

**DHCD TENANT SELECTION  
ADJUDICATORY HEARING**

**DECISION INDEX**  
**VOLUME VI**

Includes all decisions made between May 18, 1999 and November 16, 1999.  
Requests for copies of cases should be made by case number.  
All identifying information will be deleted from copies provided.

From 05/18/1999 To 11/16/1999

<b>Dates</b>	<b>Case #</b>	<b>Type</b>	<b>Outcome</b>	<b>Summary</b>
05/26/1999	830	Unqualified	Upheld LHA	Applicant had CORI for numerous disturbances, trespassing and pulling a false alarm between 1991 and 1996. Insufficient time has gone by to provide assurance that misconduct will not reoccur.
05/27/1999	826	Priority	Dismissed	Applicant withdrew request for review.
06/02/1999	813	Unqualified	Upheld LHA	Applicant was former tenant of LHA from March, 1995 through January, 1996. During her short tenancy, there were numerous disturbances in the premises, and the manager recommended eviction. After the Applicant vacated, damage was found in the unit, and she left owing rent. The Applicant's CORI revealed convictions between 1993 and 1995 for Assault & Battery, Interfering with a Police Officer, and Possession with Intent to Distribute Heroin.
06/07/1999	831	Unqualified	Remanded to LHA	Applicant had long history of nonpayment of rent at current tenancy and did not prove that during the period that she was responsible for paying the rent that she paid at least 50% of her income for rent. Applicant brought two more receipts for rent to DHCD hearing that had not previously been considered by LHA. If the receipts were authentic, then the Applicant had paid 50% of her income. The receipts were inconsistent in appearance, so the case was remanded for redetermination.

From 05/18/1999 To 11/16/1999

Dates	Case #	Type	Outcome	Summary
06/11/1999	828	Unqualified	Upheld LHA	Applicant had 40 convictions from 1984-1998, including illegal drug offenses, prostitution and larceny. Her most recent convictions were for shoplifting in 1998, four months before she applied for housing. Insufficient time had passed to find that the Applicant had been rehabilitated.
06/22/1999	827	Unqualified	Upheld LHA	Applicant had conviction for Possession of Heroin with Intent to Distribute in 1994. Although Applicant was in recovery from heroin addiction, there was insufficient evidence of rehabilitation to outweigh criminal conduct.
06/30/1999	833	Unqualified	Upheld LHA	Applicant had 55 convictions over 12 years between 1985 and 1999, for Receiving Stolen Property, Larceny, Shoplifting, Assault & Battery, and Trespassing.
07/02/1999	837	Unqualified	Upheld LHA	Applicant was convicted of Possession with Intent to Distribute Heroin in 1998. Her son was convicted of Carrying a Concealed Weapon in 1997 and placed on probation until May, 2000. Son had twice violated his Probation.
07/06/1999	842	Withdrawn	Upheld LHA	Applicant failed to provide name, address and phone number of previous landlord or show why she could not do so.
07/06/1999	843	Unqualified	Overtured LHA	Applicant was evicted from Section 8 tenancy for nonpayment of rent.
07/09/1999	834	Unqualified	Dismissed	Applicant withdrew request for review.

From 05/18/1999 To 11/16/1999

Dates	Case #	Type	Outcome	Summary
07/15/1999	824	Unqualified	Remanded to LHA	Applicant disqualified because of poor landlord references. Prior landlords said that Applicant was late paying rent, caused damage to the premises, had poor housekeeping, and kept cats in violation of the no pets clause in the lease. The LHA initially overturned disqualification and reinstated application to the waiting list. Then it received another bad reference and it disqualified the Applicant without informing him of his right to another private conference, reconsideration or review based on the new information.
07/16/1999	851		Dismissed	Applicant applied only for federally subsidized housing.
07/21/1999	838	Ineligible	Upheld LHA	Applicant requested LHA permission to assume lease of his deceased father. Although the father had made inquiries about adding the applicant to his tenant household, he never did so. The regulations require that a remaining member of a tenant household be an authorized member of the household for one year in order to assume the tenancy of a departing tenant.
07/26/1999	844	Withdrawn	Dismissed	Case settled.
08/10/1999	848	Unqualified	Upheld LHA	Applicant had bad landlord reference for maintaining his apartment in unsanitary condition and disturbing his neighbors. Applicant denied that his accumulation of stuff in his apartment was caused by a disability and didn't believe that he needed treatment.

From 05/18/1999 To 11/16/1999

Dates	Case #	Type	Outcome	Summary
08/13/1999	765	Priority	Overturned LHA	DHCD Case No. 712 after remand. Applicant was granted priority status, then it was revoked when he refused a unit offer. Applicant had "good cause" for rejecting unit offer under the LHA's Tenant Selection Plan. The medical evidence established that housing applicant in unfamiliar surroundings would aggravate serious medical conditions.
08/16/1999	715	Preference	Upheld LHA	After remand from Case No. 649. Application dropped to the bottom of the waiting list. Applicant rejected unit and LHA found that she didn't have good cause under its Tenant Selection Plan. Doctor's letter said that an apartment on the first floor "might aggravate" her condition. This was insufficient to show good cause for rejection of unit by priority applicant.
08/17/1999	537	Withdrawn	Upheld LHA	Application dropped to the bottom of the waiting list for failure to accept offer of housing. Applicant claimed that the day before the offer was made, he had gone to the LHA and withdrew his application from all developments except one. The offer that he received was not in that development. The Applicant's request to be withdrawn from the other waiting lists was not timely.
08/18/1999	528	Withdrawn	Upheld LHA	Application dropped to the bottom of the waiting list for failure to accept offer of housing. Applicant failed to appear at Private Conference that he knew was scheduled. Default for failure to appear was warranted.

From 05/18/1999 To 11/16/1999

Dates	Case #	Type	Outcome	Summary
08/18/1999	850	Unqualified	Upheld LHA	Applicant was a former tenant of the LHA who had been chronically late in her rent and disturbed neighbors. She vacated without notice, and intended to transfer possession to an unauthorized occupant. Applicant admitted disqualifying misconduct, and circumstances were not shown that would mitigate disturbance of neighboring tenants.
08/19/1999	487	Unqualified	Upheld LHA	Applicant was formerly an occupant of her mother's apartment in LHA housing. When her mother went into the hospital, and then to a nursing home, the Applicant and her brother occupied the apartment. The LHA inspected the apartment a few months after the tenant was hospitalized and found unsanitary conditions. A few months later water left running in the sink caused the LHA to investigate, and it discovered even worse conditions. LHA had photographs of the apartment showing the disasterous conditions.
08/23/1999	514	Priority	Upheld LHA	Applicant denied priority for paying over 40% of income for rent. She did not appear at private conference and gave no prior excuse. Applicant had adequate notice within which to request rescheduling of conference. The default was proper.

From 05/18/1999 To 11/16/1999

Dates	Case #	Type	Outcome	Summary
08/23/1999	490	Withdrawn	Upheld LHA	Applicant failed to provide documentation requested by the LHA to process her application, including two neighbor references and information concerning the disposition of a criminal case. Applicant made untimely request for reconsideration which was denied. Applicant did not show good cause for late request and hence reconsideration was properly denied.
08/24/1999	496	Withdrawn	Upheld LHA	LHA removed application from the waiting list because the Applicant failed to provide accurate information about previous tenancies. Applicant requested, then failed to appear at private conference. Request for DHCD review was filed late. Review dismissed.
08/30/1999	750	Unqualified	Overturned LHA	Hearing after remand of case no. 657. Applicant disqualified because of bad landlord references. Landlord claimed that Applicant's sons damaged the premises, that she had unauthorized occupants, that she had a dispute with another tenant, and that she left the premises in filthy condition. Negative landlord comments were too vague and general to be disqualifying. Landlord did not appear to be impartial.
08/30/1999	531		Dismissed	Applicant failed to appear for hearing.
08/30/1999	755		Dismissed	moot
08/31/1999	438	Priority	Dismissed	moot
09/28/1999	863	Unqualified	Dismissed	Applicant failed to appear.

From 05/18/1999 To 11/16/1999

Dates	Case #	Type	Outcome	Summary
09/29/1999	855	Unqualified	Upheld LHA	Applicant had 19 criminal charges under several aliases within the previous 14 years. Applicant was on probation for the most recent offense until 4/24/2000. Charges included Assault & Battery, Disorderly Person and multiple drug offenses.
09/30/1999	858	Ineligible	Remanded to LHA	Applicants had no landlord references and a poor personal reference. They were required to vacate the family home because it was condemned. Board of Health cited unsanitary conditions, personal reference said that the Applicants were dirty people. Poor housekeeping first mentioned in private conference decision. LHA also said that Applicants couldn't prove ability to meet lease obligations.
10/05/1999	857	Withdrawn	Upheld LHA	Applicant failed to provide information regarding previous residence and had altered documentation submitted to the LHA.
10/15/1999	849	Unqualified	Upheld LHA	AHVP Voucher holder from one town sought to use voucher in another town, and add member to her household composition. Household member had lengthy criminal record, consisting of 26 charges between 1971 and 1993.
10/18/1999	868	Withdrawn	Dismissed	Case Settled.
10/21/1999	862	Unqualified	Upheld LHA	Applicant had 59 convictions under several aliases within previous 13 years, including drug offenses, theft, and violent crimes.



From 05/18/1999 To 11/16/1999

<b>Dates</b>	<b>Case #</b>	<b>Type</b>	<b>Outcome</b>	<b>Summary</b>
10/25/1999	870	Withdrawn	Dismissed	Case settled.
10/29/1999	835	Unqualified	Upheld LHA	Applicant was opiate addict with less than one year in drug treatment. Currently living with family; no previous tenancies.
10/29/1999	867	Unqualified	Remanded to LHA	LHA asked Applicant to provide certain documents within 5 days. Applicant returned one month later and was told by the LHA that it was too late to submit the documents because her application had been closed. Applicant raised her voice, swore and made a scene in the LHA office.
11/02/1999	871	Unqualified	Dismissed	Applicant failed to appear for hearing.