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**Pickaway Metropolitan
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COMMUNITY SERVICE ACT

The purpose of the community service and self-sufficiency requirement is intended to assist adult public housing residents in improving their own economic and social well-being and to give these residents a greater stake in their communities. The community service and self-sufficiency requirement allows residents an opportunity to “give something back” to their communities while facilitating upward mobility. Community Service is not employment and may not include political activities.

The Community Service and Self-Sufficiency requirement was enacted on October 12, 1998 as Section 12 (c) of Section 512 of the Quality Housing and Work Responsibility Act of 1998. The act requires that every adult resident of public housing contribute eight hours of community service each month, or participate in an economic self-sufficiency program for eight hours each month. To meet the requirement, a resident can perform 8 hours per month of combined community service and economic self-sufficiency activities.

Any family failing to meet the Community Service requirement will be subject to non-renewal of their lease at the end of the twelve month lease term. Termination of tenancy during the course of the twelve month lease term will not occur for failure to meet community service requirements.

ADMINISTERING THE COMMUNITY SERVICE REQUIREMENT

The Pickaway Metropolitan Housing Authority (hereinafter called “PMHA”) will administer the community service program directly, in cooperation and with the support of other Pickaway County local agencies and non-profit organizations.

In the July, 2003 public housing newsletter, as included in the July rent statement mailing, an insert describing the Community Service program was sent to each household to make an initial determination of which household members were exempt and which household members would be completing community service requirements. PMHA staff members also met with representatives of the local Jobs and Family Services office to gain a clear understanding of disability definitions and OWF/TANF requirements.

Based on this information, the following Community Service policy has been written.

COMMUNITY SERVICE POLICY FOR THE PICKAWAY METROPOLITAN HOUSING AUTHORITY

Residents of the PMHA on July 1, 2003 were provided a description of the Community Service requirement and were asked to complete a form listing all members of the household who are 18 years of age and older. Residents were also asked to list any persons who may be exempt under the community service guidelines.

The PMHA staff also reviewed each tenant household to reach its own determination on what household members would potentially be required to perform community service hours, as well as which members would be exempt. Determination will be based upon in-file documentation such as Social Security verification, WIN

and Jobs & Family Services verification forms. Other forms to determine exemption status have been developed and are attached.

This same procedure will be required of all incoming residents. Each head of household will be asked to complete the community service questionnaire. In addition, the PMHA staff will review appropriate documentation such as the Personal Declaration and verification forms from agencies such as Social Security, Jobs & Family Services and WIN to determine individual status on community service.

A tracking form has been developed which will be kept in each resident file for the purpose of tracking that household's community service status. Each resident in the household, over the age of 18, will be categorized as either:

- a) community service "active", meaning the resident is required to perform community service activities, or
- b) community service "exempt", meaning the resident is exempt from performing community service activities.

If a resident is community service active on the 1st day of the month, a resident will be required to meet the 8 hour community service requirement for that month, irregardless of change in status. The exception to this provision is if the resident becomes exempt due to exemption codes (1), (2), or (3). If exempted for codes (1), (2), or (3), the resident becomes exempt the day the proper verification is given to the PMHA office.

If a resident becomes community service active during the month, verification and documentation will be processed, and the resident's active status will become effective on the 1st day of the following month. In situations where this status develops late in the month, the public housing staff will use as a guide, the close date for the current month tenant accounting activity. If the current month has been closed, the active status may not begin until the 1st of the following month. Every effort will be made to implement community service in the month immediately following active status.

EXEMPTIONS FROM COMMUNITY SERVICE

Exemptions from Community Service are as follows:

- 1) Age 62 or older
- 2) Blind or disabled (as defined under 216(i)(1) or 1614 of the Social Security Act) and who certify that because of this disability they are unable to comply with the service provisions. In order to claim this disability, the resident must actually be "directly" receiving Social Security based benefits. "Directly" means the disability assistance must directly be assigned to the resident in question, not as a beneficiary.
- 3) Primary caregiver of an individual who is blind or disabled as defined under 216(i)(1) or 1614 of the Social Security Act. (See attached definition according to these provisions of the act).
- 4) Engaged in work activities as defined in section 407(d) of the Social Security Act, specified below. The work activity must be conducted for 20 hours minimum, per week, to meet this exemption:
 - a) unsubsidized employment;
 - b) Subsidized private-sector employment;
 - c) Subsidized public sector employment;
 - d) Work experience if sufficient private sector employment is not available;
 - e) On-the-job training;
 - f) Job-search and job-readiness assistance;
 - g) Community service programs;
 - h) Vocational education training (not to exceed 12 months with respect to any individual)
 - i) Job-skills training directly related to employment
 - j) Education directly related to employment in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency;

- k) Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate;
 - l) The provision of childcare services for an individual who is participating in a community service program
- 5) The resident meets the requirements for being exempt 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 of Ohio, including a State-administered welfare-to-work program
- 6) The resident is a member of a family receiving TANF assistance, benefits, or Service under the State program funded under part A of title IV of the Social Security Act; or under any other welfare program of Ohio including a state administered welfare-to-work program and has not been found by the State or other administering entity to be in non-compliance with such program.

GENERAL REQUIREMENTS OF COMMUNITY SERVICE

Any family member who is community service active must contribute 8 hours per month of community service (not including political activities), OR

Any family member who is community service active must participate in an economic self-sufficiency program for 8 hours per month; OR

Any family member who is community service active must perform 8 hours per month of combined activities.

If an active family member violates the community service requirement, this violation is a mandatory reason to non-renew the family lease. A non-renewal is at the end of the lease term. A lease cannot be terminated during the course of the twelve month lease term for failure of a family member to meet the community service requirement.

The PMHA will review family compliance with service requirements, and will verify such compliance annually at least thirty days before the end of the twelve month lease term. Documentation of the community service requirement will be kept in participant files.

If the PMHA determines that there is a family member who is required to fulfill a community service requirement but who has violated this family obligation, thus becoming a noncompliant resident, the PMHA will notify the tenant of this determination.

The notice to the tenant will briefly describe the noncompliance issue, and will further state that the PMHA will not renew the resident's lease at the end of the twelve month lease term.

The notice will further state that the tenant can resolve this issue with the PMHA, thereby giving "cure" to the noncompliance. In order to satisfactorily give cure to the noncompliance issue, the resident must serve the unfulfilled required number of hours to bring the resident current. The resident must then stay current and fulfill all subsequent community service requirements so that the tenant is in full compliance at the end of the lease term. All family members must be compliant at this time.

Tenants may request a grievance hearing on any PMHA determination concerning community service. The tenant may also seek any judicial remedy to seek timely redress for the PMHA's non-renewal of the lease because of the noncompliance.

If the family asserts that the resident in noncompliance no longer lives in the public housing residence, a certification stating this must be submitted to the PMHA.

PMHA OBLIGATIONS

The PMHA will comply with all non-discrimination and equal opportunity requirements as is common practice with the agency.

In implementing the community service requirement, the PMHA may not substitute community service or self-sufficiency activities performed by residents for work ordinarily performed by PMHA employees, or replace a job at any location where residents perform activities to satisfy the service requirement.

SOCIAL SECURITY DEFINITIONS UNDER SECTION 1614

Section 1614.[42 U.S.C. 1382c](a)

(1) For purpose of this title, the term “aged, blind, or disabled individual” means an individual who—

- (A) is 65 years of age or older, is blind (as determined under paragraph (2)), or is disabled (as determined under paragraph (3)), and
- (B) (I) is a resident of the United States, and is either (I) a citizen or (II) an alien lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law (including any alien who is lawfully present in the United States as a result of the application of the provisions of section 212(d)(5) of the Immigration and Nationality Act), or
(ii) is a child who is a citizen of the United States, who is living with a parent of the child who is a member of the Armed Forces of the United States assigned to permanent duty ashore outside the United States, and who, for the month before the parent reported for such assignment, received a benefit under this title.

(2) An individual shall be considered to be blind for purposes of this title if he has central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for purposes of the first sentence of this subsection as having a central visual acuity of 20/200 or less. An individual shall also be considered to be blind for purposes of this title if he is blind as defined under a State plan approved under title X or XVI as in effect for October 1972 and received aid under such plan (on the basis of blindness) for December 1973, so long as he is continuously blind as so defined.

(3)(A) Except as provided in subparagraph (C), an individual shall be considered to be disabled for purposes of this title if he is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months.

(B) For purposes of subparagraph (A), an individual shall be determined to be under a disability only if his physical or mental impairment or impairments are of such severity that he is not only unable to do his previous work but cannot, considering his age, education, and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which he lives, or whether a specific job vacancy exists for him, or whether he would be hired if he applied for work. For purposes of the preceding sentence (with respect to any individual), “work which exists in the national economy” means work which exists in significant numbers either in the region where such individual lives or in several regions of the country.

(C)(I) An individual under the age of 18 shall be considered disabled for the purposes of this title if that individual has a medically determinable physical or mental impairment, which results in marked and several functional limitations, and which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months.

(ii) Notwithstanding clause (k), no individual under the age of 18 who engages in substantial gainful activity (determined in accordance with regulations prescribed pursuant to subparagraph (E)) may be considered to be disabled.

(D) For purposes of this paragraph, a physical mental impairment is an impairment that results from anatomical, physiological, or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques.

(E)The Commissioner of Social Security shall by regulations prescribe the criteria for determining when services performed or earnings derived from services demonstrate an individual’s ability to engage in substantial gainful activity. In determining whether an individual is able to engage in substantial gainful activity by reason of his earnings, where his disability is sufficiently severe to result in a functional limitation requiring assistance in order for him to work, there shall be excluded from such earnings an amount equal to the cost (to such individual) of any attendant care services, medical devices, equipment, prostheses, and similar items and services (not including routine drugs or routine medical services unless such drugs or services are necessary for the control of the disabling condition) which are necessary (as determined by the Commissioner of Social Security in regulations)for that purpose, whether or not such assistance is also needed to enable him to carry out his normal daily functions; except that the amounts to be excluded shall be subject to such reasonable limits as the Commissioner of Social Security may prescribe. Notwithstanding the provisions of subparagraph (B), and individual whose services or earnings meet such criteria shall be found not to be disabled. The Commissioner of Social Security shall make determinations under this title with respect to substantial gainful activity, without regard to the legality of the activity.

The remainder of this section of the social security definition deals with review of disability status and benefits to spouse and children.

SOCIAL SECURITY DEFINITION UNDER SECTION 216

Section 16(I)(1) states Except for purposes of sections 202(d), 202(e), 202(f), 223, and 225, the term “disability” means

(A)inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, or

(C) blindness; and the term “blindness” means central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for purposes of this paragraph as having a central visual acuity of 20/200 or less. The provisions of paragraphs (2)(A), (2)(B), (3), (4), (5), and (6) of section 223 (d) shall be applied for purposes of determining whether an individual is under a disability within the meaning of the first sentence of this paragraph in the same manner as they are applied for purposes of paragraph (1) of such section. Nothing in this title shall be construed as authorizing the Commissioner or any other officer or employee of the United States to interfere in any way with the practice of medicine or with relationships between practitioners of medicine and their patients, or to exercise any supervision or control over the administration or operation of any hospital.

USDA Non-Discrimination Statement

This institution is an equal opportunity provider.

HUD Notification of Non-Discrimination on the Basis of Disability Status

Pickaway Metropolitan Housing Authority does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities. The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development’s regulations implementing Section 504 (24 CFR, part 8 dated June 2, 1988): Tammy McGlone, Pickaway Metropolitan Housing Authority, 176 Rustic Drive, Circleville OH 43113, Phone: 740-477-2514, Email: tmcglone@pickawaymha.com