

**HOUSING AUTHORITY (HA)
DENIAL OR TERMINATION OF ASSISTANCE TO THE FAMILY**

- Action or inaction by the family
- Denial of an applicant includes: denying listing on the waiting list; denying or withdrawing a certificate or voucher, refusing to enter into a HAP contract or approve a lease, and refusing to process or provide assistance under portability procedures.
- Termination of assistance for a participant may include any or all of the following: refusing to enter into a HAP contract and refusing to process or provide assistance under portability procedures.

Grounds for denial or termination of assistance:

1. If the family violates any family obligations under the program.
2. If a family member fails to sign and submit consent forms.
3. If a HA has ever terminated assistance under the certificate or voucher program for any member of the family.
4. If any member of the family or guest commits drug-related criminal activity, or violent criminal activity including domestic violence.
5. If any member of the family has committed fraud, bribery or any other corrupt or criminal act in connection with any Federal housing program, including truthful disclosures on all submissions to the HATC.
6. If the family currently owes rent or other amounts to the Housing Authority or to another Housing Authority in connection with Section 8 or public housing assistance under the 1937 Act.
7. If the family breaches an agreement with the Housing Authority to pay amounts owed to a Housing Authority, or amounts paid to an owner by a Housing Authority.
8. If the family has engaged in or threatened abusive or violent behavior toward Housing Authority staff, volunteers or commissioners.
9. If any household member is subject to a lifetime registration requirement under a State sex offender registration program.
10. If a household member's illegal use (or pattern of illegal use) of a controlled substance, or whose abuse (or pattern of abuse) of alcohol, is determined by the HATC to interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.
11. If a household member is convicted of producing methamphetamine on the premises of the assisted housing in violation of any state or federal law. (Permanent denial).
12. If the family has not made repayments to a former landlord for charges in excess of \$500, which were determined by the Housing Authority to have been due to cleaning or repairs beyond normal wear and tear or charges which are the liability of the family.
13. The HATC may terminate assistance if there is a preponderance of evidence that a member of the participant household has committed a violent or criminal act.
14. If a family member does not establish citizenship or eligible immigration status. See CFR 812.9.
15. Any other actions covered by Federal statute or regulations.

EXCEPTIONS TO TERMINATION DECISION

Special exceptions will be made for other household members if the offending adult is restricted from the household and other members can continue to be assisted on the program to avoid undue hardship to the remaining innocent members. This will pertain only if there is reason to believe that the non-using member of the household did not know of or attempted to stop the illegal behavior. In the case of a juvenile offender, family circumstances will be considered.

Considering Circumstances

In deciding whether to terminate assistance because of action or inaction by members of the family, the Housing Authority may consider all of the circumstances in each case, including the seriousness of the case, the extent of participation or culpability of individual family members, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure.

The Housing Authority may impose, as a condition of continued assistance for other family members, a requirement that family members who participated in or were culpable for the action or failure will not reside in the unit. The Housing Authority may permit the other members of a participant family to continue receiving assistance.

If the Housing Authority seeks to terminate assistance because of illegal use, or possession for personal use, of a controlled substance, or pattern of abuse of alcohol, such use or possession or pattern of abuse must have occurred within one year before the date that the Housing Authority provides notice to the family of the Housing Authority determination to deny or terminate assistance. In determining whether to terminate assistance for these reasons the HATC will consider evidence of whether the household member:

1. Has successfully completed a supervised drug or alcohol rehabilitation program (as applicable) and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol;
2. Has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol; or
3. Is participating in a supervised drug or alcohol rehabilitation program and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol.