

## Chapter 15

### DENIAL OR TERMINATION OF ASSISTANCE

[24 CFR 5.902, 5.902, 5.903, 5.905, 982.4, 982.54, 982.552, 982.553]

#### **INTRODUCTION**

The Hunterdon County Public Housing Authority may deny or terminate assistance for Program Participants because of the Participant's action or failure to act. The PHA will provide Program Participants with a written description of the Family Obligations under the Program, the grounds under which the PHA can deny or terminate assistance, and the Hunterdon County PHA's Informal Hearing procedures. This chapter describes when the Hunterdon County Public Housing Authority is required to deny or terminate assistance, and the PHA's policies for the denial of assistance and the grounds for termination of assistance under an outstanding HAP Contract. In this chapter Program participants and family members is extended to covered persons.

#### **Forms of Denial/Termination**

Denial of assistance for an applicant may include any or all of the following:

- ❑ Denial for placement on the Hunterdon County Division of Housing Waiting List
- ❑ Denying or withdrawing a Voucher
- ❑ Refusing to enter into a HAP Contract or approve a Tenancy
- ❑ Refusing to process or provide assistance under Portability procedures

Termination of assistance for a Program Participant may include any or all of the following:

- ❑ Refusing to enter into a HAP Contract or approve a tenancy
- ❑ Terminating Housing Assistance Payments under an outstanding HAP Contract
- ❑ Refusing to process or provide assistance under Portability procedures

#### **A. GROUNDS FOR DENIAL/TERMINATION** [24 CFR 982.54, 982.552, 982.553]

If denial or termination is based upon behavior resulting from a disability, the Hunterdon County Public Housing Authority will consider delaying the denial or termination in order to determine if there is an accommodation that would negate the behavior resulting from the disability.



i. **Mandatory Denials and Terminations** [24 CFR 982.54 (d), 982.552(b), 982.553(a), 982.553(b)]

The Public Housing Authority, PHA, must deny assistance to Applicants, and terminate assistance for Program Participants if the household is under Contract and 180 days have elapsed since the PHA's last Housing Assistance Payment was made. (See "Contract Terminations" chapter.)

The PHA must permanently deny assistance to Applicants and terminate the assistance of Program Participants convicted of manufacturing or producing methamphetamine on the premises of Federally Assisted Housing.

The PHA must deny admission to the Program for Applicants, and terminate assistance for Program Participants if the PHA determines that any household member is currently engaging in illegal use of a drug. See section B of this chapter for the PHA's established standards.

The Public Housing Authority must deny admission to the Program for Applicants, and terminate assistance for Program Participants if the PHA determines that it has reasonable cause to believe that a Program Participant's illegal drug use or a pattern of illegal drug use may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents. See Section B of this chapter for the PHA's established standards.

The Public Housing Authority must deny admission to an Applicant if the Hunterdon County PHA determines that any member of a Program Participant's household is subject to a lifetime registration requirement under a State Sex Offender Registration Program. See section B of this chapter for the PHA's established standards regarding criminal background investigation and determining whether a Program Participant of the household is subject to a lifetime registration requirement under a State Sex Offender Registration Program.

The Public Housing Authority must terminate assistance for a Program Participant evicted from housing that has received assistance under the program for a serious violation of the Lease.

The PHA must deny admission to the Program for an Applicant or terminate assistance for a Program Participant if any member of the household fails to sign and submit consent forms for obtaining information in accordance with Part 5, subparts B and F.



The Public Housing Authority must deny admission or terminate assistance when required under the regulations to establish Citizenship or Eligible Immigration Status.

**ii. Grounds for Denial or Termination of Assistance [24 CFR 982.552(c)]**

The Hunterdon County Public Housing Authority will deny Program assistance for an Applicant, or terminate assistance for a Program Participant, for any of the following reasons:

- a) If any Family member violates any Family Obligation under the Program as listed in 24 CFR 982.551.
- b) If any Family member has violated the Family Obligation under 24 CFR 982.551 not to engage in any drug-related criminal activity.
- c) If any Family member has violated the Family Obligation under 24 CFR 982.551 not to engage in any violent criminal activity.
- d) Any member of the Family has been evicted from Federally Assisted Housing in the last five years.
- e) If any member of the Family commits fraud, bribery or any other corrupt or criminal act in connection with any Federal Housing Program.
- f) The Family currently owes rent or other amounts to the Hunterdon County Division of Housing or to another PHA in connection with Section 8 or Public Housing Assistance under the 1937 Act.
- g) The Family has not reimbursed any PHA for amounts paid to an Owner under a HAP Contract for rent, damages to the unit, or other amounts owed by the Family under the lease.
- h) The Family has engaged in or threatened abusive or violent behavior toward PHA personnel.
  - "Abusive or violent behavior towards PHA personnel" includes verbal as well as physical abuse or violence. Use of expletives that are generally considered insulting, racial epithets, or other language, written or oral, that is customarily used to insult or intimidate, may be cause for termination or denial.
  - "Threatening" refers to oral or written threats or physical gestures that communicate an intent to abuse or commit violence.
  - Actual physical abuse or violence will always be cause for termination.

If any member of a Program Participant's household or covered persons engages in or has engaged in drug or alcohol abuse that interferes with the health, safety or peaceful enjoyment of other residents. See section B of this Chapter.

If any member of a Program Participant's household or covered persons commits drug-related criminal activity, or violent criminal activity. (See Section B of this Chapter and 982.553 of the regulations)



Refer to "Eligibility for Admission" chapter, "Other Criteria for Admission" section for further information.

## **B. DRUG ABUSE AND OTHER CRIMINAL ACTIVITY**

### **Purpose**

All Federally Assisted Housing is intended to provide a place to live, not a place to commit crime, to use or sell drugs or interfere with the safe and stable housing of neighbors. It is the intention of the Hunterdon County Public Housing Authority to fully endorse and implement a policy designed to:

- ❑ Help create and maintain a safe and drug-free community
- ❑ Keep our Program Participants free from threats to their personal and household safety
- ❑ Encourage appropriate substance misuse treatment when necessary

### **i. Administration**

All screening and termination of assistance procedures shall be administered fairly and in such a way as not to violate rights to privacy or discriminate on the basis of race, color, nationality, religion, familial status, disability, sex or other legally protected groups.

### **ii. Screening of Applicants**

In an effort to prevent future drug related and other criminal activity, as well as other patterns of behavior that pose a threat to the health, safety or right to peaceful enjoyment of the premises by other residents, and as required by 24 CFR 982, Subpart L and CFR Part 5, Subpart J, the PHA will endeavor to screen Applicants as thoroughly and fairly as possible.

Such screening will apply to any and all member of the household who is 18 years of age or older.

### **iii. HUD Definitions**

*Covered person*, for purposes of 24 CFR Part 982 and this Chapter, means a Tenant, any member of the tenant's household, a guest, or another person under the tenant's control.



*Drug* means a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

*Drug-related criminal activity* means the illegal manufacture, sale, distribution, use of, or the possession of a drug with intent to manufacture, sell, distribute or use of the drug.

*Guest*, for purposes of this Chapter and 24 CFR part 5, subpart A and 24 CFR Part 982, means a person temporarily staying in the unit with the consent of a Tenant or other member of the household who has express or implied authority to so consent on behalf of the Tenant. The requirements of part 982 apply to a guest as so defined.

*Household*, for the purposes of 24 CFR Part 982 and this Chapter, means the Family and Hunterdon County Public Housing Authority approved Live-in Aide.

*Other person under the tenant's control*, for the purposes of the definition of *covered person* and for 24 CFR Parts 5 and 982 and for this Chapter, means that the person, although not staying as a guest (as defined in this chapter) in the unit, is, or was at the time of the activity in question, on the premises because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not *under the tenant's control*.

*Violent criminal activity* means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

#### **iv. Standard for Violation**

The Public Housing Authority will deny participation in the Program to Applicants and terminate assistance to Program Participants in cases where the PHA determines there is reasonable cause to believe that a Program Participant is illegally using a drug or if the Program Participant uses alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents, including cases where the PHA determines that there is a pattern of illegal use of a drug or a pattern of alcohol use.

The PHA will consider the use of a controlled substance or alcohol to be a pattern if there is more than one incident during the previous 12 months.

“Engaged in or engaging in” violent criminal activity means any act within the past 3 years by an Applicant or Program Participant which involved criminal



activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage, which did or did not result in the arrest and/or conviction of the individual.

The activity is being engaged in by any covered person.

The existence of the above-referenced behavior by any Program Participant or covered person, regardless of the head of household's knowledge of the behavior, shall be grounds for denial or termination of assistance.

In evaluating evidence of negative past behavior, the PHA will give fair consideration to the seriousness of the activity with respect to how it would affect other residents, and/or likelihood of favorable conduct in the future which could be supported by evidence of rehabilitation.

**v. Drug Related and Violent Criminal Activity**

Ineligibility for Admission if Evicted for Drug-Related Activity: Persons evicted from Federally Assisted Housing because of drug-related criminal activity are ineligible for admission to the Section 8 Program for a three year period beginning on the date of such eviction.

**vi. Denial of Assistance for Sex Offenders**

The Hunterdon County Division of Housing will deny admission if any member of the household is subject to a lifetime registration requirement under a State Sex Offender Registration Program. In screening Applicants, the Hunterdon County Public Housing Authority will perform background checks to determine whether any household member is subject to a Lifetime Sex Offender Registration requirement.

**vii. Termination of Assistance for Participants**

**Termination of Assistance for Drug-related Criminal Activity or Violent Criminal Activity:**

Under the Family Obligations listed at 24 CFR 982.551, covered persons must not engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. HUD regulations at 24 CFR 982.553(b) require the Public Housing Authority establish standards for termination of assistance when this Family Obligation is violated. The Hunterdon County Public Housing Authority established the following standards for termination of assistance for Program Participants when a



covered person has violated the Family Obligation to refrain from participating in drug-related or violent criminal activity.

Assistance will be terminated for Program Participants when covered persons have been arrested, convicted, evicted from a unit assisted under any Federally Assisted Housing Program for drug-related or violent criminal activity during participation in the Program, and within the last 3 years prior to the date of the notice to terminate assistance.

If any covered person violates the Family Obligations by engaging in drug-related or violent criminal activity, the Hunterdon County Public Housing Authority will terminate assistance.

In appropriate cases, the PHA may permit Program Participants to continue receiving assistance provided that offending member(s) determined to have engaged in the proscribed activities will not reside in the unit.

The PHA will waive the requirement regarding drug-related criminal activity if:

- ❑ The person demonstrates successful completion of a credible rehabilitation Program approved by the Hunterdon County Division of Housing, or
- ❑ The circumstances leading to the violation no longer exist because the person who engaged in drug-related criminal activity or violent criminal activity is no longer in the household due to death or incarceration.

### **Terminating Assistance for Alcohol Abuse by Household Members**

Under the Family Obligations listed at 24 CFR 982.551, the members of the household must not use alcohol in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. Assistance will be terminated due to violation of a Family Obligation if the Hunterdon County Public Housing Authority determines that a covered person has demonstrated a pattern of alcohol use that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.

Assistance will be terminated if a covered person is arrested, convicted, incarcerated for any alcohol-related criminal activity on or near the premises within any 12-month period.

In appropriate cases, the Hunterdon County Public Housing Authority may permit Program Participants to continue receiving assistance provided that offending



household member(s) determined to have engaged in the proscribed activities will not reside in the unit.

**viii. Notice of Termination of Assistance**

When the Hunterdon County Public Housing Authority decides to terminate assistance to the Program Participant, the PHA must give the household written notice which states:

- ❑ The reason(s) for the proposed termination,
- ❑ The effective date of the proposed termination,
- ❑ The Program Participant's right, if they disagree, to request an Informal Hearing to be held before termination of assistance.
- ❑ The date by which a request for an Informal Hearing must be received by the Hunterdon County Division of Housing.

If the Hunterdon County PHA proposes to terminate assistance for criminal activity as shown by a criminal record, the PHA will provide the subject of the record and the Program Participant with a copy of the criminal record.

The Hunterdon County PHA will simultaneously provide written notice of the Contract termination to the Owner so that it will coincide with the Termination of Assistance. The Notice to the Owner will not include any details regarding the reason for termination of assistance.

**ix. Required Evidence**

*Preponderance of evidence* is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. The intent is not to prove criminal liability, but to establish that the act(s) occurred. Preponderance of evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

*Credible evidence* may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants.

The Hunterdon County Public Housing Authority reserves the right to terminate assistance for Program Participants for criminal activity if there is a preponderance of evidence that covered person(s) have engaged in the criminal activity, regardless of whether the covered person(s) has been arrested or convicted for such activity.

The PHA will pursue fact-finding efforts as needed to obtain credible evidence.





The PHA may terminate assistance for criminal activity by a covered person under this section if the Hunterdon County PHA has determined that the covered person has engaged in the criminal activity, regardless of whether the covered person has been arrested or convicted for such activity.

**x. Confidentiality of Criminal Records**

The Public Housing Authority of Hunterdon County will ensure that any criminal record received maintain confidential, are not misused, or improperly disseminated, and are destroyed once the purpose for which it was requested is accomplished.

All criminal reports, while needed, will be housed in a locked file with access limited to individuals responsible for screening and determining eligibility for initial and continued assistance and to upper level Housing Choice Voucher Management.

**C. FAMILY OBLIGATIONS [24 CFR 982.551]**

Program Participants must supply any information that the Public Housing Authority or HUD determines is necessary in the administration of the Program, including submission of required evidence of citizenship or Eligible Immigration Status (as provided by 24 CFR 982.551). "Information" includes any requested certifications, releases or other documents.

Program Participants must supply any information requested by the PHA or HUD for use in a regularly scheduled Annual Reexaminations or Interim Reexaminations of the household's income and composition in accordance with HUD requirements.

Program Participants must disclose and verify Social Security Numbers (as provided by 24 CFR 5.216) and must sign and submit consent forms for obtaining information in accordance with 24 CFR 5.230.

All information supplied by the Family must be true and complete.

Program Participants are responsible for an HQS breach caused by the household as described in 982.404(b).

Program Participants must allow the Public Housing Authority to inspect the unit at reasonable times and after reasonable notice.



Program Participants may not commit any serious or repeated violations of the Lease.

Program Participants must notify the Owner and, at the same time, notify the Hunterdon County Division of Housing before the Program Participant (s) moves out of the unit or terminates the Lease upon notice to the owner.

Program Participants must promptly give the PHA a copy of any Owner eviction notice.

Program Participants must use the assisted unit for residence by the Program Participant. The unit must be the Program Participant's only residence.

The Hunterdon County Public Housing Authority must approve the composition of the assisted Family residing in the unit. The Program Participant must promptly inform the PHA of the birth, adoption or court-awarded custody of a child. Program Participants must request PHA approval to add any other household member as an occupant of the unit.

If the proposed addition to the household falls under "denied" in the section Proposed Additions to the Family, admission will not be granted.

The Public Housing Authority must grant approval to the Program Participant before the Program Participant adds any household members as occupants of the unit.

- ❑ If the Public Housing Authority has given approval, a Foster Child or a Live-in Aide may reside in the unit.
- ❑ If Program Participants do not request approval or the PHA denies the request, Program Participants may not allow a Foster Child or Live-in Aide to reside within the assisted unit.

The Family must promptly notify the PHA if any household member no longer resides in the unit.

Members of the household may engage in legal profit-making activities in the unit, but only if such activities are incidental to primary use of the unit as a residence by members of the household.

Program Participants must not sublease or sublet the unit.

Program Participants must not assign the Lease or transfer the unit.

Program Participants must supply any information requested by the Hunterdon County Public Housing Authority to verify that the Program Participant is living in the unit, or relating to household absence from the unit, including any Hunterdon County Division of Housing requested information on the purposes of Family absences. Program



Participants must cooperate with the PHA for this purpose. Program Participants must promptly notify the PHA of absence from the unit.

Program Participants must not own or have any interest in the unit.

The members of the household must not commit fraud, bribery or any other corrupt or criminal act in connection with any Federal Housing Program.

Program Participants and covered person(s) may not engage in drug-related criminal activity of any kind including but not limited to violent criminal activity or activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. Program Participants and covered person(s) must not use alcohol in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.

Program Participants may not receive Housing Choice Voucher tenant-based assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative (as determined by HUD or in accordance with HUD requirements) federal, State or local housing assistance Program.

**i. Housing Authority Discretion [24 CFR 982.552(c)]**

In deciding whether to deny or terminate assistance because of action or failure to act by covered person(s), the Hunterdon County Public Housing Authority has discretion to consider all of the circumstances in each case, including the seriousness of the case. The PHA will use its discretion in reviewing the extent of participation or culpability of program participant and the length of time since the violation occurred. The PHA may also review the household's more recent history and record of compliance, and the effects that denial or termination of assistance may have on other household members who were not involved in the action or failure to act.

The Hunterdon County Public Housing Authority may impose, as a condition of continued assistance for Program Participants, a requirement that offending household members who participated in, or were culpable for the action or failure to act, will not reside in the unit. The PHA may permit the other members of a household to continue in the Program.

**ii. Enforcing Family Obligations**

Explanations and Terms



The term "promptly" when used with the Family Obligations always means "within 30 days." Denial or termination of assistance is always optional except where this Plan or the regulations state otherwise.

### HQS Breach

The Hunterdon County Public Housing Authority will determine if a HQS breach as identified in 24 CFR 982.404 (b) is the responsibility of the Program Participant. Program Participants may be given extensions to cure HQS breaches by the Housing Director.

### Lease Violations

The following criteria will be used to decide if a serious or repeated violation of the lease will result in Termination of Assistance:

- a) If the Owner terminates tenancy through court action for serious or repeated violation of the Lease.
- b) If the tenant agrees to vacate the unit in exchange for the Owner abandoning the court action to terminate the tenancy
- c) If there are police reports, neighborhood complaints or other third-party information, that has been verified by the Hunterdon County Division of Housing.
- d) Nonpayment of rent is considered a serious violation of the Lease.
- e) Multiple (2 or more) cease and desist orders within a 6-month period is considered a serious violation of the Lease.

### Notification of Eviction

If the Program Participant requests assistance to move and they did not notify the Hunterdon County Public Housing Authority of an eviction within 7 days of receiving the Notice of Lease Termination, the move will be denied.

### Proposed Additions to the Family

The Hunterdon County Division of Housing will deny a Family's request to add additional Family members who are:

- Persons who have been evicted from Public Housing.
- Persons who have previously violated a Family Obligation listed in 24 CFR 982.551 of the HUD regulations.
- Persons who have been part of a household whose assistance has been terminated under the Certificate or Voucher Program.
- Persons who commit drug-related criminal activity or violent criminal activity.



- ❑ Persons who do not meet the Hunterdon County Division of Housing’s definition of Family.
- ❑ Persons who commit fraud, bribery or any other corrupt or criminal act in connection with any Federal Housing Program.
- ❑ Persons who currently owe rent or other amounts to the Hunterdon County Division of Housing or to another PHA in connection with the Housing Choice Voucher Program or public housing assistance under the 1937 Act.
- ❑ Persons who have engaged in or threatened abusive or violent behavior toward Hunterdon County Division of Housing personnel.

The Hunterdon County Public Housing Authority will also consider the Program Participant’s recent history (past twelve months). Any Program Participant who has had an eviction notice or a cease-and-desist notice within the last 6 months may have the request to add additional Family members may be denied.

Decrease in Household Size

Program Participants are required to notify the Hunterdon County Public Housing Authority if any household member leaves the assisted household. When Program Participants notify the PHA they must furnish the following information:

- ❑ The date the household member stopped residing in the unit.
- ❑ The new address, if known and applicable, of the household member.
- ❑ A statement as to whether the household member is temporarily or permanently absent.

Limitation on Profit-Making Activity in Unit

If the Hunterdon County PHA determines that the use of the unit as a business is not incidental to its use as a dwelling unit, it will be considered a Program violation.

If the PHA determines the business is not legal, it will be considered a Program violation.

Interest in Unit

The Owner may not reside in the assisted unit regardless of whether they are a member of the assisted household, unless the Program Participant owns the mobile home and rents the pad.

In the event of false citizenship claims: (See section below)

**D. NON-CITIZENS** [24 CFR 5.514, 5.516, 5.518]



### **i. Denial or Termination due to Ineligible Immigrant Status**

Program Participant households in which all members are neither U.S. Citizens nor Eligible Immigrants are not eligible for assistance and must have their assistance terminated. The Hunterdon County Public Housing Authority must offer the Program Participant an opportunity for a hearing. (See "Eligibility for Admission" chapter, section on Citizenship/Eligible Immigration Status.)

Assistance may not be terminated while verification of the participant Family's Eligible Immigration Status is pending.

### **ii. False or Incomplete Information**

If the individual is unable to verify their citizenship, the PHA will not give the individual an opportunity to provide a new declaration as an Eligible Immigrant or an opportunity to elect not to contend their status.

The PHA will then verify eligible status, deny, terminate, or prorate as applicable.

The PHA will deny or terminate assistance based on the submission of false information or misrepresentation.

### **iii. Procedure for Denial or Termination**

If a Program Participant (or any member of their household) claimed Eligible Immigrant Status and the USCIS primary and secondary verifications failed to document the status, the household may make an appeal to the USCIS and request a hearing with the Hunterdon County Public Housing Authority either after the USCIS appeal or in lieu of the USCIS appeal.

After the PHA has made a determination of ineligibility, Program Participants will be notified of the determination and the reasons and informed of the option for prorated assistance (if applicable).

## **E. ZERO ASSISTANCE TENANCIES** [24 CFR 982.455 (a)]

Program Participants may remain in the unit at \$0 assistance for up to 180 days after the last HAP payment. If Program Participants are still in the unit after 180 days, the assistance will be terminated. If, within the 180-day timeframe, an Owner rent increase or a decrease in the Total Tenant Payment causes the Program Participant to be eligible for a Housing Assistance Payment, the PHA will resume assistance payments for the Program Participant.



In order for Program Participants to move to another unit during the 180 days, the rent for the new unit would have to be high enough to necessitate a Housing Assistance Payment.

**F. MISREPRESENTATION BY THE FAMILY**

[24 CFR 982.551, 982.552(c)]

If Program Participants misrepresent or withhold any facts that caused the Hunterdon County Public Housing Authority to overpay assistance, the PHA will terminate assistance.

Under extraordinary circumstances, the Hunterdon County Public Housing Authority may, at its sole discretion, offer to continue assistance provided that the Program Participant reimburses the PHA in full before the effective date of the termination.

In all cases, the Public Housing Authority will pursue all available options to fully recover the overpayment.

**G. MISREPRESENTATION IN COLLUSION WITH OWNER**

[24 CFR 982.551, 982.552 (c)]

If a Program Participant intentionally, willingly, and knowingly commits fraud or is involved in any other illegal scheme with the Owner, the Hunterdon County Public Housing Authority will deny or terminate assistance.

**H. MISSED APPOINTMENTS AND DEADLINES** [24 CFR 982.551, 982.552 (c)]

It is a Family Obligation to supply information, documentation, and certification as needed to the Public Housing Authority so that the PHA may fulfill its responsibilities. The PHA schedules appointments and sets deadlines in order to obtain the required information. The Family Obligations also require that Program Participants allow the PHA to inspect the unit periodically.

Program Participants who fail to keep an appointment, or to supply information required by a deadline without notifying the Public Housing Authority, may be sent a Notice of



Denial or Termination of Assistance for failure to provide required information, or for failure to allow the PHA to inspect the unit.

Program Participants will be given information about the requirements to keep appointments.

Appointments will be scheduled, and time requirements will be imposed for the following events and circumstances:

- ❑ Eligibility for Admissions
- ❑ Verification Procedures
- ❑ Voucher Issuance and Briefings
- ❑ Housing Quality Standards and Inspections
- ❑ Recertifications
- ❑ Hearings
- ❑ Case Conferences

Acceptable reasons for missing appointments or failing to provide information by deadlines are:

- ❑ Medical emergency
- ❑ Treatment for Substance Use Disorder
- ❑ Incarceration
- ❑ Family emergency

**i. Procedure when Appointments are Missed or Information not Provided**

Program Participants will be given two opportunities before being issued a notice of termination or denial for breach of a Family Obligation unless noted otherwise in this plan.

Terminations may be rescinded if/when all of the following conditions are met:

- The Family does not have a history of non-compliance
- The Family contacts the PHA before the time allowed to request a hearing
- The Family fully corrects the breach before the effective date of the Termination

