

HOUSING AUTHORITY OF THE COUNTY OF COOK

COMMUNITY SERVICE POLICY

INTRODUCTION

This Policy explains HUD regulations requiring HACC to implement a community service program for all non-exempt adults living in public housing.

This policy contains two parts:

Part I: Community Service Requirements. This part describes who is subject to the community service requirement, who is exempt, and HUD's definition of economic self-sufficiency.

Part II: HACC Implementation of Community Service. This part provides HACC policy regarding HACC implementation and program design.

PART I: COMMUNITY SERVICE REQUIREMENT

11-I.A. OVERVIEW

HUD regulations pertaining to the community service requirement are contained in 24 CFR 960 Subpart F (960.600 through 960.609). HACC and residents must comply with the community service requirement, effective with HACC fiscal years that commenced on or after October 1, 2000. Per 903.7(1)(1)(iii), HACC Plan must contain a statement of how HACC will comply with the community service requirement, including any cooperative agreement that HACC has entered into or plans to enter into.

Community service is the performance of voluntary work or duties that are a public benefit, and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. Community service is not employment and may not include political activities [24 CFR 960.601(b)].

In administering community service requirements, HACC must comply with all nondiscrimination and equal opportunity requirements [24 CFR 960.605(c)(5)].

11-I.B. REQUIREMENTS

Each adult resident of HACC, who is not exempt, must [24 CFR 960.603(a)]:

- Contribute 8 hours per month of community service; or
- Participate in an economic self-sufficiency program (as defined in the regulations) for 8 hours per month; or
- Perform 8 hours per month of combined activities (community service and economic self-sufficiency programs).

HACC Policy

An individual may not skip a month and then double up the following month, unless special circumstances warrant it. HACC will make the determination of whether to permit a deviation from the schedule.

Individuals who have special circumstances which they believe will prevent them from completing the required community service hours for a given month, must notify HACC in writing within 5 business days of the circumstances becoming known. HACC will review the request and notify the individual, in writing, of its determination within 10 business days. HACC may require those individuals to provide documentation to support their claim.

An individual may request a reasonable accommodation from the Community Service requirements in accordance with the policy on reasonable accommodations contained in the ACOP, chapter 2. Verification of disability may be required in certain circumstances as further specified in the said ACOP.

Definitions

Exempt Individual [24 CFR 960.601(b)] See also Exhibit 11-2 at the end of this Policy)

An *exempt individual* is an adult who:

- Is age 62 years or older
- Is blind or disabled (as defined under section 216[i][1] or 1614 of the Social Security Act), and who certifies that because of this disability s/he is unable to comply with the service provisions
- Is a primary caretaker of such an individual
- Is engaged in work activities

HACC Policy

HACC will consider 20 hours per week as the minimum number of hours needed to qualify for a work activity exemption.

- Meets the requirements for being exempted from having to engage in a work activity under the state program funded under part A of title IV of the Social Security Act, or under any other welfare program of the state in which HACC is located, including a state-administered welfare-to-work program; or
- Is in a family receiving assistance under a state program funded under part A of Title IV of the Social Security Act, or under any other welfare program of the state in which HACC is located, including a state-administered welfare-to-work program, and has not been found by the state or other administering entity to be in noncompliance with such program.

Community Service [PH Occ GB, p. 174]

Community service is volunteer work, which includes, but is not limited to:

- Work at a local institution including but not limited to: school, child care center, hospital, hospice, recreation center, senior center, adult day care center, homeless shelter, indigent feeding program, cooperative food bank, etc.
- Work with a nonprofit organization that serves HACC residents or their children such as: Boy Scouts, Girl Scouts, Boys or Girls Clubs, 4-H programs, PAL, Garden Center, community clean-up programs, beautification programs, other youth or senior organizations
- Helping neighborhood groups with special projects
- Serving as an officer in a resident organization, serving on the resident advisory board
- Caring for the children of other residents so they may volunteer (Subject to disclaimer agreement signed by the child's parent or guardian and the child's caregiver)

NOTE: Political activity is excluded from eligible community service activities.

Economic Self-Sufficiency Program [24 CFR 5.603(b)]

For purposes of satisfying the community service requirement, an *economic self-sufficiency program* is defined by HUD as: Any program designed to encourage, assist, train, or facilitate economic independence of assisted families or to provide work for such families.

These economic self-sufficiency programs can include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeships (formal or informal), or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

Work Activities [42 U.S.C. 607(d)]

As it relates to an exemption from the community service requirement, *work activities* means:

- Unsubsidized employment
- Subsidized private sector employment
- Subsidized public sector employment
- Work experience (including work associated with the refurbishing of 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 educational training (not to exceed 12 months with respect to any individual)
- Job skills training directly related to employment
- Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency
- Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate
- Provision of child care services to an individual who is participating in a community service program (Subject to disclaimer agreement signed by the child's parent or guardian and the child's caregiver)

Notification Requirements [24 CFR 960.605(c)(2)]

HACC must give each family a written description of the community service requirement, the process for claiming status as an exempt person, and the process for HACC verification of exempt status. HACC must also notify the family of its determination identifying the family members who are subject to the service requirement, and the family members who are exempt.

HACC Policy

HACC will provide the family with a copy of the Community Service Policy found in Exhibit 11-1 of this chapter, at lease-up, lease renewal, when a family member is determined to be subject to the community service requirement during the lease term, and at any time upon the family's request.

On an annual basis, at the time of lease renewal, HACC will notify the family in writing of the family members who are subject to the community service requirement and the family members who are exempt. If the family includes non-exempt individuals the notice will include a list of agencies in the community that provide volunteer and/or training opportunities, as well as a documentation form on which they may record the activities they perform and the number of hours contributed. The form will also have a place for a signature by an appropriate official, who will certify to the activities and hours completed.

11-I.C. DETERMINATION OF EXEMPTION STATUS AND COMPLIANCE [24 CFR 960.605(c)(3)]

HACC must review and verify family compliance with service requirements annually at least 30 days before the end of the 12-month lease term. The policy for documentation and verification of compliance with service requirements may be found in Section 11-I.D., Documentation and Verification.

HACC Policy

HACC will not change the effective date of the scheduled annual reexamination to coincide with the lease term.

Annual Determination

Determination of Exemption Status

An exempt individual is excused from the community service requirement [24 CFR 960.603(a)].

HACC Policy

At least 60 days prior to lease renewal, HACC will review and verify the exemption status of all adult family members. This verification will only be done on an annual basis unless the family reports a change or HACC has reason to believe that an individual's exemption status has changed. For individuals who are exempt because they are 62 years of age and older, verification of exemption status will be done only at the initial examination.

Upon completion of the verification process, HACC will notify the family of its determination in accordance with the policy in Section 11-I.B., Notification Requirements.

Determination of Compliance

HACC must review resident family compliance with service requirements annually at least 30 days before the end of the 12-month lease term [24 CFR 960.605(c)(3)]. As part of this review, HACC must verify that any family member that is not exempt from the community service requirement has met his or her service obligation.

HACC Policy

Approximately 60 days prior to the end of the lease term, HACC will provide written notice requiring the family to submit documentation that all subject family members have complied with the service requirement. The family will have 10 business days to submit HACC required documentation form(s).

If the family fails to submit the required documentation within the required timeframe (plus any HACC-approved extension), the subject family members will be considered noncompliant with community service requirements, and notices of noncompliance will be issued pursuant to the policies in Section 11-I.E., Noncompliance.

Change in Status Between Annual Determinations

Exempt to Non-Exempt Status

If an exempt individual becomes non-exempt during the 12-month lease term, it is the family's responsibility to report this change to HACC within 10 business days.

Within 10 business days of a family reporting such a change, or HACC determining such a change is necessary, HACC will provide written notice of the effective date of the requirement, a list of agencies in the community that provide volunteer and/or training opportunities, as well as a documentation form on which the family member may record the activities performed and number of hours contributed.

The effective date of the community service requirement will be the first of the month following 30-day notice.

Non-Exempt to Exempt Status

If a non-exempt person becomes exempt during the 12-month lease term, it is the family's responsibility to report this change to HACC within 10 business days. Any claim of exemption will be verified by HACC in accordance with the policy in Section 11-I.D., Documentation and Verification of Exemption Status.

Within 10 business days of a family reporting such a change, or HACC determining such a change is necessary, HACC will provide the family written notice that the family member is no longer subject to the community service requirement, if HACC is able to verify the exemption.

The exemption will be effective immediately.

11-I.D. DOCUMENTATION AND VERIFICATION [24 CFR 960.605(c)(4)]

HACC must retain reasonable documentation of service requirement performance or exemption in participant files.

Documentation and Verification of Exemption Status

All family members who claim they are exempt from the community service requirement will be required to sign the community service exemption certification form found in Exhibit 11-3. HACC will provide a completed copy to the family and will keep a copy in the tenant file.

HACC will verify that an individual is exempt from the community service requirement by following the verification hierarchy and documentation requirements in Chapter 7.

HACC makes the final determination whether or not to grant an exemption from the community service requirement. If a resident does not agree with HACC's determination, s/he can dispute the decision through HACC's grievance procedures (see Chapter 14).

Documentation and Verification of Compliance

If qualifying community service activities are administered by an organization other than HACC, a family member who is required to fulfill a service requirement must provide certification to HACC, signed by the organization, that the family member has performed the qualifying activities [24 CFR 960.607].

If anyone in the family is subject to the community service requirement, HACC will provide the family with community service documentation forms at admission, at lease renewal, when a family member becomes subject to the community service requirement during the lease term, or upon request by the family.

Each individual who is subject to the requirement will be required to record their community service or self-sufficiency activities and the number of hours contributed on the required form. The certification form will also include places for signatures and phone numbers of supervisors, instructors, and counselors certifying to the number of hours contributed.

Families will be required to submit the documentation to HACC, upon request by HACC.

If HACC has reasonable cause to believe that the certification provided by the family is false or fraudulent, HACC has the right to require third-party verification.

11-I.E. NONCOMPLIANCE

Initial Noncompliance

The lease specifies that it is renewed automatically for all purposes, unless the family fails to comply with the community service requirement. Violation of the service requirement is grounds for nonrenewal of the lease at the end of the 12-month lease term, but not for termination of tenancy during the course of the 12-month lease term [24 CFR 960.603(b)].

If the tenant or another family member has violated the community service requirement, HACC may not renew the lease upon expiration of the 12-month term of the lease, unless the tenant and any other noncompliant family member enter into a written agreement with HACC. Under this agreement the tenant or noncompliant family member must agree to cure the noncompliance by completing the additional hours of community service or economic self-sufficiency needed to make up the total number of hours required, over the 12-month term of the new lease. In addition, all other members of the family who are subject to the service requirement must be currently complying with the service requirement or must no longer be residing in the unit [24 CFR 960.607(c)].

Notice of Initial Noncompliance [24 CFR 960.607(b)]

If HACC determines that there is a family member who is required to fulfill a service requirement, but who has failed to comply with this obligation (noncompliant resident), HACC must notify the tenant of this determination.

The notice to the tenant must briefly describe the noncompliance. The notice must state that HACC will not renew the lease at the end of the 12-month lease term unless the tenant, and any other noncompliant resident, enter into a written agreement with HACC to cure the noncompliance, or the family provides written assurance satisfactory to HACC that the tenant or other noncompliant resident no longer resides in the unit.

The notice must also state that the tenant may request a grievance hearing on HACC's determination, in accordance with HACC's grievance procedures, and that the tenant may exercise any available judicial remedy to seek timely redress for HACC's nonrenewal of the lease because of HACC's determination.

HACC Policy

The notice of initial noncompliance will be sent at least 45 days prior to the end of the lease term.

The family will have 10 business days from the date of the notice of noncompliance to enter into a written agreement to cure the noncompliance over the 12-month term of the new lease, provide documentation that the noncompliant resident no longer resides in the unit, or to request a grievance hearing.

If the family reports that a noncompliant family member is no longer residing in the unit, the family must provide documentation that the family member has actually vacated the unit before HACC will agree to continued occupancy of the family. Documentation must consist of a certification signed by the head of household, as well as, evidence of the current address of the family member that previously resided with them.

If the family does not request a grievance hearing, or does not take either corrective action required by the notice of noncompliance within the required 10 business day timeframe, HACC will terminate tenancy in accordance with the policies in Chapter 13, Section 13-IV.D.

Continued Noncompliance [24 CFR 960.607(b)]

If, after the 12-month cure period, the family member is still not compliant, HACC must terminate tenancy of the entire family, according to HACC's lease, unless the family provides documentation that the noncompliant resident no longer resides in the unit.

HACC Policy

Notices of continued noncompliance will be sent at least 30 days prior to the end of the lease term and will also serve as the family's termination notice. The notice will meet the requirements for termination notices described in Chapter 13 of the ACOP, Section 13-IV.D, Form, Delivery, and Content of the Notice.

The family will have 10 business days from the date of the notice of non-compliance to provide documentation that the noncompliant resident no longer resides in the unit, or to request a grievance hearing.

If the family reports that a noncompliant family member is no longer residing in the unit, the family must provide documentation that the family member has actually vacated the unit before HACC will agree to continued occupancy of the family. Documentation must consist of a certification signed by the head of household as well as evidence of the current address of the noncompliant family member that previously resided with them.

If the family does not request a grievance hearing, or provide such documentation within the required 10-business day timeframe, the family's lease and tenancy will automatically terminate at the end of the current lease term without further notice.

PART II: IMPLEMENTATION OF COMMUNITY SERVICE

11-II.A. OVERVIEW

HACC must develop a policy for administration of the community service and economic self-sufficiency requirements for public housing. It is in HACC's best interests to develop a viable, effective community service program, to provide residents the opportunity to engage in the community and to develop competencies.

HACC Program Design

HACC may administer qualifying community service or economic self-sufficiency activities directly, or may make community service activities available through a contractor, or through partnerships with qualified organizations, including resident organizations, and community agencies or institutions [24 CFR 960.605(b)].

HACC Procedure

HACC will attempt to provide the broadest choice possible to residents as they choose

community service activities.

HACC's goal is to design a service program that gives residents viable opportunities to become involved in the community and to gain competencies and skills. HACC will work with resident organizations and community organizations to design, implement, assess and recalibrate its community service program.

HACC will make every effort to identify volunteer opportunities throughout the community, especially those in proximity to public housing developments. To the greatest extent possible, HACC will provide names and contacts at agencies that can provide opportunities for residents, including persons with disabilities, to fulfill their community service obligations.

Any written agreements or partnerships with contractors and/or qualified organizations, including resident organizations, are described in HACC's Plan.

EXHIBIT 11-1: COMMUNITY SERVICE AND SELF-SUFFICIENCY POLICY

A. Background

The Quality Housing and Work Responsibility Act of 1998 requires that all non-exempt (see definitions) public housing adult residents (18 or older) contribute eight (8) hours per month of community service (volunteer work) or participate in eight (8) hours of training, counseling, classes or other activities that help an individual toward self-sufficiency and economic independence. This is a requirement of the public housing lease.

B. Definitions

Community Service – volunteer work, which includes, but is not limited to:

- Work at a local institution, including but not limited to: school, child care center, hospital, hospice, recreation center, senior center, adult day care center, homeless shelter, indigent feeding program, cooperative food bank, etc.
- Work with a nonprofit organization such as: Parks and Recreation, United Way, Red Cross, Volunteers of America, Boy Scouts, Girl Scouts, Boys or Girls Clubs, 4-H Program, PAL, Garden Center, community clean-up programs, beautification programs, other counseling, aid, youth or senior organizations
- Helping neighborhood groups with special projects
- Serving as an officer in a resident organization
- Serving on the Resident Advisory Board
- Caring for children of other residents so they may volunteer (Subject to disclaimer agreement signed by the child's parent or guardian and the child's caregiver)
-

NOTE: Political activity is excluded, thus it is not eligible community service for the purpose of this policy.

Self-Sufficiency Activities – activities that include, but are not limited to:

- Job readiness programs
- Job training programs
- GED classes
- Substance abuse or mental health counseling
- English proficiency or literacy (reading) classes
- Apprenticeships
- Budgeting and credit counseling
- Any kind of class that helps a person toward economic independence
- Student status at any school, college or vocation school

Exempt Adult – an adult member of the family who meets any of the following criteria:

- Is 62 years of age or older
- Is blind or a person with disabilities (as defined under section 216[i][I] or 1614 of the Social Security Act), and who certifies that because of this disability he or she is unable to comply with the service provisions, or is the primary caretaker of such an individuals
- Is working at least 20 hours per week
- Meets the requirements for being exempted from having to engage in a work activity under TANF or any other State welfare program including a State-administered welfare-to-work program
- Is a member of a family receiving assistance, benefits or services under TANF or any other State welfare program and has not been found to be in noncompliance with such program

C. Requirements of the Program

1. The eight (8) hours per month may be either volunteer work or self-sufficiency program activity, or a combination of the two.
2. At least eight (8) hours of activity must be performed each month. An individual may not skip a month and then double up the following month, unless special circumstances warrant special consideration. The housing authority will make the determination of whether to allow or disallow a deviation from the schedule based on a family's written request.
3. Family obligation:
 - At lease execution, all adult members (18 or older) of a public housing resident family must:
 - Sign a certification that they have received and read this policy and understand that if they are not exempt, failure to comply with the community service requirement will result in a nonrenewal of their lease; and
 - Declare if they are exempt. If exempt, they must complete the Exemption Form (Exhibit 11-3) and provide documentation of the exemption.
 - Upon written notice from HACC, non-exempt family members must present complete documentation of activities performed during the applicable lease term. This documentation will include places for signatures of supervisors, instructors, or counselors, certifying to the number of hours contributed.
 - If a family member is found to be noncompliant at the end of the 12-month lease term, he or she, and the head of household, will be required to sign an agreement with the housing authority to make up the deficient hours over the next twelve (12) month period, as a condition of continued occupancy.
4. Change in exempt status:
 - If, during the twelve (12) month lease period, a non-exempt person becomes exempt, it is his or her responsibility to report this to HACC and provide documentation of exempt status.
 - If, during the twelve (12) month lease period, an exempt person becomes non-exempt, it is his or her responsibility to report this to HACC. Upon receipt of this information HACC will provide the person with the appropriate documentation form(s) and a list of agencies in the community that provide volunteer and/or training opportunities.

D. HACC's Obligation

1. To the greatest extent possible and practicable, HACC will:
 - Provide names and contacts at agencies that can provide opportunities for residents, including residents with disabilities, to fulfill their community service obligations.
2. HACC will provide the family with a copy of this policy, and all applicable exemption verification forms and community service documentation forms, at lease-up, lease renewal, when a family member becomes subject to the community service requirement during the lease term, and at any time upon the family's request. Forms may also be found in the website: www.thehacc.org.
3. Although exempt family members will be required to submit documentation to support their exemption, HACC will verify the exemption status in accordance with its verification policies. HACC will make the final determination as to whether or not a family member is exempt from the community service requirement. Residents may use HACC's grievance procedure if they disagree with HACC's determination.
4. Noncompliance of family member:
 - At least thirty(30) days prior to the end of the 12-month lease term, HACC will begin reviewing the exempt or non-exempt status and compliance of family members;
 - If, at the end of the initial 12-month lease term under which a family member is subject to the community service requirement, HACC finds the family member to be noncompliant, HACC will not renew the lease unless:
 - The head of household and any other noncompliant resident enter into a written agreement with HACC, to make up the deficient hours over the next twelve (12) month period; or
 - The family provides written documentation satisfactory to HACC that the noncompliant family member no longer resides in the unit.
 - If, at the end of the next 12-month lease term, the family member is still not compliant, a 30-day notice to terminate the lease will be issued and the entire family will have to vacate, unless the family provides written documentation satisfactory to HACC that the noncompliant family member no longer resides in the unit;
 - The family may use HACC's grievance procedure to dispute the lease termination.

All adult family members must sign and date below, certifying that they have read and received a copy of this Community Service and Self-Sufficiency Policy.

Resident

Date

Resident

Date

Resident

Date

Resident

Date

EXHIBIT 11-2: DEFINITION OF A PERSON WITH A DISABILITY UNDER SOCIAL SECURITY ACTS 216(i)(1) and Section 1416(excerpt from 42 USC 416(i)(1)) FOR PURPOSES OF EXEMPTION FROM COMMUNITY SERVICE

Social Security Act:

216(i)(1): Except for purposes of sections 202(d), 202(e), 202(f), 223, and 225, the term “disability” means (A) 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 12 months, or (B) blindness; and the term “blindness” means central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for purposes of this paragraph as having a central visual acuity of 20/200 or less.

Section 1416 (excerpt):

SEC. 1614. [42 U.S.C. 1382c] (a)(1) For purposes of this title, the term “aged, blind, or disabled individual” means an individual who—

(A) is 65 years of age or older, is blind (as determined under paragraph (2)), or is disabled (as determined under paragraph (3)), and

(B)(i) is a resident of the United States, and is either (I) a citizen or (II) an alien lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law (including any alien who is lawfully present in the United States as a result of the application of the provisions of section 212(d)(5) of the Immigration and Nationality Act), or

(ii) is a child who is a citizen of the United States and, who is living with a parent of the child who is a member of the Armed Forces of the United States assigned to permanent duty ashore outside the United States.

(2) An individual shall be considered to be blind for purposes of this title if he has central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for purposes of the first sentence of this subsection as having a central visual acuity of 20/200 or less. An individual shall also be considered to be blind for purposes of this title if he is blind as defined under a State plan approved under title X or XVI as in effect for October 1972 and received aid under such plan (on the basis of blindness) for December 1973, so long as he is continuously blind as so defined.

(3)(A) Except as provided in subparagraph (C), an individual shall be considered to be disabled for purposes of this title if he is unable 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 which has lasted or can be expected to last for a continuous period of not less than twelve months.

EXHIBIT 11-3: HACC DETERMINATION OF EXEMPTION FOR COMMUNITY SERVICE

Family: _____ Client No. _____

Adult family member: _____

This adult family member meets the requirements for being exempted from HACC's community service requirement for the following reason:

- Is 62 years of age or older. (*Documentation of age in file*)
- Is a person with disabilities states that he or she is unable to comply with the community service requirement. (*Documentation of HUD definition of disability in file*)

Tenant certification: (Check Exemption that applies:

- I am a person with disabilities and am unable to comply with the community service requirement.
- I am the primary caretaker of such an individual in the above category. (*Documentation in file*)
- I am working at least 20 hours per week. (*Employment verification in file*)
- I am participating in a welfare-to-work program. (*Documentation in file*).
- I am a person that meets the requirements for being exempted from having to engage in a work activity under TANF or any other State welfare program, including a State-administered welfare-to-work program (*Documentation in file*)
- I am a member of a family receiving assistance, benefits or services under TANF or any other State welfare program and have not been found to be in noncompliance with such program. (*Documentation in file*)

Signature of Family Member

Date

Signature of HACC Official

Date