

## COMMUNITY SERVICE

[24 CFR Part 960 Subpart F and 24 CFR 903.7(l)]

### INTRODUCTION

#### **IMPORTANT NOTICE**

**The community service requirement was suspended for Federal Fiscal year 2002, for all developments except HOPE VI developments (Department of Veteran Affairs and Housing and Urban Development, and Independent Agencies Appropriation Act, 2002, at Section 432). The requirement has been reinstated for Federal Fiscal Year 2003.**

*[INSTRUCTION: The Quality Housing and Work Responsibility Act of 1998 mandates PHAs to require that adults living in public housing comply with community service requirements. On March 29, 2000, the Changes to Admission and Occupancy Requirements in the Public Housing and Section 8 Housing Assistance Program Final Rule was published in the Federal Register.]*

#### **A. REQUIREMENT**

Each adult resident of the PHA shall:

Contribute 8 hours per month of community service (not including political activities) within the community in which that adult resides; or

Participate in an economic self-sufficiency program (defined below) for 8 hours per month; or

Perform 8 hours per month of combined activities (community service and economic self-sufficiency program)

#### **B. EXEMPTIONS**

The PHA shall provide an exemption from the community service requirement for any individual who:

Is 62 years of age or older;

Is a blind or disabled individual, as defined under section 216[I][1] or 1624 of the Social Security Act, and who is unable to comply with this section, or is a primary caretaker of such individual;

Is engaged in a work activity of at least 20 hours per week and as defined in section 407[d] of the Social Security Act;

Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of title VI of the Social Security Act, or under any other welfare program of the State in which the public housing agency 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 the public housing agency 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.

The PHA will *reverify* exemption status annually except in the case of an individual who is 62 years of age or older.

The PHA will permit residents to change exemption status during the year if status changes.

#### *Additional Exemptions*

*If a tenant is pregnant and her condition has been verified with a doctor's statement, she will be exempt from Community Service starting with the 6<sup>th</sup> month of her pregnancy or earlier if so certified to be her tending physician.*

*If a tenant has a child at home under the age of 2 years 11 months, they will be exempt from the Community Service requirement during this period.*

*If a tenant has a handicapped child at home that is not enrolled in school or another program, they will be exempted from the Community Service requirement.*

*In the event of the above additional exemptions, the tenant will be responsible for notification to the Office of any changes and will be required to fulfill the community service requirements once these exemptions have expired.*

### **C. DEFINITION OF ECONOMIC SELF-SUFFICIENCY PROGRAM**

For purposes of satisfying the community service requirement, participating in an economic self-sufficiency program is defined, in addition to the exemption definitions described above, 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, apprenticeship, or any other program

necessary to ready a participant to work (such as substance abuse or mental health treatment).

In addition to the HUD definition above, the PHA definition includes any of the following:

Participating in the Family Self-Sufficiency Program and being current in the steps outlined in the Individual Training and Services Plan.

Other activities as approved by the PHA on a case-by-case basis.

The PHA will give residents the greatest choice possible in identifying community service opportunities.

The PHA will consider a broad range of self-sufficiency opportunities.

**D. ANNUAL DETERMINATIONS**

For each public housing resident subject to the requirement of community service, the PHA shall, at least 30 days before the expiration of each lease term, review and determine the compliance of the resident with the community service requirement.

Such determination shall be made in accordance with the principles of due process and on a nondiscriminatory basis.

The PHA will verify compliance *at least* annually. If qualifying activities are administered by an organization other than the PHA, the PHA will obtain verification of family compliance from such third parties.

Family members will not be permitted to self-certify that they have complied with community service requirements.

**E. NONCOMPLIANCE**

If the PHA determines that a resident subject to the community service requirement has not complied with the requirement, the PHA shall notify the resident of such noncompliance, and that:

The determination of noncompliance is subject to the administrative grievance procedure under the PHA's Grievance Procedures; and

Unless the resident enters into an agreement to comply with the community service requirement, the resident's lease will not be renewed, and

The PHA may not renew or extend the resident's lease upon expiration of the lease term and shall take such action as is necessary to terminate the tenancy of

the household, unless the PHA enters into an agreement, before the expiration of the lease term, with the resident providing for the resident to cure any noncompliance with the community service requirement, by participating in an economic self-sufficiency program for or contributing to community service as many additional hours as the resident needs to comply in the aggregate with such requirement over the 12-month term of the lease.

The head of household and the noncompliant adult must sign the agreement to cure.

### **Ineligibility for Occupancy for Noncompliance**

The PHA shall not renew or extend any lease, or provide any new lease, for a dwelling unit for any household that includes an adult member who was subject to the community service requirement and failed to comply with the requirement.

### **F. PHA RESPONSIBILITY**

The PHA will ensure that all community service programs are accessible for persons with disabilities.

The PHA will ensure that:

The conditions under which the work is to be performed are not hazardous;

The work is not labor that would be performed by the PHA's employees responsible for essential maintenance and property services; or

The work is not otherwise unacceptable.

### **G. PHA IMPLEMENTATION OF COMMUNITY SERVICE REQUIREMENT**

**The PHA's Community Service program is described in the PHA Plan.**

*Elmira Housing Authority  
Community Service Policy  
Board Resolution 2001.37*

#### *1. Requirement*

*Each adult resident of the EHA shall:*

*Contribute 8 hours per month of community service (not including political activities) within the community in which that adult resides; or*

*Participate in an economic self-sufficiency program for 8 hours per month; or*

*Perform 8 hours per month of combined activities (community service and economic self-sufficiency program).*

## *2. Exemptions*

*The EHA shall provide an exemption from the community service requirement for any individual who:*

*Is 62 years of age or older;*  
*Is Blind or Disabled Individual, as defined under section 216(i)(1) or 1614 of the Social Security Act, and who is unable to comply with this section, or is a primary caretaker of such individual;*

*An individual claiming this exemption, must certify that because of this disability that he or she is unable to comply with this section.*

*Is engaged in a work activity as defined in section 407(d) of the Social Security Act;*

*An individual claiming this exemption must be working a minimum of 20 hours per week.*

*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 the public housing agency 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 the public housing agency is located, including a State-administered welfare-to-work program, and has not been found by the State or other administrating entity to be in noncompliance with such program.*

*The EHA will re-verify exemption status annually except in the case of an individual who is 62 years of age or older.*

*The EHA will permit residents to change exemption status during the year if status changes.*

## *3. Definition of Economic Self-Sufficiency Program*

*For purposes of satisfying the community service requirement, participating in an economic self-sufficiency program is defined, in addition to the exemption definitions described above, 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, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).*

*In addition to the HUD definition above, the Elmira Housing Authority definition includes any of the following:*

*Other activities as approved by the Elmira Housing Authority on a case-by-case basis.*

*The EHA will give residents the greatest choice possible in identifying community service opportunities.*

*The EHA will consider a broad range of self-sufficiency opportunities.*

The PHA will administer its own community service program, with cooperative relationships with other entities.