

Meriden Housing Authority

“Right to Return” Policy

I. Purpose of the Policy

The purpose of this policy is to establish an administrative framework to allow households relocated from the Mills Memorial Apartments federal public housing development as a result of units approved for disposition by the U.S. Department of Housing & Urban Development (HUD) to return to replacement units developed on the existing mega-block or to units identified as replacement units not located on the existing mega-block under a development program intended to provide replacement units.

This policy does not guarantee that every household that wishes to return will have a unit only that former Mills Memorial Households that meet the definition of a covered household will be given first priority for units affordable by that household. Over-subscribed categories of units will be subject to a lottery process to determine unit offers.

The scope of this policy covers households in units under a HUD approved demolition and/or disposition plan. If and when additional units come into this status, the MHA Board of Commissioners will establish an eligibility date for additional covered households.

2. Definitions

Affordable Dwelling Unit – A dwelling that is developed under one of an array of governmental programs that results in eligibility for that unit being limited to households below 80% of AMI and otherwise in conformance with the eligibility requirements of the specific program.

Covered Mills Memorial Household – Any household, which includes the Head of Household and all family members listed on a current and fully executed MHA lease which resided in a unit at Mills Memorial Apartments.

For units in the current approved disposition plan for Buildings 144 Pratt Street, 40 Cedar Street, 52 Mill Street and 58 Mill Street, household in residence as of November 1, 2013 is considered a covered household. This household must have been in good standing as of the initial date and maintains its good standing under any rental subsidy program for which the household is a beneficiary. Additional household members that are added to the family by birth, marriage, adoption or any other legal action between November 1, 2013 and the date at which any right to return terminates are considered part of a covered Mills Memorial Household.

If and when additional households are subject to a disposition plan, the MHA Board of Commissioners will amend this policy to include an eligibility date for any new, covered households.

Covered Unit – One of the dwelling units included as part of the redevelopment program for the Mills Memorial Apartments site which have either an ACC public housing subsidy or a project-based Section 8 Voucher attached.

Screening – All households that seek to exercise a “right to return” will be subject to screening standards applicable to all applicants for housing at the new development or for any units considered replacement units for Mills Memorial Apartments. This Background Check may include credit history review and may include a criminal records review. A household member whose criminal background review indicates a history of criminal activity that would not meet HUD’s “One Strike” standards will not be allowed on the lease.

Development Entity – an entity designated by the MHA Board of Commissioners to serve as the developer of housing to be placed on the Mills Memorial mega-block. This entity may or may not be a subsidiary of the Authority, a joint venture or partnership or a private developer granted development rights by the MHA Board of Commissioners.

Good Standing – the status of good standing requires that the household be current on all financial obligations for the federal public housing program and any governmental housing program for which the Household may be a beneficiary during the relocation period including the Housing Choice Voucher Program or any state-assisted housing developments covered by CGS 8-37uu

Any household subject to a notice under an eviction or a program participation termination process is not in good standing until the end of any administrative or judicial process which finds that the household is not at fault nor to be evicted or terminated. Good standing requires that any household subject to a repayment or payment agreement covering monies owed to the program be current on all payments and that all payments have been made in a timely manner and in accord with any schedule of payments tied to such agreements. A household in good standing must disclose all changes in household composition in a timely manner. Lapses in good standing can be cured by the Household coming into compliance with programmatic requirements if the efforts to come into compliance are voluntary and expeditious once notified of the issue by the MHA or another program administrative entity

Meriden Housing Authority – The owner of Mills Memorial Apartments and a quasi-governmental entity established under CGS 8-40.

Relocation – The departure of a household that resides in a dwelling unit at Mills Memorial Apartments approved for disposition by the U.S. Department of Housing & Urban Development (HUD) to a dwelling unit that meets the relocation requirements of 24 USC 1437(p)(a)(4)(A)(iii) as codified in regulation at 24 CFR 970.21.

An exception to this definition is that a move of a household in Mills Memorial from a unit for which that household is not of proper household composition to another unit owned and operated by the MHA for which that unit is the correct size for the household will not be considered relocation within the intent of this definition.

Transfer – The temporary move of a household to another suitable unit in the Mills Memorial Development or to another unit at another MHA owned and operated development. A transfer is not relocation as defined at 24 CFR 971.21 but is rather a transfer as defined in the MHA Admission and Continued Occupancy Policy (ACOP) and the MHA lease. A “right to return” does not automatically adhere to a transfer but must be established at the time of initial transfer. If a transfer is not identified as temporary and subject to a right to return, then the transfer is considered a “one way” transfer and the new unit are the household’s unit on a permanent basis subject to MHA occupancy and leasehold policies.

Suitable Unit – any unit that meets the following criteria:

1. A unit with sufficient bedrooms to accommodate the household such that no more than two household members per bedroom are required to reside in each bedroom. A household may choose a unit that has rooms that sleep more than two household members, but the arrangement cannot violate local occupancy codes and create an over-crowded unit.
2. Of appropriate design and location to accommodate an individual with disabilities in terms of any special needs specifically related to their disability
3. Has a current certificate of occupancy and otherwise meets all applicable housing codes and local ordinances for use as a residential dwelling unit.
4. Requires that for a period of at least 3 years the relocated household to pay a rent no greater than they would have paid if they remained in federal public housing. If a Housing Choice Voucher is used as the form of subsidy to assure that the resident share of rent would not be higher than if the household still resided in a public housing unit, the household must make all efforts to remain program compliant. Termination from the HCV Program for non-compliance abrogates the MHA’s obligation to assure equal affordability for the period specified.

3. Availability of a ‘Right to Return’ to Mills Memorial Apartment Relocatees

All households that were in residence at Mills Memorial Apartments as of November 1, 2013 AND were then and have been in “good standing” as defined in this policy throughout the relocation period will have the option of returning on a priority basis to any dwelling unit that is constructed as part of the Replacement Housing Plan for which they are income and otherwise eligible subject to screening for suitability including a current criminal background check on all household members.

Households will be required to indicate their interest in having a “right to return” at the time of initial relocation. Households that do not indicate an interest in a right to return will be assumed to have waived this right. The MHA will obtain written confirmation that a household has chosen to not avail itself of the “right of return”.

4. Offers of ‘Right to Return’ Units

Households that indicate their interest in a “right to return” will be given priority access to a covered unit suitable for their household composition including any special features that they may required to address physical accessibility for which they are otherwise eligible.

Given that the final development program will provide for units across a broad range of affordability even if lower than 80% of AMI, the number of households interested in exercising a “right to return” may exceed the number of units that are affordable at a specific rental tier. In these cases, a lottery mechanism will be used to determine which households eligible to return to a specific set of units will be made unit offers.

In those cases under which a household’s income has increased such that they are no longer eligible at their original income level but are now only eligible for a non-subsidized or market rate unit, the “right to return” would still apply to the extent that such units for which the household capable of paying rent and otherwise is determined to have stable income sufficient to pay a non-subsidized rent.

5. Required Administrative Systems

The MHA will maintain a database system for all households that have indicated that they wish to have to option to exercise a “right to return”.

The MHA will make a best faith effort to keep this database current through periodic updates that will occur at least once each 12 months, but as part of the letter from the MHA to the Household confirming that the household is being categorized as a “right to return” household will be a requirement that the household notify the MHA of all address changes and all changes in household composition with 30 days of their occurrence.

Failure to keep the MHA notified of these changes in address and changes in household composition may result in the loss of covered household status.