

**DHCD TENANT SELECTION
ADJUDICATORY HEARING**

DECISION INDEX

VOLUME XLI

Includes all decisions made between and November 16, 2016 and May 23, 2017.
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 11/16/2016 To 05/23/2017

| Dates | Case # | Type | Outcome | Summary |
|------------|--------|-------------|-----------------|--|
| 11/21/2016 | 1983 | Unqualified | Remanded to LHA | Applicant was disqualified for a history of nonpayment because she was evicted after foreclosure on her mobile home and did not show any subsequent satisfactory payment of rent. At the DHCD hearing, Applicant provided evidence of regular payments made for housing at a shelter and at her current tenancy. Remanded to LHA to consider new evidence. |
| 12/06/2016 | 1979 | Unqualified | Upheld LHA | Applicant had 28 year history of criminal activity and had been released from incarceration less than 3 years before the hearing. Although the Applicant showed that he struggled with alcohol dependency and attended AA, this did not outweigh long history of repeated criminal activity. |
| 01/27/2017 | 1980 | Unqualified | Upheld LHA | Applicant had 40 year history of serious criminal activity, including crimes of violence. Although the applicant had not had a conviction for 9 years, in the absence of other mitigating circumstances, the passage of time alone was insufficient to outweigh her long repeated history of serious criminal activity. |
| 02/06/2017 | 1987 | Unqualified | Upheld LHA | Applicant was disqualified because of a history of criminal activity and because of the conduct of her former household member. LHA decision upheld only on the grounds of the criminal activity by the applicant which was not outweighed by mitigating circumstances. |

From 11/16/2016 To 05/23/2017

| Dates | Case # | Type | Outcome | Summary |
|------------|--------|-------------|------------|---|
| 02/08/2017 | 1986 | Unqualified | Upheld LHA | Applicant was disqualified because she was ineligible to have an electric account because she owed money to the utility, and also for her conviction of drug related felonies six years before. LHA decision was upheld on the grounds of criminal activity only because the Applicant had paid her outstanding utility bill. |
| 02/10/2017 | 1984 | Unqualified | Upheld LHA | Applicant was disqualified for a history of nonpayment at five prior tenancies, his failure to pay for utilities resulting in his inability to get electric service, and a history of criminal activity by himself and a household member and his current drug use. Upheld on the grounds of the Applicant's history of nonpayment of rent and failure to pay for electric service. |
| 02/10/2017 | 1993 | Unqualified | Dismissed | Request for review was made more than 6 months after the Private Conference Decision without showing good cause for delay. |
| 02/15/2017 | 1989 | Priority | Upheld LHA | Applicant was evicted from her home after foreclosure for failure to pay the mortgage and was not eligible for emergency case status. |
| 02/22/2017 | 1990 | Unqualified | Upheld LHA | Applicant failed to provide acceptable documentation of residence for the past three years. |
| 03/09/2017 | 1994 | Unqualified | Dismissed | Applicant withdrew request for review. |

From 11/16/2016 To 05/23/2017

| Dates | Case # | Type | Outcome | Summary |
|------------|--------|-------------|----------------|--|
| 03/15/2017 | 1992 | Priority | Overturned LHA | Application denied Court Ordered No-Fault eviction priority under LHA's tenant selection plan because she was not a tenant of record at the residence from which she was displaced. Overturned because this requirement was not in the LHA's plan, and LHA could not deny that the Applicant was residing at the residence from which she was displaced. |
| 03/16/2017 | 1981 | Unqualified | Upheld LHA | Applicant admitted that he provided a false address because he believed his landlord would give him a bad reference. He also admitted that he failed to pay rent during that tenancy. No mitigating circumstances were shown. |
| 03/17/2017 | 1991 | Priority | Upheld LHA | Application was properly denied Emergency Case Status where the Applicant vacated pursuant to an Agreement for Judgment in an eviction case for nonpayment of rent. |
| 05/23/2017 | 1997 | Priority | Upheld LHA | Applicant was evicted for nonpayment of rent and was not eligible for emergency case status. |