Chapter 5

BRIEFINGS AND VOUCHER ISSUANCE

INTRODUCTION

This chapter explains the briefing and voucher issuance process. When a family has been determined eligible for the Housing Choice Voucher (HCV) program, the DMMHA will make a reasonable effort, in accordance with this plan, to assure 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 of 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 DMMHA issues the family a voucher. The voucher includes the unit size for which the family qualifies, based on the DMMHA’s subsidy standards, as well as the dates of issuance and expiration of the voucher. The voucher is the document that authorizes the family to begin its search for a rental 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.

Part II: Subsidy Standards and Voucher Issuance. This part discusses the PHA’s standards for determining number of bedrooms for which a family of a given composition qualifies, 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 rental unit.
PART I: BRIEFINGS AND FAMILY OBLIGATIONS

5-I.A. OVERVIEW

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

5-I.B. BRIEFING (24CFR 982.301)

Briefing sessions will be planned and scheduled to accommodate the prospective Housing Choice Voucher holders in either individual or group briefings. The DMMHA will provide an informational packet containing all information and notices as required by HUD Regulations, 24 CFR. 982.301 (as amended).

Eligible individuals or families will be provided with a list of any appropriate size housing units made known as available to the DMMHA and will be shown a map of Polk County in order to relate housing units to search areas. Families will be provided the opportunity to ask questions about any aspect of the program not understood. The initial one hundred and twenty-day term for Housing Choice Vouchers and any opportunities for extensions will be explained, as will the type of assistance available from the DMMHA. In instances of disabled or other special needs applicants, coordination with appropriate agencies will be an integral part of the on-going assistance provided to families.

Once the participant/family has selected a landlord, the DMMHA will provide said landlord, upon request, the family's current address and the name and address of the landlord at the family's current and prior address, if known. The family will be notified of DMMHA policy on providing information to landlords/owners.

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

(1) Notification and Attendance

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 family does not attend the Briefing session and contacts DMMHA within 24 hours before or after the date of the briefing, the appointment will be rescheduled. If the family fails to attend the second scheduled appointment, the application will be retired.
(2) **Oral Briefing [24 CFR 982.301(a)]**

Each briefing will 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 DMMHA’s jurisdiction;
- For families eligible under portability, an explanation of portability; and
  - 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;
- A map of areas outside of high-poverty concentrations.

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

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

- The term of the voucher, voucher suspensions, and the DMMHA’s policies on any extensions of the term. If the DMMHA allows extensions, the packet will 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 DMMHA determines the payment standard for a family, how the DMMHA determines total tenant payment for a family, and information on the payment standard and utility allowance schedule.
- An explanation of how the DMMHA determines the maximum allowable rent for an assisted unit.
- Where a family may lease a unit and an explanation on how portability works including information on how portability and 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 HUD-required tenancy addendum, which will be included in the lease.
- The form the family will use to request approval of tenancy, and a description of the procedure for requesting approval for a tenancy.
- A statement of the DMMHA policy on providing information about families to prospective owners/landlords.
• The DMMHA subsidy standards.

• The HUD “Good Place to Live” brochure on how to select a unit.

• A copy of the housing discrimination complaint form.

• A list of landlords or other parties known to the DMMHA that may be willing to lease to assisted families or help families find units, especially outside areas of poverty or minority concentration.

• A list of available accessible units known to the DMMHA.

• The family obligations under the program.

• The grounds on which the DMMHA may terminate assistance for a participant family because of family action or failure to act.

• DMMHA informal hearing procedures including when the DMMHA is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing.

• 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.

• *Things You Should Know (HUD-1140-OIG)* that explains the types of actions a family must avoid and the penalties for program abuse. 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 2010-19

• An explanation of the advantages of moving to an area that does not have a high concentration of low-income families.
5-I.C. FAMILY OBLIGATIONS

Obligations of the family are described in the housing choice voucher (HCV) regulations and on the voucher itself. The DMMHA will inform the families of these obligations during the oral briefing and the same information will be included in the briefing packet. When the family’s unit is approved and the HAP contract is executed, the family must meet these 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.

(1) **Time Frames for Reporting Changes Required By Family Obligations**

When family obligations require the family to respond to a request or notify the DMMHA of a change, such response or notice must be given by the family to DMMHA, in writing, within 14 calendar days of the request or change.

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

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

5-II.A. OVERVIEW

The DMMHA will 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 DMMHA also will establish policies related to the issuance of the voucher, to the voucher term, and to any extensions or suspensions of that term.

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

The Subsidy Standards establish the maximum rent subsidy for which the family is eligible.

The Subsidy Standards will not prohibit an applicant family from renting a dwelling unit with fewer bedrooms than the number stated on the Housing Choice Voucher, unless the number of bedrooms chosen would be a violation of HQS. The household may lease an otherwise acceptable dwelling unit with more bedrooms than the household unit size.

a. For a voucher tenancy, the DMMHA establishes subsidy standards by the number of bedrooms for which the family is eligible. The subsidy standards for the household must be the lower of:

1. The subsidy standards for the household unit size; or
2. The subsidy standard for the unit size rented by the household
b. One bedroom subsidy standards will be assigned to the Head of Household (including a married couple or Head of Household with a significant other);

c. An additional bedroom subsidy will be provided for up to two (2) additional household members thereafter unless the household has one biological child less than five (5) years of age. Said household shall be afforded an additional bedroom subsidy once the child reaches the age of five (5) years old.

For purposes of determining family unit (voucher) size, the definitions of “family” and members of a “family” as set forth in Chapter 3 will apply.

d. Students living away from the unit to attend school, but living in the assisted unit for a minimum of three months per year, will be considered a family member.

e. Foster children shall be considered in determining the household subsidy standard.

f. No Housing Choice Voucher subsidy standard will be made which require use of the living room for sleeping purposes.

g. DMMHA will honor court ordered custody arrangements and may honor a notarized affidavit from one biological parent of a child when determining eligibility of other family members under the age of 18 being added to the household (for example – grandmother obtaining custody of grandchild, sister obtaining custody of niece or nephew, etc.).

h. Persons who reside in the home at least 50% (183 days or more) of the year will be considered for the purposes of determining the number of bedrooms for family subsidy standard eligibility (i.e. joint custody of minors). No child may be on more than one assisted lease.

i. A family member age 18 or older who is temporarily out of the unit will not be counted as a family member at initial entry or relocation, with the exception of students living outside of the unit to attend school as noted in d. above. The family member will be added in accordance with the “Add Family Member” procedures of DMMHA. A family member age 18 or older who is temporarily out of the unit during occupancy, will be considered temporarily absent provided that there is evidence acceptable to DMMHA that such person will be returning to the home within 180 consecutive calendar days. DMMHA defines “temporarily absent” as an absence of not more than 180 consecutive calendar days.

j. Live-in aides and the effect on subsidy standards: Approved live-in aids will be given a separate bedroom subsidy. At initial entry or relocation, the family will not be eligible for an additional bedroom for the live-in aide until such time as the live-in aide has been identified by the family and approved by DMMHA. The Housing Choice Voucher size will be changed upon approval of DMMHA only if the approval occurs prior to the effective date of the Housing Assistance Payments Contract (HAP). If the approval of DMMHA occurs AFTER the effective date of initial occupancy or the effective date of relocation the Housing Choice Voucher size will be changed at the family’s next annual re-examination.
A live-in aide may have DMMHA approved family member(s) live with him or her in the assisted unit, however, no additional bedrooms will be provided for the family members of the live-in aide. If the approval of additional family members of a live-in aide would result in the violation of Housing Quality Standards, the additional members of the live-in aide will not be approved.

A family in occupancy that now requires and is approved for a live-in aid will have the Housing Choice Voucher size changed at the family’s next annual re-examination.

During occupancy, a family that has had a live-in aide but is in the process of changing live-in aides (between live-in aides) will be permitted to maintain the additional voucher subsidy until their next annual re-examination.

k. A child who is temporarily away from the home because of placement in court ordered foster care or under the supervision of the Department of Human Services’ Children in Need of Assistance Program (CINA) is considered a member of the family for purposes of determining family unit (voucher) size, provided that there is evidence acceptable to DMMHA that such child will be returning to the home within 180 consecutive calendar days.

l. The unborn child or children of a pregnant woman will be considered a family member(s) for the purposes of determining the subsidy standard for which the family is eligible.

The following standards will determine the number of bedrooms to be placed on the voucher to determine the subsidy standard the family is eligible for:

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<tr>
<th>Size of Household</th>
<th>Subsidy Standard Minimum/Maximum</th>
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Zero Bedroom (efficiency apartments) may not include more than one person in the household unless approved by the property owner in writing.
5-II.C. EXCEPTIONS TO SUBSIDY STANDARDS

The criteria and standards prescribed herein apply to all families applying for housing; however, reasonable exceptions to the standards listed above may be made in emergency situations, and in some cases, relationship, age, gender, health, or disability of family members may warrant assignment of a larger or smaller unit by DMMHA staff or at the request of the applicant family. Written approval of such cases will be made by the Housing Voucher Administrator or his/her designee.

The necessity for an exception to the Subsidy Standards must be verified and documented. Requests for exceptions to Subsidy Standards must be in writing, presented to the Housing Voucher Administrator within 14 calendar days of the DMMHA’s determination of appropriate unit size. The granting of an exception shall be at the discretion of the DMMHA.

If a request for an exception to the Subsidy Standards is made, the Housing Choice Voucher will not be permitted to expire while the request is being considered. The Housing Choice Voucher will be automatically extended by the number of days involved in reaching a decision on the request for exception.

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), the DMMHA issues a Housing Choice Voucher, form HUD-52646. 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. The DMMHA 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 DMMHA’s housing choice voucher program. Actual participation begins when all required program documents are signed and have been approved by the DMMHA.

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

Applicants determined eligible will be issued a Housing Choice Voucher at the Briefing Session, subject to the following qualifications:

The number of Housing Choice Vouchers issued will not exceed the total number authorized by the U.S. Department of Housing and Urban Development. The DMMHA Housing Voucher Administrator will be responsible for supervising the issuance of Housing Choice Vouchers to eligible families.

Prior to issuing any vouchers, the DMMHA will determine whether it has sufficient funding in accordance with the policies in Part VIII of Chapter 16. The number of Housing Choice Vouchers issued will be in a number sufficient to ensure the program allocation remains fully leased or the number needed to reach full funding capability. This total will include those
families currently in occupancy plus the number of Housing Choice Vouchers issued and which remain outstanding. Housing Choice Vouchers issued to eligible families will be based on the remaining Contract Authority (the number of funded vouchers).

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

Housing Choice Vouchers will be issued in accordance with the lottery or random selection approach. The original signed Housing Choice Voucher will be maintained in the client file.

Two copies of a Housing Choice Voucher document will be prepared, indicating the name of the head of household, the Housing Choice Voucher Number, the bedroom size required per unit size standards section of this plan, the estimated family contribution, and the expiration date of the Housing Choice Voucher (120 days from the date of issuance.) Both copies of the Housing Choice Voucher will be signed by the family head of household and the Housing Voucher Administrator or his/her designated representative. At the Briefing Session, one copy will be given to the family head of household, the second will be placed in the family’s application file.
5-II.E. VOUCHER TERM, EXTENSIONS, AND SUSPENSIONS

(1) Voucher Term [24 CFR 982.303]

A Housing Choice Voucher issued to an applicant will be in effect for an initial term of one hundred and twenty (120) days from the date of issuance.

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

If the family is unable to find an acceptable unit within the initial 120-day term, the family may request an extension for an additional 30 days if:

1. The family is requiring a four bedroom or higher dwelling unit, requires a barrier-free or accessible housing, or is a person with a disability that is having a difficult time locating housing as a result of such disability.

2. The request must be made in writing prior to the expiration date of the first extension.

The family may request an extension for an additional 30 days after the first extension if (total of 60 days extension):

1. The family has encountered a medical emergency/hospitalization that has prohibited their ability to search for a unit for a period of more than 30 days. Supporting documentation of the medical emergency/hospitalization must be submitted for review in order to determine if the voucher holder qualifies for this extension.

2. The extension request is made in writing and provided to DMMHA prior to the expiration date of the first extension.

The same Housing Choice Voucher number will be assigned for extensions. The Housing Choice Voucher holder will be advised that an extension of the Housing Choice Voucher expiration date is not automatic and may be granted solely at the discretion of the DMMHA. Should the family fail to locate adequate housing within the Housing Choice Voucher period or extension period, as applicable, the Housing Choice Voucher will expire and the application will be withdrawn (retired).

The DMMHA may, at its sole discretion, approve a voucher extension for a client porting in from another Housing Agency if the extension is necessary as a result of a delay in processing by the other Housing Agency.

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

The DMMHA will suspend the Housing Choice Voucher term if the family has submitted a request for tenancy approval during the voucher term. “Suspension” means stopping the clock on a family’s voucher term when a family submits the request for tenancy approval until the time the DMMHA approves or denies the request, or the owner and family agree to mutual rescind the request for tenancy approval. This suspension of time is also called “tolling”. In the event that
DMMHA denies a request for tenancy approval, the family’s voucher expiration date will be extended by the number of days from the date that the request for tenancy approval was received by DMMHA to the date that DMMHA denies the request or the owner and family agree to mutually rescind the request for tenancy approval.

(4) **Expiration of Voucher Term**

Should an extension not be authorized and/or the Housing Choice Voucher expires, the family may reapply for program assistance only by completing a new application when the waiting list is open.

In those instances where an applicant has refused a Housing Choice Voucher, and submitted their written request to be removed from consideration for the Housing Choice Voucher Program, the applicant will be removed from the Section 8 waiting list and the application retired.

The issuance of a Housing Choice Voucher may be denied, deferred, withdrawn or terminated by DMMHA as the result of not meeting eligibility requirements. Denial of assistance can be found in Chapter 3.