



Housing Choice Voucher E-Newsletter

March 2011 | Volume 2, Issue 3



<http://www.hud.gov/offices/pih/programs/hcv/>

IN THIS ISSUE

- » HUD Issues Guidance on Family Moves With Continued Assistance Under Portability
- » PIH Notices
- » HUD Issues Rent to Owner Guidance
- » How are we doing so far?



HUD Issues Guidance on Family Moves With Continued Assistance Under Portability

On January 19, 2011, HUD issued Notice PIH 2011-3 "Housing Choice Voucher Family Moves with Continued Assistance." This Notice provides detailed guidance on the administrative responsibilities of the initial public housing agency (PHA) and the receiving PHA for moves with continued assistance under portability. Portability is a special feature under the Housing Choice Voucher (HCV) program since it permits a family to use a voucher outside the jurisdiction of the PHA that issued the voucher thereby giving the family more housing choices. HUD has released this Notice to provide clear guidance on how and when a PHA may deny a family the right to port with special emphasis on denials for insufficient funding and associated requirements.

The first part of the Notice details general requirements for portability such as mandatory HUD forms, and general processing requirements of both the initial and receiving PHAs, including ongoing responsibilities and portability billing deadlines.

The second part of the Notice covers when a PHA may deny a family's request to move including: "action or failure to act as described in 24 CFR 982.552 or 982.553; the family is a non-resident applicant, or the family was a non-resident applicant that has not yet been assisted in the initial PHA jurisdiction for twelve months since being admitted to the program (see 24 CFR 982.353(c)); the family is an applicant and is not income-eligible (see 24 CFR 982.353(d)(1)) in the area in which they wish to initially lease a unit; the PHA has established policies on timing and frequency of moves in accordance with 24 CFR 982.314(c)(2), and the requested move does not comply with those policies."

The Notice also emphasizes the requirements for PHAs who deny moves due to insufficient funding both within and outside the initial PHA's jurisdiction in accordance with § 982.314(e)(1). PHAs must provide written notification to the local HUD office when a request is denied due to insufficient funding. Notification must include three items:

- Financial analysis demonstrating insufficient funds in the current calendar year.
- A statement certifying the PHA has ceased issuing vouchers and will not admit families from their waiting list while the limitation on moves to a higher cost unit is in place.
- A copy of the PHA's policy addressing families who have been denied moves.

The Notice includes the penalties that can be imposed on PHAs that deny family requests to move on the basis of § 982.314(e)(1). These may include reduction in administrative fee.

For additional information: <http://bit.ly/fGYfEA>

PIH Notices

PIH 2011-01, "Rent to Owners in subsidized projects under the Housing Choice Voucher (HCV) program," issued January 12, 2011. This Notice provides guidance to PHAs when determining the rent to owner for HCV tenancy when the participant family chooses to lease a unit under the HCV program in a number of federally subsidized projects. See "HUD Issues Rent to Owner Guidance" in this newsletter.

PIH Notice 2011-02, "Extension: Guidance – Verification of Social Security Numbers (SSNs), Social Security (SS) and Supplemental Security Income (SSI) Benefits," issued January 12, 2011. This Notice extends PIH 2010-03, which explained the required procedures for PHAs to verify the social security numbers and benefits of applicants, participants, and household members at the time of application and during recertification.

PIH Notice 2011-03, "Housing Choice Voucher Family Moves," issued January 19, 2011. This Notice provides guidance on PHA administrative responsibilities related to family moves with continued assistance both within a PHA's jurisdiction and portability moves. See the article "HUD Issues Guidance on Family Moves with Continued Assistance under Portability" in this newsletter.

To view the Notices: <http://www.hud.gov/offices/pih/publications/notices/>

HUD Issues Rent to Owner Guidance

An Office of the Inspector General report found inaccuracies in the calculation of rent to owners for HCV participants living in assisted multifamily properties.

As a result, HUD issued PIH 2011-01 "Rent to Owners in subsidized projects under the Housing Choice Voucher (HCV) program," on January 12, 2011, as a reminder of how rent to owner is determined in these situations. This Notice provides guidance for PHAs related to the following types of federally subsidized projects:

- An insured or uninsured Section 236 project
- A Section 202 project
- A Section 221(d)(3) below market interest rate (BMIR) project
- A Section 515 project of the U.S. Department of Agriculture's Rural Development Program

These owners receive lower mortgage rates or other subsidies to help them maintain the affordability of the units at a below market rate. Therefore, the rent to owner should be set at the subsidized rental rate rather than the market rent for the area. The subsidized rental rate for these subsidized programs can be confirmed by contacting the PHA's local Multifamily Hub or Program Center.

The programs bulleted above may contain units which receive additional State, local, or Federal housing subsidies. Units receiving these additional subsidies are not eligible for housing choice vouchers under the duplicative subsidy prohibition.

For additional information: <http://www.hud.gov/offices/pih/publications/notices/11/pih2011-1.pdf>

How are we doing so far?

We want to ensure that the Housing Choice Voucher newsletter is relevant and user-friendly. You can help. Please let us know your comments on the newsletter. Do you like what you've read? Is there something you'd like us to cover? Is the font readable?

Let us know by dropping an email to pihirc@firstpic.org. (Put "Housing Choice Voucher E-Newsletter" in the subject line.) Thank you!

Contact us:

Public and Indian Housing Information
Resource Center (PIH IRC)
2614 Chapel Lake Drive
Gambrills, MD 21054

Toll free number: 1-800-955-2232
Fax number: 1-443-302-2084
E-mail: pihirc@firstpic.org
(Put "Housing Choice Voucher E-Newsletter"
in the subject line)