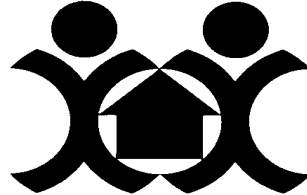


BOSTON HOUSING AUTHORITY



ADMISSIONS AND CONTINUED OCCUPANCY POLICY

FOR THE PUBLIC HOUSING PROGRAMS

Latest Revisions [April 4](#) [October 8](#), 2014
Changed Sections Only

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ইং: কীជា গুরুত্বপূর্ণ নথি। **যদি আপনাকে ব্যাখ্যা প্রয়োজন হয় তবে দয়া করে নিচের**

ফোন নম্বরটি ডায়াল করুন বা আমাদের কার্যালয়

সম্মতি গ্রহণ করুন।

Sa a se yon dokiman enpòtan. Si ou bezwen entèpretasyon, tanpri rele nimewo telefòn ki anba la a oswa vini nan biwo nou.

Tani waa dhokomentii muhiim ah. Haddii aad rabto tarjumaad, fadlan wac lambaraka hoos ku qoran ama imow xafiisyadayada.

هذه وثيقة مهمة، وإذا كنت في حاجة إلى ترجمة فورية، يرجى الاتصال على رقم الهاتف المذكور أدناه أو أن تتفضل بالمجيء إلى مكتبنا.

این یک سند بسیار مهم است. اگر به ترجمه آن نیاز دارید، لطفاً با شماره تلفن زیر تماس بگیرید یا به دفتر ما مراجعه کنید.

Telephone No.: (617) 988-3400



CHAPTER 1: INTRODUCTION AND POLICY

1.1 Introduction

Boston Housing Authority’s Mission Statement: It is the mission of the Boston Housing Authority (“BHA” or “the Authority”) to provide stable, quality affordable housing for low- and moderate-income persons; to deliver these services with integrity and mutual accountability; and to create living environments which serve as catalysts for the transformation from dependence to economic self-sufficiency.

This Admissions and Continued Occupancy Policy (ACOP) describes the admission, occupancy and transfer policies by which the BHA determines eligibility for admission, selects prospective residents, assigns apartments, admits residents, and processes transfers, in a fair and nondiscriminatory manner.

This ACOP is applicable to BHA Public Housing Developments only. The BHA’s Hope VI Program developments utilize a separate HUD approved admissions and occupancy system which can be obtained from the property management agent for those developments.

1.2 Statement of Nondiscrimination

1.2.1 Compliance with Federal and State Laws

It is the policy of the BHA to comply fully with existing Federal and State laws¹ protecting the individual rights of applicants, residents, or staff and any laws subsequently enacted.

1.2.2 Civil Rights and Fair Housing

The Authority does not discriminate because of race, color, sex, sexual orientation, gender identity, religion, age, handicap, disability, national origin, ethnicity, familial status or marital status, in the leasing, rental,

¹ Title VI of the Civil Rights Act of 1964 and the implementing regulations at 24 CFR Part 1; Title VIII of the Civil Rights Act of 1968 (as amended by the Fair Housing Amendment Act of 1988); Executive Order 11063 on Equal Opportunity in Housing and the implementing regulations at 24 CFR Part 107; Section 504 of the Rehabilitation Act of 1973 and the implementing regulations at 24 CFR Part 8; the Age Discrimination Act of 1975 and the implementing regulations at 24 CFR Part 146; and the implementing regulations at 24 CFR Parts 100,108,110, and 121. Title II of the Americans with Disabilities Act and the implementing regulations at 28 CFR Part 35 and M.G.L. Chapter 151B. For BHA’s state-aided housing, applicable regulations are found at 760 CMR 4.00, 5.00 and 6.00 covering housing developed under the Chapter 200, Chapter 667 and Chapter 705 programs.

sale or transfer of apartments, buildings, and related facilities, including land that it owns or controls.²

The BHA shall not, on account of race, color, sex, religion, age, sexual orientation, gender identity, disability, handicap, national origin, ethnicity, marital status or familial status:³

1. Deny to any Household the opportunity to apply for housing, or deny to any qualified Applicant the opportunity to lease housing suitable to his/her needs;
2. Provide housing which is different from that provided others except as required or permitted by law and in accordance with this Policy;
3. Subject any person to segregation or disparate treatment;
4. Restrict a person's access to any benefit enjoyed by others in connection with the housing program;
5. Treat a person differently in determining eligibility or other requirements for admission;
6. Deny a person access to the same level of services available to other similarly situated individuals; or
7. Deny a person the opportunity to participate in a planning or advisory group that is an integral part of the housing program.

1.5 Civil Rights Protection Plan

It is the policy and obligation of the Boston Housing Authority to administer all aspects of its housing programs without regard to race, color, age, sex, sexual orientation, gender identity, national origin, ethnicity, religion, familial or marital status or handicap/disability. The BHA's **Civil Rights Protection Plan** ("CRPP") approved by the U.S. Department of Justice on July 26, 1999, is designed to protect Applicants, residents and their visitors from threats, harassment, violence or abuse while they are on BHA property. (Please refer to the BHA's CRPP for specific policies and procedures).

² Buildings must be owned by the Authority and covered by a contract for annual contributions under the United States Housing Act of 1937 for properties in the Federal program, and/or a Massachusetts Department of Housing and Community Development Contract for Financial Assistance or operating funds for properties in the State program.

³ See M.G.L. Chapter. 151B, § 4 and 42 U.S.C. § 3601

CHAPTER 4: ESTABLISHING AND MAINTAINING WAITING LISTS FOR THE PUBLIC HOUSING PROGRAMS

3. Priority Applicants

Priority status for admission shall be granted to Applicant Households whose verified circumstances at the time of an offer of an apartment (prior to execution of the lease) fall within one of the following categories:

A. ***Displacement due to a disaster***, such as flood or fire, that results in the un-inhabitability of an Applicant's apartment or dwelling unit not due to the fault of the Applicant and/or Household member or beyond the Applicant's control;

Verification must include:

1. a copy of the incident report from the local Fire Department, and
2. a copy of his/her lease, or a statement from the property owner, verifying that s/he is/was the tenant of record at the affected address, and
3. verification from the Fire Department, the Inspectional Services Department, the Health Department or other appropriate agency that the dwelling unit is now uninhabitable.
4. the cause of the disaster if known. If the Applicant or a Household Member or guest was the cause of the disaster, approval for Priority status will be denied unless Mitigating Circumstances are established to the satisfaction of Occupancy Department Staff.

B. ***Displacement due to domestic violence/Dating Violence/Sexual Assault or Stalking***, which is defined as displacement from an address where the Applicant is/was the tenant of record due to sexual assault, continuing actual or threatened physical violence (including sexual abuse) directed against one or more of the household members.

Verification must include submission of a fully completed "Certificate of Involuntary Displacement Due to Domestic Violence/Dating Violence/Sexual Assault or Stalking" or third-party, written verification from the local police department, a social service agency, a court of competent jurisdiction, a clergy member, a physician, or a public or private facility that provides

shelter or counseling to the victims of sexual assault or domestic violence. Such verification will not be considered valid unless it:

- a. Supplies the name of the abuser
- b. Describes how the situation came to verifier's attention; and
- c. Indicates that the threats and/or violence are of a recent (within the past six-(6) months) or continuing nature if the Applicant is still residing in the dwelling where the violence has occurred or is occurring.
- d. Indicates that the Applicant has been displaced because of the threats and/or violence or that the Applicant is in imminent danger where he/she now resides.

The Applicant must supply the name and address of the abuser **AND**

Provide documentation that the Applicant is/was a tenant of record.

C. *Victim of hate crime:* A member of the Household has been a victim of one or more hate crimes AND the Household has vacated a dwelling unit because of this crime OR the fear associated with the crime has destroyed the peaceful enjoyment of the dwelling unit;

- "Hate crime", is defined as any criminal act coupled with overt actions motivated by bigotry and bias including, but not limited to, a threatened, attempted or completed overt act motivated at least in part by racial, religious, ethnic, handicap, gender or sexual orientation, gender identity, prejudice, or which otherwise deprives another person of his/her constitutional rights by threats, intimidation or coercion, or which seeks to interfere with or disrupt a person's exercise of constitutional rights through harassment or intimidation.

Verification must include submission of a fully completed "Certificate of Involuntary Displacement by Hate Crimes" or documentation from a law enforcement agency that the Household Member(s) was a victim of such crime(s); **and**

- a. has vacated the dwelling unit because of such crime(s); **or**

- b. has experienced fear associated with such crime(s) and the fear has destroyed the peaceful enjoyment of their current dwelling unit.

CHAPTER 6: ASSIGNMENTS

6.2.5 Good Cause or Reasonable Accommodation

In certain cases, applicants for admission or residents seeking transfers may require special consideration regarding their housing placement or transfer. Such consideration may address a particular verifiable need with respect to housing accommodations or may be needed to avoid a verifiable hardship.

If the Authority determines, after reviewing the request for such consideration and the documentation submitted in support of it, that the Applicant or transfer applicant qualifies, he/she will be approved for an assignment for Good Cause or Reasonable Accommodation. Applicants for admission must apply for Good Cause or Reasonable Accommodation prior to receiving an offer of an apartment in order to assist the BHA in assigning an appropriate apartment. Residents seeking transfer must apply for Good Cause or Reasonable Accommodation at the time they submit a transfer request at their local management office or before they receive a transfer offer. The BHA maintains a detailed inventory of physical characteristics for all of its apartments for this purpose. These apartment characteristics, as well as the location of the developments/AMPs, will be used in matching an Applicant or transfer applicant in order to address the Good Cause or Reasonable Accommodation need.

The need for an assignment based upon Good Cause or Reasonable Accommodation shall be identified by the Applicant during screening with the assistance of Occupancy Department staff.

The need for a transfer to a particular type of apartment for Good Cause or as a Reasonable Accommodation or to a particular area of the city will be identified by the resident at the time of applying for transfer with assistance of the staff at his/her development/AMP or appropriate BHA staff reviewing the transfer request.

Below is a description of the BHA's procedure for requesting an assignment or transfer for Good Cause or Reasonable Accommodation: (This process must be completed before a housing offer is made):

1. The Applicant must indicate to the Occupancy Department staff, and a resident seeking transfer must advise staff in his/her management office, that he/she requires special consideration in identifying a particular type of apartment or placement in a particular area of the city and;

Good Cause or Reasonable Accommodation must be established in writing by a Qualified Healthcare Provider, or other professional (such as a law enforcement official, medical services provider, or social service provider) familiar with the Applicant's or resident's need, and;

The Applicant must indicate to the Occupancy Department, or the resident seeking transfer must advise staff in his/her management office, of the physical characteristic(s) and/or location of the apartment that is required to address the Applicant's or resident's needs in assignment or transfer during the final eligibility determination process or transfer request submission

Assignment of an Apartment for Good Cause shown by the Applicant or resident **cannot** be related to considerations of race, color, sex, religion, sexual orientation, gender identity, familial status, marital status, ~~religion~~ national origin, or handicap or disability of others. Disabled individuals may apply for a reasonable accommodation under the BHA's Reasonable Accommodation policy.

CHAPTER 11: DEFINITIONS OF TERMS USED IN THIS STATEMENT OF POLICIES

26. Family – A single person, two or more persons regularly living together, related by blood, marriage, adoption, guardianship or operation of law; or who are not so related, but share income and resources and intend to live together in BHA housing. Other persons, including foster children, Personal Care Attendants, and members temporarily absent (including children temporarily assigned to foster care⁴), may be considered a part of the Household group if they are living or will live regularly with the Household. For the federal housing programs as defined by the Department of Housing and Urban Development (HUD) at 24 CFR 5.403.

29. Good Cause - A set of standards used by the Authority to determine the need for and special offer of housing in order to avoid a verifiable hardship. The basis for the special offer must be reliably documented and cannot result in discrimination on the basis of race, color, sex, sexual orientation, gender identity, ethnicity, religion or national origin or handicap or disability.

⁴ See 24 CFR 5.403.