

CHAPTER 18**GLOSSARY**

1937 Act: The Housing Act of 1937 C 42 U.S.C. 1437 et seq.

Absorption: In portability (under subpart H of this part 982): the point at which a receiving HA stops billing the initial HA for assistance on behalf of a portability family. The receiving HA uses funds available under the receiving HA consolidated ACC.

Accessible: the facility or portion of the facility can be approached, entered, and used by individuals with physical handicaps (see Persons with Disabilities).

Adjusted Income: gross income minus allowable HUD (see Housing and Urban Development) deductions for purposes of calculating the applicant or participant's rent.

Administrative fee reserve: an account established by the Housing Authority (HA) from excess administrative fee income.

Administrative Plan: a description of HA policies for administration of the tenant-based and project-based programs. The Administrative Plan and any revisions must be approved by the HA Board and included as a supporting document to the HA Annual MTW Plan.

Admission: the point when the applicant family becomes a participant family in the program. The date used for this purpose is the effective date of the first housing assistance Payment (HAP) contract (see Housing Assistance Payment) for a participant family (first day of initial lease term) in the program.

Annual contributions contract (ACC): the written contract between HUD (see Housing and Urban Development) and the HA (see Housing Authority) under which HUD agrees to provide funding for a program under the 1937 Act, and the HA agrees to comply with HUD requirements for the program.

Annual Income: the anticipated total income of an eligible family from all sources for the 12-month period following the date of determination of income, computed in accordance with the regulations.

Applicant (applicant family): a family that has applied for admission to a program but is not yet a participant in the program.

Briefing: when an applicant family is accepted by the HA (see Housing Authority) into the HCV Program (see Housing Choice Voucher), the family must attend a meeting explaining how the Program works, family responsibilities, and where the family may lease a unit.

Child care expenses: reasonable child care expenses for the care of a child age 12 or under may be deducted from "annual (gross) income" if the expenses enable an adult family member to seek employment actively, be gainfully employed, or further his/her education, and if the expenses are not reimbursed.

Chronically Homeless: A homeless individual or family that has been continually homeless for one year or more or that has had at least four episodes of homelessness during the past three years.

Citizen: a citizen or national of the United States.

Code of Federal Regulations (CFR): an annual publication which contains the cumulative executive agency regulations. The CFR is the compilation of Federal rules which are first published in the Federal Register (see Federal Register) and define and implement a statute.

Co-head: an individual in the household who is equally responsible for the lease and compliance with the family obligations, with the head-of-household (see Head-of-Household). A family may have a co-head or spouse, but not both. A co-head never qualifies as a dependent. The co-head must have legal capacity to enter into a lease.

Computerized random selection: an applicant on the waiting list has been assigned a position number on the waiting list determined by a computer software program.

Consent form: any consent form approved by HUD (see Housing and Urban Development) or the Housing Authority to be signed by adult applicant family members and adult participant family members. This authorization allows the HA to obtain wage and income information, including accessing information through the EIV/UIV database (see Enterprise Income Verification/Upfront Income Verification).

Continuously assisted: an applicant is continuously assisted if the family is already receiving assistance under another 1937 Housing Act housing assistance program when the family is admitted to the HCV program (see Housing Choice Voucher).

Contract: (See Housing Assistance Payments Contract.)

Cooperative (term includes mutual housing): housing owned by a nonprofit corporation or association, and where a member of the corporation or association has the right to reside in a particular apartment, and to participate in management of the housing. A special housing type: see 24 CFR 982.619.

Dependent: a member of the family (except foster children and foster adults) other than the family head-of-household (see head-of-household) or spouse, who is under 18 years of age (except for emancipated minor), or is a person with a disability, or is a full-time student.

Disability assistance expenses: reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled

family member, and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

Disabled family: a family whose head-of-household, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides, is qualified as disabled family.

Disabled person: see Persons with Disabilities.

Displaced family: a family or individual who must move out of the assisted unit as a direct result of rehabilitation, demolition or acquisition for a project in which Federal funds are used is considered a displaced family.

Drug-related criminal activity: the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug. (Read *Family Obligations, Form #10780* for complete list of housing assistance program requirements.)

Elderly family: a family whose head-of-household, spouse, or sole member is a person who is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides.

Eligible Family (Family): a family that is income eligible and meets the other requirements of the Act and Part 5 of 24 CFR, for participation in housing assistance programs.

Evidence of citizenship or eligible immigration status: the official documents which must be submitted to evidence citizenship or eligible immigration status. (See 24 CFR 5.508(b).)

Excepted Units: any units in a multifamily building providing project-based vouchers that are specifically made available for elderly or disabled families, or families receiving supportive services.

Enterprise Income Verification, (EIV)/Upfront Income Verification (UIV): computerized access to wage and other income information; is the highest form of income verification, when available.

Fair Housing: consideration and compliance under Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988.

Fair market rent (FMR): the rent, including the cost of the utilities (except telephone and cable), as established by HUD (see Housing and Urban Development) for units of varying sizes (by number of bedrooms), that must be paid in the housing market area to rent privately owned, existing, decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. See periodic publications in the Federal Register in accordance with 24 CFR part 888. (See Federal Register)

Family: a family may be a single person or a group of persons. The family includes but is not limited to a family with or without children, an elderly family or a near-elderly family, a displaced family, a single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a participant family.

Family Self Sufficiency (FSS): the program established by a Public Housing Authority (PHA) to promote self-sufficiency of assisted families, including the provision of supportive services.

Family share: the amount calculated by subtracting the housing assistance payment from the gross rent; the portion of rent and utilities paid by the family. For calculation of family share, see 24 CFR 982.515(a).

Family unit size: the appropriate number of subsidized bedrooms for a family, as determined by the HA under the HA subsidy standards.

Federal Register (FR): is the official journal of the United States Government that contains most routine publications and public notices of government agencies. It is a daily (except holidays) publication.

Foster Child/Foster Adult: a minor who has been removed from parental care and placed under the jurisdiction of the Dependency System or an adult, usually a person with disabilities, unable to live alone and placed under the jurisdiction of the Dependency System. The foster family has been approved by the County Department of Family and Children Services. Appointed agencies administer payments to families who care for foster children/foster adults until final disposition of the placement is decided. (Not included as income when calculating participant's share of the rent.)

Full-time Student: a person who is attending school or vocational training on a full-time basis. Full-time status is determined by the educational institution. (CFR 5.603)

Gross rent: the contract rent plus any utility allowance.

Group home: a dwelling unit that is licensed by the State as a group home for the exclusive residential use of two to twelve persons who are elderly and/or persons with disabilities (including an authorized live-in aide). A group home is categorized as a special housing type. (See 24 CFR 982.610 to 982.614.)

Guest: a person temporarily staying in the assisted unit, with the consent of the participant family, for no more than 30 cumulative days in any one year.

HAP: Housing Assistance Payments.

HA Plan: the MTW Plan and non-MTW Annual Plan as adopted by the HA and approved by HUD. (See Housing Authority and/or Housing and Urban Development)

Head-of-household: the adult member of the family who is the head of the household for purposes of determining income eligibility and rent. The head-of-household is responsible for

ensuring that all adult family members are compliant to each item on the Family Obligations form. This form is signed by all adult family members at intake and each regularly scheduled reexamination.

Hierarchy of Verification: Confirmation of applicant or participant information must be verified by the Housing Authority, and is accessed in order from the most reliable to the least reliable sources.

Household: any person authorized by the HA to live in the assisted unit, including foster children, adults, and/or live-in aide. These individuals are not members of the family. (See foster children, adults and/or live-in aide)

Housing Assistance Payment: (HAP) a written contract established between the HA and an owner of the complex/unit for the purpose of providing HAP to the owner on behalf of an eligible family, which could include:

- A payment to the owner for rent to the owner under the family's lease; and
- An additional payment to the family if the total assistance payment exceeds the rent to owner.

Housing Authority (HA): a State, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) authorized to engage in or assist in the development or operation of low-income housing. For purposes of this Administrative Plan, the “HA” is the Housing Authority of the County of Santa Clara (HACSC).

Housing Choice Voucher Program (HCV also known as Section 8): a government subsidized housing program administered by local public housing agencies through which income-qualified participants can use government subsidies to reside at any project which meets certain qualifications. Qualified households pay 30% of adjusted income or 10% of gross income, whichever is greater. Government subsidies pay the housing unit owner the difference between what the qualified household pays and the established Payment Standard. (See Payment Standard)

Housing Quality Standards (HQS): minimum quality standards for housing assisted under the HCV Program. HUD’s performance and acceptability criteria for HCV assisted housing are provided in 24 CFR 982.401.

HUD: the United States Department of Housing and Urban Development. The primary agency for sponsoring subsidized housing in the United States, particularly in urban areas.

Imputed Asset Income: HUD passbook rate (variable) is used in calculation of total cash value of assets when assets exceed \$50,000.

Imputed Welfare Income: this income is not actually received by a family as a result of a specified welfare benefit reduction, but is included in the family's annual income and therefore reflected in the calculation to determine the family's rental contribution.

Income Eligibility: the applicant family’s total household income must not exceed income limits established by HUD.

Jurisdiction: the area in which the HA has authority under State and local law to administer the program. (Authorized areas for purposes of this Plan are Santa Clara County and the City of San Jose.)

KinGAP: California payment program designed to support foster children who have been placed in long-term foster-care with a relative caregiver. The program provides relative caregivers who are either unable or unwilling to adopt the child with another option for caring for the child in a permanent placement in the relative's home. Children in foster care are eligible for monthly foster care maintenance payments, as well as other social support services. These payments are **not** included when calculating a family's income.

Landlord: either the owner of the property or his/her representative, or the managing agent or his/her representative, as shall be designated by the owner.

Lease: a written agreement between an owner and a participant family for the leasing of a dwelling unit. The lease establishes the conditions for occupancy of the dwelling unit by a participant family with establishment of a HAP contract between the owner and the HA.

Limited English Proficiency (LEP): a person, who, as a result of national origin, does not speak, read or write English as their primary language. The HA must take reasonable steps to meet their regulatory and statutory obligations to ensure that LEP persons have meaningful access to HUD programs and activities.

Live-in aide: a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

- Is determined to be essential to the care and well-being of the persons;
- Is not obligated for the financial support of the persons; and
- Would not be living in the unit except to provide the necessary supportive services.
- This person is **not** a member of the family, and is **not** subject to income verification.
- This person must sign an authorization form which allows the HA to run a criminal background check.

Local Preference: a preference used by the HA to select among applicant families.

Low Income: a family whose income does not exceed 80% of the median income for the area as determined by HUD with adjustments for smaller or larger families, except that HUD may establish income limits higher or lower than 80% for areas with unusually high or low incomes.

Manufactured home: a manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence, and meets the HQS. (Considered a special housing type.)

Manufactured home space: a manufactured home owned and occupied by the family is located on space leased by an owner to a family.

Medical expenses: any medical expenses incurred by elderly or disabled families in excess of 3% of income calculated for regularly scheduled reexamination purposes, which are not reimbursable from any other source.

Minor: a member of the family household other than the family head-of-household or spouse, who is under 18 years of age. (An emancipated minor is an exception to the under 18 years of age rule.)

Minimum Rent: the minimum rent a tenant must pay under a HUD-subsidized housing program; the HA has set the minimum rent amount at \$50.00.

Mixed Family: a family with citizens and eligible immigration status and without citizens and eligible immigration status as defined in 24 CFR 5.504(b) (3).

Moderate Rehabilitation Program: The moderate rehabilitation program provides project-based rental assistance for low income families. The program was repealed in 1991 and no new projects are authorized for development.

Monthly adjusted income: amount of income that may be used in determining applicant or participant's portion of the rent.

National: a person who owes permanent allegiance to the United States; for example, as a result of birth in a United States territory or possession.

Near-elderly family: a family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62, living with one or more live-in aides. (See live-in aide)

Non-citizen: a person who is neither a citizen nor national of the United States. (See Citizen)

Other criminal activity: criminal activity which may threaten the health or safety of the owner, property management staff, any HA employee, residents of the complex, or person residing in the immediate vicinity of the premises. (Read *Family Obligations, Form #10780*, for complete list of housing assistance program requirements.)

Owner: any person or entity with the legal right to lease or sublease a unit to a participant family.

Participant (participant family): the adult person or persons who execute the lease as lessee of the dwelling unit. The family becomes a participant on the effective date of the first HAP (see housing assistance payment) contract executed by the HA for the participant family (first day of initial lease term).

Payment standard (PS): a guide to set the rent portion for participant families in the Section 8 HCV Program and certain other programs; published annually in October.

Persons with Disabilities: HUD’s definition of a person with disabilities is a “Person [who] meets the Social Security Administration definition of a person with disabilities. Person has a physical, mental or emotional impairment that is expected to be of long-continued and indefinite duration, subsequently impedes their ability to live independently, and is of such a nature that the ability to live independently could be improved with more suitable housing conditions. For purposes of reasonable accommodation (see reasonable accommodation) and program accessibility for persons with disabilities, means an “individual with handicaps” as defined in 24 CFR 8.3. Definition does not exclude persons who have AIDS or conditions arising from AIDS, but does not include a person whose disability is based solely on drug or alcohol dependence (for low-income housing eligibility purposes).

Port-out: the renting of a dwelling unit with Section 8 HCV outside the jurisdiction of the initial HA.

Premises: the building or complex in which the dwelling unit is located, including common areas and grounds.

Preponderance of evidence: that degree of evidence that is of greater weight or more convincing than the evidence which is offered in opposition to it, or evidence which as a whole shows the fact to be proved to be more probable than not.

Project-Based (PBV): the PBV program attaches rental assistance to a particular unit rather than to a family.

Project owner: the person or entity that owns the housing project containing the assisted dwelling unit(s).

Privacy Rights: the Privacy Act of 1974 (5 U.S.C.A. 552a) is a federal law that places restrictions on the federal government's collection, use, and dissemination of personal information.

Public Housing Agency (PHA): housing that is built, operated, and owned by a government and that is typically provided at nominal rent to the low-income and very low-income members of a community.

Reasonable Accommodation: accommodation is any modification or adjustment to housing rules, policies, practices, or services that will enable a qualified applicant or participant family with a disability to participate in the application process and to be provided the ability to use and enjoy a dwelling unit. Reasonable accommodation also includes adjustments to assure that qualified persons with a disability has rights and privileges in housing equal to persons without disabilities.

Reasonable rent: a rent to owner that is not more than rent charged:

- Comparable units in the private unassisted market; and
- Comparable unassisted units in the premises.

Receiving HA (Port-in): the HA that receives a family selected for participation in the tenant-based program from another HA outside Santa Clara County. The receiving HA issues a voucher and provides program assistance to the family.

Reexamination: the process of securing documentation of total family income used to determine the rent the tenant will pay for the next 12 month for non-MTW families, or 24 or 36 months for MTW families (based on MTW Plan established criteria), if there are no additional changes to be reported.

Registered Domestic Partner: legally recognized partner of the Head of Household as filed with the State of California, Secretary of State Domestic Partners Registry, and in accordance with State of California Family Code section 297 or other states recognizing a similar partnership status.

Rent to owner: the total monthly rent payable to the owner under the lease for the unit (also known as contract rent). Rent-to-owner covers payment for any housing services, maintenance and utilities that the owner is required to provide and pay for.

Renting to a Relative: according to HUD regulations, a Section 8 tenant may not be related to their selected owner. A relative is classified by HUD as a person who is related by family bloodline or through marriage to the owner of the unit.

Responsible entity: for the PHA and the Section 8 HCV, Project-based Certificate assistance, and Moderate Rehabilitation programs, the responsible entity means the HA administering the program under an ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.

Request for Tenancy Approval (RTA): all eligible families submit information to the HA when applying for housing assistance under Section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f). The HA uses the information on the RTA form to determine if the family is eligible, if the unit is eligible, and if the lease complies with program and statutory requirements.

Shared housing: a unit that is occupied by two or more families consists of both common space for shared use by the occupants of the unit and separate private space for each assisted family; this is a special housing type. (24 CFR 982.615 & 982.618)

Single Person: a person living alone or intending to live alone.

Single room occupancy housing (SRO): the SRO Program provides rental assistance for homeless persons in connection with the moderate rehabilitation of SRO dwellings. SRO housing contains units for occupancy by one person. These units may contain food preparation or sanitary facilities, or both. (Considered a special housing type.)

Social Security (SS): the Social Security Administration assigns a nine-digit number that to a person by that identifies the record of the person's earnings reported to the Social Security Administration. This Administration also assigns social security disability benefits.

Administration acronyms are:

- SSN: Social Security Number

- SSI: Supplemental Security Income
- SSDI: Supplemental Security Disability Income

Special admission: admission of an applicant that is not on the HA waiting list or without considering the applicant's waiting list position. This process may occur if HUD awards' funding that is specifically targeted for families living in specified units.

Special housing types: the following special housing types in accordance with requirements of the program: single room occupancy (SRO) housing, congregate housing, group home, shared housing, manufactured home when the family owns the home and leases the manufactured home space, cooperative housing or homeownership option.”

Spouse: the marriage partner of the head-of-household.

Subsidy Size: the HA determines the appropriate number of bedrooms under the HA subsidy standards. The guidelines used by the HA to determine bedroom size are found in the 2009 Administrative Plan.

Subsidy standards: standards established by a HA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

Suspension/Tolling: stopping the clock on the term of a family's voucher after the family submits a request for approval of the tenancy. If the HA decides to allow extensions or suspensions of the voucher term, the HA Administrative Plan must describe how the HA determines whether to grant extensions or suspensions, and how the HA determines the length of any extension or suspension.

Tenancy Addendum: for the HCV Program, the language required by HUD as stated in the lease between the participant family and the owner.

Tenant Rent to Owner (TRO): the contract rent minus applicable payment standard, and after verification of rent reasonableness.

Total Tenant Payment (TTP): the total amount the participant family must pay toward rent and utilities based upon a specific calculation.

Unit: the residential space for the private use of a family. The size of a unit is based on the number of bedrooms contained within the unit and generally ranges from zero (0) bedrooms to six (6) bedrooms.

Utilities: water, electricity, gas, other heating, refrigerator, cooking fuels, trash collection and sewage services. Telephone and cable service are not included as a utility.

Utility allowance: the total resident payment of rent includes both shelter and the costs for reasonable amounts of utilities. (Only included if utilities are not paid by the owner/landlord.)

Violence Against Women Act (VAWA): the primary objectives of VAWA 2005 are to reduce violence against women and to protect, or increase the protection of, the safety and confidentiality of women who are victims of abuse.

Violent criminal activity: any illegal criminal activity that has as one of its elements, the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause serious bodily injury or property damage.(Read *Family Obligations, Form #10780*, for complete list of housing assistance program requirements.)**Voucher:** a document issued by the HA to a family selected for admission to the HCV Program. This document describes the program and the procedures for HA approval of a unit selected by the family. The voucher also states the obligations of the family under the Program.

Vital Documents: Any document that is critical for ensuring meaningful access to the recipients' major activities and programs by beneficiaries generally and LEP persons specifically. Whether or not a document is "vital" may depend upon the importance of the program, information, encounter, or service involved, the consequence to the LEP person if the information in question is not provided accurately or in a timely manner.

Voucher holder: a family holding a voucher with an unexpired term.

Voucher program: the HCV Program; also known as Section 8.

Waiting List: families are given a position number and placed on the Waiting List in an order determined by computerized random selection. The HA selects applicants from the 2006 Waiting List based on their position number. **The Waiting List is closed.**

Waiting List Preferences: a system of local preferences for selection of families admitted to the Program.

Welfare assistance: income assistance from federal or State welfare programs, including assistance provided under Temporary Assistance to Needy Families (TANF) and general assistance (cash aid). Does not include assistance directed solely to meeting housing expenses, nor programs that provide health care, child care or other services for working families.