



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

Special Attention of:

Directors of HUD Regional and
Field Offices of Public Housing;
Agencies that Administer the
Emergency Housing Voucher Program

Notice PIH 2022-22 (HA)

Issued: August 11, 2022

Cross Reference: Notice PIH 2021-15

Expires: This notice remains in effect until
amended, superseded, or rescinded.

SUBJECT: Revoke and Reallocation of Emergency Housing Voucher Awards

1. Purpose

This notice explains HUD's process for revocation and reallocation of Emergency Housing Voucher (EHV) awards. As part of this process, the notice updates the award allocation formula found in section 4 of the Notice PIH 2021-15 in connection with the reallocation of these EHV awards.

2. Background

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (P.L. 117-2, hereafter referred to in this notice as "the ARP") into law, which provides over \$1.9 trillion in relief to address the continued impact of the COVID-19 pandemic on the economy, public health, State and local governments, individuals, and businesses.

Section 3202 of the ARP appropriates \$5 billion for new incremental EHV's, the renewal of those EHV's, and fees for the cost of administering the EHV's and other eligible expenses defined by notice to prevent, prepare, and respond to coronavirus to facilitate the leasing of the emergency vouchers, such as security deposit assistance and other costs related to retention and support of participating owners.

Eligibility for these EHV's is limited to individuals and families who are (1) homeless; (2) at risk of homelessness; (3) fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking; or (4) recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability. ARP required that HUD allocate EHV's in accordance with a formula that includes public housing agency (PHA) capacity and ensures geographic diversity, including with respect to rural areas. After September 30, 2023, a PHA may not reissue the EHV when assistance to a participating family ends (i.e., the family leaves the program for any reason).

HUD issued Notice PIH 2021-15 on May 5, 2021 to provide operating requirements to PHAs administering the EHV program. On May 10, 2021, HUD notified select PHAs of their EHV award and funding eligibility based on the allocation formula outlined in Notice PIH 2021-15. PHAs had until May 24, 2021, to accept or decline their EHV allocation and any remaining vouchers were reallocated by HUD per the process described in Notice PIH 2021-15. Allocations were made on June 2, 2021. HUD issued Notice PIH 2021-20 on June 30, 2021, which instructed PHAs to report EHV household participation data in HUD's existing

Information Management System/Public Housing Information Center (IMS/PIC) system. After EHV allocations, some PHAs have opted to voluntarily return all or part of their EHV award. HUD issued Notice PIH 2022-06 on March 10, 2022 to explain the process for the reallocation of voluntary EHV returns.

The ARP provides that if a PHA fails to lease its authorized EHV's within a reasonable period of time, HUD may revoke and redistribute any unleased vouchers and associated funds to other PHAs. Section 14 of Notice PIH 2021-15 described HUD's authority to revoke and reallocate EHV's and provided that HUD would issue a separate notice detailing the process by which vouchers will be revoked and reallocated at least four months before the PHA's leasing performance will be evaluated. This notice explains the HUD process, which will be effectuated at the end of Calendar Year 2022 for PHAs that have shown no ability to utilize the vouchers. HUD may issue a subsequent notice in Calendar Year 2023 if additional revoke and reallocation actions are necessary.

3. Revocation of EHV Awards at the End of Calendar Year 2022

As noted earlier, in order to be eligible for an EHV, an individual or family must meet one of four eligibility categories, which are (1) homeless (2) at risk of homelessness, (3) fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking, and (4) recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability. These individuals and families may require additional support and time to secure a lease. Therefore, HUD's initial revocation of EHV Awards at the end of 2022 will only target PHAs that have demonstrated no EHV leasing activity as of December 15, 2022.

To identify the PHAs with no EHV leasing activity, HUD will examine a PHA's reported EHV program activity according to data reported by the PHA in HUD's Voucher Management System (VMS) and the Public and Indian Housing Information Center (IMS/PIC) as of December 15, 2022. After December 15, 2022, HUD will identify the PHAs with no reported EHV leasing and notify the PHA that all or part of the EHV award will be revoked. HUD will amend the PHA's Consolidated Annual Contributions Contract (CACC) to reflect the revocation of EHV authority.

HUD will not revoke vouchers from EHV voucher holders who are searching for a unit. Upon notice of revocation, the PHA must verify that their EHV voucher issuances reported in IMS/PIC as of December 15, 2022 are accurate. HUD will reduce the PHA's EHV CACC to match the number of reported issuances. Furthermore, HUD will not revoke vouchers from PHAs that are the only EHV program administrator in a state or territory.

As of August 1, 2022, HUD estimates that 22 PHAs are potentially subject to this revocation. A list of PHA is available in appendix A.

4. Return of EHV Funds

Once the number of EHV's under a PHA's CACC is reduced, the PHA must return any funds associated with the EHV revocation. This includes the following:

- Funding for Housing Assistance Payments (HAP) that HUD obligated to the PHA that is attributable to the revoked EHV authority, unless the excess HAP funding has been accounted for through HUD's EHV renewal process.

- Ongoing administrative fees that were advanced to the PHA unless the advanced ongoing administrative fees have already been accounted for through HUD's reconciliation process.
- If the PHA has EHV's remaining after revocation, the PHA must return an amount equivalent to 50 percent of the service fees for each EHV that is being revoked, not to exceed the total amount of unexpended service fees available to the PHA. If all EHV's are revoked, the PHA must return all unspent EHV service fees.
- If the PHA has EHV's remaining after revocation, the PHA must return an amount proportional to the EHV revocation, not to exceed the total amount off unexpended preliminary fees. If all EHV's are revoked, the PHA must return all unspent EHV preliminary fees.
- If the PHA has EHV's remaining after revocation, the PHA must return an amount proportional to the EHV revocation, not to exceed the total amount of unexpended placement/issuance fees. If all EHV's are revoked, the PHA must return all unspent placement/issuance fees.

Upon notice of revocation, the PHA will receive instructions from HUD's Financial Management Center regarding the process for returning the funds.

5. **Reallocation of EHV Awards**

HUD will reallocate EHV Awards to PHAs with a demonstrated capacity to administer an EHV program. HUD's reallocation formula is based on the initial award formula described in Section 4 of Notice 2021-15. In the initial award formula, HUD created a dual formula structure that provides the highest allocation of vouchers for a PHA based on the higher of an estimate of homeless need and an estimate of at-risk of homelessness need. To ensure geographic diversity, HUD adjusted the formula so that each state had a base allocation. In situations where a PHA was below the minimum threshold to receive a voucher allocation, the additional vouchers were provided to the state PHA.

The reallocation formula is a function of a PHA's initial formula allocation and newer information on its capacity to implement the EHV program as measured through EHV utilization. Specifically, the reallocated vouchers will only be available for PHAs that have a reported EHV utilization rate of at least 50 percent or greater as of November 15, 2022. Among those PHAs that meet this utilization minimum, the formula allocation will be proportional to their leased EHV's among all leased vouchers of PHAs that meet this utilization minimum.

Specifically, HUD will perform the following assessments and calculations:

- A. HUD will identify any PHAs that have reported EHV utilization of at least 50 percent or greater as of November 15, 2022. These PHAs will be offered any revoked EHV awards from PHAs in their state. In states where there are multiple PHAs with at least 50 percent or greater utilization, the revoked EHV awards will be reallocated on a prorata basis according to the number of EHV awards the PHAs have reported leased as of November 15, 2022. The minimum award amount will be 5 vouchers. PHAs below this amount in the prorata formula will be excluded.
- B. If HUD cannot identify any PHAs in a state with 50 percent or greater utilization as of November 15, 2022, or if the eligible PHAs do not want to accept the reallocation awards, HUD will reallocate the award nationally according to the formula outlined in Notice PIH

2022-06, which limits eligibility for reallocation vouchers to PHAs with at least 95 percent utilization.

6. Continuation of EHV Administrative Fees and Funding for Other Eligible Expenses

PHAs that accept an additional allocation of EHV's under the reallocation process described in Section 5 of this notice will receive the following EHV fees as described in Section 6 of Notice PIH 2021-15:

Issuance Reporting Fee. PHAs will receive \$100 for each new incremental EHV that is leased if the PHA reported the voucher issuance data in the IMS/PIC system within 14 days of the voucher issuance date.

On-going Administrative Fee. PHAs will receive an on-going administrative fee for the additional EHV's consistent with section 6.c. of Notice PIH 2021-15.

Service Fee. PHAs will receive \$3,500 for each additional EHV they accept. The eligible uses of these fees will be limited to activities described in Notice PIH 2021-15.

7. EHV Technical Assistance and Resources to Support Leasing

PHAs are reminded that HUD has provided extensive technical assistance resources at www.hud.gov/ehv. There, PHA may see their latest EHV performance data, find videos and guidance to support EHV leasing, and request one-on-one assistance from EHV technical assistance providers.

8. No Reissuance of EHV After September 30, 2023

PHAs are reminded that after September 30, 2023, a PHA may not reissue the EHV when assistance for an assisted family ends. That means that all EHV's under lease on or after October 1, 2023, may not under any circumstances be reissued to another family when the participant leaves the program for any reason. However, an EHV that has never been leased by a family may be issued and leased after September 30, 2023. For additional details see Section 13 of Notice PIH 2021-15.

9. Further Information

Questions concerning this notice should be submitted by email to the following HUD mailbox: ehv@hud.gov.

/s/

Dominique Blom
General Deputy Assistant Secretary
for Public and Indian Housing

Appendix A: PHAs potentially subject to EHV revocation at the end of CY2022.

Below is a list of all PHAs with reported zero EHV leasing activity reported in IMS/PIC as of August 1, 2022, or reported in VMS for May 2022. Additional PHAs could be subject to EHV revocation if their reported EHV leasing can not be verified by HUD.

PHA Code	PHA Name	Total Awards
AR225	Lee County Housing Authority	15
CA069	The Housing Authority of the City of Madera	33
LA187	St. Bernard Parish Government	15
LA270	Parish of Jefferson	50
MN049	HRA of Pipestone, Minnesota	15
NC018	Housing Authority of the Town of Laurinburg	15
NC075	City of Albemarle Department of Public Housing	15
NC089	Bladenboro Housing Authority	15
NC118	Roanoke-Chowan Regional Housing Authority	15
NC120	Chatham County Housing Authority	15
ND030	Benson County Housing Authority	15
NJ014	Housing Authority And Urban Redevelopment Age	15
NY103	Ellenville Housing Authority	15
RQ028	Municipality of Manati	16
RQ044	Municipality of Guanica	15
RQ045	Municipality of Yabucoa	15
SC059	Marlboro Co Hsg & Redev Authority	24
TX016	Del Rio Housing Authority	15
TX396	Starr County Housing Authority	15
VA039	Va. Beach Dept. of Hsg & Neighborhood Pres.	35
WA017	HA of Asotin County	15
WA061	Housing Authority of Skagit County	32