

## Chapter 5

### BRIEFINGS AND VOUCHER ISSUANCE

#### INTRODUCTION

This chapter explains the briefing and voucher issuance process. When a family is determined to be eligible for the Housing Choice Voucher (HCV) program, the HAI must ensure that the family fully understands the way the program operates and the family's obligations under the program. This is accomplished through both an oral briefing and provision of a briefing packet containing written documentation of information the family needs to know. Once the family is fully informed of the program's requirements, the HAI issues the family a voucher. The voucher includes the unit size the family qualifies for based on the HAI's subsidy standards, as well as the dates of issuance and expiration of the voucher. The voucher is the document that permits the family to begin its search for a unit, and limits the amount of time the family has to successfully locate an acceptable unit.

This chapter describes HUD regulations and HAI policies related to these topics in two parts:

Part I: Briefings and Family Obligations. This part details the program's requirements for briefing families orally, and for providing written materials describing the program and its requirements. It includes a particular focus on the family's obligations under the program.

Part II: Subsidy Standards and Voucher Issuance. This part discusses the HAI's standards for determining how many bedrooms a family of a given composition qualifies for, which in turn affects the amount of subsidy the family can receive. It also discusses the policies that dictate how vouchers are issued, and how long families have to locate a unit.

#### PART I: BRIEFINGS AND FAMILY OBLIGATIONS

##### 5-I.A. OVERVIEW

HUD regulations require the HAI to conduct mandatory briefings for applicant families. The briefing provides a broad description of owner and family responsibilities, explains the HAI's procedures, and includes instructions on how to lease a unit. This part describes how oral briefings will be conducted, specifies what written information will be provided to families, and lists the family's obligations under the program.

### **5-I.B. BRIEFING [24 CFR 982.301]**

The HAI must give the family an oral briefing and provide the family with a briefing packet containing written information about the program. Families may be briefed individually or in groups. At the briefing, the HAI must ensure effective communication in accordance with Section 504 requirements (Section 504 of the Rehabilitation Act of 1973), and ensure that the briefing site is accessible to individuals with disabilities. For a more thorough discussion of accessibility requirements, refer to Chapter 2.

#### HAI Policy

Briefings will be conducted in a group meeting.

The head of household and all other adult members of the household are required to attend the briefing. If the head of household is unable to attend, the HAI may approve another adult family member to attend the briefing.

Families that attend group briefings and still need individual assistance will be referred to an appropriate HAI staff person.

Briefings will be conducted in English. For limited English proficient (LEP) applicants, the HAI will provide translation services in accordance with the HAI's LEP plan (See Chapter 2).

### **Notification and Attendance**

#### HAI Policy

Families will be notified of their eligibility for assistance at the time they are invited to attend a briefing. The notice will identify who is required to attend the briefing, as well as the date and time of the scheduled briefing.

If the notice is returned by the post office with no forwarding address, the applicant will be denied and their name will not be placed back on the waiting list. If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated.

Applicants who fail to attend a scheduled briefing will automatically be scheduled for another briefing. The HAI will notify the family of the date and time of the second scheduled briefing. Applicants who fail to attend two scheduled briefings, without HAI approval, will be denied assistance (see Chapter 3).

### **Oral Briefing [24 CFR 982.301(a)]**

Each briefing must provide information on the following subjects:

- How the Housing Choice Voucher program works;
- Family and owner responsibilities;

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- Where the family can lease a unit, including renting a unit inside or outside the HAI's jurisdiction;
  - For families eligible under portability, an explanation of portability. The HAI cannot discourage eligible families from moving under portability;
  - For families living in high-poverty census tracts, an explanation of the advantages of moving to areas outside of high-poverty concentrations; and
  - For families receiving welfare-to-work vouchers, a description of any local obligations of a welfare-to-work family and an explanation that failure to meet the obligations is grounds for denial of admission or termination of assistance.
  - Information on VAWA;

### HAI Policy

When HAI-owned units are available for lease, the HAI will inform the family during the oral briefing and provide written verification that the family has the right to select any eligible unit available for lease, and is not obligated to choose a HAI-owned unit.

### **Briefing Packet [24 CFR 982.301(b)]**

Documents and information provided in the briefing packet must include the following:

- The term of the voucher, and the HAI's policies on any extensions or suspensions of the term. If the HAI allows extensions, the packet must explain how the family can request an extension.
- A description of the method used to calculate the housing assistance payment for a family, including how the HAI determines the payment standard for a family, how the HAI determines total tenant payment for a family, and information on the payment standard and utility allowance schedule.
- An explanation of how the HAI determines the maximum allowable rent for an assisted unit.
- Where the family may lease a unit. For a family that qualifies to lease a unit outside the HAI jurisdiction under portability procedures, the information must include an explanation of how portability works.
- The HUD-required tenancy addendum, which must be included in the lease.
- The form the family must use to request approval of tenancy, and a description of the procedure for requesting approval for a tenancy.
- A statement of the HAI policy on providing information about families to prospective owners.
- The HAI subsidy standards including when and how exceptions are made.

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- The HUD brochure on how to select a unit.
  - The HUD pamphlet on lead-based paint entitled *Protect Your Family from Lead in Your Home*.
  - Information on federal, state and local equal opportunity laws and a copy of the housing discrimination complaint form.
  - A list of landlords or other parties willing to lease to assisted families or help families find units, especially outside areas of poverty or minority concentration.
  - Notice that if the family includes a person with disabilities, the family may request a list of available accessible units known to the HAI.
  - The family obligations under the program, including any obligations of a welfare-to-work family.
  - The grounds on which the HAI may terminate assistance for a participant family because of family action or failure to act.
  - HAI informal hearing procedures including when the HAI is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing.

The HAI is located in a metropolitan FMR area and the following additional information must be included in the briefing packet in order to receive full points under SEMAP Indicator 7, Expanding Housing Opportunities [24 CFR 985.3(g)].

- Maps showing areas with housing opportunities outside areas of poverty or minority concentration, both within its jurisdiction and its neighboring jurisdiction.
- Information about the characteristics of these areas including job opportunities, schools, transportation and other services.
- An explanation of how portability works, including a list of portability contact persons for neighboring PHAs including names, addresses, and telephone numbers.

### **Additional Items to be Included in the Briefing Packet**

In addition to items required by the regulations, HAI may wish to include supplemental materials to help explain the program to both participants and owners [HCV GB p. 8-7].

#### HAI Policy

The HAI will provide the following additional materials in the briefing packet:

Information on how to fill out and file a housing discrimination complaint form

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Information about the protections afforded by the Violence against Women Act of 2013 (VAWA) to victims of domestic violence, dating violence, sexual assault, and stalking (see section 16-IX.C)

Information about the protections afforded by the Protecting Tenants at Foreclosure Act (PTFA) (see section 13-II.G)

“Is Fraud Worth It?” (form HUD-1141-OIG), which explains the types of actions a family must avoid and the penalties for program abuse

“What You Should Know about EIV,” a guide to the Enterprise Income Verification (EIV) system published by HUD as an attachment to Notice PIH 2010-19

Prior to issuing a Voucher, at the Orientation session, the HAI shall give the applicant family a Section 8 Voucher Holder’s Packet, which includes the following information and/or documents. (Ref. CFR 982.301)

- General Information
- Certifying Family Eligibility
- Criminal Background Check
- FRAUD
- Verifications
- Issuing a Voucher & Requesting an extension beyond the initial sixty days
- Family Obligations under the Voucher
- Subsidy Standards
- Requesting Lease Approval
- Finding a Dwelling Unit
- Questions to Ask the Prospective Landlord
- HUD Housing Quality Standards Inspection
- Deposits, Pets, and Utilities
- Utility Allowances
- Rent Calculation
- Portability
- Housing Discrimination
- Moving In

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- Annual Activities & Requirements
  - One Strike and You're Out Policy
  - Informal Hearing/Review Procedures
  - Lead Based Paint Warning
  - Section 8 Visitors Policy
  - Booklet: "A Good Place To Live"

When an applicant family has been determined eligible, and all factors of eligibility, income, and family composition have been verified, and has attended an orientation session, a voucher of the appropriate subsidy size will be issued. Upon issuance of the voucher, the family will be given a request for lease approval packet, which includes:

- Request for Approval of Tenancy
- A copy of the Voucher
- To the Landlord
- Section 8 Landlord Certification
- IRS Form W-9
- Rent Reasonableness Comparable
- Section 8 tenancy addendum and HAP Contract (sample)
- Disclosure of Information on Lead-Based Paint and/or Lead Based Paint Hazards
- Inspection Checklist (TO BE COMPLETED BY THE PARTICIPANT)

### **5-I.C. FAMILY OBLIGATIONS**

Obligations of the family are described in the housing choice voucher (HCV) regulations and on the voucher itself. These obligations include responsibilities the family is required to fulfill, as well as prohibited actions. The HAI must inform families of these obligations during the oral briefing, and the same information must be included in the briefing packet. When the family's unit is approved and the HAP contract is executed, the family must meet those obligations in order to continue participating in the program. Violation of any family obligation may result in termination of assistance, as described in Chapter 12.

#### **Time Frames for Reporting Changes Required By Family Obligations**

##### HAI Policy

Unless otherwise noted below, when family obligations require the family to respond to a request or notify the HAI of a change, notifying the HAI of the request or change within 10 business days is considered prompt notice.

When a family is required to provide notice to the HAI, the notice must be in writing.

#### **Family Obligations [24 CFR 982.551]**

Following is a listing of a participant family's obligations under the HCV program:

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- The family must supply any information that the HAI or HUD determines to be necessary, including submission of required evidence of citizenship or eligible immigration status.
  - The family must supply any information requested by the HAI or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition.
  - The family must disclose and verify social security numbers and sign and submit consent forms for obtaining information.
  - Any information supplied by the family must be true and complete.
  - The family is responsible for any Housing Quality Standards (HQS) breach by the family caused by failure to pay tenant-provided utilities or appliances, or damages to the dwelling unit or premises beyond normal wear and tear caused by any member of the household or guest.
  - All other obligations under the voucher program.

#### HAI Policy

Damages beyond normal wear and tear will be considered to be damages that could be assessed against the security deposit. For documented damages to the unit, the tenant must make financial restitution to the landlord before the next reexamination or the tenant will be terminated from the HCV Program.

The family will be required to make full restitution within a 12 month period. If the family enters into a repayment agreement with the landlord and fails to make full restitution within the 12 month period as agreed, the family will be terminated from the HCV Program.

- The family must allow the HAI to inspect the unit at reasonable times and after reasonable notice, as described in Chapter 8 of this plan.
- The family must not commit any serious or repeated violation of the lease.

#### HAI Policy

The HAI will determine if a family has committed serious or repeated violations of the lease based on available evidence, including but not limited to, a court-ordered eviction or an owner's notice to evict, police reports, and affidavits from the owner, neighbors, or other credible parties with direct knowledge.

*Serious and repeated lease violations* will include, but not be limited to, nonpayment of rent, disturbance of neighbors, destruction of property, living or housekeeping habits that cause damage to the unit or premises, and criminal activity. Generally, the criterion to be used will be whether or not the reason for the eviction was the fault of the tenant or guests. Any incidents of, or criminal activity related to, domestic violence, dating violence, sexual assault, or stalking

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will not be construed as serious or repeated lease violations by the victim [24 CFR 5.2005(c)(1)].

- The family must notify the HAI and the owner before moving out of the unit or terminating the lease.

#### HAI Policy

The family must comply with lease requirements regarding written notice to the owner. The family must provide written notice to the HAI at the same time the owner is notified.

- The family must promptly give the HAI a copy of any owner eviction notice.
- The family must use the assisted unit for residence by the family. The unit must be the family's only residence.
- The composition of the assisted family residing in the unit must be approved by the HAI. The family must promptly notify the HAI in writing of the birth, adoption, or court-awarded custody of a child. The family must request HAI approval to add any other family member as an occupant of the unit.

#### HAI Policy

The request to add a family member must be submitted in writing and approved prior to the person moving into the unit. The HAI will determine eligibility of the new member in accordance with the policies in Chapter 3.

- The family must promptly notify the HAI in writing, within 10 days working days, if any family member no longer lives in the unit.
- If the HAI has given approval, a foster child or a live-in aide may reside in the unit. The HAI has the discretion to adopt reasonable policies concerning residency by a foster child or a live-in aide, and to define when HAI consent may be given or denied. For policies related to the request and approval/disapproval of foster children, foster adults, and live-in aides, see Chapter 3 (Sections I.K and I.M), and Chapter 11 (Section II.B).
- The family must not sublease the unit, assign the lease, or transfer the unit.

#### HAI Policy

Subleasing includes receiving payment to cover rent and utility costs by a person living in the unit who is not listed as a family member.

- The family must supply any information requested by the HAI to verify that the family is living in the unit or information related to family absence from the unit.
- The family must promptly notify the HAI when the family is absent from the unit.

#### HAI Policy

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- Notice is required under this provision only when all family members will be absent from the unit for an extended period. An extended period is defined as any period greater than 30 calendar days. Written notice must be provided to the HAI at the start of the extended absence.
- The family must pay utility bills and provide and maintain any appliances the owner is not required to provide under the lease [Form HUD-52646, Voucher].
  - The family must not own or have any interest in the unit, (other than in a cooperative and owners of a manufactured home leasing a manufactured home space, or a participant in the HCV Homeownership Program).
  - Family members must not commit fraud, bribery, or any other corrupt or criminal act in connection with the program. (See Chapter 14, Program Integrity for additional information).
  - Family members must not engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the vicinity of the premises. See Chapter 12 for HUD and HAI policies related to drug-related and violent criminal activity.
  - Members of the household must not engage in abuse of alcohol in a way that threatens the health, safety or right to peaceful enjoyment of the other residents and persons residing in the vicinity of the premises. See Chapter 12 for a discussion of HUD and HAI policies related to alcohol abuse.
  - An assisted family or member of the family must not receive HCV program assistance while receiving another housing subsidy, for the same unit or a different unit under any other federal, state or local housing assistance program.
  - A family must not receive HCV program assistance while residing in a unit owned by a parent, child, grandparent, grandchild, sister or brother of any member of the family, unless the HAI has determined (and has notified the owner and the family of such determination) that approving rental of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities. [Form HUD-52646, Voucher]

## **PART II: SUBSIDY STANDARDS AND VOUCHER ISSUANCE**

### **5-II.A. OVERVIEW**

The HAI must establish subsidy standards that determine the number of bedrooms needed for families of different sizes and compositions. This part presents the policies that will be used to determine the family unit size (also known as the voucher size) a particular family should receive, and the policies that govern making exceptions to those standards. The HAI also must establish policies related to the issuance of the voucher, to the voucher term, and to any extensions or suspensions of that term.

### **5-II.B. DETERMINING FAMILY UNIT (VOUCHER) SIZE [24 CFR 982.402]**

For each family, the HAI determines the appropriate number of bedrooms under the HAI subsidy standards and enters the family unit size on the voucher that is issued to the family. The family unit size does not dictate the size of unit the family must actually lease, nor does it determine who within a household will share a bedroom/sleeping room.

The following requirements apply when the HAI determines family unit size:

- The subsidy standards must provide for the smallest number of bedrooms needed to house a family without overcrowding.
- The subsidy standards must be consistent with space requirements under the housing quality standards.
- The subsidy standards must be applied consistently for all families of like size and composition.
- A child who is temporarily away from the home because of placement in foster care is considered a member of the family in determining the family unit size.
- A family that consists of a pregnant woman (with no other persons) may be treated as a two-person family.
- Any live-in aide (approved by the HAI to reside in the unit to care for a family member who is disabled, or meets the qualifiers) must be counted in determining the family unit size; Upon HAI approval of a request for the addition of a live-in aide, HAI shall notify participants that they have been approved for a live-in aide and that they must submit the name, and any other required information of their selection for screening. The proposed live-in aide must sign consent forms in order for HAI to conduct the screening. The live-in aide must be approved/disapproved within 30 calendar days of the requested reasonable accommodation request notice. The voucher allocation increase will be processed for the approved reasonable accommodation. If the live-in aide is disapproved or the participant does not submit an approvable live-in aide, or the approvable live-in aide does not live in the dwelling unit, then the voucher size shall be decreased to the proper voucher size with a proper change notice of 30 additional days. Once approved, a new request for reasonable accommodation will not be required and the request will remain into effect unless circumstances should changes with the disabled individual needing the accommodation.
- Unless a live-in aide resides with a family, the family unit size for any family consisting of a single person must be a one-bedroom unit, as determined under the HAI subsidy standards.
- HAI will not issue a larger voucher due to additions to the household of family members other than by birth, adoption, marriage, or court-awarded custody. HAI will not increase the bedroom size for a participant when an adult (18 years old and older) is being added to the household, including if the adult to be added is a child of the head of household or

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co-head, unless it is as a reasonable accommodation to add an adult child that is disabled/meets the qualifier.

### HAI Policy

The HAI will assign one bedroom for each two persons within the household, except in the following circumstances:

In determining bedroom size, the HAI will include the presence of children to be born to a pregnant woman, children who are in the process of being adopted, children whose custody is being obtained, children who are temporarily away at school or temporarily in foster-care.

Bedroom size will also be determined using the following guidelines:

1. Children of the same sex will share a bedroom.
2. Children of the opposite sex over the age of 6 will not share a bedroom.
3. Adults and children will not be required to share a bedroom.
4. The HAI will allow children under two (2) years of age to share a bedroom with a parent.
5. Foster-adults and children will not be required to share a bedroom with family members.
6. Live-in aides will get a separate bedroom.

The HAI will grant exceptions to normal occupancy standards; when a family requests a larger size than the guidelines allow and documents a medical reason why the larger size is necessary.

The family unit size will be determined by the HAI in accordance with the above guidelines and will determine the maximum rent subsidy for the family; however, the family may select a unit that may be larger or smaller than the family unit size. If the family selects a smaller unit, the payment standard for the smaller size will be used to calculate the subsidy. If the family selects a larger size, the payment standard for the family unit size will determine the maximum subsidy.

Participants will be allowed to use non-sleeping areas (excluding kitchens and bathrooms) as a bedroom subject to landlord approval; however, the Payment Standard shall be based on the size indicated on the Voucher or unit size selected whichever is smaller. In these exceptions, the HAI reserves the right to approve or disapprove such accommodations that may lead to unsafe or overcrowded conditions.

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The HAI will reference the following chart in determining the appropriate voucher size for a family:

<b>Voucher Size</b>	<b>Persons in Household (Minimum – Maximum)</b>	
1 Bedroom	1	2
2 Bedrooms	2	4
3 Bedrooms	4	6
4 Bedrooms	6	8
5 Bedroom	8	10

A participant may select a smaller size unit than the size listed on their Housing Choice Voucher, however, the payment standard for the smaller size unit shall be utilized.

If HAI errs in the bedroom size designation, the family will be issued a voucher of the appropriate size.

### **5-II.C. EXCEPTIONS TO SUBSIDY STANDARDS AND REVISIONS [PIH 2014-25]**

In determining family unit size for a particular family, the HAI may grant an exception to its established subsidy standards if the HAI determines that the exception is justified by the age, sex, health, handicap, or relationship of family members or other personal circumstances [24 CFR 982.402(b)(8)]. Reasons may include, but are not limited to:

- A need for an additional bedroom for medical equipment
- A need for a separate bedroom for reasons related to a family member’s disability, medical or health condition

For a single person who is not elderly, disabled, or a remaining family member, an exception cannot override the regulatory limit of a one bedroom [24 CFR 982.402(b)(8)].

#### HAI Policy

The HAI will consider granting an exception for any of the reasons specified in the regulation: the age, sex, health, handicap, or relationship of family members or other personal circumstances.

The family must request any exception to the subsidy standards in writing. The request must explain the need or justification for a larger family unit size, and must include appropriate documentation. Requests based on health-related reasons must be verified by a knowledgeable professional source, unless the disability and the disability-related request for accommodation is readily apparent or otherwise known. The family’s continued need for an additional bedroom due to special medical equipment must be re-verified at annual reexamination.

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The HAI will notify the family of its determination within 10 business days of receiving the family's request and upon receipt of any documentation requested to verify the request. If a participant family's request is denied, the notice will inform the family of their right to request an informal hearing.

The Office of Inspector General (OIG) issued a report on over subsidization in the Housing Choice Voucher (HCV) program due to the issuance of vouchers with unit sizes greater than the number of family members in the household. Pursuant to the recommendation of the OIG, HUD issued clarifying guidance on the matter of categorization of live-in aides, other reasonable accommodation issues and corresponding data entry into the Public and Indian Housing Information Center (PIC).

In accordance with 24 CFR Section 982.316, the HAI must approve a live-in aide if needed as a reasonable accommodation in accordance with 24 CFR part 8 to make the program accessible to and usable by a family member with a disability. The HAI may disapprove a particular person as a live-in aide if s/he has: (1) committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program; (2) committed drug-related criminal activity or violent criminal activity; or (3) currently owes rent or other amounts to the HAI or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act or for other reasons as determined by the HAI. Consequently, HAI may not approve an unidentified live-in aide, nor a larger unit than the family qualifies for under the HAI's subsidy standards for an unidentified live-in aide. Occasional, intermittent, multiple or rotating care givers typically do not reside in the unit and would not qualify as live-in aides. Therefore, an additional bedroom should not be approved for a live-in aide under these circumstances.

A family may always request a reasonable accommodation to permit program participation by individuals with disabilities. A family's composition or circumstances may warrant the provision of an additional bedroom to permit disability-related overnight care and allow the family equal use and enjoyment of the unit. Such limited exceptions to the established subsidy standards are permitted under 24 CFR Section 982.402(b)(8). The HAI must consider requests for an exception to the established subsidy standards on a case-by-case basis and provide an exception, where necessary, as a reasonable accommodation. The HAI shall document the justification for all granted exceptions.

The HAI may only approve one additional bedroom for a live-in aide (PIH 2014-25). Although a live-in aide may have HAI-approved family member/s live with him/her in the assisted unit, no additional bedrooms will be provided for the family members of the live-in aide. The HAI must ensure that housing quality standards (HQS) will not be violated and that there will be no more than two people per bedroom or living/sleeping space in the unit in accordance with 24 CFR § 982.401(d)(2)(ii). If the approval of additional family members of a live-in aide would result in the violation of HQS, the additional family members of the live-in aide may not be approved.

Although HAI may approve an additional bedroom for medical equipment or other reasons if the need is documented by a health care provider, the actual equipment or need in the extra bedroom should be verified by the HAI during the annual inspection of the unit. If the extra bedroom is not being used for the intended purpose, the HAI must reduce the subsidy standard and corresponding payment standard at the family's next annual recertification. However, the HAI

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may take further action, if it believes any family obligations under 24 CFR Section 982.551 were violated.

The additional cause of over subsidization was the failure of the HAI to change the voucher unit size after changes in family composition. Although families are not required to move from an assisted unit when the number of bedrooms in the unit exceeds the number of bedrooms for which the family is eligible, the payment standard must conform to the HAI's subsidy standards at the family's next annual recertification after the change in family composition.

#### **5-II.D. VOUCHER ISSUANCE [24 CFR 982.302]**

When a family is selected from the waiting list (or as a special admission as described in Chapter 4), or when a participant family wants to move to another unit, the HAI issue a Housing Choice Voucher, form HUD-52646. This chapter deals only with voucher issuance for applicants. For voucher issuance associated with moves of program participants, please refer to Chapter 10.

The voucher is the family's authorization to search for housing. It specifies the unit size for which the family qualifies, and includes both the date of voucher issuance and date of expiration. It contains a brief description of how the program works and explains the family obligations under the program. The voucher is evidence that the HAI has determined the family to be eligible for the program, and that the HAI expects to have money available to subsidize the family if the family finds an approvable unit. However, the HAI does not have any liability to any party by the issuance of the voucher, and the voucher does not give the family any right to participate in the HAI's housing choice voucher program [Voucher, form HUD-52646]

A voucher can be issued to an applicant family only after the HAI has determined that the family is eligible for the program based on information received within the 60 days prior to issuance [24 CFR 982.201(e)] and after the family has attended a briefing [HCV 8-1].

#### HAI Policy

Vouchers will be issued to eligible applicants immediately following the mandatory briefing.

The HAI should have sufficient funds to house an applicant before issuing a voucher. If funds are insufficient to house the family at the top of the waiting list, the HAI must wait until it has adequate funds before it calls another family from the list [HCV GB p. 8-10].

#### HAI Policy

Prior to issuing any vouchers, the HAI will determine whether it has sufficient funding in accordance with the policies in Part VIII of Chapter 16.

If the HAI determines that there is insufficient funding after a voucher has been issued, the HAI may rescind the voucher and place the affected family back on the waiting list.

#### **5-II.E. VOUCHER TERM, EXTENSIONS, AND SUSPENSIONS**

##### **Voucher Term [24 CFR 982.303]**

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The initial term of a voucher must be at least 60 calendar days. The initial term must be stated on the voucher [24 CFR 982.303(a)].

HAI Policy

The initial voucher term will be 60 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 60-day period unless the HAI grants a written extension.

**Extensions of Voucher Term [24 CFR 982.303(b)]**

The HAI has the authority to grant extensions of search time, to specify the length of an extension, and to determine the circumstances under which extensions will be granted. There is no limit on the number of extensions that the HAI can approve. Discretionary policies related to extension and expiration of search time must be described in the HAI's administrative plan [24 CFR 982.54].

HAI must approve additional search time if needed as a reasonable accommodation to make the program accessible to and usable by a person with disabilities. The extension period must be reasonable for the purpose.

The family must be notified in writing of the HAI's decision to approve or deny an extension. The HAI's decision to deny a request for an extension of the voucher term is not subject to informal review [24 CFR 982.554(c)(4)].

HAI Policy

The HAI will automatically approve one 30-day extension upon written request from the family; however, the request for an extension must be received prior to the expiration date of the initial 60-day time frame.

The HAI will approve additional 30-day extensions only in the following circumstances:

It is necessary as a reasonable accommodation for a person with disabilities.

It is necessary due to reasons beyond the family's control, as determined by the HAI. Following is a list of extenuating circumstances that the HAI may consider in making its decision. The presence of these circumstances does not guarantee that an extension will be granted:

Serious illness or death in the family

Other family emergency

Obstacles due to employment

Whether the family has already submitted requests for tenancy approval that were not approved by the HAI

Whether family size or other special requirements make finding a unit difficult

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Any request for an additional extension must include the reason(s) an additional extension is necessary. The HAI may require the family to provide documentation to support the request.

All requests for extensions to the voucher term must be made in writing and submitted to the HAI prior to the expiration date of the voucher (or extended term of the voucher).

The HAI will decide whether to approve or deny an extension request within 10 business days of the date the request is received, and will immediately provide the family written notice of its decision.

The HAI may grant one or more extensions of the term, but the initial term plus any extensions will not exceed 120 calendar days from the initial date of issuance without an extraordinary reason.

### **Suspensions of Voucher Term [24 CFR 982.303(c)]**

At its discretion, a HAI may adopt a policy to suspend the housing choice voucher term if the family has submitted a Request for Tenancy Approval (RFTA) during the voucher term. "Suspension" means stopping the clock on a family's voucher term from the time a family submits the RFTA until the time the HAI approves or denies the request [24 CFR 982.4]. The HAI's determination not to suspend a voucher term is not subject to informal review [24 CFR 982.554(c)(4)].

#### HAI Policy

When a Request for Tenancy Approval and proposed lease is received by the HAI, the term of the voucher will not be suspended while the HAI processes the request.

### **Expiration of Voucher Term**

Once a family's housing choice voucher term (including any extensions) expires, the family is no longer eligible to search for housing under the program. If the family still wishes to receive assistance, the HAI may require that the family reapply, or may place the family on the waiting list with a new application date but without requiring reapplication. Such a family does not become ineligible for the program on the grounds that it was unable to locate a unit before the voucher expired [HCV GB p. 8-13].

#### HAI Policy

If an applicant family's voucher term or extension expires before the family has submitted a Request for Tenancy Approval (RFTA), the HAI will require the family to reapply for assistance. If an RFTA that was submitted prior to the expiration date of the voucher is subsequently disapproved by the HAI (after the voucher term has expired), the family will be required to reapply for assistance.

Within 10 business days after the expiration of the voucher term or any extension, the HAI will notify the family in writing that the voucher term has expired and that the family must reapply in order to be placed on the waiting list.