

**DHCD TENANT SELECTION  
ADJUDICATORY HEARING**

**DECISION INDEX  
VOLUME VII**

Includes all decisions made between November 17, 1999 and May 17, 2000.

Requests for copies of cases should be made by case number.

All identifying information will be deleted from copies provided.

From 11/17/1999 To 05/17/2000

Dates	Case #	Type	Outcome	Summary
11/17/1999	847		Dismissed	Applicant withdrew request for review.
11/22/1999	854	Priority	Upheld LHA	Applicant was evicted because his daughter, who was a Section 8 tenant, had vacated the apartment and left him and her siblings behind, none of whom were authorized occupants. Applicant was granted Priority for Homelessness, but was denied Priority for no-fault displacement by landlord action.
11/29/1999	877	Withdrawn	Dismissed	Applicants applied for federally subsidized housing only.
12/01/1999	860	Unqualified	Upheld LHA	Applicant's previous apartment was destroyed by a fire which started in the stove when cooking materials caught fire. The Applicant was not at home at the time of the fire and had left the stove unattended. The fire caused \$75,000 worth of damage.
12/01/1999	876		Dismissed	Applicant withdrew request for review.
12/01/1999	815		Dismissed	Applicant withdrew request for review.
12/10/1999	873	Unqualified	Overtured LHA	Applicant had sublet apartment with landlord's approval. The landlord did not sign a new lease with the subtenant, and she failed to pay rent and was evicted. Gas bill was also unpaid. Applicant did not fall into the exception for Paying over 40% of income for rent because she had a roommate whose income was unknown.

From 11/17/1999 To 05/17/2000

<b>Dates</b>	<b>Case #</b>	<b>Type</b>	<b>Outcome</b>	<b>Summary</b>
12/13/1999	853	Unqualified	Upheld LHA	Applicant leased room in single family home. Failed to pay rent and was evicted by landlord. Also got bad reference from landlord concerning his pet rats and the damage they did to the property.
12/20/1999	872	Priority	Upheld LHA	Applicant claimed Domestic Violence Priority. LHA denied the priority status because the Applicant could not prove that she lived with her abuser at the time of the abuse.
12/21/1999	856	Unqualified	Dismissed	LHA reversed its own decision. Case moot.
12/21/1999	875		Dismissed	Application for federally subsidized housing only.
01/10/2000	881	Unqualified	Upheld LHA	Applicant had convictions for Soliciting Sexual Conduct for a Fee, Distribution and Possession of Class B Cocaine. Drug offenses took place in the spring of 1995, but the Applicant admitted to illegal drug use until July, 1998. Disqualification was made prior to one year free from drug use.
01/28/2000	882	Unqualified	Remanded to LHA	Initial disqualification letter stated different reason for rejection than private conference decision. LHA did not adequately consider Applicant's rent burden and mitigating circumstances concerning his nonpayment of rent. Notices did not comply with DHCD regulations.

From 11/17/1999 To 05/17/2000

Dates	Case #	Type	Outcome	Summary
02/09/2000	869	Unqualified	Overturned LHA	LHA received two negative landlord references. One said that the applicant had vacated leaving the apartment dirty and damaged and that the landlord kept \$30 of her security deposit. On the second reference, the landlord just checked off "yes" next to "damage to property," "poor housekeeping" and "disturbance of neighbors." This was insufficient evidence of grounds for disqualification. LHA also erred by considering Applicant's involvement in social services as evidence of her inability to comply with the lease.
02/23/2000	885	Priority	Upheld LHA	Applicant denied priority for paying excessive shelter costs. Applicant's shelter costs were close, but not quite 50% of her income.
02/24/2000	886	Unqualified	Upheld LHA	Prior landlord stated that the Applicant caused serious damage to the rugs and the bathroom which needed extensive repairs. Applicant did not show that the rent was in excess of 50% of her income during the period that she failed to pay rent.
02/28/2000	895	Unqualified	Upheld LHA	Bad reference was received from Applicant's prior landlord stating that he disturbed neighbors, damaged property and failed to pay rent. The Applicant was evicted for nonpayment after a trial on the merits. Insufficient evidence regarding damage and disturbance, but nonpayment of rent was disqualifying.
02/28/2000	890		Dismissed	Settled

Confidential Sorted by Date of Decision

As of: 28-Jul-00

Page 4 of 5

From 11/17/1999 To 05/17/2000

<b>Dates</b>	<b>Case #</b>	<b>Type</b>	<b>Outcome</b>	<b>Summary</b>
03/14/2000	884	Withdrawn	Dismissed	Case settled.
03/27/2000	900	Withdrawn	Upheld LHA	Applicant failed to respond to waiting list update request. Update was returned to the LHA by the post office with no forwarding address.
04/03/2000	899	Withdrawn	Dismissed	Case settled.
04/11/2000	889	Ineligible	Remanded to LHA	LHA requested documentation of handicap and did cursory screening at the time the application was filed. Applicant documented seizure disorder controlled by medication. Landlord reference stated that he left without notice to the owner or the LHA administering his Section 8, owed rent which was deducted from security deposit, and failed to answer other questions. LHA found Applicant ineligible and unqualified. Further information provided by Applicant at DHCD hearing, case remanded to LHA for further consideration.
04/24/2000	893	Ineligible	Upheld LHA	LHA had no one bedroom units and single Applicant applied for two bedroom unit with minor son, of whom she shared joint custody. Agreement provided that son stayed with her Friday, Saturday and Sunday nights and Wednesday afternoon. Applicant claimed that son also stayed with her Wednesday nights. Applicant given 90 days to initiate court proceedings to modify the custody order.
04/26/2000	898	Priority	Dismissed	Priority status awarded. Case moot.

From 11/17/1999 To 05/17/2000

Dates	Case #	Type	Outcome	Summary
04/27/2000	897	Unqualified	Remanded to LHA	Applicant disqualified for CORI. Convictions for Assault & Battery with a dangerous Weapon, to wit: a knife in 1995 and Possession of a Class B Controlled Substance in 1997. Private Conference hearing officer informed the Applicant that no mitigating circumstances would be sufficient to overturn the disqualification because the LHA bans applications from people with criminal convictions within the previous 5 years. Remanded to LHA to hold a new Private Conference applying the correct standards and considering mitigating circumstances.
05/05/2000	905	Unqualified	Upheld LHA	Applicant had record of Assault with a Dangerous Weapon. Responded "no" to question of whether he had a criminal record on his application. No credible mitigating circumstances presented.
05/09/2000	906	Priority	Upheld LHA	Applicant requested Priority status based on Displacement by Public Action and Severe medical emergency. Applicant was being evicted for nonpayment of rent, and she entered into an agreement for judgment with the landlord in which she received a rent abatement, an agreement by the landlord to make some repairs, and a stay of the execution for possession. Applicant owns a home in Philadelphia. She does not meet the definition of "homeless" necessary to meet Priority categories in the regulation or the LHA's emergency case plan.
05/11/2000	896	Unqualified	Dismissed	Settled.