

**DHCD TENANT SELECTION  
ADJUDICATORY HEARING  
DECISION INDEX  
VOLUME IX**

Includes all decisions made between November 18, 2000 and May 17, 2001.  
Requests for copies of cases should be made by case number.  
All identifying information will be deleted from copies provided.

From 11/18/2000 To 05/17/2001

Dates	Case #	Type	Outcome	Summary
11/20/2000	943	Priority	Dismissed	Case settled.
11/21/2000	940	Unqualified	Upheld LHA	Applicant had record of Breaking and Entering in the Nighttime with Intent to Commit a Felony, and Larceny in 1998. The charges were first continued without a finding then were revised and revoked and the Applicant was put on probation. Applicant falsely stated on her application that she was convicted of a misdemeanor-accessory charge.
11/28/2000	945	Withdrawn	Dismissed	Applicant applied only for federally subsidized housing.
12/04/2000	948	Withdrawn	Dismissed	Case settled after hearing.
12/04/2000	919	Unqualified	Upheld LHA	Applicant had record of possession of heroin and hypodermic instruments in 1995 and had not disclosed these convictions on his application. Applicant admitted use of illegal drugs in February, 1999. The LHA also claimed that the Applicant failed to disclose a previous address and failed to provide bank statements as requested.
12/11/2000	841	Unqualified	Dismissed	settled
12/12/2000	950	Withdrawn	Dismissed	Applicant failed to appear for hearing.

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From 11/18/2000 To 05/17/2001

Dates	Case #	Type	Outcome	Summary
12/18/2000	944	Unqualified	Upheld LHA	Applicant had conviction of Indecent Assault & Battery of Person Over 14 in 1997 and was placed on probation for two years. The circumstances of the offense were serious, and although the Applicant's psychotherapist opined that he was not a danger as long as he was in treatment, insufficient time had passed to determine that it was reasonably probable that offense would not reoccur.
12/22/2000	922	Ineligible	Overturned LHA	After remand in case No. 804, LHA again determined Applicant ineligible, because there was affordable housing available in the community. The LHA's own records showed that there was a shorter wait for disabled individuals at the LHA than at the subsidized private housing developments. LHA was directed to put the Applicant on the waiting list as eligible and to begin screening for qualifications.
12/28/2000	934	Priority	Upheld LHA	Applicant claimed "Severe Medical Emergency" and "Abusive Situation" priorities. Applicant was living with her sister after becoming unemployed and giving up her apartment. Applicant did not meet definition of "Homeless" under Emergency Case Plan. Applicant provided a number police reports regarding her live-in boyfriend being placed into protective custody for drunkenness. No verification of actual or threatened physical abuse was provided. Applicant documented that she suffers from depression and post-traumatic stress from childhood trauma. No verification that housing situation caused her illness or that it substantially impeded her recovery or treatment.

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From 11/18/2000 To 05/17/2001

Dates	Case #	Type	Outcome	Summary
01/08/2001	947	Unqualified	Upheld LHA	Applicant disqualified because of bad landlord reference from MRVP. Applicant had vacated during eviction process. Landlord brought eviction for disturbance of other tenants and having unauthorized occupants in the premises. Applicant also repeatedly made unfounded charges with Board of Health.
01/19/2001	946	Unqualified	Upheld LHA	Applicant had CORI with pending charge of assault in 2000, disturbing the peace in 1996, and crimes of drugs, weapons, and violence in the 1880s. Mitigating circumstances did not outweigh record.
01/19/2001	930	Unqualified	Dismissed	Applicant failed to appear for hearing.
02/01/2001	949	Unqualified	Upheld LHA	Applicant had CORI containing convictions for A&B in 1996, and Violation of the Abuse Prevention Act in 1998 for which he was sentenced to probation. Applicant violated his probation and was incarcerated
02/13/2001	923	Unqualified	Dismissed	Applicant withdrew request for review.
02/26/2001	954	Unqualified	Dismissed	Applicant applied for federal housing only.
03/09/2001	952	Withdrawn	Dismissed	LHA reinstated applicant to the waiting list.

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From 11/18/2000 To 05/17/2001

Dates	Case #	Type	Outcome	Summary
03/14/2001	941	Withdrawn	Overturned LHA	Applicant failed to respond to waiting list update. Vacated premises on 12/31/99 and failed to notify LHA of address change. LHA mailed update on 1/3/00, asking the Applicant to respond in 30 days. Applicant came into LHA on or about 2/10/00, found out that his application had been withdrawn and reapplied. Applicant is disabled with a mental condition causing difficulty focusing and concentrating. Reasonable to accommodate his disability by allowing him an extension of time to respond to the waiting list update.
03/23/2001	955	Withdrawn	Dismissed	LHA reinstated application to the waiting list.
03/26/2001	956	Withdrawn	Dismissed	Settled.
04/09/2001	836	Priority	Remanded to LHA	Applicant requested priority for displacement due to domestic violence. LHA refused to grant the priority unless the Applicant could provide independent third party verification that the Applicant lived in the same household with her abuser at the time of the abuse. After the DHCD hearing, Applicant submitted letter from her mother listing the members of her household. Remanded to the LHA for determination of credibility of mother's letter.

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From 11/18/2000 To 05/17/2001

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Dates	Case #	Type	Outcome	Summary
04/24/2001	962	Unqualified	Upheld LHA	Applicant's CORI had convictions between 1991 and 1997 including several counts of A& B w/ DW. Was treated for alcoholism and depression and had been stable for 8 months at the time of the hearing. Insufficient time had passed to demonstrate a reasonable probability of favorable future conduct.
04/26/2001	961	Unqualified	Dismissed	Settled by Agreement
05/07/2001	958	Unqualified	Upheld LHA	Applicant was former LHA resident whose household was evicted for nonpayment in 1995. After eviction, LHA found apartment in very bad condition. Applicant blamed alcoholic abusive husband from whom she is now divorced, as he was the lessee. LHA did a home visit and found that the housekeeping in the Applicant's current apartment is deplorable.
05/15/2001	960	Unqualified	Upheld LHA	Applicant disqualified based on home visit which revealed poor housekeeping and damage to the premises, and a poor landlord reference which stated damage to premises at previous tenancy. Applicant claimed that the LHA was discriminating on the basis of handicap. Damage to the premises was found to be a legitimate ground for disqualification and not pretextual.