U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

Special Attention of:
Public Housing Agency Directors;
Public Housing Hub Office Directors;
Public Housing Field Office Directors;
Program Center Coordinators;
Resident Management Corporations;
Resident Councils

Notice PIH-2015-12 (HA)

Issued: August 13, 2015

Expires: Effective until amended or superseded

Cross References: PIH Notice 2009-48

Subject: Administering the Community Service and Self-Sufficiency Requirement (CSSR)

1. **Purpose:** The Department is issuing this Notice to assist public housing authorities' (PHAs) understanding and administration of the Community Service and Self-Sufficiency Requirement (CSSR) and in response to an audit report issued by the Office of Inspector General on February 13, 2015. This Notice addresses:

   - Statutory/Regulatory Requirements for Administering CSSR;
   - Data Collection and Reporting Requirements;
   - Action to take against non-compliant tenants; and,
   - Penalties/sanctions against PHAs housing ineligible households.

2. **Applicability:** This Notice applies to PHAs that administer the Public Housing Program and all HUD Field Offices with Public Housing Programs. This Notice supersedes all previous guidance and provides clarification guidance on administering the CSSR.

3. **Background:** Section 12(c) [42 U.S.C. Section 1437j] of the United States Housing Act of 1937, as amended on October 12, 1998 by Section 512 (Pub. L. 105-276) of the Quality Housing and Work Responsibility Act of 1998, contained a CSSR that every adult resident of public housing contribute eight hours of community service per month, or participate in an economic self-sufficiency program for eight hours per month. Regulations for the CSSR requirement can be found at 24 CFR Subpart F, 960.600 through 960.609.

4. **Statutory/Regulatory Requirements for Administering CSSR:** Community Service is "The performance of voluntary work or duties that are a public benefit, and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. Community service is not employment and may not include politica1 activities." (See 24 CFR 960.601(b)).

   Community service and economic self-sufficiency requirements mandate that each nonexempt adult household member (18 years or older) shall either contribute 8 hours per month of community service, or participate in an economic self-sufficiency program for 8 hours per month (see 24 CFR 960.603(a)). The requirements can also be met by performing a combination of 8 hours of community service and participation in an economic self-sufficiency program. The required community service or self-sufficiency

activity may be completed at 8 hours each month or may be aggregated across a year. Any blocking of hours is acceptable as long as 96 hours is completed by each annual certification.

5. **Administrative Provisions:** PHAs must develop a local policy for administration of the CSSR for public housing residents (see 24 CFR 960.605(a)) within the Admissions and Continued Occupancy Policies (ACOP). Elements of the CSSR policy include, but are not limited to, the PHA responsibility to administer the requirement; eligible and non-eligible activities; exemptions from the requirement; and compliance review standards. These elements are described further in this document.

   PHAs may administer qualifying community service and self-sufficiency activities directly, or make the activities available to residents through a contractor or partnership with qualifying organizations (including resident organizations), community agencies, or institutions (see 24 CFR 960.605(b)). In administering the CSSR, a PHA may provide names and contacts of agencies offering opportunities for residents, including persons with disabilities, to fulfill their community service obligations. In administering the CSSR, PHAs may choose to coordinate with social service agencies, local schools and human service offices to develop a referral list of names and agency contacts. PHAs that administer a ROSS or Family Self-Sufficiency program may wish to engage the Program Coordinating Committee in this endeavor. PHAs are encouraged to create agreements with local organizations, including faith-based and community organizations, to assist CSSR. Specifically, such agreements would allow local organizations to advertise their programs, assist with transportation, child-care or other barriers to CSSR attainment and verify hours within individual monthly logs. HUD strives to provide maximum flexibility to PHAs to allow successful CSSR implementation without adding excessive costs or administrative burdens (see 24 CFR 960.605(b)).

6. **Community Services:** Eligible community service activities include, but are not limited to, serving at:

   A. Local public or nonprofit institutions, such as schools, Head Start Programs, before-or after-school programs, childcare centers, hospitals, clinics, hospices, nursing homes, recreation centers, senior centers, adult daycare programs, homeless shelters, feeding programs, food banks (distributing either donated or commodity foods), or clothes closets (distributing donated clothing);
   B. Nonprofit organizations serving PHA residents or their children, such as: Boy or Girl Scouts, Boys or Girls Club, 4-H Clubs, Police Activities League (PAL), organized children's recreation, mentoring, or education programs, Big Brothers or Big Sisters, Garden Centers, community clean-up programs, beautification programs;
   C. Programs funded under the Older Americans Act, such as Green Thumb, Service Corps of Retired Executives, senior meals programs, senior centers, Meals on Wheels;
   D. Public or nonprofit organizations dedicated to seniors, youth, children, residents, citizens, special-needs populations or with missions to enhance the environment, historic resources, cultural identities, neighborhoods or performing arts;
   E. PHA housing to improve grounds or provide gardens (so long as such work does not alter the PHA's insurance coverage); or work through resident organizations to help other residents with problems, including serving on the Resident Advisory Board, outreach and assistance with PHA-run self-sufficiency activities including supporting computer learning centers; and,
   F. Care for the children of other residents so parents may volunteer.

   PHAs may form their own policy in regards to accepting community services at profit-motivated entities, acceptance of volunteer work performed at homes or offices of general private citizens, and court-ordered or probation-based work.

   Pursuant to 24 CFR 960.609, no PHA may substitute community service activity performed by a resident for work ordinarily performed by a PHA employee. However, residents may do community service on PHA property or with or through PHA programs to assist with or enhance work done by a PHA employee.

7. **Self-Sufficiency:** Eligible self-sufficiency activities include, but are not limited to:

   A. Job readiness or job training while not employed;
   B. Training programs through local One-Stop Career Centers, Workforce Investment Boards (local entities administered through the U.S. Department of Labor), or other training providers;
   C. Higher education (junior college or college);
   D. Apprenticeships (formal or informal);
   E. Substance abuse or mental health counseling;
   F. Reading, financial and/or computer literacy classes;
   G. English as a second language and/or English proficiency classes;
   H. Budgeting and credit counseling.

8. **CSSR Partnerships:** PHAs with a ROSS Service Coordinators program or Family Self-Sufficiency (FSS) program may coordinate Individual Training and Services Plans (ITSPs) with CSSR. The ITSP is a tool to plan, set goals and track movement towards self-sufficiency through education, work readiness and other supportive services such as health, mental health and work supports. Specific CSSR activities may be included in ITSPs to enhance a person's progress towards self-sufficiency. Regular meetings with PHA coordinators may satisfy CSSR activities and PHA Service Coordinators or FSS Program Coordinators may verify community service hours within individual monthly logs.

9. **Exempt Residents:** PHAs are required to set out in their Admissions and Continuing Occupancy Policy (ACOP) how the PHA determines if an individual is exempt from the CSSR and the documentation needed to support the exemption. Exemptions for adult residents, as codified at 24 CFR 960.601, include persons who are:

   A. 62 years or older;
   B. 1. Blind or disabled, as defined under 216(i)(1) or 1614 of the Social Security Act (42 U.S.C. Section 416(i)(1); Section 1382c), and who certify that, because of this disability, she or he is unable to comply with the service provisions of this subpart, or
      2. is a primary caretaker of such individual;
   C. Engaged in work activities (see Notice PIH 2003-17 (HA)). In order for an individual to be exempt from the CSSR requirement because he/she is "engaged in work activities," the person must be participating in an activity that meets one of the following definitions of "work activity" contained in Section 407(d) of the Social Security Act (42 U.S.C. Section 607(d)):
      1. Unsubsidized employment;
      2. Subsidized private-sector employment;
      3. Subsidized public-sector employment;
      4. Work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;
      5. On-the-job-training;
      6. Job-search;
      7. Community service programs;
      8. Vocational educational training (not to exceed 12 months with respect to any individual);
      9. Job-skills training directly related to employment;
      10. Education directly related to employment in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency;
      11. Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalency, in the case of a recipient who has not completed secondary school or received such a certificate;

D. Able to meet requirements under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. Section 601 et seq.) or under any other welfare program of the State in which PHA is located including a State-administered Welfare-to-Work program; or,
E. A member of a family receiving assistance, benefits, or services under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. Section 601 et seq.), or under any other welfare program of the State[1] in which the PHA is located, including a State-administered Welfare-to-Work program, and has not been found by the State or other administering entity to be in noncompliance with such a program.

PHAs are encouraged to use 30 hours per week as the minimum number of hours for a work activity as described in Section 407(d) of the Social Security Act, and implementing regulations 45 CFR 261.31(1)(a)(1). PHAs can use reasonable guidelines in clarifying this statutory list of work activities in coordination with the Temporary Assistance to Needy Families (TANF) agency, as appropriate (see Notice PIH 2004-17(HA)).

PHAs must describe in its CSSR policy the process to determine which family members are exempt from the requirement, as well as the process for determining any changes to the exempt status of the family member. PHAs provide the family a copy of CSSR policy at initial application and secure certification of receipt as shown in Attachment A, (see 24 CFR 960.605(c)(2)).

PHAs make the final determination whether to grant an exemption from the community service requirement. If a resident does not agree with the PHA's determination, the resident may dispute the decision through the PHA's Grievance Procedures (see 24 CFR Part 966 Subpart B, 24 CFR 960.607(b).

10. **Resident Responsibilities at Lease Execution or Re-examination:** At lease execution or re-examination, after the effective date of the adopted policy, all adult members (18 or older) of a public housing resident family must:

A. Provide documentation, if applicable, that they qualify for an exemption; (Documentation provided by the tenant will be used by the PHA to determine whether the tenant is exempt from the CSSR) and,
B. Sign a certification (examples provided in Attachments A and B) that they have received and read the policy and understand that if they are not exempt, failure to comply with the community service requirement will result in nonrenewal of their lease, per 24 CFR 966.4(l)(2)(iii)(D).

When a non-exempt person becomes exempt, it is his or her responsibility to report this to the PHA and provide documentation. When an exempt person becomes non-exempt, it is his or her responsibility to report this to the PHA as soon as possible.

11. **Documentation of CSSR Completion:** PHAs must include in the CSSR policy that exemption/CSSR completion is verified annually by the PHA. At least 30 days before the annual reexamination and/or lease expiration, the PHA reviews the exempt or nonexempt status and compliance of non-exempt family members (see 24 CFR 960.605(c)(3)). At each regularly scheduled rent re-examination, each non-exempt family member presents a signed certification on a form provided by the PHA of CSSR activities performed over the previous twelve (12) months. PHAs must obtain third-party verification of CSSR completion administered through outside organizations. Each PHA develops a standardized form with places for signature confirmation by supervisors, instructors, or counselors certifying the number of hours contributed. Additional supporting documentation may be requested of the resident to verify CSSR participation or

[1] HUD has determined that the Supplemental Nutrition Assistance Program (SNAP) qualifies as a welfare program of the state. Therefore, if a tenant is a member of family receiving assistance under SNAP, and has been found by the administering State to be in compliance with the program requirements, that tenant is exempt from the CSSR.

exempt status. Copies of the certification forms and supporting documentation must be retained in PHA files.

12. **Noncompliant Residents:** PHAs may not evict a family due to CSSR non-compliance. However, if PHA finds a tenant is non-compliant with CSSR, then the PHA must provide written notification to the tenant of the noncompliance which must include:

    A. A brief description of the finding of non-compliance with CSSR.
    B. A statement that the PHA will not renew the lease at the end of the current 12-month lease term unless the tenant enters into a written work-out agreement with the PHA or the family provides written assurance that is satisfactory to the PHA explaining that the tenant or other noncompliant resident no longer resides in the unit. Such written work-out agreement must include the means through which a noncompliant family member will comply with the CSSR requirement.

    The tenant may request a grievance hearing on the PHA determination, in accordance with 24 CFR Part 966, subpart B, and the tenant may exercise any available judicial remedy to seek timely redress for the PHA's nonrenewal of the lease because of such determination.

13. **Enforcement Documentation:** Should a family member refuse to sign a written work-out agreement, or fail to comply with the terms of the work-out agreement, PHAs are required to initiate termination of tenancy proceedings at the end of the current 12-month lease (see 24 CFR 966.53(c)) due to the fact that the family is failing to comply with lease requirements. When initiating termination of tenancy proceedings, the PHA will provide the following procedural safeguards:

    A. Adequate notice to the tenant of the grounds for terminating the tenancy and for non-renewal of the lease;
    B. Right of the tenant to be represented by counsel;
    C. Opportunity for the tenant to refute the evidence presented by the PHA, including the right to confront and cross-examine witnesses and present any affirmative legal or equitable defense which the tenant may have; and,
    D. A decision on the merits.

14. **50058 Coding:** The Instruction Booklet for Form HUD 50058 contains information on coding CSSR status. At the time of program admission, enter either 3 or 4. At each annual re-examination, enter code 1, 2, or 4. See below:

    1 - PHA determines resident is *not exempt* and is *in compliance* with CSSR
    2 - PHA determines resident is *not exempt* and *not complying* with CSSR
    3 - PHA is in the process of verifying CSSR compliance
    4 - PHA determines resident is exempt
    5 - Do not use this code for "not applicable" under any circumstance

15. **Monitoring:** HUD has re-instated the generation of the Community Service and Self-Sufficiency monitoring report on a quarterly basis. The monitoring report includes tenants that have reported Wage or Welfare incomes on the HUD-50058. The monitoring report does not exclude tenants with disabilities. The report will be posted on the REAC web site and access will be provided to all affected PHAs. REAC will be sending an e-mail to each PHA listed on the CSSR report advising them of the content of the report and explaining the steps necessary to make corrections and changes in PIC as appropriate.

    The Department requests through this Notice that all PHAs review the 50058 coding reported for CSSR in the PIC system for their residents and update any that do not conform to these instructions. PHAs must be

prepared to supply adequate supporting documentation as listed in Section 9 – Exempt Residents, Section 12 – Noncompliant Residents and Section, and 11 – Resident Responsibilities at Lease Execution or Re-examination above in the case of a review or audit.

16. **Sanctions Against PHAs:** Section 6(j)(4)(A) of the United States Housing Act of 1937 provides sanctions against any housing authority failing to comply substantially with any provision of the Act relating to the public housing program. Sanctions include, but are not limited to, terminating, withholding, or reducing assistance payments. These sanctions are applicable to housing authorities failing to substantially comply with the CSSR requirement.

17. **Further Information:** Direct inquiries to Todd Thomas of the Office of Public Housing and Voucher Programs at (678)732-2056.

18. **Paperwork Reduction:** The information collection requirements contained in this Notice have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3520) and assigned OMB control numbers 2577-0083 and 2577-0226.

/s/

Lourdes Castro Ramírez
Principal Deputy Assistant Secretary
for Public and Indian Housing

Attachment A

Community Services and Self-Sufficiency Requirement Certification
For Non-Exempt Individuals

Entrance Acknowledgement

Date:
Participant Name:

I have received and read the Community Services and Self Sufficiency Requirement. I understand that as a resident of public housing, I am required by law to contribute 8 hours per month (96 hours over the course of a year) of community service or participate in an economic self-sufficiency program. I further understand that if I am not exempt, failure to comply with CSSR is grounds for lease nonrenewal. My signature below certifies I received notice of this requirement at the time of initial program participation.

Signature: _____
Date of Signature: _____

Attachment B

Community Services and Self-Sufficiency Requirement Certification
For Non-Exempt Individuals

Annual Renewal

Date:
Participant Name:

I understand that as a resident of public housing, I am required by law to contribute 8 hours per month (96 hours over the course of a year) of community service or participate in an economic self-sufficiency program.

Signature: _____
Date of Signature: _____