



PUBLIC NOTICE

PUBLIC NOTICE OF SIGNIFICANT AMENDMENT TO THE ASSET MANAGEMENT ADMISSIONS AND CONTINUED OCCUPANCY POLICY (ACOP) AND LEASE AGREEMENT

CMHA is proposing changes to the Asset Management Admissions and Continued Occupancy Policy (ACOP). summary of the proposed updates to the ACOP and Lease follows below:

SUMMARY OF PROPOSED CHANGES TO CMHA ADMISSIONS AND CONTINUED OCCUPANCY POLICY

The new language is indicated in red. Deleted language is shown as strikethrough.

- **Language update to be consistent with verification requirements at admissions.**
 - B. Qualification for Admission
 - d. **Meet net asset and property ownership restrictions requirements;**
 - C. Waiting List Management
 - 2. Opening and Closing Waiting Lists
 - a. Decisions about closing the authority-wide based on the number of applications available for a particular size and type of unit, and the ability of CMHA to house an applicant in an appropriate unit within a reasonable period of time (between twelve and eighteen months). A decision to close the waiting lists, restricting intake, or opening the waiting lists will be publicly announced.
- **Added additional contact methods for applicants, detailed information as it pertains to returned postage and removal from the waitlist.**
 - 1. Updating the Waiting List

CMHA will update each waiting list at least once a year by contacting all applicants in writing¹ via first class mail or via electronic transmission (ex. email or portal access). This update request will be sent to the last address or email that the PHA has on record for the family as well as any additional contact methods identified by the family. If, after one²written attempt³ no response is received within 30 days, or if mail is returned without a forwarding address, CMHA will withdraw the names of applicants from the waiting list. If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice.

¹ Applicants with disabilities may be contacted by an alternate method as requested.

³ Written communications will be sent by first class mail.

¹ Written communications will be sent by first class mail, email or portal access.

If an applicant is ineligible, the Eligibility Department will send a letter to the applicant declining placement on the waiting list and the grounds for that denial. Applicants whose applications have been rejected may request an informal hearing.

- **Update to reflect Agency Wide waitlist, Language update to acknowledge conversion of properties.**

F. Local Preferences and Unit Selection

1. **Local Preference and Points Allocation:** The local preferences in effect are as follows:

Preference	Points
Victims of involuntary displacement by government agency or natural disaster – These individuals will supersede the point system and move to the top of the waiting list due to the exigent situation.	42 Points
<p>HCV Abatement-Affected Family Preference These will also include individuals who are participants in the Housing Choice Voucher Program that move from their HCV subsidized unit/HCV participant due to the unit's failed HQS and/or abatement from the program and</p> <p>Conversion of Properties - individuals who are in RAD converting projects (e.g. RAD, Section 18, PBV) and must move due to unit rehabilitation/ demolition.</p>	
Victims of domestic violence - referral from YWCA, Women Helping Women, or Third-Party Social Service Agency	9 Points
Victims of domestic violence – Self certification only	4 Points
Referral from Local Homeless Partners or Third-Party Certification	4 Points
Veteran preference	9 Points
Full-time students (Head/Co-Head of Household with 3rd party verification from the school)	3 Points
Disabled Families or Elderly	3 Points
Family Unification (see below/to be defined)	2 Points
Good Neighbor Program Completion	2 Points
Youths aging out of foster care who are between the ages of 18 to 24.	2 Points
Working Families (head, spouse, or sole member is employed)⁴	3 Points

3. **Definitions of Preferences:**

⁴ Applicant must be given the benefit of the working family preference if the head and spouse, or sole member is age 62 or older, or is a person with disabilities.

- a. **Conversion of Property** Individuals who are/were living within a Converting Project at the time of the conversion and must now be temporarily relocated due to the rehabilitation/demolition of the property.
- b. **HCV Abatement-Affected Family Preference:** The PHA will provide a preference for an HCV family whose HAP contract is being terminated due to an owner failing to make required repairs within the required time frame, and who were unable to lease a new unit within the term of the voucher.

4. Method of Applying Preferences

Points are given to each applicant who meets the qualifications for the specific preferences. All points are totaled and families are placed on each site-based waiting list pursuant to their preference total, then by application date and time.

Families are selected from the Agency Wide waiting list based upon HUD-required preference points.

Among applicants on the Agency Wide waiting list with the same preferences, families are selected on a first-come, first-served basis according to the time and date of their completed application.

When selecting applicants from the waiting list, CMHA matches the characteristics of the available unit (size, accessibility) to the applicants on the waiting list. CMHA offers the unit to the highest ranking applicant who qualifies for that unit size.

By matching unit and family characteristics, it is possible that families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application or higher preference status. (For example, if only two bedroom units were available and a family needing a 4-bedroom unit is next on the waiting list. The family needing the 4-bedroom unit will be passed over until an appropriately sized unit is available.)

- **Updated to reflect change in the position responsible for meeting with applicants regarding qualification for preferences.**

8. Notice and Opportunity for **Manager**

Asset Management Services Meeting

If an applicant claims but does not qualify for a preference, CMHA will provide the applicant with a letter containing a brief statement of the reason(s) for the determination and that the applicant may request a meeting with the Asset Management Services Manager.

If the applicant requests the meeting, the Asset Management Services Manager will meet with the applicant and a written summary of this meeting shall be retained in the applicant's file.

At the Asset Management Services Manager meeting, the applicant will be advised that they may exercise other rights if the applicant believes that illegal discrimination has contributed to CMHA's decision to deny the preference.

- **Updated department responsible for receiving applicant information regarding changes to income and family composition.**

Section III - Tenant Selection and Assignment Plan

B. Unit Offers to Applicants

7. It is the responsibility of the applicant to keep CMHA aware of any changes to their income or family composition. If the applicant is offered a unit and there have been changes to their information, the applicant will have 2 working days to submit their information to the Eligibility Department for verification or CMHA will offer the unit to the next applicant. Failure to update the information within the required period will result in the applicant's removal from the waiting list.
- **Updated policy to allow for more precise definition and understanding of relocation transfers to include, response time, additional housing programs, corrected bedroom sizing, offers and timeline to respond, Good Standing details. In addition, category designation, responsibility of submission of supporting documentation, offers and removal of the waitlist.**

Section V - Transfer Policy

A. General Transfer Policy

1. When housing residents for a transfer, CMHA matches the characteristics of the available unit (size, accessibility) to the resident on the wait list. In the event there are no suitable units, the Relocation Department will assess availability within the parameters of the family household composition to determine if alternative housing opportunities can be provided. This may include but not limited to: referral to Housing Choice Voucher, Touchstone Property Services, or other Affordable Housing, CMHA hoteling unit, temporarily over-housing, or family and friends stays. send a referral to the Housing Choice Voucher Program for a voucher. Referrals may be made in the following circumstances:
 - Displaced preference for Asset Management/LIPH families in a hard to house situation
 - Conversions of AMP/LIPH unit or due to demo/disposition or additional extension of platforms within the Asset Management program.
 - When a family or individual cannot be housed because of extenuating circumstances
 - Temporary and/or Permanent Relocation assistance from Asset Management Services, RAD or Non-RAD, Section 18 units.
2. The good cause standard applicable to transfers is as follows:

If resident is willing to accept the unit offered but is unable to move at the time of the offer is made, and presents to the satisfaction of CMHA, clear evidence ("good cause") that acceptance of the offer will result in undue hardship not related to considerations of any protected category, the resident will not be removed from the waiting list.

- A . Examples of “good cause” for refusing an offer of housing include, but are not limited to:
1. If a tenant refuses a transfer based on alleged discrimination based on a protected category having occurred at a property. Supporting documentation submitted for further review and determination within 1 business day.

Section V - Transfer Policy

B. Types of Transfers

This policy sets forth the transfer categories.

- Emergency Transfer – 1 – Unit Conditions
- Emergency Transfer – 2 – Domestic Violence – VAWA
Category 1 – Reasonable Accommodation
- Category 2 – Correct Serious Occupancy
- Category 3 – Occupancy – Correct/Avoid Concentration,
Occupancy Standard – Voluntarily if family is between larger/small sizing of unit

Priority for transfer, and the order in which families are transferred, shall be subject to the hierarchy, by category, set forth below.

1. Emergency Transfer (1) is mandatory. Shall take priority over new admissions. When the unit or building conditions poses an immediate threat to resident life, health or safety, as determined by CMHA, an emergency transfer will be required. Emergency transfers within sites or between sites may be made to permit repair of unit defects hazardous to life, health, or safety; or to alleviate verified disability problems of a life-threatening nature.
 - a. Resident will receive one transfer offer, household composition and unit size will be corrected as needed, at the transfer offer. The transfer offer will be determined by the first available unit that is ready for move-in at the resident's current location. In the absence of available units at that site, the offer will be based on the first vacant unit that is ready for move-in within the public housing program.
 - b. Refusal of the transfer offer, without good cause, will result in lease termination and referred to the property manager.
 - c. Resident is responsible for submitting supporting documentation, within 24 hours, as it pertains to the refusal of the transfer offer due to extenuating circumstances. After review of supporting information, if a resident is granted an additional unit offer, the resident will remain active on the waitlist.
2. Emergency Transfer (2) Shall take priority of new admissions. They include mandatory transfers to: provide housing options to residents who are victims of federal hate crimes⁵ or extreme harassment; **or to witnesses of crimes,⁶ or to victims of domestic violence, dating violence, stalking, or sexual assault⁷, or to** alleviate verified disability problems of

⁵ Following consultation with Housing Opportunity Made Equal that such a transfer is appropriate.

⁶ Following consultation with and upon recommendation of the local prosecutor that such a transfer is appropriate and recommended.

⁷ The individual seeking the transfer may provide supportive referrals from a third-party social service agency, the local prosecutor or law enforcement. The procedure for a VAWA emergency transfer is outlined in the Emergency Transfer VAWA Plan, which is an addendum to this ACOP.

a serious (but not life-threatening) nature; permit portfolio conversion, modernization or demolition of units or to permit a family that requires a unit with accessible features to occupy such a unit.

- a. Residents will receive one transfer offer, household composition and unit size will be corrected as needed, at the time of the transfer offer. The transfer offer will be determined by the first available unit that is ready for move-in at the resident's current location. In the absence of available units at that site, the offer will be based on the first vacant unit that is ready for move-in within the public housing program.
 - b. Refusal of the transfer offer, without good cause, may result in the removal of the household from the transfer list for voluntary transfers, or lease termination in the case of a mandatory transfer.
 - a. Good cause – resident is responsible for submitting supporting documentation, within 1 business day, as it pertains to the refusal of the transfer offer due to extenuating circumstances. After review of supporting information, if a resident is granted an additional offer, the resident will remain active on the waitlist and offered the next available unit.
3. Category 1 – Reasonable Accommodations are voluntary and shall take priority over new admissions.
- Requests for these transfers will be sent to the location designated by CMHA. The resident shall provide the necessary documentation to support the need for such a transfer. Transfers may also be initiated by CMHA (e.g. moving a person with mobility problems to a unit with accessible features).
4. Category 2 - Administrative Transfers are mandatory transfers within or between sites to correct serious occupancy standard problems (over or under CMHA's standards) as described below.
- a. Residents will receive one transfer offer; household composition and unit size will be corrected as needed at the transfer offer.
 - b. Refusal of the transfer offer, without good cause, will result in lease termination and referred to the property manager.
5. Category 3 - Administrative Transfers to correct occupancy standards will only be made if the family size is so small that it includes fewer persons than the number of bedrooms, or so large that the household members over age 3 would equal more than two persons per bedroom or family request a transfer to permit older children of the opposite sex to have separate bedrooms. These transfers are voluntary. Approval of Category 3 transfers will only be reviewed at the time Resident's annual recertification.
- a. Residents will receive one transfer offer. Refusal of the offer, without good cause, will result in the removal of the household from the transfer list for voluntary transfers, or lease termination in the case of a mandatory transfer.
 - b. Category 3 Administration transfers will not take priority over new admissions. They will be processed at the rate of one transfer to four admissions.
 - c. Whenever possible, Resident transfers will be made within the site of their current occupancy.

B. Processing Transfers

1. The Relocation Department will receive approved transfers via email from Asset Management, and/or the 504 Coordinator. Transfers will be sorted into their appropriate category and added to the proper waitlist. . Transfers will be made in the following order:
 - a. Emergency (1) transfers (caused by conditions that make the unit uninhabitable);
 - b. Emergency (2) (deemed an emergency due to the resident's need for housing options as defined in this section- VAWA.)
 - c. Category 1 – Reasonable Accommodation
 - d. Category 3 and 4 - Occupancy
 - e.

Within each category, transfer applications will be sorted by the date the completed file (including any verification needed) is received from the Asset Management team or 504 Coordinator.

- **Added details for covered relocation expense if paid by CMHA**

C. Tenant Qualifications Required for Transfers

1. In general, and in all cases of resident-requested transfers (**voluntary**), residents will be considered for transfers only if the head of household, any other family members or sponsored guests:
 - a. are not under eviction for any reason (Received 3 Day Notice to Leave Premises)

Cost of Transfers

1. CMHA will pay for the cost of a transfer when a resident is required to move as a result of the approval of demolition, modernization of their unit, or in the case of some emergency transfers. The resident shall bear the cost associated with any other type of transfer. CMHA will review the circumstances surrounding the need of the transfer and make a final determination if the move will be a covered expense by CMHA.
2. If the expense of the move is covered, the following options will be provided:
 - d. Contracted Mover or;
 - e. Resident Self Move
 - i. 1 bedroom family/scattered sites - \$850
 - ii. 1 bedroom hi-rise - \$700
 - iii. 2 bedroom family/scattered sites - \$1000
 - iv. 2 bedroom hi-rise - \$850
 - v. 3 bedroom family/scattered sites - \$1100
 - vi. 4 bedroom family/scattered sites - \$1200
 - vii. 5 bedroom family/scattered - \$1300
 - viii. 6 bedroom family/scattered - \$1400
 - ix.

- **Clarify process for entering into a repayment agreement and default. Updated to reflect HUD recommended monthly debt repayment amounts to no exceed 40% of the family's monthly adjusted income.**

B. Repayment Agreement for Families for Families Currently in Occupancy with CMHA

1. A Repayment Agreement as used in this Plan is a document entered into between CMHA and a person who owes a debt to CMHA. It is similar to a Promissory Note, but contains more detail regarding the nature of the debt, the terms of repayment, any special provisions of the agreement, and the remedies available to CMHA upon default of the agreement. The Repayment Agreement must be signed by the head of household and/or spouse/co-head.
2. CMHA may enter into a Repayment Agreement with a person only if they are able to make an initial payment and they are current on their recertification. The Property Manager or his/her authorized designee, may make exceptions to the terms of a Repayment Agreement.

Before executing a repayment agreement with a family, the PHA will require a down payment of 10 percent of the total amount owed. If the family can provide evidence satisfactory to the PHA that a down payment of 10 percent would impose an undue hardship, the PHA may, in its sole discretion, require a lesser percentage or waive the requirement.

If a family is paying less than 40 percent of its monthly adjusted income (MAI) in rent, the minimum monthly payment amount will be the greater of the following two amounts:

The difference between 40 percent of the family's MAI and the TTP at the time the agreement is executed \$25

If a family can provide evidence satisfactory to the PHA that a monthly payment amount of \$25 would impose an undue hardship, the PHA may, in its sole discretion, require a lower monthly payment amount.

If the family's income increases or decreases during the term of a repayment agreement, either the PHA or the family may request that the monthly payment amount be adjusted accordingly.

If a payment is not received by the 7th of each month, and prior approval for the missed payment has not been given by the PHA, the PHA will send the family a delinquency notice giving the family 30 business days to make the late payment. If the payment is not received by the due date of the delinquency notice, it will be considered a breach of the agreement and the PHA may terminate tenancy.

If a family receives three delinquency notices for unexcused late payments in a 12-month period, the repayment agreement will be considered in default, and the PHA will terminate tenancy.

D. Debts Due to Fraud/Non-Reporting of Information

Program fraud and abuse consists of a single act or pattern of actions that constitute false statement, omission, or concealment of a substantive fact, made with intent to deceive or mislead.

1. Families who owe money to CMHA due to the family's failure to report increases in income will be required to repay in accordance with the guidelines in this Section.
1. 2. Families who owe money to CMHA due to program fraud will be required to repay the amount in full in 30 days. If the full amount is paid within this time period,

and the family is still eligible, CMHA may continue assistance to the family. If, as a result of program fraud, a family owes an amount that exceeds \$5,000, eviction proceedings will be initiated against the tenant and the case will be referred to the HUD Inspector General. When appropriate, CMHA will also refer the case for criminal prosecution to the county prosecutor.

2. When a family refuses to repay monies owed to the PHA, in addition to termination of program assistance, the PHA will utilize other available collection alternatives including, but not limited to, the following:
 - a. Collection agencies
 - b. Small claims court
 - c. Civil lawsuit
 - d. State income tax set-off program

Section XIV - Definitions and Procedures to be used in Determining Income and Rent

- **Language update to be consistent with verification requirements**

3. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for the straight-line depreciation of real or personal property is permitted. Any withdrawals of cash or assets will be considered as income, except when used to reimburse the family for cash or assets invested in the property.

If the Family has Net Family Assets in excess of \$5,000, Annual Income shall include the greater of the actual income derived from all Net Family Assets or a percentage of the value of such Assets based on the current passbook savings rate as determined by HUD, when the value of net family assets exceeds the HUD-published threshold amount (adjusted annually and published in HUD's Inflation-Adjusted Values tables) and the actual returns from a given asset cannot be calculated. (applicable upon the PHA's HOTMA 102/104 compliance date);

SUMMARY OF PROPOSED CHANGES TO CMHA RESIDENTIAL DWELLING LEASE AGREEMENT

- **Language update to provide limited use of appliances and extension cords**

F. **Payments and Charges Due Under the Lease.**

6. Excess Utility Charges. The Excess Utility Charges are listed in the Maintenance Charge Schedule. The Tenant shall not install any additional major appliance, such as an air conditioner, washer, dryer, food freezer, additional refrigerator or other similar electrical appliances as well as extension cords without the prior written consent of CMHA. To receive approval, the head of household must complete a resident education on the proper installation and use.

Approval will not be granted for devices and appliances that exceed the designated electrical capacity, which will vary by unit. In dwelling units where utilities are provided by CMHA, a charge shall be assessed for excess utility consumption due to the operation of tenant-supplied major appliances. This charge does not apply to Tenants who pay their utilities directly to a utility supplier. CMHA will charge the Tenant an excess utility charge for the use of appliances in excess of one (1) stove and one (1) refrigerator.

- **Updated language to remove the requirement to use police report reviews at annual recertification.**

B. Re-determination of Rent, Dwelling Size, and Eligibility. The rent amount, as specified in Part I of the Lease Agreement, is fixed until changed as described below.

- 1) The status of each family is re-examined by an authorized CMHA representative⁸ at least once a year. CMHA will begin the recertification process 120 days in advance of the anniversary date of the lease agreement. At the annual recertification the Tenant shall certify to compliance with the eight (8) hours per month community service requirement, if applicable. CMHA will determine a household's eligibility for continued occupancy with regard to criminal activity pursuant to Section VI.C.5.c. of the Admissions and Continued Occupancy Policy. An updated report for criminal/drug activity will be reviewed as part of this annual recertification process.

- **Outlines restriction concerning the photographing, audio recording, and/or video recording to ensure the privacy and protection of employees, contractors and others, as well as to maintain a safe, respectful and professional work environment.**

V. **TENANT'S OBLIGATIONS**

37. The photographing, audio recording, and/or video recording of employees, contractors, and others who are conducting agency-related business or activities while on CMHA premises as described above, is strictly prohibited without explicit prior consent of those employees, contractors, and others.

- **Updated to reflect HUD requirement to that residents receive a 30-Day Notification Prior to the Termination of the lease agreement**

X. **TERMINATION OF LEASE**

Written Notice of Proposed Termination.

CMHA shall give written notice of the proposed termination of the Lease of:

- 1) 30 days in case of failure to pay rent;

⁸ Throughout this document, the term "CMHA representative(s)" may include CMHA employees, contractors, subcontractors and other agents hired by CMHA.

- **These addendums to the lease agreement provide clarity on CMHA's Smoke-Free Policy and Parking rules**

Addendums to Lease Agreement

- Smoke-Free Housing Addendum
- Parking Rules

The Cincinnati Metropolitan Housing Authority (CMHA) released a proposed Significant Amendment to its current FY2025 Housing Choice Voucher Administrative Plan and the Asset Management Admissions and Continued Occupancy Policy (ACOP) and has commenced a forty-five-day comment period. Pursuant to Section 511 of the Qualified Housing and Work Responsibility Act of 1998, and 24 CFR 903, a copy of the proposed changes to the ACOP can be found along at 1627 Western Ave, or on-line at www.cintimha.com. These are available for public inspection during normal business hours (Monday- Friday 8:00 AM – 4:40 PM). CMHA requests written comments no later than 4:30 p.m. **March 3, 2025** to 1627 Western Ave., Cincinnati, OH 45214 or by email to Geri.hernandez@cintimha.com.