

EXHIBIT D – Definition of Housing Terms

DRAFT FOR COMMENTS

Definition of Housing Terms

Statement

This exhibit is meant to provide some legal and clarifying definitions and may be updated separately from the contents of the Resident Selection Criteria.

Definitions

Accessible Unit

A unit that is located on an accessible route and when designed, constructed, altered or adapted can be approached, entered, and used by individuals with a physical impairment.

Companion or Emotional Support Animal

An animal that provides emotional, cognitive, or other similar support to a person with a disability to assist them in managing the symptoms of their disability.

Disabled Family

- (1) Families of two or more persons the head of which (or his or her spouse) is a person with disabilities (handicapped);
- (2) The surviving member or members of any family described in paragraph (1) of this definition living in a unit assisted under subpart E of this part (Section 202 loans) with the deceased member of the family at the time of his or her death;
- (3) A single person with disabilities (handicapped person) over the age of 18; or
- (4) Two or more persons with disabilities (handicapped persons) living together, or one or more such persons living with another person who is determined by HUD, based upon a licensed physician's certificate provided by the family, to be essential to their care or well-being.

Elderly Person

Definition C [24 CFR 891.205] An elderly person is a household composed of one or more persons at least one of whom is 62 years of age or more at the time of initial occupancy.

Extremely Low Income (ELI)

New definition of ELI effective 7/1/2014: Extremely low-income whose incomes do not exceed the higher of the federal property level or 30% of Area Median Income.

Elderly Family

A household whose Head or Spouse is age 62 or older.

Family

A family includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

(1) A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person, is an otherwise eligible youth who has attained at least 18 years of age and not more than 24 years of age, has left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act (42 U.S.C. 675(5)(H)), is homeless or is at risk of becoming homeless at age 16 or older; or

(2) A group of persons residing together, and such group includes, but is not limited to:

(i) A family with or without children (a child who is temporarily away from the home because of

placement in foster care is considered a member of the family);

(ii) An elderly family.

(iii) A near-elderly family;

(iv) A disabled family;

(v) A displaced family; and

(vi) The remaining member of a tenant family.

Health and Medical Care Expenses (HOTMA)

Includes costs incurred for the diagnosis, cure, mitigation, treatment, or prevention of disease or payments for treatments affective any structure or function of the body. Includes medical insurance premiums and long-term care premiums that are paid or anticipated during the period for which annual income is computed, only if they are eligible and not otherwise reimbursed, and only for elderly or disabled families.

HUD Multifamily Housing Programs

Section 8 (Project Based Rental Assistance), Section 202/8, Section 202/811 PRAC, Section 236 IRP, Section 811 PRA, SPRAC

Live-In Aide

A Live-In Aide is a person who resides with one or more elderly persons, near-elderly persons, persons with disabilities and who:

1. Is determined essential to the care and well-being of the persons;
2. Is not obligated for the support of the persons; and
3. Would not be living in the unit except to provide the necessary supportive services.

A relative may be a Live-In Aide but must meet all of the above requirements, and sign a statement to that effect.

A Live-In Aide qualifies for occupancy only as long as the individual needs support services and does not qualify for continued occupancy as a remaining household member. A Live-In Aide must have an acceptable criminal background screening prior to acceptance as a Live-In Aide. The need for the live-in aide will be verified before Move In and at each Annual Recertification.

Person With A Disability

Any adult having a physical, mental or emotional impairment that:

1. Is expected to be of long-continued and indefinite duration;
2. Substantially impedes his or her ability to live independently; and

3. Is of such a nature that such ability to live independently could be improved by more suitable housing conditions.

Pet

A pet is a “Small domesticated animal commonly kept in residential settings.”

“A domesticated animal, such as a dog, cat, bird, rodent (including a rabbit), fish, or turtle, that is traditionally kept in the home for pleasure rather than for commercial purposes. Common household pets do not include reptiles (except turtles). If this definition conflicts with any applicable State or local law or regulation defining the pets that may be owned or kept in dwelling accommodations, the State or local law or regulations shall apply. This definition does not include animals that are used to assist persons with disabilities.

Reasonable Accommodation

A change in a housing provider’s rules, policies, practices or services that is necessary to provide a person with a disability an equal opportunity to use and enjoy their home.

Reasonable Modification

A physical alteration of the interior of the existing premises that is necessary to provide a person with a disability an equal opportunity to use and enjoy their home.

Reasonable Attendant Care & Auxiliary Apparatus Expenses (HOTMA)

Auxiliary apparatus items can include, for example, expenses for wheelchairs, ramps, adaptations to vehicles, guide dogs, assistance animals, or special equipment to enable a person who is blind or has low vision to read or type or special equipment to assist a person who is deaf or hard of hearing. Examples of attendant care include teaching a person with disabilities how to perform day-to-day tasks independently like cleaning, bathing, doing laundry, and cooking. Attendant care can be 24-hour care, or care during sporadic periods throughout the day. The family must include a person with a disability, the expenses must

enable any member of the family to be employed, and deduction is capped at the amount earned by that individual to be claimed.

Service Animal/Assistance Animal

Service animals are defined as dogs, regardless of breed or type, that are individually trained to do work or perform tasks for the benefit of a qualified individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Animal species other than dogs, emotional support animals, comfort animals, companionship animals, and service animals in training are not service animals.

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