

**PUBLIC NOTICE HEARING AND AMENDMENT TO**  
**ADMINISTRATIVE PLAN**

The Fort Lee Housing Authority (the "Authority") has prepared a draft amendment to its Housing Choice Voucher Administrative Plan ("Administrative Plan") which upon adoption, will constitute a significant amendment to its Annual and Five Year Plans. The draft amendment is available for a 45 day comment period on our website at [www.flha.org](http://www.flha.org). The Authority will hold a public hearing on Tuesday, July 14, 2020, at 4:00 p.m. at Fort Lee Housing Authority offices at 1403 Teresa Drive, Fort Lee, N.J. to allow residents, voucher participants and other interested parties an opportunity to present comments with respect to the draft amendment to the Administrative Plan. Written comments may also be sent and must be received by Monday, July 13, 2020, to Terrence J. Corrison, Executive Director, FLHA, 1403 Teresa Drive, Fort Lee, N.J. 07024. All comments will be responded to, and comments and responses will be included in the Annual Plan and presented to the U.S. Department of Housing and Urban Development ("HUD")

Dated: May 19, 2020

TERRENCE CORRISTON  
Executive Director  
Fort Lee Housing Authority

**HOUSING AUTHORITY OF THE BOROUGH OF FORT LEE**

**RESOLUTION NO. 2260**

**RESOLUTION BY THE COMMISSIONERS OF THE HOUSING AUTHORITY OF THE BOROUGH OF FORT LEE APPROVING PROPOSED REVISIONS TO THE ADMINISTRATIVE PLAN FOR THE HOUSING CHOICE VOUCHER PROGRAM**

**WHEREAS, in accordance with regulations issued by the U.S. Department of Housing and Urban Development ("HUD"), the Fort Lee Housing Authority (the Authority) is required to adopt a written Administrative Plan that establishes local policies for the administration of the Housing Choice Voucher program; and**

**WHEREAS, the Board of Commissioners adopted a new Administrative Plan on February 6, 2019; and**

**WHEREAS, in accordance with NJAC 5:40-2.2 the Authority is required to provide a waiting list preference for veterans and surviving spouses of veterans which preferences must take priority over all other preferences; and**

**WHEREAS, within the preference for veterans and surviving spouses, the regulations require that preferences be issued in the following order:**  
**1) Veterans who are both homeless and disabled; 2) Homeless veterans; and**  
**3) Disabled veterans (including family members who are the primary residential caregivers to such veterans and who are residing with them); and**

**WHEREAS, the Authority's local preferences include a preference where the head of household, spouse or sole member is disabled as well as a preference where a member of the family is disabled; and**

**WHEREAS, it is appropriate to provide a preference only where the head of household, spouse or sole member of the family is disabled; and**

**WHEREAS, the Executive Director has prepared revisions to the Administrative Plan in the form attached hereto; and**

**WHEREAS, as the Administrative Plan is a supporting document to the PHA Plan, in accordance with applicable regulations, the proposed revised plan shall be made available for public review at the administrative offices and on the Authority's website; and the public may submit comments with respect thereto for no less than 45 days; and a public hearing must be held prior to adoption of the revisions by the Board of Commissioners.**

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSING AUTHORITY OF THE BOROUGH OF FORT LEE that the Executive Director be and hereby is directed to provide public notice of the proposed revisions to the Administrative Plan in the form attached hereto; to make same available for public review and comment; and to schedule a public hearing with respect to same.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

DATED: March 4, 2020

#### 4-III.C. SELECTION METHOD

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that the PHA will use [24 CFR 982.202(d)].

##### **Local Preferences [24 CFR 982.207; HCV p. 4-16]**

PHAs are permitted to establish local preferences, and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits the PHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with the PHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

##### PHA Policy

**Veterans Preference. In accordance with N.J.A.C. NJAC 5:40-2.2 the Authority provides a waiting list preference for veterans who have been honorably discharged or released under honorable circumstances from active service in time of war and surviving spouses of certain veterans as more particularly defined in NJAC 5:40-1.2 ,which preferences take priority over all other preferences.**

**Within the preference for veterans and surviving spouses, the regulations require that preferences be issued in the following order:**

- 1) Veterans who are both homeless and disabled;**
- 2) Homeless veterans; and**
- 3) Disabled veterans (including family members who are the primary residential caregivers to such veterans and who are residing with them); and**

##### **Other Local Preferences**

The PHA will offer preference points to each applicant based upon the following categories. Each preference will receive an allocation of points. The more preference points an applicant has, the higher the applicant's place on the waiting list.

Category	Points
A "residency" preference to a family who resides in Fort Lee or includes a family member who works or has been notified that they are hired to work in Fort Lee.	5
A "working" family preference where the head, spouse or sole member is employed at least 25 hours per week. However, an applicant where the head and spouse or sole member is a person age 62 or older, or is a person with <u>disabilities</u> (as defined below) will also be given this preference.	1

~~A preference for a family that includes a family member who is a person with~~ 2  
~~disabilities (as determined by state or federal government).~~

A preference for a family that includes a family member who is a victim of 1  
Domestic Violence. To qualify for this preference:

Actual or threatened physical violence directed against the applicant or the applicant's family by a spouse or other household member who lives in the unit with the family must have occurred within the past sixty (60) days or be of a continuing nature.

The family must have been displaced as a result of fleeing violence in the home or they are currently living in a situation where they are being subjected to or victimized by violence in the home.

The applicant must certify that the abuser will not reside with the applicant unless the PHA gives prior written approval.

~~A preference where the head, spouse or sole member is a veteran or the~~ 1  
~~surviving spouse of a veteran.~~

A preference for families paying more than 50% of their income for rent 1  
and utilities. This preference applies to families paying more than 50% of their income for rent and utilities for at least 90 days commencing before they were selected from the Waiting List/and continuing through the verification of preference. For purposes of this preference, "family income" is gross monthly income as defined in the regulations.

"Rent" is defined as the actual amount due under a lease or occupancy agreement calculated on a monthly basis without regard to the amount actually paid, plus the monthly amount of tenant-supplied utilities which can be either:

The PHA's reasonable estimate of the cost of such utilities, using the Section 8 Utility Allowance Schedule; or

The average monthly payments the family actually made for these utilities in the most recent 12-month period, or if information is not obtainable for the entire period, the average of at least the past ninety days.

An applicant family may choose which method to use to calculate utilities expense. Any amounts paid to or on behalf of a family under any energy assistance program must be subtracted from the total rent burden if included in family income. The applicant must show that they actually paid the utility bills, regardless of whose name the service is under.

To qualify for the rent burden preference, the applicant must pay rent directly to the landlord or agent.

If the applicant pays their share of rent to a cohabitant and is not named on the lease, the PHA will require both verification from the landlord that the applicant resides in the unit, and verification from the cohabitant of the amount of rent paid by the applicant.

If the applicant is subletting, the lessor must have the legal right to sublet.

If an applicant owns a mobile home, but rents the space upon which it is located, then "rent" must include the monthly payment made to amortize the purchase price of the home.

Members of a cooperative are "renters" for the purposes of qualifying for the preference. In this case, "rent" would mean the charges under the occupancy agreement.

A preference for families who are homeless or living in substandard housing. Applicants who live in substandard housing are families whose dwelling meets one or more of the following criteria provided that the family did not cause the condition:

Is dilapidated, as cited by officials of local code enforcement office and does not provide safe, adequate shelter; has one or more critical defects or a combination of defects requiring considerable repair; endangers the health, safety, and well-being of family.

Does not have operable indoor plumbing.

Does not have usable flush toilet in the unit for the exclusive use of the family.

Does not have usable bathtub or shower in unit for exclusive family use.

Does not have adequate, safe electrical service.

Does not have an adequate, safe source of heat.

Should, but does not, have a kitchen. (Single Room Occupancy (SRO) Housing is not substandard solely because it does not contain sanitary and/or food preparation facilities in the unit).

Has been declared unfit for habitation by a government agency.

Is overcrowded according to HQS/local/state/BOCA code.

Persons who reside as part of a family unit shall not be considered a separate family unit for substandard housing definition preference purposes.

Applicants living in public housing or publicly assisted housing shall not be denied this preference if unit meets the criteria for the substandard preference.

An applicant who is a "homeless family" is considered to be living in substandard housing. "Homeless Families":

Lack a fixed, regular and adequate nighttime residence; and

Have a primary nighttime residence that is a supervised public or private shelter providing temporary accommodations (including welfare hotels, congregate shelters and transitional housing), or an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not ordinarily used as a sleeping accommodation for human beings.

Homeless families may maintain their place on the waiting list while completing a transitional housing program.

Families who are residing with friends or relatives on a temporary basis will be included in the homeless definition.

Persons who reside as part of a family unit shall not be considered a separate household.

#### **Verification of Waiting List Preferences**

- **Residency Preference:** For families who live, work or have been hired to work in the jurisdiction of the PHA.

In order to verify that an applicant is a resident, the PHA will require a minimum of three of the following documents: rent receipts, leases, utility bills, employer or agency records, school records, drivers licenses, voters registration records, credit reports, statement from household with whom the family is residing.

For families who have been hired to work in the jurisdiction of the PHA, a statement from the employer will be required.

**Veterans Preference:** This preference is available to current members of the U.S. Armed Forces, veterans, or surviving spouses of veterans.

The PHA will require U.S. government documents which indicate that the applicant qualifies under the above definition.

**Disability Preference:** This preference is extended to disabled persons or families with a disabled member as defined in this plan.

The PHA will require appropriate documentation from a knowledgeable professional. The PHA will not inquire as to the nature or extent of the disability.

An award letter or other proof of eligibility for Social Security Disability or Supplemental Security Income will be acceptable.

**Working Preference:** This preference is available for families with at least one member who is employed or to families whose head and spouse, or sole member is elderly or disabled.

The PHA will require a statement from the employer, or verification of the age or disability status of the head and spouse, or sole member.

**Victims of Domestic Violence:** The PHA will offer a local preference to families that include victims of domestic violence.

The PHA will require written verification from the police, a social service agency, the court, a clergyperson, a physician, and/or a public or private facility giving shelter and/or counseling to victims. The documentation must verify that the family has been displaced as a result of fleeing violence in the home or they are currently living in a situation where they are being subjected to or victimized by violence in the home, and identify when the actual or threatened physical violence against the applicant last occurred.

The family must certify that the abuser will not return to the household without the advance written approval of the PHA.

**Substandard Housing:**

Families who claim to be living in a substandard housing unit:

Written or oral verification by a government agency

PHA inspection

Landlord's statement of unit condition

Inspection form completed and certified by family head of household

**"Homeless" Families:**

Written certification by a public or private facility providing shelter, the police, or a social services agency.

The PHA designates agencies for this purpose. Any suitable agency may verify.

Prior to processing the application, the PHA requires a second certification from the same source that the applicant is not yet permanently housed and has been continuously homeless or temporarily housed since claiming the preference.

A PHA inspector may verify that the applicant is living in a place not normally used for human habitation.

If a family is in transitional housing and wishes the PHA to hold the family's place on the waiting list, a statement is required from the agency providing the transitional housing.

**Rent Burden:** Paying more than 50% of income for rent:

Families will be required to verify their income, the amount of rent and utilities they are obligated to pay, and the period of time they have been residing in the unit.

Families must furnish copies of rental receipts/the lease/canceled checks/money orders.

The PHA may contact the landlord directly by mail or telephone.

The PHA compares the address with address(es) used on other documents in the file.



In cases where the family pays rent to a co-renter or sublets the unit, the PHA requires a certification from the person who receives the money from the applicant, and verification from the owner that the family resides in the unit.

If there is no rental agreement, and no other landlord verification, the PHA will require documentation for six months.

If there is no lease or occupancy agreement and the family is receiving public assistance, the PHA may verify the amount of rent and address of the unit with the appropriate social service agency.

If there is no lease or occupancy agreement, and the family is not receiving public assistance, the PHA will require receipts and other forms of identification which indicate the residence. Such documents include receipts, telephone bills, utility bills, driver's license, and school records.

To verify the amount due to amortize the purchase price of a manufactured home, copies of the most recent payment receipts, canceled checks or money order receipts, or a copy of the current purchase agreement.

At the family's option, the PHA can use either the actual cost of utilities or the PHA's Section 8 Existing utility allowance schedule. To verify the amount the family actually paid for utilities not included in the rent (if the Section 8 Utility Allowance Schedule is not used):

- Copies of receipts, canceled checks, bills showing previous utility payments

- Written verification of consumption costs directly from the utility or service supplier

Verification must be provided for a minimum period of six months

Documentation of the amount of rent due must be provided for a period of twelve months.