

**DHCD TENANT SELECTION  
ADJUDICATORY HEARING**

**DECISION INDEX**

**VOLUME XXXIII**

Includes all decisions made between November 30, 2012 and May 24, 2013.  
Requests for copies of cases should be made by case number to the DHCD Legal Office.  
All identifying information will be deleted from copies provided.

From 11/30/2012 To 05/24/2013

Dates	Case #	Type	Outcome	Summary
12/06/2012	1799	Unqualified	Upheld LHA	<p>Despite being provided with a reasonable accommodation, the Applicant was evicted from his previous tenancy due to disruptive conduct and poor hygiene. There were no changes in services or treatment since his eviction, and the Applicant acted out toward another tenant when he became frustrated while at the LHA. There was insufficient evidence from which to conclude that the Applicant's misconduct would be unlikely to reoccur.</p>
01/04/2013	1798	Unqualified	Overturned LHA	<p>Applicant had history of criminal activity for Negligent Homicide by Motor Vehicle and other prior motor vehicle offenses. Applicant was incarcerated for 8 years and had been released on probation for 3 1/2 years at the time of the hearing. Applicant had been in recovery from alcoholism since the fatal accident, no longer owns or drives a car and is a key speaker at Driver Under the Influence programs. Disqualifying misconduct found to be unlikely to reoccur.</p>
01/07/2013	1812	Unqualified	Dismissed	<p>Applicant applied for federally subsidized housing only.</p>
01/14/2013	1806	Withdrawn	Overturned LHA	<p>LHA did not use DHCD required forms.</p>
02/04/2013	1809	Unqualified	Upheld LHA	<p>Applicant failed to list address from which she was evicted and she did not show that the omission was unintentional.</p>
03/01/2013	1813	Priority	Upheld LHA	<p>Applicant was living as a temporary guest in a roommate situation and failed to provide any verification of her last residence or of the reasons for her displacement.</p>

From 11/30/2012 To 05/24/2013

Dates	Case #	Type	Outcome	Summary
03/04/2013	1805		Dismissed	Applicant failed to appear for hearing.
03/14/2013	1815	Unqualified	Upheld LHA	Applicant refused to provide information necessary to determine her income for the purposes of eligibility and rent determination. The behavior of the Applicant's advocate was abusive and threatening and the refusal to provide income information was without justification or excuse.
03/21/2013	1818	Withdrawn	Upheld LHA	Applicant failed to provide information concerning the owner of the property as well as verification that she was participating in a transitional housing program.
03/22/2013	1814	Unqualified	Upheld LHA	Applicant submitted false landlord references during the screening process. No mitigating circumstances shown.
03/27/2013	1819	Unqualified	Upheld LHA	Applicant was disqualified for history of nonpayment of rent. She had not paid over 50% of her household income for rent and there were no mitigating circumstances.
04/02/2013	1811	Unqualified	Upheld LHA	Applicant failed to pay rent during her 3 previous tenancies, and two of her Landlords obtained judgments against her. No mitigating circumstances were shown.

From 11/30/2012 To 05/24/2013

Dates	Case #	Type	Outcome	Summary
04/17/2013	1821	Unqualified	Overturned LHA	Applicant was disqualified for history of nonpayment of rent. The Applicant showed that she had withheld rent because of numerous long standing code violations in the premises, and that the landlord waived all claims for past due rent and gave the Applicant two month's rent credit in exchange for dropping her counterclaims in the eviction case.
04/29/2013	1820	Priority	Dismissed	Applicant failed to appear for hearing.
05/06/2013	1822	Unqualified	Upheld LHA	Applicant disqualified because of poor landlord reference that stated that eviction proceedings had been brought for disruptive conduct, damage and poor housekeeping. Applicant showed that he had been treated for a medical condition that mitigated the urine odor in his apartment, but did not outweigh the other disqualifying misconduct.
05/14/2013	1808	Unqualified	Upheld LHA	The Applicant was disqualified for a history of criminal activity with the most recent conviction for Assault & Battery with a Dangerous Weapon in 2012. The Applicant misrepresented his criminal history on his application and provided no credible evidence of mitigating circumstances or rehabilitation.