

**DHCD TENANT SELECTION
ADJUDICATORY HEARING**

DECISION INDEX

VOLUME XL

Includes all decisions made between May 22, 2016 and November 15, 2016.
Requests for copies of decisions should be made by case number to the DHCD Legal Office.
All identifying information will be deleted from copies provided.

From 05/22/2016 To 11/15/2016

Dates	Case #	Type	Outcome	Summary
05/23/2016	1948	Unqualified	Remanded to LHA	LHA disqualified applicant because she was evicted from subsidized housing for poor housekeeping/unsanitary conditions. Applicant requested a reasonable accommodation for a disability, but did not provide medical documentation that a disability caused her poor housekeeping until after the hearing. Remanded to LHA to consider the medical documentation,
06/03/2016	1952	Unqualified	Overturned LHA	Applicant was a former Board member who embezzled funds from the LHA nine years earlier, and the criminal charge against him was dismissed after he made restitution. Mitigating circumstances outweighed disqualifying conduct where the Applicant had no record of other criminal activity.
06/03/2016	1962	Priority	Upheld LHA	Applicant was evicted for nonpayment of rent and did not lose her housing for a no-fault reason.
06/14/2016	1964	Unqualified	Upheld LHA	Applicant was determined ineligible for MRVP because he was a former LHA tenant who failed to pay rent and was evicted after breaching two repayment agreements. Applicant still owed rent and eviction costs to the LHA at the time of the hearing and no mitigating circumstances were shown.

From 05/22/2016 To 11/15/2016

Dates	Case #	Type	Outcome	Summary
06/14/2016	1965	Unqualified	Upheld LHA	Applicant for MRVP disqualified for history of criminal activity. Applicant was former Section 8 participant whose participation was terminated in 2013 due to a police search and seizure of illegal drugs and drug dealing paraphernalia in her apartment. Applicant testified that she is an addict in recovery and that the drugs were for personal use. Evidence of mitigating circumstances did not outweigh disqualifying misconduct.
06/17/2016	1963	Unqualified	Upheld LHA	Applicant was disqualified for a history of nonpayment of rent. Applicant had been evicted for nonpayment from two previous tenancies, one of which was subsidized under the Section 8 voucher program. No mitigating circumstances were shown.
07/05/2016	1959	Unqualified	Upheld LHA	Applicant was disqualified for history of criminal activity. Although Applicant had shown that he is in recovery from substance abuse and employed, this did not outweigh his pattern of relatively recent disqualifying misconduct.
07/25/2016	1967	Unqualified	Upheld LHA	Applicant was a former LHA tenant who had been evicted for causing disturbances. The LHA obtained court documents showing that the Applicant was evicted for nonpayment at a subsequent tenancy, and it obtained a reference from her then current landlord citing damage and disturbances in the premises. No mitigating circumstances were shown.
08/08/2016	1961	Priority	Dismissed	Applicant withdrew request for review.

From 05/22/2016 To 11/15/2016

Dates	Case #	Type	Outcome	Summary
08/10/2016	1969	Unqualified	Upheld LHA	Applicant was evicted for nonpayment of rent from her three previous tenancies. The Applicant testified that she could not pay rent at her most recent tenancy because of an increase in her medical expenses. The Applicant's testimony was not credible, and she failed to provide any corroborating evidence.
08/16/2016	1971	Unqualified	Upheld LHA	Applicant was disqualified because of an 11 year history of criminal activity including property offenses and violent crimes. The Applicant showed that she had been in recovery from drug addiction since her release from prison 19 months before the hearing and was participating in supervised programs. Insufficient time had passed to find that her criminal activity would be reasonably unlikely to reoccur.
08/24/2016	1973	Priority	Upheld LHA	Applicant was evicted for nonpayment of rent and was not eligible for priority case status.
08/30/2016	1972	Unqualified	Upheld LHA	Applicant was former tenant of the LHA who vacated without notice leaving a rent balance. Applicant had paid the amount of her LHA rent balance to a collection agency, but subsequently she lost her home due to foreclosure and then was evicted for nonpayment from a tenancy. No evidence was presented showing that she would be reasonably certain to pay her rent in the future.

From 05/22/2016 To 11/15/2016

Dates	Case #	Type	Outcome	Summary
09/12/2016	1970	Unqualified	Overtumed LHA	Applicant was disqualified because of a history of nonpayment of rent and because she failed to disclose that she owned a business. Ownership of a business is not grounds for disqualification and the LHA did not present any evidence that the Applicant had unreported income. The LHA also failed to provide substantial evidence that the Applicant failed to pay her rent.
09/28/2016	1968	Unqualified	Overtumed LHA	Applicant had misdemeanor convictions for threatening and resisting arrest arising out of an isolated incident 6 years ago. Applicant has a mental disability and has been employed for 20 years. Mitigating circumstances outweighed disqualifying misconduct.
10/03/2016	1974	Unqualified	Upheld LHA	Applicant had been evicted from two prior tenancies for nonpayment of rent. No evidence submitted upon which to base a finding that the Applicant would be reasonably likely to pay rent in the future.
10/11/2016	1985	Priority	Dismissed	Applicant withdrew request for review.
10/18/2016	1982	Unqualified	Dismissed	Settled
10/31/2016	1975	Unqualified	Upheld LHA	Applicant was disqualified because of a 28 year history of criminal activity, including property offenses and violent crimes. Applicant showed that she had been receiving treatment for mental illness and alcohol dependency since her release from incarceration less than three years ago. Insufficient time had passed upon which to base a finding that her criminal activity was unlikely to reoccur.