

# **Section 8 Made Simple for Practitioners: Understanding Your PHA's Housing Choice Voucher Program – Part 2**

Jim Yates and Nicole LiBaire

January 27, 2021

# Let's get interactive!

- Before we get started go to [www.menti.com](https://www.menti.com)
- You can use your computer or your smartphone
- Use the code in the chat
- Let's test it out now

# Reminder of Learning Objectives

- Develop a greater understanding on how the Housing Choice Voucher (HCV) Program is administered by your local PHA.
- Develop a more thorough understanding of HCV eligibility, application and screening/denials and waiting list processes.
- Build an understanding on how to support a HCV applicant in requesting a Reasonable Accommodation.

Let's review questions from the last session we didn't get to answer

# Agenda

- 1. Wait List Processes**
- 2. Preferences and Voucher Types**
- 3. Housing Quality Standards**
- 4. Voucher Issuance and Finding Housing**
- 5. PHA Policymaking**
- 6. Section Eight Management Assessment and Performance**
- 7. Total Tenant Payment and Subsidy calculations**
- 8. COVID Waiver Flexibilities**
- 9. Questions**

*\* This is an interactive training, ask your questions in the chat and we will pause after each section to allow for questions.*

# Wait List Processes

## Included in the HCV Admin Plan

- Applications are only accepted when the wait list is open.
- Wait list are often very large and have long wait times.
- Methods to add applicants to the wait list:
  - ▶ Chronological
  - ▶ Randomly Ordered or Lottery Process
- PHAs will close their wait list once they determine there are a sufficient number of applicants.
- When the list is closed, PHAs can grant some exceptions such as: people displaced by fire, flood, natural disaster or other federal action.
- PHAs often **update** the list by sending notices to wait list households requiring them to reply with update information.
- *Tip: Applicants and their case managers should work together to update the PHA if they have moved or have a change in their contact information to receive notifications and keep spot on waitlist.*
- Reasonable Accommodation: Request that a case manager/service provider is named as a point of contact on the application so they are notified of any wait list update required

# Preferences and Voucher Types

- PHAs have discretion to establish local preference(s)
- PHA's preference must be documented in the PHA Plan and the Admin Plan.
- Types of Preferences include:
  - ▶ People who work in or are residence of a specific locality (i.e. residency preference)
  - ▶ People who are homeless or are living in an institution
  - ▶ People who reside in substandard housing
  - ▶ People with disabilities
- If a PHA has several preferences, it uses a ranking system then it is even more difficult to predict when a voucher may be available.
- PHAs also have the discretion to establish a limited preference of HCVs for specific populations as well.
- Types of special purpose vouchers funded separately by HUD:
  - ▶ VASH
  - ▶ Mainstream
  - ▶ [https://www.hud.gov/program\\_offices/public\\_indian\\_housing/programs/hcv/about/list](https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/about/list)

# PHA Myth Busters

# Housing Quality Standards

## Safe, Decent and Sanitary

- Eligible unit types include
  - ▶ Single family homes
  - ▶ Duplexes
  - ▶ Apartments
  - ▶ Mobile Homes
- Helpful resource for those looking for housing,  
[https://www.hud.gov/sites/documents/DOC\\_11735.PDF](https://www.hud.gov/sites/documents/DOC_11735.PDF)

# Voucher Issuance and Finding Housing

- HCV Briefing
  - Learn about the program and their responsibilities as a voucher participant.
- PHA provides a participant a specific amount of time for a housing search to identify an apartment to use the tenant-based voucher.
- Reasonable Accommodation: May request an extension of housing search time
- Barriers to Housing Search that you can assist with:
  - Housing history, criminal background and/or credit
  - Lack of resources to cover Security and Utility Deposits
  - Need for an apartment with accessibility features
- Housing Search Strategies
  - LIHTC-financed properties
  - Leasing in Place
  - Use of Special Housing Types
  - Shared Housing

# Voucher Issuance and Finding Housing

- Lease Up Process
  - Request for Tenancy Approval (RTA or RFTA)
  - Determining Voucher's Contract Rent and Rent Reasonableness
  - Housing Quality Standards Inspection
  - Signing the Lease

# Voucher Maintenance

- Annual recertifications
  - ▶ Re-verify household income and composition
  - ▶ Inspect the unit
- Interim recertification
  - ▶ Decrease in income
  - ▶ Increase in income
  - ▶ Change in household composition
- Responsibility of the tenant to report any changes to the PHA
- Service providers should maintain point of contact role with the PHA

# Reasonable Accommodation Examples

## Application

- Allow additional time to accept application
- Allow applicant to be mailed/faxed or allow a proxy to stand in line for the applicant.
- Accepting preliminary applicants by phone.
- Allowing homeless and service agencies to distribute the application
- Offering assistance in completing the application
- Allowing a secondary contact person to be listed on the application and sending all PHA correspondence to both. (PIH Notice 2012-22)

## Screening and Verification

- Making exceptions to screening criteria based on mitigating circumstances.
- Providing extra time to gather documentation.
- Accepting alternative forms of documentation for proof of age, identity and SS.

## Issuance, Lease Up and Maintenance of Voucher

- Allowing extension to the housing search.
- Providing a higher Utility Allowance or payment standard or asking HUD to approve a higher payment standard.
- Including a participant's live-in aide or overnight support staff when determining unit size.
- Rescheduling missed re-certification appointments or providing additional time for annual re-certification process.

# PHA Myth Busters

# Basics of PHA Policymaking

## PHA Plan – a five year plan and annual plan

- ▶ Master plan for both the HCV and Public Housing programs
- ▶ Must include a needs assessment including the needs for people with disabilities and the number of persons with disabilities on the Section 8 waiting list
- ▶ HUD approved plan

## HCV Administrative Plan

- ▶ Must be developed and made publicly if receiving HCV funds
- ▶ Outlines policies and procedures for managing their HCV program
- ▶ Primary resource for learning what discretionary policies a PHA has established
- ▶ Policies include:
  - Eligibility Criteria
  - Application Process
  - Wait List Management
  - Tenant Selection Policies

# Basics of PHA Policymaking

- It is critically important to understand what areas are statutory or regulatory and discretionary/PHA policy.
- Statutory/Regulatory
  - ▶ Parts of the HCV Program that cannot be changed or need a waiver from HUD for a PHA to change.
  - ▶ Sources: Code of Federal Regulations (Part 24), HUD PIH Notices and Rules published in the Federal Register
- Discretionary PHA policy
  - ▶ Areas of the Admin Plan where the PHAs has discretion
  - ▶ Includes areas such as: preferences, wait list policies, screening criteria
  - ▶ These are the areas where your advocacy and partnership with a PHA may result in changes in these policies to reduce barriers to access and participation for people with disabilities or who are homeless

# Basics of PHA Policymaking

- The Section 8 Made Simple guide, <https://www.tacinc.org/resources/section-8-made-simple/> easily calls out what is mandated by statute, regulation or up to a PHA's discretion
- PHAs can create limited preferences
  - ▶ Caps the number of people who can be prioritized on the waiting list
  - ▶ People often refer to this as a “set-aside” – this is not a term used by PHAs

# SEMAP

- Section Eight Management Assessment Program (SEMAP)
- Measures the performance of PHAs that administer the HCV program in 14 key areas
  - ▶ Waiting list selection
  - ▶ Rent reasonableness
  - ▶ Payment Standard calculation
  - ▶ Verification of income
  - ▶ Correct calculation of tenant share of the rent and housing assistance payment
  - ▶ Maintenance of utility allowance schedules
  - ▶ HQS compliance (prior to move in and annual inspections)
  - ▶ Quality control inspections
  - ▶ Timely correction of HQS deficiencies by landlords and tenants
  - ▶ Voucher utilization
  - ▶ Housing opportunities outside areas of poverty or minority concentration
  - ▶ Enroll families in the Family Self Sufficiency Program and help those families achieve increases in employment income
- SEMAP helps HUD target monitoring and assistance to PHA programs that need the most improvement

# SEMAP

- Used to remotely measure PHA performance and program administration
- Uses HUD's national database of tenant information and information from annual audits
- Each PHA is given an overall rating based on the score from the 14 factors
  - ▶ High Performer
  - ▶ Standard Performer
  - ▶ Troubled Performer
  - ▶ Failing to meet an indicator or a trouble rating requires corrective action by the PHA

# **Admin Plan Homework Discussion**

# Calculating the Total Tenant Payment

- The maximum subsidy the PHA can pay is the payment standard minus the Total Tenant Payment (TTP)
- Total Tenant Payment is the highest of the following:
  - ▶ 30% of monthly adjusted income
  - ▶ 10% of monthly income
  - ▶ Welfare rent (in as-is states only)
  - ▶ PHA minimum rent

# Maximum Rent Burden at Initial Occupancy

- Calculating maximum rent burden at initial occupancy
  - ▶ 30% of monthly adjusted income  $\$800 \times .30 = \$240$
  - ▶ 40% of monthly adjusted income  $\$800 \times .40 = \$320$
  - ▶ Maximum initial rent burden = \$320

# Maximum Subsidy

- The maximum subsidy the PHA can pay is the payment standard minus the Total Tenant Payment (TTP)
  - ▶ Payment Standard = \$1,000
  - ▶ Total Tenant Payment (TTP) = \$240
  - ▶ Maximum subsidy = (the Payment Standard minus the Total Tenant Payment) = \$760

# Maximum Gross Rent

- The gross rent is the entire housing cost which includes the rent to the landlord and the utility allowance for the unit
- If the utilities are included in the rent, the rent to the landlord and the gross rent will be the same
  - ▶ TTP = \$240
  - ▶ Maximum initial rent burden = \$320 (40% of monthly adjusted income)
  - ▶ Payment standard = \$1,000
  - ▶ Maximum subsidy = \$760
  - ▶ TTP when the gross rent is at or below the payment standard = \$240
  - ▶ TTP when the gross rent is higher than the payment standard = the household pays between \$241 and \$320, the maximum initial rent burden allowed
  - ▶ Maximum gross rent for the unit selected = the maximum gross rent is the maximum initial rent burden of \$320 plus the maximum subsidy the PHA can pay of \$760. In this example the maximum gross rent is \$1,080

# Impact of Unit Size Selection

- A household can select a larger or smaller unit size than listed on their voucher.
- If they do the PHA must use the payment standard and utility allowance for the smaller of the household unit size listed on the voucher or the unit size selected by the household

# Some COVID flexibilities for PHAs

- Delaying the processing of annual recertifications
- Waives the use of income hierarchy and will allow PHAs to consider self-certification as the highest form of income verification
- Waives public notice requirements for opening and closing waiting lists but requires alternative process
- Changes initial inspection requirements, allowing for landlord certification that there are no life-threatening deficiencies
- Waives the requirement for an oral briefing and provides for alternative methods to conduct required briefing
- Allows PHAs to provide voucher extensions regardless of current PHA policy
- Not all PHAs will request all of the flexibilities allowed under the COVID waivers and the above bullets do not represent all the flexibilities but represent some of the most relevant
- [https://www.hud.gov/program\\_offices/public\\_indian\\_housing/covid\\_19\\_resources#3](https://www.hud.gov/program_offices/public_indian_housing/covid_19_resources#3)

# Questions and discussion