



## **LIVE-IN AIDE POLICY**

In accord with Federal Regulation 24 C.F.R. 5966.4(d) (3) (1), the Housing Authority of the City of York (hereinafter referred to as the “Authority”) hereby adopts the following policy regarding the regulation of the residence of live-in aides in dwelling units owned by the Authority. This policy is designed to enable the Authority to determine the proper accommodation of the mental or physical handicaps of tenants in a manner consistent with the rights of other tenants and the purposes of the Authority’s housing program.

1. **General Legal Qualifications.** In order for a tenant to be eligible for a live-in aide, the aide may reside with a disabled or handicapped person if the aide:
  - (a) is determined to be essential to the care and well-being of the tenant or the tenant’s household;
  - (b) is not obligated for the support of the tenant;
  - (c) would not be living in the household, except to provide the necessary supportive services;
  - (d) is not to be a member of the assisted family but living in the unit solely to provide essential care services. Income of a bona fide live-in aide will not be counted as income of a family member; and
  - (e) is not in residence in the unit to provide such significant supportive services so that the tenant cannot participate in the Authority’s housing program as presently constituted or would require the Authority to significantly or substantially change the basic nature of its housing program.
  
2. **Request Procedure.** In order to gain approval for a live-in aide, a tenant must comply with the following procedures:
  - (a) Tenant shall submit the request in writing on a fully completed live-in aide request form.
  - (b) The said request form shall supply all information requested including the reasons for the request, how a live-in aide would help the tenant comply with the terms of the lease and how the presence of a live-in aide accommodates the tenant’s particular needs.
  - (c) Tenant shall provide medical documentation of the tenant’s physical or mental disability necessitating the live-in aide. Tenant shall grant the Authority access to the tenant’s medical records and history.

- (d) Tenant shall submit to any mental or physical evaluations by Authority's physicians or other experts in order to determine the nature and significance of Tenant's mental and physical impairment, if the Authority, in its sole discretion, is not satisfied with the medical documentation received by tenant.
3. Evaluation Criteria. If the Authority agrees that the tenant qualifies for a live-in aide in accord with paragraphs 1 and 2 of this policy, tenant shall submit the name of the specific live-in aide to the Authority for approval of the specific aide chosen. The Authority will consider the following in making its determination of the suitability of the live-in aide:
- (a) Standard tenant selection criteria pertaining to ability to abide by the terms of a lease, including criminal history.
  - (b) Qualifications of the proposed individual to act as a live-in aide for the particular tenant. This shall include but not be limited to:
    - (1) Experience in rendering the type of aid necessary for the particular tenant as required by the medical information as evaluated by the Authority.
    - (2) The training or education of the prospective aide which would help or prepare the proposed live-in aide to provide the care necessary.
  - (c) Whether the availability of the proposed aide is sufficient to meet the needs of the tenant.
  - (d) The suitability of the tenant's unit, considering the addition of the aide to the household and whether a properly sized unit is available where a transfer is possible.
4. Continuing Evaluation. The status of the residency of the aide is subject to periodic review by the Authority. The aide may be removed by the Authority if he or she fails to abide by the terms of the lease, becomes medically unnecessary or fails to meet any criterion of this policy. The tenant's medical condition is also subject to periodic review to determine that tenant continues to be qualified for the aide program. Tenant, upon request by the Authority, must submit Tenant's current medical records and must cooperate with medical tests or evaluations performed by Authority's medical experts upon request.

HOUSING AUTHORITY OF THE CITY OF YORK

Dated: \_\_\_\_\_

By: \_\_\_\_\_

W. Craig Zumbrun  
Executive Director