Commonwealth of Massachusetts
DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT
Mitt Romney, Governor ◆ Kerry Healey, Lt. Governor ◆ Jane Wallis Gumble, Director

Public Housing Notice 2003-06

MEMORANDUM

TO: All Local Housing Authorities and Regional Non-Profit Agencies
FROM: Carole E. Collins, Director, Bureau of Housing Management
RE: Final Promulgated Amendments to 760 CMR 5.00 and 760 CMR 6.00
DATE: August 15, 2003

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Today the Department filed amendments to 760 CMR 5.00, Eligibility and Selection Criteria and 760 CMR 6.00, Occupancy Standards and Tenant Participation for State-Aided Housing. These amendments will become effective August 29, 2003 provided that for tenants in occupancy on August 28, 2003 these amendments shall be applicable to all rents due and payable October 1, 2003.

The final amendments:

- Raise rents for all residents living in state-aided public housing to be more in line with other subsidy programs.
- Increase rents for residents of family public housing from the current amount of 25 or 30% of household income to 27, 30 and 32% of household income.
- Require that any overhoused household living in an apartment larger than their family size warrants, who fails to move to an appropriately sized apartment when requested to do so by an LHA, shall be charged rent at 150% of what otherwise would be due.
- Impose a late fee of $25 on any tenant household which fails to pay rent within 30 days of its due date.
- Provide for the collection of debt owed to an LHA when it has a monetary judgment for execution through the Comptroller's Set-Off Debt Collection Program.
- Eliminate the annual income deduction of $400 per household for tenants who are at least 60 years of age or are handicapped unless such a tenant lives in c. 200 or c. 705 family housing and the household is not overhoused.
- Require that LHAs maintain their required vacancy information on a web based DHCD system.

Enclosed you will find copies of: the final amended sections of each regulation, letters to be sent to tenants informing them of the regulatory changes, notices of new rent forms and a lease amendment for your use in implementing these amendments. Please note that forms are provided for family housing, c. 667 elderly/handicapped housing, and AHVP. If you have any questions on the enclosures, please feel free to contact your housing management specialist or your regional counsel.

We request that each LHA receiving this notice provide a copy of this notice and the enclosed amendments to each of its LTOs. Thank you for your assistance.

One Congress Street
Boston, Massachusetts 02114-2010

www.mass.gov/dhcd
617.727.7765

760 CMR 5.00: ELIGIBILITY AND SELECTION CRITERIA

Strike existing subsection 5.01 and replace with the following:

5.01: Effective Date

760 CMR 5.00 became effective August 9, 1996 and superseded 760 CMR 4.00 and 760 CMR 5.00, as previously promulgated. Amendments to subsection 5.03 and 5.05 became effective June 12, 1998. Additional amendments to subsections: 5.03, 5.06, and 5.16, are effective August 29, 2003. Waivers in effect on August 9, 1996 for a tenant selection plan at a local housing authority (LHA) shall remain in effect unless specifically revoked by the Department.

Strike existing definition of Family housing and replace with the following:
5.03: Definitions

Family housing - c. 200 or c. 705 housing managed pursuant to the provisions of M.G.L. c. 121B, § § 32 and 34.

Strike existing subsections 5.06 (1) and (2) and replace with subsections 5.06 (1), (2) and (3) as follows:

5.06: Income Eligibility

(1) Income limits for admission of an applicant to state-aided public housing and for participation in the AHVP shall be set at two year intervals. The income limits shall be the " Low Income Limits", set by the United States Department of Housing and Urban Development (HUD), then in effect, for a similarly sized household in the city or town in which the LHA is located. Household income shall be determined in the same manner as net household income for rent determination, provided that income shall be imputed to assets which have been disposed of as provided by 24 CFR Part 5, Subpart F or successor regulatory provision.

(2) A household occupying a unit in elderly/handicapped housing shall remain eligible for continued occupancy until such time as 30% of its monthly net household income equals or exceeds the fair market rent (FMR) then in effect for the Section 8 Existing/Voucher Program for a unit of appropriate unit size in the area in which the LHA is located.

(3) A household occupying a unit in family housing shall remain eligible for continued occupancy until such time as 32% of its monthly net household income equals or exceeds the fair market rent (FMR) then in effect for the Section 8 Existing/Voucher Program for a unit of appropriate unit size in the area in which the LHA is located.
(The existing subsection 5.06(3) becomes 5.06(4).)

Strike existing subsection 5.16(2) and replace with the following:
5.16: Administration

(2) The LHA shall maintain permanent handwritten ledgers including a master file ledger and waiting list ledger. The LHA shall maintain the Department' s prescribed on-line vacancy ledger in accordance with guidelines issued by the Department as they may be amended from time to time. Waiting lists and vacancy ledgers indicating the applicant's control number shall be considered public information, and, upon request, shall be available for public inspection.

760 CMR 6.00: Occupancy Standards and Tenant Participation for State-Aided Housing

Strike existing subsection 6.01 and replace with the following:
1: Effective Date

(1) 760 CMR 6.00 became effective on October 1, 1998 (the "effective date" of this regulation). An amendment to subsection 6.04 became effective November 13, 1998. An amendment to subsection 6.05 became effective January 1, 1999. Amendments to subsections: 6.03, 6.04, 6.05, and 6.06 are effective August 29, 2003 provided that for Tenants in occupancy on August 28, 2003 these amendments shall be applicable to all rents due and payable October 1, 2003 and thereafter notwithstanding the provisions of 760 CMR 6.04(4). 760 CMR 6.00 replaces provisions formerly appearing in 760 CMR 1.00, 2.00, 3.00, 6.00 and 7.00 which were rescinded on the effective date. Waivers pursuant to these former regulations, in effect at an LHA immediately prior to the effective date, shall remain in effect unless and until revoked by the Department. As provided herein, leases and grievance procedures in use immediately prior to the effective date shall remain in use until new or amended leases and grievance procedures are approved by the Department. Recognition of local tenant organizations in effect on the effective date shall remain in effect unless recognition is revoked. Tenant participation agreements in effect on the effective date remain in effect according to their terms unless amended or revoked.

Insert, in alphabetical order - after Notice of Termination, the definition for Overhoused as follows:
6.03: Definitions

Overhoused – a tenant household which the LHA has determined, based upon the composition of the household, to be occupying a unit consisting of more bedrooms than is appropriate for the household size pursuant to 760 CMR 5.03 unless such occupancy is authorized by law.

Strike existing definition of Utilities and replace with the following:
6.03: Definitions

Utilities - any or all of the following: electricity and any other fuels for heat, hot water, and cooking.

Strike existing subsection 6.04(1) and replace it with the following:
6.04: Rent Determination

(1) Amount of Rent.

(a) Monthly rent shall be charged tenants of elderly/handicapped housing in the following manner:

1. Where the tenant does not pay for utilities, rent shall be 30% of monthly net household income as determined pursuant to 760 CMR 6.05.
2. Where the tenant pays for some or all utilities, rent shall be 25% of monthly net household income as determined pursuant to 760 CMR 6.05.

(b) Monthly rent shall be charged tenants of family housing in the following manner:

(1)(c) and (d)). In order to determine net household income, the LHA shall first determine gross household income. Gross household income includes the income items set out in (2) below and excludes the non-income items set out in (3) below. The deductions set out in (4) below are deducted from gross household income so computed, and the result is net household income.

Strike existing subsection 6.05(4)(a) and replace it with the following:

(4) 6.05: Determination of Gross Household Income and Net Household Income Deductions from Gross Household Income.

(a) $400 for a household living in family housing in which the tenant is an elderly person of low income or a handicapped person of low income, provided that the household is not overhoused.

Strike existing subsection 6.06(2) and replace it with the following:

6.06: Lease Requirements

(2) Provisions as to Rent. Each new or amended lease submitted for approval by the Department shall contain provisions which are consistent with the provisions concerning the amount of rent, rent payment, failure to pay rent, annual and interim redeterminations of rent and the other matters set out in 760 CMR 6.04. The lease shall require payment of the fee in 760 CMR 6.04(3) for late payment of rent and may require payment of interest on unpaid rent.

LHA LETTERHEAD

August 29, 2003

Tenant
Address
Address

Re: Regulatory change affecting tenants of c. 667 elderly/handicapped housing

Dear Tenant:

I am writing to inform you of recent amendments to the regulations for state-aided public housing. The Massachusetts Department of Housing and Community Development (DHCD) has amended its regulations governing rent calculations for all public housing tenants. These new regulations are effective August 29, 2003. They require a change in your rent due on October 1, 2003 and permit imposition of late fees.

This letter will explain these changes and how they will affect you. Should you wish to review them, a complete copy of the new regulations is posted in the Housing Authority Office.

I. RENT The new regulation eliminates the current $400 annual income deduction for a household in which the tenant is an elderly person of low income or a handicapped person of low income. As a consequence your rent will increase by $10 per month. *(Note to LHA: amount should be $8 per month if the household pays 25% of income for rent.)*

2. LATE FEES There will be a $25.00 late fee that will be charged if monthly rent is more than 30 days late, as provided in the DHCD regulation and provisions enacted by the Legislature in this year's budget. The fee will be charged each month that a balance remains 30 days after the due date. Rent paid will be applied to the oldest outstanding balance due. For example, if your October monthly rent of $250 is not paid by October 31 a late fee of $25.00 will be assessed. If during the month of November you pay the usual rental amount ($250), that payment will be applied to your October rent leaving the rent for November unpaid, and another $25.00 late fee will be charged for the November rent not being paid within 30 days of its due date. The Housing Authority spends significant time and expense monitoring overdue rent payments, serving late notices and pursuing collection procedures to collect delinquent rent. This late fee will be assessed to those delinquent tenants and will help pay for these expenses. Hopefully, it will encourage them to pay on time.

(If LHA has two bedroom units in its c. 667 housing include the following paragraph.)

3. SURCHARGE FOR OVERHOUSED HOUSEHOLDS In order to enable the Housing Authority to provide affordable housing suitable for applicant and tenant household needs, the Legislature has enacted a provision that the Housing Authority charge an increased rent to tenants who refuse to transfer from units with two or more bedrooms that are too large for their household size. Under these new provisions, when such an "overhoused" household refuses to transfer to an available, smaller unit after such a transfer request by the Housing Authority, rent will be 150% of what rent would be otherwise. In addition, the Tenant will be subject to eviction. Hopefully this provision will motivate tenants who have units with more bedrooms than they need to transfer when requested, so that households requiring those larger units can be housed properly.

In compliance with the applicable provisions of your Lease and the DHCD regulations, as amended, enclosed are a Notice of Rent Change (showing your new rent and how it was determined) and two copies of a Lease Amendment for you to sign, retaining one copy and returning the other to the Housing Authority Office on or before Monday, September 15, 2003. Signing the new Lease Amendment is important. If we do not receive your signed Lease Amendment by then, the Housing Authority may be required to take certain legal action that may adversely affect your tenancy.

If you have any questions or concerns regarding the new regulations as they affect you, please call the Housing Authority Office.

Sincerely,

LHA LETTERHEAD

NOTICE OF NEW RENT

Pursuant to Section of your Lease, this serves as a 30 day notice that your rent has been changed as required by and pursuant to DHCD regulation 760 CMR 6.00. That regulation is posted in the Housing Authority Office. This notice does not affect the regular rent redetermination process.

DATE: August 29, 2003

TENANT: _____ ADDRESS: _____

PRESENT RENT: _____

YOUR RENT HAS BEEN ADJUSTED BASED ON THE SAME INCOME AND DEDUCTION DATA ON FILE FROM YOUR LAST ANNUAL REDETERMINATION (ELIMINATING THE $400 DEDUCTION IN 760 CMR 6.05(4)(a)) AS FOLLOWS:

(A) HOUSEHOLD'S GROSS ANNUAL INCOME: _____

(B) TOTAL ALLOWABLE DEDUCTIONS: _____

(C) HOUSEHOLD'S ANNUAL NET INCOME (A-B): _____

(D) HOUSEHOLD'S MONTHLY NET INCOME: _____

(E) YOU RENT IS 25% / 30% OF YOUR MONTHLY NET INCOME: _____

NEW RENT: _____

EFFECTIVE DATE OF NEW RENT: OCTOBER 1, 2003

LEASE AMENDMENT

The Lease, as executed on _____, between _____ (Tenant) and the _____ Housing Authority, is hereby amended so as to include the following additional provisions, and as so amended the lease shall continue in full force and effect:

The monthly rent provided in Subsection A of Section II. RENT shall be $ _____ effective October 1, 2003.

Add new Subsection D to Section II. RENT:

(D) Nonpayment of Rent – Late Fee

In the event that Tenant fails to pay all or any part of the rent within thirty (30) days of its due date, LHA shall impose a fee in the amount of $25 for failure to pay rent when due. Rent payments shall be applied to rental obligations with the oldest obligation being paid first. If Tenant shall have shown good cause for late payment to LHA, or if Tenant shall have entered a repayment agreement with LHA, LHA in its discretion may waive the fee for late payment. By charging such increased rent, LHA shall not have condoned Tenant's breach of Tenant's obligation to pay rent when due, and LHA shall not thereby waive any rights to issue a notice of termination of the Lease, to bring eviction proceedings against Tenant and to collect arrearages, constable fees and costs on account of the Tenant's failure to pay rent when due.

Add a new Subsection E to Section II. Rent:

(E) Overhoused Households

In the event that the size of Tenant's household does not warrant the number of bedrooms in the leased premises, and, as a consequence, the Tenant household is determined to be overhoused, unless an exception is provided by law, upon availability of a smaller unit of appropriate unit size, LHA shall offer to lease such smaller unit to Tenant who shall have thirty (30) days within which to sign a new Lease and to move to the unit of appropriate unit size. Following expiration of thirty (30) days, if Tenant shall have failed or refused to transfer to a unit of appropriate unit size offered by LHA, Tenant's monthly rent shall be 150% of the rent which would otherwise have been charged to Tenant. By charging such increased rent, LHA shall not have condoned Tenant's breach of Tenant's obligation to pay rent when due, and LHA shall not thereby waive any rights to issue a notice of termination of the Lease, to bring eviction proceedings against Tenant and to collect arrearages, constable fees and costs on account of the Tenant's failure to pay rent when due.

Executed this _____day of _____, 2003.

Tenant: _____

Housing Authority: _____

LHA LETTERHEAD

August 29, 2003

Tenant
Address
Address

RE: REGULATORY CHANGES AFFECTING FAMILY HOUSING TENANTS

Dear Tenant,

I am writing to inform you of recent amendments to the regulations for state-aided public housing. In accordance with new provisions enacted by the Legislature as part of the budget this year, the Massachusetts Department of Housing and Community Development (DHCD) has amended its regulations governing rent calculations for all public housing tenants. These new regulations go into effect August 29, 2003. They require a change in the rent due on October 1, 2003 and permit imposition of late fees. They also provide for higher rent for certain tenants who are "overhoused".

This letter explains these changes. Should you wish to review them, a complete copy of the new regulations is posted in the Housing Authority Office.

I. RENT As of October 1, 2003, the rent for each family housing Tenant will increase by a small percentage, depending on whether the Tenant is responsible for certain utility bills. Utilities are defined as:

(a) electricity (for lights and for appliances)
(b) fuel for heat (this may be electricity, oil, or gas)
(c) fuel for hot water, (either gas or electricity) and
(d) fuel for cooking (either gas or electricity)

Telephone service, water, Cable TV and other such services are NOT considered to be utility bills for the purpose of the new DHCD Regulations.

- If you are not billed and **do not pay for any of the above-listed utilities**, your rent will be **32%** of your monthly net household income, as defined in 760 CMR 6.05.

- If you are billed and pay for **one or more of the above-listed utilities but not all of them**, your rent will be **30%** of your monthly net household income.

- If you are billed and **pay for all of the above-listed utilities**, your rent will be **27%** of your monthly net household income.

2. LATE FEES There is a $25.00 late fee that will be charged if monthly rent is more than 30 days late. The fee will be charged each month that a balance remains 30 days after the due date. Rent paid will be applied to the oldest outstanding balance due. For example, if your October monthly rent of $250 is not paid by October 31 a late fee of $25.00 will be assessed. If during the month of November you pay the usual rental amount ($250), that payment will be applied to your October rent leaving the rent for November unpaid, and another $25.00 late fee will be charged for the November rent not being paid within 30 days of its due date. The Housing Authority spends significant time and expense monitoring overdue rent payments, serving late notices and pursuing collection procedures to collect delinquent rent. This late fee will be assessed to those delinquent tenants and will help pay for these expenses. Hopefully, it will encourage them to pay on time.

3. SURCHARGE FOR OVERHOUSED HOUSEHOLDS In order to enable the Housing Authority to provide affordable housing suitable for tenant household needs, the Legislature has enacted a provision that the Authority charge an increased rent to tenants who refuse to relocate from units with more bedrooms that are appropriate for their household size. Under these new provisions, when such an "overhoused" household refuses to transfer to an available, smaller unit when such a transfer request is made by the Housing Authority, rent will be 150% of what the rent would be otherwise. Tenant will also be subject to eviction for failure to transfer. This increase of rent will only occur when the Housing Authority has an appropriate unit to which the tenant household can move and for which the Tenant has refused to sign a lease or move. It does not apply to veterans and others who are specifically authorized by law to remain in their family housing units. In addition, when the Tenant in the "overhoused" household is either elderly or handicapped the "overhoused" household will no longer qualify for the $400 elderly/handicap deduction. This deduction will be eliminated regardless of whether there is an appropriate unit to which the household may be transferred. Hopefully this will motivate tenants, who have units with more bedrooms than they need, to transfer when requested, so that households requiring those larger units can be housed properly and the Authority can maximize the use of its housing.

In compliance with the applicable provisions of your Lease and the DHCD regulations, as amended, enclosed are a Notice of Rent Change (showing your new rent and how it was determined) and two copies of a Lease Amendment for

you to sign, retaining one copy and returning the other to the Housing Authority Office on or before Monday, September 15, 2003. Signing the new Lease Amendment is important. If we do not receive your signed Lease Amendment by then, the Housing Authority may be required to take certain legal action that may adversely affect your tenancy.

If you have any questions or concerns regarding the new regulations as they affect you, please call the Housing Authority Office.

Sincerely,

LHA LETTERHEAD

NOTICE OF NEW RENT

Pursuant to Section of your Lease, this serves as a 30 day notice that your rent has been changed as required by and pursuant to DHCD regulation 760 CMR 6.00. That regulation is posted in the Housing Authority Office. This notice does not affect the regular rent redetermination process.

DATE: August 29, 2003

TENANT: _____ ADDRESS: _____

PRESENT RENT: _____

YOUR RENT HAS BEEN CHANGED BASED ON THE SAME INCOME AND DEDUCTION DATA ON FILE FROM YOUR LAST ANNUAL REDETERMINATION AS WELL AS THE AMOUNT OF UTILITIES THAT YOU PAY AS FOLLOWS:

(A) HOUSEHOLD'S GROSS ANNUAL INCOME: _____

(B) TOTAL ALLOWABLE DEDUCTIONS: _____

(C) HOUSEHOLD'S ANNUAL NET INCOME (A-B): _____

(D) HOUSEHOLD'S MONTHLY NET INCOME: _____

(E) YOUR RENT IS
27% (if you pay for all utilities)
30% (if you pay for 1 or more utilities, but not all utilities)
32% (if you pay for no utilities)
OF YOUR MONTHLY NET INCOME: _____

NEW RENT: _____

EFFECTIVE DATE OF NEW RENT: OCTOBER 1, 2003

You are reminded that you are still required by Section IV (B) of your Lease to report, by the seventh (7th) day of the month following the month in which the increase occurred, any increase in income and/or change in the size of your household.

If you do not agree with this rent adjustment, please contact this Office for further assistance. If, at that time, you still do not agree that your rent was calculated correctly, and according to the Regulations governing rent as set forth by the Department of Housing and Community Development (DHCD), you may file a Grievance and request a Grievance Hearing, in writing, to this Office. You may present all relevant information pursuant to the Housing Authority's Grievance procedure.

A request for a Grievance Hearing must be in writing and must be mailed or delivered to the Housing Authority no later than fourteen (14) days after the date this notice was received. You have the right to examine your file before the Grievance Hearing. You are entitled to be represented at the Grievance Hearing by an attorney or other person of your choice at your own expense. If you or your representative request a Grievance Hearing, you will be notified in writing when it will occur. In the event that you file a Grievance, you must continue to pay the then current rent, unless the redetermined rent is lower, until disposition of the Grievance. Upon final disposition of the Grievance, you shall pay any additional amounts determined to have been due but not paid since the effective date set out in this notice or the Housing Authority shall credit you with any amounts paid but determined not to have been due.

LEASE AMENDMENT

The Lease, as executed on _____, between _____ (Tenant) and the _____ Housing Authority, is hereby amended so as to include the llowing additional provisions, and as so amended the lease shall continue in full force and effect:

The monthly rent provided in Subsection A of Section II. RENT shall be $ _____ effective October 1, 2003.

Add new Subsection D to Section II. RENT:

(D) Nonpayment of Rent – Late Fee

In the event that Tenant fails to pay all or any part of the rent within thirty (30) days of its due date, LHA shall impose a fee in the amount of $25 for failure to pay rent when due. Rent payments shall be applied to rental obligations with the oldest obligation being paid first. If Tenant shall have shown good cause for late payment to LHA, or if Tenant shall have entered a repayment agreement with LHA, LHA in its discretion may waive the fee for late payment. By charging such increased rent, LHA shall not have condoned Tenant's breach of Tenant's obligation to pay rent when due, and LHA shall not thereby waive any rights to issue a notice of termination of the Lease, to bring eviction proceedings against Tenant and to collect arrearages, constable fees and costs on account of the Tenant's failure to pay rent when due.

Add a new Subsection E to Section II. Rent:

(E) Overhoused Households

In the event that the size of Tenant's household does not warrant the number of bedrooms in the leased premises, and, as a consequence, the Tenant household is determined to be overhoused, unless an exception is provided by law, upon availability of a smaller unit of appropriate unit size, LHA shall offer to lease such smaller unit to Tenant who shall have thirty (30) days within which to sign a new Lease and to move to the unit of appropriate unit size. Following expiration of thirty (30) days, if Tenant shall have failed or refused to transfer to a unit of appropriate unit size offered by LHA, Tenant's monthly rent shall be 150% of the rent which would otherwise have been charged to Tenant. By charging such increased rent, LHA shall not have condoned Tenant's breach of Tenant's obligation to pay rent when due, and LHA shall not thereby waive any rights to issue a notice of termination of the Lease, to bring eviction proceedings against Tenant and to collect arrearages, constable fees and costs on account of the Tenant's failure to pay rent when due.

Executed this _____day of _____, 2003.

Tenant: _____

using Authority: _____

LHA LETTERHEAD

August 29, 2003

Tenant
Address
Address

RE: Regulatory Change Affecting Alternative Housing Voucher Program (AHVP) Participants

Dear Tenant:

I am writing to inform you of a recent amendment to one of the regulations for state-aided public housing which also applies to the AHVP. The Massachusetts Department of Housing and Community Development (DHCD) has amended its regulation governing rent calculations for all public housing tenants. This new regulation is effective August 29, 2003. It requires a change in your rent due on October 1, 2003.

This letter will explain the change and how it will affect you. Should your wish to review them, a complete copy of the new regulation is posted in the Housing Authority Office.

The new regulation eliminates the current $400 annual income deduction for a household in which the tenant is an elderly person of low income or a handicapped person of low income. As a consequence your tenant rent share will increase by $10 per month. *(Note to LHA: amount should be $8 per month if the household pays 25% of income for rent.)*

In compliance with the applicable provision of your AHVP Lease and the DHCD regulation, as amended, enclosed are a Notice of New Tenant Rent Share (showing your new rent share and how it was determined) and an AHVP Annual and Interim Lease Amendment. A copy of the Amendment is also being sent to your landlord.

If you have any questions or concerns regarding the new regulation as it affects you, please call the Housing Authority Office.

Sincerely,

ahvp\RentRegChg-TenantLtr

LHA LETTERHEAD

NOTICE OF NEW TENANT RENT SHARE

Pursuant to Section 1.2 of your AHVP Lease, this serves as a 30 day notice that your tenant rent share has been changed as required by and pursuant to DHCD regulation 760 CMR 6.00. That regulation is posted in the Housing Authority Office. This notice does not affect the regular rent determination process.

DATE: August 29, 2003

TENANT: _____ ADDRESS: _____

CURRENT TENANT RENT SHARE: _____

YOUR TENANT RENT SHARE HAS BEEN ADJUSTED BASDD ON THE DAME INOCME AND DEDUCTION DATA ON FILE FROM YOUR LAST ANNUAL REDETERMINATION OR INCOME CHANGE, WHICHEVER WAS LATER (ELIMINATING THE $400 DEDUCTION IN 760 CMR 6.05(4)(a)) AS FOLLOWS:

(A) HOUSEHOLD'S GROSS ANNUAL INCOME: _____

(B) TOTAL ALLOWABLE DEDUCTIONS: _____

(C) HOUSEHOLD'S ANNUAL NET INCOME (A-B): _____

(D) HOUSEHOLD'S MONTHLY NET INCOME: _____

(E) YOUR TENANT RENT SHARE IS 25%/30% OF YOUR MONTHLY NET INCOME: _____

NEW TENANT RENT SHARE: _____

EFFECTIVE DATE OF NEW TENANT RENT SHARE: OCTOBER 1, 2003

You are reminded that you are still required by Section 4(A)(1) your AHVP Voucher to report, within 30 days of the changes, any increase in household income and/or composition.

If you do not agree with this rent adjustment, please contact this Office for further assistance. If at that time, you still do not agree that your rent was calculated correctly, and according to the Regulation governing rent as set forth by the Department of Housing and Community Development (DHCD), you may file a Grievance and request a Grievance Hearing, in writing, to this Office. You may present all relevant information pursuant to the Housing Authority's grievance procedure.

A request for a Grievance Hearing must be in writing and must be mailed or delivered to the Housing Authority no later than fourteen (14) days after the date this notice was received. You have the right to examine your file before the Grievance Hearing. You are entitled to be represented at the Grievance Hearing by an attorney or other person of your choice at your own expense. If you or your representative request a Grievance Hearing, you must continue to pay your then current tenant rent share, unless your redetermined share is lower, until disposition of the Grievance. Upon final disposition of the Grievance, you shall pay any additional amounts determined to have been due but not paid since the effective date set out in this notice or the Housing Authority shall credit you with any amounts paid but determined not to have been due.

ahvp\RentRegChg-TenantNotice

ANNUAL AND INTERIM LEASE AMENDMENT
ALTERNATIVE HOUSING VOUCHER PROGRAM (AHVP)

DATE _______________

____________________ ______________________

TENANT (LESSEE) **LANDLORD (LESSOR)**

Unit located at ____

At the time that the income or size of the household is renewed or changes, the net income and rent shall be recalculated by the _____________ (LHA). This is pursuant to Regulations 760 CMR 53.06 (3) and (4) governing the Alternative Housing Voucher Program, the amount of rent payable by the _______________________ (LHA), and the Lessee. If the household net income has decreased, the rent shall be decreased effective the first rent payment day following the change in household income or size. If the net income has increased, the rent shall be increased effective the first rent payment day of the second month following the change in household income.

~ ~

Based on information supplied by the tenant concerning income and household size, check which applies:

Annual Recertification ____ Interim Change _____

AHVP regulations require that revisions be made in rental payment responsibilities. Therefore, the lease shall be amended as follows:

Effective as of _________________________________.

The Contract and Lease are extended to (applicable for renewal only):

____

CURRENT		NEW	
TOTAL RENT	____________	CHANGES TO	_________
LHA SHARE	____________	CHANGES TO	_________
TENANT SHARE	___________	CHANGES TO	_________

AHVPINT2