

CHAPTER 8

VOUCHER ISSUANCE AND BRIEFINGS

[24 CFR 982.301, 982.302]

INTRODUCTION

The HA's goals and objectives are designed to assure that families selected to participate are equipped with the tools necessary to locate an acceptable housing unit. Families are provided sufficient knowledge and information regarding the program and how to achieve maximum benefit while complying with program requirements. When eligibility has been determined, the HA will conduct a mandatory briefing to ensure that families know how the program works. The briefing will provide a broad description of owner and family responsibilities, HA procedures, and how to lease a unit. The family will also receive a briefing packet, which provides more detailed information about the program including the benefits of moving outside areas of poverty and minority concentration. This Chapter describes how briefings will be conducted, the information that will be provided to families, and the policies for how changes in the family composition will be handled.

A. ISSUANCE OF VOUCHERS [24 CFR 982.204(d), 982.54(d)(2)]

When funding is available, the HA will issue Vouchers to applicants whose eligibility has been determined. The HA will regularly issue a sufficient number of vouchers to enable it to meet its goal of 100 percent lease-up. The HA performs a monthly calculation **electronically and manually** to determine whether applications can be processed, the number of Vouchers that can be issued, and to what extent the HA can over-issue (issue more Vouchers than the budget allows to achieve leaseup).

The HA may over-issue Vouchers only to the extent necessary to meet leasing goals. All Vouchers that are over-issued will be honored. If the HA finds it is over-leased, it will adjust future issuance of Vouchers in order not to exceed the ACC budget limitations over the fiscal year.

B. BRIEFING TYPES AND REQUIRED ATTENDANCE [24 CFR 982.301]

Initial Applicant Briefing

A full HUD-required briefing will be conducted for applicant families who are determined to be eligible for assistance. The briefings may be conducted either in **groups or individual meetings**, depending upon circumstances. Families who attend group briefings and still have the need for individual assistance will be referred to the appropriate **Housing Specialist**.

Briefings will be conducted in English.

The purpose of the briefing is to explain how the program works and the documents in the Voucher holder's packet to families so that they are fully informed about the program. This will enable them to utilize the program to their advantage, and it will prepare them to discuss it with potential owners and property managers.

The HA will not issue a Voucher to a family unless the household representative has attended a briefing and signed the Voucher. Applicants who provide prior notice of inability to attend a briefing will automatically be scheduled for the next briefing. Applicants who fail to attend **two (2)** scheduled briefings, without prior notification and approval of the HA, may be denied admission based on failure to supply information needed for certification.

The HA will conduct individual briefings for families with disabilities at their home, upon request by the family, if required for reasonable accommodation.

Briefing Packet [24 CFR 982.301(b)]

The documents and information provided in the briefing packet for the Voucher program will comply with all HUD requirements. **The HA may also from time to time include other information and/or materials which are not required by HUD.**

The family is provided with the following information and materials:

1. The term of the voucher, and the HA policy for requesting extensions or suspensions of the voucher (referred to as tolling).
2. A description of the method used to calculate the housing assistance payment for a family, including how the HA determines the payment standard for a family; how the HA determines total tenant payment for a family and information on the payment standard and utility allowance schedule. How the HA determines the maximum allowable rent for an assisted unit, **including the rent reasonableness standard.**
3. Where the family may lease a unit. For family that qualifies to lease a unit outside the HA jurisdiction under portability procedures, the information must include an explanation of how portability works.

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4. The HUD required tenancy addendum, which must be included in the lease.
5. The Request for Approval of Tenancy form, and a description of the procedure for requesting approval for a unit.
6. A statement of the HA policy on providing information about families to prospective owners.
7. The HA Subsidy Standards including when and how exceptions are made **and how the voucher size relates to the unit size selected.**
8. The HUD brochure on how to select a unit **and/or the HUD brochure "A Good Place to Live" on how to select a unit that complies with HQS.**
9. The HUD brochure on lead-based paint **and information about where blood level testing is available.**
10. Copy and explanation of unit search log report.
11. Information on federal, State and local equal opportunity laws and a copy of the housing discrimination complaint form. ***The HA will also include the pamphlet "Fair Housing: It's Your Right" and other information about fair housing laws and guidelines** and the phone numbers of the local fair housing agency and the HUD enforcement office.
12. A list of landlords or other parties, **where available**, willing to lease to assisted families or help in the search. The list may include landlords or other parties who are willing to lease units or help families find units outside areas of poverty or minority concentration.
13. If the family includes a person with disabilities, notice that the HA will provide a list of referral agencies able to assist in locating accessible units.
14. The Family Obligations under the program.
15. The grounds on which the HA may terminate assistance for a participant family because of family action or failure to act.
16. HA informal hearing procedures including when the HA is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing.
17. *[Note: Additional Items for Briefing Packet Based on SEMAP Requirements]*
18. Information packet including an explanation of how portability works, including a list of neighboring housing agencies with the name, address and telephone number of a portability contact person at each for use by families who move under portability. (required for HAs in MSAs)
19. A map showing areas representing various income levels of the jurisdiction and surrounding areas for the purpose of expanding housing opportunities for families. (required for HAs in MSAs)

Information regarding the HA's outreach program which assists families who are interested in, or experiencing difficulty in obtaining available housing units in areas outside of minority concentrated locations.

A list of properties or property management organizations that own or operate housing units outside areas of poverty or minority concentration. (Required for HAs in MSAs)

The following, also, are either posted throughout the office and/or available as separate individual handouts:

- HA's sample lease for owners who do not use a lease for their unassisted tenants.
- Owner's Handbook, HQS checklist and sample contract.
- Procedures for notifying the HA and/or HUD of program abuses such as side payments, extra charges, violations of tenant rights, and owner failure to repair.
- The family's rights as a tenant and a program participant.
- Requirements for reporting changes between annual recertifications.
- Information on security deposits and legal referral services.
- The Family Self Sufficiency program and its advantages.

If the family includes a person with disabilities, the HA will ensure compliance with CFR 8.6 to ensure effective communication.

Move Briefing

A move briefing will be held for participants who will be reissued a Voucher to move, and who have given notice of intent to vacate to their landlord.

This briefing includes incoming portable families.

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Owner Briefing

Briefings are held for owners on a periodic basis. The purpose of the briefing is to assure successful owner participation in the program. The briefing covers the responsibilities and roles of the three parties.

Signature Briefing

All new owners may be required to attend a signature briefing with the family head at either the office or the unit to execute contracts and leases. Other owners will be encouraged to attend signature briefings to reduce future conflict between the owner and tenant. The HA will provide details on the program rules and relationships and responsibilities of all parties.

Interested owners who request to sit in on scheduled family briefings to obtain information about the Voucher program will be allowed to do so if the request is made within 7 days of the scheduled briefing.

C. ENCOURAGING PARTICIPATION IN AREAS WITHOUT LOW INCOME OR MINORITY CONCENTRATION

Note: SEMAP requires the HA to adopt and implement a written policy to encourage participation by owners of units located outside areas of poverty or minority concentration. HAs must inform voucher holders of the full range of areas where they may lease units both inside and outside the HA's jurisdiction and supply a list of landlords or other parties who are willing to lease units or help families find units, including units outside areas of poverty or minority concentrations.

At the briefing, families are encouraged to search for housing in non-impacted areas and the HA will provide assistance to families who wish to do so.

D. ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION

The HA will give participants a copy of HUD form 903 to file a complaint.

E. SECURITY DEPOSIT REQUIREMENTS [24 CFR 982.313]

Leases Effective Prior to October 2, 1995

The amount of Security Deposit, which could have been collected by owners under contracts effective prior to October 2, 1995, is:

Under the premerger Certificate Program, the owner could have collected a Security Deposit in an amount not to exceed Total Tenant Payment or \$50.00, whichever is greater, for non-lease-in-place families.

For the premerger Voucher Program, the owner, at his/her discretion, could have collected a Security Deposit in an amount not to exceed (HA policy):

- ◆ **The greatest of 30% of adjusted monthly income or \$50 for non-lease-in-place families.**

Leases Effective on or after October 2, 1995

The owner is not required to but may collect a (one) security deposit from the tenant.

Security deposits charged to families may not exceed those charged to unassisted tenants (nor the maximum prescribed by State law.

For lease-in-place families, responsibility for first and last month's rent is not considered a security deposit issue. In these cases, the owner should settle the issue with the tenant prior to the beginning of assistance.

F. TERM OF VOUCHER [24 CFR 982.303, 982.54(d)(11)]

During the briefing session, each household will be issued a Voucher which represents a contractual agreement between the HA and the Family specifying the rights and responsibilities of each party. It does not constitute admission to the program, which occurs when the lease and contract become effective.

Expirations

The Voucher is valid for a period of at least sixty calendar days from the date of issuance. The family must submit a Request for Approval of the Tenancy and Lease within the sixty-day period unless an extension has been granted by the HA.

If the Voucher has expired, and has not been extended by the HA or expires after an extension, the family will be denied assistance. The family will not be entitled to a review or hearing. If the family is currently assisted, they may remain as a participant in their unit if there is an assisted lease/contract in effect.

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When a Request for Approval of Tenancy is received, the HA **will** deduct the number of days required to process the request from the 60 day term of the voucher.

The tolling begins the day the Request for Approval of Tenancy is received by the office and resumes once the Voucher holder has been notified that the unit has failed or upon approval of the Request for Approval of Tenancy.

Extensions

A family may request an extension of the Voucher time period. All requests for extensions must be received in writing prior to the expiration date of the Voucher.

Extensions are permissible at the discretion of the HA up to a maximum of an additional 60 days primarily for these reasons:

- ◆ Extenuating circumstances such as hospitalization or a family emergency for an extended period of time, which has affected the family's ability to find a unit within the initial sixty-day period. Verification is required.
- ◆ The HA is satisfied that the family has made a reasonable effort to locate a unit, including seeking the assistance of the HA, throughout the initial sixty-day period. A completed search record is required.
- ◆ The family was prevented from finding a unit due to disability accessibility requirements or large size unit requirement. The Search Record is part of the required verification.

The HA will extend the term up to 120 days from the beginning of the initial term if the family needs and request an extension as a reasonable accommodation to make the program accessible to and usable by a family member with a disability. If as a reasonable accommodation, the family needs an extension in excess of 120 days, the HA will request such approval from the HUD field office.

The HA extends in one or more increments. Typically, extensions are granted in two 30-day increments. The Programs Manager must approve all requests.

Assistance to Voucher Holders

Families who require additional assistance during their search may call the HA Office to request assistance. Voucher holders will be notified at their briefing session that the HA periodically updates the listing of available units and how the updated list may be obtained.

The HA will assist families with negotiations with owners and provide other assistance related to the families' search for housing.

The family is required to maintain a unit search record and is encouraged to periodically check in with their assigned specialist.

G. VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS [24 CFR 982.315]

In those instances when a family assisted under the Section 8 program becomes divided into two otherwise eligible families due to divorce, legal separation, or the division of the family, and the new families cannot agree as to which new family unit should continue to receive the assistance, and there is no determination by a court, the **Programs Manager** shall consider the following factors to determine which of the families will continue to be assisted:

- Which of the two new family units has custody of dependent children?
- Which family member was the head of household when the Voucher was initially issued (listed on the initial application)?
- The composition of the new family units, and which unit contains elderly or disabled members?
- Whether domestic violence was involved in the breakup?
- Which family members remain in the unit?
- Recommendations of social service professionals.

Documentation of these factors will be the responsibility of the requesting parties.

If documentation is not provided, the HA will terminate assistance on the basis of failure to provide information necessary for a recertification.

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H. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF VOUCHER [24 CFR 982.315]

To be considered the remaining member of the tenant family, the person must have been previously approved by the HA to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family. In order for a minor child to continue to receive assistance as a remaining family member:

The court has to have awarded emancipated minor status to the minor, or

The HA has to have verified that the Juvenile Court has arranged for another adult to be brought into the assisted unit to care for the child(ren) for an indefinite period.

A reduction in family size may require a reduction in the voucher family unit size.