

**DHCD TENANT SELECTION
ADJUDICATORY HEARING**

DECISION INDEX

VOLUME XXXIX

Includes all decisions made between November 16, 2015 and May 21, 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 11/16/2015 To 05/21/2016

Dates	Case #	Type	Outcome	Summary
12/07/2015	1941	Priority	Upheld LHA	Applicant was displaced by foreclosure due to nonpayment of her mortgage. Nonpayment is not a cause beyond the applicant's control, and her application is not eligible for Emergency Case Status.
12/07/2015	1935	Unqualified	Upheld LHA	Applicant was disqualified for a history of criminal activity resulting in a Level 3 Sex Offender classification. No mitigating circumstances shown.
12/08/2015	1942	Unqualified	Overtured LHA	Applicant was disqualified because of history of criminal activity. Applicant showed that his last offense was for an isolated incident that resulted in a misdemeanor conviction 9 years ago, and that his more serious offenses occurred 20 years ago. The Applicant proved that he has been in recovery from substance abuse for 20 years and continues in treatment, and that he has been an asset to the community. Mitigating circumstances outweigh disqualifying misconduct.
12/08/2015	1931	Priority	Upheld LHA	Application denied Emergency Case Status because Applicant did not meet the definition of Homeless Applicant under the regulation as she was not homeless or about to be displaced from her current tenancy.
12/28/2015	1937	Unqualified	Dismissed	Applicant withdrew request for review.
12/30/2015	1951	Unqualified	Dismissed	Settled.

From 11/16/2015 To 05/21/2016

Dates	Case #	Type	Outcome	Summary
01/25/2016	1936	Unqualified	Upheld LHA	LHA disqualified the Applicant because he failed to provide contact information for former landlords and submitted an inconsistent housing history. The Applicant admitted that he misrepresented his housing history and no mitigating circumstances were shown.
01/27/2016	1944	Unqualified	Upheld LHA	Applicant was convicted of federal drug charges for which he would be on supervised release until 2019. Mitigating circumstances did not outweigh disqualifying misconduct.
01/28/2016	1949	Unqualified	Dismissed	Settled.
01/28/2016	1945	Unqualified	Upheld LHA	Applicant was convicted of drug distribution in 2013 and her participation in the LHA's Section 8 program was terminated as a result. Applicant was on probation at the time of her application, and did not show any mitigating circumstances.
01/29/2016	1946	Unqualified	Upheld LHA	Applicant was convicted of violent criminal activity in 2012 and was on probation at the time of the LHA proceedings. Applicant did not show mitigating circumstances.

From 11/16/2015 To 05/21/2016

Dates	Case #	Type	Outcome	Summary
02/12/2016	1950	Unqualified	Overtured LHA	Applicant was disqualified because she owed a debt to the LHA from a previous tenancy and also because a prior landlord indicated that from time to time the Applicant allowed various people to live with her who were not on the lease. Although the reasons that an applicant owes a debt to the LHA may be grounds for disqualification, the mere existence of a debt is not. Since the ILHA did not show that the Applicant had breached her tenancy obligations by allowing residents to stay with her, this also was not grounds for disqualification.
03/11/2016	1953	Priority	Overtured LHA	LHA denied Emergency Case Status because the Applicant did not provide the specific forms of documentation that it requested. Applicant provided documentation showing that she was displaced from her primary residence by domestic violence and this was adequate to verify the situation as required by the Emergency Case Plan.
03/11/2016	1956	Unqualified	Upheld LHA	Applicant was disqualified for history of violent and drug related criminal activity which spanned the years 1990-2012. Applicant's recent good behavior since his last incarceration did not outweigh history of criminal activity.
03/16/2016	1955	Unqualified	Dismissed	Settled.
03/16/2016	1947	Priority	Upheld LHA	Applicant was denied Severe Medical Emergency Priority. Applicant has a documented medical condition, but he did not show how his residence with his daughter's family in their single family home caused an immediate and direct threat to his life or safety.

From 11/16/2015 To 05/21/2016

Dates	Case #	Type	Outcome	Summary
03/18/2016	1954	Ineligible	Upheld LHA	Non-elderly applicant found ineligible for elderly/handicapped housing because he did not document a disability meeting the regulatory criteria.
04/04/2016	1958	Priority	Upheld LHA	Applicant was denied Severe Medical Emergency Priority because she did not verify that her housing caused her illness or is an impediment to treatment or recovery. Applicant showed only that her impending eviction from her temporary housing was causing her stress, but this did not meet the criteria for the Priority under the Emergency Case Plan.
04/22/2016	1960	Unqualified	Dismissed	Settled.
04/29/2016	1940	Priority	Overturned LHA	Applicant vacated her primary residence when told to leave by her abusive husband. She did not establish a new primary residence when she subsequently spent 11 months in another country trying to locate her children who he had kidnapped. Applicant reasonably demonstrated that she met the Abusive Situation Priority criteria.