

QUINCY HOUSING AUTHORITY COMMUNITY SERVICE POLICY

I. EFFECTIVE DATE: July 1, 2007

II. GENERAL REQUIREMENTS:

As part of the Quality Housing and Work Responsibility Act of 1998, Congress imposed a requirement that all adult residents of federally funded public housing, unless exempted, must perform community service activities or participate in an economic self-sufficiency program to remain eligible for public housing assistance. Therefore, the federal public housing law now requires that all non-exempt residents must:

- *Contribute 8 hours per month of community service (not including political activity);
- or
- *Participate in an economic self-sufficiency program for 8 hours per month; or
- *Perform eight hours each month of combined community service and self-sufficiency activities.
- *Residents are required to perform a maximum of 96 hours of community service per year.

III. DEFINITIONS

Community Service: For the purpose of this policy, community service is the performance of voluntary work or duties for the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident in the community. Community service is not limited to a single type of activity or a single location. Community service however must be performed within the city of Quincy, unless otherwise approved by the QHA. Acceptable community service activities include, but are not limited to, improving the physical environment of the resident's development; volunteer work in a local school, hospital, or child care center; working with youth organizations, human services agencies, tenant associations, or other non-profit organizations; or helping neighborhood groups on special projects. By statute, political activity is not an eligible form of community service. Political activity is activity on behalf of candidates for elected public office or on behalf of a political party.

Economic Self-Sufficiency Program: For the purpose of this policy, an economic self-sufficiency program is any program designed to encourage, assist, train, or facilitate the economic independence of participants and their families or to provide work for participants. These programs may include, but are not limited to: programs for job training, employment counseling, work placement, basic skills training, education, English language proficiency, work fare, financial or household management, apprenticeship, and any program necessary to ready a participant for work, such as substance abuse or mental health treatment.

IV. NOTIFICATION OF RESIDENTS

The Quincy Housing Authority will provide to all residents a copy of the Community Service Policy which will contain a written description of the service requirement, a list of categories of individuals who are exempt from the service requirement and of the process for claiming status as an exempt person and it will describe the process the Quincy Housing Authority will use to verify such status.

The Quincy Housing Authority will also notify each family of its determination identifying the family members who are subject to the service requirement, and the family members who are exempt persons. This notification will also advise families when the community service obligation will begin, and include a list of community service host agencies. Any resident or family member may appeal the determination of non-exempt status through the grievance procedure process. Quincy Housing Authority notice to the family indicating service requirements and exempt and non-exempt status shall provide notice of tenant rights under the grievance procedure. The household may verify to the Authority any time they believe they are now exempt from the Community Service Requirement.

V. EXEMPTIONS:

Resident household members who are under 18 years of age are exempt. The following residents over the age of eighteen are also exempt from this requirement:

1. Resident household members who are 60 years old or older.
2. Resident household members who are blind or disabled as defined in the Social Security Act (Section 216 (i) (1) or Section 1614 of the Social Security Act (42 USC 416 (i) (1); 1382c).

The Social Security Act defines disability as the "inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, which can be expected to result in death, or has lasted, or can be expected to last for a continuous period of not less than twelve months."

Blindness is defined as "central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no less than 20 degrees shall be considered for purposes of this paragraph as having a central visual acuity of 20/200 or less."

In accordance with HUD guidelines, persons eligible for a disability deduction in rent are not automatically exempt from the community service requirement. A resident is exempt only to the extent the disability makes the person "unable to comply" with the community service requirement. Residents who claim exemption because of disability or blindness must also certify that because of this blindness or disability they are unable to comply with the community service requirement.

3. Resident household members who are the primary care givers of a blind or disabled individual as described in paragraph 2.

4. Resident household members who are engaged in a work activity. Work activities include but are not limited to the following:

- *Unsubsidized employment;
- *Subsidized private sector employment;
- *Subsidized public sector employment;
- *Work experience, including work associated with refurbishing publicly assisted housing, if sufficient private sector employment is not available;
- *On-the-job training;
- *Job search and job readiness assistance;
- *Community service programs;
- *Vocational educational training not to exceed twelve months;
- *Job skills training directly related to employment;
- *Education directly related to employment for a resident who has not received a high school diploma or a certificate of high school equivalency;
- *Satisfactory attendance at a secondary school or in a course of study leading to a certificate of general equivalence for a resident who has not completed high school or received such a certificate; or
- *The provision of childcare services to an individual who is participating in a community service program.

5. Resident household members who meet the requirements for being exempted from work activity under Part A of Title IV of the Social Security Act (42 USC Section 601 et seq.) or under any other state welfare program, including a State-administered welfare-to-work program. Current exemptions from state welfare programs include but are not limited to the following:

- *disabled person as defined in the Mass. (TAFDC)
- *pregnant woman (TAFDC)
- *caretaker of a child under the age of 2 years (TAFDC)
- *person over the age of 60 years old. (TAFDC)

6. Is a member of a family receiving assistance benefits or services under a State program funded under Part A of Title IV of the Social Security Act {42 U.S.C. 601 et seq .) or under any other State welfare program, including a State-administered welfare-to-work program, and has not been found in non-compliance with such a program.

VI. VERIFICATION

In order to establish an exemption the following verification must be provided by the resident:

1. Age 60 or over. Any birth certificate or proof of age already submitted by the resident to establish age or achieve eligibility for occupancy as a person 60 or older shall be deemed sufficient verification.
2. Disability or blindness. Receipt by a household member of Social Security Disability Insurance (SSDI), Supplemental Security Income (SSI), or Emergency Aid to Elderly, Dependents, and Children (EAEDC) disability benefits or receipt of a determination of exemption from TAFDC, Food Stamps, or other state welfare program's work activity requirements shall be deemed proof of disability under this policy. A household member whose application for SSDI, SSI, or EAEDC disability benefits is pending shall be deemed disabled unless and until a denial of the application is received. Any resident who believes they meet the definition of disability included in this policy may submit a statement from their treating physician or other reliable source providing QHA staff with facts that will assist them in determining whether the resident is disabled within the definition applicable under this policy. A resident is exempt only to the extent the disability makes the person "unable to comply" with the community service requirement. Residents who are determined to be exempt because of blindness or disability shall also sign a statement certifying that they are unable to comply with the community service requirement because of the blindness or disability.
3. Primary care giver of a disabled or blind person. A statement from the person being cared for or his or her guardian affirming that the resident seeking exemption acts as the primary care giver and the period during which (s)he is expected to continue in that role shall be adequate verification. Such statement shall be in the form prescribed by the Quincy Housing Authority and shall be signed by the person being cared for, and the resident seeking the exemption. Written verification regarding disability or blindness shall be required.
4. Engaged in work activity. The verification of employment income provided to QHA for rent determination shall be adequate for this purpose. Verification from the providing organization or school of resident participation in job training or other qualifying program must be submitted by the resident.
5. Exempt from work activity under a state welfare program. Verification of the exemption should be obtained from the Mass. Department of Transitional Assistance if the resident is a TAFDC or EAEDC recipient. Non-recipients should provide appropriate documentation of exempt status.

6. Member of a family who receives assistance from a state welfare program and is in compliance with that program. Verification of receipt of program assistance should be obtained from the Department of Transitional Assistance. QHA will make a determination of exempt status and notify the resident. If the resident disagrees with the determination, he or she may file a grievance under QHA grievance procedure.

Families with non-exempt household members shall receive a list of community service and self-sufficiency opportunities.

VII. NOTIFICATION OF ELIGIBLE ACTIVITIES

Prior to the implementation of this policy, and at least once annually thereafter, QHA shall contact a reasonable number of eligible community service host agencies for the purpose of developing a list of community service placements. This list shall include a list of accessible locations. Recognized tenant organizations within QHA's jurisdiction shall be considered Community service host agencies and their input shall be sought when developing this list.

QHA shall provide families with non-exempt members with a list of approved community service placements, which list may include community service opportunities at QHA developments, and shall contain a brief description of the opportunities and the name, address, and telephone number of the contact person(s). QHA shall also provide a list containing Economic Self-Sufficiency Programs within its jurisdiction that non-exempt members may participate in for the purpose of performing the required hours under the Community Service Requirements.

If a non-exempt household member elects to perform community service or economic self sufficiency at an agency or organization not identified on QHA-prepared list, the member may seek approval from QHA, which approval shall not be unreasonably withheld.

VIII. CONTINUING DETERMINATION OF EXEMPTION AND COMPLIANCE

Each year, as part of the Tenant Rent Re-examination and Lease Renewal Process, the QHA will determine whether each non-exempt household member has complied with the community service requirement of 8 hours per month (96 hours per year maximum requirement) and whether each exempt household member continues to be exempt. Included with the letter regarding the Rent Re-examination and Lease Renewal Process will be a reminder that resident compliance with and/or exemption from community service will be determined every twelve months and the household will be notified at least 30 days before the resident's lease renewal that the QHA will be reviewing the household's compliance with the community service requirements. Also included with the letter will be Verification of Compliance forms for each household member who was required to perform community service. These forms must be completed and returned to the QHA with tenant's continued occupancy forms and required verification and documentation but at least thirty (30) days before the lease term expires.

The form includes confirmation of:

- *the number of hours of community service/self-sufficiency work completed,
- *the type of work completed
- *the community organization where the work was completed
- *the signature, name, title, address and phone number of the person supervising completion of the work, or
- *other acceptable proof.

At the time of the rent re-examination QHA will reconfirm the exemption status of each household member. The head of household may provide the QHA with the required documentation for any change in status claimed by an adult family member. QHA will reconfirm the following exemption categories annually:

- *Blindness or disability
- *Primary care giver
- *Engaged in work activity
- *Exempt from work activity under a state welfare program
- *Exempt through receipt of assistance, benefits or services from a state welfare program and is in compliance with that program.

If a household member becomes exempt from the community service requirement during a lease term and provides proper notification and verification to the Quincy Housing Authority he or she shall be exempt from performing community service for the remainder of the lease term. A resident is required to report a change in status from exempt to non-exempt between regular rent re-examinations. If a resident previously determined to be exempt becomes non-exempt during a lease term, he or she is required to report the change in status to QHA, and shall be required to comply with the community service requirements from the date of the change in status.

If the household is found to be in compliance with the community service/self-sufficiency requirement, the lease will be automatically renewed. Violation of the service requirement is grounds for non-renewal of the lease at the end of the twelve-month lease term, but not for termination of tenancy during the course of the twelve-month lease term.

IX. NON-COMPLIANCE

If QHA determines that a non-exempt resident has not complied with the community service/self-sufficiency requirement, QHA must notify the head of household of the noncompliance in writing. This notification to the tenant must:

- (i). Briefly describe the non-compliance;
- (ii). State that the QHA will not renew the lease at the end of the twelve month lease term unless:
 - A. The tenant, and any other non-compliant resident, enters into a written agreement with the QHA in the form and manner required by the QHA, to cur such noncompliance, and in fact cures such noncompliance in accordance with such agreement; or

B. The family provides written assurance satisfactory to the QHA that the tenant or other noncompliant resident no longer resides in the unit.

(iii) State that the tenant may request a grievance hearing on the QHA determination, in accordance with the QHA's grievance procedure, and that the tenant may exercise any available judicial remedy to seek timely redress of the QHA's non-renewal of the lease because of such determination.

Tenant agreement to comply with service requirement: If the tenant or another family member has violated the service requirement, the QHA may not renew the lease upon expiration of the term unless:

(i). The tenant and any other non-complaint resident, enter into a written agreement with the QHA, in the form and manner required by the QHA, to cure such noncompliance by completing the additional hours of community service or economic self sufficiency activity needed to make up the total number of hours required over the twelve-month term of the new lease. These additional hours must be performed in addition to the 96-hour requirement for the current lease year. If the non-compliant resident becomes employed or otherwise exempt during the next 12-month term of the lease, he or she shall be exempt from performing community service for the remainder of the current lease term, however shall be required to complete their obligations for prior community service requirements under any agreement signed.

AND

(ii) All other members of the family who are subject to the service requirement are currently complying with the service requirement or no longer reside in the unit.

As is required by law, a continued non-compliance after the opportunity to cure will result in the commencement of eviction proceedings against the entire household, unless the noncompliant family member is no longer part of the household.

In accordance with HUD guidelines, persons eligible for a disability deduction in rent are not automatically exempt from the community service requirement. A resident is exempt only to the extent the disability makes the person "unable to comply" with the community service requirement. If it is determined that a resident is exempt due to a disability which makes the person "unable to comply" with the community service requirement, the resident will not be required to make up the additional hours of community service which put them into non-compliance.

X. DOCUMENTATION

The QHA shall retain documentation of community service or economic self-sufficiency participation and/or exemption in the resident's file. The head of household is responsible for ensuring that the appropriate authority completes a Verification of Compliance form for every non-exempt household member. This form will also be maintained in the resident file.

XI. GRIEVANCE PROCEDURE

Upon filing a written request, as provided in the Quincy Housing Authority grievance procedure, any resident who disagrees with any QHA action or failure to act in accordance with the Community Service Policy shall be entitled to a grievance hearing.

XII. PROHIBITION AGAINST THE REPLACEMENT OF EMPLOYEES

In implementing the community service requirement, the Quincy Housing Authority will not substitute community service for work ordinarily performed by public housing employees or replace a job at any location where community work requirements are performed.

XIII. THIRD PARTY COORDINATING

The Quincy Housing Authority intends to exercise its option to administer the community service/self-sufficiency requirement through one or more of the following alternatives:

- *directly administer some qualifying community service and economic self-sufficiency activities;
- *make such activities available through a contractor; or
- *make such activities available through partnerships with qualified organizations, including resident organizations and community agencies or institutions.

XIV. NOTICE OF RIGHT TO REASONABLE ACCOMODATION:

If you have a disability and as a result of your disability you need

- *a change in the rules or policies of how we do things that would give you an equal chance to live and use the facilities or take part in program on site.
- *a change or repair in your apartment or a special type of apartment that would give you an equal chance to live here and use the facilities or take part in programs on site.
- * a change or repair to some other part of the housing site that would give you an equal chance for you to live here and use the facilities or take part in programs on site.
- * a change in the way we communicate with your or give you information. You may ask for this kind of change, which is called a reasonable accommodation.

If you can show that you have a disability and if your request is reasonable *(Does not pose “an undue financial or administrative burden”) we will try to make the changes you request. *In simple language this legal phrase means if it is not too expensive or too difficult to arrange. We will respond to you within thirty (30) days. We will let you know if we need more information or verification from you or if we would like to talk to you about other ways to meet your needs. If we turn down your request, we will explain the reasons and you can give us more information if you think that will help. If you need help filling out a reasonable accommodation request form, or if you want to give us your request in some other way contact the Assistant Director at 847-4356.