



# BLAINE COUNTY HOUSING AUTHORITY

## BOARD MEETING AGENDA MEMO

Meeting Date:  Staff Member:

Agenda Item:

Recommended Action:

### Policy Analysis and Background (non-consent items only):

In the Fall of 2023, BCHA adopted a termination policy for supportive services, such as case work. However, staff have not found an adopted policy regarding a termination policy for community housing. There are a very small number of applicants and people who have participated in BCHA's housing programs, such as tenants at Silvercreek Living or community homeowners, who have been non-compliant with deed-restrictions, policies, lease terms, or detracted from the general safety and welfare of staff and/or neighbors. Examples include covering smoke detectors and using volatile cooking appliances that are expressly not allowed in units that BCHA manages, aggression towards staff or neighbors, community homeowners using their unit seasonally, and landlord's not following required procedures, renting to qualified tenants, and/or responding to staff documentation requests to ensure compliance.

Some of these households have required a substantial amount of time from staff, and legal cost, to enforce compliance or remove them from the program. Some continue to blatantly disregard program policies and agreements even when legal action begins. Without a termination policy in place, BCHA has no legal backing to deny program re-entry.

### **BCHA APPLICANTS & PROGRAM PARTICIPANT**

In addition to the eligibility criteria, BCHA is not required or obligated to serve applicants or program participants who:

1. Have engaged in abusive, violent or threatening behavior directed toward BCHA staff or neighbors. Applicants who have a history of such behavior may be denied application to BCHA's programs for a minimum period of ten (10) years.
2. Have, within the prior ten (10) years, been in violation of BCHA's Community Housing Policies, or a BCHA Lease, Lease Addendum or Deed Restriction.
3. Currently owe rent or other amounts to BCHA or to another affordable housing program.

4. Have failed to respond to a written request for information or a request to declare their continued interest in the program. Have failed to provide, within the necessary time limits, the required verification to determine their eligibility/ continued eligibility. Such requests include, but are not limited to, required documentation for application review, the annual homeowner questionnaire and rental recertification paperwork.
5. Have misrepresented any material fact during the BCHA application or compliance process.
6. Lack the ability to maintain their housing in a decent and safe condition where such habits could adversely affect the health, safety, or welfare of other tenants.
7. Have committed fraud or bribery in connection with any federal housing assistance program, including the intentional misrepresentation of information relating to their housing benefits.
8. Whose conduct in present or prior housing has been such that admission to the program would adversely affect the health, safety, or welfare of other residents, or the physical environment, or the financial stability of the project. A record of any of the following may be sufficient cause for BCHA to deny eligibility:
  - A record of non-payment of rightful obligations, including rent and utilities;
  - A record of disturbance of neighbors or destroying property;
  - A record of poor living or housekeeping habits which could adversely affect the health, safety or welfare of other tenants;
  - A determination by BCHA that the use of alcohol or drugs by an applicant would likely result in conduct that would adversely affect the project environment.

Any applicant whose application is denied will be notified by BCHA. An applicant may request a review of any such denial pursuant to the steps set forth in BCHA's "Procedures for Exceptions and Grievances."

#### **DEVELOPERS/OWNERS/LANDLORDS**

In addition to the eligibility criteria and requirements outlined in other agreements, BCHA is not required or obligated to serve developers, owners, or landlords who:

1. Have received a letter of non-compliance from BCHA and not cured their out-of-compliance within the time period specified.
1. Have engaged in abusive, violent or threatening behavior directed toward BCHA staff or neighbors. Persons and entities who have a history of such behavior may be denied application to BCHA's programs for a minimum period of ten (10) years.
2. Have, within the prior ten (10) years, been in violation of BCHA's Community Housing Policies, a BCHA Lease, Lease Addendum, Deed Restriction, or agreement with a local jurisdiction, such as an FAR Exceedance Agreement or Development Agreement.
3. Currently owe fees or other amounts to BCHA, to another affordable or community housing program, or government entity.
4. Have failed to respond to a written request for information with the information requested.

5. Have failed to provide, within the necessary time limits, the required verification to determine their eligibility and compliance.
6. Have misrepresented any material fact to BCHA during application, lease-up, sale, or compliance.

Any person or entity who is denied will be notified by BCHA. They may request a review of any such denial pursuant to the steps set forth in BCHA's "Procedures for Exceptions and Grievances."

**Attachments:**

1. Resolution 2024-25
2. Supportive Service Termination Policy, adopted

**RESOLUTION NO. 2024-25**  
BEFORE THE BOARD OF COMMISSIONERS  
OF THE BLAINE COUNTY HOUSING AUTHORITY  
BLAINE COUNTY, IDAHO

A RESOLUTION OF THE BLAINE COUNTY HOUSING AUTHORITY BOARD OF COMMISSIONERS TO ADOPT  
TERMINATION POLICY FOR COMMUNITY HOUSING PROGRAMS

WHEREAS, the vast majority of applicants of program participants are responsive, respectful, and follow all policies and regulations; and

WHEREAS, a small portion of household applicants and participants do not adhere to the policies, regulations, and general safety and welfare of BCHA staff and neighbors; and

WHEREAS, a Termination Policy for Community Housing Programs gives applicants and program participants clear parameters regarding what prohibits them from entering or re-entering any BCHA community housing program; and

WHEREAS, BCHA administrative staff have determined that staff need such a policy to be able to enforce terminating housing program participation beyond existing agreements; and

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Blaine County Housing Authority, Blaine County, Idaho, as follows:

Section 1. The Blaine County Housing Authority Board of Commissioners approves and authorizes the Termination Policy for Community Housing Programs on October 16, 2024.

Section 2. The Blaine County Housing Authority Board of Commissioners directs BCHA staff to implement said Policy.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2024

ATTEST:

BLAINE COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS

\_\_\_\_\_  
Executive Director

\_\_\_\_\_  
Chair

## Supportive Services Termination Policy

BCHA will terminate services to recipients, and professional relationships with them, when such services and relationships are no longer required or no longer serve the recipient's needs or interests. Services may also be terminated if the recipient is no longer eligible for services, or if the recipient requests to terminate services (orally or in writing). The relationship may also be terminated if the recipient commits a program violation including:

1. Refusal to provide documentation or signature required for program eligibility (e.g. annual recertification);
2. Violent or threatening behavior, or other behavior that seriously threatens the health and safety of the recipient, family members in the household, or other tenants in BCHA-supported housing;
3. Violent or threatening behavior towards the case manager, other program staff, landlord, property manager, or other tenants; and
4. Legal eviction by a landlord constituting violation of occupancy requirements.

Termination is a last resort in the most extreme cases. BCHA will consider extenuating circumstances and exercise judgment and restraint when considering whether termination is appropriate.

BCHA will communicate details and deadlines around termination to the recipient.

Appeals to the termination policy can be made to the Director of the Ketchum Office of Housing. Once all information is gathered, appeals will be adjudicated within 10 business days.

Termination does not bar subsequent participation and assistance to the participant by BCHA and its partners.

BCHA contact information: [info@bcoha.org](mailto:info@bcoha.org) or call (208) 788-6102

Client Signature: \_\_\_\_\_

BCHA Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_