

# Chapter 3

If the tenant is a new admission to the PHA, and a match is identified at a multifamily property, the PHA must report the program admission date to the multifamily property and document the notification in the tenant file. The family must provide documentation of move-out from the assisted unit, as applicable.

**PHA Policy**

***The PHA will contact the other PHA or owner identified in the report to confirm that the family has moved out of the unit and obtain documentation of current tenancy status, including a form HUD-50058 or 50059, as applicable, showing an end of participation. The PHA will only approve assistance contingent upon the move-out from the currently occupied assisted unit.***

**Debts Owed to PHAs and Terminations**

All adult household members must sign the form HUD-52675, Debts Owed to Public Housing and Terminations. Prior to admission to the program, the PHA must search for each adult family member in the Debts Owed to PHAs and Terminations module.

If a current or former tenant disputes the information in the module, the tenant should contact the PHA directly in writing to dispute the information and provide any documentation that supports the dispute. If the PHA determines that the disputed information is incorrect, the PHA will update or delete the record from EIV. Former tenants may dispute debt and termination information for a period of up to three years from the end of participation date in the program.

**PHA Policy**

***The PHA will require each adult household member to sign the form HUD-52675 once at the eligibility determination. Any new members added to the household after admission will be required to sign the form HUD-52675 prior to being added to the household.***

***The PHA will search the Debts Owed to PHAs and Terminations module as part of the eligibility determination for new households and as part of the screening process for any household members added after the household is admitted to the program. If any information on debts or terminations is returned by the search, the PHA will determine if this information warrants a denial in accordance with the policies in Part III of this chapter.***

**EIV Income Report**

7/1/2025

For each new admission, the PHA is required to review information in EIV to confirm and validate family reported income within 120 days after the move-in information is transmitted to HUD. The PHA must print and maintain copies of the reports in the tenant file and resolve any discrepancies with the family.

*If the criminal activity as stated in reasons #9 does not result in judicial proceedings, the event that begins the five-year period in which consideration for admission will be denied (i.e. "hold out period") is the date of the criminal activity as determined by the PHA.*

7/1/2025

### **3-III.B.i RESTRICTION ON ASSISTANCE BASED ON ASSETS**

[24 CFR 5.618]

There are two circumstances under which a family is ineligible for the program based on asset ownership.

First, assistance may not be provided to any family if the family's net assets exceed the HUD-published asset limitation amount (adjusted annually by HUD).

- This amount is listed in HUD's current year Inflation-Adjusted Values tables
- \$100,000 for 2024, \$103,200 for 2025

Second, the family has real property that is suitable for occupancy by the family as a residence and the family has:

- A present ownership interest in the real property;
- A legal right to reside in the real property; and
- The effective legal authority to sell (based on state or local laws of the jurisdiction where the property is located) the real property.

The PHA does not have the discretion not to enforce or provide limited enforcement of the asset limitation at admission. However, the real property restriction does not apply in the following circumstances:

- Any property for which the family is receiving assistance for a manufactured home under 24 CFR 982.620 or under the HCV Homeownership program;
- Any property that is jointly owned by a member of the family and at least one non-household member who does not live with the family, if the non-household member resides at the jointly owned property;
- Any family that is offering the property for sale; or
- Any person who is a victim of domestic violence, dating violence, sexual assault, or stalking.

When a family asks for an exception because a family member is a victim of domestic violence, dating violence, sexual assault, or stalking, the PHA must comply with all the confidentiality requirements under VAWA. The PHA must accept a self-certification from the family member, and the restrictions on requesting documentation under VAWA apply.

A property is considered *suitable for occupancy* unless the family demonstrates that it:

- Does not meet the disability-related needs for all members of the family (e.g., physical accessibility requirements, disability-related need for additional bedrooms, proximity to accessible transportation, etc.);
- Is not sufficient for the size of the family;

#### **PHA Policy**

***The PHA defines not sufficient for the size of the family as being overcrowded based on the PHA's occupancy standards in Chapter 5.***

- Is geographically located so as to be a hardship for the family (e.g., the distance or commuting time between the property and the family's place of work or school would be a hardship to the family, as determined by the PHA or owner);

#### **PHA Policy**

***In general, the PHA defines a geographic hardship to include when a family members' work, school, health care provider, or other necessary service is located an unreasonable distance from the real property or there is a lack of adequate transportation options for the family to access work, school, health care, or other necessary services. The PHA will consider circumstantial details a family faces when determining whether a geographical hardship is present.***

- Is not safe to reside in because of the physical condition of the property (e.g., property's physical condition poses a risk to the family's health and safety and the condition of the property cannot be easily remedied); or
- Is not a property that a family may reside in under the State or local laws of the jurisdiction where the property is located.

If a family meets one of the above exceptions, the real property is not automatically excluded from the calculation of net family assets. Unless the real property is specifically excluded from net family assets as described in 24 CFR 5.603 and Chapter 6 of this policy, it will be included in net family assets. If the value of that real property brings the net family assets above the HUD-published asset limitation amount, the family is out of compliance with the asset limitation.

See Chapter 7 for information on verifying net family assets for purposes of the asset limitation.

### **3-III.C. Other Permitted Reasons for Denial of Admission** [See Exhibit 3-III C. 24 CFR 960.203]

#### **3-III.C.i. Criminal Activity** [See Exhibit 3-III.C. 24 CFR 960.203 ]

##### PHA Policy

The PHA will deny admission for the following 5 Reasons:

- 12/18/2012
10. **Drug Related Criminal Activity.** [See 24 CFR 960.203 (c)(3)] (See Definition of "drugs" at 24 CFR 5.100)]. (See \*Medical Use of Marijuana in Public Housing 9/24/99\* and \*Medical Use of Marijuana and Reasonable Accommodation in Federal Public and Assisted Housing 1/20/11\*)
  11. **Violent Criminal Activity.** [See 24 CFR 960.203 (c)(3)] (See Definition of "violent criminal activity" at 24 CFR 5.100).
  12. **Criminal Activity that may threaten the health, safety, or welfare of other tenants.** [24CFR 960.203 (c)(3)].
  13. **Criminal Activity that may threaten the health or safety of PHA staff, contractors, sub contractors or agents.** [24CFR 960.203 (c)(3)].
  14. **Criminal Sexual Conduct including but not limited to sexual assault, incest, open and gross lewdness, or child abuse.**
    - See above policy for definition of "Currently Engaging In"
    - Evidence of such criminal activity includes, but is not limited to:
      - ✓ Any Conviction for drug-related or violent criminal activity within the past five years.
      - ✓ Any arrests for drug-related or violent criminal activity within the past five years.
      - ✓ Any record of eviction from public or privately-owned housing as a result of criminal activity within the past five years.
      - ✓ A conviction for drug-related or violent criminal activity will be given more weight than an arrest for such activity.

*If any household member is currently engaging in, or has engaged in any of the criminal activity as stated in Reasons #10-#14 within the past five years, the family will be denied consideration for admission.*

*If the criminal activity as stated in reasons #10 - #14 results in a judicial proceedings, the event that begins the five-year period in which consideration for admission will be denied (i.e. "hold out period") is the termination of judicial proceedings (i.e. release after time served, or end of probation or parole).*

*Credit against the five year "hold out" period may be given for time not engaging in the event causing the denial of admission.*