

## Chapter 19

### SPECIAL PURPOSE VOUCHERS

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## INTRODUCTION

Special purpose vouchers are specifically funded by Congress in separate appropriations from regular HCV program funding in order to target specific populations. Special purpose vouchers include vouchers for the following programs:

- Family Unification Program (FUP)
- Foster Youth to Independence (FYI) program
- Veterans Affairs Supportive Housing (VASH)
- Mainstream
- Non-Elderly Disabled (NED)
- Emergency Housing Vouchers (EHV)

This chapter describes HUD regulations and PHA policies for administering special purpose vouchers. The policies outlined in this chapter are organized into five sections, as follows:

Part I: Family Unification Program (FUP)

Part II: Foster Youth to Independence (FYI) program

Part III: Veterans Affairs Supportive Housing (VASH)

Part IV: Mainstream voucher program

Part V: Non-Elderly Disabled (NED) vouchers

Part VI: Emergency Housing Vouchers (EHV)

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

## **PART I: FAMILY UNIFICATION PROGRAM (FUP)**

### **19-I.A. PROGRAM OVERVIEW [Fact Sheet, Housing Choice Voucher Program Family Unification Program (FUP)]**

The Family Unification Program (FUP) was authorized by Congress in 1990 to help preserve and reunify families. PHAs that administer the program provide vouchers to two different populations—FUP families and FUP youth.

Families eligible for FUP are families for whom the lack of adequate housing is a primary factor in:

- The imminent placement of the family’s child or children in out-of-home care; or
- The delay in the discharge of the child or children to the family from out-of-home care.

There is no time limitation on FUP family vouchers, and the family retains their voucher as long as they are HCV-eligible. There is no requirement for the provision of supportive services for FUP family vouchers.

Youth eligible for FUP are those who:

- Are at least 18 years old and not more than 24 years of age;
- Have left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act at age 16 and older; and
- Are homeless or at risk of becoming homeless.

FUP youth vouchers are limited by statute to 36 months of housing assistance. Supportive services must also be provided to FUP-eligible youth by the Public Child Welfare Agency (PCWA) or by another agency or organization under contract with the PCWA for at least 18 but up to 36 months.

PHAs that wish to administer FUP vouchers must apply to HUD by submitting an application under an active Notice of Funding Availability (NOFA). While the FUP program is administered in accordance with HCV regulations, the FUP NOFAs issued by HUD provide specific program information and requirements.

In order to administer the program, the PHA must also form a partnership with a local PCWA who is responsible for determining the family or youth meets FUP eligibility requirements and referring them to the PHA. Once the referral is received, the PHA is responsible for placing the FUP family or youth on the PHA’s waiting list and determining whether they are eligible to receive assistance under the PHA’s HCV program.

**The GRHC does not currently administer FUP Vouchers.**

## **Assigning Vouchers [FUP FAQs]**

The PHA may, but is not required to, assign a specific number or percentage of FUP vouchers for FUP youths and FUP families. Unless the PHA assigns a specific number or percentage of FUP vouchers to a designated FUP population, the PHA must serve any referrals (youths or families) that meet all program eligibility requirements up to the PHA's designated FUP program size.

### **19-I.B. PUBLIC CHILD WELFARE AGENCY (PCWA)**

Families and youth do not apply directly to the PHA for FUP vouchers. They are instead referred by a PCWA with whom the PHA has entered into a Memorandum of Understanding (MOU). The partnering PCWA initially determines whether the family or youth meets the FUP program eligibility requirements listed in 19-I.C. and 19-I.D. and then refers those families or youths to the PHA.

HUD strongly encourages PHAs and PCWAs to make decisions collaboratively on the administration of the program and to maintain open and continuous communication. The PCWA must have a system for identifying FUP-eligible youth within the agency's caseload and for reviewing referrals from a Continuum of Care (COC) if applicable.

### **19-I.C. FUP FAMILY VOUCHER ELIGIBILITY CRITERIA**

FUP family assistance is reserved for eligible families that the PCWA has certified are a family for whom a lack of adequate housing is a primary factor in:

- The imminent placement of the family's child or children in out-of-home care, or
- The delay in the discharge of the child or children to the family from out-of-home care.

*Lack of adequate housing* means the family meets any one of the following conditions:

- Living in substandard housing, which refers to a unit that meets any one of the following conditions:
  - Does not have operable indoor plumbing
  - Does not have a usable flush toilet inside the unit for the exclusive use of a family or youth
  - Does not have a usable bathtub or shower inside the unit for the exclusive use of a family or youth
  - Does not have electricity, or has inadequate or unsafe electrical service
  - Does not have a safe or adequate source of heat
  - Should, but does not, have a kitchen
  - Has been declared unfit for habitation by an agency or unit of government, or in its present condition otherwise endangers the health, safety, or well-being of the family or youth
  - Has one or more critical defects, or a combination of intermediate defects in sufficient number or to the extent that it requires considerable repair or rebuilding. The defects may

result from original construction, from continued neglect or lack of repair, or from serious damage to the structure

- Being homeless as defined in 24 CFR 578.3
- Living in a unit where the presence of a household member with certain characteristics (i.e., conviction for certain criminal activities) would result in the imminent placement of the family's child or children in out-of-home care, or the delay in the discharge of the child or children to the family from out-of-home care
- Living in housing not accessible to the family's disabled child or children due to the nature of the disability
- Living in an overcrowded unit, which is defined as living in a unit where one of the following conditions has been met:
  - The family is separated from its child or children and the parents are living in an otherwise standard housing unit, but, after the family is reunited, the parents' housing unit would be overcrowded for the entire family and would be considered substandard; or
  - The family is living with its child or children in a unit that is overcrowded for the entire family and this overcrowded condition may result, in addition to other factors, in the imminent placement of its child or children in out-of-home care.
  - For purposes of this definition, the determination as to whether the unit is overcrowded is made in accordance with the PHA subsidy standards in Chapter 5, Part III of this policy.

Since HUD does not define *imminent placement*, the partnering PCWA may use its discretion to determine whether the potential out of home placement of the family's child or children is imminent [FUP FAQs].

### **19-I.D. FUP YOUTH VOUCHER ELIGIBILITY CRITERIA**

While FUP family vouchers operate as regular HCVs after the family is referred from the PCWA, there are several aspects of the FUP youth vouchers that make them distinct from the FUP family vouchers and from regular HCVs.

#### **Eligibility Criteria**

An FUP-eligible youth is a youth the PCWA has certified:

- Is at least 18 years old and not more than 24 years of age (has not yet reached their 25<sup>th</sup> birthday);
  - The FUP youth must be no more than 24 years old at the time the PCWA certifies them as eligible and at the time of HAP contract execution.
- Has left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act;
  - Foster care placement can include, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes in accordance with 24 CFR 5.576.
- Is homeless or at risk of becoming homeless at age 16 or older;

- *At risk of being homeless* is fully defined at 24 CFR 576.2.
  - o This includes a person that is exiting a publicly funded institution, or system of care (such as a healthcare facility, a mental health facility, foster care or other youth facility, or correction program or institution).
  - o Therefore, youth being discharged from an institution may be eligible for a FUP voucher [FUP FAQs].
- Has an annual income at or below 30 percent of area median income; and
- Does not have sufficient resources or support networks (e.g., family, friends, faith-based or other social networks) immediately available to prevent them from moving to a supervised publicly or privately operated shelter designed to provide temporary living arrangements.

### **Maximum Assistance Period**

Although there is no time limit on FUP family vouchers, FUP youth vouchers are limited by statute to 36 months of housing assistance. At the end of the statutory time period, assistance under the FUP youth voucher must be terminated. However, any period of time for which no subsidy (HAP) is being paid on behalf of the youth does not count toward the 36-month limitation.

For PHAs participating in the FUP Family Self Sufficiency (FSS) Demonstration, an exception to the 36-month limitation was granted. Participating PHAs must adopt a policy enabling an FUP youth voucher holder that agreed to sign an FSS Contract of Participation to remain on the program for the life of their contract [Notice PIH 2016-01].

### **Supportive Services**

The PCWA must provide supportive services for at least 18 months to all FUP-eligible youth regardless of their age. The MOU between the PHA and the PCWA should identify the period of time in which supportive services will be provided—from a minimum of 18 months up to the full 36-month program maximum.

Supportive services may be provided to FUP-eligible youth by the PCWA or by another agency or organization under agreement or contract with the PCWA, including the PHA. The organization providing the services and resources must be identified in the MOU. The following services must be offered:

- Basic life skills information/counseling on money management, use of credit, housekeeping, proper nutrition/meal preparation; and access to health care (e.g., doctors, medication, and mental and behavioral health services);
- Counseling on compliance with rental lease requirements and with HCV program participant requirements, including assistance or referrals for assistance on security deposits, utility hook-up fees, and utility deposits;
- Providing such assurances to owners of rental property as are reasonable and necessary to assist an FUP-eligible youth to rent a unit with an FUP voucher;
- Job preparation and attainment counseling (where to look/how to apply, dress, grooming, relationships with supervisory personnel, etc.); and

- Educational and career advancement counseling regarding attainment of general equivalency diploma (GED); or attendance or financing of education at a technical school, trade school, or college, including successful work ethic and attitude models.

An FUP-eligible youth cannot be required to participate in these services as condition of receipt of the FUP voucher.

## **19-I.E. REFERRALS AND WAITING LIST MANAGEMENT**

### **Referrals**

The PCWA must establish and implement a system to identify FUP-eligible families and youths within the agency's caseload and make referrals to the PHA. The PCWA must certify that the FUP applicants they refer to the PHA meet FUP eligibility requirements. The PHA is not required to maintain full documentation that demonstrates the family's or youth's FUP eligibility as determined by the PCWA but should keep the referral or certification from the PCWA.

A PHA must serve any referrals (youths or families) that meet all program eligibility requirements. If a PHA determines that it has received a sufficient number of referrals from the PCWA so that the PHA will be able to lease all FUP vouchers awarded, the PHA may request that the PCWA suspend transmission of referrals. If the PHA determines that additional referrals will be needed after it has made such a request, the PHA may request that the PCWA resume transmission of referrals [Notice PIH 2011-52].

### **Waiting List Placement**

A family that is already participating in the regular HCV program cannot be transferred to an FUP voucher.

Once a referral is made, the PHA must compare the list of PCWA referrals to its HCV waiting list to determine if any applicants on the PCWA's referral list are already on the PHA's HCV waiting list. Applicants already on the PHA's HCV waiting list retain the order of their position on the list. Applicants not already on the PHA's HCV waiting list must be placed on the HCV waiting list.

If the PHA's HCV waiting list is closed, the PHA must open its HCV waiting list in order to accept new FUP applicants. If necessary, the PHA may open its waiting list solely for FUP applicants, but this information must be included in the PHA's notice of opening its waiting list (see section 4-II.C., Opening and Closing the Waiting List of this administrative plan).

### **Waiting List Selection**

The PHA selects FUP-eligible families or youths based on the PHA's regular HCV waiting list selection policies in Chapter 4, including any preferences that may apply.

## **19-I.F. PHA HCV ELIGIBILITY DETERMINATION**

Once an FUP-eligible family or youth is selected from the HCV waiting list, the PHA must determine whether the family or youth meets HCV program eligibility requirements. Applicants must be eligible under both FUP family or youth eligibility requirements, as applicable, and HCV eligibility requirements as outlined in Chapter 3 of this policy.



The PCWA may, but is not obligated to, provide information to the PHA on the family's criminal history.

### **Additional FUP Eligibility Factors [FUP FAQs]**

For FUP family vouchers, the family must remain FUP-eligible thorough lease-up.

- If, after a family is referred by the PCWA but prior to issuing a family FUP voucher, the PHA discovers that the lack of adequate housing is no longer a primary factor for the family not reunifying, the FUP voucher may not be issued to the family.
- Similarly, if the FUP voucher has already been issued before the PHA discovers that the reunification will not happen, but the family has not yet leased up under the voucher, the PHA must not execute the HAP contract, as the family is no longer FUP-eligible.

FUP-eligible youth must be no more than 24 years old both at the time of PCWA certification and at the time of the HAP execution. If a FUP youth is 24 at the time of PCWA certification but will turn 25 before the HAP contract is executed, the youth is no longer eligible for a FUP youth voucher.

### **19.I.G. LEASE UP**

Once the PHA determines that the family or youth meets HCV eligibility requirements, the family or youth will be issued an FUP voucher in accordance with PHA policies.

Once the family or youth locate a unit, the PHA conducts all other processes relating to voucher issuance and administration per HCV program regulations and the PHA's policies (including, but not limited to: HQS inspection, determination of rent reasonableness, etc.).

### **19-I.H. TERMINATION OF ASSISTANCE**

#### **General Requirements**

With the exception of terminations of assistance for FUP youth after 36 months of housing assistance, terminations of FUP assistance are handled in the same way as the regular HCV program. Termination of an FUP voucher must be consistent with regulations for termination in 24 CFR Part 982, Subpart L and be in compliance with PHA policies (Chapter 12).

If the person who qualifies for the FUP voucher passes away, the family retains the FUP voucher. In the case of an FUP-youth voucher, assistance will terminate after 36 months, even if the FUP-eligible youth is no longer included in the household.

If the person who qualifies for the FUP voucher moves, the remaining family members may keep the FUP voucher based on PHA policy (see administrative plan, Section 3-I.C., Family Breakup and Remaining Member of Tenant Family).

#### **FUP Family Vouchers**

If parents lose their parental rights or are separated from their children after voucher lease-up (or their children reach adulthood), the family is still eligible to keep their FUP assistance, as the regulations do not permit HCV termination for a family losing parental rights or the children reaching adulthood. However, the PHA may transfer the assistance of a FUP family voucher holder to regular HCV assistance if there are no longer children in the household.

## **FUP Youth Vouchers**

A PHA cannot terminate a FUP youth's assistance for noncompliance with PCWA case management, nor may the PHA terminate assistance for an FUP youth for not accepting services from the PCWA.

The PHA may not transfer the assistance of an FUP youth voucher holder to regular HCV assistance upon the expiration of the 36-month limit on assistance. However, the PHA may issue a regular HCV to FUP youth if they were selected from the waiting list in accordance with PHA policies and may also adopt a preference for FUP youth voucher holders who are being terminated for this reason.

Upon the expiration of the 36-month limit on assistance, an FUP youth voucher holder who has children and who lacks adequate housing may qualify for an FUP family voucher provided they are referred by the PCWA as an eligible family and meet the eligibility requirements for the PHA's HCV program.

### **9-I.I. FUP PORTABILITY**

Portability for a FUP family or youth is handled in the same way as for a regular HCV family. A PHA may not restrict or deny portability for an FUP family or youth for reasons other than those specified in the HCV program regulations, as reflected in Chapter 10 of the administrative plan.

An FUP family or youth does not have to port to a jurisdiction that administers FUP.

If the receiving PHA administers the FUP voucher on behalf of the initial PHA, the voucher is still considered an FUP voucher regardless of whether the receiving PHA has a FUP program.

If the receiving PHA absorbs the voucher, the receiving PHA may absorb the incoming port into its FUP program (if it has one) or into its regular HCV program (if the receiving PHA has vouchers available to do so) and the family or youth become regular HCV participants. In either case, when the receiving PHA absorbs the voucher, an FUP voucher becomes available to the initial PHA.

### **Considerations for FUP Youth Vouchers**

If the voucher is an FUP youth voucher and remains such upon lease-up in the receiving PHA's jurisdiction, termination of assistance must still take place once the youth has received 36 months of assistance. Any time period during which no subsidy was paid on behalf of the youth does not count under the 36-month limitation. If the receiving PHA is administering the FUP youth voucher on behalf of the initial PHA, the two PHAs must work together to initiate termination upon expiration of the 36-month limit.

### **19-I.J. PROJECT-BASING FUP VOUCHERS [Notice PIH 2017-21]**

The PHA may project-base FUP vouchers without HUD approval in accordance with Notice PIH 2017-21 and all statutory and regulatory requirements for the PBV program. Project-based FUP vouchers are subject to the PBV program percentage limitation discussed in Section 17-I.A.

The PHA may limit PBVs to one category of FUP-eligible participants (families or youth) or a combination of the two.

## **PART II: FOSTER YOUTH TO INDEPENDENCE INITIATIVE**

### **19-II.A. PROGRAM OVERVIEW [Notice PIH 2020-28]**

The Foster Youth to Independence (FYI) initiative was announced in 2019. The FYI initiative allows the GRHC who partner with a Public Child Welfare Agency (PCWA) to request targeted HCVs to serve eligible youth with a history of child welfare involvement that are homeless or at risk of being homeless. Rental assistance and supportive services are provided to qualified youth for a period of up to 36 months.

The program was initially only available to PHAs that did not administer FUP vouchers but has since been expanded to all PHAs with an HCV Annual Contributions Contract (ACC). Funding is available either competitively through an FYI NOFA or noncompetitively on a rolling basis in accordance with the application requirements outlined in Notice PIH 2020-28. Under the noncompetitive process, PHAs are limited to 25 vouchers in a fiscal year with the ability to request an additional 25 vouchers for those PHAs with 90 percent or greater utilization of these vouchers. For competitive awards, the number of vouchers is dependent on PHA program size and need.

### **19-II.B. PARTNERING AGENCIES [Notice PIH 2020-28; FYI Updates and Partnering Opportunities Webinar]**

#### **Public Child Welfare Agency (PCWA)**

The GRHC has entered into a partnership agreement with a PCWA in the GRHC's jurisdiction in the form of a Memorandum of Understanding (MOU) or letter of intent. The GRHC has implemented a Foster Youth to Independence (FYI) program in partnership with the Department of Health and Human Services (HHS) of Kent County, MI.

The PCWA is responsible for:

- Identifying FYI-eligible youth;
- Developing a system of prioritization based on the level of need of the youth and the appropriateness of intervention;
- Providing a written certification to the GRHC that the youth is eligible; and
- Providing or securing supportive services for 36 months.

#### **Continuum of Care (CoC) and Other Partners**

In addition to the HHS, the GRHC will implement the FYI program in partnership with the local CoC, and additional partners, as applicable.

### **19-II.C. YOUTH ELIGIBILITY CRITERIA [Notice PIH 2020-28; FYI Q&As; FYI FAQs]**

The PCWA is responsible for certifying that the youth has prior qualifying foster care involvement. As determined by the PCWA, eligible youth:

- Are at least 18 years of age and not more than 24 years of age (have not yet reached their 25<sup>th</sup> birthday);

- Youth must be no more than 24 years of age at the time the PCWA certifies them as eligible and at the time of HAP contract execution.
- Have left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act;
  - Placements can include, but are not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes in accordance with 24 CFR 5.576;
- Are homeless or at risk of becoming homeless at age 16 and older;
  - *At risk of being homeless* is fully defined at 24 CFR 576.2.
    - o This includes a person that is exiting a publicly funded institution, or system of care (such as a healthcare facility, a mental health facility, foster care or other youth facility, or correction program or institution). Therefore, youth being discharged from an institution may be eligible for an FUP voucher [FUP FAQs].

Eligibility is not limited to single persons. For example, pregnant and/or parenting youth are eligible to receive assistance assuming they otherwise meet eligibility requirements.

#### **19-II.D. SUPPORTIVE SERVICES [Notice PIH 2020-28; FYI Updates and Partnering Opportunities Webinar; FYI Q&As]**

Supportive services may be provided by the GRHC, PCWA or a third party. The PCWA must provide or secure a commitment to provide supportive services for participating youth for a period of 36 months. At a minimum, the following supportive services must be offered:

- Basic life skills information/counseling on money management, use of credit, housekeeping, proper nutrition/meal preparation, and access to health care (e.g., doctors, medication, and mental and behavioral health services);
- Counseling on compliance with rental lease requirements and with HCV program participant requirements, including assistance/referrals for assistance on security deposits, utility hook-up fees, and utility deposits;
- Providing such assurances to owners of rental property as are reasonable and necessary to assist eligible youth to rent a unit with a voucher;
- Job preparation and attainment counseling (where to look/how to apply, dress, grooming, relationships with supervisory personnel, etc.); and
- Educational and career advancement counseling regarding attainment of general equivalency diploma (GED) or attendance/financing of education at a technical school, trade school, or college, including successful work ethic and attitude models.

The GRHC will work with partnering agencies to provide supportive services and may offer supportive services through the GRHC Envision Center, as future programs are developed.

Since participation in supportive services is optional, but strongly encouraged, an FYI participant may decline supportive service.

## **19-II.E. REFERRALS AND WAITING LIST MANAGEMENT [Notice PIH 2020-28; FYI Updates and Partnering Opportunities Webinar FYI FAQs]**

### **Referrals**

The PCWA is responsible for certifying that the youth has prior qualifying foster care involvement. Once the PCWA sends the PHA the referral certifying the youth is program-eligible, the GRHC determines HCV eligibility.

The PCWA must have a system for identifying eligible youth within the agency's caseload and reviewing referrals from other partners, as applicable. The PCWA must also have a system for prioritization of referrals to ensure that youth are prioritized for an FYI voucher based upon their level of need and appropriateness of the intervention.

Referrals may come from other organizations in the community who work with the population, but the PCWA must certify that the youth meets eligibility requirements, unless the PCWA has vested another organization with this authority.

The GRHC is not required to maintain full documentation that demonstrates the youth's eligibility as determined by the PCWA but should keep the referral or certification from the PCWA. The PCWA is not required to provide the PHA with HCV eligibility documents.

The GRHC and HHS have identified staff positions to serve as lead FYI liaisons. These positions will be responsible for transmission and acceptance of referrals. The HHS must commit sufficient staff and resources to ensure eligible youths are identified, prioritized, and determined eligible in a timely manner.

When vouchers are available, the GRHC liaison responsible for acceptance of referrals will contact the PCWA liaison via email indicating the number of vouchers available and requesting an appropriate number of referrals. No more than 15 calendar days from the date the HHS receives this notification, the HHS liaison must provide the GRHC with a list of eligible referrals, a completed release form, and a written certification for each referral indicating the referral is eligible. The list will include the name, address, and contact phone number for each adult individual who is being referred.

The GRHC will maintain a copy of each certification from the HHS in the participant's file.

### **Waiting List Placement [Notice PIH 2020-28 and FYI FAQs]**

The GRHC will use the HCV waiting list for the FYI program. Youth already on the HCV program may not be transferred to an FYI voucher since they are not homeless or at-risk of homelessness.

Once a referral is made, the GRHC will compare the list of PCWA referrals to its HCV waiting list to determine if any applicants on the PCWA's referral list are already on the GRHC's HCV waiting list. Applicants already on the GRHC's HCV waiting list retain the order of their position on the list. Applicants not already on the GRHC's HCV waiting list must be placed on the HCV waiting list.

If the GRHC's HCV waiting list is closed, the GRHC will open its HCV waiting list in order to accept new referrals. If necessary, the GRHC may open its waiting list solely for referrals, but this information must be included in the GRHC's notice of opening its waiting list (see section 4-II.C., Opening and Closing the Waiting List of this administrative plan).

Within 15 calendar days of receiving the referral from the HHS, the GRHC will review the HCV waiting list and will send the HHS a list confirming whether referrals are on the waiting list.

- Referrals who are already on the list will retain their position and the list will be notated to indicate the applicant is FYI-eligible.
- For those referrals not already on the waiting list, the GRHC will work with the HHS to ensure they receive and successfully complete a pre-application or application, as applicable. Once the pre-application or application has been completed, the PHA will place the referral on the HCV waiting list with the date and time of the original referral and an indication that the referral is FYI-eligible.

### **Waiting List Selection**

The GRHC selects eligible youths based on the GRHC's regular HCV waiting list selection policies in Chapter 4, including any preferences that may apply.

### **19-II.F. GRHC HCV ELIGIBILITY DETERMINATION [FYI FAQs]**

Once an eligible youth is selected from the HCV waiting list, the GRHC will determine whether the youth meets HCV program eligibility requirements. Applicants must be eligible under both FYI eligibility requirements and HCV eligibility requirements as outlined in Chapter 3 of this policy.

The PCWA may, but is not obligated to, provide information to the GRHC on the youth's criminal history.

Subject to privacy laws, the HHS will provide any available information regarding the applicant's criminal history to the GRHC.

The GRHC will consider the information in making its eligibility determination in accordance with the GRHC's policies in Chapter 3, Part III.

### **Additional Eligibility Factors**

Youth must be no more than 24 years old both at the time of PCWA certification and at the time of the HAP execution. If a youth is 24 at the time of PCWA certification but will turn 25 before the HAP contract is executed, the youth is no longer eligible for a FYI voucher.

Any applicant that does not meet the eligibility criteria for the HCV program listed in Chapter 3 or any eligibility criteria listed in this section will be notified by the GRHC in writing following policies in Section 3-III.F, including stating the reasons the applicant was found ineligible and providing an opportunity for an informal review.

### **19-II.G. LEASE UP**

Once the GRHC determines that the family or youth meets HCV eligibility requirements, the youth will be issued an FYI voucher in accordance with GRHC policies.

Eligible applicants will be notified by the GRHC in writing following policies in Section 3-III.F. of this policy. FYI youth will be briefed individually. The GRHC will provide all aspects of the written and oral briefing as outlined in Part I of Chapter 5 but will also provide an explanation of the time limit on FYI vouchers as well as discussing supportive services offered by the partnering agency.

Vouchers will be issued in accordance with GRHC policies in Chapter 5, Part II, except that the PHA will consider one additional 30-day extension beyond the first automatic extension for any reason, not just those listed in the policy in Section 5-II.E.

Once the youth locates a unit, the GRHC conducts all other processes relating to voucher issuance and administration per HCV program regulations and the GRHC policy in Chapter 9.

### **Turnover [FYI FAQs]**

For PHAs awarded FYI Tenant Protection Vouchers (TPVs) under Notice PIH 2019-20 where the recipient of the FYI TPV leaves the program, the PHA may request an FYI voucher under the requirements of Notice PIH 2020-28.

For PHAs awarded FYI vouchers under Notice PIH 2020-28 where the recipient of the FYI voucher leaves the program, the PHA must continue to use the FYI voucher for eligible youth upon turnover. Where there are more eligible youth than available FYI turnover vouchers, the PHA may request an FYI voucher under the requirements of Notice PIH 2020-28.

### **19-II.H. MAXIMUM ASSISTANCE PERIOD [Notice PIH 2020-28 and FYI FAQs]**

Vouchers are limited by statute to a total of 36 months of housing assistance. At the end of the statutory time period, assistance must be terminated. However, any period of time for which no subsidy (HAP) is being paid on behalf of the youth does not count toward the 36-month limitation. It is not permissible to reissue another FYI TPV to the same youth upon expiration of their 36 months of FYI assistance.

Participants do not “age out” of the program. A participant may continue with the program until they have received 36 months of assistance. Age limits are only applied for entry into the program.

### **19-II.I. TERMINATION OF ASSISTANCE [FYI FAQs]**

Termination of a FYI voucher is handled in the same way as with any HCV; therefore, termination of a FYI voucher must be consistent with HCV regulations at 24 CFR Part 982, Subpart L and GRHC policies in Chapter 12. Given the statutory time limit that requires FYI vouchers sunset after 36 months, the GRHC will terminate the youth’s assistance once the 36-month limit on assistance has expired.

The GRHC will not terminate a FYI youth’s assistance for noncompliance with PCWA case management, nor will the GRHC terminate assistance for a FYI youth for not accepting services from the PCWA.

The GRHC will not transfer the assistance of FYI voucher holders to regular HCV assistance upon the expiration of the 36-month limit on assistance. However, the GRHC may issue a regular HCV to FYI voucher holders if they were selected from the waiting list in accordance with GRHC policies. The GRHC will provide a selection preference on the GRHC’s HCV waiting list for FYI voucher holders who are terminated due to the 36-month limit on assistance.

### **19-II.J. PORTABILITY [FYI FAQs]**

Portability for an FYI youth is handled in the same way as for a regular HCV family. The GRHC will not restrict or deny portability for an FYI youth for reasons other than those specified in the HCV program regulations, as reflected in Chapter 10 of the administrative plan.

An FYI youth does not have to port to a jurisdiction that administers FYI vouchers.

If the receiving PHA absorbs the voucher, the PHA may absorb the youth into its regular HCV program if it has vouchers available to do so. If the receiving PHA absorbs the youth into its regular HCV program, that youth becomes a regular HCV participant with none of the limitations of an FYI voucher.

The initial and receiving PHA must work together to initiate termination of assistance upon expiration of the 36-month limit.

#### **19-IL.K. PROJECT-BASING FYI VOUCHERS [FYI FAQs]**

The GRHC may project-base certain FYI vouchers without HUD approval in accordance with all applicable PBV regulations and GRHC policies in Chapter 17. This includes FYI vouchers awarded under Notice PIH 2020-28. Assistance awarded under Notice PIH 2019-20 is prohibited from being project-based.



## **PART III: VETERANS AFFAIRS SUPPORTIVE HOUSING (VASH) PROGRAM**

### **19-III.A. OVERVIEW**

Since 2008, HCV program funding has provided rental assistance under a supportive housing program for homeless veterans. The Veterans Affairs Supportive Housing (VASH) program combines HCV rental assistance with case management and clinical services provided by the Department of Veterans Affairs (VA) at VA medical centers (VAMCs) and Community-Based Outpatient Clinics (CBOCs). Eligible families are homeless veterans and their families that agree to participate in VA case management and are referred to the VAMC's partner GRHC for HCV assistance. The VAMC or CBOC's responsibilities include:

- Screening homeless veterans to determine whether they meet VASH program participation criteria;
- Referring homeless veterans to the GRHC;
  - The term *homeless veteran* means a veteran who is homeless (as that term is defined in subsection (a) or (b) of Section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302)). See 38 U.S.C. 2002.
- Providing appropriate treatment and supportive services to potential VASH participants, if needed, prior to GRHC issuance of a voucher;
- Providing housing search assistance to VASH participants;
- Identifying the social service and medical needs of VASH participants, and providing or ensuring the provision of regular ongoing case management, outpatient health services, hospitalization, and other supportive services as needed throughout the veterans' participation period; and
- Maintaining records and providing information for evaluation purposes, as required by HUD and the VA.

VASH vouchers are awarded noncompetitively based on geographic need and PHA administrative performance. Eligible PHAs must be located within the jurisdiction of a VAMC and in an area of high need based on data compiled by HUD and the VA. When Congress funds a new allocation of VASH vouchers, HUD invites eligible PHAs to apply for a specified number of vouchers.

Generally, the HUD-VASH program is administered in accordance with regular HCV program requirements. However, HUD is authorized to waive or specify alternative requirements to allow PHAs to effectively deliver and administer VASH assistance. Alternative requirements are established in the HUD-VASH Operating Requirements, which were originally published in the Federal Register on May 6, 2008, and updated March 23, 2012. Unless expressly waived by HUD, all regulatory requirements and HUD directives regarding the HCV program are applicable to VASH vouchers, including the use of all HUD-required contracts and other forms, and all civil rights and fair housing requirements. In addition, the PHA may request additional statutory or regulatory waivers that it determines are necessary for the effective delivery and administration of the program.

The VASH program is administered in accordance with applicable Fair Housing requirements since civil rights requirements cannot be waived under the program. These include applicable authorities under 24 CFR 5.105(a) and 24 CFR 982.53 including, but not limited to, the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act, and the Age Discrimination Act and all GRHC policies as outlined in Chapter 2 of this document.

When HUD-VASH recipients include veterans with disabilities or family members with disabilities, reasonable accommodation requirements in Part II of Chapter 2 of this policy apply.

### **19-III.B. REFERRALS [FR Notice 3/23/12 and HUD-VASH Qs and As]**

VAMC case managers will screen all families in accordance with VA screening criteria and refer eligible families to the GRHC for determination of program eligibility and voucher issuance. The GRHC has no role in determining or verifying the veteran's eligibility under VA screening criteria, including determining the veteran's homelessness status. The GRHC will accept referrals from the partnering VAMC and must maintain written documentation of referrals in VASH tenant files. Upon turnover, VASH vouchers must be issued to eligible veteran families as identified by the VAMC.

In order to expedite the screening process, the GRHC will provide all forms and a list of documents required for the VASH application to the Grand Rapids Veterans Affairs Medical Center (VAMC). Case managers will work with veterans to fill out the forms and compile all documents prior to meeting with the GRHC and submitting an application. When feasible, the VAMC case manager should email or fax copies of all documents to the GRHC prior to the meeting in order to allow the GRHC time to review them and start a file for the veteran.

After the VAMC has given the GRHC a complete referral, the GRHC will perform an eligibility screening within seven (7) calendar days of receipt of a VAMC referral.

### **19-III.C. HCV PROGRAM ELIGIBILITY [FR Notice 3/23/12]**

Eligible participants are homeless veterans and their families who agree to participate in case management from the VAMC.

- A *VASH Veteran* or *veteran family* refers to either a single veteran or a veteran with a household composed of two or more related persons. It also includes one or more eligible persons living with the veteran who are determined to be important to the veteran's care or well-being.
- A veteran for the purpose of VASH is a person whose length of service meets statutory requirements, and who served in the active military, naval, or air service, was discharged or released under conditions other than dishonorable, and is eligible for VA health care.

Under VASH, the GRHC does not have authority to determine family eligibility in accordance with HCV program rules and PHA policies. The only reasons for denial of assistance by the GRHC are failure to meet the income eligibility requirements and/or that a family member is subject to a lifetime registration requirement under a state sex offender registration program. Under portability, the receiving PHA must also comply with these VASH screening requirements.

## **Social Security Numbers**

When verifying Social Security numbers (SSNs) for homeless veterans and their family members, an original document issued by a federal or state government agency, which contains the name and SSN of the individual along with other identifying information of the individual, is acceptable in accordance with Section 7-II.B. of this policy.

In the case of the homeless veteran, the GRHC will accept the Certificate of Release or Discharge from Active Duty (DD-214) or the VA-verified Application for Health Benefits (10-10EZ) as verification of SSN and cannot require the veteran to provide a Social Security card. A VA-issued identification card may also be used to verify the SSN of a homeless veteran.

## **Proof of Age**

The DD-214 or 10-10EZ must be accepted as proof of age in lieu of birth certificates or other GRHC-required documentation as outlined in Section 7-II.C. of this policy. A VA-issued identification card may also be used to verify the age of a homeless veteran.

## **Photo Identification**

A VA-issued identification card must be accepted in lieu of another type of government-issued photo identification.

## **Income Eligibility**

The GRHC must determine income eligibility for VASH families in accordance with 24 CFR 982.201 and policies in Section 3-II.A. If the family is over-income based on the most recently published income limits for the family size, the family will be ineligible for HCV assistance.

While income-targeting requirements will not be considered by the GRHC when families are referred by the partnering VAMC, the GRHC will not include any extremely low-income VASH families that are admitted in its income targeting numbers for the fiscal year in which these families are admitted.

## **Screening**

The GRHC will not screen any potentially eligible family members or deny assistance for any grounds permitted under 24 CFR 982.552 and 982.553 with one exception: the GRHC is still required to prohibit admission if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program. Accordingly, with the exception of denial for registration as a lifetime sex offender under state law and PHA policies on how sex offender screenings will be conducted, GRHC policy in Sections 3-III.B. through 3-III.E. do not apply to VASH. The prohibition against screening families for anything other than lifetime sex offender status applies to all family members, not just the veteran.

## **Denial of Assistance [Notice PIH 2008-37]**

Once a veteran is referred by the VAMC, the GRHC will either issue a voucher or deny assistance. If the GRHC denies assistance, it must provide the family with prompt notice of the decision and a brief statement of the reason for denial in accordance with Section 3-III.F. Like in the standard HCV program, the family must be provided with the opportunity for an informal review in accordance with policies in Section 3-III.F. In addition, a copy of the denial notice must be sent to the VAMC case manager.

## **19-III.D. CHANGES IN FAMILY COMPOSITION**

### **Adding Family Members [FR Notice 3/23/12]**

When adding a family member after the family has been admitted to the program, GRHC policies in Section 3-II.B. apply. Other than the birth, adoption, or court-awarded custody of a child, the GRHC will approve additional family members and will apply its regular screening criteria in doing so.

### **Remaining Family Members [HUD-VASH Qs and As]**

If the homeless veteran dies while the family is being assisted, the voucher would remain with the remaining members of the tenant family. The GRHC will use one of its own regular vouchers, if available, to continue assisting this family and free up a VASH voucher for another VASH-eligible family. If a regular voucher is not available, the family would continue utilizing the VASH voucher. Once the VASH voucher turns over, however, it must go to a homeless veteran family.

### **Family Break Up [HUD-VASH Qs and As]**

In the case of divorce or separation, since the set-aside of VASH vouchers is for veterans, the voucher must remain with the veteran. This overrides the PHA's policies in Section 3-I.C. on how to determine who remains in the program if a family breaks up.

## **19-III.E. LEASING [FR Notice 3/23/12]**

### **Waiting List**

The GRHC does not have the authority to maintain a waiting list or apply local preferences for HUD-VASH vouchers. Policies in Chapter 4 relating to applicant selection from the waiting list, local preferences, special admissions, cross-listing, and opening and closing the waiting list do not apply to VASH vouchers.

### **Voucher Issuance**

All VASH vouchers 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.

The GRHC will track issuance of HCVs for families referred by the VAMC or CBOC in PIC as required in Notice PIH 2011-53.

### **Initial Lease Term**

Unlike in the standard the HCV program, VASH voucher holders may enter into an initial lease that is for less than 12 months. Accordingly, GRHC policy in Section 9-I.E., Term of Assisted Tenancy, does not apply.

### **Ineligible Housing [FR Notice 6/18/14]**

Unlike in the standard HCV program, VASH families are permitted to live on the grounds of a VA facility in units developed to house homeless veterans. Therefore, 24 CFR 982.352(a)(5) and 983.53(a)(2), which prohibit units on the physical grounds of a medical, mental, or similar public or private institution, do not apply to VASH for this purpose only. Accordingly, GRHC policy in 9-I.D., Ineligible Units, does not apply for this purpose only.

## **HQS Pre-Inspections**

To expedite the leasing process, the GRHC will pre-inspect available units that veterans may be interested in leasing to maintain a pool of eligible units. If a VASH family selects a unit that passed a HQS pre-inspection (without intervening occupancy) within 45 days of the date of the RTA, the unit may be approved provided that it meets all other conditions under 24 CFR 982.305. The veteran will be free to select his or her unit.

When a pre-inspected unit is not selected, the GRHC will make every effort to fast-track the inspection process, including adjusting the normal inspection schedule for both initial and any required reinspections.

## **19-III.F. PORTABILITY [FR Notice 3/23/12 and Notice PIH 2011-53]**

### **General Requirements**

Portability policies under VASH depend on whether the family wants to move within or outside of the initial VA facility's catchment area (the area in which the VAMC or CBOC operates). In all cases, the initial VA facility must be consulted prior to the move and provide written confirmation that case management will continue to be provided in the family's new location. VASH participant families may only reside in jurisdictions that are accessible to case management services, as determined by case managers at the partnering VAMC or CBOC.

Under VASH, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial GRHC when they applied. As a result, GRHC policies in Section 10-II.B. about nonresident applicants do not apply.

If the family no longer requires case management, there are no portability restrictions. Normal portability rules apply.

### **Portability within the Initial VAMC's Catchment Area**

A VASH family can move within the VAMC's catchment area as long as case management can still be provided, as determined by the VA. If the initial PHA's partnering VAMC will still provide the case management services, the receiving PHA must process the move in accordance with portability procedures:

- If the receiving PHA has been awarded VASH vouchers, it can choose to either bill the initial PHA or absorb the family if it has a VASH voucher available to do so.
  - If the PHA absorbs the family, the VAMC or CBOC providing the initial case management must agree to the absorption and the transfer of case management.
- If the receiving PHA does not administer a VASH program, it must always bill the initial PHA.

### **Portability Outside of the Initial VAMC's Catchment Area**

If a family wants to move to another jurisdiction where it will not be possible for the initial PHA's partnering VAMC or CBOC to provide case management services, the initial VAMC must first confirm that the new VAMC has an available VASH case management slot and the new VAMC's partner PHA has an available VASH voucher.

After acceptance of the veteran by the new VAMC, the new VAMC will refer the veteran to its partner PHA. In these cases, the family must be absorbed by the receiving PHA either as a new admission or as a portability move-in, as applicable. Upon absorption, the initial PHA's VASH voucher will be available to lease to a new VASH-eligible family, and the absorbed family will count toward the number of VASH slots awarded to the receiving PHA.

### **19-III.G. TERMINATION OF ASSISTANCE [FR Notice 3/23/12]**

VASH participant families may not be terminated after admission for a circumstance or activities that occurred prior to admission and were known to the GRHC but could not be considered at the time of admission due to VASH program requirements. The GRHC may terminate the family's assistance only for program violations that occur after the family's admission to the program.

#### **Cessation of Case Management**

As a condition of receiving HCV rental assistance, a HUD-VASH-eligible family must receive case management services from the VAMC or CBOC. A VASH participant family's assistance must be terminated for failure to participate, without good cause, in case management as verified by the VAMC or CBOC.

However, a VAMC or CBOC determination that the participant family no longer requires case management is not grounds for termination of assistance and the family is still eligible for assistance under the HCV program. In such a case, at its option, the GRHC may offer the family continued HCV assistance through one of its regular vouchers. If the GRHC has no voucher to offer, the family will retain its VASH voucher until such time as the GRHC has an available voucher for the family.

### **VAWA [HUD VASH Qs and As and Notice PIH 2017-08]**

When a veteran's family member is receiving protection under VAWA because the veteran is the perpetrator of domestic violence, dating violence, sexual assault, or stalking, the victim must continue to be assisted. Upon termination of the perpetrator's VASH assistance, the victim should be given a regular HCV if one is available, and the perpetrator's VASH voucher should be used to serve another eligible veteran family. If a regular HCV is not available, the victim will continue to use the VASH voucher even after the perpetrator's assistance is terminated.

### **19-III.H. PROJECT-BASING VASH VOUCHERS**

#### **General Requirements [Notice PIH 2017-21]**

The GRHC may administer project-based VASH vouchers under two circumstances. First, PHAs are authorized to project-base their tenant-based VASH vouchers without additional HUD review or approval in accordance with Notice PIH 2017-21 and all PBV program requirements provided that the VAMC will continue to make supportive services available. Second, since 2010, HUD has awarded VASH vouchers specifically for project-based assistance in the form of PBV HUD-VASH set-aside vouchers. While these vouchers are excluded from the PBV program cap as long as they remain under PBV HAP contract at the designated project, all other VASH vouchers are subject to the PBV program percentage limitation discussed in Section 17-I.A.

If the GRHC project-bases VASH vouchers, the GRHC will retain documentation of the partnering VAMC's support. Policies for VASH PBV units will generally follow GRHC policies

for the standard PBV program as listed in Chapter 17, with the exception of the moves policy listed below.

### **Moves [HUD-VASH Qs and As]**

When a VASH PBV family is eligible to move from its PBV unit in accordance with Section 17-VIII.C. of this policy, but there is no other comparable tenant-based rental assistance, the following procedures must be implemented:

- If a VASH tenant-based voucher is not available at the time the family wants (and is eligible) to move, the GRHC may require the family to wait for a VASH tenant-based voucher for a period not to exceed 180 days;
- If a VASH tenant-based voucher is still not available after that period, the family must be allowed to move with its VASH voucher, and the GRHC is required to replace the assistance in the PBV unit with one of its regular vouchers, unless the GRHC and owner agree to remove the unit from the HAP contract; and
- If after 180 days, a VASH tenant-based voucher does not become available and the GRHC does not have sufficient available funding in its HCV program to attach assistance to the PBV unit, the family may be required to remain in its PBV unit until such funding becomes available. In determining if funding is insufficient, the GRHC will take into consideration its available budget authority, which also includes unspent prior year HAP funds in the GRHC's Net Restricted Assets account.

## **PART IV: MAINSTREAM VOUCHER PROGRAM**

### **19-IV.A. PROGRAM OVERVIEW [Notice PIH 2020-01]**

Mainstream vouchers assist non-elderly persons with disabilities and their families in the form of either project-based or tenant-based voucher assistance.

Aside from separate funding appropriations and serving a specific population, Mainstream vouchers follow the same program requirements as standard vouchers. The GRHC does not have special authority to treat families that receive a Mainstream voucher differently from other applicants and participants. For example, the GRHC cannot apply different payment standards, establish conditions for allowing portability, or apply different screening criteria to Mainstream families.

The Mainstream voucher program, (previously referred to as the Mainstream 5-Year program or the Section 811 voucher program) was originally authorized under the National Affordable Housing Act of 1990. Mainstream vouchers operated separately from the regular HCV program until the passage of the Frank Melville Supportive Housing Investment Act of 2010. Funding for Mainstream voucher renewals and administrative fees was first made available in 2012. In 2017 and 2019, incremental vouchers were made available for the first time since the Melville Act (in addition to renewals and administrative fees), and PHAs were invited to apply for a competitive award of Mainstream vouchers under the FY17 and FY19 NOFAs. In 2020, Notice PIH 2020-22 provided an opportunity for any PHA administering an HCV program to apply for Mainstream vouchers noncompetitively, while Notice PIH 2020-09 authorized an increase in Mainstream voucher units and budget authority for those PHAs already awarded Mainstream vouchers under the FY17 and FY19 NOFAs.

Funds for Mainstream vouchers may be recaptured and reallocated if the GRHC does not comply with all program requirements or fails to maintain a utilization rate of 80 percent for the GRHC's Mainstream vouchers.



#### **19-IV.B. ELIGIBLE POPULATION [Notice PIH 2020-01 and Notice PIH 2020-22]**

All Mainstream vouchers must be used to serve non-elderly persons with disabilities and their families, defined as any family that includes a person with disabilities who is at least 18 years old and not yet 62 years old as of the effective date of the initial HAP contract. The eligible disabled household member does not need to be the head of household.

The definition of person with disabilities for purposes of Mainstream vouchers is the statutory definition under section 3(b)(3)(E) of the 1937 Act, which is the same as is used for allowances and deductions in the HCV program and is provided in Exhibit 3-1 of this policy.

Existing families receiving Mainstream vouchers, where the eligible family member is now age 62 or older, will not “age out” of the program as long as the family was eligible on the day it was first assisted under a HAP contract.

The GRHC will not implement eligibility screening criteria for Mainstream vouchers that is different from that of the regular HCV program.

#### **19-IV.C. PARTNERSHIP AND SUPPORTIVE SERVICES [Notice PIH 2020-01]**

The GRHC has implemented a Mainstream program, and will continue to partner with various organizations to assist further assist persons with disabilities find and maintain housing.

#### **19-IV.D. WAITING LIST ADMINISTRATION**

##### **General Waiting List Requirements [Notice PIH 2020-01 and Mainstream Voucher Basics Webinar, 10/15/20]**

The GRHC will not have a separate waiting list for Mainstream voucher assistance since the PHA is required by the regulations to maintain one waiting list for tenant-based assistance [24 CFR 982.204(f)]. All GRHC policies on opening, closing, and updating the waiting list, as well as waiting list preferences in Chapter 4, apply to the Mainstream program.

When the GRHC is awarded Mainstream vouchers, these vouchers must be used for new admissions to the GRHC’s program from the waiting list. The GRHC will lease these vouchers by pulling the first Mainstream-eligible family from its tenant-based waiting list. The GRHC is not permitted to reassign existing participants to the program in order to make regular tenant-based vouchers available. Further, the GRHC may not skip over Mainstream-eligible families on the waiting list because the GRHC is serving the required number of Mainstream families.

Upon turnover, vouchers must be provided to Mainstream-eligible families. If a Mainstream turnover voucher becomes available, the GRHC will determine if the families at the top of the waiting list qualify under program requirements.

##### **Admission Preferences [Notice PIH 2020-01; FY17 Mainstream NOFA; FY19 Mainstream NOFA]**

The GRHC did not claim a preference for a targeted group as part of an application for Mainstream vouchers under a NOFA.

#### **19-IV.E. PORTABILITY [Notice PIH 2020-01 and Mainstream Voucher Basics Webinar, 10/15/20]**

Mainstream voucher participants are eligible for portability under standard portability rules and all GRHC policies regarding portability in Chapter 10, Part II apply to Mainstream families.

The following special considerations for Mainstream vouchers apply under portability:

- If the receiving GRHC has a Mainstream voucher available, the participant may remain a Mainstream participant.
  - If the receiving PHA chooses to bill the initial PHA, then the voucher will remain a Mainstream voucher.
  - If the receiving PHA chooses to absorb the voucher, the voucher will be considered a regular voucher, or a Mainstream voucher if the receiving PHA has a Mainstream voucher available, and the Mainstream voucher at the initial PHA will be freed up to lease to another Mainstream-eligible family.
- If the receiving PHA does not have a Mainstream voucher available, the participant may receive a regular voucher.

#### **19-IV.F. PROJECT-BASING MAINSTREAM VOUCHERS [FY19 Mainstream Voucher NOFA Q&A]**

The GRHC may project-base Mainstream vouchers in accordance with all applicable PBV regulations and GRHC policies in Chapter 17. The GRHC is responsible for ensuring that, in addition to complying with project-based voucher program requirements, the project complies with all applicable federal nondiscrimination and civil rights statutes and requirements. This includes, but is not limited to, Section 504 of the Rehabilitation Act (Section 504), Titles II or III of the Americans with Disabilities (ADA), and the Fair Housing Act and their implementing regulations at 24 CFR Part 8; 28 CFR Parts 35 and 36; and 24 CFR Part 100. Mainstream vouchers are subject to the PBV program percentage limitation discussed in Section 17-I.A.

## PART IV: NON-ELDERLY DISABLED (NED) VOUCHERS

### 19-V.A. PROGRAM OVERVIEW [Notice PIH 2013-19]

NED vouchers help non-elderly disabled families lease suitable, accessible, and affordable housing in the private market. Aside from separate funding appropriations and serving a specific population, NED vouchers follow the same program requirements as standard vouchers. The GRHC does not have special authority to treat families that receive a NED voucher differently from other applicants and participants.

Some NED vouchers are awarded to PHAs through competitive NOFAs. The NOFA for FY2009 Rental Assistance for NED made incremental funding available for two categories of NED families:

- **Category 1** vouchers enable non-elderly persons or families with disabilities to access affordable housing on the private market.
- **Category 2** vouchers enable non-elderly persons with disabilities currently residing in nursing homes or other healthcare institutions to transition into the community. PHAs with NED Category 2 vouchers were required to partner with a state Medicaid or health agency or the state Money Follows the Person (MFP) Demonstration agency.

Since 1997, HCVs for NED families have been also awarded under various special purpose HCV programs: Rental Assistance for Non-Elderly Persons with Disabilities in Support of Designated Housing Plans (Designated Housing), Rental Assistance for Non-Elderly Persons with Disabilities Related to Certain Types of Section 8 Project-Based Developments (Certain Developments), One-Year Mainstream Housing Opportunities for Persons with Disabilities, and the Project Access Pilot Program (formerly Access Housing 2000).

- **Designated Housing** vouchers enable non-elderly disabled families, who would have been eligible for a public housing unit if occupancy of the unit or entire project had not been restricted to elderly families only through an approved Designated Housing Plan, to receive rental assistance. These vouchers may also assist non-elderly disabled families living in a designated unit/project/building to move from that project if they so choose. The family does not have to be listed on the PHA's voucher waiting list. Instead, they may be admitted to the program as a special admission. Once the impacted families have been served, the PHA may begin issuing these vouchers to non-elderly disabled families from their HCV waiting list. Upon turnover, these vouchers must be issued to non-elderly disabled families from the PHA's HCV waiting list.
- **Certain Developments** vouchers enable non-elderly families having a person with disabilities, who do not currently receive housing assistance in certain developments where owners establish preferences for, or restrict occupancy to, elderly families, to obtain affordable housing. These non-elderly families with a disabled person do not need to be listed on the PHA's HCV waiting list in order to be offered and receive housing choice voucher rental assistance. It is sufficient that these families' names are on the waiting list for a covered development at the time their names are provided to the PHA by the owner. Once the impacted families have been served, the PHA may begin issuing these vouchers to non-

elderly disabled families from their HCV waiting list. Upon turnover, these vouchers must be issued to non-elderly disabled families from the PHA's HCV waiting list.

- **One-Year Mainstream Housing Opportunities for Persons with Disabilities (One-Year Mainstream) vouchers** enable non-elderly disabled families on the PHA's waiting list to receive a voucher. After initial leasing, turnover vouchers must be issued to non-elderly disabled families from the PHA's voucher waiting list.

## **19-V.B. ELIGIBLE POPULATION**

### **General Requirements [Notice PIH 2013-19]**

Only eligible families whose head of household, spouse, or cohead is non-elderly (under age 62) and disabled may receive a NED voucher. Families with only a minor child with a disability are not eligible.

In cases where the qualifying household member now qualifies as elderly due to the passage of time since the family received the NED voucher, existing NED participant families do not "age out," as the family was eligible on the day it was first assisted under a housing assistance payments (HAP) contract.

The definition of person with disabilities for purposes of NED vouchers is the statutory definition under Section 3(b)(3)(E) of the 1937 Act, which is the same as is used for allowances and deductions in the HCV program and is provided in Exhibit 3-1 of this policy.

The GRHC will not implement eligibility screening criteria for NED vouchers that is different from that of the regular HCV program.

### **NED Category 2 [Notice PIH 2013-19 and NED Category 2 FAQs]**

In addition to being eligible for the GRHC's regular HCV program and a non-elderly person with a disability, in order to receive a Category 2 voucher, the family's head, spouse, cohead, or sole member must be transitioning from a nursing home or other healthcare institution and provided services needed to live independently in the community.

Nursing homes or other healthcare institutions may include intermediate care facilities and specialized institutions that care for those with intellectual disabilities, developmentally disabled, or mentally ill, but do not include board and care facilities (e.g., adult homes, adult day care, adult congregate living).

The GRHC will not limit who can apply to just those persons referred or approved by a Money Follows the Person (MFP) Demonstration agency or state health agency. Other individuals could be placed on the waiting list if they can show, with confirmation by an independent agency or organization that routinely provides such services (this can be the MFP or partnering agency, but need not be), that the transitioning individual will be provided with all necessary services, including care or case management.

For each Category 2 family, there must be documentation (e.g., a copy of a referral letter from the partnering or referring agency) in the tenant file identifying the institution where the family lived at the time of voucher issuance.

## **19-V.C. WAITING LIST**

### **General Requirements [Notice PIH 2013-19]**

Families must be selected for NED vouchers from the GRHC's waiting list in accordance with all applicable regulations and GRHC policies in Chapter 4.

Regardless of the number of NED families the GRHC is required to serve, the next family on the waiting list must be served. Further, the GRHC may not skip over NED-eligible families on the waiting list because the GRHC is serving the required number of NED families.

### **NED Category 2 Referrals [NED Category 2 FAQs]**

For NED Category 2 families, the partnering agency may make referrals of eligible families to the GRHC for placement on the waiting list. The GRHC will then select these families from the waiting list for voucher issuance.

The GRHC will accept applications from people living outside their jurisdictions or from people being referred from other Medicaid or MFP service agencies in their state.

If the GRHC's waiting list is closed, the GRHC will reopen its waiting list to accept referrals from its partnering agency. When opening the waiting list, the GRHC will advertise in accordance with 24 CFR 982.206 and GRHC policies in Section 4-II.C. In addition, the GRHC will ensure that individuals living in eligible institutions are aware when the GRHC opens its waiting list by reaching out to social service agencies, nursing homes, intermediate care facilities and specialized institutions in the local service area.

### **Reissuance of Turnover Vouchers [Notice PIH 2013-19]**

All NED turnover vouchers must be reissued to the next NED family on the GRHC's waiting list with the following exception: A Category 2 voucher must be issued to another Category 2 family upon turnover if a Category 2 family is on the GRHC's waiting list. If there are no Category 2 families on the GRHC's waiting list, the GRHC will contact its partnering agency as well as conduct outreach through appropriate social service agencies and qualifying institutions to identify potentially eligible individuals. Only after all means of outreach have been taken to reach Category 2 families can the GRHC reissue the voucher to another Category 2 NED family on the GRHC's waiting list. Any subsequent turnover of that voucher must again be used for a Category 2 family on the GRHC's waiting list, and the GRHC is under the same obligation to conduct outreach to Category 2 families if no such families are on the GRHC's waiting list.

For PHAs that received both Category 1 and Category 2 vouchers, if at any time the PHA is serving fewer Category 2 families than the number of Category 2 HCVs awarded under the NOFA, when a Category 2 family applies to the waiting list and is found eligible, the PHA must issue the next NED voucher to that family. HUD monitors the initial leasing and reissuance of Category 2 HCVs. These vouchers may be recaptured and reassigned if not leased properly and in a timely manner.

All NED vouchers should be affirmatively marketed to a diverse population of NED-eligible families to attract protected classes least likely to apply. If at any time following the turnover of a NED HCV a PHA believes it is not practicable to assist NED families, the PHA must contact HUD.

## **19-V.D. LEASE UP [Notice PIH 2013-19]**

### **Briefings**

In addition to providing families with a disabled person a list of accessible units known to the GRHC, the GRHC will provide a list of local supportive service and disability organizations that may provide such assistance as counseling services and funding for moving expenses or security deposits in the briefing packet. These organizations include state protection and advocacy agencies, Centers for Independent Living, state Medicaid agencies, and disability advocacy groups that represent individuals with a variety of disabilities.

Further, if other governmental or non-governmental agencies provide available resources such as housing search counseling, moving expenses, security deposits, and utility deposits, the GRHC will include this information in the briefing packet.

### **Voucher Term**

While the GRHC is not required to establish different policies for the initial term of the voucher for NED vouchers, all NED vouchers 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 GRHC grants an extension. All other GRHC policies on extensions and suspension of vouchers in Section 5-II.E. will apply.

### **Special Housing Types [Notice PIH 2013-19 and NED Category 2 FAQs]**

In general, the GRHC is not required to permit families to use any of the special housing types and may limit the number of families using such housing. However, the GRHC will permit the use of a special housing type if doing so provides a reasonable accommodation so that the program is readily accessible to and usable by a person with disabilities.

Such special housing types include single room occupancy housing, congregate housing, group homes, shared housing, cooperative housing, and manufactured homes when the family owns the home and leases the manufactured home space.

Persons with disabilities transitioning out of institutional settings may choose housing in the community that is in a group or shared environment or where some additional assistance for daily living is provided for them on site. Under HUD regulations, group homes and shared housing are considered special housing types and are not excluded as an eligible housing type in the HCV program. Assisted living facilities are also considered eligible housing under the normal HCV program rules, as long as the costs for meals and other supportive services are not included in the housing assistance payments (HAP) made by the GRHC to the owner, and as long as the person does not need continual medical or nursing care.

## **19-V.E. PORTABILITY [NED Category 2 FAQs]**

NED voucher participants are eligible for portability under standard portability rules and all GRHC policies regarding portability in Chapter 10, Part II apply to NED families. However, the PHA may, but is not required to, allow applicant NED families to move under portability, even if the family did not have legal residency in the initial PHA's jurisdiction when they applied.

If neither the head of household nor the spouse or cohead of a NED applicant family had a domicile (legal residence) in the GRHC's jurisdiction at the time that the family's initial

application for assistance was submitted, the family must lease a unit within the initial GRHC's jurisdiction for at least 12 months before requesting portability.

The GRHC will consider exceptions to this policy for purposes of reasonable accommodation (see Chapter 2) or reasons related to domestic violence, dating violence, sexual assault, or stalking.

## **PART VI: EMERGENCY HOUSING VOUCHERS (TEMPORARY)**

### **OVERVIEW**

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (ARP) (P.L. 117-2). Section 3202 of the ARP appropriated \$5 billion for the creation, administration, and renewal of new incremental emergency housing vouchers (EHVs) and other eligible expenses related to COVID-19.

On May 5, 2021, HUD issued Notice PIH 2021-15, which described HUD's process for allocating approximately 70,000 EHVs to eligible PHAs and set forth the operating requirements for PHAs who administer them. Based on criteria outlined in the notice, HUD notified eligible PHAs of the number of EHVs allocated to their agency, and PHAs were able to accept or decline the invitation to participate in the program.

PHAs may not project-base EHV; EHV are exclusively tenant-based assistance.

All applicable nondiscrimination and equal opportunity requirements apply to the EHV program, including requirements that the PHA grant reasonable accommodations to persons with disabilities, effectively communicate with persons with disabilities, and ensure meaningful access for persons with limited English proficiency (LEP).

This chapter describes HUD regulations and PHA policies for administering EHV. The policies outlined in this chapter are organized into six sections, as follows: Funding, Partnering Agencies, Waiting List Management, Family Eligibility, Housing Search and Leasing, Use of Funds, Reporting, and Financial Records

## **PART VI-I. FUNDING**

### **PART VI-I.A. FUNDING OVERVIEW**

The American Rescue Plan Act of 2021 (ARP) provides administrative fees and funding for the costs of administering emergency housing vouchers (EHVs) and other eligible expenses defined in Notice PIH 2021-15. These fees may only be used for EHV administration and other eligible expenses and must not be used for or applied to other PHA programs or vouchers. The PHA must maintain separate financial records from its regular HCV funding for all EHV funding.

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

ARP funding obligated to the PHA as housing assistance payments (HAP) funding may only be used for eligible EHV HAP expenses (i.e., rental assistance payments). EHV HAP funding may not be used for EHV administrative expenses or for the eligible uses under the EHV services fee.



The initial funding term will expire December 31, 2022. HUD will provide renewal funding to the GRHC for the EHV on a calendar year (CY) basis commencing with CY 2023. The renewal funding allocation will be based on the GRHC's actual EHV HAP costs in leasing, similar to the renewal process for the regular HCV program. EHV renewal funding is not part of the annual HCV renewal funding formula; EHV are renewed separately from the regular HCV program. All renewal funding for the duration of the EHV program has been appropriated as part of the ARP funding.

### **Administrative Fee and Funding**

The following four types of fees and funding are allocated as part of the EHV program:

Preliminary fees support immediate start-up costs that the PHA will incur in implementing alternative requirements under EHV, such as outreach and coordination with partnering agencies:

- \$400 per EHV allocated to the PHA, once the consolidated annual contributions contract (CACC) is amended.
  - This fee may be used for any eligible administrative expenses related to EHV.
  - The fee may also be used to pay for any eligible activities under EHV service fees (TPS- I.B).
- Placement fees/expedited issuance reporting fees will support initial lease-up costs and the added cost and effort required to expedite leasing of EHV:
  - \$100 for each EHV initially leased, if the PHA reports the voucher issuance date in Public Housing Information Center–Next Generation (PIC–NG) system within 14 days of voucher issuance or the date the system becomes available for reporting.
  - Placement fees:
    - \$500 for each EHV family placed under a HAP contract effective within four months of the effective date of the ACC funding increment; or
    - \$250 for each EHV family placed under a HAP contract effective after four months but less than six months after the effective date of the ACC funding increment.
- HUD will determine placement fees in the event of multiple EHV allocations and funding increment effective dates.
- Placement/expedited issuance fees only apply to the initial leasing of the voucher; they are not paid for family moves or to turnover vouchers.
- Ongoing administrative fees, which are calculated in the same way as the standard HCV program:
  - PHAs are allocated administrative fees using the full column A administrative fee amount for each EHV under contract as of the first day of each month.
  - Ongoing EHV administrative fees may be subject to proration in future years, based on available EHV funding.

- Services fees, which are a one-time fee to support PHAs' efforts to implement and operate an effective EHV services program in its jurisdiction (TPS-I.B):
  - The fee is allocated once the PHA's CACC is amended to reflect EHV funding.
  - The amount allocated is \$3,500 for each EHV allocated.

## **PART VI-I.B. SERVICE FEES**

Services fee funding must be initially used for defined eligible uses and not for other administrative expenses of operating the EHV program. Service fees fall into four categories:

- Housing search assistance
- Security deposit/utility deposit/rental application/holding fee uses
- Owner-related uses
- Other eligible uses such as moving expenses or tenant-readiness services

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 GRHC 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 GRHC 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 GRHC 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 GRHC may pay the security deposit assistance directly to the owner or may pay the assistance to the family. If paid to the family, the GRHC will require documentation that the family paid the security deposit.
- *Utility deposit assistance/utility arrears*. The GRHC 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 GRHC 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

GRHC will require documentation the family paid the utility deposit. The GRHC will require the utility supplier or family to return the utility deposit assistance to the GRHC 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 GRHC may also provide the family with assistance to help address these utility arrears to facilitate leasing. Utility deposit assistance returned to the GRHC 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 GRHC 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 GRHC 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 GRHC may provide assistance for some or all of the family's reasonable moving expenses when they initially lease a unit with the EHV. The GRHC 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 GRHC 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 GRHC 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 GRHC 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 GRHC may choose to assist the family with some or all this cost.

Any services fee assistance that is returned to the Grand Rapids Housing Commission after its initial or subsequent use may only be applied to the eligible services fee uses defined in Notice PIH 2021-15 (or subsequent notice) or other EHV administrative costs. Any amounts not expended for these eligible uses when the PHA's EHV program ends must be remitted to HUD.

## **PART VI.II: PARTNERING AGENCIES**

### **PART VI-II.A. CONTINUUM OF CARE (CoC)**

The GRHC has entered into an MOU with Kent County (Grand Rapids/Wyoming) Continuum of Care (CoC).

### **PART VI-II.B. OTHER PARTNERING ORGANIZATIONS**

The GRHC may, but is not required to, partner with other organizations trusted by persons experiencing homelessness, such as victim services providers (VSPs) and other community partners. The GRHC has added VSP's and other trusted organizations to the MOU between the Grand Rapids Housing Commission and CoC.

### **PART VI-II.C. REFERRALS**

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

The CoC and/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 GRHC. The CoC or other partnering agency must certify that the EHV applicants they refer to the GRHC meet at least one of the four EHV eligibility criteria. The GRHC 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 GRHC 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.

The GRHC's 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 GRHC 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**

The GRHC may make an EHV available without a referral from the CoC or other partnering organization in order to facilitate an emergency transfer under VAWA in accordance with the GRHC's Emergency Transfer Plan (ETP) in Chapter 16.

The GRHC must also take direct referrals from outside the CoC if:

- The CoC does not have a sufficient number of eligible families to refer to the GRHC; or

- The CoC does not identify families that may be eligible for EHV assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking.

If at any time the GRHC is not receiving enough referrals or is not receiving referrals in a timely manner from the CoC or other partner referral agencies (or the GRHC and CoC cannot identify any such alternative referral partner agencies), HUD may permit the GRHC on a temporary or permanent basis to take EHV applications directly from applicants and admit eligible families to the EHV program in lieu of or in addition to direct referrals in those circumstances.

## **PART VI- III: WAITING LIST MANAGEMENT**

### **PART VI-III.A. HCV WAITING LIST**

Direct referrals are not added to the PHA’s HCV waiting list. The GRHC will 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.

The GRHC will post information about the EHV program for families on the GRHC’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 GRHC referral partner, if applicable) if the family believes they may be eligible for EHV assistance

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

### **PART VI-III.B. EHV WAITING LIST**

The HCV regulations requiring the PHA to operate a single waiting list for admission to the HCV program do not apply to PHAs operating the EHV program. Instead, 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, both at initial leasing and for any turnover vouchers that may be issued prior to September 30, 2023.

Further, the EHV waiting list is not subject to PHA policies in Chapter 4 regarding opening and closing the HCV waiting list. The PHA will work directly with its CoC and other referral agency partners to manage the number of referrals and the size of the EHV waiting list.

### **PART VI-III.C. PREFERENCES**

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

## **PART IV: FAMILY ELIGIBILITY**

### **PART VI-IV.A. OVERVIEW**

The CoC or referring agency determines whether the individual or family meets any one of the four eligibility criteria described in Notice PIH 2021-15 and then refers the family to the GRHC. The GRHC determines that the family meets other eligibility criteria for the HCV program, as modified for the EHV program and outlined below.

### **PART VI-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:

- Homeless as defined in 24 CFR 578.3;
- At risk of homelessness as defined in 24 CFR 578.3;
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking (as defined in Notice PIH 2021-15), or human trafficking (as defined in the 22 U.S.C. Section 7102); or
- Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability as determined by the CoC or its designee in accordance with the definition in Notice PIH 2021-15.

As applicable, the CoC or referring agency must provide documentation to the GRHC of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance. The GRHC will retain this documentation as part of the family's file.

### **PART VI-IV.C. PHA SCREENING**

HUD waived 24 CFR 982.552 and 982.553 in part for the EHV applicants and established alternative requirement for mandatory and permissive prohibitions of admissions. Except where applicable, PHA policies regarding denials in Chapter 3 of this policy do not apply to screening individuals and families for eligibility for an EHV. Instead, the EHV alternative requirement listed in this section will apply to all EHV applicants. The mandatory and permissive prohibitions listed in Notice PIH 2021-15 and in this chapter, however, apply only when screening the individual or family for eligibility for an EHV. When adding a family member after the family has been placed under a HAP contract with EHV assistance, the regulations at 24 CFR 982.551(h)(2) apply. Other than the birth, adoption, or court-awarded custody of a child, the PHA must approve additional family members and may apply its regular HCV screening criteria in Chapter 3 in doing so.

#### **Mandatory Denials**

Under alternative requirements for the EHV program, mandatory denials for EHV applicants include:

- 24 CFR 982.553(a)(1)(ii)(C), which prohibits 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.



- 24 CFR 982.553(a)(2)(i), which prohibits admission to the program if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.

The GRHC will 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.

### **Permissive Denial**

Notice PIH 2021-15 lists permissive prohibitions for which the GRHC may, but is not required to, deny admission to EHV families. The notice also lists prohibitions that, while allowable under the HCV program, may not be used to deny assistance for EHV families.

In consultation with the CoC, the GRHC 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 GRHC will establish the following permissive prohibitions:

- If the GRHC 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 GRHC personnel within the previous 12 months. The Grand Rapids Housing Commission 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 GRHC 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 GRHC 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 GRHC and/or any other PHA to pay amounts owed to the GRHC and/or any other PHA, or amounts paid to an owner by the GRHC or any/PHA;

- The family would otherwise be prohibited admission under alcohol abuse standards established by the GRHC in accordance with 24 CFR 982.553(a)(3);
- The GRHC determines that any household member is currently engaged in or has engaged in during a reasonable time before the admission, drug-related criminal activity.

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

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

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 GRHC and must be signed by the family member whose information or status is being verified. The GRHC will incorporate additional procedures to remind families of the obligation to provide true and complete information in accordance with Chapter 14. The GRHC will address any material discrepancies (i.e., unreported income or a substantial difference in reported income) that may arise later. The GRHC 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 GRHC will terminate the family's assistance in accordance with the policies in Chapter 12.

### **Recently Conducted Income Determinations**

The GRHC 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 GRHC and must be signed by all adult family members whose information or status is being verified. At the time of the family's annual reexamination the GRHC must conduct the annual reexamination of income as outlined at 24 CFR 982.516 and PHA policies in Chapter 11.

### **EIV Income Validation**

Once HUD makes the EIV data available to the GRHC under this waiver and alternative requirement, the GRHC will:

- Review the EIV Income and Income Validation Tool (IVT) reports to confirm and validate family-reported income within 90 days of the PIC submission date;
- Print and maintain copies of the EIV Income and IVT Reports in the tenant file; and
- Resolve any income discrepancy with the family within 60 days of the EIV Income or IVT Report dates.
- Prior to admission, the GRHC will continue to use HUD's EIV system to search for all household members using the Existing Tenant Search in accordance with PHA policies in Chapter 3.

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

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

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

#### **PART VI-IV.F. AGE AND DISABILITY VERIFICATION**

The GRHC 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 GRHC 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 GRHC will verify the information in EIV or through other third-party verification if the information is not available in EIV. The GRHC 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 GRHC determines that an ineligible family received assistance, the GRHC will take steps to terminate that family from the program in accordance with policies in Chapter 12.

#### **PART VI-IV.G. INCOME TARGETING**

The GRHC 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 VI-V: HOUSING SEARCH AND LEASING**

### **PART VI-V.A. INITIAL VOUCHER TERM**

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.

### **PART VI-V.B. HOUSING SEARCH ASSISTANCE**

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

The GRHC 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 15 to 20 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 GRHC will seek services of partnering agencies and victim service providers (VSP's) to:

- 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 required forms

### **PART VI-V.C. HQS PRE-INSPECTIONS**

To expedite the leasing process, the GRHC may pre-inspect available units that EHV families may be interested in leasing to maintain a pool of eligible units. If an EHV family selects a unit that passed a HQS pre-inspection (without intervening occupancy) within 45 days of the date of the Request for Tenancy Approval, the unit may be approved provided that it meets all other conditions under 24 CFR 982.305. The family will be free to select his or her unit. When a pre-inspected unit is not selected, the GRHC will make every effort to fast-track the inspection process, including adjusting the normal inspection schedule for any required reinspection.

## **PART VI-V.D. INITIAL LEASE TERM**

Unlike in the standard HCV program, EHV voucher holders may enter into an initial lease that is for less than 12 months, regardless of the GRHC policy in Section 9-I.E., Term of Assisted Tenancy.

## **PART VI-V.E. PORTABILITY**

The normal HCV portability procedures and requirements outlined in Chapter 10 generally apply to EHV. Exceptions are addressed below.

### **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, regardless of PHA policy in Section 10-II.B.

### **Billing and Absorption**

A receiving PHA cannot refuse to assist an incoming EHV family, regardless of whether the PHA administers EHV under its own ACC.

- If the EHV family moves under portability to another PHA that administers EHV under its own ACC:
- The receiving PHA may only absorb the incoming EHV family with an EHV (assuming it has an EHV voucher available to do so).
- If the PHA does not have an EHV available to absorb the family, it must bill the initial PHA. The receiving PHA must allow the family to lease the unit with EHV assistance and may not absorb the family with a regular HCV when the family leases the unit.
- Regardless of whether the receiving PHA absorbs or bills the initial PHA for the family's EHV assistance, the EHV administration of the voucher is in accordance with the receiving PHA's EHV policies.
- If the EHV family moves under portability to another PHA that does not administer EHV under its own ACC, the receiving PHA may absorb the family into its regular HCV program or may bill the initial PHA.

### **Family Briefing**

In addition to the applicable family briefing requirements at 24 CFR 982.301(a)(2) as to how portability works and how portability may affect the family's assistance, the initial PHA must inform the family how portability may impact the special EHV services and assistance that may be available to the family.

The initial PHA is required to help facilitate the family's portability move to the receiving PHA and inform the family of this requirement in writing, taking reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).

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

## **Coordination of Services**

For EHV families who are exercising portability, when the GRHC contacts the receiving PHA in accordance with Section 10-II.B. Preapproval Contact with Receiving PHA, the GRHC 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 GRHC may provide to the receiving PHA on behalf of the family.

## **Services Fee**

Standard portability billing arrangements apply for HAP and ongoing administrative fees for EHV families.

For service fees funding, the amount of the service fee provided by the initial PHA may not exceed the lesser of the actual cost of the services and assistance provided to the family by the receiving PHA or \$1,750, unless the initial PHA and receiving PHA mutually agree to change the \$1,750 cap. Service fees are paid as follows:

- If the receiving PHA, in consultation and coordination with the initial PHA, will provide eligible services or assistance to the incoming EHV family, the receiving PHA may be compensated for those costs by the initial PHA, regardless of whether the receiving PHA bills or absorbs.
- If the receiving PHA administers EHV, the receiving PHA may use its own services fee and may be reimbursed by the initial PHA, or the initial PHA may provide the services funding upfront to the receiving PHA for those fees and assistance.
- If the receiving PHA does not administer EHV, the initial PHA must provide the services funding upfront to the receiving PHA. Any amounts provided to the receiving PHA that are not used for services or assistance on behalf of the EHV family must promptly be returned by the receiving PHA to the initial PHA.

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

If the portability lease-up qualifies for the placement fee/issuance reporting fee, the receiving PHA receives the full amount of the placement component of the placement fee/issuance reporting fee. The receiving PHA is eligible for the placement fee regardless of whether the receiving PHA bills the initial PHA or absorbs the family into its own program at initial lease-up. The initial PHA qualifies for the issuance reporting component of the placement fee/issuance reporting fee, as applicable.

## **PART VI-V.F. PAYMENT STANDARDS**

### **Payment Standard Schedule**

The GRHC will utilize the effective Voucher Payment Standard for the HCV Program.

### **Rent Reasonableness**

All rent reasonableness requirements apply to EHV units, regardless of whether the PHA has established an alternative or exception EHV payment standard.

## **PART VI-V.G. TERMINATION OF VOUCHERS**

After September 30, 2023, a PHA may not reissue EHV's when assistance for an EHV-assisted family ends. This means that when an EHV participant (a family that is receiving rental assistance under a HAP contract) leaves the program for any reason, the PHA may not reissue that EHV to another family unless it does so no later than September 30, 2023.

If an applicant family that was issued the EHV is unsuccessful in finding a unit and the EHV expires after September 30, 2023, the EHV may not be reissued to another family. All EHV's under lease on or after October 1, 2023, may not under any circumstances be reissued to another family when the participant leaves the program for any reason. An EHV that has never been issued to a family may be initially issued and leased after September 30, 2023, since this prohibition only applies to EHV's that are being reissued upon turnover after assistance to a family has ended. However, HUD may direct PHAs administering EHV's to cease leasing any unleased EHV's if such action is determined necessary by HUD to ensure there will be sufficient funding available to continue to cover the HAP needs of currently assisted EHV families.

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

EHV funds allocated to the GRHC for HAP (both funding for the initial allocation and HAP renewal funding) may only be used for eligible EHV HAP purposes. EHV HAP funding obligated to the GRHC will not be used for EHV administrative expenses or the other EHV eligible expenses under this notice. Likewise, EHV administrative fees and funding obligated to the GRHC are to be used for those purposes and must not be used for HAP.

The appropriated funds for EHV are separate from the regular HCV program and may not be used for the regular HCV program but may only be expended for EHV eligible purposes. EHV HAP funds may not roll into the regular HCV restricted net position (RNP) and must be tracked and accounted for separately as EHV RNP. EHV administrative fees and funding for other eligible expenses permitted by Notice PIH 2021-15 may only be used in support of the EHV and cannot be used for regular HCVs. EHV funding may not be used for the repayment of debts or any amounts owed to HUD by HUD program participants including, but not limited to, those resulting from Office of Inspector General (OIG), Quality Assurance Division (QAD), or other monitoring review findings. The GRHC will comply with EHV reporting requirements in the Voucher Management System (VMS) and Financial Data Schedule (FDS) as outlined in Notice PIH 2021-15. The GRHC will maintain complete and accurate accounts and other records for the program and provide HUD and the Comptroller General of the United States full and free access to all accounts and records that are pertinent the administration of the EHV in accordance with the HCV program requirements at 24 CFR 982.158.