

May 2023

Below is a simple summary of the proposed changes to the ACOP.

Chapter 1: Overview of the Program and Plan

- Made changes to match mission statement to match other documents sent to HUD and DHCD

Chapter 2: Fair Housing and Equal Opportunity

- Add the following Fair Housing and Equal Opportunity regulations to the list.
Executive Order 13988
Added MGL c151B; MGL c 93 section 102.
Added Article CXIV of Massachusetts Constitution
Added MGL c121B section 32.
- Add the FHA will comply with all Massachusetts Antidiscrimination laws.
- Added will display posters and other housing information that can be easily readable from a wheelchair.
- Added how we will handle VAWA complaint against the authority.

Chapter 3: Eligibility

- Add not currently be receiving a duplicate subsidy to be eligible for program.
- Add victim of human trafficking may retain assistance if the family breaks up due to an occurrence trafficking.
- Add family must notify the PHA of change in live-in aide and request approval for replacement.
- Updated EIV (Enterprise Income Verification) regulations with HUD required changes.
- Updated section on blanket prohibition on persons with a criminal record
- Added Conviction of misdemeanor as possible grounds for denial of admission
- Changed criminal look back from 5 years to 10 years.
- Updated VAWA section to reference protection of victims of human trafficking

Chapter 4: Applications, Waiting List and Tenant Selection

- Updated list of newspapers where we will post opening of waiting lists.
- Added the Authority will ask on pre-application for admission preferred methods of communication of the family.
- Added if a family is removed from the waiting due to lack of response, as a result of a family member's disability, or as a direct result of status as a victim of domestic violence, dating violence, sexual assault, stalking, or human trafficking, including an adverse factor resulting from such abuse, they Authority may reinstate the family.

Chapter 5: Occupancy Standards and Unit Offers

- Added For the purposes of determining occupancy standards, an adult is 21 years of age or older and a child is under 21 years of age.
- Added human trafficking to a reason to refuse an offer of a unit.

Chapter 6: Income and Rent Determinations

- Changed absence from unit from 180 days to 90 days.
- Changed dependents that are subject to joint custody arrangements will be considered family member if in the unit 51% of the time from 50%
- Added language when the Authority will apply the Social Security Administration cost of living adjustment.
- Changed minimum rent from 0 to \$50 to be in line with industry standards.
- Add process on how a family can request a reasonable accommodation for higher utility allowance due to disability.
- Updated language to be in line with updated regulation citations, that a 60-day notice of utility rate is no longer required.

Chapter 7: Verification

- Added reference to use of HUD's IVT (income validation tool) Reports
- Changed the requirement of the family supplying two consecutive pay stubs to four pay stubs and if necessary, the Authority may ask for more.

- Added the Authority may require self-certifications to be notarized.
- Added the Authority will verify Veterans preference with a letter from the Local Veterans Administration in addition to the DD-214 form.
- Added for unreimbursed expenses, verified through a third party, the third party must certify that the expenses are not paid or reimbursed from any other source.

Chapter 8: Leasing & Inspections

- If the family is determined to be over income for 24 consecutive months, the lease will not be renewed.
- Added reference to the new over-income rule and where to find the policy.
- Added we give out HUD pamphlet entitled Protect your family from Lead in your home at lease up
- Added reference to nationwide emergency orders, and in those cases a 30-day notice to vacate will be issued for non-payment of rent rather than a 14-day notice.
- Changed the return check fee from \$25 to \$15.
- Updated the minimum heating standards with the new Mass Sanitary Code regulations effective April 15th.
- Change the written notice to the family of annual inspections from at least 2 weeks to 1 week.

Chapter 9: Reexaminations

- Added reference to non-public housing over income families, and the Authority not conducting Annual Recertification for them.
- Added reexaminations can be done by mail, and process of doing so.
- Added Households requesting to add a household member must provide documentation that the member they are requesting to add was not living with them at least thirty (30) days prior to the day the request is submitted to the PHA.

- Added Households may not add a new household member within three (3) months of initial lease-up.
- Added Households cannot add a new household member if the addition results in the household exceeding the Maximum Occupancy Standard or violation of the Massachusetts State Sanitary Code.
- Added email was acceptable notification of the change in the family's income.

Chapter 10: Pets

- Updated section to explain the difference between service animals and support animals and how we make that determination.
- Removed PHA's may not require cats be declawed, and replaced with Cat declawing is not a requirement or condition of pet ownership in public housing and HUD encourages PHAs to refrain from engaging in this practice.
- Added pets must be under physical restraints by pet owner or contained in a restricted area for repairs and inspections.

Chapter 11: Community Service

- Added members of a non-public housing over-income family are exempt from community service requirements.
- Added the Authority does not allow residents to perform work ordinary performed by an Authority employee for community service.

Chapter 12: Transfer Policy

- Added Human trafficking as reason for transfers.
- Added Residents not in good standing may still request an emergency transfer under VAWA (Violence Against Women Act)

Chapter 13: Lease Terminations

- Added the Over-Income Families mandate from HUD effective for June 15th, 2023, and removed old policy.
- Added Human Trafficking victim as mitigating circumstance not to terminate a tenancy.
- Added remote termination hearings could be offered by the Authority.
- Added During the period for which HUD determines that a national emergency requires additional time for families to secure federal funding that is available due to a Presidential declaration of a national emergency, at least 30 days from the date the tenant receives the notice in the case of failure to pay rent. When there is no emergency 14 days' notice may be given.

Chapter 14: Grievances

- Added the Authority will notify the residence in the notice if the informal hearing will be conducted remotely.
- Added the Authority has the authority to require hearings to be conducted remotely in some circumstances.
- Added the Authority will assist with technical assistance prior and during informal remote hearing as needed.
- Added procedure on remote informal hearing.

Chapter 15: Program Integrity

- Added Committing sexual harassment or other harassment based on race, color, religion, national origin, familial status, disability, sexual orientation, or gender identity, either quid pro quo (supervisory harassment) or hostile environment to prohibited activities.
- Added Allowing sexual harassment or other harassment based on race, color, religion, national origin, familial status, disability, sexual orientation, or gender identity, either quid pro quo (supervisory harassment) or hostile environment, where the PHA knew or should have known such harassment was occurring to prohibited activities.

- Added Retaliating against any applicant, resident, or staff reporting sexual harassment or other harassment based on race, color, religion, national origin, familial status, disability, sexual orientation, or gender identity, either quid pro quo (supervisory harassment) or hostile environment to prohibited activities.

Chapter 16: Program Administration

- Added the Authority will apply updated flat rents at each family's next annual reexamination.
- Added all repayment agreements must be in writing, dated and signed by both the family and Authority, include the monthly repayment amount, amount owed and lump sum madid at the time of the execution.
- Updated VAWA section to include Human Trafficking Victim to be included.
- Updated the term domestic violence: The term *domestic violence* includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding, and in the case of victim services, includes the user or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who is; the current or former spouse or intimate partner of the victim, or person similarly situated to a spouse or intimate partner of the victim; A person who is cohabitating or has cohabitated with the victim as a spouse or intimate partner; A person with whom the victim shares a child in common
- Added the term economic abuse: *economic abuse* means behavior that is coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled, including using coercion, fraud, and manipulation to; Restrict a person's access to money, assets, credit, or financial information; Unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage. Exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or to whom one has a fiduciary duty.

- Added the technological abuse: The term *technological abuse* means an act or pattern of behavior that occurs within domestic violence, dating violence, sexual assault, or stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor another person, except as otherwise permitted by law, that occurs using any form of technology, including but not limited to: Internet enable devices
Online spaces and platforms, computers, mobile devices, cameras and imaging programs, Apps, Location tracking devices, Communication technologies, any other emergency technologies
- Updated social services contact information for assistance with Sexual Assault and Stalking

Chapter 17: Glossary

- Added **alternative non-public housing rent**: A monthly rent equal to the greater of: The applicable fair market rent, as defined in 24 CFR part 888, subpart A, for the unit; or the amount of the monthly subsidy provided for the unit, which will be determined by adding the per unit assistance provided to a public housing property as calculated through the applicable formulas for the Public Housing Capital Fund and Public Housing Operating Fund.
- Updated the term **Domestic Violence**
- Added **Economic Abuse**
- Added **Human Trafficking**: A crime involving the exploitation of a person for labor, services, or commercial sex. The Trafficking Victims Protection Act of 2000 and its subsequent reauthorizations recognize and define two primary forms of human trafficking. Sex trafficking is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age. See 22 U.S.C. § 7102(11)(A). Forced labor is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. See 22 U.S.C. § 7102(11)(B).

- Added ***Non-public housing over-income family***. A family whose income exceeds the over-income limit for 24 consecutive months and is paying the alternative non-public housing rent.
- Added ***Over-income family***. A family whose income exceeds the over-income limit.
- Added ***Over-income limit***. The over-income limit is determined by multiplying the applicable income limit for a very low-income family, as defined in 24 CFR 5.603(b), by a factor of 2.4.
- Added **Technology Abuse**