

Housing Authority of the City of Wildwood  
County of Cape May  
State of New Jersey

Resolution 2021-49

A RESOLUTION TO APPROVE PROPOSED CHANGES TO THE  
ADMISSIONS AND CONTINUED OCCUPANCY POLICY (ACOP) FOR THE  
WILDWOOD HOUSING AUTHORITY

**WHEREAS**, the Housing Authority of the City of Wildwood, A Public body created and organized pursuant to and in accordance with the provisions of the Laws of the State of New Jersey, the Admissions and Continued Occupancy Policy (ACOP) for Public Housing has been revised to be in compliance with current and relevant federal laws and regulations.;

**WHEREAS**, The U.S. Department of Housing and Urban Development (HUD) requires the Housing Authority to adopt Admissions and Continued Occupancy Policies; and

**WHEREAS**, the proposed changes incorporate regulatory and policy revisions to the Admissions and Continued Occupancy Policy (ACOP) for Public Housing to improve program responsiveness to local needs and comply with HUD requirements;

**WHEREAS**, the proposed changes of the Admissions and Continued Occupancy Policy (ACOP) for Public Housing were done in August 2019 for public review, a Resident Advisory Board meeting were held to actively seek public comment and to gather public input, and the comments received were seriously considered;

**NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners approves the proposed changes of the Admissions and Continued Occupancy Policy ACOP for Public Housing listed on the attached memo provided by the Executive Director.

ADOPTED:

\_\_\_\_\_  
Ronald Harwood, Chairperson

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Juanita Jones, Vice Chairperson

\_\_\_\_\_  
Patricia Campbell, Commissioner

\_\_\_\_\_  
Sandi Harris, Commissioner

\_\_\_\_\_  
Sue Maxwell, Commissioner

\_\_\_\_\_  
Maria Maldonado, Resident Commissioner

This is to certify that this is a true copy of a Resolution approved by the Board of Commissioners of the Housing Authority of the City of Wildwood at a meeting held on August 25, 2021, at 5:00 pm at 3700 New Jersey Avenue, Wildwood NJ 08260.

Motion By: \_\_\_\_\_ ;2nd by \_\_\_\_\_

Ayes:

Nays:

Abstain:

Absent:

ATTEST: \_\_\_\_\_  
Elizabeth A. Loyle, Board Secretary



**WILDWOOD HOUSING AUTHORITY**  
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**Website: www.wildwoodhousing.org**

## MEMO

To: Wildwood Housing Authority Board of Commissioners  
From: Betsy Loyle, Executive Director  
Date: August 16, 2021  
Re: Wildwood Housing Authority Admissions and Continued Occupancy Policy updates

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As required by regulations, I completed the annual review of the Wildwood Housing Authority's Admissions and Continued Occupancy Policy in July 2019. In August 2019, in my capacity at the time as Director of Operations, I met with the authority's Resident Advisory Board to review and discuss the proposed changes. While we had an engaging conversation, the Resident Advisory Board members did not have any objections to the proposed changes. When I took over as the Executive Director of the WHA in January 2021, I found that the 2019 ACOP updates and changes were not formally presented to the board by the former Executive Director and therefore have not been approved by the board for adoption. To follow, please find a summary explanation of the proposed changes. We will be asking for the board's formal approval for these changes via resolution at this month's board meeting.

### KEY

**HUD-R:** HUD required change

**HUD-S:** Change recommended to keep us within HUD's safe harbor

**PC:** Policy change for agency

### Chapter 2

Page 3: **HUD-S. §2-I.B Nondiscrimination.** Added clause – “[will not] subject anyone to sexual harassment”.

### Chapter 3

Page 16: **HUD-R. §3-II.C Social Security Numbers.** Updating with newest HUD regulation reference Notice PIH 2018-24.

### Chapter 4

Page 2: **PC. §4-I.B Applying for Assistance.** We are proposing to change the WHA waitlist application to a completely paperless process.

- Online applications will eliminate data entry errors as applications will not be accepted with errors or missing information
- Once their application is accepted applicants will be issued a unique identifying number, which they can use to check their waitlist status online at their convenience
- The agency will be providing a public use computer kiosk in our operations office for those who do not have access to a computer and/or internet service

Page 8- 9: **PC. §4-II.B Updating the Waitlist.** Updated acceptable waitlist family response methods to include email and fax.

Page 14: **HUD-R. §4-III.D The Application Interview.** Updating with newest HUD regulation reference Notice PIH 2018-24.

## **Chapter 6**

Page 24: **HUD-R. §6-I.H Periodic Payments: Treatment of Overpayment Deductions from Social Security Benefits.** Updating with newest HUD regulation reference Notice PIH 2018-24.

Pages 27 & 30: **HUD-R. §6-I.L Additional Exclusions from Annual Income.** Added ABLE account income as an exclusion.

## **Chapter 7**

Pages 1 – 7, 11: **HUD-R. Verifications.** Updating with newest HUD regulation reference Notice PIH 2018-18.

Pages 4-5: **HUD-R. §7-I.C Up Front Income Verification.** Added regulations and policies regarding Income Validation Tool (IVT) reports. The IVT is a new report we are required to review monthly and a part of the family’s annual reexamination. The agency is required to investigate and pursue corrective action for all concealed or unreported income.

## **Chapter 8**

Page 2: **HUD-R. §8-I.A Overview.** Added heating standard policy reference Notice PIH 2018-19.

Page 9: **HUD-R. §8-I.G Minimum Heating Standards.** Added WHA heating standard policy.

- As mandated by HUD, we have adopted the state of NJ’s residential heating standards.
- While this is the first time the standards are being referenced in our ACOP, the standards were implemented as part of our standard operating procedures in 2014.

## **Chapter 13**

Page 3: **HUD-R. §13-II.D Failure to Disclose and Document Social Security Numbers.** Updating with newest HUD regulation reference Notice PIH 2018-24.

Pages 11-13: **HUD-R. §13-II.D Failure to Disclose and Document Social Security Numbers: Over Income Families.** Update HUD’s regulation concerning Over-Income families. To summarize, families whose adjusted income exceeds 120% of area median income for 2 consecutive years, must either be terminated within six months or be charged the greater of the area’s Fair Market Rent or unit subsidy including operating and capital funding. However, in the Federal Register Notice 09/17/2019 published subsequent to Notice PIH 2019-11, HUD has indicated it will be changing the Over-Income rule again to bring it into compliance with the Housing Opportunities Through Modernization Act (HOTMA) of 2016. So, this regulation will have to be modified and updated once the new rule takes effect.

Page 18: **HUD-S. §13-III.D Alternatives to Termination of Tenancy: Terminating or Evicting a Domestic Violence Perpetrator.** Added the clause: “However, perpetrators should not be given more than 30-days’ notice of termination in most cases.

## **Chapter 14**

Pages 10-13: **HUD-S. §14-III.D Informal Hearings, §14-III.E Procedures to Obtain an Informal**

**Hearing.** HUD has updated its recommendations on how grievance hearings should be transacted. Added a new section (14-III.D) to include an explanation of the Informal Grievance Hearing process. Also added a new section (14-III.E) that outlines the procedures to follow to obtain an informal grievance hearing.

- HUD recommends that we first offer an informal grievance hearing process in lieu of a full-blown grievance hearing. The benefit to the agency is that it should reduce our grievance hearing expenses and lessen administrative burdens.
- Implementation of the informal hearing process in no way limits a complainant's rights with regard to requesting a formal grievance hearing or to due process in court.

## **Chapter 15**

Pages 8-9: **HUD-S. §15-II.C PHA Caused Errors or Program Abuse.** Updated PHA Caused Errors or Program Abuse section to include harassment clauses.

## **Chapter 16**

Pages 5-6: **HUD-R & PC. §16-II.B Flat Rents**

- Updated list of considerations when determining flat rents to include "age of unit".
- Updated policy to reflect that our agency will be using the Fair Market Rents (FMRs) established by HUD for our flat rent schedule, within the mandated time frame. The policy reads: "WHA flat rents will mirror those of HUD's newly published Fair Market Rents no later than 90 days after the effective date of said rents".