
**HOUSING AUTHORITY OF THE CITY OF SEATTLE
MANUAL OF OPERATIONS**

SUBJECT: Adding or Removing Members from an Existing Lease

SCOPE: These policies shall apply to all federally subsidized public housing programs and units administered by the Seattle Housing Authority (SHA), unless specifically noted.

POLICY:

The composition of any household is determined at the time the application is approved, and represents the only person(s) authorized to live in the unit rented by that household, unless that composition is revised with SHA's approval.

IMPLEMENTATION POLICY:

With the exception of children born to members of the household, residents shall request in writing permission to add new member(s) to the household in advance. Generally, no new member(s) will be added to a household within the first six months of the resident's initial tenancy. Requests to add other minors to the household must be accompanied by documents substantiating legal custody or guardianship by an adult member of the household.

APPLICATION. The person(s) to be added to a resident's lease must complete, in a timely manner, the application process by providing all information and documentation required to establish the person's eligibility and suitability for SHA housing. The person(s) shall be processed as an "applicant" for public housing. The person's application may be rejected or denied for failure to provide verification of income and personal circumstances.

Applications may also be rejected or denied if there is any deliberate misrepresentation or intentional manipulation of the application process. The person shall be required to disclose criminal history on the application. If the criminal background check reveals convictions not reported on the application, the applicant shall be denied. Fraudulent landlord references, or fraudulent documentation of income, disability, citizenship, or any other aspects of eligibility, or suitability, shall also result in a denial of the application.

ELIGIBILITY. In compliance with IRS rules, federal statutes and HUD regulations, the Housing Authority is required to determine whether persons added to the household are eligible to occupy subsidized units and receive housing assistance. Only persons who meet program requirements shall be qualified for eligibility, these requirements include: income limits and full-time student rules for tax credit financed units; verification of Social Security Number of persons requested to be added¹; a signed Authorization for Release of Information prior to receiving assistance and annually thereafter; an application for a unit that will be the person's only residence; agreement to pay the rent required by SHA; and not owe a debt to SHA or another public housing authority. A child cannot be

¹ Exception are mixed-families, with a household member(s) who does not contend to have eligible immigration status. Refer to Manual Section L12.8-2 for SHA's policy on Non-Citizens.

Rev. 5-1-10. Revised language on the disclosure of social security number requirement.

eligible for housing assistance in two different subsidized units except when the parents have 50/50 joint custody. See SHA's Eligibility policy, L10.3-1.

SUITABILITY. In addition to being eligible, persons added to the household must be determined to be *suitable* as outlined in L10.4-1. SHA shall assess persons who are 18 years or older. The assessment is made on the basis of current and past behavior.

SHA may have additional suitability criteria for specific SHA public housing communities, based on:

- a. the level of responsibility residents are expected to take in maintaining their housing and independently managing relationships with neighbors (e.g., SHA scattered site units); and/or
- b. specific requirements for occupancy in a particular community (e.g., education and employment requirements for public housing residents in mixed income communities, as described in the management plans for those communities).

APPROVAL. SHA will inform the resident if the person is approved to be added to his or her lease. When new members are added to the household, a new lease shall be prepared and signed by all adult members authorized to live in the unit.

CANCELLATION, DENIAL. Failure of the resident/ applicant to complete any element of the application process will result in cancellation of the application. If the applicant fails to meet eligibility or suitability requirements, the resident's request to add the person shall be denied.

SHA shall inform the resident of the denial of an application to add a person to his or her lease and of his or her right to submit, within two weeks of the date of notification, a written request for an administrative review.

REMOVING HOUSEHOLD MEMBERS FROM THE LEASE. The Head of Household may request to remove any member of the household from the lease. To remove an adult member (18 years of age or older), however, the head of household must provide a written statement from the adult member being removed from the household, authorizing his or her removal from the lease. If the adult member is not able to provide such a statement for any reason, the head of household must provide a certification, under penalty of perjury, that the adult member is no longer a member of the household.

When there is a spouse or co-tenant(s), each party who is to be removed from the lease must agree in writing to the removal. If the party to be removed does not consent to the removal, SHA shall not take any action to remove the party from the lease or the unit unless court documents are provided which authorize removal of a spouse or co-tenant from the lease.

When one party is removed from the lease SHA shall have no obligation to provide a unit for the member removed.

When an incident of domestic violence requires removal of the abuser from the unit, SHA may pursue eviction actions to terminate the tenancy of the abuser in accordance with the terms of the lease and SHA's eviction policy.

SECURITY DEPOSIT. The Security Deposit remains with the person in possession of the unit. Any claim for reimbursement of security deposit by the household member removed from the lease shall be made to the Head of Household, and the amount to be reimbursed, if any, shall be determined in negotiations between the Head of Household and the household member removed from the lease.

RENT. Whenever there has been a change in the resident's household composition or amount or source of household income so that the current rental rate no longer conforms to the rent required for the household's income or the household composition, the resident may be required to pay a higher or lower rent as determined by the applicable SHA rent schedule.

SIZE OF DWELLING. SHA is by law, required to assign units according to the size of the household. If the resident's household composition authorizes a larger unit or requires a smaller unit as provided in SHA's occupancy standard, SHA shall initiate a transfer request, in accordance with SHA's Transfer policies for over or underhoused households, to a unit with the appropriate bedroom size. Children in joint custody arrangements who are part of the household 51% or more of the time shall be included in determining the unit size.