

ACOP Change Summary 5/2017

Page #	Original Language	New Language	Reason
3-20	A <i>pattern of use</i> is defined as three misdemeanor or felony convictions in the previous three years. A conviction will be given more weight than an arrest.	A <i>pattern of use</i> is defined as three misdemeanor or felony convictions in the previous three years. A conviction will be given more weight than an arrest.	HUD PIH Notice 2015-19
3-20	Any household member is currently registered as a sex offender under a state sex offender registration program.	Any household member is subject to a lifetime registration requirement under a state sex offender registration program.	Alignment with HUD requirement
3-22	Has a pattern of unsuitable past performance in meeting financial obligations, including rent within the past five years	Has a pattern of unsuitable past performance in meeting financial obligations, including rent within the past three years	Keeping with current practice
3-30	VAWA 2013 expanded notification requirements to include the obligation for PHAs to provide applicants who are denied assistance with a notice of VAWA rights and the form HUD-50066 at the time the applicant is denied.	VAWA 2013 expanded notification requirements to include the obligation for PHAs to provide applicants who are denied assistance with a notice of VAWA rights and the form HUD- 5382 at the time the applicant is denied.	Update to HUD guidance language
3-30	Therefore, if the PHA makes a determination to deny admission to an applicant family, the PHA will include in its notice of denial information about the protection against denial provided by VAWA in accordance with section 16-VII.C of this ACOP as well as including a copy of the form HUD-50066. The PHA will request that an applicant wishing to claim this protection notify the PHA within 10 business days.	Therefore, if the PHA makes a determination to deny admission to an applicant family, the PHA will include in its notice of denial information about the protection against denial provided by VAWA in accordance with section 16-VII.C of this ACOP as well as including a copy of the form HUD- 5382 . The PHA will request that an applicant wishing to claim this protection notify the PHA within 14 business days.	Update to HUD guidance language
4-14	The PHA will use the following local preference: Applicants over the age of 62 and disabled applicants will be given preference for housing.	One point will be granted by the PHA for each of the following local preferences: Involuntarily Displaced Preference: Applies to victim of a Natural Disaster; or a victim of Domestic Violence...	Alignment with local and HUD priorities

		<p>Elderly Preference: Elderly preference applies when the head of household, spouse, or co-head is aged 62 or older.</p> <p>Disabled Preference: applies when the head, spouse, or co-head is considered disabled.</p> <p>Homeless Preference: Applies to applicants who lack a fixed, regular and adequate nighttime residence...</p> <p>Reunification Preference: Applies to applicants who are actively participating in a formal family reunification program.</p> <p>Veteran Preference: Applies to an applicant that the head of household, spouse, or co-head is a current member of the military, a veteran, or the surviving spouse of a veteran.</p>	
4-24	No existing language.	<p>Upon making an eligibility determination, the PHA must provide the family a notice of VAWA rights as well as the HUD VAWA self-certification form (form HUD-5382) in accordance with the Violence against Women Act of 2013, and as outlined in 16-VII.C. The notice and self-certification form must accompany the written notification of eligibility determination. This notice must be provided in both of the following instances: (1) when a family is notified of its eligibility; or (2) when a family is notified of its ineligibility.</p>	Alignment with HUD requirement
8-3	Information about the protections afforded by the Violence against Women Act of 2005 (VAWA) to victims of domestic violence,	<p>A copy of the VAWA notice of occupancy rights (see section 16-VII.C)</p>	Alignment with HUD guidance

	dating violence, and stalking (see section 16-VII-C)	A copy of form HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking Information about PHA Smoke-Free Policy	
8-7	Residents must pay a security deposit to the PHA at the time of admission. The amount of the security deposit will be equal to the family's total tenant payment at the time of move-in, and must be paid in full prior to occupancy.	Residents must pay a security deposit to the PHA at the time of admission. The amount of the security deposit will be equal to the family's total tenant payment at the time of move-in, and must either be paid in full prior to occupancy, or the family must enter into an agreed upon payment plan with PHA staff.	Keeping with current practice
12-4	No existing language.	The VAWA 2013 final rule requires the PHA to adopt an emergency transfer plan for victims of domestic violence, dating violence, sexual assault, or stalking. Residents qualify for an emergency transfer when the tenant reasonably believes there is a threat of imminent harm from further violence if the tenant remains within the same dwelling unit that the tenant is currently occupying, or in the case of a tenant who is a victim of sexual assault, either the tenant reasonably believes there is a threat of imminent harm from further violence if the tenant remains within the same dwelling unit that the tenant is currently occupying, or the sexual assault occurred on the premises during the 90-calendar-day period preceding the date of the request for transfer.	Alignment with HUD requirement
12-5	The following is considered an emergency circumstance warranting an immediate transfer of the tenant or family: Maintenance conditions in the	The following are considered emergency circumstances warranting an immediate transfer of the tenant or family:	Alignment with HUD requirement

	<p>resident’s unit, building or at the site that pose an immediate, verifiable threat to the life, health or safety of the resident or family members that cannot be repaired or abated within 24 hours. Examples of such unit or building conditions would include: a gas leak; no heat in the building during the winter; no water; toxic contamination; and serious water leaks.</p>	<p>Maintenance conditions in the resident’s unit, building or at the site that pose an immediate, verifiable threat to the life, health or safety of the resident or family members that cannot be repaired or abated within 24 hours. Examples of such unit or building conditions would include: a gas leak; no heat in the building during the winter; no water; toxic contamination; and serious water leaks.</p> <p>A verified incident of domestic violence, dating violence, sexual assault, or stalking. For instances of domestic violence, dating violence, sexual assault, or stalking, the threat may be established through documentation outlined in section 16-VII.D, or by any proof accepted by the PHA.</p> <p>The PHA will immediately process requests for transfers due to domestic violence, dating violence, sexual assault, or stalking. The PHA will allow a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available. If an internal transfer to a safe unit is not immediately available, the PHA will assist the resident in seeking an external emergency transfer either within or outside the PHA’s programs.</p> <p>The PHA has adopted an emergency transfer plan, which is included as Exhibit 16-3 to this plan.</p>	
12-9	<p>When there has been a verified threat of physical harm or criminal activity. Such circumstances may, at the PHA’s discretion, include an assessment by law enforcement</p>	<p>When there has been a verified threat of physical harm or criminal activity. Such circumstances may, at the PHA’s discretion, include an</p>	<p>Alignment with HUD requirement</p>

	indicating that a family member is the actual or potential victim of a criminal attack, retaliation for testimony, a hate crime, or domestic violence, dating violence, sexual assault, or stalking.	assessment by law enforcement indicating that a family member is the actual or potential victim of a criminal attack, retaliation for testimony, or a hate crime, or domestic violence, dating violence, sexual assault, or stalking.	
12-13	Residents will receive one offer of a transfer. When the transfer is required by the PHA, the refusal of that offer without good cause will result in lease termination. When the transfer has been requested by the resident, the refusal of that offer without good cause will result in the removal of the family from the transfer list. In such cases the family must wait six months to reapply for another transfer.	Residents will receive one offer for a PHA required transfer and two offers for a resident requested transfer. When the transfer is required by the PHA, refusal of that offer without good cause will result in lease termination. When the transfer has been requested by the resident, refusal of the second offer without good cause will result in the removal of the household from the transfer list and the family must wait six months to reapply for another transfer.	Keeping with current practice
15-4	OMB Circular A-133 requires all PHAs that expend \$500,000 or more in federal awards annually to have an independent audit (IPA).	Notice PIH 2015-16 requires all PHAs that expend \$750,000 or more in federal awards annually to have an independent audit (IPA).	Alignment with HUD requirement
16-21	A summary of the rights and protections provided by VAWA to public housing applicants and residents who are or have been victims of domestic violence, dating violence, or stalking (see sample notice in Exhibit 16-1) The definitions of domestic violence, dating violence, and stalking provided in VAWA (included in Exhibit 16-1) An explanation of the documentation that the PHA may require from an individual who claims the protections provided by	A notice of occupancy rights under VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, sexual assault, or stalking (Form HUD-5380, see Exhibit 16-1) A copy of form HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation (see Exhibit 16-2) A copy of the PHA's emergency transfer plan (Exhibit 16-3)	Alignment with HUD requirement

	<p>VAWA (included in Exhibit 16-1)</p> <p>A copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking</p> <p>A statement of the PHA's obligation to keep confidential any information that it receives from a victim unless (a) the PHA has the victim's written permission to release the information, (b) it needs to use the information in an eviction proceeding, or (c) it is compelled by law to release the information (included in Exhibit 16-1)</p>	<p>A copy of HUD's Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, Form HUD-5383 (Exhibit 16-4)</p>	
16-23	No existing language.	<p>The VAWA information provided to applicants and participants will consist of the notices in Exhibit 16-1 and 16-2.</p>	Alignment with HUD requirement