

## **Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers**

### **Temporary Policy Supplement Instruction Guide**

### **EMERGENCY HOUSING VOUCHERS (EHVs)**

#### **INTRODUCTION**

This chapter describes HUD regulations and PHA policies for administering EHVs. The policies outlined in this chapter are organized into seven sections, as follows:

Part I: Funding

Part II: Partnering Agencies

Part III: Waiting List Management

Part IV: Family Eligibility

Part V: Housing Search and Leasing

Part VI: Use of Funds, Reporting, and Financial Records

Except as addressed by this chapter and as required under federal statute and HUD requirements, the general requirements of the HCV program apply to EHVs.

## **PART I: FUNDING**

### **TPS-I.A. FUNDING OVERVIEW**

#### **Overview**

This section is an overview of emergency housing voucher (EHV) funding. **No policy decisions are required.**

#### **Housing Assistance Payments (HAP) Funding**

This section is an overview of EHV HAP funding. **No policy decisions are required.**

#### **Administrative Fee and Funding**

This section is an overview of EHV admin fee funding. **No policy decisions are required.**

### **TPS-I.B. SERVICE FEES**

Services fee funding must be initially used for defined eligible uses and not for other administrative expenses of the EHV. The PHA must establish the eligible uses and the parameters and requirements for service fees in the PHA's administrative plan.



#### **Decision Point: What are the eligible uses for service fees? (Model plan, p. TPS-3)**

##### Things to Consider

- A PHA will be allocated a one-time services fee to support its efforts in implementing and operating an effective EHV services program that will best address the needs of EHV-eligible individuals and families in its jurisdiction.
- Service fee funding may never be used for the HCV program.
- HUD strongly encourages PHAs to consult with its referral partners in establishing which activities it will undertake in support of EHV's and any parameters or requirements regarding the application of those activities.
- For example, if the PHA is working with several direct referral partners and one partner is able to provide security deposit assistance and the other is not, the PHA may provide security deposit assistance for direct referral families from the latter agency but not for families who are already eligible for and receiving security deposit assistance from the partnering agency.
- The PHA may limit the amount of assistance that it provides for any of the eligible uses and place other restrictions on those uses.
- The eligible uses are designed to prevent and respond to coronavirus by facilitating the leasing of the EHV's, which will provide vulnerable individuals and families a much safer housing environment to minimize the risk of coronavirus exposure or spread.

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- Individuals and families who are homeless or at-risk of homelessness are often living in conditions that significantly increase the risk of exposure to coronavirus in addition to other health risks.
- PHAs that accept an allocation of EHV are required to enter into an MOU with the Continuum of Care (CoC) to establish a partnership for the administration of EHV (see TPS-II.A.). PHAs may use services fee funding for housing search assistance and utility deposit services, but if such services are already available through the CoC, the services fee funding should be directed to other uses that are not available through the CoC. It is important that the PHA collaborate with the CoC and any other partnering agencies in designing its menu of uses for the services fee funding.
- In order to provide the widest range of services, Option 1 lists all of the eligible service fees described in Notice PIH 2021-15. PHAs should review the list of eligible uses carefully in conjunction with their partnering agencies and only include those services which are best suited to their localities.

*Option 1: Use the model plan language shown below, inserting the names of partnering organizations.*

The eligible uses for service fees include:

**Housing search assistance**, which may include activities such as, but not limited to, helping a family identify and visit potentially available units during their housing search, helping to find a unit that meets the household's disability-related needs, providing transportation and directions, assisting with the completion of rental applications and PHA forms, and helping to expedite the EHV leasing process for the family.

**Application fees/non-refundable administrative or processing fees/refundable application deposit assistance.** The PHA may choose to assist the family with some or all these expenses.

**Holding fees** are fees an owner requests that are rolled into the security deposit after an application is accepted but before a lease is signed. The PHA may cover part or all of the holding fee for units where the fee is required by the owner after a tenant's application has been accepted but before the lease signing. The PHA and owner must agree how the holding fee gets rolled into the deposit, and under what conditions the fee will be returned. In general, owners need to accept responsibility for making needed repairs to a unit required by the initial housing quality standards (HQS) inspections and can only keep the holding fee if the client is at fault for not entering into a lease.

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**Security deposit assistance.** The amount of the security deposit assistance may not exceed the lesser of two months' rent to owner, the maximum security deposit allowed under applicable state and/or local law, or the actual security deposit required by the owner. The PHA may pay the security deposit assistance directly to the owner or may pay the assistance to the family. If paid to the family, the PHA will require documentation that the family paid the security deposit.

**Utility deposit assistance/utility arrears.** The PHA may provide utility deposit assistance for some or all of the family's utility deposit expenses. Assistance can be provided for deposits (including connection fees) required for the utilities to be supplied by the tenant under the lease. The PHA may pay the utility deposit assistance directly to the utility company or may pay the assistance to the family. If paid to the family, the PHA will require documentation the family paid the utility deposit. The PHA will require the utility supplier or family to return the utility deposit assistance to the PHA at such time the deposit is returned by the utility supplier (less any amounts retained by the utility supplier). In addition, some families may have large balances with gas, electric, water, sewer, or trash companies that will make it difficult if not impossible to establish services for tenant-supplied utilities. The PHA may also provide the family with assistance to help address these utility arrears to facilitate leasing. Utility deposit assistance returned to the PHA will be used for either services fee eligible uses or other EHV administrative costs, as required by HUD.

**Owner recruitment and outreach for EHV's.** The PHA may use the service fee funding to conduct owner recruitment and outreach specifically for EHV's. In addition to traditional owner recruitment and outreach, activities may include conducting pre-inspections or otherwise expediting the inspection process, providing enhanced customer service, and offering owner incentive and/or retention payments.

**Owner incentive and/or retention payments.** The PHA may make incentive or retention payments to owners that agree to initially lease their unit to an EHV family and/or renew the lease of an EHV family.

Payments will be made as a single payment at the beginning of the assisted lease term (or lease renewal if a retention payment). Owner incentive and retentions payments are not housing assistance payments, are not part of the rent to owner, and are not taken into consideration when determining whether the rent for the unit is reasonable.

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**Moving expenses (including move-in fees and deposits).** The PHA may provide assistance for some or all of the family's reasonable moving expenses when they initially lease a unit with the EHV. The PHA will not provide moving expenses assistance for subsequent moves unless the family is required to move for reasons other than something the family did or failed to do (e.g., the PHA is terminating the HAP contract because the owner did not fulfill the owner responsibilities under the HAP contract or the owner is refusing to offer the family the opportunity to enter a new lease after the initial lease term, as opposed to the family choosing to terminate the tenancy in order to move to another unit), or a family has to move due to domestic violence, dating violence, sexual assault, or stalking.

**Tenant-readiness services.** The PHA may use fees to help create a customized plan to address or mitigate barriers that individual families may face in renting a unit with an EHV, such as negative credit, lack of credit, negative rental or utility history, or to connect the family to other community resources (including COVID-related resources) that can assist with rental arrears.

**Essential household items.** The PHA may use services fee funding to assist the family with some or all of the costs of acquiring essential household items such as tableware, cooking equipment, beds or bedding, and essential sanitary products such as soap and toiletries.

**Renter's insurance if required by the lease.** The PHA may choose to assist the family with some or all this cost.



*Option 2: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

**PART II: PARTNERING AGENCIES**

**TPS-II.A. CONTINUUM OF CARE (CoC)**

PHAs that accept an allocation of EHV's are required to enter into a Memorandum of Understanding (MOU) with the Continuum of Care (CoC) to establish a partnership for the administration of EHV's.



**Decision Point: Which CoC will the PHA partner with to administer the program? (Model plan, p. TPS-9)**

Things to Consider

- While the PHA is not required to have an MOU in place with the CoC at the time they accept an allocation of EHV's, PHAs must enter into the MOU within 30 days of the effective date of the ACC funding increment for the EHV's.
- The primary responsibility of the CoC under the MOU is to make direct referrals of qualifying individuals and families to the PHA.
- Partner CoCs are responsible for determining whether the family qualifies under one of the four eligibility categories for EHV's.
- Additionally, CoCs are encouraged to offer or make connections to supportive services for families that are referred to the PHA, including, but not limited to, short or long-term case management, collecting necessary verifications to support referrals, housing counseling, housing search assistance, and utility deposit assistance.
- HUD recommends CoCs and PHAs seek a diverse range of supportive services by partnering with organizations trusted by people experiencing homelessness. The specific services that the CoCs will provide to individuals or families referred for the EHV program must be outlined in the MOU with the CoC.
- PHAs that experience difficulty in identifying a CoC partner (e.g., where the CoC may be unwilling or reluctant to enter the MOU due to capacity issues or other concerns, or where the PHA is worried about its ability to fulfill this requirement within the required deadline despite a good-faith effort) are encouraged to contact HUD as promptly as possible for assistance. HUD or its Technical Assistance (TA) provider will work with the PHA to help facilitate a partnership, which may include using a partnering referral agency other than the CoC.
- In rare circumstances, HUD may waive the partnership or direct referral requirement for the PHA for an interim period if such a step is necessary while building capacity at the CoC or other potential partnering referral agency.
- Option 1 states that a copy of the MOU will be attached to this policy. If the PHA does not wish to attach the MOU to the policy, this should be removed.

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**CAUTION:** You must insert information here. The model plan does not contain language that can be adopted as-is.

- Option 1: Use the model plan language shown below, inserting the names of partnering organizations.*

The PHA has entered into an MOU with *[insert name of the Continuum of Care (CoC) agency]*. See Exhibit TPS-1 for a copy of the MOU.

- Option 2: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

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### TPS-II.B. OTHER PARTNERING ORGANIZATIONS

The PHA may, but is not required to, partner with other organizations to administer the EHV program.



**Decision Point: Will the PHA partner with any other partnering organizations?**  
(Model plan, p. TPS-9)

#### Things to Consider

- HUD also recommends CoCs and PHAs seek a diverse range of supportive services by partnering with organizations trusted by people experiencing homelessness. These include victim services providers (VSPs) and other community partners.
- If the PHA chooses to partner with such agencies, the PHA must either enter into an MOU with the partnering agency or the partnering agency may be added to the MOU between the PHA and CoC. For ease of administration, Option 1 states that the PHA will add the partnering organization to the same MOU the PHA has established with the CoC. Option 1 also states that a copy of the MOU will be attached to this policy. If the PHA does not wish to attach the MOU to the policy, this should be removed.

**CAUTION:** You must insert information here. The model plan does not contain language that can be adopted as-is.



*Option 1: Use the model plan language shown below, inserting the names of partnering organizations.*

The PHA has added [*insert name of the partnering agency*] to the MOU between the PHA and CoC. See Exhibit TPS-1 for a copy of the MOU.



*Option 2: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

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### TPS-II.C. REFFERALS

#### CoC and Partnering Agency Referrals

The PHA must generally refer a family that is seeking EHV assistance directly from the PHA to the CoC or other referring agency for initial intake, assessment, and possible referral for EHV assistance.



#### **Decision Point: How will referrals between the CoC or partnering agency and the PHA be made? (Model plan, p. TPS-10)**

##### Things to Consider

- Notice PIH 2021-15 does not outline how the referral process between the CoC or partnering agency and the PHA should operate. As such, the language in Option 1 is drawn from best practice language used for the VASH program in Chapter 19 of this policy.
- The PHA should work closely with the CoC and other partnering agencies to establish a referral process that expedite the issuance of EHV's and to establish a system that works for all parties.



*Option 1: Use the model plan language shown below, no changes to the model plan are needed.*

The CoC or partnering agency must establish and implement a system to identify EHV-eligible individuals and families within the agency's caseload and make referrals to the PHA. The CoC or other partnering agency must certify that the EHV applicants they refer to the PHA meet at least one of the four EHV eligibility criteria. The PHA will maintain a copy of the referral or certification from the CoC or other partnering agency in the participant's file along with other eligibility paperwork. Homeless service providers may, but are not required to, use the certification form found in Exhibit TPS-2 of this chapter. Victim services providers may, but are not required to, use the certification form found in Exhibit TPS-3 of this chapter when identifying eligible families who qualify as victims of human trafficking.

As part of the MOU, the PHA and CoC or other partnering agency will identify staff positions to serve as lead EHV liaisons. These positions will be responsible for transmission and acceptance of referrals. The CoC or partnering agency must commit sufficient staff and resources to ensure eligible individuals and families are identified and determined eligible in a timely manner.

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The PHA liaison responsible for acceptance of referrals will contact the CoC or partnering agency liaison via email indicating the number of vouchers available and requesting an appropriate number of referrals. No more than five business days from the date the CoC or partnering agency receives this notification, the CoC or partnering agency liaison will provide the PHA with a list of eligible referrals including the name, address, and contact phone number for each adult individual who is being referred; a completed release form for each adult family member; and a written certification for each referral indicating they are EHV-eligible.

*Option 2: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

### **Offers of Assistance with CoC Referral**

This section is an overview of when families may be issued EHV's without a referral from the CoC. **No policy decisions are required.**

**PART III: WAITING LIST MANAGEMENT**

**TPS-III.A. HCV WAITING LIST**

HUD has waived the requirement that admissions come from the PHA's HCV waiting list or be a special admission for the EHV program. PHAs must inform families on the HCV waiting list of the availability of EHV's by, at a minimum, either by posting the information to their website or providing public notice in their respective communities in accordance with the requirements listed in Notice PIH 2021-15.



**Decision Point: How will the PHA notify families on the HCV waiting list of the availability of EHV's? (Model plan, p. TPS-11)**

Things to Consider

- In order to expedite the process, Option 1 states that the PHA will post information on their website only. If the PHA wishes to also provide public notice, the PHA should select Option 2.
- The PHA notice must describe the eligible populations to which the EHV's are limited and clearly state that the availability of these EHV's is managed through a direct referral process.
- The PHA notice must advise the family to contact the CoC (or any other PHA referral partner, if applicable) if the family believes they may be eligible for EHV assistance.
- PHAs must ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities. PHAs must also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).
- Notice PIH 2021-15 states that posting either on the PHA website or through public notice are minimum requirements. If the PHA wishes to inform HCV waiting list families using other means, the model policy should be edited to reflect this.

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- Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

The PHA will post information about the EHV program for families on the PHA's HCV waiting list on their website. The notice will:

Describe the eligible populations to which EHV's are limited

Clearly state that the availability of these EHV's is managed through a direct referral process

Advise the family to contact the CoC (or any other PHA referral partner, if applicable) if the family believes they may be eligible for EHV assistance

The PHA will ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities in accordance with Chapter 2. The PHA will also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP) in accordance with Chapter 2.

- Option 2: Delete the model plan language and insert the language below.*

The PHA will inform families on the HCV waiting list of the availability of EHV's by posting information to their website and providing public notice.

The PHA will give public notice by publishing the relevant information in suitable media outlets including, but not limited to:

***[List here newspapers/other media where notices will be published]***

The notice will:

Describe the eligible populations to which EHV's are limited

Clearly state that the availability of these EHV's is managed through a direct referral process

Advise the family to contact the CoC (or any other PHA referral partner, if applicable) if the family believes they may be eligible for EHV assistance

The PHA will ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities in accordance with Chapter 2. The PHA will also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP) in accordance with Chapter 2.

- Option 3: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

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### TPS-III.B. EHV WAITING LIST

When the number of applicants referred by the CoC or partnering agency exceeds the EHV's available, the PHA must maintain a separate waiting list for EHV referrals. **No policy decisions are required.**

### TPS-III.C. PREFERENCES

#### HCV Waiting List Preferences

If the PHA has a homeless preference or a VAWA preference for the HCV waiting list, the PHA must adopt additional policies related to EHV's in accordance with Notice PIH 2021-15.



**Decision Point: Does the PHA have a VAWA or homeless preference for its HCV waiting list? (Model plan, p. TPS-12)**

#### Things to Consider

- If the PHA has a preference for victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking for the regular HCV program, the PHA must refer any applicant on the waiting list that indicated they qualified for this preference to the CoC or the applicable partnering referral agency. The CoC or partnering referral agency will determine if the family is eligible (based on the qualifying definition for EHV assistance for those fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking or another eligible category as applicable) for an EHV.
- If the PHA has a homeless preference for the regular HCV program, the PHA must refer any applicant on the waiting list that indicated they qualified for the homeless preference to the CoC. The CoC will determine whether the family is eligible for an EHV (based on the qualifying definition for EHV assistance for homelessness or another eligible category as applicable). The CoC will also determine if the family is eligible for other homeless assistance.
- If the PHA does not have either preference, select Option 1.
- If the PHA has a VAWA preference but not a homeless preference, select Option 2.
- If the PHA has a homeless preference but not a VAWA preference, select Option 3.
- If the PHA has both a VAWA preference and a homeless preference, select Option 4.

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- Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

The PHA does not offer either a homeless or a VAWA preference for the HCV waiting list.

- Option 2: Delete the model plan language and insert the language below.*

The PHA has a preference for victims of domestic violence, dating violence, sexual assault, or stalking for the HCV waiting list as outlined in 4-III.C. Local Preferences.

The PHA will refer any applicant on the waiting list who indicates they qualify for this preference to the CoC or the applicable partnering referral agency. The CoC or partnering referral agency will determine if the family is eligible (based on the qualifying definition for EHV assistance for those fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking or another eligible category as applicable) for an EHV.

- Option 3: Delete the model plan language and insert the language below.*

The PHA has a homeless preference for the HCV waiting list as outlined in Section 4-III.C. Local Preferences.

The PHA will refer any applicant on the waiting list that indicates they qualify for the homeless preference to the CoC. The CoC will determine whether the family is eligible for an EHV (based on the qualifying definition for EHV assistance for homelessness or another eligible category as applicable). The CoC will also determine if the family is eligible for other homeless assistance.

- Option 4: Delete the model plan language and insert the language below.*

The PHA has a preference for victims of domestic violence, dating violence, sexual assault, or stalking and a homeless preference for the HCV waiting list as outlined in Section 4-III.C. Local Preferences.

The PHA will refer any applicant on the waiting list who indicates they qualify for the PHA's VAWA preference to the CoC or the applicable partnering referral agency. The CoC or partnering referral agency will determine if the family is eligible (based on the qualifying definition for EHV assistance for those fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking or another eligible category as applicable) for an EHV.

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The PHA will refer any applicant on the waiting list that indicates they qualify for the homeless preference to the CoC. The CoC will determine whether the family is eligible for an EHV (based on the qualifying definition for EHV assistance for homelessness or another eligible category as applicable). The CoC will also determine if the family is eligible for other homeless assistance.

- Option 5: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

### **EHV Waiting List Preferences**

With the exception of a residency preference, the PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHV. The PHA may, however, choose to not establish any local preferences for the EHV waiting list.



**Decision Point: Will the PHA establish a local preference for the EHV waiting list? (Model plan, p. TPS-12)**

#### Things to Consider

- The PHA may have an existing set of local preferences for its HCV program that understandably does not align with the specific targeted purpose of the EHV.
- Furthermore, the PHA, in conjunction with the CoC and other referral partners, may wish to establish preferences specifically designed for EHV admissions that the PHA would not want to apply to its regular HCV waiting list. Excluding EHV from the PHA's normally applicable local preference system will simplify EHV administration and ensure that EHV are not being prioritized based on preferences designed for the broad universe of HCV-eligible applicants rather than the subset of EHV-qualifying families.
- The PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHV, or may simply choose to not establish any local preferences for the EHV waiting list.
- In establishing any local preferences for the EHV waiting list, the preference may not prohibit EHV admissions from any of the four qualifying categories of eligibility. The preference system prioritizes the order in which families on the EHV waiting list are assisted but does not allow the PHA to refuse to accept a referred family that meets one of the four EHV eligibility categories, or otherwise delay issuance of an available voucher to that eligible family in order to "hold" the voucher for a future referral of a preference holder.
- In cases where the PHA and the referral agency partners are contemplating local preferences for the EHV waiting list, HUD strongly encourages PHAs and their partners to consider designing preferences that take into consideration the comparative health risks that COVID-19 poses to the subgroup of families eligible for EHV (e.g., individuals or families living in environments where practicing social distancing or taking other preventive measures may be particularly challenging).

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- The PHA must ensure any local preferences do not discriminate on the basis of any federally protected classes and cannot utilize criteria or methods of administration which would result in discrimination.
- The HCV program regulations at 24 CFR 982.207(b) allow a PHA to adopt and implement a residency preference in accordance with the nondiscrimination and equal opportunity requirements listed at 24 CFR 5.105(a). Given the emergency nature of these vouchers, the fact that many individuals and families in the targeted populations may not necessarily qualify as a “resident” due to their housing circumstances, and the direct referral/coordinated entry aspect of EHV administration, it is not appropriate to apply residency preferences for EHV admission. Consequently, HUD is waiving 24 CFR 982.207(b) and establishing an alternative requirement under which a PHA may not apply any residency preference to EHV applicants.
- For ease of administration, Option 1 states the PHA will not offer preferences for the EHV waiting list.
- If the PHA wishes to establish preferences for the EHV waiting list, Option 2 should be selected and the parameters and verification requirements for those preferences should be described.

*Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

No local preferences have been established for the EHV waiting list.

*Option 2: Delete the model plan language and insert the language below.*

The PHA will use the following local preferences for the EHV waiting list:

***[Insert list of preferences]***

*Option 3: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**PART IV: FAMILY ELIGIBILITY**

**TPS-IV.A. OVERVIEW**

This section gives an overview of family eligibility criteria for EHV. **No policy decisions are required.**

**TPS-IV.B. REFERRING AGENCY DETERMINATION OF ELIGIBILITY**

In order to be eligible for an EHV, an individual or family must meet one of four eligibility criteria. **No policy decisions are required.**

**TPS-IV.C. PHA SCREENING**

**Overview**

This section states that HUD has established alternative requirements for admission prohibitions. **No policy decisions are required.**

**Mandatory Denials**

The PHA must deny admission to the program if any member of the family fails to sign and submit consent forms for obtaining information as required by 24 CFR 982.552(b)(3) but should notify the family of the limited EHV grounds for denial of admission first.



**Decision Point: When will the PHA notify the family of the limited EHV grounds for denial of admission? (Model plan, p. TPS-14)**

Things to Consider

- For ease of administration, Option 1 states that the PHA will notify the family of the limited EHV grounds for denial.



*Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

While the PHA will deny admission to the program if any adult member (or head of household or spouse, regardless of age) fails to sign and submit consent forms, the PHA will first notify the family of the limited EHV grounds for denial of admission as part of the notice of denial that will be mailed to the family.



*Option 2: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

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### Permissive Denial

The PHA may prohibit admission of a family for the grounds listed in Notice PIH 2021-15. The PHA policy on EHV permissive prohibitions must be described in the PHA's administrative plan.



**Decision Point: Will the PHA adopt any permissive denials for the EHV program? (Model plan, p. TPS-15)**

#### Things to Consider

- The PHA may choose not to prohibit admission for the grounds listed in Notice PIH 2021-15 or may establish a more permissive policy than the PHA's policy for admission to the regular HCV program.
- Permissive prohibitions only apply at the time of application for an EHV. When adding a family member after the family has been placed under a HAP contract with EHV assistance, the regulations at 24 CFR 982.551(h)(2) apply. Other than the birth, adoption, or court-awarded custody of a child, the PHA must approve additional family members and may apply its regular screening criteria in doing so.
- If the PHA chooses not to adopt permissive prohibitions, Option 2 should be selected.
- If the PHA chooses to adopt permissive prohibitions:
  - The PHA may not establish a permissive prohibition policy for EHV applicants that is more prohibitive than the policy established for admissions to the regular HCV program.
  - The PHA must consult with its CoC partner to understand the impact that the proposed prohibitions may have on referrals and must take the CoC's recommendations into consideration. As such, before adopting the language listed in the model policy, the PHA must first consult with the CoC.
  - Determinations must be made based on an individualized assessment of relevant mitigating information in accordance with the Office of General Counsel Guidance on Application of Fair Housing Standards and Use of Criminal Records by Providers of Housing and Real Estate-Transactions (April 6, 2016).
  - Similar to the HUD-Veterans Affairs Supportive Housing (HUD-VASH) program, HUD has eliminated the PHA's permissive prohibitions for EHV admissions for drug-related criminal activity. The eligible populations of homeless and at-risk of homelessness individuals and families may include individuals struggling with drug addiction, and that addiction may be one of the root causes of their homelessness. As demonstrated by the "Housing First" model, providing the individual with safe housing may be a critical first step in helping the individual recover from addiction. Consequently, prohibitions based on criminal activity for the eligible EHV populations regarding drug possession should be considered apart from criminal activity against persons (i.e., violent criminal activity).

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- Further, HUD remains concerned about the potential discriminatory effect that reliance on drug-related criminal activity history as grounds for denial of admission may pose for the EHV program.
- Notice PIH 2021-15 lists allowable permissive prohibitions. Option 1 of the model policy adopts these. Permissive prohibitions for EHV are:
  - If the PHA determines that any household member is currently engaged in, or has engaged in within the previous 12 months:
    - Violent criminal activity
    - Other criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity
  - If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program within the previous 12 months.
  - If the family engaged in or threatened abusive or violent behavior toward PHA personnel within the previous 12 months.
- Notice PIH 2021-15 also list reasons that, unlike regular HCV admissions, the PHAs may not deny an EHV applicant admission. Option 1 includes language clarifying that denial for these criteria is prohibited. Prohibited denial criteria include:
  - Any member of the family has been evicted from federally assisted housing in the last five years
    - [Note Notice PIH 2021-15 contains a typo and does not include “in the last five years.” NMA has added this for clarity in order to complete the text.]
  - A PHA has ever terminated assistance under the program for any member of the family.
  - The family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.
  - The family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.
  - The family breached an agreement with the PHA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA.
  - The family would otherwise be prohibited admission under alcohol abuse standards established by the PHA in accordance with 24 CFR 982.553(a)(3).
  - The PHA determines that any household member is currently engaged in or has engaged in during a reasonable time before the admission, drug-related criminal activity.

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

- Prior to admission, PHAs must continue to use HUD's EIV system to search for all household members using the Existing Tenant Search. The PHA may be required to deny assistance to household members already receiving assistance from another program. Option 1 states that the PHA will deny for this reason.



*Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

In consultation with the CoC, the PHA will apply permissive prohibition to the screening of EHV applicants. Determinations using permissive prohibitions will be made based on an individualized assessment of relevant mitigating information in accordance with policies in Section 3-III.E.

The PHA will establish the following permissive prohibitions:

If the PHA determines that any household member is currently engaged in, or has engaged in within the previous 12 months:

Violent criminal activity

Other criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity

If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program within the previous 12 months.

If the family engaged in or threatened abusive or violent behavior toward PHA personnel within the previous 12 months.

The PHA will also deny assistance to household members already receiving assistance from another program in accordance with Section 9.h. of Notice PIH 2021-15.

Prohibitions based on criminal activity for the eligible EHV populations regarding drug possession will be considered apart from criminal activity against persons (i.e., violent criminal activity).

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

In compliance with PIH 2021-15, the PHA **will not** deny an EHV applicant admission regardless of whether:

Any member of the family has been evicted from federally assisted housing in the last five years;

A PHA has ever terminated assistance under the program for any member of the family;

The family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act;

The family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;

The family breached an agreement with the PHA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA;

The family would otherwise be prohibited admission under alcohol abuse standards established by the PHA in accordance with 24 CFR 982.553(a)(3);

The PHA determines that any household member is currently engaged in or has engaged in during a reasonable time before the admission, drug-related criminal activity.

*Option 2: Delete the model plan language and insert the language below.*

The PHA will not adopt any permissive prohibitions for the EHV program.

*Option 3: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

### TPS-IV.D. INCOME VERIFICATION AT ADMISSION

#### Self-Certification at Admission

The requirement to obtain third-party verification of income in accordance with Notice PIH 2018-18 does not apply to the EHV program applicants at admission and, alternatively, PHAs may consider self-certification the highest form of income verification at admission.



#### **Decision Point: What are the PHA's requirements for acceptable documents? (Model plan, p. TPS-17)**

##### Things to Consider

- HUD has waived the third-party income verification requirements for EHV applicants, and alternatively, is allowing PHAs to consider self-certification as the highest form of income verification at admission.
- For homeless families and other EHV-eligible families, documentation may not be readily on-hand and may be difficult to obtain quickly. Accepting self-certifications and allowing for the delay of receipt of documentation and/or third-party verification will allow the CoC and partnering agency to assist the family in obtaining the necessary documentation without unduly delaying the family's housing assistance.
- Applicants must submit an affidavit attesting to reported income, assets, expenses, and other factors that would affect an income eligibility determination.
- The program regulations under 24 CFR 982.201(e) require that the PHA receive information verifying that an applicant is eligible within the 60-day period before the PHA issues a voucher. Notice PIH 2018-18 states that third-party generated documents be dated within 60 days of the PHA's request. For EHV, Notice PIH 2021-15 states that applicants may provide third-party documentation that represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the PHA's request.
  - For example, a Supplemental Security Income (SSI) benefit letter that was issued in November 2020 to represent the applicant's benefit amount for 2021 and was provided to the PHA in September 2021 would be an acceptable form of income verification.
- The model policy adopts the language from Notice 2015-21 but adds additional clarification on requirements for documents provided by the family in accordance with Notice PIH 2018-18 and PHA policies in Chapter 7.
- The condition of the document is vital to its integrity and usefulness. There should be no sign of tampering with the information. Documents are unacceptable if they have been damaged to the extent or written in a manner that the information is not useable. The format of the document is less important. Unless there is reason to believe the document is not authentic or that the information has been altered, printouts from webpages should be acceptable.

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

- HUD encourages PHAs to incorporate additional procedures to remind families of the obligation to provide true and complete information. PHAs that conduct eligibility determinations under this waiver/alternative requirement will be responsible for addressing any material discrepancies (i.e., unreported income or a substantial difference in reported income) that may arise later and must take necessary enforcement actions if the tenant was never eligible due to their income, as well as initiate HUD-compliant payment plans for those whose unreported income was unintentional and do not make the tenant ineligible for the program accordingly.
- Waivers listed in Notice PIH 2021-15 do not authorize any ineligible family to receive assistance under these programs. If a PHA later determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

*Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

Any documents used for verification must be the original (not photocopies) and dated within the 60-day period prior to admission. The documents must not be damaged, altered, or in any way illegible.

Printouts from webpages are considered original documents.

Any family self-certifications must be made in a format acceptable to the PHA and must be signed by the family member whose information or status is being verified.

The PHA will incorporate additional procedures to remind families of the obligation to provide true and complete information in accordance with Chapter 14. The PHA will address any material discrepancies (i.e., unreported income or a substantial difference in reported income) that may arise later. The PHA may, but is not required to, offer the family a repayment agreement in accordance with Chapter 16. If the family fails to repay the excess subsidy, the PHA will terminate the family's assistance in accordance with the policies in Chapter 12.

*Option 2: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

### Recently Conducted Income Determinations

PHAs may accept income calculations and verifications from third-party providers or from an examination that the PHA conducted on behalf of the family for another subsidized housing program provided they meet criteria outlined in Notice PIH 2015-21.



**Decision Point: Will the PHA accept income calculations and verifications from third-party providers? (Model plan, p. TPS-18)**

#### Things to Consider

- Some families who were recently homeless but are now currently residing in rapid rehousing or are receiving other time-limited housing assistance may have had their income recently verified under that housing assistance program.
- Furthermore, families who are eligible for EHV assistance as victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking may be currently assisted through other subsidized housing programs such as public housing.
- PHAs may accept income calculations and verifications from third-party providers or from an examination that the PHA conducted on behalf of the family for another subsidized housing program in lieu of conducting an initial examination of income as long as:
  - The income was calculated in accordance with rules outlined at 24 CFR Part 5 and within the last six months; and
  - The family certifies there has been no change in income or family composition in the interim.
- In order to expedite the eligibility process as much as possible, Option 1 states the PHA will accept income calculations and verifications from third-party providers provided it meets the criteria listed in Notice PIH 2021-15.



*Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

The PHA will accept income calculations and verifications from third-party providers provided they meet the criteria outlined above.

The family certification must be made in a format acceptable to the PHA and must be signed by all adult family members whose information or status is being verified.



*Option 2: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

### EIV Income Validation

This section describes requirements for the use of EIV for EHV families. **No policy decisions are required.**

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

### **TPS-IV.E. SOCIAL SECURITY NUMBER AND CITIZENSHIP STATUS VERIFICATION**

Notice PIH 2021-15 allows PHAs to admit applicants prior to the verification of Social Security numbers and citizenship or eligible immigration status.



**Decision Point: Will the PHA admit EHV applicants who are unable to provide required SSN or citizenship documentation during the initial eligibility determination? (Model plan, p. TPS-19)**

#### Things to Consider

- HCV applicants must disclose and document and PHAs must verify the Social Security numbers (SSN) of each applicant. Generally, a PHA may not admit an applicant until the required documentation is provided to verify the SSN of each household member. Applicant documentation may include a valid SSN card issued by the Social Security Administration; an original document issued by a federal or state government agency that contains the individual's name, SSN, and other identifying information; or other evidence of the SSN as prescribed by HUD.
- PHAs also must verify evidence of U.S. citizenship or eligible immigration status for noncitizens claiming eligibility for assistance. Each eligible household member must sign a declaration of their status and eligible noncitizens must also provide supporting documentation, which must be submitted by the time of the eligibility determination. Documentation verifying U.S. citizenship may also be requested. Since eligibility for assistance is limited to U.S. citizens and noncitizens who have eligible immigration status, families in which not all members are U.S. citizens or have eligible immigration status are only eligible to receive prorated housing assistance based on the percentage of family members who qualify for assistance.
- This documentation may not be readily on hand and may be difficult to obtain for individuals and families experiencing homelessness. Accepting self-certifications and delaying the receipt of documentation and/or third-party verification will allow PHAs to assist EHV families more quickly and provide time for the family (with assistance from the CoC or other partnering agencies) to obtain the necessary documentation.
- HUD waived the requirement to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting the family to the EHV program. PHAs may adopt policies to admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the PHA provides an extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.
- Notice PIH 2021-15 does not provide a timeframe for PHA extensions. The model policies adopt 60 days as a reasonable extension period.

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

- If a family member appeals secondary verification of immigration documents, PHAs are reminded that assistance may not be delayed, denied, reduced, or terminated on the basis of immigration status pending the completion of the appeal as described in 24 CFR 5.514(e).
- In order to expediate the eligibility process as much as possible, Option 1 states the PHA will admit applicants who are unable to provide required SSN or citizenship documentation during the initial eligibility interview.

*Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

The PHA will admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. These individuals must provide the required documentation in accordance with policies in Chapter 7 within 180 days of admission. The PHA may provide an additional 60-day extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

If the PHA determines that an ineligible family received assistance, the PHA will take steps to terminate that family from the program in accordance with policies in Chapter 12.

*Option 2: Delete the model plan language and insert the language below.*

The PHA will not admit applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. The PHA will follow HCV policies in Chapter 3 and 7 for the disclosure and documentation of these two factors of eligibility.

*Option 3: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

### TPS-IV.F. AGE AND DISABILITY VERIFICATION

PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. If self-certification is used, the PHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.



**Decision Point: Will the PHA accept self-certification of date of birth or disability status if other verification is not immediately available? (Model plan, p. TPS-19)**

#### Things to Consider

- PHAs must verify each family member's date of birth to verify identity and determine age and disability status per 24 CFR 5.403, if claimed. These family characteristics impact the income and tenant rent calculations.
- This documentation may not be readily on hand and may be difficult to obtain for individuals and families experiencing homelessness. Accepting self-certifications and delaying the receipt of documentation and/or third-party verification will allow PHAs to assist EHV families more quickly and provide time for the family (with assistance from the CoC or other partnering agencies) to obtain the necessary documentation.
- PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. If self-certification is used, the PHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.



*Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

The PHA will accept self-certification of date of birth and disability status if a higher form of verification is not immediately available. The certification must be made in a format acceptable to the PHA and must be signed by the family member whose information or status is being verified. If self-certification is accepted, within 90 days of admission, the PHA will verify the information in EIV or through other third-party verification if the information is not available in EIV. The PHA will note the family's file that self-certification was used as initial verification and include an EIV printout or other third-party verification confirming the applicant's date of birth and/or disability status.

If the PHA determines that an ineligible family received assistance, the PHA will take steps to terminate that family from the program in accordance with policies in Chapter 12.

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

*Option 2: Delete the model plan language and insert the language below.*

The PHA will not accept self-certification of date of birth or disability status for EHV families. The PHA will follow HCV policies in 7 for verification.

*Option 3: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

### **TPS-IV.G. INCOME TARGETING**

The PHA must determine income eligibility for EHV families in accordance with 24 CFR 982.201 and PHA policy in Chapter 3; however, income targeting requirements do not apply for EHV families.



**Decision Point: Will the PHA count EHV families toward the PHA's income targeting requirements? (Model plan, p. TPS-20)**

#### Things to Consider

- The income targeting requirements of section 16(b) of the United States Housing Act of 1937 and 24 CFR 982.201(b)(2) are waived and do not apply for EHV families so that participating PHAs can effectively serve individuals and families in all the eligibility categories under the ARP who may be at a variety of income levels, including low-income families.
- The PHA may still choose to include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.
- In conformance with normal program rules, PHAs may not deny admission to a family with zero income and must consider hardship circumstances before charging a minimum rent in accordance with 24 CFR 5.630(b).
- In order to give the PHA the greatest flexibility in targeting different income levels, Option 1 states the PHA will not count EHV families toward the PHA's income targeting requirements.

## **Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers**

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- Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

The PHA will not include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

- Option 2: Delete the model plan language and insert the language below.*

The PHA will include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

- Option 3: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

### PART V: HOUSING SEARCH AND LEASING

#### TPS-V.A. INITIAL VOUCHER TERM

EHV vouchers must have an initial search term of at least 120 days.



**Decision Point: What is the time limit for the initial term of an EHV? (Model plan, p. TPS-21)**

#### Things to Consider

- Unlike in the standard HCV program where the minimum initial voucher term is 60 calendar days, EHV's must be issued for a minimum initial term of at least 120 days. There is no maximum initial voucher term.
- While the EHV program provides the PHA with funding designed to help increase the success rate of EHV families in obtaining housing (such as security deposit assistance, landlord incentives, and housing search assistance), these families may still face significant challenges with their housing search.
- The PHA should consider the local housing market when establishing policies governing the voucher term. In areas where the vacancy rate is low and renters compete for affordable units, it is likely to take voucher holders longer to locate an approvable unit. PHAs in these areas may wish to establish a longer initial term for the voucher.
- All other PHA policies on extensions and suspension of vouchers apply.



*Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

All EHV's will have an initial term of 120 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 120-day period unless the PHA grants an extension.



*Option 2: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

### TPS-V.B. HOUSING SEARCH ASSISTANCE

The PHA must ensure housing search assistance is made available to EHV families during their initial housing search.



**Decision Point: How will housing search assistance be provided to EHV families?  
(Model plan, p. TPS-22)**

Things to Consider

- The PHA must ensure housing search assistance is made available to EHV families during their initial housing search.
- The housing search assistance may be provided directly by the PHA or through the CoC or another partnering agency or entity.
- The PHA may use the services fee funding to provide this required housing search assistance to EHV families during their initial housing search.
- Housing search assistance can help EHV participants successfully move to areas of higher opportunity, as well as broaden the pool of landlords participating in the EHV program, including culturally or racially diverse landlords and landlords with smaller numbers of units.
- Housing search assistance is a broad term that can include many activities, but with respect to this requirement it must at a minimum: (1) help individual families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low-poverty neighborhoods; (2) provide transportation assistance and directions to potential units; (3) conduct owner outreach; (4) assist with the completion of rental applications and PHA forms; and (5) help expedite the EHV leasing process for the family.
- Other recommended, but not required, housing search activities include helping individual families identify barriers to leasing (e.g., low credit score, eviction history) and strategies to address these barriers, workshops on how to conduct an effective housing search, enhanced support for portability processing, regular proactive check-ins for families searching with a voucher, regular reminders to the family of their voucher expiration date and extension policies, and a dedicated landlord liaison for EHV voucher families.
- The model policy in Option 1 divides the mandatory housing search assistance services between the PHA and the CoC so that each agency is helping the family in areas in which each agency is most suited to help.
- The model policy does not adopt any of the recommended housing search assistance criteria and the PHA should edit the policy in Option 1 if it decides to provide these services.

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

- The PHA should work in conjunction with the CoC to determine who will provide mandatory services and if any other services will be provided, and must outline services that will be provided as part of the MOU.

*Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

As identified in the MOU between the PHA and CoC, the following housing search assistance will be provided to each EHV family:

The PHA will:

Conduct owner outreach in accordance with policies in Chapter 13

Provide directions to potential units as part of the EHV briefing packet

Expedite the EHV leasing process for the family to the extent practicable and in accordance with policies in this chapter

At least every 30 days, conduct proactive check-ins via email and telephone with families who are searching with an EHV and remind them of their voucher expiration date

Assign a dedicated landlord liaison for EHV voucher families

The CoC will:

Help families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low-poverty neighborhoods

Provide transportation assistance to potential units

Assist the family with the completion of rental applications and PHA forms

*Option 2: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

### TPS-V.C. HQS PRE-INSPECTIONS

PHAs may pre-inspect available units that EHV families may be interested in leasing in order to maintain a pool of eligible units.



#### **Decision Point: Will the PHA pre-inspect EHV units? (Model plan, p. TPS-22)**

##### Things to Consider

- To expedite the leasing process, PHAs may pre-inspect available units that EHV families may be interested in leasing in order to maintain a pool of eligible units.
- If an EHV family selects a unit that passed an HQS inspection (without intervening occupancy) within 45 days of the date of the Request for Tenancy Approval (Form HUD-52517), the unit may be approved if it meets all other conditions under 24 CFR 982.305. However, the EHV family must be free to select his or her unit and cannot be steered to these units.
- Option 1 states the PHA may pre-inspect units in order to give the PHA flexibility to do so. Since most PHAs wish to expedite the lease-up process for EHV, it also states that for all other inspections unrelated to pre-inspections, the PHA will make every effort to fast track inspections.
- If the PHA does not wish to conduct any pre-inspections of available units, the PHA should select Option 2.



*Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

To expedite the leasing process, the PHA may pre-inspect available units that EHV families may be interested in leasing to maintain a pool of eligible units. If an EHV family selects a unit that passed a HQS pre-inspection (without intervening occupancy) within 45 days of the date of the Request for Tenancy Approval, the unit may be approved provided that it meets all other conditions under 24 CFR 982.305. The family will be free to select his or her unit.

When a pre-inspected unit is not selected, the PHA will make every effort to fast-track the inspection process, including adjusting the normal inspection schedule for any required reinspections.



*Option 2: Delete the model plan language and insert the language below.*

The PHA will not conduct any pre-inspections of available units. The PHA will make every effort to fast-track the inspection process, including adjusting the normal inspection schedule for any required reinspections.



*Option 3: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

### **TPS-V.D. INITIAL LEASE TERM**

Unlike in the standard the HCV program, EHV voucher holders may enter into an initial lease that is for less than 12 months. **No policy decisions are required.**

### **TPS-V.E. PORTABILITY**

#### **Nonresident Applicants**

Under EHV, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied. **No policy decisions are required.**

#### **Billing and Absorption**

A receiving PHA cannot refuse to assist an incoming EHV family, regardless of whether the PHA administers EHV's under its own ACC. **No policy decisions are required.**

#### **Family Briefing**

The initial PHA must inform the family how portability may impact the special EHV services and assistance that may be available to the family.



**Decision Point: How will the PHA inform the family about how portability may impact their EHV services and assistance? (Model plan, p. TPS-24)**

#### Things to Consider

- In addition to the applicable family briefing requirements at 24 CFR 982.301(a)(2) as to how portability works and how portability may affect the family's assistance, the initial PHA must inform the family how portability may impact the special EHV services and assistance that may be available to the family.
- The initial PHA is required to help facilitate the family's portability move to the receiving PHA and inform the family of this requirement in writing, taking reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).
- Option 1 states this information will be part of the family's briefing packet.

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

- Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

In addition to following PHA policy on briefings in Chapter 5, as part of the briefing packet for EHV families, the PHA will include a written notice that the PHA will assist the family with moves under portability.

For limited English proficient (LEP) applicants, the PHA will provide interpretation services in accordance with the PHA's LEP plan (See Chapter 2).

- Option 2: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

### **Coordination of Services**

If the portability move is in connection with the EHV family's initial lease-up, the receiving PHA and the initial PHA must consult and coordinate on the EHV services and assistance that will be made available to the family.

- Decision Point: How will the initial PHA and receiving PHA consult and coordinate on EHV services and assistance for the family? (Model plan, p. TPS-24)**

#### Things to Consider

- The initial PHA is required to help facilitate the family's portability move to the receiving PHA and inform the family of this requirement in writing, taking reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).
- If the portability move is in connection with the EHV family's initial lease-up, the receiving PHA and the initial PHA must consult and coordinate on the EHV services and assistance that will be made available to the family. The primary purpose of this communication is to ensure there is no duplication of EHV services and assistance provided to the family, and that the receiving PHA is aware of the maximum amount of services fee funding that the initial PHA may provide to the receiving PHA on behalf of the family.
- Option 1 states the PHA will coordinate with the receiving PHA at the time the PHA first contacts the receiving PHA.

## **Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers**

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- Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

For EHV families who are exercising portability, when the PHA contacts the receiving PHA in accordance with Section 10-II.B. Preapproval Contact with Receiving PHA, the PHA will consult and coordinate with the receiving PHA to ensure there is no duplication of EHV services and assistance, and ensure the receiving PHA is aware of the maximum amount of services fee funding that the initial PHA may provide to the receiving PHA on behalf of the family.

- Option 2: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

### **Services Fee**

This section discusses services fees under portability. **No policy decisions are required.**

### **Placement Fee/Issuance Reporting Fee**

This section discusses placement fees/issuance reporting fees under portability. **No policy decisions are required.**

## Instructions for Preparing Temporary Policy Supplement: Emergency Housing Vouchers

### TPS-V.F. PAYMENT STANDARDS

#### Payment Standard Schedule

For the EHV program, HUD has waived the regulation requiring a single payment standard for each unit size. Instead, the PHA may, but is not required to, establish separate higher payment standards for EHV's.



#### **Decision Point: Will the PHA implement a higher payment standard for EHV's? (Model plan, p. TPS-26)**

##### Things to Consider

- The HCV regulations at 24 CFR 982.503(a)(3) provide that the PHA voucher payment standard schedule will establish a single payment standard amount for each unit size, and that for each unit size, the PHA may establish a single payment standard amount for the whole Fair Market Rent (FMR) area or may establish a separate payment standard amount for each designated part of the FMR area.
- Many rental markets with a high need for the EHV's are very competitive with a shortage of affordable rental units. EHV recipients who are homeless or at risk of homelessness may have relatively lower incomes than regular HCV recipients, limiting their ability to rent units with rents above the payment standard. In addition, landlords may be more reluctant to rent to homeless individuals who may have limited or poor credit history, a limited established rental history, or other issues.
- Due to those factors and the emergency nature of these vouchers, HUD waived 24 CFR 982.503(a)(3) and established an alternative requirement permitting PHAs to establish separate higher payment standards for the EHV's in order to increase the potential pool of available units for EHV families. The separate EHV payment standard must comply with all other HCV requirements under 24 CFR 983.503 with the exception of the waivers of 24 CFR 982.503(b)(i) and 24 CFR 982.503(b)(iii) discussed below.
- Establishing a separate EHV payment standard is at the discretion of the PHA and the PHA is not required to do so. PHAs are not permitted to establish a separate payment standard for EHV's that is lower than the regular HCV payment standard. If the PHA is increasing the regular HCV payment standard, the PHA must also increase the EHV payment standard if it would be otherwise lower than the new regular HCV payment standard.
- In addition, HUD is waiving 24 CFR 982.503(b)(1)(i) and establishing an alternative requirement to allow the PHA to establish a payment standard amount for a unit size at any level between 90 percent and 120 percent (as opposed to 110 percent) of the published FMR for that unit size. HUD approval is not required to establish an EHV payment standard within that range.

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- Furthermore, HUD is waiving 24 CFR 982.503(b)(1)(iii) and establishing an alternative requirement to provide that a PHA that is not in a designated Small Area FMR (SAFMR) area or has not opted to voluntarily implement Small Area FMRs under 24 CFR 888.113(c)(3) may establish exception payment standards for a ZIP code area above the basic range for the metropolitan FMR based on the HUD published Small Area FMRs. The PHA may establish an exception payment standard up to 120 percent (as opposed to 110 percent) of the HUD published Small Area FMR for that ZIP code area. As is the case for the regular HCV program, the PHA must notify HUD if it establishes an EHV exception payment standard based on the Small Area FMR. The exception payment standard must apply to the entire ZIP code area.
- PHAs may also still request approval for exception EHV payment standards above 120 percent of the applicable FMR/SAFMR from HUD in accordance with 24 CFR 982.503(b)(1)(iv) or 982.503(c) if needed.
- All rent reasonableness requirements at 24 CFR 982.507 continue to apply to EHV units, regardless of whether the PHA has established an alternative or exception EHV payment standard.

*Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

The PHA will not establish a higher payment standard amount for EHV. The PHA will use the same payment standards for HCV and EHV.

*Option 2: Delete the model plan language and insert the language below.*

The PHA will implement higher payment standards for EHV. The EHV payment standards are as follows:

**[Insert EHV payment standard amounts]**

At no time will the EHV payment standards fall below the HCV payment standards. If the PHA increases the HCV payment standard, the PHA will also increase the EHV payment standard if it would be otherwise lower than the new regular HCV payment standard.

*Option 3: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

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### **Rent Reasonableness**

All rent reasonableness requirements apply to EHV units, regardless of whether the PHA has established an alternative or exception EHV payment standard. **No policy decisions are required.**

### **Increases in Payment Standards**

The PHA may, but is not required to, establish an alternative policy on when to apply the increased payment standard, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family's first regular reexamination following the change.



**Decision Point: Will the PHA apply increases in payment standards to EHV's prior to the family's first regular recertification? (Model plan, p. TPS-26)**

#### Things to Consider

- The HCV regulations at 24 CFR 982.505(c)(4) require that if the payment standard amount is increased during the term of the HAP contract, the increased payment standard amount shall be used to calculate the monthly housing assistance payment for the family beginning at the effective date of the family's first regular reexamination on or after the effective date of the increase in the payment standard amount.
- HUD waived this requirement and as an alternative requirement is providing PHAs with the discretion to establish a policy in the PHA administrative plan on when to apply the increased payment standard (e.g., interim reexamination, owner rent increase) after the effective date of the increase in the payment standard amount, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family's first regular reexamination following the change.
- The PHA may find that implementing payment standard increases at times other than annual recertification may create additional administrative burden on the PHA. Therefore, Option 1 states the PHA will not adopt this alternative requirement.



*Option 1: Use the model plan language shown below. No changes to the model plan are needed.*

The PHA will not establish an alternative policy for increases in the payment standard. PHA policy in Section 11-III.B. governing increases in payment standards will apply to EHV.



*Option 2: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA's policy.*

### **TPS-V.G. TERMINATION OF VOUCHERS**

After September 30, 2023, a PHA may not reissue EHV's when assistance for an EHV-assisted family ends. **No policy decisions are required.**

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### **PART VI: USE OF FUNDS, REPORTING, AND FINANCIAL RECORDS**

This section provides information on use of funds, reporting, and financial records. **No policy decisions are required.**