

Chapter 12

RECERTIFICATIONS

[24 CFR 982.516]

INTRODUCTION

In accordance with HUD requirements, the Housing Authority will reexamine the income and household composition of all families at least annually. Families will be provided accurate annual and interim rent adjustments. Recertifications and interim examinations will be processed in a manner that ensures families are given reasonable notice of rent increases. All annual activities will be coordinated in accordance with HUD regulations. It is a HUD requirement that families report all changes in household composition and income. This Chapter defines the Housing Authority's policy for conducting annual recertifications and coordinating annual activities. It also explains the interim reporting requirements for families, and the standards for timely reporting.

A. ANNUAL ACTIVITIES [24 CFR 982.516, 982.405]

Recertification of Income and Family Composition

B. ANNUAL RECERTIFICATION/REEXAMINATION [24 CFR 982.516]

Families are required to be recertified at least annually. Family members must report and verify U.S. citizenship/eligible immigrant status if there have been changes and for any added household members.

Moves Between Reexaminations

When families move to another dwelling unit:

A review of family income and household composition will be completed prior to issuance of a voucher to move. An annual recertification may be scheduled if a recertification is due within 120 days from the date of the mover voucher.

Income limits are not used as a test for continued eligibility at recertification.

Reexamination Notice to the Family

The Housing Authority will maintain a reexamination tracking system and the household will be notified by mail of the date and time for their interview at least 90 days in advance of the anniversary date. The Housing Authority will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities.

Completion of Annual Recertification

The Housing Authority will have all recertifications for families completed before the anniversary date, giving families reasonable notice of any changes in rent.

Persons with Disabilities

Persons with disabilities who are unable to come to the Housing Authority's office will be granted a reasonable accommodation by conducting the interview at the person's home, upon verification that the accommodation requested meets the need presented by the disability.

Collection of Information [24 CFR 982.516(f)]

The Housing Authority has established appropriate recertification procedures necessary to ensure that the income data provided by families is complete and accurate.

The Housing Authority representative will interview the family and enter the information provided by the family on the recertification form, collect written verifications, review the information with the family and have them sign the form.

Documents Required From the Family

In the notification letter to the family, the Housing Authority will include instructions for the family to provide the following:

Documentation of all income and assets, as described in Chapter 7.

Documentation of any deductions/allowances, as described in Chapter 7.

Verification of Information

The Housing Authority will follow the verification procedures and guidelines described in Chapter 7. Verifications for reexaminations must be less than 120 days old.

Requirements to Attend

The head of household is required to attend the recertification interview. When possible, all adult household members should attend the recertification interview. If requested, Housing Authority staff will work with households to accommodate schedules of employed family members.

If the head of household is unable to attend the interview, the appointment will be rescheduled. If other household members are unable to attend the interview, the head of household and spouse/co-head should bring required documents signed by all adult household members to the interview.

Failure to Respond to Notification to Recertify

The Housing Authority's written notification must state which family members are required to attend the interview. The family may call to request another appointment date.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the Housing Authority, the Housing Authority will **send a letter to the participant requesting they contact the Housing Authority within seven (7) days to reschedule the appointment.**

If the family fails to appear for the second appointment, the Housing Authority will send a letter advising the family that Housing Authority is considering termination of their housing assistance and advising them to contact the Housing Authority within five working days to reschedule the appointment. If the family makes no contact, the Housing Authority will send the family a notice of termination and offer them an informal hearing.

Tenant Rent Increase and Decrease

If tenant rent increases or decreases, a notice is mailed to the family prior to the scheduled effective date of the annual recertification.

If the family causes a delay so that the processing of the reexamination is not completed by the anniversary date, the rent change will be effective on the first day of the month following completion of the reexamination processing by the Housing Authority.

C. REPORTING INTERIM CHANGES [24 CFR 982.516]

Program participants must report all changes in household composition to the Housing Authority between annual reexaminations. This includes additions due to birth, adoption and court-awarded custody. The family must obtain Housing Authority approval prior to all other additions to the household.

If any new family member is added, family income must include any income of the new family member. The Housing Authority will conduct a reexamination to determine such additional income and will make the appropriate adjustments in the housing assistance payment and family unit size.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified as required at the first interim or regular recertification after moving into the unit.

When a head of household has a member that turns 18 years of age, they must inform the Housing Authority.

Interim Reexamination Policy

The Housing Authority may conduct interim reexaminations when families have an increase in income. The Housing Authority must conduct an interim reexamination when families report a decrease in income.

Families will be required to report all changes in income/assets and household composition within 14 days of the change.

Housing Authority Errors

If the Housing Authority makes a calculation error at admission to the program or at an annual reexamination, an interim reexamination will be conducted, if necessary, to correct the error, but the family will not be charged retroactively. Families will be given decreases, when applicable, retroactive to when the decrease for the change would have been effective if calculated correctly.

D. OTHER INTERIM REPORTING ISSUES

An interim reexamination does not affect the date of the annual recertification.

An interim reexamination may be scheduled for families with low or fluctuating income every 90 days.

E. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS

The Housing Authority will not reduce the family share of rent for families whose welfare assistance is reduced for any of the following:

- fraud
- failure to participate in an economic self-sufficiency program
- noncompliance with a work activities requirement

However, the Housing Authority will reduce the rent if the welfare assistance reduction is a result of any of the following:

- The expiration of a lifetime time limit on receiving benefits
- A situation where the family has complied with welfare program requirements but cannot or has not obtained employment

(See Chapter 7, "Verification Procedures.")

Cooperation Agreements

The Housing Authority has taken a proactive approach towards an effective working relationship between the Housing Authority and the Sonoma County Human Services Department and other supportive service agencies. These partnerships identify economic self-sufficiency programs throughout the community that are available to HCV tenant-based assistance families.

F. NOTIFICATION OF RESULTS OF RECERTIFICATIONS [HUD Notice PIH 98-6]

The HUD form 50058 will be completed and transmitted as required by HUD.

The Notice of Change which gives the tenant and Housing Authority rent portions is mailed to the owner and the tenant. Families are advised to call the Housing Authority if they have questions. If the family disagrees with the rent portion adjustment, they may request an informal hearing.

G. CHANGES IN VOUCHER SIZE AS A RESULT OF FAMILY COMPOSITION CHANGES [24 CFR 982.516(c)]

(See "Subsidy Standards" Chapter 5.)

H. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES [24 CFR 5.518]

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members.

The Noncitizens Rule was implemented on or after June 19, 1995. Mixed families may receive prorated assistance only. For example, a two person family with only one eligible member would receive a 50% subsidy.

I. MISREPRESENTATION OF FAMILY CIRCUMSTANCES

If any participant deliberately misrepresents the information on which eligibility or tenant rent is established, the Housing Authority may terminate assistance and may refer the family file/record to the proper authorities for appropriate disposition. Such authorities may include, but are not limited to:

- Sonoma County Sheriff Department for investigation
- Welfare Fraud Investigators
- SSI/Medi-Cal fraud investigators
- HUD Inspector General

J. STREAMLINED ANNUAL REEXAMINATIONS (PIH 2016-05; 24 CFR 5.230)

~~The Housing Authority may opt to conduct a streamlined reexamination of income for elderly families and disabled families when 100 percent of the family's income consists of fixed income. In a streamlined reexamination, Housing Authorities will recalculate family incomes by applying any published cost of living adjustments to the previously verified income amount~~

In an interim final rule published by HUD, it was determined that families with fixed-incomes are only required to undertake a full recertification every 3 years. Families with 90 percent or more of their income coming from a fixed-source will be eligible for a triennial recertification.

When a triennial recertification is conducted, the family will still be required to sign and submit consent forms annually (due in the recertification month) as the form expires 15 months from the original date that it is signed.

The PHA may determine a family's fixed income by applying a verified cost of living adjustment (COLA) to the individual sources of fixed income. In the case of a family with at least 90 percent of the family's unadjusted income from fixed income, the PHA using streamlined income verification may, but is not required to, adjust the non-fixed income.

The term 'fixed income' includes income from:

1. Social Security payments to include Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI);
2. Federal, State, local, and private pension plans; and

3. Other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.