The Administrative Plan

Section Eight Housing Choice Voucher Program

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Regulations - 24 CFR 982.54

- The Admin Plan and Revisions – must have Board approval
- The Admin Plan availability – must be made available for public review
- Program Administration – PHA must operate its program in accordance with the Plan
- The Plan must be available for any HUD reviews

Admin Plan Requirements

Admin Plan must cover certain PHA policies and procedures. They are:

1. Selection and admission of applicants from the PHA's waiting list
2. Issuing or denying vouchers
3. Any special rules for use of special purpose HUD funding
4. Occupancy policies

Requirements cont.

5. Participation of landlords
6. Assisting families claiming illegal discrimination
7. Providing information to prospective landlords
8. Disapproval of owners
9. Subsidy standards
10. Family absence from unit

Requirements cont.

11. Family break up
12. Informal review procedures
13. Informal hearing procedures
14. Payment standards
15. Reasonable rent
16. Policies for special housing types
17. Policies regarding families who owe the PHA money

Requirements cont.

18. Interim examinations
19. Number of moves allowed
20. Admin Fee reserve charges
21. HQS inspections
22. Screening of applicants

Selection and admission from the waiting list 982.201 – 982.207

- This has a direct impact on your SEMAP scoring
- Procedures must be in place on how you will select applicants.
  - Will you have preferences? If so, what are they and how do you rank them?
  - Will you only accept applications in person or will you mail them?

Waiting List – Cont.

- Do you require full income/eligibility information at application?
- How long will you wait all for the information to be returned?
- How often and when do you purge your waiting list?
- Do you allow for exceptions if a person is removed from the list? If so, what documentation will you require?

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Issuing or denying vouchers

- 982.302 & 982.303
- When do you issue?
  - Do you mail out offers regularly or only when budget allows?
  - Do you require one on one interviews or do you host group interviews
  - Will you allow for more than one interview or reschedule interviews? If so, how many?

Denying Vouchers

- 982.552 and 982.555
- When do you deny? If they do not show up for interviews, provide all required documentation, or reply in time frame given?
- Do you notify the family of the reason for denial? If so, how and when?
- Do you deny if they owe a PHA money?

Issuing/Denying Vouchers Regulations

- 982.301 - Briefings
- 982.302 & 303 – Issuance of the voucher
- 982.552 & 553 – Denial or termination

Special rules for special purpose funding

- These funds do not come out often, but you will need to address in your Plan how you will operate them.
- What type of documentation will you require to prove the family meets the eligibility for these programs
- Desegregation
- Family Unification Program

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Occupancy policies - 982.4

- Definition of “family”
- Definition of “continuously assisted.” What time frame do you use: 30 days, 60 days?
- Standards for denying admission
  - Criminal activity

Occupancy policies – cont.

- Criminal activity – what, if any, criminal activities will you allow for an applicant/client? What length of time will you allow before you let a family back on the program? Is it the same for all crimes?
- Alcohol abuse – same as above.

Occupancy policies – cont.

- Exceptions?

  Will you allow back on the program if the family has participated in rehab?

  – Will you allow back on the program if the "criminal" is no longer in the household?

  – Use "case by case review by the PHA" language in your Plan as you cannot cover every scenario.

Assisting families claiming discrimination – 982.304

- Assisting families – Your Plan should address what steps you will take to help clients with a discrimination complaint.
  - Complaint forms – HUD 903.1 should be included in briefing packets
  - Fair Housing Posters prominently displayed
- Other information for clients

Providing information to landlords 982.307

- What to provide to prospective landlords? You are required to provide landlords with the family's current & prior address/landlord name, based on your records.
- If the client is a current participant, your Plan should address what other information you will provide to a landlord

Providing Information to Landlords – cont.

- Will you provide information on rent payment history, housekeeping, criminal activity? It should be addressed in your Plan.
- Client awareness – your clients need to be made aware of this policy. You can include it in briefing packets and privacy act statements.

Disapproval of Owners – 982.306

- Reasons for disapproval – under what circumstances will you disapprove an owner for program participation?
  - Criminal activity – what crimes and for how long?
  - HQS – failure to comply.
  - Verbal or physical abuse to PHA staff?

Disapproval of Owners – cont.

- Criteria – Your Plan should address how you will notify the owner of your decision. Will it by through your attorney or by mail?
- Documentation required – make sure you have files documented properly; copies of failed inspections, newspaper articles, letters to owner, etc.

Subsidy standards – 982.402

- Number of bedrooms allowed per family – your Plan needs to specify how you will determine the voucher size for the family
- Based on family size and make up – will you consider age and gender of dependents when determining the number of bedrooms? Or do you only use local city codes?

Subsidy Standards – cont.

- Live in aides – You must allow an extra bedroom for a live in aide.
- Exceptions – If you allow any exceptions they must be spelled out in your Plan. Be careful on allowing exceptions as they can lead to Fair Housing complaints.

Family absence from the unit – 982.312

- Length of time allowed – what do you consider to be more than a “brief absence” from the home? 30 days, 60 days, longer? How do you determine the family is absent? Phone calls, home visits, letters?
- Maximum absence from home allowed is 180 days.

Family Absence from Home – cont.

- HAP termination – what procedures do you have in place for termination from the program if the family is absent from the home?
- Notification to client and landlord – what time frame will you allow before you notify both parties? Be sure to include Housing Assistance Payments will be terminated and give effective date.

Family Break UP – 982.315

- Who gets the voucher? – Is it based on who was the original voucher holder, who has custody of the children, is it up to the courts to decide?
- Documentation - What documentation do you require the family to proof they are entitled to the voucher? Court records, police reports, etc?

Informal Review Procedures – 982.554

- Notification to applicant – do you send letters via certified or regular mail?
- Time frames – how long does the client have to respond; 10 days, 15 days? Is it from the date of the letter or day they receive it, if using certified mail?

Informal Review Procedures – cont.

- Exceptions – will you allow for rescheduling of informal reviews? If so, how many times and under what circumstances? If they are at work, in the hospital, couldn't get a ride?
- Not required – your Plan should list when an informal review is not required (as per HUD regulations)

Informal Hearing Procedures – 982.555

- Same as Informal Review Procedures? You should ask the same questions to develop or revise your Plan, however, they do not have to be the same as for Informal Review procedures.
- When required – your Plan needs to list instances (as per regulations) when an informal hearing is not required.

Payment Standards – 982.503

- Is also part of your SEMAP score
- Determining P/S – Do you use the published FMR's, or 90 – 110% of the FMR? Is it the same rate for each area of jurisdiction, each bedroom size? Do you consider local market conditions, family needs or your budget? Whatever your method, it must be addressed in your Plan.

Reasonable rent – 982.507

- SEMAP – This is another large part of your SEMAP score.
- When does rent reasonableness apply? – Your plan must list when R/R will apply. Must be conducted during initial lease and at rent increases.

Rent Reasonableness – cont.

- Obtaining rent reasonableness database – what steps will you take to develop and maintain your database of comparable units? Surveys by phone or mail, polling your current landlords? How often will you update your database? Monthly, semi-annually, annually?

Policies for special housing types – 982.601 – 982.643

- Does not happen for most PHA's, however, your Plan must include information for shared housing, Single Room Occupancy, etc.
- HQS standards – will be different for these program participants, be sure to address the changes in your Plan.

Special Housing Types – cont.

- Utility allowances – if they are different than for other program participants, you need to address it in your Plan
- Payment standards – same as above

Policies regarding families who owe the PHA money

- Repayment agreements – when will you enter into them? Each time? Or will it depend on the amount owed, prior history with the family, etc. How long will you allow the family to repay? One year?, Until the debt is repaid? Be sure to specify it in your Plan.

Policies regarding families who owe the PHA money

- Termination from the program – when does the process start? When the family misses one payment, two? If the debt is not repaid by the next re-exam date? Or immediately if you do not use repayment agreements?

Policies regarding families who owe the PHA money – cont.

- Exceptions – do you allow for any exceptions? If so, they must be listed in your Plan. Again, be careful that you are not inviting complaints.
- Time Frames – your Plan, as well as the repayment agreement, needs to address terms of the agreement, time frame for repayment, and consequences of default of agreement

Interim reexaminations – 982.516

- How often, if ever? Some PHA's do not have interim reexaminations if a family's income increases. If that is the case, your Plan must state it.
- Minimum amount of income change? If your PHA does interim reexams, do you require the family to report all increases in income or just a certain dollar amount; $50, $100 per month? Your Plan must state this.

Interim reexaminations – cont.

- Consequences for not reporting changes – your Plan must state if you will terminate from the program, enter into repayment agreements or make rents retroactive to the time of the increase in income
- Notification to client and landlord – your Plan must state how you will notify all parties on the change in rents. Do you just send a letter, or require the parties to sign interim paperwork?

Number of moves allowed – 982.314

- Any allowed during the first year's lease? One of the reasons landlords participate in the program is because family's do not move during the first year's lease. Will you allow moves during this time?

Number of moves allowed – cont.

- If so, under what circumstances? Medical reasons, job opportunities, education?
- Documentation of circumstances – will you require a doctor's statement, proof of job, college schedule?
- Restrictions on other allowed moves – if you restrict the number of moves you will allow, your Plan must state it.

Number of moves allowed – cont.

- Violence Against Women Act (VAWA) – you Plan must include the procedures you will follow if a family wants to move under VAWA and what documentation you will require

Admin fee reserve charges – 982.155

- Board approval required – what circumstances and/or expenditures will require Board approval for use of admin fee reserves? A certain dollar amount, or for certain items; office equipment, large maintenance items, etc.

Admin fee reserve charges – cont.

- Fiscal Year 2003 and prior – can be used for other than Section 8 program use
- Fiscal Year 2004 to present – cannot be used for anything other than Section 8 program use.
- PIH 2008-15 – for more information refer to this notice

HQS inspections – 982.401

- Criteria used – do you use HUD's definitions only, or do you use additional criteria, city codes, PHA additions to HQS, etc. The criteria must be stated in your Plan.
- Life threatening violations – your Plan must list the items your PHA considers to be life threatening – non-working smoke alarms, gas leaks, no heat, raw sewage, etc.

HQS inspections – cont.

- Notification to landlord and clients – what procedures are in place for notifying both parties? When will the notifications be sent, 1 day after inspection, 3 days? Your Plan must state the time frames you will allow for repairs to be done; 10 days for minor repairs, 30 days maximum, etc.

HQS inspections – cont.

- When are inspections done? – how long after the Request for Tenancy Approval form is received do you schedule the inspection? 3 days, 5 days? Will you allow for reschedules? If so, how many?
- Re-inspections – HUD regulations do not require a PHA to actually do a reinspection, only to verify repairs are done. What documentation will you require? Paid invoices of work done, letter from landlord? It must be stated in your Plan.

Screening of Applicants – 982.307

- HUD Required – PHA's must screen for eligibility to the program, income, citizenship, sexual predators etc. These must be listed in your Plan

- PHA reasons – PHA's may increase tenant screening beyond HUD requirements. If you choose to do so, you must list the screening procedures in your Plan; credit check, landlord references, criminal activity, etc.

Screening of applicants – cont.

- Exceptions – if you allow for exceptions, they must be stated in your Plan. Also, what type of documentation you will require to prove exception to the usual screening policy. Be sure you are treating everyone equally to prevent complaints.

- In-depth screening – this is usually the responsibility of the landlord and can include credit history, rent paying history, housekeeping, etc. Your Plan needs to state the procedures you have to inform the landlord of this responsibility

Other Admin Plan considerations

- SEMAP quality control procedures
- Violence Against Women Act
- Types of Inspections
- Portability
- Owner debt to PHA
- Mission statement
- “0” income clients
- Reasonable accommodation

Final thoughts

- Consistency – make sure language in the Plan and other PHA forms and paperwork is consistent. If your Plan says clients have 10 days to report changes, then that should the same on your Tenant Responsibility form.

- Read your plan – if you have your Plan done by a contractor, make sure it says what you want it to say! HUD reviews have shown sometimes the PHA name is not even correct on the Plan!

Final thoughts – cont.

- Make it available – the Plan must be made available to the public upon request. Make sure your staff have access to it also, especially if you have satellite offices

- Keep staff up to date – a good way to do this is to review a portion of the Plan at regular staff meetings, especially if changes are made to the Plan or if staff changes.

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