

## Chapter 15

### SPECIAL HOUSING TYPES [24 CFR 982 Subpart M]

#### INTRODUCTION

The PHA may permit a family to use any of the special housing types discussed in this chapter. However, the PHA is not required to permit families receiving assistance in its jurisdiction to use these housing types, except that PHAs must permit use of any special housing type if needed as a reasonable accommodation for a person with a disability. The PHA also may limit the number of families who receive HCV assistance in these housing types and cannot require families to use a particular housing type. No special funding is provided for special housing types.

#### Troy Housing Authority Policy

Families will be permitted to use the homeownership option.

Families will not be permitted to use any other special housing types, unless use is needed as a reasonable accommodation so that the program is readily accessible to a person with disabilities.

Special housing types include single room occupancy (SRO), congregate housing, group homes, shared housing, cooperative housing, manufactured homes where the family owns the home and leases the space, and homeownership [24 CFR 982.601].

This chapter consists of the following seven parts. Each part contains a description of the housing type and any special requirements associated with it. Except as modified by this chapter, the general requirements of the HCV program apply to special housing types.

#### Part I: Single Room Occupancy

#### Part II: Congregate Housing

#### Part III: Group Homes

#### Part IV: Shared Housing

#### Part V: Cooperative Housing

#### Part VI: Manufactured Homes (including manufactured home space rental)

#### Part VII: Homeownership

#### Part VIII: Family Self Sufficiency (FSS)

#### Part IX: Emergency Housing Vouchers (EHV)



## **PART I: SINGLE ROOM OCCUPANCY**

[24 CFR 982.602 through 982.605]

### **15-I.A. OVERVIEW**

A single room occupancy (SRO) unit provides living and sleeping space for the exclusive use of the occupant but requires the occupant to share sanitary and/or food preparation facilities with others. More than one person may not occupy an SRO unit. HCV regulations do not limit the number of units in an SRO facility, but the size of a facility may be limited by local ordinances.

When providing HCV assistance in an SRO unit, a separate lease and HAP contract are executed for each assisted person, and the standard form of the HAP contract is used.

### **15-I.B. PAYMENT STANDARD, UTILITY ALLOWANCE, AND HAP CALCULATION**

The payment standard for SRO housing is 75 percent of the zero-bedroom payment standard amount on the PHA's payment standard schedule.

The utility allowance for an assisted person residing in SRO housing is 75 percent of the zero-bedroom utility allowance.

The HAP for an assisted occupant in an SRO facility is the lower of the SRO payment standard amount minus the TTP or the gross rent for the unit minus the TTP.

### **15-I.C. HOUSING QUALITY STANDARDS (HQS)**

HQS requirements described in Chapter 8 apply to SRO housing except as modified below.

- *Access:* Access doors to the SRO unit must have working locks for privacy. The occupant must be able to access the unit without going through any other unit. Each unit must have immediate access to two or more approved means of exit from the building, appropriately marked and leading to safe and open space at ground level. The SRO unit must also have any other means of exit required by State or local law.
- *Fire Safety:* All SRO facilities must have a sprinkler system that protects major spaces. "Major spaces" are defined as hallways, common areas, and any other areas specified in local fire, building, or safety codes. SROs must also have hard-wired smoke detectors, and any other fire and safety equipment required by state or local law.

Sanitary facilities and space and security standards must meet local code requirements for SRO housing. In the absence of local code standards the requirements discussed below apply [24 CFR 982.605].

- *Sanitary Facilities:* At least one flush toilet that can be used in privacy, a lavatory basin, and a bathtub or shower in proper operating condition must be provided for each six persons (or fewer) residing in the SRO facility. If the SRO units are leased only to men, flush urinals may be substituted for up to one half of the required number of toilets. Sanitary facilities must be reasonably accessible from a common hall or passageway, and may not be located more than one floor above or below the SRO unit. They may not be located below grade unless the SRO units are located on that level.
- *Space and Security:* An SRO unit must contain at least 110 square feet of floor space, and at least four square feet of closet space with an unobstructed height of at least five feet, for use by the occupant. If the closet space is less than four square feet, the habitable floor space in the SRO unit must be increased by the amount of the deficiency. Exterior doors and windows accessible from outside the SRO unit must be lockable.

Because no children live in SRO housing, the housing quality standards applicable to lead-based paint do not apply.

## **PART II: CONGREGATE HOUSING**

[24 CFR 982.606 through 982.609]

### **15-II.A. OVERVIEW**

Congregate housing is intended for use by elderly persons or persons with disabilities. A congregate housing facility contains a shared central kitchen and dining area and a private living area for the individual household that includes at least a living room, bedroom and bathroom. Food service for residents must be provided.

If approved by the PHA, a family member or live-in aide may reside with the elderly person or person with disabilities. The PHA must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

When providing HCV assistance in congregate housing, a separate lease and HAP contract are executed for each assisted family, and the standard form of the HAP contract is used.

### **15-ILB. PAYMENT STANDARD, UTILITY ALLOWANCE, AND HAP CALCULATION**

The payment standard for an individual unit in a congregate housing facility is based on the number of rooms in the private living area. If there is only one room in the unit (not including the bathroom or the kitchen, if a kitchen is provided), the PHA must use the payment standard for a zero-bedroom unit. If the unit has two or more rooms (other than the bathroom and the kitchen), the PHA must use the one-bedroom payment standard.

The HAP for an assisted occupant in a congregate housing facility is the lower of the applicable payment standard minus the TTP or the gross rent for the unit minus the TTP.

The gross rent for the unit for the purpose of calculating HCV assistance is the shelter portion (including utilities) of the resident's monthly housing expense only. The residents' costs for food service should not be included in the rent for a congregate housing unit.

### **15-IIC. HOUSING QUALITY STANDARDS**

HQS requirements as described in Chapter 8 apply to congregate housing except for the requirements stated below.

Congregate housing must have (1) a refrigerator of appropriate size in the private living area of each resident; (2) a central kitchen and dining facilities located within the premises and accessible to the residents, and (3) food service for the residents, that is not provided by the residents themselves.

The housing quality standards applicable to lead-based paint do not apply.

### **PART III: GROUP HOME**

[24 CFR 982.610 through 982.614 and HCV GB p. 7-4]

#### **15-III.A. OVERVIEW**

A group home is a state-licensed facility intended for occupancy by elderly persons and/or persons with disabilities. Except for live-in aides, all persons living in a group home, whether assisted or not, must be elderly persons or persons with disabilities. Persons living in a group home must not require continuous medical or nursing care.

A group home consists of bedrooms for residents, which can be shared by no more than two people, and a living room, kitchen, dining area, bathroom, and other appropriate social, recreational, or community space that may be shared with other residents.

No more than 12 persons may reside in a group home including assisted and unassisted residents and any live-in aides.

If approved by the PHA, a live-in aide may live in the group home with a person with disabilities. The PHA must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

When providing HCV assistance in a group home, a separate lease and HAP contract is executed for each assisted family, and the standard form of the HAP contract is used.

#### **15-III.B. PAYMENT STANDARD, UTILITY ALLOWANCE, AND HAP CALCULATION**

Unless there is a live-in aide, the family unit size for an assisted occupant of a group home must be zero- or one-bedroom, depending on the PHA's subsidy standard. If there is a live-in aide, the aide must be counted in determining the household's unit size.

The payment standard used to calculate the HAP is the lower of the payment standard for the family unit size or the prorata share of the payment standard for the group home size. The prorata share is calculated by dividing the number of persons in the assisted household by the number of persons (assisted and unassisted) living in the group home.

The HAP for an assisted occupant in a group home is the lower of the payment standard minus the TTP or the gross rent minus the TTP.

The utility allowance for an assisted occupant in a group home is the prorata share of the utility allowance for the group home.

The rents paid for participants residing in group homes are subject to generally applicable standards for rent reasonableness. The rent for an assisted person must not exceed the prorata portion of the reasonable rent for the group home. In determining reasonable rent, the PHA should consider whether sanitary facilities and facilities for food preparation and service are common facilities or private facilities.

### 15-III.C. HOUSING QUALITY STANDARDS

HQS requirements described in Chapter 8 apply to group homes except for the requirements stated below.

- *Sanitary Facilities:* A group home must have at least one bathroom in the facility, with a flush toilet that can be used in privacy, a fixed basin with hot and cold running water, and a shower or bathtub with hot and cold running water. A group home may contain private or common bathrooms. However, no more than four residents can be required to share a bathroom.
- *Food Preparation and Service:* Group home units must contain a kitchen and dining area with adequate space to store, prepare, and serve food. The facilities for food preparation and service may be private or may be shared by the residents. The kitchen must contain a range, an oven, a refrigerator, and a sink with hot and cold running water. The sink must drain into an approvable public or private disposal system.
- *Space and Security:* Group homes must contain at least one bedroom of appropriate size for every two people, and a living room, kitchen, dining area, bathroom, and other appropriate social, recreational, or community space that may be shared with other residents.
- *Structure and Material:* To avoid any threat to the health and safety of the residents, group homes must be structurally sound. Elevators must be in good condition. Group homes must be accessible to and usable by residents with disabilities.
- *Site and Neighborhood:* Group homes must be located in a residential setting. The site and neighborhood should be reasonably free from hazards to the health, safety, and general welfare of the residents, and should not be subject to serious adverse conditions, such as:
  - Dangerous walks or steps
  - Instability
  - Flooding, poor drainage
  - Septic tank back-ups
  - Sewage hazards
  - Mud slides
  - Abnormal air pollution
  - Smoke or dust
  - Excessive noise
  - Vibrations or vehicular traffic
  - Excessive accumulations of trash
  - Vermin or rodent infestation, and
  - Fire hazards.

The housing quality standards applicable to lead-based paint do not apply.



## **PART IV: SHARED HOUSING**

[24 CFR 982.615 through 982.618]

### **15-IV.A. OVERVIEW**

Shared housing is a single housing unit occupied by an assisted family and another resident or residents. The shared unit consists of both common space for use by the occupants of the unit and separate private space for each assisted family.

An assisted family may share a unit with other persons assisted under the HCV program or with other unassisted persons. The owner of a shared housing unit may reside in the unit, but housing assistance may not be paid on behalf of the owner. The resident owner may not be related by blood or marriage to the assisted family.

If approved by the PHA, a live-in aide may reside with the family to care for a person with disabilities. The PHA must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

When providing HCV assistance in shared housing, a separate lease and HAP contract are executed for each assisted family, and the standard form of the HAP contract is used.

### **15-IV.B. PAYMENT STANDARD, UTILITY ALLOWANCE AND HAP CALCULATION**

The payment standard for a family in shared housing is the lower of the payment standard for the family unit size or the prorata share of the payment standard for the shared housing unit size.

The prorata share is calculated by dividing the number of bedrooms available for occupancy by the assisted family in the private space by the total number of bedrooms in the unit.

The HAP for a family in shared housing is the lower of the payment standard minus the TTP or the gross rent minus the TTP. The utility allowance for an assisted family living in shared housing is the lower of the utility allowance for the family unit size (voucher size) or the prorata share of the utility allowance for the shared housing unit.

**Example:** A family holds a 2-bedroom voucher. The family decides to occupy 3 out of 4 bedrooms available in the unit.

The utility allowance for a 4-bedroom unit equals \$200

The utility allowance for a 2-bedroom unit equals \$100

The prorata share of the utility allowance is \$150 (3/4 of \$200)

The PHA will use the 2-bedroom utility allowance of \$100.

The rents paid for families living in shared housing are subject to generally applicable standards for rent reasonableness. The rent paid to the owner for the assisted family must not exceed the pro-rata portion of the reasonable rent for the shared unit. In determining reasonable rent, the PHA should consider whether sanitary and food preparation areas are private or shared.

### **15-IV.C. HOUSING QUALITY STANDARDS**

The PHA may not give approval to reside in shared housing unless the entire unit, including the portion of the unit available for use by the assisted family under its lease, meets the housing quality standards.

HQS requirements described in Chapter 8 apply to shared housing except for the requirements stated below.

- *Facilities Available for the Family*: Facilities available to the assisted family, whether shared or private, must include a living room, a bathroom, and food preparation and refuse disposal facilities.
- *Space and Security*: The entire unit must provide adequate space and security for all assisted and unassisted residents. The private space for each assisted family must contain at least one bedroom for each two persons in the family. The number of bedrooms in the private space of an assisted family must not be less than the family unit size. A zero-bedroom or one-bedroom unit may not be used for shared housing.

## **PART V: COOPERATIVE HOUSING**

[24 CFR 982.619]

### **15-V.A. OVERVIEW**

This part applies to rental assistance for a cooperative member residing in cooperative housing. It does not apply to assistance for a cooperative member who has purchased membership under the HCV homeownership option, or to rental assistance for a family that leases a cooperative housing unit from a cooperative member.

A cooperative is a form of ownership (nonprofit corporation or association) in which the residents purchase memberships in the ownership entity. Rather than being charged “rent” a cooperative member is charged a “carrying charge.”

When providing HCV assistance in cooperative housing, the standard form of the HAP contract is used.

### **15-V.B. PAYMENT STANDARD, UTILITY ALLOWANCE AND HAP CALCULATION**

The payment standard and utility allowance are determined according to regular HCV program requirements.

The HAP for a cooperative housing unit is the lower of the payment standard minus the TTP or the monthly carrying charge for the unit, plus any utility allowance, minus the TTP. The monthly carrying charge includes the member’s share of the cooperative debt service, operating expenses, and necessary payments to cooperative reserve funds. The carrying charge does not include down payments or other payments to purchase the cooperative unit or to amortize a loan made to the family for this purpose.

### **15-V.C. HOUSING QUALITY STANDARDS**

All standard HQS requirements apply to cooperative housing units. There are no additional HQS requirements.



## **PART VI: MANUFACTURED HOMES**

[24 CFR 982.620 through 982.624; FR Notice 1/18/17]

### **15-VI.A. OVERVIEW**

A manufactured home is a manufactured structure, transportable in one or more parts, that is built on a permanent chassis, and designed for use as a principal place of residence. HCV-assisted families may occupy manufactured homes in two different ways.

(1) A family can choose to rent a manufactured home already installed on a space and the PHA must permit it. In this instance program rules are the same as when a family rents any other residential housing, except that there are special HQS requirements as provided in 15-VI.D below.

(2) HUD also permits an otherwise eligible family that owns a manufactured home to rent a space for the manufactured home and receive HCV assistance with the rent for the space as well as certain other housing expenses. PHAs may, but are not required to, provide assistance for such families.

### **15-VI.B. SPECIAL POLICIES FOR MANUFACTURED HOME OWNERS WHO LEASE A SPACE**

#### **Family Income**

In determining the annual income of families leasing manufactured home spaces, the value of the family's equity in the manufactured home in which the family resides is not counted as a family asset.

#### **Lease and HAP Contract**

There is a separate Tenancy Addendum (Form 52642-a) and separate HAP Contract (Form 52642) for this special housing type.

## **15-VI.C. PAYMENT STANDARD, UTILITY ALLOWANCE AND HAP CALCULATION [FR Notice 1/18/17]**

### **Payment Standards**

The PHA payment standard for manufactured homes is determined in accordance with 24 CFR 982.505 and is the payment standard used for the PHA's HCV program. It is based on the applicable FMR for the area in which the manufactured home space is located.

The payment standard for the family is the lower of the family unit size (voucher size) or the payment standard for the number of bedrooms in the manufactured home.

### **Utility Allowance**

The PHA must establish utility allowances for manufactured home space rental. For the first 12 months of the initial lease term only, the allowance must include an amount for a utility hook-up charge if the family actually incurred a hook-up charge because of a move. This allowance will not be given to a family that leases in place. Utility allowances for manufactured home space must not include the costs of digging a well or installing a septic system.

If the amount of the monthly assistance payment for a family exceeds the monthly rent for the manufactured home space (including the owner's monthly management and maintenance charges), the PHA may pay the remainder to the family, lender, or utility company.

### **Space Rent**

The rent for the manufactured home space (including other eligible housing expenses) is the total of:

- The rent charged for the manufactured home space;
- Owner maintenance and management charges for the space;
- The monthly payments made by the family to amortize the cost of purchasing the manufactured home, including any required insurance and property taxes; and
- The applicable allowance for tenant-paid utilities.

**Amortization Costs**

The monthly payment made by the family to amortize the cost of purchasing the manufactured home is the debt service established at the time of application to a lender for financing the purchase of the manufactured home if monthly payments are still being made. Any increase in debt service due to refinancing after purchase of the home may not be included in the amortization cost. Debt service for set-up charges incurred by a family may be included in the monthly amortization payments made by the family. In addition, set-up charges incurred before the family became an assisted family may be included in the amortization cost if monthly payments are still being made to amortize the charges.

**Housing Assistance Payment**

The HAP for a manufactured home space under the housing choice voucher program is the lower of the payment standard minus the TTP or the manufactured home space rent (including other eligible housing expenses) minus the TTP.

**Rent Reasonableness**

Initially, and annually thereafter the PHA must determine that the rent for the manufactured home space is reasonable based on rents for comparable manufactured home spaces. The PHA must consider the location and size of the space, and any services and maintenance to be provided by the owner. By accepting the monthly HAP check, the owner certifies that the rent does not exceed rents charged by the owner for comparable unassisted spaces in the manufactured home park or elsewhere.

#### **15-VI.D. HOUSING QUALITY STANDARDS**

Under either type of occupancy described in 15-VI.A above, the manufactured home must meet all HQS performance requirements and acceptability criteria discussed in Chapter 8 of this plan. In addition, the following requirement applies:

##### ***Manufactured Home Tie-Down***

A manufactured home must be placed on the site in a stable manner, and must be free from hazards such as sliding or wind damage. The home must be securely anchored by a tie-down device that distributes and transfers the loads imposed by the unit to appropriate ground anchors to resist overturning and sliding.



**PART VII: HOMEOWNERSHIP**  
[24 CFR 982.625 through 982.643]

**15-VII.A. OVERVIEW [24 CFR 982.625]**

The homeownership option is used to assist a family residing in a home purchased and owned by one or more members of the family. A family assisted under this option may be newly admitted or an existing participant in the HCV program. The PHA must have the capacity to operate a successful HCV homeownership program as defined by the regulations.

Troy Housing Authority Policy

The Section 8 Homeownership Program of the Troy Housing Authority (THA) permits eligible participants in the Section 8 Housing Choice Voucher program the option of purchasing a home using the Housing Assistance Payment (HAP) to defray some of the cost of the monthly mortgage payment.

Applicants may not owe THA or any other housing authority an outstanding debt, and must meet the eligibility criteria set forth herein.

Section 8 homeownership assistance must be used to purchase a new or existing single-family home in the jurisdiction of the Troy Housing Authority's Section 8 program. THA also will permit portability of Section 8 homeownership assistance to another jurisdiction, provided the receiving jurisdiction operates a Section 8 homeownership program for which the Section 8 homeownership applicant qualifies or authorizes THA to administer the homeownership assistance in their jurisdiction.

There are two forms of homeownership assistance described in the regulations: monthly homeownership assistance payments and single down payment assistance grants. However, PHAs may not offer down payment assistance until and unless funding is allocated by Congress. Since this has not yet happened, only monthly homeownership assistance may be offered.

Troy Housing Authority Policy

The PHA will offer the monthly homeownership assistance payments to qualified families.

The PHA must offer homeownership assistance if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities. It is the sole responsibility of the PHA to determine whether it is reasonable to implement a homeownership program as a reasonable accommodation. The PHA must determine what is reasonable based on the specific circumstances and individual needs of the person with a disability. The PHA may determine that it is not reasonable to offer homeownership assistance as a reasonable accommodation in cases where the PHA has otherwise opted not to implement a homeownership program.

The PHA must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

## **15-VII.B. FAMILY ELIGIBILITY [24 CFR 982.627]**

The family must meet all of the requirements listed below before the commencement of homeownership assistance. The PHA may also establish additional initial requirements as long as they are described in the PHA administrative plan.

- The family must have been admitted to the Housing Choice Voucher program.
- The family must qualify as a first-time homeowner, or may be a cooperative member.
- The family must meet the Federal minimum income requirement. The family must have a gross annual income equal to the Federal minimum wage multiplied by 2000, based on the income of adult family members who will own the home. The PHA may establish a higher income standard for families. However, a family that meets the federal minimum income requirement (but not the PHA's requirement) will be considered to meet the minimum income requirement if it can demonstrate that it has been pre-qualified or pre-approved for financing that is sufficient to purchase an eligible unit.

### Troy Housing Authority Policy

At the time the family begins receiving homeownership assistance, the head of household, spouse, and/or other adult household members who will own the home, must have a gross annual income at least equal to the Federal minimum hourly wage multiplied by 2000 hours.

With the exception of elderly and disabled families, THA will disregard any “welfare assistance” income in determining whether the family meets the minimum income requirement. Welfare assistance includes assistance from Temporary Assistance for Needy Families (TANF); Supplemental Security Income (SSI) that is subject to an income eligibility test; food stamps; general assistance; or other welfare assistance specified by HUD. The disregard of welfare assistance income under this section affects the determination of minimum monthly income in determining initial qualification for the home ownership program. It does not affect the determination of income-eligibility for admission to the Section 8 housing choice voucher program, calculation of the family’s total tenant payment, or calculation of the amount of homeownership assistance payments.

- For disabled families, the minimum income requirement is equal to the current SSI monthly payment for an individual living alone, multiplied by 12.
- For elderly or disabled families, welfare assistance payments for adult family members who will own the home will be included in determining whether the family meets the minimum income requirement. It will not be included for other families.
- The family must satisfy the employment requirements by demonstrating that one or more adult members of the family who will own the home at commencement of homeownership assistance is currently employed on a full-time basis (the term 'full-time employment' means not less than an average of 30 hours per week); and has been continuously so employed during the year before commencement of homeownership assistance for the family.

Troy Housing Authority Policy

Families will be considered “continuously employed” if the break in employment does not exceed four months.

The PHA will count self-employment in a business when determining whether the family meets the employment requirement as indicated on their most recently filed IRS tax return.

- The employment requirement does not apply to elderly and disabled families. In addition, if a family, other than an elderly or disabled family includes a person with disabilities, the PHA must grant an exemption from the employment requirement if the PHA determines that it is needed as a reasonable accommodation.
- The family has not defaulted on a mortgage securing debt to purchase a home under the homeownership option

- Except for cooperative members who have acquired cooperative membership shares prior to commencement of homeownership assistance, no family member has a present ownership interest in a residence at the commencement of homeownership assistance for the purchase of any home.
- Except for cooperative members who have acquired cooperative membership shares prior to the commencement of homeownership assistance, the family has entered a contract of sale in accordance with 24 CFR 982.631(c).

Troy Housing Authority Policy

The PHA will impose additional eligibility requirements. To be eligible to participate in the homeownership option, families must meet the following criteria:

Applicants may not owe THA or any other housing authority an outstanding debt

The family has had no family-caused violations of HUD's Housing Quality standards within the past year.

The family is not within the initial one-year period of a HAP Contract.

The family has not committed any serious or repeated violations of a PHA-assisted lease within the past year.

### **15-VII.C. SELECTION OF FAMILIES [24 CFR 982.626]**

Unless otherwise provided (under the homeownership option), the PHA may limit homeownership assistance to families or purposes defined by the PHA, and may prescribe additional requirements for commencement of homeownership assistance for a family. Any such limits or additional requirements must be described in the PHA administrative plan.

If the PHA limits the number of families that may participate in the homeownership option, the PHA must establish a system by which to select families to participate.

#### Troy Housing Authority Policy

Each Section 8 family, except families with a disabled member, must be a first-time homeowner. A “first-time homeowner” means that no member of the household has had an ownership interest in any residence during the three years preceding commencement of homeownership assistance. However, a single parent or displaced homemaker who, while married, owned a home with a spouse (or resided in a home owned by a spouse) is considered a “first-time homeowner” for purposes of the Section 8 homeownership option; and the right to purchase title to a residence under a lease-purchase agreement is not considered an “ownership interest.”

Families will be selected according to the date and time their application for participation in the homeownership option is submitted to the PHA.

All families must meet eligibility requirements as defined in Section 15-VII.B. of this plan.

#### **15-VII.D. ELIGIBLE UNITS [24 CFR 982.628]**

In order for a unit to be eligible, the PHA must determine that the unit satisfies all of the following requirements:

- The unit must meet HUD’s “eligible housing” requirements. The unit may not be any of the following:
  - A public housing or Indian housing unit;
  - A unit receiving Section 8 project-based assistance;
  - A nursing home, board and care home, or facility providing continual psychiatric, medical or nursing services;
  - A college or other school dormitory;
  - On the grounds of penal, reformatory, medical, mental, or similar public or private institutions.
- The unit must be under construction or already exist at the time the family enters into the contract of sale.
- The unit must be a one-unit property or a single dwelling unit in a cooperative or condominium.
- The unit must have been inspected by the PHA and by an independent inspector designated by the family.
- The unit must meet Housing Quality Standards (see Chapter 8).
- For a unit where the family will not own fee title to the real property (such as a manufactured home), the home must have a permanent foundation and the family must have the right to occupy the site for at least 40 years.
- For PHA-owned units all of the following conditions must be satisfied:
  - The PHA informs the family, both orally and in writing, that the family has the right to purchase any eligible unit and a PHA-owned unit is freely selected by the family without PHA pressure or steering;
  - The unit is not ineligible housing;
  - The PHA obtains the services of an independent agency to inspect the unit for compliance with HQS, review the independent inspection report, review the contract of sale, determine the reasonableness of the sales price and any PHA provided financing. All of these actions must be completed in accordance with program requirements.

The PHA must not approve the unit if the PHA has been informed that the seller is debarred, suspended, or subject to a limited denial of participation.

**15-VII.E. ADDITIONAL PHA REQUIREMENTS FOR SEARCH AND PURCHASE  
[24 CFR 982.629]**

It is the family's responsibility to find a home that meets the criteria for voucher homeownership assistance. The PHA may establish the maximum time that will be allowed for a family to locate and purchase a home, and may require the family to report on their progress in finding and purchasing a home. If the family is unable to purchase a home within the maximum time established by the PHA, the PHA may issue the family a voucher to lease a unit or place the family's name on the waiting list for a voucher.

Troy Housing Authority Policy

The family will be allowed 120 days to identify a unit and submit a sales contract to the PHA for review. The family will be allowed an additional 120 days to close on the home. PHAs may grant extensions to either of these periods for good cause. The length of the extension(s) will be determined on a case-by-case, but in no case will an extension exceed a total of 125 days. The maximum amount of time a family will be given to locate and complete the purchase of a home under the homeownership option is 365 days.

During these periods, the family will continue to receive HCV rental assistance in accordance with any active lease and HAP contract until the family vacates the rental unit for its purchased home.

All requests for extensions must be submitted in writing to the PHA prior to the expiration of the period for which the extension is being requested. The PHA will approve or disapprove the extension request within 10 business days. The family will be notified of the PHA's decision in writing.

**15-VII.F. HOMEOWNERSHIP COUNSELING [24 CFR 982.630]**

Before commencement of homeownership assistance for a family, the family must attend and satisfactorily complete the pre-assistance homeownership and housing counseling program required by the PHA. HUD suggests the following topics for the PHA-required pre-assistance counseling:

- Home maintenance (including care of the grounds);
- Budgeting and money management;
- Credit counseling;
- How to negotiate the purchase price of a home;
- How to obtain homeownership financing and loan pre-approvals, including a description of types of financing that may be available, and the pros and cons of different types of financing;
- How to find a home, including information about homeownership opportunities, schools, and transportation in the PHA jurisdiction;
- Advantages of purchasing a home in an area that does not have a high concentration of low-income families and how to locate homes in such areas;

- Information on fair housing, including fair housing lending and local fair housing enforcement agencies; and
- Information about the Real Estate Settlement Procedures Act (12 U.S.C. 2601 et seq.) (RESPA), state and Federal truth-in-lending laws, and how to identify and avoid loans with oppressive terms and conditions.

The PHA may adapt the subjects covered in pre-assistance counseling (as listed) to local circumstances and the needs of individual families.

The PHA may also offer additional counseling after commencement of homeownership assistance (ongoing counseling). If the PHA offers a program of ongoing counseling for participants in the homeownership option, the PHA shall have discretion to determine whether the family is required to participate in the ongoing counseling.

If the PHA does not use a HUD-approved housing counseling agency to provide the counseling, the PHA should ensure that its counseling program is consistent with the counseling provided under HUD's Housing Counseling program.

Troy Housing Authority Policy

A family's participation in the homeownership program is conditioned on the family attending and successfully completing a homeownership and housing counseling program approved by HUD prior to commencement of homeownership assistance. The homeownership and counseling program will cover home maintenance; budgeting and money management; fair housing; predatory lending issues; credit counseling; negotiating purchase price; securing mortgage financing; finding a home; and the advantages of purchasing and locating homes in areas that do not have a high concentration of low-income families. The counseling agency providing the counseling program shall either be approved by HUD or the program shall be consistent with the homeownership counseling provided under HUD's Housing Counseling Program. THA may require families to participate in a HUD approved homeownership counseling program on a continuous basis.

**15-VII.G. HOME INSPECTIONS, CONTRACT OF SALE, AND PHA DISAPPROVAL OF SELLER [24 CFR 982.631]**

**Home Inspections**

The PHA may not commence monthly homeownership assistance payments for a family until the PHA has inspected the unit and has determined that the unit passes HQS.

Troy Housing Authority Policy

To assure the home complies with the housing quality standards of the Section 8 program, homeownership assistance payments may not commence until the THA completes the initial inspection of the home. An independent inspection of existing homes covering major building systems also must be completed by a professional selected by the family and approved by THA.



An independent professional inspector selected by and paid for by the family must also inspect the unit. The independent inspection must cover major building systems and components, including foundation and structure, housing interior and exterior, and the roofing, plumbing, electrical, and heating systems. The independent inspector must be qualified to report on property conditions, including major building systems and components.

The PHA may not require the family to use an independent inspector selected by the PHA. The independent inspector may not be a PHA employee or contractor, or other person under control of the PHA. However, the PHA may establish standards for qualification of inspectors selected by families under the homeownership option.

Troy Housing Authority Policy

The family must hire an independent professional inspector, whose report must be submitted to the PHA for review. The inspector may not be a PHA employee.

The PHA may disapprove a unit for assistance based on information in the independent inspector's report, even if the unit was found to comply with HQS.

Troy Housing Authority Policy

The PHA will review the professional report in a timely fashion and, based on the presence of major physical problems, may disapprove the purchase of the home.

If the PHA disapproves the purchase of a home, the family will be notified in writing of the reasons for the disapproval.

### **Contract of Sale**

Before commencement of monthly homeownership assistance payments, a member or members of the family must enter into a contract of sale with the seller of the unit to be acquired by the family. The family must give the PHA a copy of the contract of sale. The contract of sale must:

- Specify the price and other terms of sale by the seller to the purchaser;
- Provide that the purchaser will arrange for a pre-purchase inspection of the dwelling unit by an independent inspector selected by the purchaser;
- Provide that the purchaser is not obligated to purchase the unit unless the inspection is satisfactory to the purchaser;
- Provide that the purchaser is not obligated to pay for any necessary repairs; and
- Contain a certification from the seller that the seller has not been debarred, suspended, or subject to a limited denial of participation under CFR part 24.

### **Disapproval of a Seller**

In its administrative discretion, the PHA may deny approval of a seller for the same reasons a PHA may disapprove an owner under the regular HCV program [see 24 CFR 982.306(c)].

## **15-VII.H. FINANCING [24 CFR 982.632]**

The PHA may establish requirements for financing purchase of a home under the homeownership option. This may include requirements concerning qualification of lenders, terms of financing, restrictions concerning debt secured by the home, lender qualifications, loan terms, and affordability of the debt. The PHA must establish policies describing these requirements in the administrative plan.

A PHA may not require that families acquire financing from one or more specified lenders, thereby restricting the family's ability to secure favorable financing terms.

### Troy Housing Authority Policy

As a check against predatory lending, the PHA will review the financing of each purchase transaction, including estimated closing costs. The PHA will review the loans for features, such as balloon payments, adjustable rate mortgages, and unusually high interest rates, all of which are prohibited. The PHA also will not approve "seller financing" or "owner-held" mortgages. Beyond these basic criteria, the PHA will rely on the lenders to determine that the loan will be affordable to program participants.

The mortgage the family applies for must require a minimum down payment of at least 3% of the sales price with 1% of the down payment coming from the purchaser's personal funds. The PHA will not require that the family have any more than the minimum of 1% of their own money in the transaction. However, in cases where a lender is requiring a larger amount, the family may be held to the underwriting guidelines set by their lending institution.

The PHA will approve a family's request to utilize its Family Self-Sufficiency escrow account for down payment and/or closing costs when purchasing a unit under the HCV homeownership option.

**15-VIII. CONTINUED ASSISTANCE REQUIREMENTS; FAMILY OBLIGATIONS [24 CFR 982.633]**

Homeownership assistance may only be paid while the family is residing in the home. If the family moves out of the home, the PHA may not continue homeownership assistance after the month when the family moves out. The family or lender is not required to refund to the PHA the homeownership assistance for the month when the family moves out.

Before commencement of homeownership assistance, the family must execute a statement in which the family agrees to comply with all family obligations under the homeownership option.

The family must comply with the following obligations:

- The family must comply with the terms of the mortgage securing debt incurred to purchase the home, or any refinancing of such debt.
- The family may not convey or transfer ownership of the home, except for purposes of financing, refinancing, or pending settlement of the estate of a deceased family member. Use and occupancy of the home are subject to 24 CFR 982.551 (h) and (i).
- The family must supply information to the PHA or HUD as specified in 24 CFR 982.551(b). The family must further supply any information required by the PHA or HUD concerning mortgage financing or refinancing, sale or transfer of any interest in the home, or homeownership expenses.
- The family must notify the PHA before moving out of the home.
- The family must notify the PHA if the family defaults on the mortgage used to purchase the home.
- No family member may have any ownership interest in any other residential property.
- The family must comply with the obligations of a participant family described in 24 CFR 982.551, except for the following provisions which do not apply to assistance under the homeownership option: 24 CFR 982.551(c), (d), (e), (f), (g) and (j).

Troy Housing Authority Policy

The PHA will not conduct annual HQS inspections for families receiving homeownership assistance. The PHA may inspect the unit to investigate allegations of fraud or if the PHA receives complaints of housing violations. The PHA will require the family to make any necessary repairs to be in compliance with HQS.

**15-VII.J. MAXIMUM TERM OF HOMEOWNER ASSISTANCE [24 CFR 982.634]**

Except in the case of a family that qualifies as an elderly or disabled family, other family members (described below) shall not receive homeownership assistance for more than:

- Fifteen years, if the initial mortgage incurred to finance purchase of the home has a term of 20 years or longer; or
- Ten years, in all other cases.

The maximum term described above applies to any member of the family who:

- Has an ownership interest in the unit during the time that homeownership payments are made; or
- Is the spouse of any member of the household who has an ownership interest in the unit during the time homeownership payments are made.

In the case of an elderly family, the exception only applies if the family qualifies as an elderly family at the start of homeownership assistance. In the case of a disabled family, the exception applies if at any time during receipt of homeownership assistance the family qualifies as a disabled family.

If, during the course of homeownership assistance, the family ceases to qualify as a disabled or elderly family, the maximum term becomes applicable from the date homeownership assistance commenced. However, such a family must be provided at least 6 months of homeownership assistance after the maximum term becomes applicable (provided the family is otherwise eligible to receive homeownership assistance).

If the family has received such assistance for different homes, or from different PHAs, the total of such assistance terms is subject to the maximum term described in this part.

**15-VII.K. HOMEOWNERSHIP ASSISTANCE PAYMENTS AND HOMEOWNERSHIP EXPENSES [24 CFR 982.635]**

The monthly homeownership assistance payment is the lower of: the voucher payment standard minus the total tenant payment, or the monthly homeownership expenses minus the total tenant payment.

In determining the amount of the homeownership assistance payment, the PHA will use the same payment standard schedule, payment standard amounts, and subsidy standards as those described elsewhere in this plan for the Housing Choice Voucher program. The payment standard for a family is the greater of (i) The payment standard as determined at the commencement of homeownership assistance for occupancy of the home, or (ii) The payment standard at the most recent regular reexamination of family income and composition since the commencement of homeownership assistance for occupancy of the home.

The PHA may pay the homeownership assistance payments directly to the family, or at the PHA's discretion, to a lender on behalf of the family. If the assistance payment exceeds the amount due to the lender, the PHA must pay the excess directly to the family.

Troy Housing Authority Policy

The PHA's housing assistance payment will be paid directly to the family. It will be the family's responsibility to make the entire payment to the lender. The PHA may make an exception if the family requests the payment to go directly to the lender, and this arrangement is acceptable to the mortgage company. If the assistance payment exceeds the amount due to the lender, the PHA must pay the excess directly to the family.

Homeownership assistance for a family terminates automatically 180 calendar days after the last homeownership assistance payment on behalf of the family. However, a PHA may grant relief from this requirement in those cases where automatic termination would result in extreme hardship for the family.

Troy Housing Authority Policy

In order for the PHA to consider granting relief from the requirement to automatically terminate homeownership assistance 180 days following the PHA's last housing assistance payment on behalf of the family, the family must submit a request to the PHA at least 30 days prior to the date of automatic termination. The request must include an explanation of the circumstances that will cause an extreme hardship for the family (e.g., the imminent loss of income or employment) as well as documentation supporting the request. The PHA will determine on a case-by-case basis whether to grant relief from the requirement and for what period of time. In no case will the PHA postpone termination beyond an additional 90 days.

The PHA must adopt policies for determining the amount of homeownership expenses to be allowed by the PHA in accordance with HUD requirements.

Homeownership expenses (not including cooperatives) only include amounts allowed by the PHA to cover:

- Principal and interest on initial mortgage debt, any refinancing of such debt, and any mortgage insurance premium incurred to finance purchase of the home;
- Real estate taxes and public assessments on the home;
- Home insurance;
- The PHA allowance for maintenance expenses;
- The PHA allowance for costs of major repairs and replacements;
- The PHA utility allowance for the home;
- Principal and interest on mortgage debt incurred to finance costs for major repairs, replacements or improvements for the home. If a member of the family is a person with disabilities, such debt may include debt incurred by the family to finance costs needed to make the home accessible for such person, if the PHA determines that allowance of such costs as homeownership expenses is needed as a reasonable accommodation so that the homeownership option is readily accessible to and usable by such person;
- Land lease payments where a family does not own fee title to the real property on which the home is located; [see 24 CFR 982.628(b)].
- For a condominium unit, condominium operating charges or maintenance fees assessed by the condominium homeowner association.

Homeownership expenses for a cooperative member may only include amounts allowed by the PHA to cover:

- The cooperative charge under the cooperative occupancy agreement including payment for real estate taxes and public assessments on the home;
- Principal and interest on initial debt incurred to finance purchase of cooperative membership shares and any refinancing of such debt;
- Home insurance;
- The PHA allowance for maintenance expenses;
- The PHA allowance for costs of major repairs and replacements;
- The PHA utility allowance for the home; and
- Principal and interest on debt incurred to finance major repairs, replacements or improvements for the home. If a member of the family is a person with disabilities, such debt may include debt incurred by the family to finance costs needed to make the home accessible for such person, if the PHA determines that allowance of such costs as homeownership expenses is needed as a reasonable accommodation so that the homeownership option is readily accessible to and usable by such person.

- Cooperative operating charges or maintenance fees assessed by the cooperative homeowner association.

Troy Housing Authority Policy

Monthly homeownership expense includes all of the following: principal and interest on the initial mortgage and any mortgage insurance premium (MIP) incurred to finance the purchase and any refinancing of such debt; real estate taxes and public assessments; homeowner’s insurance; utility allowance per THA’s schedule of utility allowances; principal and interest on mortgage debt incurred to finance major repairs, replacements or improvements for the home including changes needed to make the home accessible; and homeowner association dues, fees or regular charges assessed, if any. Homeownership expenses for a cooperative member may include amounts for the cooperative charge under the cooperative occupancy agreement including payment for real estate taxes and public assessments on the home; principal and interest on initial debt incurred to finance purchase of cooperative membership shares and any refinancing of such debt; home insurance; the allowances for maintenance expenses, major repairs and replacements and utilities; and principal interest on debt incurred to finance major repairs, replacements, or improvements, including changes needed to make the home accessible.

**Monthly major repair/replacement allowance.** The monthly major repair/replacement allowance will be the annual major repair/replacement allowance divided by 12. The annual major repair/replacement allowance will be set as a percentage of the purchase price of the home, based on the age of the home at the time of purchase and/or reexamination.

Age of Home	% of purchase price allowed
New to 20 years	.5
21 to 30 years	1.0
31 to 40 years	1.5
41 to 50 years	2.0
51 years plus	2.5

**15-VII.L. PORTABILITY [24 CFR 982.636, 982.637, 982.353(b) and (c), 982.552, 982.553]**

Subject to the restrictions on portability included in HUD regulations and PHA policies, a family may exercise portability if the receiving PHA is administering a voucher homeownership program and accepting new homeownership families. The receiving PHA may absorb the family into its voucher program, or bill the initial PHA.

The family must attend the briefing and counseling sessions required by the receiving PHA. The receiving PHA will determine whether the financing for, and the physical condition of the unit, are acceptable. The receiving PHA must promptly notify the initial PHA if the family has purchased an eligible unit under the program, or if the family is unable to purchase a home within the maximum time established by the PHA.

**15-VII.M. MOVING WITH CONTINUED ASSISTANCE [24 CFR 982.637]**

A family receiving homeownership assistance may move with continued tenant-based assistance. The family may move with voucher rental assistance or with voucher homeownership assistance.



Continued tenant-based assistance for a new unit cannot begin so long as any family member holds title to the prior home.

The PHA may deny permission to move to a new unit with continued voucher assistance:

- If the PHA has insufficient funding to provide continued assistance.
- In accordance with 24 CFR 982.638, regarding denial or termination of assistance. In this case, the PHA must provide written notification to the local HUD Office within 10 business days of determining it is necessary to deny moves based on insufficient funding.
- In accordance with the PHA's policy regarding number of moves within a 12-month period.

The PHA must deny the family permission to move to a new unit with continued voucher rental assistance if:

- The family defaulted on an FHA-insured mortgage; and
- The family fails to demonstrate that the family has conveyed, or will convey, title to the home, as required by HUD, to HUD or HUD's designee; and the family has moved, or will move, from the home within the period established or approved by HUD.

Troy Housing Authority Policy

For families participating in the homeownership option, requests to move will be approved and/or denied in accordance with PHA policies in Chapter 10.

The PHA will not require additional counseling of any families who move with continued assistance.

#### **15-VII.N. DENIAL OR TERMINATION OF ASSISTANCE [24 CFR 982.638]**

At any time, the PHA may deny or terminate homeownership assistance in accordance with HCV program requirements in 24 CFR 982.552 (Grounds for denial or termination of assistance) or 24 CFR 982.553 (Crime by family members).

The PHA may also deny or terminate assistance for violation of participant obligations described in 24 CFR Parts 982.551 or 982.633 and in accordance with its own policy.

The PHA must terminate voucher homeownership assistance for any member of family receiving homeownership assistance that is dispossessed from the home pursuant to a judgment or order of foreclosure on any mortgage (whether FHA insured or non-FHA) securing debt incurred to purchase the home, or any refinancing of such debt.

##### Troy Housing Authority Policy

The PHA will terminate a family's homeownership assistance if the family violates any of the homeowner obligations listed in Section 1, as well as for any of the reasons listed in Section 2 of form HUD-52649, Statement of Homeowner Obligations Housing Choice Homeownership Voucher Program.

In making its decision to terminate homeownership assistance, the PHA will consider alternatives as described in Section 12-II.C and other factors described in Section 12-II.D. Upon consideration of such alternatives and factors, the PHA may, on a case-by-case basis, choose not to terminate assistance.

Termination notices will be sent in accordance with the requirements and policies set forth in Section 12-II.F.

**PART VIII: FAMILY SELF-SUFFICIENCY PROGRAM  
ACTION PLAN INITIATED 04/23/01**

**Amended 7-19-04 to include Public Housing**

**Amended 9-28-17 to add Interim Escrow Withdrawal Requirements**

**Updated August 27, 2022 Per Final Rule 24 CFR Parts 887 and 984 “Streamlining and Implementation of Economic Growth, Regulatory Relief, and Consumer Protection Act Changes to Family Self-Sufficiency (FSS) Program” which became effective on June 16, 2022**

**I. FAMILY DEMOGRAPHIC DESCRIPTION AND NEEDS**

The Troy Housing Authority initiated the Family Self Sufficiency Program on April 4, 2001 for 50 Section 8 Participants and expanded the program on July 19, 2002 to include 50 Public Housing Participants. Since that time the Troy Housing Authority has converted all active Public Housing Units to Section 8 Project Based Vouchers through the Rental Assistance Demonstration Program and the Family Self Sufficiency Programs have merged with a capacity of serving 100 participants. Since initiating the program 104 participants have been enrolled; 67 participants are still active, 18 participants have completed the program and graduated, and 19 participants have been terminated without graduating. Additionally, there are 13 applicants currently awaiting enrollment which will occur upon approval of this Updated Action Plan. Of the 67 active participants 53 have an escrow balance and most of the 14 participants without an escrow balance started the program within the past year. All of the currently active participants are expected to remain in the program when this updated Action Plan is approved. Additional participants will continue to be recruited from our 1,084 RAD-PBV units and our 925 Tenant Based Voucher holders. This will include those in project based units that are not RAD and participants using special purpose vouchers like VASH, Emergency Housing Vouchers, Mainstream and Homeownership.

Current data from the June 30, 2022 Multifamily Tenant Characteristic System (MTCS) indicates that the average annual income of the population being served is \$16,916.00. 36% of the families being served report income “with any wages;” 36% report income “with any welfare,” 55% reported income “with any SSI/SS/Pension, 24% reported income “with any other income” (usually child support, and 3% reported having “no income.” The average family size within the program is 2.2 members; 44% of the household members are under 18 years old; 43% are between 18 and 61 years old and 13% are 62 years old or older. 52% of the households are headed by a White individual; 48% are headed by a Black Individual; and 20% of the Household heads are Hispanic. Given this data, there was clearly a large number of unemployed and under-employed single parent families in the recruitment pool. These families need additional education, job training and career counseling to enhance their employment skills and maximize their earning potential. Many also needed child care and transportation assistance. They also needed the support of a Family Self-Sufficiency (FSS) Program Coordinator to help them navigate through the services available to assist them in their

efforts so that they can experience successes similar to the 53 active participants with escrow balances and the 18 program graduates.

## **II. ESTIMATED NUMBER OF FAMILY PARTICIPANTS**

The Troy Housing Authority initiated the Family Self-Sufficiency by hiring one Program Coordinator to serve 50 families in the Section 8 Program on July 19, 2002. We then expanded the program by hiring a Family Self-Sufficiency Program Coordinator for 50 families in our Public Housing Program. We have since converted our Public Housing to Project Based Vouchers and merged our Family Self Sufficiency Programs under the Section 8 Program. While we currently have the capacity to serve 100 families ultimately we would like to see this program grow to serve 150-250 families through the hiring of three to five Program Coordinators. In addition to Program Coordination that will assist the program participant through every step in the process, potential income earners in these families will receive an initial screening to determine their skills and interests, assistance in accessing childcare and transportation, training to enhance their employability and job placement assistance.

## **III. NUMBER OF FAMILIES IN OTHER SELF-SUFFICIENCY PROGRAMS**

Aside from the active participants in our Family Self Sufficiency Program, the Troy Housing Authority is not aware of any families currently participating in any other Self-Sufficiency Program. The Commission on Economic Opportunity (the local Community Action Agency) and the Educational Opportunity Center provide services that promote self-sufficiency. Both of these organizations have been and will continue to actively involved in the planning and operation of this Family Self-Sufficiency Program. In addition to this, TRIP, Inc. and TAP, Inc. offer programs that promote homeownership that are linked to this program. Job Corps and Excelsior College also provide educational and vocational programs to participants.

## **IV. FAMILY SELF SUFFICIENCY SELECTION PROCEDURE**

Currently active participants in our Family Self Sufficiency Program and those on our waiting list will be the first households offered enrollment under this Updated Action Plan with currently active participants offered the opportunity to sign a new contract if it is in their best interest to do so. Then, in order to best assure equal opportunity for all persons interested in and eligible to participate in this program, the Troy Housing Authority has opted to initiate a selection procedure without preference. In accordance with 24 CFR 984.203 (b), eligible persons who express interest in the Family Self Sufficiency Program will be admitted based on the date that they express interest. If all current Family Self Sufficiency slots are filled the person will be placed on a waiting list that will be maintained according to date of initial expression of interest.

## **V. INCENTIVES TO PARTICIPATE**

Families participating in the Family Self Sufficiency Program will continue to pay their portion of rent based on their income. As their income increases the Troy Housing Authority will deposit an amount equal to this increase that is due to wages into an interest bearing escrow account. Families whose income exceeds 80% of Area Median Income will not earn escrow. The gross rent and the payment standard will also act as caps on escrow accumulation. Funds from this escrow account will be available to the family according to the guidelines set for the Family Self Sufficiency Program.

Generally, such disbursements will occur when the family successfully completes the Family Self Sufficiency Contract Terms or exceeds the Fair Market Rent for the size of the unit for which the family qualifies and no family member is currently receiving welfare assistance.

Interim disbursements are allowed by the Troy Housing Authority under certain conditions. These conditions include the completion of specific interim contract goals, the family has participated in the program at least 30 months and when the family needs a portion of the Family Self Sufficiency escrow account fund for purposes consistent with their contract of participation (e.g. for school tuition or school related expenses, for job training expenses, for business start-up expenses, or to purchase a car when this is necessary to obtain/maintain employment). Interim disbursements are NOT intended to be used for on-going expenses (utility bills, car payments, etc.). Participants should be working with their Family Self Sufficiency Program Coordinators on establishing budgets to pay for these items out of existing household income.

## **VI. OUTREACH EFFORTS**

The Troy Housing Authority will notify all Section 8 families of this program by lobby postings at all locations, website and Facebook postings, direct mail, flyer or newsletter at least twice per year. This will include all Tenant Based Voucher Holders, all Project Based Voucher holders (including RAD-PBV), and participants in any other Section 8 Program administered by the Troy Housing Authority (VASH, Mainstream Vouchers, Emergency Housing Vouchers, Homeownerships Vouchers and any other voucher program initiated that is eligible to participate in the Family Self Sufficiency Program. All print materials will be in both English and Spanish. In addition to this, all Temporary Assistance to Needy Families (TANF) recipients in the program will receive direct contact at least once per year by telephone or in person, when telephone is not an option. This will occur during annual re-certifications. A Spanish-speaking staff person or interpreter will be enlisted to facilitate this process when necessary. Any participant expressing interest in the program will be required to meet with a Program Coordinator to identify needs and develop an Individual Training and Services Plan (ITSP). Attendance at these meetings will be considered motivation to participate as it will demonstrate the family's interest and motivation to participate in the Family Self Sufficiency Program.

## **VII. FAMILY SELF SUFFICIENCY ACTIVITIES AND SUPPORTIVE SERVICES**

All families admitted into the program will have their supportive service needs evaluated by a Program Coordinator. The Program Coordinator will assist them in obtaining childcare, transportation assistance and any other supportive services necessary to facilitate successful participation in the program and to obtain suitable employment. A determination of suitable employment shall be made with the agreement of the affected participant, based on skills, education, and job training, and receipt of other benefits of the household member, and based on the available job opportunities within the community where the property is located. Vocational skills and interest screening will be conducted by the Educational Opportunity Center and this organization will serve as the primary training institution of the Family Self Sufficiency Program. Job Corps and Excelsior College also provide educational and vocational programs to participants. TRIP, Inc. and TAP, Inc. offer programs that promote homeownership to participants.

## **VIII. METHOD TO IDENTIFY FAMILY SUPPORT NEEDS**

The Family Self Sufficiency Program Coordinators will meet with the family in their home or at another location if necessary, to identify their supportive service needs. The Program Coordinator and Family will outline their mutual responsibilities for obtaining the services necessary to meet these needs. The Program Coordinator will have knowledge about existing resources in the community to share with the family and will assist the family to the fullest extent necessary in making initial contacts and applying for services. Any adult household member may enter into a Contract of Participation; it will be the family's decision who enters into the contract and is identified as the FSS Head of Household. The FSS Head of Household will receive the escrow.

## **IX. TERMINATION AND GRIEVANCE PROCEDURES**

A family that fails to comply with the requirements set forth in their Contract of Participation may have their services suspended until such time that they come back into compliance. If they fail to return to compliance within three months they will be terminated from the program and not be eligible for re-admission for 12 months. Any funds deposited into the escrow account by the Troy Housing Authority on their behalf will be forfeited unless the family is otherwise in good standing and the termination occurs through no fault of their own. Examples of how this may occur are: one or more services/resources are both critical and unavailable; the Head of FSS family becomes permanently disabled and unable to work after having earned escrow and there is no other household member able or willing to assume the Contract of Participation; the family ports in a situation where they are unable to continue the Contract of Participation. A family may grieve the decision to terminate and the grievance will be heard through the normal Troy Housing Authority Informal Hearing process.

**X. ASSURANCE TO MAINTAIN RIGHTS OF NON-PARTICIPATING FAMILIES**

Participation in the Family Self Sufficiency Program will be voluntary. Any family who chooses not to participate will continue to be entitled to all other services that they are eligible to receive.

**XI. TIMETABLE FOR PROGRAM IMPLEMENTATION**

Upon notification of approval of this Updated Action Plan Amendment the Troy Housing Authority will continue the program by offering currently active participants the opportunity to re-enroll under the new program rules. This will be followed by enrolling any applicants on our waiting list. Following this, outreach in the form of lobby postings at all locations, website and Facebook postings, direct mail, flyers or newsletter articles will be initiated to fill any additional Family Self Sufficiency slots. This will include targeted outreach to eligible families receiving Temporary Assistance to Needy Families (TANF) assistance. During all subsequent months general and targeted outreach will continue and families will continue to receive the services deemed necessary in their Contract of Participation.

**XII. CERTIFICATION OF COORDINATION**

The activities and services being developed through this Family Self Sufficiency Action Plan are being coordinated with the local Department of Labor Workforce Investment Act Agency, Capital Region Workforce Development Board and the Local Department of Social Services as well as other employment, childcare, transportation, training, and education programs. Representative from these organizations have reviewed and endorsed this Updated Action Plan.

**XIII. CONTRACT OF PARTICIPATION**

All families enrolled in the FSS program will be required to sign a Contract of Participation (CoP) that includes an Individual Training and Services Plan (ITSP). This section describes the contents of the CoP and the *Troy Housing Authority's* policies and practices regarding the CoP.

**A. Form and content of contract**

The CoP, which will incorporate one ITSP for each participating member of the family, sets forth the principal terms and conditions governing participation in the FSS program. These include the rights and responsibilities of the FSS family and of the *Troy Housing Authority*, the services to be provided to, and the activities to be completed by, each adult member of the FSS family who elects to participate in the program.

**B. ITSP goals**

Each individual's ITSP will establish specific interim and final goals by which the *Troy Housing Authority* and the family will measure the family's progress towards fulfilling its obligations under the CoP. For any FSS family that is a recipient of welfare assistance at the

outset of the CoP or that receives welfare assistance while in the FSS program, the **Troy Housing Authority** will establish as a final goal that every member of the family become independent from welfare assistance before the expiration of the CoP. The ITSP of the head of FSS family will also include as a final goal that they seek and maintain suitable employment. The FSS coordinator will work with each participating individual to identify additional ITSP goals that are relevant, feasible and desirable. Any such additional goals will be realistic and individualized.

#### **C. Determination of suitable employment**

As defined in the FSS regulations (24 CFR 984.303(4)(iii)), a determination of what constitutes “suitable employment” for each family member with a goal of seeking and maintaining it will be made by the **Troy Housing Authority**, with the agreement of the affected participant, based on the skills, education, job training and receipt of other benefits of the family member and based on the available job opportunities in the community.

#### **D. Contract of Participation term and extensions**

The CoP will go into effect on the first day of the month following the execution of the CoP. The initial term of the CoP will run the effective date through the five-year anniversary of the first reexamination of income that follows the execution date. Families may request up to two one-year extensions and are required to submit a written request that documents the need for the extension. **Troy Housing Authority** will grant the extension if it finds that good cause exists to do so. In this context, good cause means:

- (i) Circumstances beyond the control of the FSS family, as determined by the **Troy Housing Authority**, such as a serious illness or involuntary loss of employment;
- (ii) Active pursuit of a current or additional goal that will result in furtherance of self-sufficiency during the period of the extension (e.g. completion of a college degree during which the participant is unemployed or under-employed, credit repair towards being homeownership ready, etc.) as determined by the **Troy Housing Authority** or
- (iii) Any other circumstances that the **Troy Housing Authority** determines warrants an extension, including if the Family and Program Coordinator determine that the family needs more time to fully achieve the goals in their Individual Training and Services Plan (ITSP).

#### **E. Completion of the contract**

The CoP is completed, and a family’s participation in the FSS program is concluded when the FSS family has fulfilled all its obligations under the CoP, including all family members’ ITSPs, on or before the expiration of the contract term. The family must provide appropriate documentation that each of the ITSP goals has been completed. The **Troy Housing Authority** will accept the following form of verification for completion of the ITSP goals:

~~**Option 1:** The **Troy Housing Authority** will accept self-certification to document completion of ITSP goals.~~



**Option 2:** The *Troy Housing Authority* will require third party verification to document completion of ITSP goals.

**Option 3:** The *Troy Housing Authority* will require a combination of self-certification and third-party verification to document completion of ITSP goals.

Documentation of goal completion will generally be done through third party verification. When this is not available participant self-certification will be allowed.

#### **XIV. ADDITIONAL INFORMATION**

##### **A. Policies related to the modification of goals in the Individual Training and Services Plan (ITSP), including limits on modifications as a participant approaches graduation.**

The Troy Housing Authority recognizes that situations change for participants throughout their involvement in the program. With this understanding, the Troy Housing Authority will allow participants to modify the goals in their Individual Training and Services Plan (ITSP) through collaboration with their Program Coordinator. This will include changes made as participants approach graduation to best demonstrate their successes in the program.

##### **B. The circumstances in which an extension of the Contract of Participation may be granted.**

The Family and Program Coordinator may extend the Contract of Participation if the family needs more time to fully achieve the goals in their Individual Training and Services Plan (ITSP).

##### **C. Policies on the interim disbursement of escrow, including limitations on the use of the funds (if any).**

Interim disbursements are allowed by the Troy Housing Authority under certain conditions. These conditions include the completion of specific interim contract goals, the family has participated in the program at least 30 months and when the family needs a portion of the Family Self Sufficiency escrow account fund for purposes consistent with their contract of participation (e.g. for school tuition or school related expenses, for job training expenses, for business start-up expenses, or to purchase a car when this is necessary to obtain/maintain employment). Interim disbursements are NOT intended to be used for on-going expenses (utility bills, car payments, etc.). Participants should be working with their Family Self Sufficiency Program Coordinators on establishing budgets to pay for these items out of existing household income.

**D. Policies regarding eligible uses of forfeited escrow funds by families in good standing.**

Forfeited escrow funds will only be used for Family Self Sufficiency related purposes. This may include marketing and outreach, arranging for on-site events and programming for groups of participants, training related activities for Program Coordinators and affiliate staff (e.g. those that refer families or those that work with participants in other capacities) and other program related expenses.

**E. Policies regarding the re-enrollment of previous Family Self Sufficiency participants, including graduates and those who exited the program without graduating.**

Re-enrollment will be allowed for both program graduates and those who exited the program without graduating.

**F. Policies on requirements for documentation of goal completion.**

Documentation of goal completion will generally be done through third party verification. When this is not available participant self-certification will be allowed.

**G. Policies on documentation, designation, and change of the household's designation of the Head of Family Self Sufficiency family"**

Should a family wish to modify the designation of the Head of Family Self Sufficiency family this will require a written request from both the current and proposed Head of Family Self Sufficiency family, a review of the Individual Training and Services Plan with the current Head of Family Self Sufficiency family and the establishment of a new Individual Training and Services Plan with the new Head of Family Self Sufficiency family. If the current Head of Family Self Sufficiency family is not available for these purposes documentation of the reason for unavailability may include a death certificate, divorce papers, legal separation papers, documentation from a third party knowledgeable in the family situation. If none of these options are available a self-certification from the proposed Head of Family Self Sufficiency family will be allowed.

**H. Policies for providing a Family Self Sufficiency selection preference for portable families (if the Public Housing Authority elects to offer such a preference).**

Families porting to the Troy Housing Authority from other jurisdictions that are already enrolled in a Family Self Sufficiency Program will be admitted to the to complete their Individual Training and Services Plan. Efforts will be made to have their escrow account transferred from their previous Housing Authority to

the Troy Housing Authority. If there are no openings in the Family Self Sufficiency Program at the time the family ports to the Troy Housing Authority will be placed at the top of the waiting list so that their enrollment may resume with the first available opening. Similarly, the Troy Housing Authority will work cooperatively with families wishing to port to a new jurisdiction.

**I. Other policies Family Self Sufficiency program related policies over which the Public Housing Authority (PHA) or owner has discretion (if applicable).**

None at this time.

**PART IX: Temporary Policy Supplement Instruction Guide**

**EMERGENCY HOUSING VOUCHERS (EHVs)**

**INTRODUCTION**

This chapter describes HUD regulations and PHA policies for administering EHVs. The policies outlined in this chapter are organized into seven sections, as follows:

Part I: Funding

Part II: Partnering Agencies

Part III: Waiting List Management

Part IV: Family Eligibility

Part V: Housing Search and Leasing

Part VI: Use of Funds, Reporting, and Financial Records

Except as addressed by this chapter and as required under federal statute and HUD requirements, the general requirements of the HCV program apply to EHVs.

## PART I: FUNDING

### TPS-IA. FUNDING OVERVIEW

#### Overview

This section is an overview of emergency housing voucher (EHV) funding. **No policy decisions are required.**

#### Housing Assistance Payments (HAP) Funding

This section is an overview of EHV HAP funding. **No policy decisions are required.**

#### Administrative Fee and Funding

This section is an overview of EHV admin fee funding. **No policy decisions are required.**

### ~~TPS-LB. TPS-IA. FUNDING OVERVIEW~~

#### ~~Overview~~

~~This section is an overview of emergency housing voucher (EHV) funding. **No policy decisions are required.**~~

#### ~~Housing Assistance Payments (HAP) Funding~~

~~This section is an overview of EHV HAP funding. **No policy decisions are required.**~~

#### ~~Administrative Fee and Funding~~

~~This section is an overview of EHV admin fee funding. **No policy decisions are required.**~~

### TPS-LB. SERVICE FEES

Services fee funding must be initially used for defined eligible uses and not for other administrative expenses of the EHV. The PHA must establish the eligible uses and the parameters and requirements for service fees in the PHA's administrative plan.

~~Decision Point: What are the eligible uses for service fees?  
(Model plan, p. TPS-3)~~

#### ~~Things to Consider~~

~~A PHA will be allocated a one-time services fee to support its efforts in implementing and operating an effective EHV services program that will best address the needs of EHV-eligible individuals and families in its jurisdiction.~~

~~Service fee funding may never be used for the HCV program.~~

HUD strongly encourages PHAs to consult with its referral partners in establishing which activities it will undertake in support of EHV's and any parameters or requirements regarding the application of those activities.

For example, if the PHA is working with several direct referral partners and one partner is able to provide security deposit assistance and the other is not, the PHA may provide security deposit assistance for direct referral families from the latter agency but not for families who are already eligible for and receiving security deposit assistance from the partnering agency.

The PHA may limit the amount of assistance that it provides for any of the eligible uses and place other restrictions on those uses.

The eligible uses are designed to prevent and respond to coronavirus by facilitating the leasing of the EHV's, which will provide vulnerable individuals and families a much safer housing environment to minimize the risk of coronavirus exposure or spread.

Troy Housing Authority Policy

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Individuals and families who are homeless or at risk of homelessness are often living in conditions that significantly increase the risk of exposure to coronavirus in addition to other health risks. Rural communities also face unique challenges, making services pertaining to application assistance, transportation, case management, housing location, and inspection particularly important.

PHAs that accept an allocation of EHV's are required to enter into an MOU with the Continuum of Care (CoC) to establish a partnership for the administration of EHV's (see TPS II.A.). PHAs may use services fee funding for housing search assistance and utility deposit services, but if such services are already available through the CoC, the services fee funding should be directed to other uses that are not available through the CoC. It is important that the PHA collaborate with the CoC and any other partnering agencies in designing its menu of uses for the services fee funding.

In order to provide the widest range of services, Option 1 lists all of the eligible service fees described in Notice PIH 2021-15. PHAs should review the list of eligible uses carefully in conjunction with their partnering agencies and only include those services which are best suited to their localities.



*Option 1: Use the model plan language shown below, inserting the names of partnering organizations.*

The eligible uses for service fees include:

**Housing search assistance**, which may include activities such as, but not limited to, helping a family identify and visit potentially available units during their housing search, helping to find a unit that meets the household's disability-related needs, providing transportation and directions, assisting with the completion of rental applications and PHA forms, and helping to expedite the EHV leasing process for the family.

**Application fees/non-refundable administrative or processing fees/refundable application deposit assistance.** The PHA may choose to assist the family with some or all these expenses.

**Holding fees** are fees an owner requests that are rolled into the security deposit after an application is accepted but before a lease is signed. The PHA may cover part or all of the holding fee for units where the fee is required by the owner after a tenant's application has been accepted but before the lease signing. The PHA and owner must agree how the holding fee gets rolled into the deposit, and under what conditions the fee will be returned. In general, owners need to accept responsibility for making needed repairs to a unit required by the initial housing quality standards (HQS) inspections and can only keep the holding fee if the client is at fault for not entering into a lease.

**Security deposit assistance.** The amount of the security deposit assistance may not exceed the lesser of two months' rent to owner, the maximum security deposit allowed under applicable state and/or local law, or the actual security deposit required by the owner. The PHA may pay the security deposit assistance directly to the owner or may pay the assistance to the family. If paid to the family, the PHA will require documentation that the family paid the security deposit.

**Utility deposit assistance/utility arrears.** The PHA may provide utility deposit assistance for some or all of the family's utility deposit expenses. Assistance can be provided for deposits (including connection fees) required for the utilities to be supplied by the tenant under the lease. The PHA may pay the utility deposit assistance directly to the utility company or may pay the assistance to the family. If paid to the family, the PHA will require documentation the family paid the utility deposit. The PHA will require the utility supplier or family to return the utility deposit assistance to the PHA at such time the deposit is returned by the utility supplier (less any amounts retained by the utility supplier). In addition, some families may have large balances with gas, electric, water, sewer, or trash companies that will make it difficult if not impossible to establish services for tenant-supplied utilities. The PHA may also provide the family with assistance to help address these utility arrears to facilitate leasing. Utility deposit assistance returned to the PHA will be used for either services fee eligible uses or other EHV administrative costs, as required by HUD.

**Owner recruitment and outreach for EHV's.** The PHA may use the service fee funding to conduct owner recruitment and outreach specifically for EHV's. In addition to traditional owner recruitment and outreach, activities may include conducting pre-inspections or otherwise expediting the inspection process, providing enhanced customer service, and offering owner incentive and/or retention payments.

**Owner incentive and/or retention payments.** The PHA may make incentive or retention payments to owners that agree to initially lease their unit to an EHV family and/or renew the lease of an EHV family.

Payments will be made as a single payment at the beginning of the assisted lease term (or lease renewal if a retention payment). Owner incentive and retentions payments are not housing assistance payments, are not part of the rent to owner, and are not taken into consideration when determining whether the rent for the unit is reasonable.



**Moving expenses (including move-in fees and deposits).** The PHA may provide assistance for some or all of the family’s reasonable moving expenses when they initially lease a unit with the EHV. The PHA will not provide moving expenses assistance for subsequent moves unless the family is required to move for reasons other than something the family did or failed to do (e.g., the PHA is terminating the HAP contract because the owner did not fulfill the owner responsibilities under the HAP contract or the owner is refusing to offer the family the opportunity to enter a new lease after the initial lease term, as opposed to the family choosing to terminate the tenancy in order to move to another unit), or a family has to move due to domestic violence, dating violence, sexual assault, or stalking.

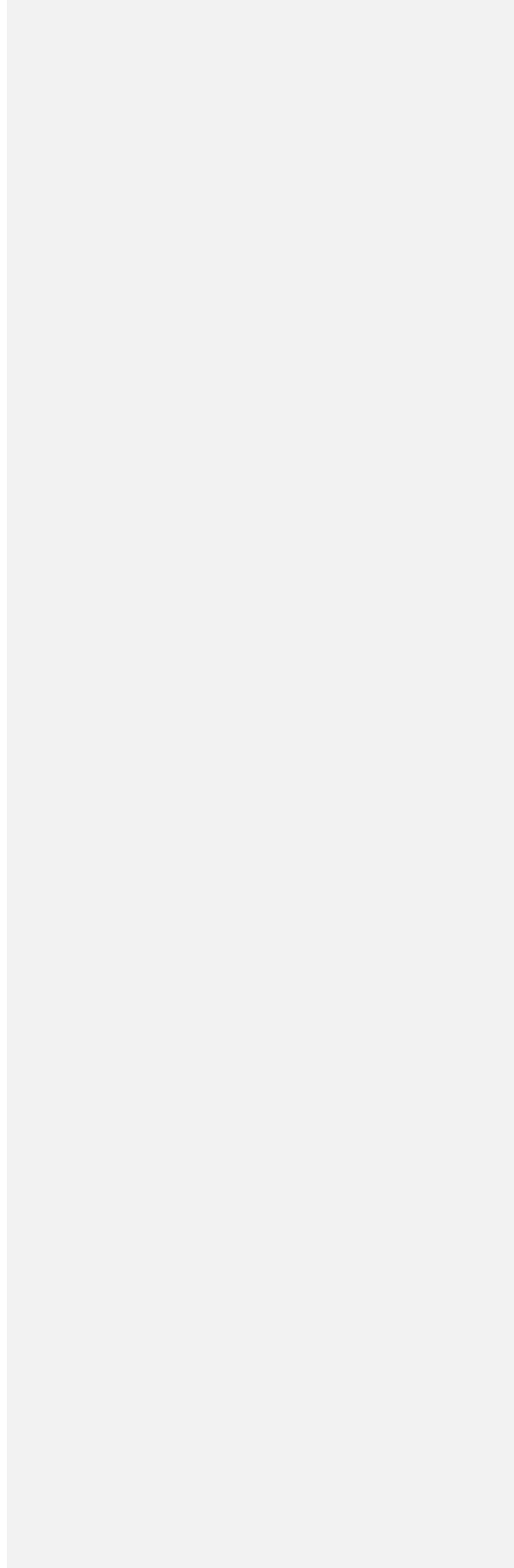
**Tenant-readiness services.** The PHA may use fees to help create a customized plan to address or mitigate barriers that individual families may face in renting a unit with an EHV, such as negative credit, lack of credit, negative rental or utility history, or to connect the family to other community resources (including COVID-related resources) that can assist with rental arrears.

**Essential household items.** The PHA may use services fee funding to assist the family with some or all of the costs of acquiring essential household items such as tableware, cooking equipment, beds or bedding, and essential sanitary products such as soap and toiletries.

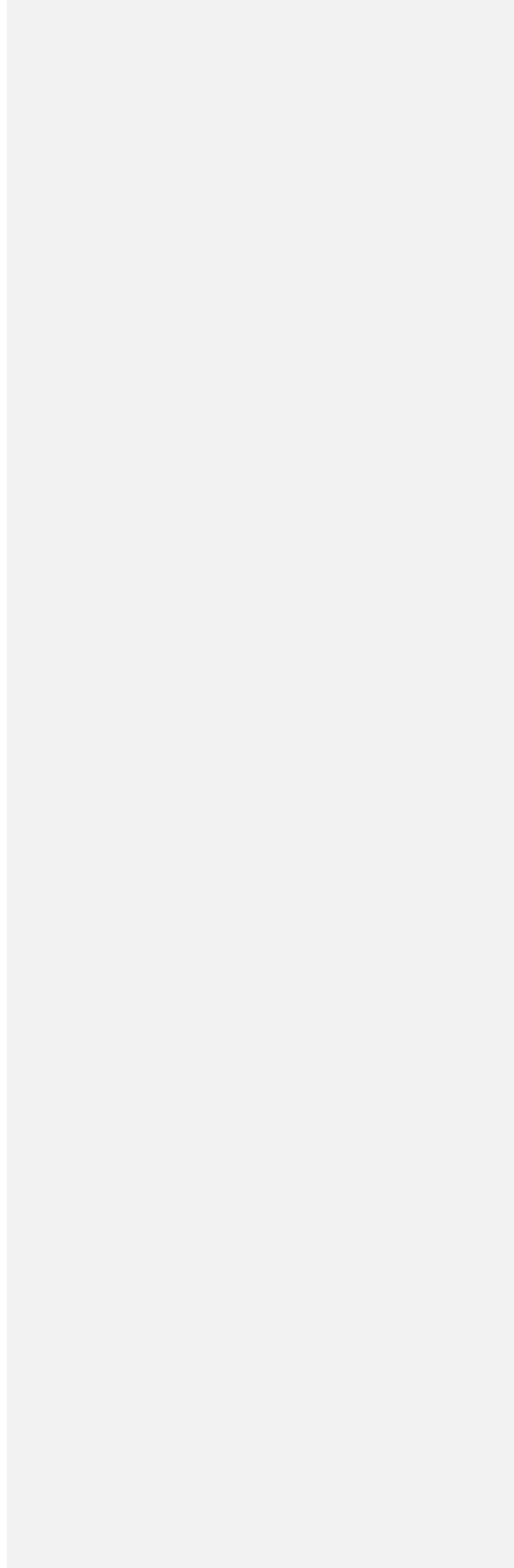
**Renter’s insurance if required by the lease.** The PHA may choose to assist the family with some or all this cost.



*Option 2: Use PHA established policy. Edit the model plan language or delete it and insert the PHA's policy.*



**PART II: PARTNERING AGENCIES**



## PART II: PARTNERING AGENCIES

### TPS-II.A. ~~TPS-II.A.~~ CONTINUUM OF CARE (CoC)

PHAs that accept an allocation of EHV are required to enter into a Memorandum of Understanding (MOU) with the Continuum of Care (CoC) to establish a partnership for the administration of EHV.

#### Troy Housing Authority Policy



~~Decision Point: Which CoC will the PHA partner with to administer the program? (Model plan, p. TPS-9)~~

#### Things to Consider

~~While the PHA is not required to have an MOU in place with the CoC at the time they accept an allocation of EHV, PHAs must enter into the MOU within 30 days of the effective date of the ACC funding increment for the EHV.~~

~~The primary responsibility of the CoC under the MOU is to make direct referrals of qualifying individuals and families to the PHA.~~

~~Partner CoCs are responsible for determining whether the family qualifies under one of the four eligibility categories for EHV.~~

~~Additionally, CoCs are encouraged to offer or make connections to supportive services for families that are referred to the PHA, including, but not limited to, short or long term case management, collecting necessary verifications to support referrals, housing counseling, housing search assistance, and utility deposit assistance.~~

~~HUD recommends CoCs and PHAs seek a diverse range of supportive services by partnering with organizations trusted by people experiencing homelessness. The specific services that the CoCs will provide to individuals or families referred for the EHV program must be outlined in the MOU with the CoC.~~

~~PHAs that experience difficulty in identifying a CoC partner (e.g., where the CoC may be unwilling or reluctant to enter the MOU due to capacity issues or other concerns, or where the PHA is worried about its ability to fulfill this requirement within the required deadline despite a good faith effort) are encouraged to contact HUD as promptly as possible for assistance. HUD or its Technical Assistance (TA) provider will work with the PHA to help facilitate a partnership, which may include using a partnering referral agency other than the CoC.~~

~~In rare circumstances, HUD may waive the partnership or direct referral requirement for the PHA for an interim period if such a step is necessary while building capacity at the CoC or other potential partnering referral agency.~~

~~Option 1 states that a copy of the MOU will be attached to this policy. If the PHA does not wish to attach the MOU to the policy, this should be removed.~~

**CAUTION:** You must insert information here. The model plan does not contain language that can be adopted as-is.

*Option 1: Use the model plan language shown below, inserting the names of partnering organizations.*

The PHA has entered into an MOU with *[insert name of the Continuum of Care (CoC) agency]* Rensselaer County Homeless Services Collaborative.

See Exhibit TPS-1 for a copy of the MOU.  *Option 2: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

### **TPS-II.B. TPS-II.B. OTHER PARTNERING ORGANIZATIONS**

The PHA may, but is not required to, partner with other organizations to administer the EHV program.

**Decision Point: Will the PHA partner with any other partnering organizations? (Model plan, p. TPS-9)**

#### Things to Consider

HUD also recommends CoCs and PHAs seek a diverse range of supportive services by partnering with organizations trusted by people experiencing homelessness. These include victim services providers (VSPs) and other community partners.

If the PHA chooses to partner with such agencies, the PHA must either enter into an MOU with the partnering agency or the partnering agency may be added to the MOU between the PHA and CoC. For ease of administration, Option 1 states that the PHA will add the partnering organization to the same MOU the PHA has established with the CoC. Option 1 also states that a copy of the MOU will be attached to this policy. If the PHA does not wish to attach the MOU to the policy, this should be removed.

**CAUTION:** You must insert information here. The model plan does not contain language that can be adopted as-is.

*Option 1: Use the model plan language shown below, inserting the names of partnering organizations.*

Troy Housing Authority Policy The PHA has added *[insert name of the partnering agency]* to the MOU between the PHA and CoC. See Exhibit TPS-1 for a copy of the MOU

~~No other CoC needed~~  
County.

As the selected CoC covers all of Rensselaer

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~~Option 2: Use PHA established policy. Edit the model plan language or delete it and insert the PHA's policy.~~

## **TPS-II.C-TPS-II.C. REFERRALS**

### **CoC and Partnering Agency Referrals**

The PHA must generally refer a family that is seeking EHV assistance directly from the PHA to the CoC or other referring agency for initial intake, assessment, and possible referral for EHV assistance.

~~**Decision Point: How will referrals between the CoC or partnering agency and the PHA be made? (Model plan, p. TPS-10)**~~

#### ~~Things to Consider~~

~~Notice PIH 2021-15 does not outline how the referral process between the CoC or partnering agency and the PHA should operate. As such, the language in Option 1 is drawn from best practice language used for the VASH program in Chapter 19 of this policy.~~

~~The PHA should work closely with the CoC and other partnering agencies to establish a referral process that expedite the issuance of EHV's and to establish a system that works for all parties.~~

~~Option 1: Use the model plan language shown below, no changes to the model plan are needed.~~

The CoC or partnering agency must establish and implement a system to identify EHV-eligible individuals and families within the agency's caseload and make referrals to the PHA. The CoC or other partnering agency must certify that the EHV applicants they refer to the PHA meet at least one of the four EHV eligibility criteria. The PHA will maintain a copy of the referral or certification from the CoC or other partnering agency in the participant's file along with other eligibility paperwork. Homeless service providers may, but are not required to, use the certification form found in Exhibit TPS-2 of this chapter. Victim services providers may, but are not required to, use the certification form found in Exhibit TPS-3 of this chapter when identifying eligible families who qualify as victims of human trafficking.

As part of the MOU, the PHA and CoC or other partnering agency will identify staff positions to serve as lead EHV liaisons. These positions will be responsible for transmission and acceptance of referrals. The CoC or partnering agency must commit sufficient staff and resources to ensure eligible individuals and families are identified and determined eligible in a timely manner.


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The PHA liaison responsible for acceptance of referrals will contact the CoC or partnering agency liaison via email indicating the number of vouchers available and requesting an appropriate number of referrals. No more than five business days from the date the CoC or partnering agency receives this notification, the CoC or partnering agency liaison will provide the PHA with a list of eligible referrals including the name, address, and contact phone number for each adult individual who is being referred; a completed release form for each adult family member; and a written certification for each referral indicating they are EHV-eligible.

### Offers of Assistance with CoC Referral

This section is an overview of when families may be issued EHV's without a referral from the CoC. **No policy decisions are required.**

 *Option 2: Use PHA established policy. Edit the model plan language or delete it and insert the PHA's policy.*

### Offers of Assistance with CoC Referral

This section is an overview of when families may be issued EHV's without a referral from the CoC. **No policy decisions are required.**

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## PART III: WAITING LIST MANAGEMENT

### TPS-III.A. ~~TPS-III.A.~~ HCV WAITING LIST

HUD has waived the requirement that admissions come from the PHA's HCV waiting list or be a special admission for the EHV program. PHAs must inform families on the HCV waiting list of the availability of EHV's by, at a minimum, either by posting the information to their website or providing public notice in their respective communities in accordance with the requirements listed in Notice PIH 2021-15.

Troy Housing Authority Policy



~~Decision Point: How will the PHA notify families on the HCV waiting list of the availability of EHV's? (Model plan, p. TPS-11)~~

~~Things to Consider~~

~~In order to expedite the process, Option 1 states that the PHA will post information on their website only. If the PHA wishes to also provide public notice, the PHA should select Option 2.~~

~~The PHA notice must describe the eligible populations to which the EHV's are limited and clearly state that the availability of these EHV's is managed through a direct referral process.~~

~~The PHA notice must advise the family to contact the CoC (or any other PHA referral partner, if applicable) if the family believes they may be eligible for EHV assistance.~~

~~PHAs must ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication related disabilities. PHAs must also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).~~

~~Notice PIH 2021-15 states that posting either on the PHA website or through public notice are minimum requirements. If the PHA wishes to inform HCV waiting list families using other means, the model policy should be edited to reflect this.~~

~~Option 1: Use the model plan language shown below. No changes to the model plan are needed.~~

The PHA will post information about the EHV program for families on the PHA's HCV waiting list on their website. The notice will:

Describe the eligible populations to which EHV's are limited

Clearly state that the availability of these EHV's is managed through a direct referral process

Advise the family to contact the CoC (or any other PHA referral partner, if applicable) if the family believes they may be eligible for EHV assistance

The PHA will ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities in accordance with Chapter 2. The PHA will also take reasonable steps to ensure meaningful access for persons with limited English proficiency

(LEP) in accordance with Chapter 2.  ~~Option 2: Delete the model plan language and insert the language below.~~

The PHA will inform families on the HCV waiting list of the availability of EHV's by posting information to their website and providing public notice.

The PHA will give public notice by publishing the relevant information in suitable media outlets including, but not limited to:

*[List here newspapers/other media where notices will be published]*

The notice will:

Describe the eligible populations to which EHV's are limited

Clearly state that the availability of these EHV's is managed through a direct referral process

Advise the family to contact the CoC (or any other PHA referral partner, if applicable) if the family believes they may be eligible for EHV assistance

The PHA will ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities in accordance with Chapter 2. The PHA will also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP) in accordance with Chapter 2.

~~Option 3: Use PHA established policy. Edit the model plan language or delete it and insert the PHA's policy.~~

~~TPS-III.B.~~ **TPS-II.B. EHV WAITING LIST**

When the number of applicants referred by the CoC or partnering agency exceeds the EHV's available, the PHA must maintain a separate waiting list for EHV referrals. ~~No policy decisions are required.~~

~~TPS-III.C.~~ **TPS-III.C. PREFERENCES**

**HCV Waiting List Preferences**

If the PHA has a homeless preference or a VAWA preference for the HCV waiting list, the PHA must adopt additional policies related to EHV's in accordance with Notice PIH 2021-15.

~~Decision Point: Does the PHA have a VAWA or homeless preference for its HCV waiting list? (Model plan, p. TPS-12)~~

~~Things to Consider~~

~~If the PHA has a preference for victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking for the regular HCV program, the PHA must refer any applicant on the waiting list that indicated they qualified for this preference to the CoC or the applicable partnering referral agency. The CoC or partnering referral agency will determine if the family is eligible (based on the qualifying definition for EHV assistance for those fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking or another eligible category as applicable) for an EHV.~~

~~If the PHA has a homeless preference for the regular HCV program, the PHA must refer any applicant on the waiting list that indicated they qualified for the homeless preference to the CoC. The CoC will determine whether the family is eligible for an EHV (based on the qualifying definition for EHV assistance for homelessness or another eligible category as applicable). The CoC will also determine if the family is eligible for other homeless assistance.~~

~~If the PHA does not have either preference, select Option 1.~~

~~If the PHA has a VAWA preference but not a homeless preference, select Option 2.~~

~~If the PHA has a homeless preference but not a VAWA preference, select Option 3.~~

~~If the PHA has both a VAWA preference and a homeless preference, select Option 4.~~

Option 1: Use the model plan language shown below. No changes to the model plan are needed.

The PHA does not offer either a homeless or a VAWA preference for the HCV waiting list.

Option 2: Delete the model plan language and insert the language below.

The PHA has a preference for victims of domestic violence, dating violence, sexual assault, or stalking for the HCV waiting list as outlined in 4-III.C. Local Preferences.

The PHA will refer any applicant on the waiting list who indicates they qualify for this preference to the CoC or the applicable partnering referral agency. The CoC or partnering referral agency will determine if the family is eligible (based on the qualifying definition for EHV assistance for those fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking or another eligible category as applicable) for an EHV.

Option 3: Delete the model plan language and insert the language below.

#### Troy Housing Authority Policy

The PHA has a homeless preference for the HCV waiting list as outlined in Section 4-III.C. Local Preferences.

The PHA will refer any applicant on the waiting list that indicates they qualify for the homeless preference to the CoC. The CoC will determine whether the family is eligible for an EHV (based on the qualifying definition for EHV assistance for homelessness or another eligible category as applicable). The CoC will also determine if the family is eligible for other homeless assistance.

Option 4: Delete the model plan language and insert the language below.

The PHA has a preference for victims of domestic violence, dating violence, sexual assault, or stalking and a homeless preference for the HCV waiting list as outlined in Section 4-III.C. Local Preferences.

The PHA will refer any applicant on the waiting list who indicates they qualify for the PHA's VAWA preference to the CoC or the applicable partnering referral agency. The CoC or partnering referral agency will determine if the family is eligible (based on the qualifying definition for EHV assistance for those fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking or another eligible category as applicable) for an EHV.

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The PHA will refer any applicant on the waiting list that indicates they qualify for the homeless preference to the CoC. The CoC will determine whether the family is eligible for an EHV (based on the qualifying definition for EHV assistance for homelessness or another eligible category as applicable). The CoC will also determine if the family is eligible for other homeless assistance.

~~Option 5: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.~~

### **EHV Waiting List Preferences**

With the exception of a residency preference, the PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHV. The PHA may, however, choose to not establish any local preferences for the EHV waiting list.

Decision Point: Will the PHA establish a local preference for the EHV waiting list? (Model plan, p. TPS-12)

Things to Consider

~~The PHA may have an existing set of local preferences for its HCV program that understandably does not align with the specific targeted purpose of the EHV.~~

~~Furthermore, the PHA, in conjunction with the CoC and other referral partners, may wish to establish preferences specifically designed for EHV admissions that the PHA would not want to apply to its regular HCV waiting list. Excluding EHV from the PHA's normally applicable local preference system will simplify EHV administration and ensure that EHV are not being prioritized based on preferences designed for the broad universe of HCV-eligible applicants rather than the subset of EHV qualifying families.~~

~~The PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHV, or may simply choose to not establish any local preferences for the EHV waiting list.~~

~~In establishing any local preferences for the EHV waiting list, the preference may not prohibit EHV admissions from any of the four qualifying categories of eligibility. The preference system prioritizes the order in which families on the EHV waiting list are assisted but does not allow the PHA to refuse to accept a referred family that meets one of the four EHV eligibility categories, or otherwise delay issuance of an available voucher to that eligible family in order to "hold" the voucher for a future referral of a preference holder.~~

In cases where the PHA and the referral agency partners are contemplating local preferences for the EHV waiting list, HUD strongly encourages PHAs and their partners to consider designing preferences that take into consideration the comparative health risks that COVID-19 poses to the subgroup of families eligible for EHV's (e.g., individuals or families living in environments where practicing social distancing or taking other preventive measures may be particularly challenging).



~~The PHA must ensure any local preferences do not discriminate on the basis of any federally protected classes and cannot utilize criteria or methods of administration which would result in discrimination.~~

~~The HCV program regulations at 24 CFR 982.207(b) allow a PHA to adopt and implement a residency preference in accordance with the nondiscrimination and equal opportunity requirements listed at 24 CFR 5.105(a). Given the emergency nature of these vouchers, the fact that many individuals and families in the targeted populations may not necessarily qualify as a “resident” due to their housing circumstances, and the direct referral/coordinated entry aspect of EHV administration, it is not appropriate to apply residency preferences for EHV admission. Consequently, HUD is waiving 24 CFR 982.207(b) and establishing an alternative requirement under which a PHA may not apply any residency preference to EHV applicants.~~

~~For ease of administration, Option 1 states the PHA will not offer preferences for the EHV waiting list.~~

~~If the PHA wishes to establish preferences for the EHV waiting list, Option 2 should be selected and the parameters and verification requirements for those preferences should be described.~~

~~Option 1: Use the model plan language shown below. No changes to the model plan are needed.~~

**Troy Housing Authority Policy**

No local preferences have been established for the EHV waiting list.

## **PART IV: FAMILY ELIGIBILITY**

### **TPS-IV.A. OVERVIEW**

This section gives an overview of family eligibility criteria for EHV. **No policy decisions are required.**

### **TPS-IV.B. REFERRING AGENCY DETERMINATION OF ELIGIBILITY**

In order to be eligible for an EHV, an individual or family must meet one of four eligibility criteria. **No policy decisions are required.**

### **TPS-IV.C. PHA SCREENING**

#### **Mandatory Denials**

The PHA must deny admission to the program if any member of the family fails to sign and submit consent forms for obtaining information as required by 24 CFR 982.552(b)(3) but should notify the family of the limited EHV grounds for denial of admission first.

#### Troy Housing Authority Policy

While the PHA will deny admission to the program if any adult member (or head of household or spouse, regardless of age) fails to sign and submit consent forms, the PHA will first notify the family of the limited EHV grounds for denial of admission as part of the notice of denial that will be mailed to the family.

#### **Permissive Denial**

The PHA may prohibit admission of a family for the grounds listed in Notice PIH 2021-15. The PHA policy on EHV permissive prohibitions must be described in the PHA's administrative plan.

#### Troy Housing Authority Policy

In consultation with the CoC, the PHA will apply permissive prohibition to the screening of EHV applicants. Determinations using permissive prohibitions will be made based on an individualized assessment of relevant mitigating information in accordance with policies in Section 3-III.E.

The PHA will establish the following permissive prohibitions:

If the PHA determines that any household member is currently engaged in, or has engaged in within the previous 12 months:

Violent criminal activity

Other criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity

If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program within the previous 12 months.

If the family engaged in or threatened abusive or violent behavior toward PHA personnel within the previous 12 months.

The PHA will also deny assistance to household members already receiving assistance from another program in accordance with Section 9.h. of Notice PIH 2021-15.

Prohibitions based on criminal activity for the eligible EHV populations regarding drug possession will be considered apart from criminal activity against persons (i.e., violent criminal activity).

In compliance with PIH 2021-15, the PHA **will not** deny an EHV applicant admission regardless of whether:

Any member of the family has been evicted from federally assisted housing in the last five years;

A PHA has ever terminated assistance under the program for any member of the family;

The family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act;

The family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;

The family breached an agreement with the PHA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA;

The family would otherwise be prohibited admission under alcohol abuse standards established by the PHA in accordance with 24 CFR 982.553(a)(3);

The PHA determines that any household member is currently engaged in or has engaged in during a reasonable time before the admission, drug-related criminal activity.

## **TPS-IV.D. INCOME VERIFICATION AT ADMISSION**

### **Self-Certification at Admission**

The requirement to obtain third-party verification of income in accordance with Notice PIH 2018-18 does not apply to the EHV program applicants at admission and, alternatively, PHAs may consider self-certification the highest form of income verification at admission.

#### Troy Housing Authority Policy

Any documents used for verification must be the original (not photocopies) and dated within the 60-day period prior to admission. The documents must not be damaged, altered, or in any way illegible.

Printouts from webpages are considered original documents.

Any family self-certifications must be made in a format acceptable to the PHA and must be signed by the family member whose information or status is being verified.

The PHA will incorporate additional procedures to remind families of the obligation to provide true and complete information in accordance with Chapter 14. The PHA will address any material discrepancies (i.e., unreported income or a substantial difference in reported income) that may arise later.

The PHA may, but is not required to, offer the family a repayment agreement in accordance with Chapter 16. If the family fails to repay the excess subsidy, the PHA will terminate the family's assistance in accordance with the policies in Chapter 12.

### **Recently Conducted Income Determinations**

PHAs may accept income calculations and verifications from third-party providers or from an examination that the PHA conducted on behalf of the family for another subsidized housing program provided they meet criteria outlined in Notice PIH 2015-21.

#### Troy Housing Authority Policy

The PHA will accept income calculations and verifications from third-party providers provided they meet the criteria outlined above.

The family certification must be made in a format acceptable to the PHA and must be signed by all adult family members whose information or status is being verified.

### **EIV Income Validation**

This section describes requirements for the use of EIV for EHV families. **No policy decisions are required.**

#### **TPS-IV.E. SOCIAL SECURITY NUMBER AND CITIZENSHIP STATUS VERIFICATION**

Notice PIH 2021-15 allows PHAs to admit applicants prior to the verification of Social Security numbers and citizenship or eligible immigration status.

##### Troy Housing Authority Policy

The PHA will admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. These individuals must provide the required documentation in accordance with policies in Chapter 7 within 180 days of admission. The PHA may provide an additional 60-day extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

If the PHA determines that an ineligible family received assistance, the PHA will take steps to terminate that family from the program in accordance with policies in Chapter 12.

#### **TPS-IV.F. AGE AND DISABILITY VERIFICATION**

##### Troy Housing Authority Policy

The PHA will accept self-certification of date of birth and disability status if a higher form of verification is not immediately available. The certification must be made in a format acceptable to the PHA and must be signed by the family member whose information or status is being verified. If self-certification is accepted, within 90 days of admission, the PHA will verify the information in EIV or through other third-party verification if the information is not available in EIV. The PHA will note the family's file that self-certification was used as initial verification and include an EIV printout or other third-party verification confirming the applicant's date of birth and/or disability status.

If the PHA determines that an ineligible family received assistance, the PHA will take steps to terminate that family from the program in accordance with policies in Chapter 12.

#### **TPS-IV.G. INCOME TARGETING**

The PHA must determine income eligibility for EHV families in accordance with 24 CFR 982.201 and PHA policy in Chapter 3; however, income targeting requirements do not apply for EHV families.

##### Troy Housing Authority Policy

The PHA will not include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

## **PART V: HOUSING SEARCH AND LEASING**

### **TPS-V.A. INITIAL VOUCHER TERM**

EHV vouchers must have an initial search term of at least 120 days.

#### Troy Housing Authority Policy

All EHV's will have an initial term of 120 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 120-day period unless the PHA grants an extension.

### **TPS-V.B. HOUSING SEARCH ASSISTANCE**

The PHA must ensure housing search assistance is made available to EHV families during their initial housing search.

#### Troy Housing Authority Policy

As identified in the MOU between the PHA and CoC, the following housing search assistance will be provided to each EHV family:

##### The PHA will:

- Conduct owner outreach in accordance with policies in Chapter 13
- Provide directions to potential units as part of the EHV briefing packet
- Expedite the EHV leasing process for the family to the extent practicable and in accordance with policies in this chapter
- At least every 30 days, conduct proactive check-ins via email and telephone with families who are searching with an EHV and remind them of their voucher expiration date
- Assign a dedicated landlord liaison for EHV voucher families

##### The CoC will:

- Help families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low-poverty neighborhoods
- Provide transportation assistance to potential units
- Assist the family with the completion of rental applications and PHA forms

### **TPS-V.C. HQS PRE-INSPECTIONS**

PHAs may pre-inspect available units that EHV families may be interested in leasing in order to maintain a pool of eligible units.

#### Troy Housing Authority Policy

The PHA will not conduct any pre-inspections of available units. The PHA will make every effort to fast-track the inspection process, including adjusting the normal inspection schedule for any required reinspections.

### **TPS-V.D. INITIAL LEASE TERM**

Unlike in the standard the HCV program, EHV voucher holders may enter into an initial lease that is for less than 12 months. **No policy decisions are required.**

### **TPS-V.E. PORTABILITY**

#### **Nonresident Applicants**

Under EHV, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied. **No policy decisions are required.**

#### **Billing and Absorption**

A receiving PHA cannot refuse to assist an incoming EHV family, regardless of whether the PHA administers EHV's under its own ACC. **No policy decisions are required.**

#### **Family Briefing**

The initial PHA must inform the family how portability may impact the special EHV services and assistance that may be available to the family.

#### Troy Housing Authority Policy

In addition to following PHA policy on briefings in Chapter 5, as part of the briefing packet for EHV families, the PHA will include a written notice that the PHA will assist the family with moves under portability.

For limited English proficient (LEP) applicants, the PHA will provide interpretation services in accordance with the PHA's LEP plan (See Chapter 2).



### **Coordination of Services**

If the portability move is in connection with the EHV family's initial lease-up, the receiving PHA and the initial PHA must consult and coordinate on the EHV services and assistance that will be made available to the family.

#### Troy Housing Authority Policy

For EHV families who are exercising portability, when the PHA contacts the receiving PHA in accordance with Section 10-II.B. Preapproval Contact with Receiving PHA, the PHA will consult and coordinate with the receiving PHA to ensure there is no duplication of EHV services and assistance, and ensure the receiving PHA is aware of the maximum amount of services fee funding that the initial PHA may provide to the receiving PHA on behalf of the family.

### **Services Fee**

This section discusses services fees under portability. **No policy decisions are required.**

### **Placement Fee/Issuance Reporting Fee**

This section discusses placement fees/issuance reporting fees under portability. **No policy decisions are required.**

## **TPS-V.F. PAYMENT STANDARDS**

### **Payment Standard Schedule**

For the EHV program, HUD has waived the regulation requiring a single payment standard for each unit size. Instead, the PHA may, but is not required to, establish separate higher payment standards for EHV's.

#### Troy Housing Authority Policy

The PHA will not establish a higher payment standard amount for EHV's. The PHA will use the same payment standards for HCV and EHV.

### **Rent Reasonableness**

All rent reasonableness requirements apply to EHV units, regardless of whether the PHA has established an alternative or exception EHV payment standard. **No policy decisions are required.**

### **Increases in Payment Standards**

The PHA may, but is not required to, establish an alternative policy on when to apply the increased payment standard, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family's first regular reexamination following the change.

#### Troy Housing Authority Policy

The PHA will not establish an alternative policy for increases in the payment standard. PHA policy in Section 11-III.B. governing increases in payment standards will apply to EHV.

**TPS-V.G. TERMINATION OF VOUCHERS**

After September 30, 2023, a PHA may not reissue EHV's when assistance for an EHV-assisted family ends. **No policy decisions are required.**

**PART VI: USE OF FUNDS, REPORTING, AND FINANCIAL RECORDS**

This section provides information on use of funds, reporting, and financial records. **No policy decisions are required.**

## **Memorandum of Understanding**

Created and entered into on **June 15, 2021**

*Between*

**Troy Housing Authority (PHA)**

**1 Eddy's Lane**

**Troy, New York 12180**

*and*

**Rensselaer County Homeless Services Collaborative (RCHSC) aka NY-512 Troy/Rensselaer County Continuum of Care (CoC) c/o CARES OF NY, INC.**

**200 Henry Johnson Blvd, Suite**

**4**

**Albany NY 12210**

### I. Introduction and Goals:

- a. The PHA and CoC commit to administering the Emergency Housing Vouchers (EHVs) in accordance with all program requirements.
- b. The PHA goal is to administer and fully utilize all available EHVs. The standard of success in administering the program will be complete utilization of the EHVs.
- c. Identification of staff position at the PHA and CoC who will serve as the lead EHV liaisons.

PHA Lead HCV Liaison: Michael Belanger, Housing Choice Voucher (HCV) Program Manager  
Responsibilities of the PHA EHV liaison: Oversee utilization of EHVs.

CoC Lead Staff Liaison: Andra Ordansky, Coordinated Entry Manager

(Joseph's House Planning and Grants Coordinator)  
Responsibilities of the CoC EHV liaison: Oversees the prioritization of applicants and referrals to the EHV Program through the CoC

### II. Define the populations eligible for EHV assistance to be referred by CoC.

**Tier 1 - Recently Homeless** - Individuals and families who are in Permanent Supportive Housing and are assessed by CE as having service needs that have been resolved but who still need rental subsidy to remain stably housed.

**Tier 2** - Individuals and families who are **Homeless** and/or **fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking**, and who are assessed by CE as having service needs that are resolved through RRH or other community providers, and who still will need a long term rental subsidy to become and to remain stably housed.

**Tier 3 -At Risk of Homelessness** - Individuals and families who are at risk of losing their housing, and who are assessed by CE as having service needs that are resolved by Homelessness Prevention or other community providers but who still need a long term rental subsidy to be stably housed.

Applicants will be referred and tiered on a unique EHV Wait List. Within each tier, the CE system will generate a ranking value. There will be no further ranking based on local preferences as established for the regular HCV Program.

Because the EHV waiting list is based on direct referrals from the CoC or requests through the PHA's VAWA emergency transfer plan and not applications from the general public, HUD is waiving § 982.206, which requires the PHA to give public notice when opening and closing the waiting list. Under this alternative requirement, the PHA will work directly with the CoC and other referral agency partners to manage the number of referrals and the size of the EHV waiting list. This separate waiting list for EHV referrals/applicants is established to help expedite the leasing process, both at initial leasing and for any turnover vouchers that may be issued prior to the September 30, 2023 turnover voucher cut-off date.

Eligibility Determination: Upon referral to the PHA, staff will conduct Social Security Number and Citizenship Verification. Recognizing that this documentation may not be readily on hand and may be difficult to obtain for individuals and families experiencing homelessness the PHA will require such individuals to provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the PHA provides an extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

Prohibitions on Admission (Mandatory):

- (1) The PHA must and will apply the standards it established under § 982.553(a)(1)(ii)(C) that prohibit admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing to EHV applicants.
- (2) The PHA must and will apply the standards it established under § 982.553(a)(2)(i) that prohibit admission to the program if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program to EHV applicants.

The PHA also chooses to enact the following Permissive Prohibitions:

- (1) If the PHA determines that any household member is currently engaged in, or has engaged in within the previous 12 months:
  - a. Violent criminal activity.
  - b. Other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity.
- (2) If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program within the previous 12 months.
- (3) If the family engaged in or threatened abusive or violent behavior toward PHA personnel within the previous 12 months .

Unlike regular HCV admissions, other than for the above Mandatory and Permissive Prohibitions, PHAs may not deny an EHV applicant admission regardless of whether:

- Any member of the family has been evicted from federally assisted housing.
- A PHA has ever terminated assistance under the program for any member of the family.
- The family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.
- The family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.
- The family breached an agreement with the PHA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA.
- The family would otherwise be prohibited admission under alcohol abuse standards established by the PHA in accordance with §982.553(a)(3).
- The PHA determines that any household member is currently engaged in or has engaged in during a reasonable time before the admission, drug-related criminal activity.

### III. Services to be provided to eligible EHV families

1. Partnering service providers will support individuals and families in completing applications and obtaining necessary supporting documentation to support referrals and applications for assistance; while aiding households in addressing barriers.
2. Partnering service providers will support PHAs in ensuring appointment notifications to eligible individuals and families and will assist eligible households in getting to meetings with the PHA.
3. PHAs will establish reasonable parameter for EHV applicants to complete intake interviews for EHV.
4. Partnering service providers will provide housing search assistance for eligible individuals and families.
5. Partnering service providers will provide counseling on compliance with rental lease requirements.

6. Partnering service providers will assess individuals and families who may require referrals for assistance on security deposits, utility hook-up fees, and utility deposits.
7. Partnering service providers will assist individuals and families in applying for assistance with security deposits, utility hook-up fees, and utility deposits and will provide documentation to the PHA if all resources are exhausted and there is still an unmet need.
7. Partnering service providers will assess and refer individuals and families to benefits and supportive services, where applicable.

#### IV. PHA Roles and Responsibilities

1. Coordinate and consult with the CoC and partnering service providers in developing and providing the services and assistance to be offered under the EHV services fee.
2. Accept direct referrals for eligible individuals and families through the CoC Coordinated Entry System as the primary means of receiving referrals to the EHV specific waiting list. The PHA may also make EHV available to HUD-assisted tenants in order to facilitate an emergency transfer in accordance with the Violence Against Women Act (VAWA) as outlined in the PHA's Emergency Transfer Plan.
3. Commit a sufficient number of staff and necessary resources to ensure that the application, certification, and voucher issuance processes are completed in a timely manner.
4. Commit a sufficient number of staff and resources, including contracted services, to ensure that inspections of units are completed in a timely manner.
5. Designate a staff to serve as the lead EHV liaison.
6. Comply with the provisions of this MOU.

#### V. CoC Roles and Responsibilities

1. Designate and maintain a lead EHV liaison to communicate with the PHA.
2. Refer eligible individuals and families to PHA using the community's coordinated entry system.
3. Support eligible individuals and households in completing and applying for supportive documentation to accompany admissions application to the PHA (i.e. self-certifications, birth certificate, social security card, etc.).
4. Attend EHV participant briefings when needed.
5. Assess all households referred for EHV for the need for benefits and supportive services available to support eligible individuals and families through their transition.
6. Identify and provide supportive services to EHV families. (Note that EHV participants are not required to participate in services, but the CoC should assure that services are available and accessible.)
7. Comply with the provisions of this MOU.

#### VI. Third Party Entity Roles Responsibilities

1. Other CoC organizations will consider requests for assistance from EHV participants and offer such assistance to eligible participants when such assistance is available. This may include, but not necessarily be limited to, the following:
  - a. security deposits, utility hook-up fees, and utility deposits
  - b. initial rental assistance
  - c. assistance with obtaining household furnishings and supplies
  - d. assistance seeking child care or elder care if needed to search for an apartment, attend appointments or for other housing related reasons
2. Other CoC organizations will commit a sufficient number of staff and necessary resources to ensure that the application, certification and voucher issuance processes and needed assistance provision process are completed in a timely manner.
3. Other CoC organizations will comply with the provisions of this MOU.

#### VII. Program Evaluation

The PHA, and CoC and/or designated CoC recipient agree to cooperate with HUD, provide requested data to HUD or HUD-approved contractor delegated the responsibility of program evaluation protocols established by HUD or HUD-approved contractor, including possible random assignment procedures.

2. Other CoC organizations will commit a sufficient number of staff and necessary resources to ensure that the application, certification and voucher issuance processes and needed assistance provision process are completed in a timely manner.
3. Other CoC organizations will comply with the provisions of this MOU.


VII. Program Evaluation

The PHA, and CoC and/or designated CoC recipient agree to cooperate with HUD, provide requested data to HUD or HUD-approved contractor delegated the responsibility of program evaluation protocols established by HUD or HUD-approved contractor, including possible random assignment procedures.

Signed by:

  
Deborah A. Witkowski, PHA Executive Director  
Troy Housing Authority

6/16/21  
Date

  
Kevin O'Connor, CoC Chair  
Rensselaer County Homeless Services Collaborative (RCHSC)  
aka NY-512 Troy/Rensselaer County Continuum of Care

6-15-21  
Date