

**Chapter 1**  
**STATEMENT OF POLICIES AND OBJECTIVES**  
**(Revised September 2012)**  
**(Revised October 2013)**  
**(Revised December 2017)**

The Section 8 Program was enacted as part of the Housing and Community Development Act of 1974, which recodified the U.S. Housing Act of 1937. The current Housing Choice Voucher (HCV) Program (also referred to as the Section 8 Program) has evolved from various acts, amendments and rules. The most recent changes are the Quality Housing and Work Responsibility Act of 1998 (QHWRA) and the 1999 Housing and Urban Development (HUD) Rule that provided for the merger of the certificate and voucher programs into one HCV Program.

Administration of the HCV Program and the functions and responsibilities of the Housing Authority (PHA) staff shall be in compliance with the PHA's Personnel Policy, the Department of Housing and Urban Development's (HUD) Regulations, as well as all Federal, State and local Fair Housing Laws and Regulations.

**Jurisdiction**

The jurisdiction of the PHA is the County of Johnson, State of Kansas, which includes every city in the County with the exception of the City of Olathe who have their own PHA.

**A. HOUSING AUTHORITY MISSION STATEMENT**

The Johnson County Housing Authority (JCHA) will administer the Housing Choice Voucher Program in a manner that is consistent with the policies of the U.S. Department of Housing and Urban Development and the Johnson County Human Services Department. The JCHA will not, on account of race, color, religion, sex, handicap, familial status or national origin deny families or individuals the opportunity to lease dwelling units suitable for their need, if eligible. JCHA will promote safe, decent and affordable housing, economic opportunity and a suitable living environment free from discrimination.

We will perform our mission with:

- Compliance
- Accountability
- Communication
- Customer Focus
- Dignity
- Fairness
- Respect
- Sensitivity

**B. LOCAL OBJECTIVES**

The HCV Program is designed to achieve these major objectives:

- To assist 75% of extremely low income families before serving 25% of very low income families with rent subsidy.
- Increase assisted housing choices by conducting outreach efforts to potential voucher landlords.
- Provide opportunities for participants of the HCV/FSS programs to participate in the homebuyer down payment assistance program.
- Work collaboratively with partnering agencies in the community to promote family self-sufficiency and identify opportunities which address educational and socio-economic needs;
- Expand the supply of assisted housing by applying for additional rental vouchers from HUD when available.
- Seek and apply for other grant/funding opportunities to expand on current rental assistance program.
- Manage the HCV Program to achieve high performance rating on Section Eight Management Assessment Program (SEMAP).
- Provide resources for services to participants of the program targeting special needs of the elderly/disabled, unemployed participants, those seeking to complete educational goals, family health services and first-time homebuyer education.
- To promote fair housing and the opportunity for very low-income families of all ethnic backgrounds to have access to the widest possible choice of housing to meet their housing needs;
- To administer an efficient, high performing Authority through continuous improvement of the PHA's support systems and commitment to our employees, their development, and maintenance of high standards and professionalism.
- To expand affordable housing opportunities in areas outside of a high concentration of poverty
- To create a positive public awareness and expand the level of family, owner and community support in accomplishing the PHA's mission
- To ensure compliance with Title VI of the Civil Rights Act of 1964 and all other applicable Federal Laws and regulations so the admissions and continued occupancy are conducted without regard to race, color, religion, creed, sex, national origin, handicap or familiar status;
- To promote a safe environment by denying initial or continued assistance to applicants who have demonstrated a history of violent criminal or drug related activity.
- To exercise the housing authority's right to act according to the Violence Against Women Act and Department of Justice Reauthorization Act of 2005 (VAWA) which prevents the removal of assistance from certain persons living in Section 8 assisted housing if the asserted grounds for such action is an instance of domestic violence, dating violence, sexual assault, or stalking, as those terms are defined in Section 3 of the United States Housing Act of 1937 as amended by VAWA (42 U.S.C. 13925).

**C. PURPOSE OF THE PLAN**

The purpose of this Administrative Plan is to establish guidelines for the Public Housing Authority Staff to follow in determining eligibility for admission and continued occupancy. These policies are governed by the requirements of the Department of Housing and Urban Development with latitude for local policies and procedures. These policies and procedures for admissions and continued occupancy are binding upon applicants, participants, and the PHA. References to Code of Federal Regulations in the title of a section or paragraph are intended for reference only, not to restrict the Authority from setting its own policies, as permitted by law.

The Administrative Plan seeks to communicate its policies to staff and the public. However, the PHA retains the discretion to consider mitigating circumstances in its decisions to terminate or deny housing assistance. All relevant circumstances will be considered on an individual basis up to and including at the time of the Informal Review or Informal Hearing. The PHA is responsible for complying with all changes in HUD regulations pertaining to these programs. If any changes conflict with this Administrative Plan, HUD regulations will have precedence.

The Administrative Plan is set forth to define the PHA’s local policies for operation of the housing programs in the context of Federal laws and regulations. All issues related to the HCV program which are not addressed in this document are governed by such Federal regulations, HUD memos, notices, or other applicable law.

Applicable regulations include:

- 24 CFR Part 5: General Program Requirements
- 24 CFR Part 8: Nondiscrimination
- 24 CFR Part 982: Section 8 Tenant-Based Assistance: Housing Choice Voucher Program

The Johnson County, KS County Manager will approve any significant amendment to this Administrative Plan. Significant amendment is defined in the PHA Annual Plan.

**D. ADMINISTRATIVE FEE RESERVE [24 CFR 982.54(d) (21)]**

Expenditures of any amount from the Administrative Reserve (Unrestricted Net Position) for other housing purposes will require prior approval of the Housing Director and the Human Services Director.

**E. FAIR HOUSING POLICY [24 CFR 982.54(d) (6)]**

It is the policy of the Housing Authority to comply fully with all Federal, State, and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

The PHA shall not deny any family or individual the equal opportunity to apply for or receive assistance under the Section 8 Programs on the basis of race, color, sex, religion, creed, national or ethnic origin, age, familial or marital status, handicap or disability or sexual orientation.

To further its commitment to full compliance with applicable Civil Rights laws, the PHA will provide Federal/State/local information to Voucher holders regarding unlawful discrimination and any recourse available to families who believe they are victims of a discriminatory act. Such information will be made available during the family briefing session, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made a part of the Voucher holder's briefing packet and available upon request at the offices of Johnson County Housing Authority.

Fair Housing posters are posted throughout the Housing Authority office/s, including in the lobby and interview rooms and the equal opportunity logo will be used on all outreach materials. Staff will attend local fair housing update training sponsored by HUD and other local organization to keep current with new developments.

Except as otherwise provided in 24 CFR 8.21(c)(1), 8.24(a), 8.25, and 8.31, no individual with disabilities shall be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination because the PHA's facilities are inaccessible to or unusable by persons with disabilities. Posters and housing information are displayed in locations throughout the PHA's office in such a manner as to be easily readable from a wheelchair. The Johnson County Housing Authority office(s) is accessible to persons with disabilities. Accessibility for the hearing impaired is provided by the TDD (913)715-6633

**F. REASONABLE ACCOMMODATIONS POLICY [24 CFR 100.202]**

It is the policy of this PHA to be service-directed in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services to families.

An applicant or participant with a disability must first request an accommodation for the disability before the PHA will deviate from standard practice. Most requests will be reviewed by the Executive Director.

The PHA's policies and practices are intended to afford persons with disability equal opportunity to obtain the same result, to gain the same benefit or to reach the same level of achievement, as those who do not have disabilities and is applicable to all situations described in this Administrative Plan. To request a reasonable accommodation due to a disability, an applicant or participant must qualify under the following Americans with Disabilities Act (ADA) definition:

A physical or mental impairment that substantially limits one or more of the major life activities of an individual;

A record of such impairment; or

Being regarded as having such an impairment

The PHA will fully comply with the obligations found in HUD Notice PIH 2006-13 (HA) [Accessibility Notice: Section 504 of the Rehabilitation Act of 1973; the American with Disabilities Act of 1990; the Architectural Barriers Act of 1968 and the Fair Housing Act of 1988].

Rehabilitated former drug users and alcoholics are covered under the ADA. However, a current drug user is not covered. In accordance with 5.403, individuals are not considered disabled for eligibility purposes solely on the basis of any drug or alcohol dependence. Individuals whose drug or alcohol addiction is a material factor to their disability are excluded from the definition. Individuals are considered disabled if disabling mental and physical limitations would persist if drug or alcohol abuse discontinued.

Reasonable accommodation will be made for persons with a disability that requires an advocate or accessible offices. A designee will be allowed to provide some information, but only with the permission of the person with the disability.

All PHA mailings will be made available in an accessible format upon request, as a reasonable accommodation.

### **Verification of Disability**

The PHA will verify disabilities under definitions in the Fair Housing Amendments Act of 1988, Section 504 of the 1973 Rehabilitation Act, and Americans with Disabilities Act.

To verify that an applicant is a person with a disability, PHA staff will first check to see whether the applicant is under the age 62 and receives either Social Security or SSI disability income.

Some applicants or tenants may be persons with disabilities even though they do not have such income. In these cases, a verification form will be sent to a qualified professional having knowledge of the person's disability who can verify the person's status or as a second tier verification, the applicant/participant may provide such a statement from the qualified professional on proper letterhead.

The PHA staff will work with the individual client to determine the least intrusive or restrictive means for certifying a disability.

Once the individual's disabled status is established, a professional third-party, competent to make an assessment must provide written verification that the specific accommodation is due to the disability and the specific change is required for equal access to the housing program.

If the PHA finds that the requested accommodation creates an undue administrative or financial burden, the PHA will deny the request and/or present an alternate accommodation that will still meet the need of the person.

### **Undue Hardship**

Request for reasonable accommodation from persons with disabilities will be granted upon verification that they meet the need, and do not create an undue financial or administrative burden. The PHA may deny the request and/or present an alternate accommodation that will still meet the need of the person.

An undue administrative burden is one that requires a fundamental alteration of the essential functions of the PHA (i.e., waiving a family obligation) or when considering the available resources of the agency as a whole, the requested accommodation would pose a severe financial hardship on the PHA.

The PHA will provide a written decision to the person requesting the accommodation within 12 days. If the person is denied the accommodation or feels that the alternative suggestions are inadequate, they may request an informal hearing to review the PHA's decision.

### **FAMILY OUTREACH**

The PHA will publicize and disseminate information to make known the availability of housing assistance for low-income families when appropriate. When the PHA's waiting list is opened, the PHA will publicize the availability of housing assistance for low-income families in newspapers of general circulation, minority media and other suitable means. Notices will also be provided in Spanish and Russian as needed.

To reach persons who do not have access to the newspapers, the PHA will distribute fact sheets to broadcasting media, post on the Johnson County, KS website under the Department of Human Services at <http://hsa.jocogov.org>, send email blast to other public service agencies throughout Johnson County, KS advising them of housing eligibility factors/guidelines so proper referrals for housing assistance can be made. The PHA may also utilize public service announcements.

Listed are some of the resources used to advertise the availability of Housing Assistance:

1. Local newspapers including but not limited to The Olathe Daily News, The Kansas City Star, The Kansas City Call, The Kansas City Globe and Dos Mundos. One or all may be used, as the Housing Authority's budget permits.
2. Social Services Agency Network email group to disseminate information to local agencies who serve extremely low and low income families.
3. Senior citizens' meetings and nutrition sites will be visited.
4. The Johnson County branch of NAACP will be contacted to inform minorities about the rental assistance programs.

5. Informational Brochures will be available at the Housing Authority Offices and the Johnson County Human Services Department, as well as distributed to other county and community social service agencies.

**H. PRIVACY RIGHTS [24 CFR 982.551 and 24 CFR 5.212]**

Applicants and participants, including all adults in their households, are required to sign the HUD 9886 Authorization for Release of Information. This document incorporates the Federal Privacy Act Statement and describes the conditions under which HUD/PHA will release family information.

The PHA's policy regarding release of information is in accordance with State and local laws which may restrict the release of family information.

Any and all information which would lead one to determine the nature and/or severity of a person's disability must be kept in a separate folder and marked "confidential" or returned to the family member after its use. The personal information in this folder must not be released except on an "as needed" basis in cases where an accommodation is under consideration. All requests for access and granting of accommodations based on this information must be approved by the Housing Director.

The PHA's practices and procedures are designed to safeguard the privacy of applicants and program participants. All applicant and participant files will be stored in a secure location which is only accessible by authorized staff.

Johnson County, KS utilizes a Central Resource Center which is a shared resource for participating Johnson County, KS departments to maximize service. Client information is only available in this system if signed client authorization is given. The data that is available is client name, date of birth, age, sex, race, address, phone number, case manager name and contact number, department where client received service and service type. County confidentiality policies apply.

PHA staff will not discuss family information contained in files unless there is a reason that is essential to the clients continued participation in housing. Inappropriate discussion of family information or improper disclosure of family information by staff will result in disciplinary action.

**I. OWNER OUTREACH [24 CFR 982.54(d) (5)]**

The PHA makes a concerted effort to keep private owners informed of legislative changes in the tenant-based program, which are designed to make the program more attractive to owners. This includes informing participant owners of applicable legislative changes in program requirements.

- A quarterly newsletter will be forwarded to HCV participating landlords updating them on any new program rules and regulations, as well as any relevant housing industry news.

- Periodically the PHA will conduct landlord workshops.
- The PHA encourages owners of decent, safe and sanitary housing units to lease to participants of the HCV program.
- The staff of the PHA initiates personal contact with private property owners and managers by conducting formal and informal discussions and meetings.
- The PHA will actively encourage and recruit property owners with property located outside areas of minority and poverty concentration and should the PHA determine it is necessary, apply for exception payment standards to make the program more accessible in the PHA's jurisdiction.
- The PHA periodically evaluates the demographic distribution of assisted families to identify areas of high concentration within the jurisdiction and identify where owner outreach should be targeted. The purpose of these activities is to provide more choice and better housing opportunities to families.
- The PHA makes available to clients information on available housing for rent which is submitted by owners who have units that are available in various neighborhoods throughout the Housing Authority's jurisdiction. This information is placed by bedroom size in shelving that is located in the lobby of the Housing Authority. Because the information quickly changes from day to day, it is not compiled into a listing nor mailed out to clients. A client is invited to visit our lobby from 8:00 a.m. to 5:00 p.m. Monday through Friday to review postings. Additionally, we recommend visiting local websites such as [www.kshousingsearch.org](http://www.kshousingsearch.org) and any other rental websites that owners may post rental properties that are located in the Johnson County, KS area.
- A landlord packet is available to acquaint owners and managers with rules and opportunities available under the program.

**J. MANAGEMENT ASSESSMENT OBJECTIVES**

The PHA operates its housing assistance program with efficiency and can demonstrate to HUD auditors that the PHA is using its resources in a manner that reflects its commitment to quality and service. The PHA policies and practices are consistent with the areas of measurement for the following HUD SEMAP indicators.

Selection from the Waiting List  
Reasonable Rent  
Determination of Adjusted Income  
Utility Allowance Schedule  
HQS Quality Control Inspections  
HQS Enforcement  
Expanding Housing Opportunities



Payment Standards  
Annual Re-examinations  
Correct Tenant Rent Calculations  
Pre-Contract HQS Inspections  
Annual HQS Inspections  
Lease-up  
Family Self-Sufficiency Enrollment and Escrow Account Balances  
Bonus Indicator (Deconcentration)

Supervisory quality control reviews will be performed by the Housing Program Manager or other qualified staff (other than the person who performed the work), as required by HUD, on the following SEMAP factors:

Selection from the waiting list  
Rent reasonableness  
Determination of adjusted income  
HQS Enforcement  
HQS Quality Control

Sample of files and records will be drawn in an unbiased manner, leaving a clear audit trail. The minimum sample size to be reviewed will relate directly to each factor and according to HUD regulations.

**K. RECORDS FOR MONITORING PHA PERFORMANCE**

In order to demonstrate compliance with HUD and other pertinent regulations, the PHA will maintain records, reports and other documentation for a time that is in accordance with HUD requirements and in a manner that will allow an auditor, housing professional or other interested party to follow, monitor and or assess the PHA's operational procedures objectively and with accuracy.

The PHA acknowledges that its performance ratings are important to sustain its capacity to maintain flexibility and authority. The PHA intends to diligently manage its current program operations and continuously make efforts to be in full compliance with Housing Choice Voucher/Section Eight Management Assessment Program (SEMAP). The policies and procedures of this program are established so the SEMAP standards are demonstrated and can be objectively reviewed by an auditor whose purpose is to evaluate performance.

**L. LANGUAGE ASSISTANCE FOR LIMITED ENGLISH PROFICIENCY (LEP) PERSONS**

It is the goal of the Housing Authority to be accessible to all residents of its jurisdiction, regardless of race, color, or national origin. Therefore, we will endeavor to provide all families the same high quality customer service no matter what language they speak. In order to serve

limited English proficiency (LEP) families, the Housing Authority is implementing the following activities:

1. The Housing Authority will attempt to identify the primary language of all LEP families on the computer and in their file so appropriate resources can be identified in advance of the family's needing assistance with an appointment.
2. When the Housing Authority publishes Public Notices regarding the waiting list opening, or other correspondence is mailed to clients regarding meetings that they should attend, language will always be included in the communication which states "Upon request, those families needing American sign language or who are LEP families may request an interpreter. Upon notification from the family an appropriate language interpreter will be scheduled and made available to assist the family and the housing staff in serving the family.
3. When the number of families speaking one non-English language exceeds 5% of the number of program participants, the Housing Authority will translate "important" documents into this language. "Important" is defined as those documents addressing safety, participant rights, participant obligations, or communication regarding the loss of housing (i.e. termination of the voucher).
4. When the number of families speaking one non-English language exceeds 5% of the number of program participants, the Housing Authority, when a position is available, will recruit staff that speak, read and write this language.
5. The Housing Authority will post signs in public spaces, in languages known to be spoken by LEP families involved with the Agency, telling them that help is available, upon their request, in their primary language, however, it must be done by appointment so that time is allotted for scheduling with the contracted agency.
6. The Housing Authority will provide training information and encourage current and new staff to attend training about the resources available for LEP families and how to utilize these resources for participating families.
7. When at least 5% of the population of Johnson County, KS speak a non-English language, the Housing Authority will ensure that any outreach to the general community (i.e. when a waiting list opens) is done in those languages.