

## **CHA Policy**

The CHA has adopted the following waitlist preferences, all of which must be verified from the date on which such preference was claimed and again on the date of the family's selection from the list to the satisfaction of the CHA. A household that qualifies for the Veteran's Preference is not entitled to a Victim of Domestic Abuse Preference, and vice versa.

All households who qualify for the Local Preference as defined in the plan will get it. The maximum number of points a household can be given is two (2) points. The more preference points and applicant has, the higher the applicant's place on the waiting list. Relating to CHA tenant selection from the waiting list among applicant families having the same preference score, the date and time of application shall be controlled.

**HCV Abatement-Affected Family Preference (2 points):** The PHA will provide a preference for an HCV family whose HAP contract is being terminated due to an owner failing to make required repairs within the required time frame, and who were unable to lease a new unit within the term of the voucher.

**Residency preference (1 point):** for families who live or work, or have been hired to work, in the CHA's jurisdiction. In order to verify that an applicant is a resident, the CHA will require an applicant family to produce a minimum of three (3) of the following types of satisfactory third party verification documents or sufficient verification as determined by the CHA: rent receipts, leases, utility bills, employer or agency records, school records, drivers licenses, Massachusetts I. D., voters registration records or annual street listings, credit reports, tax documents or a landlord's statement which is otherwise verifiable by the CHA.

For families of which a member is working a minimum of twenty (20) hours or has been hired to work in Chelsea, paystubs or a notarized employment verification statement signed by the employer will be required.

Chelsea residents: in case of an applicant determined by the CHA to be homeless, the applicant may select one community for local preference, either in the community from which he or she was displaced through no fault of his/her own, or the community in which he/she is temporarily based. See 760 CMR 5.03 for definition of local resident.

**Veteran/Active Serviceperson Preference (1 point):** This preference applies to applicants who are head of households who are veterans or active servicepersons, and includes a spouse, surviving spouse, parent or other dependent of such veterans. The term "Veteran" shall have the same meaning as such term has been statutorily defined by the Commonwealth

of Massachusetts, or as the same may be hereinafter amended or revised.

The term “**Active Serviceperson**” shall mean an individual currently serving in a branch of the military forces, including a reservist or National Guardsman, of the United States of America who has served for at least 185 consecutive days.

“**Veteran**” shall mean (1) any person, (a) whose last discharge or release from his wartime service as defined herein, was under honorable conditions and who (b) served in the army, navy, marine corps, coast guard, or air force of the United States, or on full time national guard duty under Titles 10 or 32 of the United States Code or under sections 38, 40 and 41 of chapter 33 for not less than 90 days active service, at least 1 day of which was for wartime service; provided, however, than any person who so served in wartime and was awarded a service-connected disability or a Purple Heart, or who died in such service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete 90 days of active service; (2) a member of the American Merchant Marine who served in armed conflict between December 7, 1941 and December 31, 1946, and who has received honorable discharges from the United States Coast Guard, Army, or Navy; (3) any person (a) whose last discharge from active service was under honorable conditions, and who (b) served in the army, navy, marine corps, coast guard, or air force of the United States for not less than 180 days active service; provided, however, that any person who so served and was awarded a service-connected disability or who died in such service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete 180 days of active service.

“**Wartime service**” shall mean service performed by a “Spanish War veteran”, a “World War I veteran”, a “World War II veteran”, a “Korean veteran”, a “Vietnam veteran”, a “Lebanese peace keeping force veteran”, a “Grenada rescue mission veteran”, a “Panamanian intervention force veteran”, a “Persian Gulf veteran”, or a member of the “WAAC” as defined in this clause during any of the periods of time described herein or for which such medals described below are awarded.

“**Spanish War veteran**” shall mean any veteran who performed such wartime service between February fifteenth, eighteen hundred and ninety-eight and July fourth, nineteen hundred and two.

“**World War I veteran**” shall mean any veteran who (a) performed such wartime service between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen, or (b) has been awarded the World War I Victory Medal, or (c) performed such service between March twenty-fifth, nineteen hundred and seventeen and August fifth, nineteen hundred and seventeen, as a Massachusetts National Guardsman.

“**World War II veteran**” shall mean any veteran who performed such wartime service between September sixteenth, nineteen hundred and forty and December thirty-first, nineteen hundred and forty-six--, except that for the purposes of chapter thirty-one it shall

mean all active service between the dates of September sixteenth, nineteen hundred and forty and June twenty-fifth, nineteen hundred and fifty.

"Korean veteran" shall mean any veteran who performed such wartime service between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five, both dates inclusive, and any person who has received the Korea Defense Service Medal as established in the Bob Stump National Defense Authorization Act for fiscal year 2003.

"Korean emergency" shall mean the period between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five, both dates inclusive.

"Vietnam veteran" shall mean (1) any person who performed such wartime service during the period commencing August fifth, nineteen hundred and sixty-four and ending on May seventh, nineteen hundred and seventy-five, both dates inclusive, or (2) any person who served at least one hundred and eighty days of active service in the armed forces of the United States during the period between February first, nineteen hundred and fifty-five and August fourth, nineteen hundred and sixty-four; provided, however, that for the purposes of the application of the provisions of chapter thirty-one, it shall also include all active service between the dates May seventh, nineteen hundred and seventy-five and June fourth, nineteen hundred and seventy-six; and provided, further, that any such person who served in said armed forces during said period and was awarded a service-connected disability or a Purple Heart, or who died in said service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete one hundred and eighty days of active service.

"Lebanese peace keeping force veteran" shall mean any person who performed such wartime service and received a campaign medal for such service during the period commencing August twenty-fifth, nineteen hundred and eighty-two and ending when the President of the United States shall have withdrawn armed forces from the country of Lebanon.

"Grenada rescue mission veteran" shall mean any person who performed such wartime service and received a campaign medal for such service during the period commencing October twenty-fifth, nineteen hundred and eighty-three to December fifteenth, nineteen hundred and eighty-three, inclusive.

"Panamanian intervention force veteran" shall mean any person who performed such wartime service and received a campaign medal for such service during the period commencing December twentieth, nineteen hundred and eighty-nine and ending January thirty-first, nineteen hundred and ninety.

"Persian Gulf veteran" shall mean any person who performed such wartime service during the period commencing August second, nineteen hundred and ninety and ending

on a date to be determined by presidential proclamation or executive order and concurrent resolution of the Congress of the United States.

"WAAC" shall mean any woman who was discharged and so served in any corps or unit of the United States established for the purpose of enabling women to serve with, or as auxiliary to, the armed forces of the United States and such woman shall be deemed to be a veteran.

None of the following shall be deemed to be a "veteran":

- (a) Any person who at the time of entering into the armed forces of the United States had declared his intention to become a subject or citizen of the United States and withdrew his intention under the provisions of the act of Congress approved July ninth, nineteen hundred and eighteen.
- (b) Any person who was discharged from the said armed forces on his own application or solicitation by reason of his being an enemy alien.
- (c) Any person who has been proved guilty of willful desertion.
- (d) Any person whose only service in the armed forces of the United States consists of his service as a member of the coast guard auxiliary or as a temporary member of the coast guard reserve, or both.
- (e) Any person whose last discharge or release from the armed forces is dishonorable.

"Armed forces" shall include army, navy, marine corps, air force and coast guard.

"Active service in the armed forces", as used in this clause shall not include active duty for training in the army national guard or air national guard or active duty for training as a reservist in the armed forces of the United States.

Any preference that may be granted by the CHA to a "Veteran" as defined herein may also be awarded to their surviving spouse following the death of such Veteran, provided such spouse has not remarried prior to the time of admission to the CHA's program.

The PHA will require verifiable U.S. government documents which establish that the applicant qualifies under the above definition.

#### **Victim of Domestic Abuse Preference (1 point):**

The applicant or household member is a victim of domestic violence (as defined in the Abuse Prevention Act at M.G.L. c. 209A or the Violence Against Women Act, and:

- a. The applicant has been displaced from his/her dwelling unit due to domestic violence and has not secured permanent housing; or

b. The applicant or household member is recently displaced or likely to be displaced from his/her dwelling unit due to the loss of income from an abuser who must leave the home (e.g., restraining order issued); and the applicant's rent is documented to be more than 50% of his/her monthly adjusted income as a result of the loss of income from the abuser being separated from the household.

**In determining eligibility under the domestic violence category, the applicant must show:**

- a. That he/she, or a household member, is a victim of domestic violence by submission of a certification and, if required by CHA, provide third party documentation as described below.
- b. The certification form HUD 5382 to be submitted is provided by HUD as part of compliance with the Violence Against Women Act (VAWA). Depending on its initial review of the circumstances, CHA may require more specific, third-party documentation to verify that the applicant or household member is a victim of domestic violence.
- c. Third party documentation includes a police or court record of the domestic violence; other documentation signed by the victim and an employee, agent, or volunteer of a service provider, a social service provider, domestic violence shelter staff, school personnel, attorney, social worker, or a medical professional (psychologists and mental health providers) from whom the victim has sought assistance in addressing the domestic violence. The professional will attest, under penalties of perjury, to the professional's belief that the incident(s) in question are bona fide incidents of abuse. CHA shall not make contact with the abuser if doing so would create a risk of harm to the person claiming abuse and CHA shall maintain confidentiality of all information as per the VAWA policy.
- d. If the applicant is determined eligible, the applicant must provide the name of the abuser and shall certify that the abuser will not reside with the applicant.

Certification of domestic violence and or displacement because of domestic violence referred to in 24 CFR 5.420 (b)(4), shall come from local police department, social service agencies, court of competent jurisdiction, or a clergyman, physician, or public or private facility that provides shelter or counseling to victims of domestic violence