

CHAPTER 12
RECERTIFICATIONS
[24 CFR 982.516]

INTRODUCTION:

In accordance with HUD requirements, the NBHA 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. HUD requires that families report all changes in household composition, but the NBHA decides what other changes must be reported and the procedures for reporting them. This chapter defines the NBHA'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.

The terms annual recertification and annual reexamination are synonymous.

A. **ANNUAL RECERTIFICATION:** [24 CFR 982.516]

The NBHA will recertify each family's continuing eligibility at least annually.

Recertification Notice to the Family:

The NBHA will maintain a recertification tracking system and the household will be notified by mail at least ninety-days in advance of the anniversary date. This timeframe will facilitate the NBHA's receipt of the required verification documents.

Completion of Annual Recertification:

The NBHA will have all recertifications for families completed before within 12 months of the last annual recertification. This includes notifying the family of any changes in rent at least thirty days before the scheduled date of the change in family rent.

Failure to Respond to Notification to Recertify:

The written notification must state the due date the completed recertification documents are required. The family may call to request an extended due date in case of emergency.

If the family does not respond by the due date, the recertification documents will be sent a second time.

If the family fails to respond to the second notice the NBHA will mail the family a notice of proposed termination of eligibility, and a notice they have a right to an informal hearing.

Exceptions to these policies may be made by supervisory or designated staff if the family is able to document an emergency situation that prevented them from recertification or attending the appointment.

Verification of Information:

All information affecting the family's continued eligibility for the program, and the family's Total Tenant payment (TTP) will be verified in accordance with the verification procedures and guidelines described in this policy. Verifications used for recertification must be less than 120 days old. All verifications will be placed in the file, which has been established for the family.

When the information has been verified, it will be analyzed to determine.

- The continued eligibility of the participant as a family or as the remaining member of a family.
- The unit size required by the family; and
- The amount of rent the family should pay.

Tenant Rent Increases:

If tenant rent increases, a notice of the change is mailed to the family at least 30 days prior to the effective date of change.

If less than thirty days are remaining before the scheduled effective date of the annual recertification, the tenant rent increase will be effective on the first of the month following at least a thirty-day notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the recertification process, there will be a retroactive increase in rent to the scheduled effective date of the annual recertification.

Tenant Rent Decreases:

If tenant rent decreases, it will be effective on the anniversary date.

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

If the participant experiences a decrease in income and the participant reports the change after reporting the annual reexamination, but prior to the effective date of the annual recertification, the change will be treated as an early annual reexamination. The change will be effective the first of the following month that the family reported the change. The next annual reexamination date (anniversary date) will be one year from the effective date of the early annual reexamination.

B. REPORTING INTERIM CHANGES: [24 CFR 982.516]

Program participants must report all changes in household composition to the NBHA within thirty (30) days of the change. This includes additions due to birth, adoption and court-awarded custody. The family must obtain NBHA 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 NBHA will conduct a recertification 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 prior to moving in to the unit.

The NBHA must complete all monthly interim changes within a timely manner in order to balance the accounts and run Landlord rental payments in a timely manner. In order to comply with this policy, the NBHA will not accept any interim changes after the 15th of the month.

Increases in Income:

The NBHA will conduct interim recertifications when families have any increase in income..

Families must report any changes in income and assets to the NBHA within thirty (30) days of the change.

Decreases in Income:

Participants may report a decrease in income and other changes that would reduce the amount of tenant rent, such as an increase in allowances or deductions. The NBHA must calculate the change if a decrease in income is reported.

The NBHA will process the rent adjustment unless the NBHA confirms that the decrease in income will last less than thirty days.

NBHA Errors:

If the NBHA makes a calculation error, an interim recertification 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.

C. OTHER INTERIM REPORTING ISSUES: [24 CFR 5.615]

The NBHA counts imputed welfare income (defined below) for families whose welfare assistance is reduced specifically because of:

- Welfare fraud; or
- Failure to participate in an economic self-sufficiency program; or
- Noncompliance with a work activities requirement.

However, the NBHA will count actual welfare income if the welfare assistance reduction is a result of:

- The expiration of a lifetime time limit on receiving benefits; or
- A situation where the family has complied with welfare program requirements, but cannot or has not obtained employment, such as;
- The family has complied with welfare program requirements, but the duration time limit; such as a cap on the length of time a family can receive benefits, and causes the family to lose their welfare benefits.

Definition of “Imputed Welfare Income”:

Imputed Welfare income is the amount of annual income projected but, not actually received by a family as a result of a specified Department of Social Services (DSS).

The amount of imputed welfare income is determined by the NBHA, based on written information supplied to the NBHA by the DSS, including:

- The amount of the benefit reduction
- The term of the benefit reduction
- The reason for the reduction
- Subsequent changes in the term or amount of the benefit reduction

The family’s annual income will include the imputed welfare income, as determined at the family’s annual or interim recertification, during the term of the welfare benefits reduction (as specified by the welfare agency).

The amount of imputed welfare income will be offset by the amount of additional income the family receives that commences after the sanction was imposed. When additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income will be reduced to zero.

If the family was not an assisted participant when the welfare sanction began, imputed welfare income will not be included in annual income.

If the family claims the amount of imputed welfare income has been calculated incorrectly, designated staff will review the calculation for accuracy. If the imputed welfare income amount is correct, the NBHA will provide a written notice to the family that include:

- A brief explanation of how the amount of imputed welfare income was determined;
- A statement that the family may request an informal hearing if they do not agree with the NBHA determination.

Family Dispute of Amount of Imputed Welfare Income:

If the family disputes the amount of imputed income and the NBHA denies the family’s request to modify the amount, the NBHA will provide the tenant with a notice of denial, which will include:

- An explanation for the NBHA’s determination of the amount of imputed welfare income.

- A statement that the tenant may request an informal hearing.

A statement that the grievance information received from the welfare agency cannot be disputed at the informal hearing, and the issue to be examined at the informal hearing will be the NBHA's determination of the amount of imputed welfare income, not the DSS determination to sanction the welfare benefits.

Verification of Welfare before denying a Request to Reduce Rent:

The NBHA will obtain written verification from the DSS stating that the family's benefits have been reduced due to fraud or non-compliance with welfare agency economic self-sufficiency or work activities requirements before denying the family's request for rent reduction.

The NBHA will rely on the DSS's written notice to the NBHA regarding welfare sanctions. [24 CFR 5.613]

The NBHA has an understanding with the local DSS to provide the following:

- Notification of public assistance benefits and services to participants in the NBHA's Self-Sufficiency program;
- Provide verification to the NBHA concerning welfare benefits for applicant and participant families, and specified reduction in welfare benefits for a family member, listing:
 - a. Amount of Reduction
 - b. Reason for Reduction
 - c. Term of reduction
 - d. Subsequent redetermination

The NBHA will rely on the DSS's notice regarding the amount of specified benefit reduction.

The NBHA has taken a proactive approach to culminating an effective working relationship between the NBHA and DSS for the purpose of targeting economic self-sufficiency program throughout the community that are available to Housing Choice Voucher Program families.

D. NOTIFICATION OF RESULTS OF RECERTIFICATION:

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

The Notice of Rent change is mailed to the owner and the tenant. Staff is not required to sign these notices by the NBHA. If the family disagrees with the rent adjustment, they may request an informal hearing.

E. TIMELY REPORTING OF CHANGES FAMILY COMPOSITION:

Changes in family composition require an interim recertification and may result in either an increase or decrease in Tenant Rent.

Standard for Timely Reporting of Changes:

The NBHA requires that the family report in writing any change to family composition to the NBHA immediately when the change occurs. If the change is not reported within the required time, or if the family fails to provide documentation or signatures, it will be considered untimely reporting.

Procedures when the Change is reported in a Timely Manner:

The NBHA will notify the family and the owner of any change in the Housing Assistance payment to be effective according to the following guidelines:

- Increases in the Tenant Rent are effective on the first of the month following at least thirty days' notice.
- Decreases in the Tenant Rent are effective the first of the month, following the month in which the NBHA is provided adequate written documentation. However, no rent reductions will be processed until all the facts have been verified, even if a retroactive adjustment results.

Procedures when the Change is not reported by the Family in a Timely Manner:

“Processed in a timely manner”, means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the NBHA in a timely manner.

In this case, an increase will be effective after the required notice prior to the first of the month after completion of processing by the NBHA.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

F. **CHANGES IN VOUCHER SIZE AS A RESULT OF FAMILY COMPOSITION CHANGES:**

(See “Subsidy Standards”, Chapter of this Administrative Plan)

G. **CONTINUANCE OF ASSISTANCE FOR “MIXED” FAMILIES:**

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

H. **MIS-REPRESENTATION OF FAMILY CIRCUMSTANCES:**

If any participant deliberately misrepresents the information on which eligibility or tenant rent is established, the NBHA may terminate assistance and may refer the family file/record to the proper authorities for appropriate disposition. (See Program Integrity Addendum of this Administrative Plan).

I. **REPORTING OF CHANGES IN FAMILY COMPOSITION:**

All changes in family composition must be reported immediately to the NBHA.

Increases in Household Size:

Increases other than by birth, adoption or court-awarded custody must have the prior approval of the owner and the NBHA.

If the addition would result in overcrowding according to HQS maximum occupancy standards, the NBHA will need to review funding availability to approve the addition to the household. The NBHA will only consider the following if funding is available:

- Addition by marriage/or marital-type relation.
- Addition of minor who is a member of the nuclear family who had been living elsewhere.
- Addition of a NBHA approved live-in attendant.
- Addition due to new birth, adoption or court-awarded custody.

If a change due to birth, adoption, court-awarded custody, or need for a live-in attendant requires a larger size unit due to overcrowding, the change in voucher shall be made in writing based on availability of funding. Increases in voucher will only be given based on funding availability.