

## CHAPTER 5

### BRIEFINGS AND VOUCHER ISSUANCE

#### INTRODUCTION

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

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

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

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

## **CHAPTER 5**

### **PART I: BRIEFINGS AND FAMILY OBLIGATIONS**

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

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

## CHAPTER 5

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

#### **Notification of Briefing**

Prior to issuance of a voucher, the PHA must give the family an oral briefing and provide the family with a briefing packet containing written information about the program. Families may be briefed in individual face-to-face meetings, through group briefing sessions, or via remote briefing sessions.

#### OHCD Policy

Families will be notified of their eligibility for assistance at the time they are invited to a briefing. The notice will be sent by first class mail and will also be sent by email if the family has provided a valid email address to OHCD.

The notice will advise the family of the type of briefing, who is required to be present at the briefing, and the date and time of the briefing. The notice will also inform the family of any additional requirements for in person or remote briefings as addressed in relevant policy elsewhere in this section.

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

#### **In Person Briefings**

At the briefing, the PHA must ensure effective communication in accordance with Section 504 requirements (Section 504 of the Rehabilitation Act of 1973), and ensure that the briefing site is accessible to individuals with disabilities. For a more thorough discussion of accessibility requirements, refer to Chapter 2.

#### OHCD Policy

In Person briefing sessions will generally be conducted in group meetings to be limited to groups not to exceed 30 families. At the family's written request, OHC may provide an individual briefing.

Smaller groups or individual sessions will also be held, if necessary, as a reasonable accommodation. For Briefing Sessions that include any disabled person, the OHCD will take appropriate steps to insure effective communication in accordance with 24 CFR 8.6

Generally the head of household or co-head is required to attend the briefing. If the head of household is unable to attend, the OHCD may approve another adult family member to attend the briefing.

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

## CHAPTER 5

Briefings will be conducted in English. For Limited English Proficient (LEP) applicants, OHCD will provide **interpretation** services in accordance with OHCD's LEP plan (See Chapter 2). Applicants and residents are encouraged to provide their own interpreters, but the PHA discourages the use of family members as an interpreter. If a family is unable to provide an interpreter, they may request one and the PHA will provide a sign language interpreter, bilingual staff, or access to people who speak languages other than English in or to assist non-English speaking families (Executive Order 11063).

### *Attendance*

#### OHCD Policy

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

### **Remote Briefings [Notice PIH 2020-32]**

Remote briefings may be conducted over the phone, via video conferencing, or through other virtual platforms.

#### OHCD Policy

OHCD has the sole discretion to require that briefings be conducted remotely in case of local, state, or national physical distancing orders, and in cases of inclement weather or natural disaster. If OHCD schedules a remote briefing, OHCD will conduct a face-to-face briefing upon request of the applicant as a reasonable accommodation for a person with a disability if safety and health concerns can be reasonably addressed.

In addition, the PHA will conduct a briefing remotely upon request of the applicant as a reasonable accommodation for a person with a disability, if an applicant does not have child care or transportation that would enable them to attend the briefing, or if the applicant believes an in-person briefing would create an undue health risk. The PHA will consider other reasonable requests for a remote briefing on a case-by-case basis.

### **Accessibility Requirements for Persons with Disabilities and LEP Individuals**

As with in-person briefings, the platform for conducting remote briefings must be accessible and the briefing conducted in accordance with Section 504 and accessibility requirements. This includes ensuring any information, websites, emails, digital notifications, and other virtual platforms are accessible for persons with vision, hearing, and other disabilities. Further, providing effective communication in a digital context may require the use of individualized auxiliary aids or services, such as audio description, captioning, sign language and other types of interpreters, keyboard accessibility, accessible documents, screen reader support, and transcripts. Auxiliary aids or services must be provided in accessible formats, in a timely manner, and in such a way to protect the privacy and independence of the individual.

## CHAPTER 5

If no method of conducting a remote briefing is available that appropriately accommodates an individual's disability, the PHA may not hold against the individual his or her inability to participate in the remote briefing, and the PHA should consider whether postponing the remote briefing to a later date is appropriate or whether there is a suitable alternative.

Due to the individualized nature of disability, the appropriate auxiliary aid or service necessary, or reasonable accommodation, will depend on the specific circumstances. Limited English Proficiency (LEP) requirements also apply to remote briefings, including the use of interpretation services and document translation. See Chapter 2 for a more thorough discussion of accessibility and LEP requirements, all of which apply in the context of remote briefings

### **Conducting Remote Briefings**

The PHA must ensure that the lack of technology or inability to use technology for remote briefings does not pose a disadvantage to families that may not be apparent to the PHA. The PHA must ensure that the family has appropriate technological access in order to fully participate in the remote briefing.

#### OHCD Policy

At least 10 business days prior to scheduling the remote briefing, OHCD will provide written notification via first class mail and/or email to families participating in the briefing to advise of technological requirements and to request the family notify OHCD of any known barriers. If any family does not respond within five business days, or if the written notification is returned by the post office or the email is rejected, OHCD will contact the family by telephone to identify potential technological barriers and to determine which technology resources are accessible to the family. OHCD will resolve any barriers using the guidance in Section 6 of Notice PIH 2020-32, including offering the family the opportunity to attend an in-person briefing or have a one-on-one briefing over the phone, as appropriate.

OHCD will conduct remote briefings via a video conferencing platform when available. If applicants are unable to adequately access the video conferencing platform, the briefing will be conducted by telephone conferencing call-in. If the family is unable to adequately access the telephone conferencing call-in, the remote briefing will be postponed, and an in-person alternative or one-on-one briefing over the phone will be provided.

OHCD provide login information and/or conferencing call-in information and an electronic copy of the briefing packet via email at least five business days before the briefing. OHCD will provide a paper copy of the briefing packet upon family request, and may reschedule the briefing to allow adequate time for the family to receive the physical briefing packet.

## CHAPTER 5

OHCD will ensure that all electronic information stored or transmitted as part of the briefing meets the requirements for accessibility for persons with disabilities and persons with LEP, and is secure, including ensuring personally identifiable information (PII) is protected.

OHCD will ensure that families who participate in remote briefings have the opportunity to ask questions as part of the briefing. If families lose connectivity during any remote briefing or otherwise feel they were unable to access information presented during the briefing, the family may request a one-on-one briefing over the phone or in person with OHCD.

### Notification and Attendance

#### OHCD Policy

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

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

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

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

Each briefing must provide information on the following subjects:

- How the Housing Choice Voucher program works;
- Family and owner responsibilities;
- Where the family can lease a unit, including renting a unit inside or outside the PHA's jurisdiction;
- An explanation of how portability works. The PHA may not discourage the family from choosing to live anywhere in the PHA jurisdiction or outside the PHA jurisdiction under portability, unless otherwise expressly authorized by statute, regulation, PIH Notice, or court order;
- The PHA must inform the family of how portability may affect the family's assistance through screening, subsidy standards, payment standards, and any other elements of the portability process which may affect the family's assistance;

## CHAPTER 5

- The advantages of areas that do not have a high concentration of low-income families.

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

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

- The term of the voucher, voucher suspensions, and the PHA's policies on any extensions of the term. If the PHA allows extensions, the packet must explain how the family can request an extension.
- A description of the method used to calculate the housing assistance payment for a family, including how the PHA determines the payment standard for a family, how the PHA determines total tenant payment for a family, and information on the payment standard and utility allowance schedule.
- An explanation of how the PHA determines the maximum allowable rent for an assisted unit.
- Where the family may lease a unit and including information on how portability may affect the family's assistance through screening, subsidy standards, payment standards, and any other elements of the portability process that may affect the family's assistance; the information must include an explanation of how portability works.
- The HUD-required tenancy addendum, which must be included in the lease.
- The form the family must use to request approval of tenancy, and a description of the procedure for requesting approval for a tenancy.
- A statement of the PHA policy on providing information about families to prospective owners.
- The PHA subsidy standards including when and how exceptions are made.
- Materials (e.g. brochures) on how to select a unit and any additional information on selecting a unit that HUD provides.
- HUD pamphlet on lead-based paint entitled *Protect Your Family From Lead in Your Home*.
- Information on federal, state and local equal opportunity laws and a copy of the housing discrimination complaint form.
- Website and phone number for Virginia Housing Search for a list of landlords or other parties willing to lease to assisted families or help families find units, especially outside areas of poverty or minority concentration
- Notice that if the family includes a person with disabilities, the family may request a list of available accessible units known to the PHA.
- The grounds on which the PHA may terminate assistance for a participant family because of family action or failure to act.
- PHA informal hearing procedures including when the PHA is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing.

## CHAPTER 5

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

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

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

In addition to items required by the regulations, PHAs may wish to include supplemental materials to help explain the program to both participants and owners [HCV GB p. 8-7, Notice PIH 2017-12].

#### OHCD Policy

OHCD will provide the following additional materials in the briefing packet:

The HUD pamphlet on lead-based paint entitled *Protect Your Family from Lead in Your Home*.

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

The form HUD-5380 domestic violence certification form and the form HUD-5382 notice of occupancy rights, which contains information on VAWA protections for victims of domestic violence, dating violence, sexual assault, and stalking

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

“What You Should Know about EIV,” a guide to the Enterprise Income Verification (EIV) system published by HUD as an attachment to Notice PIH 2017-12.

Information on payment standards and OHCD utility schedule

What a family should consider in deciding whether to lease a unit, including:



## CHAPTER 5

- a) The condition of the unit;
- b) Whether the rent is reasonable. At the family's request, the OHCD must help the family negotiate the rent to owner;
- c) The cost of tenant-paid utilities and whether the unit is energy efficient;  
and
- d) The location of the unit, including proximity to public transportation, centers of employment, schools and shopping.

## CHAPTER 5

### 5-I.C. FAMILY OBLIGATIONS

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

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

##### OHCD Policy

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

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

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

The family obligations of the voucher are listed as follows:

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

##### OHCD Policy

Damages beyond normal wear and tear will be considered to be damages which could be assessed against the security deposit.

- The family must allow the PHA to inspect the unit at reasonable times and after reasonable notice, as described in Chapter 8 of this plan.

## CHAPTER 5

- The family must not commit any serious or repeated violation of the lease.

### OHCD Policy

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

*Serious and repeated lease violations* will include, but not be limited to, nonpayment of rent, disturbance of neighbors, destruction of property, living or housekeeping habits that cause damage to the unit or premises, and criminal activity. Generally, the criterion to be used will be whether or not the reason for the eviction was the fault of the tenant or guests. Any incidents of or criminal activity related to, domestic violence, dating violence, sexual assault or stalking will not be construed as serious or repeated lease violations by the victim (24CFR 5.2005(c) (1).

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

### OHCD Policy

The family must comply with lease requirements regarding written notice to the owner. The family must provide written notice to OHCD at the same time the owner is notified. The family must promptly give the PHA a copy of any owner eviction notice.

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

### OHCD Policy

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

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

## CHAPTER 5

### OHCD Policy

Subleasing includes receiving payment to cover rent and utility costs by a person living in the unit who is not listed as a family member. The family must supply any information requested by the PHA to verify that the family is living in the unit or information related to family absence from the unit. The family must promptly notify the PHA when the family is absent from the unit.

### OHCD Policy

Notice is required under this provision only when all family members will be absent from the unit for an extended period. An extended period is defined as any period greater than 30 calendar days. Written notice must be provided to OHCD at the start of the extended absence. (See Chapter 12, Termination of Assistance and Tenancy for additional information).

- The family must pay utility bills and provide and maintain any appliances that the owner is not required to provide under the lease [Form HUD-52646, Voucher].
- The family must not own or have any interest in the unit, (other than in a cooperative and owners of a manufactured home leasing a manufactured home space).
- Family members must not commit fraud, bribery, or any other corrupt or criminal act in connection with the program. (See Chapter 14, Program Integrity for additional information).
- Family members must not engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. See Chapter 12 for HUD and PHA policies related to drug-related and violent criminal activity.
- Members of the household must not engage in abuse of alcohol in a way that threatens the health, safety or right to peaceful enjoyment of the other residents and persons residing in the immediate vicinity of the premises. See Chapter 12 for a discussion of HUD and PHA policies related to alcohol abuse.
- An assisted family or member of the family must not receive HCV program assistance while receiving another housing subsidy, for the same unit or a different unit under any other federal, state or local housing assistance program.

### OHCD Policy

The OHCD will use HUD's Enterprise Income Verification (EIV) system to verify whether the family is receiving any additional housing subsidy.

- A family must not receive HCV program assistance while residing in a unit owned by a parent, child, grandparent, grandchild, sister or brother of any member of the family, unless the PHA has determined (and has notified the owner and the family of such determination) that approving rental of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities. [Form HUD-52646, Voucher]

## **CHAPTER 5**

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

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

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

## CHAPTER 5

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

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

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

- The subsidy standards must provide for the smallest number of bedrooms needed to house a family without overcrowding.
- The subsidy standards must be consistent with space requirements under the housing quality standards.
- The subsidy standards must be applied consistently for all families of like size and composition.
- A child who is temporarily away from the home because of placement in foster care is considered a member of the family in determining the family unit size.
- A family that consists of a pregnant woman (with no other persons) must be treated as a two-person family.
- Any live-in aide (approved by the PHA to reside in the unit to care for a family member who is disabled or is at least 50 years of age) must be counted in determining the family unit size;
- Unless a live-in-aide resides with a family, the family unit size for any family consisting of a single person must be either a zero- or one-bedroom unit, as determined under the PHA subsidy standards.

#### OHCD Policy

#### **Subsidy Standards for the Housing Choice Voucher (HCV) Program:**

The OHCD will assign:

- One bedroom for the head of household (and spouse or cohead, if applicable);
- One bedroom for each two household members thereafter, regardless of the relationship, age or gender of the family members; and
- Any live-in aide (approved by the OHCD to reside in the unit to care for a family member who is disabled or is at least 50 years of age) will be allocated a separate bedroom. No additional bedrooms will be allocated for a live-in aide's family.

## CHAPTER 5

The OHCD will reference the following space requirements to comply with state and local laws:

- The 2009 space requirements set forth in this policy are based on the Virginia Uniform Statewide Building Code (VUSBC), the Prince William County building code. Owners are responsible for ensuring their units comply with these requirements.
- The VUSBC establishes occupancy standards that are based on the square footage of the bedrooms and other sleeping areas, e.g. a den, finished basement, regularly occupied by those residing in the unit.
- Space requirements per bedroom or sleeping area are:
  - one person-70 square feet;
  - two or more persons per bedroom or sleeping area-50 square feet per person, e.g. 100 square feet for two people, 150 square feet for three people, etc.
- Areas designated as bedrooms or sleeping areas must provide privacy, adequate light and ventilation, two means of exit, one of which must lead directly to the outside, and must not be used as the only means of access to other bedrooms or other parts of the residential unit and shall not serve as the only means of exit from other habitable spaces of the unit. For example, a person must not have to go from their bedroom or sleeping area through another bedroom or sleeping area to go to the bathroom. They must have direct access from their bedroom or sleeping area to the bathroom.

## CHAPTER 5

### 5-II.C. EXCEPTIONS TO SUBSIDY STANDARDS

In determining family unit size for a particular family, the PHA may grant an exception to its established subsidy standards if the PHA determines that the exception is justified by the age, sex, health, handicap, or relationship of family members or other personal circumstances [24 CFR 982.402(b)(8)].

Reasons may include, but are not limited to:

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

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

#### OHCD Policy

OHCD will only consider granting an exception to the subsidy standards based on requests for reasonable accommodation.

It is preferred that the family requests the reasonable accommodation in writing. The request must explain the need or justification for a larger family unit size, and must include appropriate documentation. Requests for reasonable accommodation must be verified by a knowledgeable professional source (e.g., doctor or health professional), unless the disability and the disability-related need for accommodation is readily apparent or otherwise known. The family's continued need for an additional bedroom due to special medical equipment must be re-verified at annual reexamination.

OHCD will notify the family of its determination within 10 business days of receiving the family's request.

Requests for a larger sized voucher due to a Family Unification court order will be reviewed on a case by case basis. The Housing Program Analyst must provide documentation verifying the court order and clearly showing the need for a larger size unit. The OHCD will submit the applicant/participant's request, including documentation, to the Housing Program Manager for review. If the request is approved, the court order, OHCD's written approval and the other documentation must be held in the file with the voucher.



## CHAPTER 5

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

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

The voucher is the family's authorization to search for housing. It specifies the unit size for which the family qualifies and includes both the date of voucher issuance and date of expiration. It contains a brief description of how the program works and explains the family obligations under the program. The voucher is evidence that the PHA has determined the family to be eligible for the program, and that the PHA expects to have money available to subsidize the family if the family finds an approvable unit. However, the PHA does not have any liability to any party by the issuance of the voucher, and the voucher does not give the family any right to participate in the PHA's housing choice voucher program [Voucher, form HUD-52646] A voucher can be issued to an applicant family only after the PHA has determined that the family is eligible for the program based on verification of information received within the 60 days prior to issuance [24 CFR 982.201(e)] and after the family has attended an oral briefing [HCV GB 8-1].

#### OHCD Policy

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

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

#### OHCD Policy

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

If OHCD determines that there is insufficient funding after a voucher has been issued, OHCD may rescind the voucher and place the affected family on a list for voucher reissuance upon future availability of voucher funding.

OHCD will retain the recalled voucher list for a period of six-months. If at the end of the six-month period starting with the date the voucher was re-called by OHCD, and OHCD does not have sufficient funding to re-issue the voucher, the family will be returned to the waiting list.

## CHAPTER 5

### 5-II.E. VOUCHER TERM AND EXTENSIONS

#### Voucher Term [24 CFR 982.303]

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

##### OHCD Policy

The initial voucher term will be 60 calendar days.

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

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

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

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

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

##### OHCD Policy

If a family has not submitted a RTA within the first 60-days and the OHCD is granting extensions (at its discretion), the family must submit a Progress Report and show what attempts it has made to find an acceptable unit. The OHCD will offer advice and consultation and determine whether to issue an extension for an additional period of up to 30-60 days segments, but no more than the maximum 240 days. This decision by the supervisor will be based primarily on the efforts demonstrated by the family searching for a unit. If the supervisor determines that the family has made an adequate effort to obtain housing, the Voucher will be extended. If the family has not demonstrated an appropriate effort, OHCD staff may not offer an extension and the Voucher will expire and will be offered to another family on the waiting list.

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

It is necessary as a reasonable accommodation for a person with disabilities. It is necessary due to reasons beyond the family's control, as determined by the PHA.

## CHAPTER 5

Following is a list of extenuating circumstances that the PHA may consider in making its decision. The presence of these circumstances does not guarantee that an extension will be granted:

- Serious illness or death in the family
- Other family emergency
- Obstacles due to employment
- Whether the family has already submitted requests for tenancy approval that were not approved by the OHCD
- Whether family size or other special circumstances make it difficult to find a suitable unit
- The family has shown considerable diligence in searching for a unit.

Any request for an additional extension must include the reason(s) an additional extension is necessary. The OHCD may require the family to provide documentation to support the request or obtain verification from a qualified third party.

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

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

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

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

#### OHCD Policy

When a Request for Tenancy Approval and proposed lease are received by the OHCD, the term of the voucher will be suspended while the OHCD processes the request.

When the OHCD denies a request for tenancy, the family will be notified immediately that the clock on the voucher term has restarted. The notice will include the new expiration date of the voucher.

## CHAPTER 5

### Expiration of Voucher Term

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

#### OHCD Policy

If an applicant family's voucher extension expires before the OHCD has approved a tenancy, the OHCD will require the family to reapply for assistance.

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