

NOTICE

This Notice is to inform you that the Cheyenne Housing Authority Board of Commissioners has opened the Public Comment Period for acceptance of comments for the revisions to the Admissions and Continuing Occupancy Policy (ACOP).

Proposed revisions are intended to comply with new HUD guidance and to incorporate previously board approved Policies.

The proposed Admissions and Continuing Occupancy Policy is available for review on the Cheyenne Housing Authority website at www.cheyennehousing.org or at the Cheyenne Housing Authority's offices:

- In Cheyenne at 3304 Sheridan Street, Cheyenne, Wyoming.
- In Laramie at 1265 North 3rd Street, Laramie, Wyoming.

Comments on the Admissions and Continuing Occupancy Policy are to be submitted in writing (US Mail, email, or hand delivered) to the Cheyenne Housing Authority before 12 NOON Friday May 26,2023 to:

Cynthia Keseru
Deputy Director
3304 Sheridan Street
Cheyenne, WY 82009
ckeseru@cheyennehousing.org

Revision 1: Failure to Disclose and Document Social Security Numbers

Current Policy: The CHA will defer the family's termination and provide the family with opportunity to comply with the requirement for a period of 90 calendar days for circumstances beyond the participant's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency, if there is a reasonable likelihood that the participant will be able to disclose a SSN by the deadline.

Proposed language: The CHA, at its discretion, may defer the family's termination and provide the family with an opportunity to comply with the requirement for a period of up to 90 calendar days when there are circumstances beyond the participant's control - such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency - if there is a reasonable likelihood that the participant will be able to disclose a SSN by the deadline.

Revision 2: Over-Income Families

The Housing Opportunity Through Modernization Act of 2016 (HOTMA), placed an income limitation on Public Housing tenancy. HOTMA defines over-income families as households with income that exceeds 120 percent of the Area Median Income (AMI). Pursuant to HOTMA and HUD's Final Rule (as posted in the Federal Registry effective March 16, 2023) PHA's have the discretion to adopt policies allowing one of two options: 1. Termination of tenancy for families whose income exceeds the limit for program eligibility, or 2. House the family in the same unit as a Market Rate tenant. In the past the CHA Board has taken the position that due to the Low-Income Housing shortage, it is best to have Low-Income families reside in Public Housing units.

Current Policy:

If a household is over-income for two consecutive years, CHA will terminate Public Housing Tenancy.

Proposed revision:

Over-Income Families are notified at their first annual recertification that household income has exceeded the income limit, and if household income exceeds the income limit for a total of 24 consecutive months the household will be subject to termination of tenancy.

At their second annual reexamination, the over-income family will again be notified that they now have 12 consecutive months before being subject to termination of tenancy.

At the end of the 24 consecutive month period, if the family is still over-income, the family will receive a 30-day termination notice.

Revision 3: National Emergency Order for time extension on the Lease termination Notice

Background: On March 13th 2020, the President declared a National Emergency concerning the Coronavirus pandemic. In August 2021, the Supreme Court ended Biden's Moratorium on evictions, but HUD announced that **the existence of a national emergency necessitates the activation of the required minimum 30-day notification period for non-payment of rent.** The National Emergency was supposed to end on March 1, 2023. In the Latest White House Notice, the President anticipates terminating the National Emergency on May 11, 2023.

Due to the ongoing uncertainty regarding current and possible future National Emergency Declarations, the following language is proposed:

Proposed Revision:

The CHA will give residents a 14-day written Notice to Vacate for failure to pay rent; the Notice to Vacate will demand payment in full or surrender of the premises. During a National Emergency, if required by HUD, the 14-day Notice to Vacate will be modified to comply with the Notice-to-Vacate terms defined by the National Emergency; at the end of the National Emergency, CHA will enforce its 14-day Notice to Vacate policy.

Revision 4: Repayment Agreement Guidelines for Families. (Information only)

The Repayment Agreement Policy was adopted by the Board effective January 2023. Most of the Repayment Agreement Policy was cut and pasted from the ACOP, except for the administrative fee of 10% and related language. For consistency, the Administrative fee requirement will be added to the ACOP. Consequently, there are no policy or procedural changes with this addition.