing unit. If the request for reasonable accommodation cannot be achieved within the existing unit and a transfer is necessary, the requester will be provided a “Transfer Request Form” to complete and the requester will be placed on the transfer waiting list. The HAKC will process this request for reasonable accommodation through the approved transfer process contained within the HAKC’s Admissions and Continued Occupancy Plan, (ACOP). The HAKC’s housing stock is reviewed to see what properties are available that meet the request for a reasonable accommodation. Persons with disabilities are given priority status on the transfer waiting list.

G. IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED
ENGLISH PROFICIENCY (LEP)

Overview

Language for Limited English Proficiency Persons (LEP) can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by the public housing program. In certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from federally assisted programs and activities may violate the prohibition under Title VI against discrimination on the basis of national origin. This part incorporates the Notice of Guidance to Federal Assistance Recipients Regarding Title VI Prohibition Affecting Limited English Proficient Persons, published January 22, 2007 in the Federal Register.

The HAKC will take affirmative steps to communicate with people who need services or information in a language other than English. These persons will be referred to as Persons with Limited English Proficiency (LEP).

LEP persons are defined as persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English. For the purposes of this Admissions and Continued Occupancy Policy, LEP persons are public housing applicants and resident families, and parents and family members of applicants and resident families.

In order to determine the level of access needed by LEP persons, the PHA will balance the following four factors:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by the public housing program;
- The frequency with which LEP persons come into contact with the program;
- The nature and importance of the program, activity, or service provided by the program to people’s lives; and
- The resources available to the PHA and costs. Balancing these four factors will ensure meaningful access by LEP persons to critical services while not imposing undue burdens on the PHA.

Oral Interpretation

In a hearing, or situations in which health, safety, or access to important benefits and services are at stake, the PHA will generally offer, or ensure that the family is offered through other sources, competent interpretation services free of charge to the LEP person.
HAKC Policy

The HAKC will analyze the various kinds of contacts it has with the public, to assess language needs and decide what reasonable steps should be taken. “Reasonable steps” may not be reasonable where the costs imposed substantially exceed the benefits. Where feasible, the HAKC will train and/or hire bilingual staff or contract for services to be available to act as interpreters and translators, will pool resources with other PHA’s, and will standardize documents. Where feasible and possible, the PHA will encourage the use of qualified community volunteers.

Where LEP persons desire, they will be permitted to use, at their own expense, an interpreter of their own choosing, in place of or as a supplement to the free language services offered by the PHA. The interpreter may be a family member or friend.

Written Translation

Translation is the replacement of a written text from one language into an equivalent written text in another language.

HAKC Policy

In order to comply with written-translation obligations, the HAKC will take the following steps:

1. The HAKC will provide written translations of vital documents for each eligible LEP language group that constitutes 5 percent or 1,000 persons, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally; or

2. If there are fewer than 50 persons in a language group that reaches the 5 percent trigger, the HAKC may not translate vital written materials, but will provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

3. These “safe harbor” provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP persons through competent oral interpreters where oral language services are needed and reasonable.

4. HAKC will use the written documents supplied by HUD, whenever possible. All documents will be clearly marked “For Informational Purposes Only”. All documents that will be executed for the files and program requirements will be in English.
Implementation Plan

After completing the four-factor analysis and deciding what language assistance services are appropriate, the HAKC will determine whether it is necessary to develop a written implementation plan to address the identified needs of the LEP populations it serves.

If the HAKC determines that it is not necessary to develop a comprehensive written implementation plan, the absence of a comprehensive written plan does not obviate the underlying obligation to ensure meaningful access by LEP persons to the HAKC’s public housing program and services.

HAKC Policy

The HAKC will notify (Post on bulletin Boards and insert in application and recertification materials) applicants and residents of the HAKC LEP program. The notification will encourage families to communicate language needs to the HAKC in order for language assistance and materials to be made available.

When it is determined the HAKC serves LEP persons, and the HAKC has limited resources, the HAKC is in the process of developing a written LEP at this time, and will consider alternative ways to articulate in a reasonable manner a plan for providing meaningful access. When HAKC determines that it serves or is under-serving LEP persons because of language barriers and HAKC has the available resources, the HAKC will create a LEP. HAKC will use entities having significant contact with LEP persons, such as schools, grassroots and faith-based organizations, community groups, and groups working with new immigrants and participants. These entities will be contacted for input into the process.

When the HAKC determines it is appropriate to develop a written LEP, the following five steps will be taken:

- Identifying LEP individuals who need language assistance;
- Identifying language assistance measures;
- Training staff;
- Providing notice to LEP persons; and
- Monitoring and updating the LEP.

H. PUBLIC HOUSING MANAGEMENT ASSESSMENT SYSTEM (PHAS) OBJECTIVES [24 CFR 902]
HAKC operates its public housing program with efficiency and can demonstrate to HUD or independent auditors that HAKC is using its resources in a manner that reflects its commitment to quality and service. HAKC policies and practices are consistent with the new Public Housing Assessment System (PHAS) outlined in the 24 CFR Part 902 final published regulations.

HAKC is continuously assessing its program and consistently strives to make improvements. The HAKC acknowledges that its performance ratings are important to sustaining its capacity to maintain flexibility and authority. HAKC intends to diligently manage its current program operations and continuously make efforts to be in full compliance with PHAS. The policies and procedures of this program are established so that the standards set forth by PHAS are demonstrated and can be objectively reviewed by an auditor whose purpose is to evaluate performance.

I. FAMILY OUTREACH

HAKC will publicize and disseminate information to make known the availability of housing units and housing-related services for low-income families on a regular basis.

HAKC will communicate the status of housing availability to other service providers in the community.

HAKC will advise them of housing eligibility factors and guidelines in order that they can make proper referrals for those who seek housing.

HAKC will accept referrals from local providers for available housing. HAKC will determine housing eligibility factors of the applicants.

J. QUALITY HOUSING AND WORK RESPONSIBILITY ACT (QHWRA)

HAKC will comply with the Quality Housing and Work Responsibility Act of 1998 (QHWRA). QHWRA amends the Housing Act of 1937.
K. **FEDERAL PRIVACY ACT**

HAKC’s practices and procedures are designed to safeguard the privacy of applicants and residents.

Applicants and residents, including all adults in their households, are required to sign the form HUD-9886, "Authorization for Release of Information and Privacy Act Notice." This document incorporates the Federal Privacy Act Statement and describes the conditions under which HUD will release family information.

HAKC’s policy regarding release of information is in accordance with State and local laws that may restrict the release of family information.

HAKC will also require other releases in order to obtain the necessary verification. Files will never be left unattended or placed in common areas and kept under lock and key when not being used.

Any and all information which would lead one to determine the nature and/or severity of a person’s disability will not be placed in applicant or tenant files, but must be returned or destroyed. The personal information will be reviewed by the authorized HAKC representative, review of documents will be noted in the file and the originals will be returned to the applicant/tenant. If there is a need to maintain this information, it must be kept in a separate folder and marked “confidential”. The personal information must not be released except on an "as needed" basis in cases where an accommodation is under consideration.

HAKC staff will not discuss or access family information contained in files unless there is a valid reason to do so. Staff will be required to disclose whether s/he has relatives living in Public Housing or assisted housing. Inappropriate discussion of family information or improper disclosure of family information by staff will result in disciplinary action.

L. **POSTING OF REQUIRED INFORMATION**

HAKC will maintain bulletin Boards in conspicuous areas of the Administrative Office and the individual site development offices. The bulletin Boards will contain:

- Statement of policies and procedures governing Admission and Continued Occupancy Policy (ACOP)
- Information on application intake
- Directory of HAKC’s housing sites including names, address of offices and office hours at each facility
- Income limits for admission
• Current schedule of routine maintenance charges

• A copy of the lease

• HAKC’s grievance procedures

• A Fair Housing Poster

• An Equal Opportunity in Employment poster

• Current Resident Notices

• Required public notices

• Security Deposit Charges

• Schedule of Utility Allowances (if applicable)

• Flat Rent Schedule

• Limited English Policy (LEP)

• Recent PHAS scores

• Smoke Free Policy

• Board of Commissioners Meeting Notices and Agenda

• Any court requirements

• Reasonable Accommodation Policy

• Notice of Access to review HAKC’s Trespass List