

Questions & Answers from Colorado NAHRO Conference 5/2010

These are the questions asked during the PIC/EIV/VMS Session at the May 2010 Colorado NAHRO Conference. Answers are listed below each question.

Q: FSS forfeitures – are they part of NRA or are they misc. income?

A: On the PHA's income & Expense statement the FSS forfeitures are recorded as income, but on the balance sheet the FSS forfeitures are recorded as an "asset". The FSS escrow is recorded as a "liability" as it is accrued. If the accrued FSS escrow is "forfeited" the liability is liquidated and the amount of the forfeiture is recorded as income and reported as a restricted net asset (HAP). On the VMS report these forfeitures need to be reported as a part of the HAP NRA.

Q: For Mainstream 5 – voucher expense after the 1st of the month, where is that put into VMS?

A: From Page 83 of the VMS System User Manual: **"The 5-Year Mainstream program is governed by a different appropriation law and funded separately voucher program; therefore, the 5-Year Mainstream program is NOT a category within the voucher program in VMS. In VMS, there are specific lines provided for the 5-year Mainstream Units Leased and HAP Expenses only."** The total 5-Year mainstream expense is recorded on the "5-Year Mainstream HAP Expenses" line on the VMS report. There is not a separate VMS line to report "mid-month" mainstream 5 expenses.

Q: If someone is receiving benefits under another individual's SSN, does it show up in EIV? There was a person in the audience who stated that they had a resident who has been receiving benefits for a long time and it has never shown up on EIV.

A: In the EIV webcast Q&A's from December 16-17, 2008, I located the following: ***"EIV will only display benefits, wage-related and disability status information associated with the tenant's SSN. Therefore, if the tenant is receiving SS/SSI benefits under another individual's SSN, then EIV will not capture this income information on the reports for that tenant.*** If benefit information for a tenant is not available in the EIV system, the PHA should follow the instructions under *Third Party Verification of SS/SSI Benefits of Applicants and Household Members*.

Q: When a resident is in PH and goes onto the S8 program, is it ok to pay HAP for the S8 program if still has not been EOP'd in PH? If so, how many days are ok?

A: Denver OPH Forwarded an e-mail to Headquarters asking the following:

"When a resident is being assisted under the low rent public housing program and receives a Housing Choice Voucher, is it OK to pay HAP for the Section 8 program prior to the "end of

participation” from the public housing program? If it is not allowed, what specific guidance or regulation supports this? If the answer is yes, it is OK, how many days of “overlapping” assistance are allowed?”

Headquarters response is as follows:

We would not consider it to be overlapping subsidy for a PHA to pay HAP for a family before the end of participation in a public housing unit. In accordance with 990.135 (b)(1), the public housing unit is eligible for subsidy based on the unit’s status as of either the first day or last day of the month, as determined by the PHA. Subsidy for public housing units is not prorated so whether the unit was vacated on the 5th or the 25th of a month, the PHA still gets the full month subsidy amount. The actual move-out date from the public housing unit and rent collected from the tenant for that time would depend on the local PHA policy.

24 CFR 982.352(c), which describes “prohibition against other housing subsidy.” Under that section, “a family may not receive the benefit of tenant-based assistance while receiving the benefit of any of the following forms of other housing subsidy, for the same unit or for a different unit:

- 1) **Public or Indian housing assistance; ...**” (emphasis added).

This regulation is not intended to act as a barrier to mobility for our program participants but instead, to prohibit a participant from committing fraud by receiving double subsidy.

HUD would not cite a PHA to be in violation of this regulation if their policy allowed a reasonable timeframe for transition from a public housing unit to a voucher assisted unit.