

SOMERVILLE HOUSING AUTHORITY COMMUNITY SERVICE POLICY

General Requirements

As part of the Quality Housing and Work Responsibility Act of 1998, Congress imposed a requirement that all adult residents of federally funded public housing, unless exempted, must perform community service activities or participate in an economic self-sufficiency program to remain eligible for public housing assistance. Therefore, the federal public housing law now requires that all non-exempt residents must:

- Contribute eight (8) hours per month of community service (not including political activity); or
- Participate in an economic self-sufficiency program for eight (8) hours per month; or
- Perform eight (8) hours each month of combined community service and self-sufficiency activities.

Definitions

Community Service: For the purpose of this policy, community service is the performance of voluntary work or duties for the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident in the community. Community service is not limited to a single type of activity or a single location. Acceptable community service activities include, but are not limited to, improving the physical environment of the resident's development; volunteer work in a local school, hospital, or child care center; working with youth organizations, human services agencies, tenant associations, or other non-profit organization; or helping neighborhood groups on special projects. By statute, political activity is not an eligible form of community service. Political activity is activity on behalf of candidates for elected public office or on behalf of a political party.

Economic Self-Sufficiency Program: For the purpose of this policy, an economic self-sufficiency program is any program designed to encourage, assist, train, or facilitate the economic independence of participants and their families or to provide work for participants. These programs may include, but are not limited to: programs for job training, employment counseling, work placement, basic skills training, education, English language proficiency, work fare, financial or household management, apprenticeship, and any program necessary to ready a participant to work, such as substance abuse or mental health treatment.

Notification of Residents

The Somerville Housing Authority (SHA) will notify all residents of the new community service requirement before the implementation of this policy. The notification will include any explanation of the program and will list the categories of individuals who are exempt from performing community service activities. The notification will describe the verification that will be required to establish an exemption. Definitions and examples of community service and economic self-sufficiency activities will be part of the notice.

The notification will also advise families when the community service obligation will begin. Non-exempt residents will be required to begin performing community service at their first annual redetermination date following the adoption of this policy.

This general notification and all other notices sent to residents regarding this Policy shall include a statement that the resident has the right to request a hearing under the grievance procedure and shall include the names, addresses, and telephone numbers of the local tenant's organization and local legal services organizations.

Exemptions

Resident household members who are under 18 years of age are exempt. The following residents over the age of eighteen (18) are also exempt from this requirement:

1. Resident household members who are sixty (60) years old or older.
2. Resident household members who are blind or disabled as defined in the Social Security Act (Section 216(i) (1) or Section 1614 of the Social Security Act (42 U.S.C. 416(i)(1); 1382(c).

The Social Security Act defines disability as the "inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than twelve months."

Blindness is defined as "central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. Any eye which is accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no less than 20 degrees shall be considered for purposes of this paragraph as having a central visual acuity of 20/200 or less."

Residents who claim exemption because of disability or blindness must also certify that because of this blindness or disability they are unable to comply with the community service requirement. If a resident does not meet this definition of blindness or disability and believes that he or she is unable to perform community service or economic self-sufficiency activity, he or she may apply for an exemption from the requirement as a reasonable accommodation.

3. Resident household members who are the primary caregivers of a blind or disabled individual as previously described.
4. Resident household members who are engaged in a work activity. Work activities include but are not limited to the following:
 - Unsubsidized employment; subsidized private sector employment;
 - Subsidized public sector employment;
 - Work experience, including work associated with refurbishing; publicly assisted housing, if sufficient private sector employment is not available;
 - On-the-job training;
 - Job search and job readiness assistance;
 - Community service programs;
 - Vocational education training not to exceed twelve (12) months;
 - Job skills training directly related to employment;

- Education directly related to employment for a resident who has not received a high school diploma or a certificate of high school equivalency;
 - Satisfactory attendance at a secondary school or in a course of study leading to a certificate or general equivalence for a resident who has not completed high school or received such a certificate; or
 - The provision of childcare services to an individual who is participating in a community service program.
5. Resident household members who meet the requirements for being exempted from work activity under Part A of Title IV of the Social Security Act (42 USC Section 601, et seq.) or under any other state welfare program, including a state-administered welfare-to-work program. Current exemptions from state welfare programs include but are not limited to the following:
- Disabled person as defined in the Massachusetts TAFDC program;
 - Pregnant woman (TAFDC);
 - Caretaker of a child under the age of two (2) (TAFDC); and
 - Person age of 60 years old or older (TAFDC)
6. Resident household member of a family receiving assistance, benefits or services under a state program funded under Part A of Title IV of the Social Security Act (42 USC 601, et. Seq.) or under any other state welfare program, including a state-administered welfare-to-work program, and who has not been found in non-compliance with that program.

In accordance with HUD guidelines, persons eligible for a disability deduction in rent are not automatically exempt from the community service requirement. A resident is exempt only to the extent the disability makes the person “unable to comply” with the community service requirement.

Initial Determination of Exemption

For the first year after the implementation of this policy, a comprehensive information sheet describing the community service requirement will accompany the letter sent to each head of household asking them to come into the development management office to begin the Tenant Status Review (TSR) process. The notice will describe the exemptions and outline the verification required to establish each exemption. The head of household will be asked to provide the required verification to the property manager during the ninety-day status review period.

All applicants will be provided with an information sheet describing the community service/self-sufficiency requirement at the time they make their final application. At the time the lease is signed, the property manager will again provide the head of household with the community service information sheet. The head of household will be asked to declare which household members are exempt from community service and provide the appropriate verifications.

In order to establish an exemption, the following verification must be provided:

- Disability or blindness. Receipt by a household member of Social Security Disability Insurance (SSDI), Supplemental Security Income (SSI), or Emergency Aid to the

Elderly, Disabled, and Children (EAEDC), disability benefits or receipt of a determination of exemption from TAFDC, Food Stamps, or other state welfare program's work activity requirements shall be deemed proof of disability under this policy. A household member whose application for SSDI, SSI, or EAEDC disability benefits is pending shall be deemed disabled unless and until a denial of the application is received. Any resident who believes they meet the definition of disability included in this policy may submit a statement from their treating physician providing SHA staff with facts that will assist them in determining whether the resident is disabled within the definition applicable under this policy. If a resident does not meet this definition but still believes that he or she is unable to perform community service, the resident may apply for a reasonable accommodation. Residents who are determined to be exempt because of blindness or disability under SSDI or SSI shall also sign a statement certifying that they are unable to comply with the community service requirement because of the blindness or disability.

- Primary caregiver of a disabled or blind person. A statement from the person being cared for or his or her guardian affirming that the resident seeking exemption acts as the primary caregiver and the period during which (s)he is expected to continue in that role shall be adequate verification.
- Engaged in work activity. The verification of employment income provided to SHA for rent determination shall be adequate for this purpose. Verification of participation in job training or other qualifying program must be submitted by providing the appropriate paperwork.
- Exempt from work activity under state welfare program. Verification of the exemption should be obtained from the Massachusetts Department of Transitional Assistance if the resident is a TAFDC or EAEDC recipient. Non-recipients should provide appropriate third party documentation of exempt status.
- Member of a family who receives assistance from a state welfare program and is not in non-compliance with that program. Verification of receipt of program assistance and that family member is not in non-compliance, should be obtained from the Department of Transitional Assistance.

The manager will make a determination of exempt status and notify the resident. If the resident disagrees with the determination, he or she may file a grievance under the SHA grievance procedure. The exemption status for each household member will be entered on the client worksheet.

Notification of Eligible Activities

Prior to the effective date of this policy, and at least once annually thereafter, the SHA shall contact a reasonable number of eligible community service host agencies for the purpose of developing a list of community service placements.

The SHA shall provide families with non-exempt members with a list of approved community service placements containing a brief description of the opportunities and the name, address, and telephone number of the contact person. If a non-exempt household member elects to

perform community service at an organization not identified on the SHA prepared list, the member may seek approval from the SHA.

If a community service placement agency requires a CORI check of the volunteer as a condition of such community service, then the SHA shall offer to obtain and provide such CORI to the agency, at no charge to the tenant and upon written consent of the affected tenant.

The SHA shall not impose any sanction on a family with non-exempt members unless it first provides the family with an appropriate and available placement, with due regard to the non-exempt member's linguistic capabilities, disabilities and transportation needs.

Continuing Determination of Exemption and Compliance

Each year, as part of the Tenant Status Review, the property manager will determine whether each non-exempt household member has complied with the community service requirement of 96 hours per year and whether each exempt household member continues to be exempt.

Included with the letter requesting the head of household to come to the office for the status review will be a reminder that resident compliance with and/or exemption from community service will be determined as part of the status review. A list of exemption categories, a reminder that certain exemptions from the community service requirement must be reviewed annually and a description of the documentation needed to support each exemption will be attached to the letter. Also included with the letter will be Verification of Compliance forms for each household member who was required to perform community service. These forms must be completed and returned to the property manager at least thirty (30) days before the lease term expires. The form includes confirmation of:

- The number of hours of community service/self-sufficiency work completed;
- The type of work completed;
- The community organization where the work was completed
- The signature, name, title, address and telephone number of the person supervising completion of the work.

At the time of the status review, the manager will reconfirm the exemption status of each household member. The head of household may provide the property manager with the required documentation for any change in status claimed by an adult family member. The manager will reconfirm the following exemption categories annually:

- Blindness or disability
- Primary caregiver
- Engaged in work activity
- Exempt from work activity under a state welfare program
- Exempt through receipt of assistance, benefits or services from a state welfare program and not in non-compliance with that program

If a household member becomes exempt from the community service requirement during a lease term and informs the manager so that the exemption can be verified, he or she shall be exempt from performing community service for the entire year. Unemployed residents, for example, may request an exemption if they find work or state a job-training program. If a resident is determined by SHA to become exempt during the year, s/he will be excused from the

entire annual 96-hour requirement. There is no obligation for a resident to report a change in status from exempt to non-exempt during a lease term.

If the household is found to be in compliance with the community service/self-sufficiency requirement, the lease will be automatically renewed. An annual lease signing process is not necessary.

Non-Compliance

If the SHA determines that a non-exempt resident has not complied with the community service/self-sufficiency requirement, the property manager must notify the head of household of the noncompliance in writing. This notification must inform the resident that:

- A non-exempt member of their household has been found in non-compliance with a statement of the specific facts and sources of those facts supporting such determination;
- The determination of noncompliance is subject to the SHA's grievance procedure.
- Unless the resident enters into an agreement to cure or the non-compliant adult no longer resides in the unit, the lease of the family of which the non-compliant adult is a member shall not be renewed; and
- The resident has the opportunity to cure the noncompliance during the next twelve (12) month period.

To take advantage of the statutory opportunity to cure, the non-compliant adult and the head of household must sign an agreement stating that the non-compliant adult will complete, over the next twelve (12) month term of the lease, the additional hours of community service or economic self-sufficiency activity needed to reach the required total of 96 hours for the prior year. These additional hours must be performed in addition to the 96 hour requirement for the current lease year. If a non-compliant adult becomes employed during a period over the next twelve (12) month term of the lease, additional hours of community service or economic self-sufficiency activity must be provided to reach the required total of 96 hours for the prior year.

As is required by law, continued non-compliance after the opportunity to cure will result in the commencement of eviction proceedings against the entire household, unless the non-compliant family member is no longer part of the household.

Documentation

The property manager must retain documentation of community service or economic self-sufficiency participation and/or exemption in the resident's file.

At lease signing for new residents or at the Tenant Status Review for current residents, the manager must ensure a Certification of Exemption Status form is completed for each adult household member claiming an exemption from the community service/self-sufficiency requirement. Supporting documentation will be requested of the resident to verify exempt status and copies of the verification will be retained in the file.

At the time of the annual Tenant Status Review, the head of household is responsible for ensuring that a Verification of Compliance form is completed by the appropriate authority for every non-exempt household member. This form will also be maintained in the resident file.

Grievance Procedure

Upon filing a written request, as provided in the Somerville Housing Authority Grievance Procedure, any resident who disagrees with the SHA action or failure to act in accordance with the Community Service Policy shall be entitled to a grievance hearing.

Prohibition Against the Replacement of Employees

In implementing the community service requirement, the SHA will not substitute community service for work ordinarily performed by public housing employees or replace a job at any location where community work requirements are performed.

Monitoring

The SHA intends to exercise its option to administer the community service/self-sufficiency requirement through one or more of the following alternatives:

- Directly administer some qualifying community service and economic self-sufficiency activities;
- Make such activities available through partnerships with qualified organizations, including resident organizations and community agencies or institutions.