

Chapter 1: Overview of the Program and ACOP

Chapter 1

OVERVIEW OF THE PROGRAM AND PLAN

INTRODUCTION

The PHA receives its operating subsidy for the public housing program from the Department of Housing and Urban Development. The PHA is not a federal department or agency. A public housing agency (PHA) is a governmental or public body, created and authorized by state law to develop and operate housing and housing programs for low-income families. The PHA enters into an Annual Contributions Contract with HUD to administer the public housing program. The PHA must ensure compliance with federal laws, regulations and notices and must establish policies and procedures to clarify federal requirements and to ensure consistency in program operation.

This chapter contains information about the Kansas City, Kansas Housing Authority and its programs with emphasis on the public housing program. It also contains information about the purpose, intent and use of the Admission and Continued Occupancy Policy (ACOP) and guide.

Part I: The Public Housing Agency (PHA). This part includes a description of the PHA, its jurisdiction, its programs, and its mission and intent.

Part II: The Public Housing Program. This part contains information about the public housing program operation, roles and responsibilities, and partnerships.

Part III: The Admissions and Continued Occupancy Policy (ACOP). This part discusses the purpose and organization of the ACOP and its revision schedule. The instructions also contain guidance for each chapter and how to use the document within your agency.

PART I: THE PHA

1-I.A. OVERVIEW

The Public Housing Program was created by the U.S. Housing Act of 1937.

Administration of the Public Housing Program and the functions and responsibilities of the Public Housing Authority (PHA) staff shall be in compliance with the PHA's Personnel Policy, The Unified Government of Kansas City, Kansas/Wyandotte County, and this Admissions and Continued Occupancy Policy. The administration of this PHA's housing program will also meet the requirements of the Department of Housing and Urban Development. Such requirements include any Public Housing Regulations, Handbooks, and applicable Notices. All applicable Federal, State and local laws, including Fair Housing Laws and regulations also apply. Changes in applicable federal laws or regulations shall supersede provisions in conflict with this policy. Federal regulations shall include those found in Volume 24 CFR, Parts 1, 5, 8, 100 and 900-966 (Code of Federal Regulations).

1-I.B. ORGANIZATION AND STRUCTURE OF THE PHA

The Kansas City, Kansas Housing Authority serves Kansas City, Kansas. The twelve members of the Board of Commissioners serve four year terms. The Commissioners are appointed by the Kansas City, Kansas/Wyandotte County Unified Government. The ten Unified Government

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Commissioners appoint a Board Member each, The Mayor of the Unified Government appoints a member and residents of the Housing Authority elects a resident Board Member.

1-I.C. PHA MISSION STATEMENT:

We help families and individuals with low and moderate incomes achieve greater stability and self-reliance by: Providing safe, affordable, quality housing; partnering with community services and agencies; promoting economic opportunity in a suitable living environment, free from discrimination.

1-I.D. THE PHA'S COMMITMENT TO ETHICS AND SERVICE

It is the policy of the Housing Authority to comply fully with all Federal, State and local nondiscrimination laws and with rules and regulations governing Fair Housing and Equal Opportunity in housing and employment. The PHA will comply with all laws relating to Civil Rights, including:

Title VI of the Civil Rights Act of 1964

Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988)

Executive Order 11063

Section 504 of the Rehabilitation Act of 1973

The Age Discrimination Act of 1975

Title II of the Americans with Disabilities Act (to the extent that it applies, otherwise Section 504 and the Fair Housing Amendments govern)

Any applicable State laws or local ordinances and any legislation protecting individual rights of tenants, applicants or staff that may subsequently be enacted.

The PHA shall not discriminate because of race, color, sex, religion, familial status, disability, national origin, marital status, or sexual orientation in the leasing, rental, or other disposition of housing or related facilities, including land, that is part of any project or projects under the PHA's jurisdiction covered by a contract for annual contributions under the United States Housing Act of 1937, as amended, or in the use or occupancy thereof.

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 PHA is accessible to persons with disabilities. Accessibility for the hearing impaired is provided via the TDD telephone service provider.

There is a strict policy against sexual harassment and other discrimination prohibited by the Fair Housing Act. Sexual harassment includes, but is not limited to, unwanted sexual comments or advances, requests for sexual favors, actions that create a hostile environment, and explicit or implicit conditioning of PHA action based on sex. PHA employees are prohibited from sexually harassing tenants and applicants. Offenders will be disciplined, up to and including termination, as warranted by the circumstances, if they engage in such actions. *See* Personnel Policy of the Housing Authority of Kansas City, Kansas, Section 1.5.

The PHA shall not, on account of race, color, sex, religion, familial status, disability, national origin, marital status, or sexual orientation:

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Deny to any family the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to lease housing suitable to its needs;

Provide housing that is different from that provided to others;

Subject a person to segregation or disparate treatment;

Restrict a person's access to any benefit enjoyed by others in connection with the housing program;

Treat a person differently in determining eligibility or other requirements for admission; or deny a person access to the same level of services.

The PHA shall not automatically deny admission to a particular group or category of otherwise qualified applicants (e.g., families with children born to unmarried parents, elderly families with pets).

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The PHA Executive Services Manager is the designated PHA employee that accepts complaints should an applicant or tenant believes that they have experienced or observed sexual harassment or other unlawful housing discrimination. Any PHA employees who receive a complaint regarding sexual harassment or other unlawful housing discrimination must report the complaint to the PHA Executive Services Manager. Should someone notify the PHA that they believe they have experienced or observed sexual harassment or other unlawful housing discrimination, the PHA Executive Services Manager shall be responsible for contacting that person and advising that person to contact the PHA Executive Services Manager directly or file a complaint with HUD.

The Executive Services Manager may be contacted at [executiveservicesmanager@kckha.org], mailing address; Housing Authority of Kansas City, Kansas, 1124 North 9th Street, Kansas City, Kansas 66101 or at (913)281-3300.

PART II: THE PUBLIC HOUSING PROGRAM

1-II.A. OVERVIEW AND HISTORY OF THE PROGRAM

The United States Housing Act of 1937 (the "Act") is responsible for the birth of federal housing program initiatives, known as public housing. The Act was intended to provide financial assistance to states and cities for public works projects, slum clearance and the development of affordable housing for low-income residents. There have been many changes to the program since its inception in 1937.

The Housing Act of 1965 established the availability of federal assistance, administered through local public agencies, to provide rehabilitation grants for home repairs and rehabilitation. This act also created the federal Department of Housing and Urban Development (HUD).

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The Housing Act of 1969 created an operating subsidy for the public housing program for the first time. Until that time, public housing was a self-sustaining program.

In 1998, the Quality Housing and Work Responsibility Act (QHWRA) – also known as the Public Housing Reform Act or Housing Act of 1998 – was signed into law. Its purpose was to provide more private sector management guidelines to the public housing program and provide residents with greater choices. It also allowed PHAs more remedies to replace or revitalize severely distressed public housing developments. Highlights of the Reform Act include: the establishment of flat rents; the requirement for PHAs to develop five-year and annual plans; income targeting, a requirement that 40% of all new admissions in public housing during any given fiscal year be reserved for extremely low-income families; and resident self-sufficiency incentives.

Will operate a socially and financially sound public housing agency that provides decent, safe, and sanitary housing within a drug free, suitable living environment for tenants and their families.

Will avoid concentrations of economically and socially deprived families in any one or all of the PHA's public housing developments.

Will lawfully deny the admission of applicants, or the continued occupancy of residents, whose habits and practices reasonably may be expected to adversely affect the health, safety, comfort or welfare of other residents or the physical environment of the neighborhood, or create a danger to PHA employees

.Will attempt to house a tenant body in each development that is composed of families with a broad range of incomes and rent-paying abilities that are representative of the range of incomes of low-income families in the PHA's jurisdiction.

Will provide opportunities for upward mobility for families who desire to achieve self-sufficiency.

Will facilitate the judicious management of the PHA inventory, and the efficient management of the PHA staff.

Will ensure compliance with Title VI of the Civil Rights Act of 1964 and all other applicable Federal laws and regulations so that the admissions and continued occupancy are conducted without regard to race, color, religion, creed, sex, national origin, handicap or familial status

1-II.B. PUBLIC HOUSING PROGRAM BASICS

The Public Housing Authority objective is to provide safe, sanitary, and decent housing for very low, low, and moderate income families while maintaining their rent payments at an affordable level.

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1-II.C. THE PUBLIC HOUSING PARTNERSHIPS

The PHA will publicize and disseminate information to make known the availability of housing units and housing-related services for very low income families on a regular basis.

The PHA will communicate the status of housing availability to other service providers in the community. The PHA will advise them of housing eligibility factors and guidelines in order that they can make proper referrals for those who seek housing.

When the PHA's waiting list is open, the PHA will periodically publicize the availability and nature of housing assistance for very low income and low income families in a newspaper of general circulation, including local minority publications and other suitable means.

1-II.D. APPLICABLE REGULATIONS

Will include any Public Housing Regulations, Handbooks, and applicable Notices. All applicable Federal, State and local laws, including Fair Housing Laws and regulations also apply. Changes in applicable federal laws or regulations shall supersede provisions in conflict with this policy. Federal regulations shall include those found in Volume 24 CFR, Parts 1, 5, 8, 100 and 900-966 (Code of Federal Regulations).

PART III: THE ADMISSIONS AND CONTINUED OCCUPANCY POLICY

1-III.A. OVERVIEW AND PURPOSE OF THE POLICY

The purpose of this Admissions and Continued Occupancy Policy (ACOP) is to establish guidelines for the Public Housing Authority (PHA) staff to follow in determining eligibility for admission and continued occupancy. These guidelines are governed by the requirements of the Department of Housing and Urban Development (HUD) with latitude for local policies and procedures. These policies and procedures for admissions and continued occupancy are binding upon applicants, residents, and the PHA.

The PHA Board of Commissioners must approve the original policy and any changes. Required portions of this Plan will be provided to HUD

1-III.B. CONTENTS OF THE POLICY (24CFR 982.54)

This section lists the regulatory requirements of the policy and the additional reasons for the policy language and topics covered.

1-III.C. UPDATING AND REVISING THE POLICY

The PHA will review and update the ACOP as needed to reflect changes in regulations, PHA operations, or when needed to ensure staff consistency in operation.