

**Greenbelt City Council
Green Ridge House Admission Policy**

Work Session

**June 20, 2018
8:00 p.m.**

**Council Room
Greenbelt Municipal Building
25 Crescent Road**

Agenda

- Introductions
- Council Discussion
- Questions and Answers
- Other Items

Memo

To: Nicole Ard, City Manager
From: Liz Park, CARES
cc: David Moran, Assistant City Manager
Date: May 29, 2018
Re: Green Ridge House Demographics and HUD Designation

History:

Green Ridge House (GRH), built in 1979, has operated as a senior, handicapped and disabled housing building for low income individuals. It was understood that it was a HUD 202 Senior Building, however it seems it is designated as a HUD Section 8 building based in 1979. The building was designed with 10 handicap accessible units. Thus the facility always housed some individuals with handicaps. Over time the term handicapped has been discontinued and now the term disabled is used. Disabled covers a larger set of issues than was originally covered by handicapped. Handicapped referred to persons with physical disabilities, such as wheel chair bound, blind, etc. Disabled can refer to physical disabilities as well as cognitive and behavioral or emotional disabilities. GRH always allowed persons with a handicap and now a disability to apply for housing at GRH and to live in GRH even if they were under the age of 62.

Changing Demographics:

Over the last decade, GRH management has noted a change in the demographic of persons applying to and now living at GRH. Currently GRH has a waiting list of 69 people and 41 slots (59%) are occupied by disabled adults under 62. The current occupancy of GRH shows 20% of the building is under 62 years of age.

This shifting demographic at GRH has resulted in some changes at the building. As the number of disabled residents with cognitive and emotional impairments has increased, behaviors and incidents have become more difficult to manage. Staff at Green Ridge House has had to deal with non-medication compliant emotionally impaired residents, whose behaviors can be disruptive to other residents of the building. Management in the past has had to hire police to monitor the property due to threats and violent behaviors of disabled adult residents, tend to a medically non-compliant emotionally impaired resident that ran the hall nude, and work with the police regarding physical threats made by residents to inflict harm to management. In addition, the lifestyles of younger residents are not always conducive to the lifestyle of older residents of the building. Younger residents in some instances keep later hours, disturb the peace and

have introduced guests to the building that break the rules, harass residents for money and are non-compliant with GRH rules.

HUD Designation for GRH:

GRH is a HUD Section 8 housing unit per the documentation held by GRH Management. GRH has always called itself a Senior Housing Building and operated as a HUD 202 Senior Building. The eligibility requirements listed on the HUD website for 202 designations states "Occupancy in Section 202 housing is open to any very low-income household comprised of at least one person who is at least 62 years old at the time of initial occupancy." The purpose of this designated housing is "The Section 202 program helps expand the supply of affordable housing with supportive services for the elderly. It provides very low-income elderly with options that allow them to live independently but in an environment that provides support activities such as cleaning, cooking, transportation, etc. The program is similar to Supportive Housing for Persons with Disabilities (Section 811)."

HUD also has a designation for disabled adult housing, which is HUD 811 supportive housing for persons with disabilities. Its target audience is adults with physical, mental or developmental illness. The purpose of 811 housing is "The Section 811 program allows persons with disabilities to live as independently as possible in the community by subsidizing rental housing opportunities which provide access to appropriate supportive services."

HUD Section 8 housing is for low income families and is now called the Housing Voucher program "The housing choice voucher program is the federal government's major program for assisting very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market."

Staff at GRH and City staff have become concerned that although GRH is operated as a HUD 202, senior apartment building it is slow being transformed into a HUD 811 building. Currently, the waiting list is made up of 59% disabled adults under 62. When units become available at GRH, staff contacts individuals on the waitlist to assess their ability to move to GRH within 45 days. If someone is not available to move within the set time frame then staff moves down the list until they find someone ready to move in to the building. Please note residents that currently own property are allowed 1 year to sell their property while a resident of GRH.

City staff believes that the City will need to decide if it wants to apply for a specific designation for GRH or remain as a HUD Section 8 building.

If the City decided to seek designation as a HUD 202 moving forward staff would have to grandfather in existing residents under age 62 and potentially send notification to adults under 62 on the wait list that Green Ridge House is changing its admission policy to comply with current HUD designation as a 202 apartment building. Having a building that is senior only like most of the HUD 202 in this area would alleviate some of the looming housing concerns for a growing senior population.

Currently Green Ridge House Community Director/HUD Specialist Kim Potts is working with Tonya Westray, Account Executive for the Asset Management Division of Department of Housing and Urban Development to determine what the City would need to do if City Council would like to designate GRH as a HUD 202.

HUD Websites:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/progdesc/disab811 - Disabled Housing

http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/progdesc/eld202 - Senior Housing

https://portal.hud.gov/hudportal/HUD?src=/topics/housing_choice_voucher_program_section_8 - Section 8 Housing

**Green Ridge House
Tenant Selection Policy and
Procedures**

Eligibility Requirements

In order to be eligible to become a resident¹ of Green Ridge House, applicants must meet all requirements set forth by the State of Maryland Community Development Administration and the U.S. Department of Housing and Urban Development. These requirements essentially provide that in order to become a resident a person must be either:

1. 62 years of age or older, or
2. Handicapped or disabled, as those terms are defined with respect to the Department of Housing and Urban Development's Section 8 Housing Assistance Payments Program, or
3. The spouse of a person who is eligible under 1 or 2 above and who will share the apartment with the eligible resident.

All occupants must be able to live independently and care for themselves and for their apartments. Occupancy shall be limited to no more than two persons to an apartment, and each resident occupying a unit must meet the above eligibility requirements.

Student Eligibility Requirements

Student eligibility must be examined at move-in, annual recertification, when an in-place household begins to receive assistance, and when family composition changes or a change of adult student status is reported. Assistance cannot be pro-rated for families with an ineligible adult student. Families that become ineligible cannot be evicted because of the student status, but they cannot get assistance.

To be eligible for assistance, any adult who attends an institute of higher learning (full or part-time) must be one of the following:

1. A dependent of the household
2. Over the age of 23
3. A veteran
4. Married
5. A parent with a dependent child or children
6. A disabled individual who was receiving assistance prior to November 30, 2005
7. Independent from parents* OR have parents who are income-eligible for Section 8 assistance

¹ The term resident and tenant have the same meaning and are used herein interchangeably.

* To prove that a person age 18-23 is "Independent" an owner must verify (and document) that the student:

1. Is of legal contract age under state law, AND
2. Has established a separate household from his/her parents for at least a year or meets the U.S. Dept. of Education definition of an independent student**, AND
3. Is not claimed on his/her parents' tax return, AND
4. Gets (or does not get) financial help from parents

** U.S. Department Definition of "independent student" is one who:

1. Is age 24+ years old by December 31 of that year
2. Is an orphan or ward of the state though age 18
3. Is a veteran
4. Has a legal dependent (example: child or parent)
5. Is a graduate or professional student
6. Is married

If the student is NOT "independent", then the parents must be income-eligible for Section 8. The parents may sign a declaration and certification of income. They must be below the HUD income limit. The income limit that will be used is:

If the parents live in the U.S. – the income limit for the county that the parents live-in.

If the parents live outside the U.S. – the income limit where the property is located.

An owner may verify further (tax returns, etc.) if the parents' certification is questionable. The student is not eligible if the parents refuse to provide a:

1. Declaration of their income, AND
2. Statement of whether they provide student financial assistance or not

Income Limits

The income limit schedule for Green Ridge House is very low. The schedule is updated yearly and distributed.

Income and Benefit Verification

The Enterprise Income Verification (EIV) system is a Web-based system that contains resident benefit and wage-related data for use by HUD's business partners. Specifically, the EIV System is used by owners and management agents (O/As) to assist them in verifying the employment and income of prospective and existing residents at recertification to ensure that the right benefits are going to the right persons; by contract administrators (CAs) to assist them in preparing for and conducting management and occupancy reviews (MORs) of O/A program operations; and by HUD's Office of the Inspection General (OIG) to assist the Office in carrying out its objective to detect and pursue cases of waste, fraud, and abuse of HUD's programs.

Management will maintain a Master File that contains a copy of each of the listed reports and documentation and/or notations as indicated in the report discussions below.

Existing Tenant Search: Management will run monthly Existing Tenant Search reports to make certain that applicants who apply for housing are not receiving rental assistance at another Multifamily Housing location.

Multiple Subsidy Report: Management will run monthly Multiple Subsidy Report to identify any individuals who may be receiving multiple HUD rental subsidies. Management will follow up with tenant(s) identified on the report where the discrepancy was not identified and resolved at the time of recertification. Management will discuss the results of the report with the tenant and give them the opportunity to explain any circumstances relative to them being assisted at another location. Management will follow up with the respective owner, if necessary, to confirm if the tenant is being assisted at the other location. Depending on the results of the investigation, Management may need to terminate the tenant's assistance or tenancy. A copy of the search results along with any documentation supporting and contacts made, or information obtained to determine if a household and/or household member is receiving multiple subsidies. Additional documentation to support any action taken if a household or household member is receiving multiple subsidies will be retained in the tenant file and should be noted on the report. If a tenant's multiple subsidy was discussed and resolved at the time of recertification this should be noted on the printed report and no further action required.

Deceased Tenant Report: This report identifies tenants who are participating in one of the Multifamily Housing's rental assistance programs who are reported by SSA as being deceased. Management will: a) use this report monthly to identify those tenants reported by SSA as being deceased. b) Confirm in writing, with the head of household, next of kin or contact person/entity provided by the tenant whether or not the person is deceased. c) if the person is deceased Management will either update the household composition and income allowance, if applicable or in the case of a deceased single member of a household, process a move-out (effective date will be retroactive to the earlier of 14 days after the tenant's death or the date the unit was vacated. d) discrepancies must be corrected in the TRACS system within 30 days from the date of the report.

No Income Report on 50059: This report is a tool for Management to use to identify tenants who passed the identity match against SSA's records but have a zero income represented in the TRACS system. Management will run this report monthly but is not required to retain copies of this report.

Taking Applications and Selecting from the Waiting List

1. Taking Applications. Applications shall be available at Green Ridge House for individuals to fill out when the waiting list is open. Applications will not be provided to persons who are not the applicant (i.e., housing coordinators, social service representatives, etc.) nor will applications be mailed. When an application is returned it will be date and time stamped as to the order it is received. At the time of submission of an application it is also required that the applicant provide a copy of their social security card and a current driver's license or state ID.
2. Preferences. Preferential consideration will be given to the following applicants (preferential consideration approved by HUD in 2000):
 - a. Persons who reside within the corporate limits of the City of Greenbelt at the time of application and continue to maintain residency within the City until they are accepted for residency in Green Ridge House.
 - b. Persons who work more than twenty hours a week at an employment location within the corporate limits of the City of Greenbelt.

When a vacancy exists, first consideration shall be given to qualified applicants entitled to preferential consideration. Only when there are no qualified applicants entitled to preferential consideration shall other applicants be considered.

3. Applicant Screening Criteria. When a vacate notice is received, Green Ridge House will initiate the procedure of calling prospects, using the appropriate waiting list depending on whether the available unit is handicap accessible. If a prospect stipulates that he/she is unable to move at this time due to medical reasons, Green Ridge will advise the prospect that it will call him/her at a later time when another unit becomes available. If the prospect is unable to move at the time of the call for other than a medical reason, Green Ridge will note that the person declined the offer to apply at that time and advise the prospect that he/she will be moved to the bottom of the waiting list. Each prospect will have three opportunities to accept an offer to apply, on the third decline of such an offer the prospect will be removed from the waiting list. In the event that Green Ridge tries to reach a prospect and is not successful, however the Green Ridge representative is able to leave a message asking the person to call back, if Green Ridge does not receive a return call within 48 hours, a final message will be left stating that Green Ridge did not hear from the prospect within the timeframe allotted therefore they are being removed from the waiting list. Green Ridge continues this procedure until it finds a

prospect that desires to make an application.

Once Green Ridge has a prospect that desires to make an application, Green Ridge asks the person to come into the office and fill out a credit/criminal background "Authorization to Release Information" form. Green Ridge then runs a credit/criminal background check on the prospect. Although the prospect's entire credit history is relevant, Green Ridge will give priority to activity during the five years immediately prior to the date of application. In the event that there are any unpaid judgments or pending legal actions in the past five years Green Ridge will deem the prospect to have an unacceptable credit check. Additionally, a person (1) evicted from their residence within the five years prior to the date of application, (2) who filed for bankruptcy in the five years prior to the date of application, or (3) who has a judgment entered against them for failure to pay rent within the five years prior to application will be rejected. If a prospect has medical debt, it will not be a factor in whether the credit check is acceptable. A lack of credit history is not grounds for rejection. If the credit check comes back as disapproved because of the credit history Green Ridge will proceed to send a letter of rejection to the prospect.

The criminal background check consists of the prospect's criminal history reported to Federal, State and local authorities for the ten years prior to the date of application. Both the credit and criminal background checks are combined into one report (the "Report") that will be reported as approved, approved with a contingency or disapproved. If a Report is received as approved or approved with a contingency Green Ridge proceeds with the home visit. The home visit is conducted on those prospects that live within a 10 mile radius of the property. The home visit consists of making certain the prospect lives in a safe, uncluttered, clean environment with no apparent infestations. If the prospect passes the home visit Green Ridge moves forward with the certification and the move-in process.

If, however, the Report comes back as disapproved or reflects any criminal history or activity, an additional criminal check will be run to verify the identity of the prospect and to obtain any additional information to clarify any activity reported in connection with the criminal background check. If the criminal activity can be verified through the additional criminal check as having taken place within the last ten (10) years, Green Ridge will send a letter of rejection to the prospect. Although there are other crimes that may lead to non-acceptance at Green Ridge, individuals who have engaged in drug-related criminal behavior, those subject to a state lifetime sex offender registration program, any household with a member who was evicted in the last three years from federally assisted housing for drug-related criminal activity, a household in which any member is currently engaged in illegal use of drugs, and those whose abuse or pattern of abuse of alcohol could interfere with the health, safety or right to peaceful enjoyment of the

premises by other residents will not be accepted at Green Ridge.

Violence Against Women and Justice Department Reauthorization Act of 2005

An owner may not deny assistance solely because a member of the household, who was the victim of domestic violence, was evicted from a previous residence due to the domestic violence.

Section 504 of the Rehabilitation Act of 1973

1. Making and paying for reasonable structural modifications to the units and/or common areas that are needed by applicants and tenants with disabilities, unless these modifications would change the fundamental nature of the project or result in undue financial and administrative burdens.
2. Operating housing that is not segregated based upon disability or type of disability, unless authorized by federal statute or executive order.
3. Providing auxiliary aids and services necessary for effective communication with persons with disabilities.
4. Developing a transition plan to ensure that structural changes are properly implemented to meet program accessibility requirements.
5. Performing a self-evaluation of the owner's program and policies to ensure that they do not discriminate based on disability.
6. Operating their programs in the most integrated setting appropriate to the needs of qualified individuals with disabilities.
7. Section 504 regulations also require that recipients not discriminate in employment based upon disability.

Occupancy standards

All units are one bedroom/one bath.

Unit Transfer Policy

A unit transfer is only allowed for a medical reason certified by a doctor or based on the need of a resident in a regular unit needing the accessibility of a handicap unit.

General Provisions

Federal civil rights laws addressing fair housing prohibit discrimination against applicants or tenants based on one or more of the following classifications: race, color, national origin, sex, age, disability, religion and familial status.

Opening/Closing of Waiting List

When the waiting list is either opened or closed, we place an advertisement in the Greenbelt News Review. We also place notice of opening or closing of the waiting list on the bulletin boards and at the mailboxes located at Green Ridge House.
