

Emergency Housing Vouchers
Frequently Asked Questions (FAQs) v.7

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Eligibility

1. Who qualifies for the Emergency Housing Voucher Program?

Emergency Housing Vouchers (EHVs) are specifically designed for households who are:

- Homeless;
- At Risk of Homelessness;
- Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking or human trafficking;
- Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability.

Detailed information on household eligibility can be found in Section 8 of [PIH Notice 2021-15](#).

2. Are participants in Rapid Rehousing programs eligible for EHV?

Yes. Continuums of Care (CoCs) have the discretion to refer households in Rapid Rehousing programs to receive EHVs administered by PHAs.

3. How is “at-risk of homelessness” defined and how can communities identify which household are “at-risk of homelessness”?

The EHV program uses the definition of “at-risk of homelessness” outlined at 24 CFR 578.3, which can also be found in [PIH Notice 2021-15](#) in section 8.b. An outline of this definition is available at

https://files.hudexchange.info/resources/documents/AtRiskofHomelessnessDefinition_Criteria.pdf

Communities should work together with other stakeholders, including education liaisons, homeless services providers, health agencies, correctional settings, nursing homes, psychiatric hospitals, and other in-patient/institutional settings to identify households who are at-risk of homelessness that should be eligible for EHVs.

4. Regarding the McKinney-Vento Act definitions, the following provision about not having a support network appears in several places: “Lacks the resources or support networks, e.g., family, friends, and faith-based or other social networks, to obtain other permanent housing.” Does this have to be demonstrated, and if so, how must this be demonstrated?

Organizations certifying whether applicants lack the resources or support networks to obtain other permanent housing must establish procedures for documentation of the evidence relied upon to establish and verify status at intake. Certifying organizations may include institutional feeder agencies such as correctional settings, health agencies, nursing homes, psychiatric hospitals, in-patient institutional settings, etc. The procedures must establish the order of priority for obtaining evidence in the following order:

- Third-party documentation first;
- Intake worker observations second; and
- Certification from the person seeking assistance third.

Specifically, for lacking the resources or support networks, the following are acceptable documentation of this status:

- Certification by the individual or head of household that no residence has been identified; and
- Certification or other written documentation that the individual or family lacks the resources and support networks needed to obtain other permanent housing.

5. Is there an appeals process required for Coordinated Entry (CE) determinations?

CoCs are required to have written policies and procedures that include a process by which individuals and families may appeal coordinated entry decisions.

6. Does the PHA pull households from its current waitlist for EHV?

No, PHAs must only accept referrals for EHV directly from the CoC's CE System or other partner referral agencies. However, PHAs must inform families on the HCV waiting list of the availability of EHV at a minimum. PHAs can post the information to their website or provide public notice in their respective communities. The PHA public notice must describe the targeted populations to which the EHV are limited and explain that the availability of these EHV is managed through a direct referral process through the CoC. The PHA notice must also advise the household to contact the CoC (and any other PHA referral partner) if they believe they might be eligible for EHV assistance.

HUD has waived 24 CFR 982.204(f), which provides that a PHA must use a single waitlist for admission to its HCV program. An alternative requirement has been established for the EHV program under which the PHA maintains a separate waiting list for EHV referrals/applicants.

7. Are the vouchers available for individuals or just families?

EHVs are available to both individuals and families meeting the eligibility criteria.

8. How is HUD defining "family" in [PIH Notice 2021-15](#)?

HUD's definition of "family" for the EHV program is the same as the definition of "family" for the HCV program. Under the HCV program regulations at 24 CFR 982.4, the term "family" is a person or a group of persons, as determined by the PHA consistent with 24 CFR 5.403, approved to reside in a unit with assistance under the program. The term "family" used in EHV/HCV context encompasses a family that is comprised of a single individual, in addition to a family consisting of "a group of persons".

9. What if an individual or family is over income?

As in the regular Housing Choice Voucher (HCV) program, the PHA must determine whether a family is income eligible prior to the provision of EHV assistance. If the family is over income based on the most recently published income limits for the family size, the family is ineligible for HCV and therefore EHV assistance.

10. What type of documentation is acceptable when determining that a family falls under one of the four eligibility categories? Should the PHA receive formal documentation or information from the local CoC or local Victims Service Provider (VSP)?

CoCs and VSPs are responsible for determining eligibility for EHV, referring eligible families to the PHA, and providing documentation to the PHA that the family meets one of the four eligibility categories. An example of acceptable documentation that can be provided to the PHA is the sample certification of homelessness and sample certification of human trafficking that is provided in [PIH Notice 2021-15](#). In addition, a sample certification for survivors of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking was recently created and is available on hud.gov/ehv; this sample certification is also an example of acceptable documentation. Once the PHA receives documentation from the CoC or VSP that the family falls under one of the four eligibility categories, no further documentation is needed from the CoC or VSP.

11. Are unaccompanied youth eligible for EHV?

Youth between the ages of 18-24 are eligible for EHV. Youth under 18, however, must be part of a family that includes a person 18 years or older in order for the family to be eligible for an EHV.

12. Can households without eligible immigrant status be eligible for EHV?

No. As tenant-based assistance under section 8(o) of the United States Housing Act of 1937, EHV requirements for citizenship are the same as the HCV program. 24 CFR § 5.506 requires at least one member of the household to be a U.S. citizen or a noncitizen with eligible immigration status to receive assistance under section 8(o).

13. My community has veterans who may be eligible for both HUD-VASH and EHV. How do we determine which program would be a better fit for them?

In response to the specific request for guidance, HUD recommends that the determination should be made based on the case management needs of the veteran. This would result in veterans referred by the VA for HUD-VASH being served by HUD-VASH, as the referral signifies the VA's determination of the veteran's needs for ongoing case management services. Depending on the populations PHAs and their partnering CoC(s) have agreed to prioritize for EHV referrals, the CoC may refer veteran families who are ineligible for HUD-VASH but otherwise eligible for EHV.

14. Are former foster youth who are eligible for the Family Unification Program (FUP) also eligible for EHV? If they are eligible for EHV, must they also be assessed through the Coordinated Entry System first?

Former foster youth who are eligible for FUP may also be eligible for EHV if they meet the EHV eligibility criteria defined in Section 8 of [PIH Notice 2021-15](#). Per EHV requirements, the CoC or other partnering agency has to provide the referral through the CES.

15. What does “fleeing or attempting to flee” mean in the context of eligibility for EHV?

CoCs and VSPs are responsible for certifying eligibility for families fleeing or attempting flee domestic violence, dating violence, sexual assault and human trafficking. These organizations may accept survivors' self-definition of "fleeing or attempting to flee" for the purpose of meeting eligibility for EHV as a person fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking. Therefore, if an individual self-identifies as fleeing or attempting to flee domestic violence, that individual would be eligible for EHV.

16. Can a household qualify for EHV even if they have previously received a VAWA emergency transfer or otherwise moved as a result of domestic violence, dating violence, sexual assault, stalking or human trafficking?

Yes. A PHA may not exclude a family who may have previously received a VAWA emergency transfer or otherwise moved as a result of domestic violence, dating violence, sexual assault, stalking, or human trafficking. However, the family may not receive duplicative federal rental assistance. A family currently receiving HUD rental assistance must agree to end participation in that HUD program to receive EHV.

17. For non-citizens claiming eligible immigration status, are VAWA self-petitioners eligible for EHV?

Yes. Per Notice [PIH 2017-02](#), HUD regards VAWA self-petitioners as persons in "satisfactory immigration status" for purposes of compliance with Section 214 of the Housing and Community Development Act of 1980, as amended.

18. In the EHV eligibility category of individuals or families who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking in Section 8c of [PIH Notice 2021-15](#), HUD states that this "includes cases where a HUD-assisted tenant reasonably believes that there is a threat of imminent harm from further violence if they remain within the same dwelling unit." What is meant by "imminent harm"?

In accordance with [VAWA Final Rule \(81 FR 80742\)](#), "imminent harm" refers to the tenant's belief or fear of the threat or danger of domestic violence, dating violence, sexual assault, stalking or human trafficking based on their particular experiences and responses to violence, threats, and trauma that they will or may face if they remain in the same unit that they are currently occupying.

19. Are EHV households eligible to participate in the Family Self-Sufficiency Program (FSS)?

Yes. Because EHV is part of Tenant-Based Rental Assistance under Section 8(o) of the Housing Act of 1937, EHV households are eligible to apply for and may be selected by the PHA to enroll in the FSS program.

20. Despite their high risk of homelessness, people who identify as lesbian, gay, bisexual, transgender, and/or queer (LGBTQ+) continue to face barriers to accessing homeless services. What can PHAs and their referring partners do to ensure that eligible LGBTQ+ people have equal access to EHV?

Studies show that LGBTQ+ people often experience a heightened risk of violence, abuse, and discrimination compared with the general population, and that these risks contribute to homelessness and housing instability. *See, e.g.,* Williams Institute, [LGBT People and Housing Affordability, Discrimination, and Homelessness](#) (April 2020). Because of this discrimination and exclusion, LGBTQ+ people experiencing homelessness may not always be connected to homeless services and therefore, may be overlooked for housing assistance. To reduce barriers to assistance, PHAs should strive to make the delivery of assistance and the administration of this program open, inclusive, and welcoming to LGBTQ+ individuals and families experiencing homelessness.

HUD strongly encourages PHAs involved in administering the EHV program, and CoCs and other referring partners to incorporate inclusive and culturally competent strategies to reduce barriers to assistance for the LGBTQ+ community. Referring partners should consider partnering with local organizations serving the LGBTQ+ community for assistance in conducting outreach to the LGBTQ+ community. Referring partners are also encouraged to provide volunteer and employee training on cultural competency and compliance with the law in interacting with LGBTQ+ individuals and communities, in accordance with program requirements. Employee training can include topics such as using inclusive language, ensuring the safety and inclusion of LGBTQ+ people, and determining what types of inquiries are appropriate or inappropriate.

PHAs must provide equal access to EHV to LGBTQ+ individuals and their families when they are in need of emergency housing assistance, including when they have been unable to access housing or services from other providers. The Fair Housing Act prohibits discrimination because of sex, including sexual orientation and gender identity. HUD's Equal Access Rule also prohibits PHAs, CoCs, and other HUD-assisted housing providers from denying access to housing, housing programs, and homeless services because of a person's actual or perceived sexual orientation, gender identity, or marital status. Therefore, PHAs and other HUD-assisted housing providers should have nondiscrimination policies that explicitly prohibit discrimination against LGBTQ+ individuals and families. In addition, PHAs and other referring providers must recognize LGBTQ+ family units, including unmarried domestic partners, same-sex spouses, and persons who have child-rearing responsibilities even where those persons are not the biological or adoptive parents of the child.

PHAs, CoCs and other referring partners should use policies and practices that ensure that persons who are seeking assistance are referred to by their correct names and pronouns, whether or not those names and pronouns appear on the person's official identification documents. Many low-income transgender and gender non-conforming people do not have the resources to change their names and gender markers on identification documents, and in many jurisdictions, they face significant legal barriers to doing so. It is good practice not to make assumptions about a person's name or pronouns and instead to ask the person to state their correct name and pronouns. Referring partners should have a policy so that where a person seeking assistance states their correct name and pronouns, the referring partner uses them, especially when publicly addressing or corresponding with that person, or when collecting their information on forms or in databases. This is because when a transgender or gender non-conforming person's correct name or pronouns are different from the ones they were assigned at birth, using the incorrect name or pronouns (referred to as deadnaming or misgendering them) can be harmful to them. Although written for shelters, useful resources are available from the HUD SNAPS office for programs seeking to set

policies that ensure the inclusion and safety of LGBTQ+ individuals.

(<https://www.hudexchange.info/homelessness-assistance/resources-for-lgbt-homelessness/#guide-to-support-equal-access-in-shelters-and-projects>)

For specific questions on assessing or formulating appropriate policies, PHAs may contact HUD's Fair Housing and Equal Opportunity (FHEO) Regional Office or the PHA may also request technical assistance by contacting ehv@hud.gov. CoCs and other referring partners may reach out to <https://www.hudexchange.info/program-support/>.

21. For EHV eligibility, can the person who is a victim of human trafficking be a minor child, thereby making the family eligible for EHV? (UPDATED)

Yes. As stated in [PIH Notice 2021-15](#), human trafficking includes both sex and labor trafficking as outlined in the Trafficking Victims Protection Act of 2000. The statute defines sex trafficking as “the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.” Therefore, a minor child may be a victim of human trafficking.

Partnerships and Collaborations

22. If a CoC is collaborating with more than one PHA, can the CoC use the same prioritization for both PHAs and allow families to port vouchers if one geography has more applicants than the other?

Yes. CoCs may utilize the same prioritization when collaborating with multiple PHAs. Per section 9b of [PIH Notice 2021-25](#), PHAs and CoCs should work collaboratively to determine the best use and targeting for EHV. This information may be included in the PHA's MOU with partnering organizations.

In accordance with Section 9(o)(iii) [PIH Notice 2021-15](#), families opting to port to an alternative PHA jurisdiction should be advised how portability works and how relocation outside of the PHAs jurisdiction may affect the family's assistance and impact the special EHV services and assistance that may be available to the family.

23. What is a Continuum of Care (CoC)?

The CoC is a local planning body that coordinates housing and services funding for homeless individuals and families. The CoC Program is designed to:

- Promote communitywide commitment to the goal of ending homelessness;
- Provide funding for efforts by nonprofit providers and State and local governments to quickly rehouse homeless individuals and families and minimize the trauma and dislocation that homelessness causes for individuals, families, and communities;

- Promote access to and effect utilization of mainstream programs by homeless individuals and families; and
- Optimize self-sufficiency among individuals and families experiencing homelessness.

Section 9.b of [PIH Notice 2021-15](#) provides a more thorough description of CoCs and their role in the EHV program. Additional information on CoCs can be found at https://www.hud.gov/program_offices/comm_planning/coc.

24. What is a Victims Service Provider (VSP)?

HUD defines a VSP to mean a private nonprofit organization whose primary mission is to provide direct services to victims of domestic violence. This term includes permanent housing providers—including rapid rehousing, domestic violence programs (shelters and non-residential), domestic violence transitional housing programs, dual domestic violence and sexual assault programs, and related advocacy and supportive services programs. The term includes organizations that provide these services to individuals or families fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, human trafficking or other dangerous or life-threatening conditions that relate to violence against the individual or a family member. Additional information about how HUD defines VSP is available at <https://files.hudexchange.info/resources/documents/Coordinated-Entry-and-Victim-Service-Providers-FAQs.pdf>.

25. What is a Coordinated Entry (CE) system?

Provisions in the Continuum of Care (CoC) Program Interim Rule at 24 CFR§578.7(a)(8) require that CoCs establish a Coordinated Entry (CE) system. The CE system helps coordinate and manage crisis response resources so that CE system users can make consistent decisions based on available information to connect people to housing and service interventions efficiently and effectively.

HUD’s Coordinated Entry (CE) Notice ([Notice CPD 17-01](#)), published in January 2017, sets specific requirements for CE systems. These include non-discrimination (p. 6) and affirmative marketing requirements (p. 3). The Notice also sets forth annual CE evaluation requirements, which have been waived because of the COVID-19 pandemic (effective September 1, 2020 through September 1, 2021). Through evaluation, CoCs can identify where inequities exist, discern how to improve them, and monitor the effectiveness of attempted improvements.

CE systems use standardized assessment tools, prioritization policies, and practices to take into account the unique needs of different populations including families, youth, survivors of domestic violence, and populations that are disproportionately represented among people experiencing homelessness. The most intensive interventions should be prioritized for those with the highest needs, as identified by the community.

There are four core elements of a community’s CE system designed to aide households who request assistance through the housing crisis response system, including: (1) establish access points for persons experiencing a housing crisis; and (2) institute an assessment process to gather information on people’s needs, preferences, and the barriers they face to housing instability. Once the assessment has identified the most vulnerable households with the highest

needs, the CoC follows established policies and procedures to (3) prioritize households and (4) refer households to the most appropriate intervention.

Additional resource:

[Equity-Driven Changes to Coordinated Entry Prioritization Changes to Coordinated Entry Prioritization to Support and Respond to COVID-19](#)

26. Who is responsible for establishing prioritization for EHV's?

PHAs are required to work with community partners to determine the best use and targeting for EHV's along with other resources available in the community. While the prioritization is primarily accomplished through the CoC's CE system (CE the PHA may choose to establish local preferences for EHV admissions, which would then prioritize the order that families are issued EHV's from the EHV waiting list when the number of referrals to the PHA exceeds the available EHV's. However, the establishment of EHV local preferences by the PHA must be done in coordination with the CoC and any other referral partners ([PIH Notice 2021-15](#) Section 9f outlines the requirements for establishing local preferences for EHV's). HUD's expectation is that the prioritization of the EHV's through the CE system and any EHV local preferences will ultimately be a collaborative effort by the CoC, PHA, other referral partners (where applicable), and other stakeholders in the community.

27. Is HUD requiring a signed Memorandum of Understanding (MOU) with the CoC and Victim Service Providers for the administration of EHV's?

HUD has established an alternative requirement for the EHV program under which the PHA must enter into an MOU with all referring agencies to establish a partnership for the administration of EHV's. Communities may have a single MOU or multiple MOUs with referring agencies.

See Section 9.b of [PIH Notice 2021-15](#) for more information regarding the MOU requirement and Attachment 2 of the same notice for a sample MOU template. Partners can update MOUs as the program progresses.

28. If the PHA is also the CoC, how should the MOU be structured?

While this is a rare occurrence, if the PHA and the CoC are the same entity, the MOU is structured to reflect the understanding between the organizational component within the PHA that has the primary responsibility for administering the EHV program and the organizational component within the PHA that has primary responsibility for carrying out its CoC functions, including but not limited to the administration of the Coordinated Entry (CE) System. (An organizational component could be a division, office, department, branch, etc., depending on how the PHA is organized and the terms that are used.) While the MOU in this case is being executed by representatives of two organizational components within the same agency, the MOU must still contain the minimum requirements of the MOU as provided in Section 9.b of [PIH Notice 2021-15](#). In such a circumstance, the term "PHA" refers to the organizational component of the PHA that has the primary responsibility for administering the EHV program, and the term "CoC" refers to the organization component of the PHA that has the primary responsibility for carrying out its CoC functions. The fact that the PHA and the CoC are one and the same does not alter the EHV

requirement that families must be referred to the program through the CoC's CE System and are not pulled directly from the PHA's HCV waiting list.

Note that if the PHA is partnering with another CoC and/or referral partnering agency in accordance with the requirements of [PIH Notice 2021-15](#), the MOU must reflect the PHA's responsibilities solely as the PHA with respect to referrals coming from the other CoC and/or referral partnering agencies.

29. What are the roles and responsibilities of CoCs, VSPs, and PHAs?

CoCs and VSPs are responsible for the following:

- Assessing eligible households for EHV and services, if needed.
- Referring eligible households to the PHA for EHV.
- CoCs may also assist referred households in completing and obtaining necessary documentation for the EHV application process.

PHAs are responsible for all the PHA administrative responsibilities for the EHV program in accordance with the EHV Operating Requirements Notice and the applicable HCV program regulations, including but not limited to:

- Reviewing applications for EHV, certify program eligibility, and conducting annual recertifications for continued eligibility.
- Determining that the unit meets Housing Quality Standards and approving units for leasing and contracts.
- Determining amounts and paying Housing Assistance Payments to landlords on behalf of the participants.
- Explaining and providing information about program policies and procedures to current and prospective landlords and participants.
- Monitoring program performance and compliance of participants and owners.

30. Are PHAs required to partner with more than one CoC?

No, there is not a *requirement* to partner with more than one CoC. Rather, PHAs are required to partner with at least one CoC in the administration of EHV's. HUD strongly encourages PHAs to partner with as many CoCs as possible to effectively administer EHV's.

Refer to the [2020 CoC-PHA Crosswalk](#) report which shows PHAs operating HCV units within each CoC.

31. How should MOUs be structured if (a) a PHA's jurisdiction includes more than one CoC or (b) a CoC catchment area requires work with multiple PHAs?

The intent of the Notice is to provide communities with the flexibilities needed to respond to the target population. HUD expects these vouchers to be deployed in a community-wide manner. PHAs are required to partner with at least one CoC in the administration of EHV's. In instances where there are multiple CoCs within the PHA's jurisdiction, HUD strongly encourages PHAs to collaborate with as many CoCs as possible to effectively administer EHV's. Regardless of how many CoCs a PHA is working with, they can enter into a single MOU or multiple MOUs as needed. The intent of these MOUs is to ensure that all parties are aware of the policies governing

referrals and defining the roles and responsibilities of each involved entity. MOUs may additionally address local protocols and procedures that are consistent and equitable in designating clear EHV distribution criteria.

32. When does HUD expect PHAs to have executed MOUs with partnering agencies?

HUD's expectation is that PHAs will enter into an MOU as soon as possible, ideally by July 1, 2021. All participating PHAs received their July 2021 EHV Housing Assistance Payment (HAP) amount initiating the timeline for placement fees. HUD is providing \$500 for each EHV family placed under contract no later than 4 months from the effective date of July 1, 2021, of the ACC funding increment, which is November 1, 2021. PHAs are required to enter into a MOU within 30 days of the effective date of the ACC funding increment; therefore, the MOU must be established no later than July 31, 2021.

A sample MOU has been included in the Notice to help communities start.

33. How do service providers outside of the CoC scope (e.g. victims of domestic violence, sexual assault, stalking, dating violence, and human trafficking) facilitate referrals to the PHA? With whom does the PHA enter into an MOU for this purpose?

In some communities, Victim Service Providers may be a partner within the community's Coordinated Entry system. In such instances, VSPs will work with the CoC to refer qualified households to PHAs.

In communities where VSPs are not a partner within the CoC's Coordinated Entry process, PHAs must enter into a MOU with respective partners outlining each entity's roles and responsibilities while developing consistent and equitable protocols and procedures governing referrals to the PHA. HUD recognizes that each community is unique, and PIH Notice 2021-15 provides communities the flexibility to develop procedures that work best on a local level.

34. What happens if the PHA and CoC(s) cannot agree on the terms of an MOU?

If you are having difficulties entering into a MOU, please email EHV@hud.gov. The HUD EHV team regularly monitors this mailbox. HUD will be able to provide technical assistance to you and your community.

35. Can you clarify if or how the agencies partnering with PHAs on EHV's are paid? If the CoC or VSP refers a family, or assists the family, does the PHA pay them by way of the services fee, or out of the admin fee? And if so, at what rate? Or are the partnering agencies paid some other way?

Paying a fee to a CoC, VSP, or other partnering agency for a referral is not an eligible use of the EHV funding. Section 6 of PIH Notice 2021-15 defines the administrative fees and funding for other eligible expenses a PHA administering EHV's may receive. The use of this funding is limited to the activities defined in the notice.

A PHA may enter into an agreement, through the MOU for the EHV program, to reimburse the CoC or other partnering service agencies for EHV eligible expenses. For example, housing search assistance is required to be made available to EHV families during their initial housing search. Housing search assistance may be provided directly by the PHA or through the CoC or another

agency or entity. Where housing search assistance is being provided by the CoC or another agency or entity, the PHA may reimburse that entity for the eligible activities as defined in the agreement.

As a reminder, CoC funds may be used to cover many of the costs associated with the EHV Program. For example, Coordinated Entry (CE) grants can be used to cover the CE costs, and RRH funds can be used to assist with housing location etc. In addition, Homeless Emergency Solutions Grants (ESG)-CV funds may be used for referrals, housing location, and other costs, including outreach, essential services in emergency shelter, RRH, and homelessness prevention.

36. Can the CoC Governance Board Chair sign the MOU or should we use our Collaborative Applicant?

HUD is not requiring a specific entity from the CoC to sign the MOU for EHV. The signatory must be a person or entity that has the authority of the CoC to sign documents on behalf of the CoC.

37. Are PHAs allowed to accept referrals outside the Coordinated Entry system if the CE system does not have anyone on the list from multiple eligible categories?

Per Section 9.c of [PIH Notice 2021-15](#), if the CE system does not have a sufficient number of eligible households, the PHA must enter into a formal partnership with another entity, such as another homeless service provider and/or victim services provider, to receive referrals.

38. We are in the Balance of State CoC¹, but we have a local homeless coalition. Can we work with the local organization, or do we have to use a HUD recognized CoC?

No, the PHA's partnership must be with the CoC. HUD established an alternative requirement for the EHV Program under which the PHA must enter into an MOU with the CoC to establish a partnership for the administration of EHV. The specific services that the CoC will provide to individuals/families referred to the EHV program must be outlined in the PHA's MOU with the CoC. PHAs that agree to accept an allocation must enter into an MOU with a partnering CoC within 30 days of the effective date of the ACC funding increment. See Section 9.b of [PIH Notice 2021-15](#) for more information regarding the MOU requirement. Additionally, a sample MOU template is included as Attachment 2 of [PIH Notice 2021-15](#).

HUD strongly encourages communities to involve as many stakeholders as possible during the planning and implementation process to ensure the EHV Initiative is successful. The MOU can be amended over time to reflect changes in how the program is implemented.

39. What should we do if our CoC does not have a functioning Coordinated Entry system?

Section 9.c of [PIH Notice 2021-15](#), states that “[t]he PHA must also take direct referrals from outside the CoC CE system if: (1) the CE system does not have a sufficient number of eligible families to refer to the PHA, or (2) the CE system does not identify families that may be eligible

¹ Balance of State CoC is defined as a CoC that covers all jurisdictions within a given state.

for EHV assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking.”

If there is no active CE system in the community or the PHA could not receive adequate referrals from a CE system, the CoC should work with the PHA to come up with an alternative referral system. This system should continue to allow for prioritization according to the standards set out in the MOU between the referring organization and the PHA and should be easy to transition to the CoC’s CE system when it comes online.

If you are having difficulties, please email EHV@hud.gov.

40. What are EHV permissive prohibition policies?

Under regular HCV rules, PHAs are allowed to use permissive prohibitions in their admissions policies, which means that PHA may prohibit admission of a household to the program if the PHA determines that any household member is currently engaged in, or has engaged in during a reasonable time before the admission, certain types of criminal activity. Per Section 9g of PIH Notice 2021-15, HUD has eliminated the PHA’s permissive prohibitions for EHV admissions related to drug-related criminal activity.

41. Are PHAs required to consult with the CoC prior to establishing permissive prohibition policies for EHV applicants?

Yes. If the PHA intends to establish grounds for denying admission to EHV applicants, Section 9g of [PIH Notice 2021-15](#) states that 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. The PHA policy on EHV permissive prohibitions must be described in the PHA’s administrative plan. Per Section 9g of [PIH Notice 2021-15](#), “Determinations must be made based on an individualized assessment of relevant mitigating information.”

42. Does the completed MOU need to be sent to HUD? If not, where does it need to be sent?

HUD is not requiring submission of the MOU. A copy of the latest version of the MOU should be kept on file by the PHA and all partnering agencies. In the process of overseeing the EHV program, HUD may request the latest copy of the MOU from the PHA. At the time of the request, HUD will provide the email address for the requested copy of the MOU.

43. Where can I find additional resources and information on working with survivors of domestic violence, dating violence, sexual assault, and human trafficking?

Additional resources include, but are not limited to:

Human trafficking organizations:

- Office for Victims of Crime (OVC) grantees: <https://ovc.ojp.gov/matrix-ovc-fundedhuman-trafficking-services-grantees-and-task-forces>
- OVC awards by state: <https://ovc.ojp.gov/states>

- Domestic Victims of Human Trafficking Program:
<https://www.acf.hhs.gov/otip/map/domestic-victims-human-trafficking-program-grantees>
- Trafficking Victims Assistance Program:
<https://www.acf.hhs.gov/otip/map/traffickingvictim-assistance-program>

Sexual assault organizations:

- National Sexual Violence Resource Center:
<https://www.nsvrc.org/organizations>

Culturally specific communities of color organizations:

- Ujima, Inc.: National Center on Violence Against Women in the Black Community:
www.ujimacommunity.org

Voucher Administration

44. Can PHAs choose to establish separate local preferences for EHV's? (NEW)

PHAs may utilize their waiver authority established in [PIH Notice 2021-15](#) to establish local preferences for EHV.

Per Section 9f of [PIH Notice 2021-15](#), HUD has waived 24 CFR § 982.207(a) so that a PHA's local preferences for HCV admissions do not apply to EHV's. With the exception of residency preferences, a PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHV's. Per Section 9f, "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." Therefore, a PHA and CoC may agree to apply preferences for certain groups based on local needs, as long as those preferences comply with fair housing requirements. An EHV cannot be set aside for a future, unknown applicant that belongs to a group being given preference for EHV.

45. What happens if there are more referrals to a PHA than vouchers available? (NEW)

In the event that the number of EHV applicants referred by partnering agencies exceeds the EHV's available for issuance to families, PHAs shall maintain a separate waiting list for EHV referrals/applicants to assist in expediting the leasing process, both at initial leasing and for any turnover vouchers that may be issued prior to the September 30, 2023 turnover voucher cut-off date, per Section 9.e of [PIH Notice 2021-15](#).

46. Can a PHA delay issuance of an available voucher to an eligible family in order to hold the voucher for a future referral? (NEW)

No. Per Section 9f of [PIH Notice 2021-15](#), a PHA may not 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 partners are contemplating local preferences for the EHV waiting list, HUD strongly encourages PHAs and their referral 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).

47. Can a PHA have a standalone Administrative Plan for the EHV program? (NEW)

No. Per 24 CFR § 982.54, a PHA is required to have a singular administrative plan for its HCV program as a whole; therefore, the EHV program must be included in a PHA's HCV administrative plan. A PHA may choose to issue an addendum or appendix to its administrative plan that is specific to EHV policies. All adopted policies incorporated in the PHA's administrative plan, addendum, or appendix must be tied to the EHV requirements (including waivers) in PIH Notice 2021-15. Any informally adopted revisions specific to EHV that were incorporated via the CARES Act waiver and approved by the board by September 30, 2021, must be formally adopted no later than December 31, 2021.

48. When seeking assistance from HUD due to a lack of referrals from the CoC, what information should a PHA submit to HUD? (NEW)

Per Section 9.c of PIH Notice 2021-15, "[t]he PHA must also take direct referrals from outside the CoC CE system if: (1) the CE system does not have a sufficient number of eligible families to refer to the PHA, or (2) the CE system does not identify families that may be eligible for EHV assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking."

In communities where there is no active CE system in the community, the PHA must enter into a partnership to receive direct referrals from another homeless services provider, and should consult with the CoC on the alternative referral system/homeless services provider partner. This referral system should allow for prioritization according to the standards established in the MOU between the referring organization and the PHA and should be easy to transition to the CoC's CE system when it comes online or increases capacity.

There may be some communities with an active CE system that is sending referrals to the PHA; however, the number of referrals is not adequate to fully lease-up the PHA's EHV. In these instances, the PHA should first contact the CoC to discuss the PHA's leasing success rate and the number of referrals needed in order to fully lease the EHV. This is also a good opportunity to discuss strategies to increase the PHA's success rate, including strategies paid for by the EHV Services fee, such as housing search assistance or landlord incentives, and strategies that require partners, such as on-going case management for potential clients. The discussion may also include broadening the EHV prioritization agreed to by the PHA and CoC.

If, after this discussion, the CoC's CE system is still unable to send a sufficient number of referrals to fully lease the EHV, the PHA should identify other homeless service providers that may also be able to send referrals. The CoC can assist the PHA in identifying these organizations. Please note that any additional referring agencies must be able to certify that the referred client meets the eligibility categories for EHV outlined in Notice PIH 2021-15.

PHAs may not accept EHV applications directly from applicants without approval from HUD.

PHAs experiencing difficulties implementing the referral process or receiving enough referrals are encouraged to email EHV@hud.gov for assistance. PHAs are asked to provide the following information in their email:

- Description of the challenges the PHA is experiencing implementing the referral process
- Description of the alternative referral system outside of the CoC's CE system (if applicable)
- Brief summary to include all partners listed in the MOU and stakeholder involvement, and
- Any documentation supporting the PHA's request to receive referrals directly (if applicable).

49. If a PHA is working with several direct referral partners, can the agency limit the amount of assistance it provides and place restrictions on those uses? (NEW)

Yes. As noted in [PIH Notice 2021-15](#), Section 6.d “the PHA may limit the amount of assistance that it provides for any of the eligible uses and place other restrictions on those uses.” For example, if the PHA is working with several direct referral partners and one partner is able to provide security deposit assistance but the other is not, then 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 former agency.

50. Can individuals and families in Rapid Rehousing (RRH), Transitional Housing (TH) and/or Permanent Supportive Housing (PSH) be prioritized for Emergency Housing Vouchers, as they may need less intensive or no case management, therefore allowing for openings in RRH, TH and/or PSH?

Per section 9b of [PIH Notice 2021-25](#), PHAs are required to work with community partners to determine the best use and targeting for the vouchers along with other resources available in the community. A CoC and PHA may choose to prioritize those in RRH, TH or PSH as a Moving On strategy.

51. What happens if a participant allows an abuser into their unit?

PHAs cannot take adverse action against the participant/victim for maintaining a relationship with an abuser. The VAWA regulation at 24 CFR 5.2005 prohibits denial of admission or assistance, termination from participation, or eviction on the basis or as a direct result of the fact that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking.

52. If a PHA has a policy for victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking that provides protections that are more expansive, but not more restrictive, than that provided by VAWA, may these additional protections be applied to EHV?

Yes. Per the [VAWA Final Rule \(81 FR 80742\)](#), VAWA does not preempt state or local laws related to policies for victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking.

53. When considering mitigating circumstances for EHV admission under Section 9g of PIH Notice 2021-15, what factors are relevant for victims of domestic violence, dating violence, sexual assault, stalking and human trafficking?

PHAs should consult [PIH Notice 2017-08](#), which states that “applicants and tenants may not be denied assistance or have assistance terminated under a covered housing program on the basis of or as a direct result of the fact that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking.”

Under VAWA, applicants and tenants may not be denied assistance or have assistance terminated under a covered housing program, including EHV, on the basis of or as a direct result of the fact that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. Section 7 of [Notice PIH 2017-08](#) describes when an adverse factor, such as poor rental history or poor credit history, may be the direct result of the fact that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. Many of these scenarios may also apply to victims of human trafficking. While VAWA does not apply to victims of human trafficking, PHAs may consult Section 7 of [Notice PIH 2017-08](#) for examples of the types of mitigating circumstances that may be relevant for victims of human trafficking.

54. If a PHA chooses to use permissive prohibitions for denial of admission into the EHV program, how should they assess mitigating circumstances of an applicant with criminal history who is also a victim of domestic violence, dating violence, sexual assault, stalking, or human trafficking?

Section 7.2 of [PIH Notice 2017-08](#) provides examples of when adverse factors might be direct results of domestic violence, dating violence, sexual assault or stalking. Whether an applicant is a victim of human trafficking could also be considered as part of an individualized assessment of mitigating circumstances. Mitigating circumstances are addressed in [PIH Notice 2015-19](#) and the [OGC Criminal Records Guidance](#).

55. Section 9g of PIH Notice 2021-15 states that determinations about admission for EHV based on criminal screening “must be made based on an individualized assessment of relevant mitigating information.” What are the PHA’s responsibilities for communicating the outcome of that assessment to the applicant?

24 CFR 982.201(f) requires the PHA to give an applicant prompt written notice of a decision denying admission to the program and the notice must give a brief statement of the reasons for the decision. The notice must also state that the applicant may request an informal review of the decision and state how to arrange for the informal review (24 CFR 982.554).

56. Does acceptance of EHV require PHA Board approval?

No, not initially. [PIH Notice 2021-15](#) includes waiver HCV-1 that allows PHAs to establish an alternative requirement that policies may be adopted without board approval until September 30,

2021. The waiver is referenced in the notice, including alternative requirement for PHAs adopting the waiver notice.

57. Can I request an increase for PUC? If so, to whom should it be submitted?

Yes. [PIH Notice 2021-15](#), Section 7a states:

“The initial funding increment for the EHV allocation will be based on the PHA’s per unit cost (PUC) for the PHA’s HCV program, adjusted for inflation and taking into consideration that the initial term is longer than 12 months. However, if during the initial term a PHA can demonstrate based on actual leasing and costs that the HAP funding will be insufficient to cover its actual HAP costs for the EHV’s for the initial term, the PHA may request that HUD adjust the initial funding increment amount for the EHV’s during the initial funding term. If the PHA has demonstrated the need to do so, HUD will adjust the initial funding amount based on the actual costs incurred upon request by the PHA to ensure the PHA has sufficient funding during the initial funding term to lease all of its EHV’s and pay its EHV HAP costs through December 31, 2022. If the PHA believes that it needs an adjustment, it should contact its financial analyst in HUD’s Office of Housing Voucher Programs Financial Management Center (FMC).”

58. Can a PHA over-issue its allocation of EHV’s in recognition that not all families succeed under its program in leasing a unit?

PHAs are not currently restricted from over-issuing EHV vouchers to account for success rates and/or potential attrition in its efforts to fully lease their allocation of EHV’s. As is the case with the regular HCV program, PHAs must exercise care to prevent over-leasing (where EHV’s unit months leased (UMLs) will exceed unit months available (UMAs)) at the end of the initial funding term (12/31/22)), as PHAs will not receive additional EHV funding during the initial funding term to cover over-leased units and over-leased units are not taken into account when determining the PHA’s EHV renewal funding eligibility for CY 2023. (See section 7 of [PIH Notice 2021-15](#) regarding permissible funding adjustments during the initial funding term.) Also, given the unique partnerships, programmatic flexibilities, and service fees available with the EHV program, PHAs should account for the potential and realized impacts these advantages may have on EHV success rate in terms of managing the EHV issuance process.

59. What is a waiver and alternative requirement?

Per [PIH Notice 2021-15](#), EHV’s are tenant-based vouchers under Section 8(o) of the United States Housing Act of 1937. Therefore, all regulatory requirements and HUD directives regarding the HCV program are applicable to EHV’s, including the use of all HUD-required contracts and other forms.

Waivers and alternative requirements, which are detailed in [PIH Notice 2021-15](#), have been determined by the HUD Secretary to be needed to expedite and facilitate the use of the EHV funding. In the context of EHV, a “waiver” is where HUD is intentionally eliminating a normally applicable HCV program statutory or regulatory requirement. An “alternative requirement” is where HUD is creating a specific requirement that is not an existing HCV program requirement, such as an alternative requirement to an existing requirement that HUD has waived for the EHV program.

60. If, after September 30, 2023, a PHA cannot re-issue vouchers when a family leaves the EHV program, but can issue vouchers that were never leased, how should PHAs be tracking the vouchers?

The PHA must track the number of vouchers that have been leased and are not permitted to be re-issued. One way to do that is to number/identify EHV vouchers, but HUD is not requiring that specific approach to tracking.

61. Can we allow EHV holders to keep the security deposit we paid on behalf of the family when it is returned by the owner?

PHAs are encouraged to consult with their counsel to determine whether local and State statutes regarding unclaimed property may apply and take precedence over the Notice. The Notice states that the PHA, "...may place conditions on the security deposit assistance, such as requiring the owner or family to return the security deposit assistance to the PHA at the end of the family's tenancy (less any amounts retained by the owner in accordance with the lease.", or it may choose to not place those restrictions).

62. Can EHV's be utilized for individuals and families identified for the "Moving-On" Strategy?

Yes. Individuals and families identified for a Moving On strategy who currently reside in Permanent Supportive Housing (PSH) and were homeless at the time of admission to that program are eligible under Category 4 of the eligible populations for EHV as individuals or families who were recently homeless. HUD has made available resources to help communities with their Moving On strategies at the following webpage:

<https://www.hudexchange.info/programs/coc/moving-on/>

Additional populations identified as recently homeless may qualify for EHV's as well, including but not limited to those exiting Rapid Rehousing and transitional housing programs. All referrals must be referred through the CoC or Victim Service Provider and all applicants must meet the statutory requirements under the ARP.

63. Do Emergency Housing Vouchers come with supportive services?

EHV's do not come with ongoing supportive services. Communities are encouraged to work with local stakeholders that have a vested interest in supporting services for vulnerable populations. HUD will be providing technical assistance to communities to aide in the design and implementation of EHV's including service delivery resources that may be paired with EHV's to ensure housing stability.

As HUD-VASH has shown, some people are more successful with wrap-around services. While EHV's do not come with the "automatic" services that HUD-VASH provides, HUD encourages communities to leverage existing relationships with partnering health and behavioral health agencies like community health centers, state and county behavioral health agencies, and state Medicaid agencies and managed care to explore funding opportunities and provide housing search/navigation and also ongoing tenancy and wrap-around supportive services for those that may benefit from such services to maintain housing stability.

64. Who is responsible for helping EHV recipients locate housing?

PHAs are required to ensure housing search assistance is made available to EHV families during their initial housing search. The PHA may use the services fee funding to provide this required housing search assistance to eligible EHV households. Housing search assistance can be provided by the PHA, the CoC or other entities, with these responsibilities outlined in the MOU. PHAs are encouraged to leverage housing location services offered by the CoC and VSPs. Housing Locators affiliated with CoCs and VSPs are often skilled negotiators and have existing relationships with landlords, which can provide opportunities for households with higher barriers to housing.

65. Can EHV be utilized for project-based voucher (PBV) units?

No. PHAs may not project-base EHV but must administer these vouchers exclusively as tenant-based assistance. Section 4102(b)(1) of the American Rescue Plan Act provides that the EHV "shall be tenant-based assistance under Section 8(o) of the United States Housing Act of 1937." In addition to the requirement that EHV must be tenant-based voucher assistance, several provisions of Section 4102 are not compatible with project-based voucher assistance. In particular, the requirement with respect to the termination of vouchers upon turnover is clearly compatible with tenant-based voucher assistance, but it is not compatible with multi-year PBV contracts where assistance is tied to the project.

66. If a PHA has not obtained eligibility documentation from the CoC, can the PHA issue a voucher?

Yes. If the CoC determines that a family qualifies for an EHV, then the PHA may accept self-certifications in accordance with the waiver described in Sections 9.h, 9.i of [PIH Notice 2021-15](#).

67. Can a PHA contract with another PHA to administer their EHV allocation?

In general, yes. A PHA may enter into an arrangement with another entity (including another PHA) to perform specific PHA administrative responsibilities with respect to EHV on behalf of the PHA. However, in such a circumstance, the entity is acting on behalf of the PHA, not as another independent PHA. The PHA to which HUD allocated the EHV and executed the ACC remains the PHA and is ultimately responsible for ensuring that its EHV program complies with all EHV and HCV requirements and all applicable PHA discretionary policies in accordance with its PHA administrative plan, regardless of whether some of the PHA functions are conducted on behalf of the PHA by a third party. If the third-party entity to which the PHA contracted some of its EHV administrative responsibilities is a PHA that also administers its own EHV allocation, that entity must maintain a clear separation between the administration of its own EHV allocation and any administrative functions it is performing on behalf of another PHA.

68. Are EHV time-limited for the family?

No. However, EHV cannot be reissued after September 23, 2023. After this date, PHAs cannot reissue vouchers that have turned over. This provision does not impact existing families and their continued assistance. The funds appropriated for the EHV program are available for obligation by HUD until September 30, 2030.

69. Are the waivers HUD has made available for EHV automatically applied or does each PHA need to request the specific ones they want to utilize?

[PIH Notice 2021-15](#) provides waiver authority and alternative requirements to administer EHV's to all participating PHAs and communities. PHAs do not need to request HUD approval for these waivers. However, while some waivers and alternative requirements are at the discretion of the PHA, others are mandatory and required for EHV administration. With respect to those waivers that are discretionary, PHAs are highly encouraged to work with partners to select from a menu of waivers to aid eligible households to eliminate barriers to housing and ensure expedited leasing.

70. Are there any restrictions on families who may owe debts to a PHA?

No. As outlined in [PIH Notice 2021-15](#), Section 9g., unlike regular HCV admissions, PHAs may 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 or 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.

EHV funding may not be used for the repayment of debts or any amounts owed to HUD by HUD program participants including, but not limited to, those resulting from Office of Inspector General (OIG), Quality Assurance Division (QAD) or other monitoring review findings.

71. What is the difference in end dates: September 30, 2030 vs September 30, 2035 under item 16 of the PIH notice?

The ARP provides that the \$5 billion appropriated for the EHV program remains available until September 30, 2030. This means HUD must obligate the funding by September 30, 2030. With respect to the September 30, 2035 date by which any remaining unexpended EHV obligations must then be cancelled as a matter of law, 31 U.S.C 1552 provides that on September 30th of the 5th fiscal year after the period of availability for obligation of a fixed appropriation account ends, the account shall be closed and any remaining balance (whether obligated or unobligated) in the account shall be canceled and thereafter shall not be available for obligation or expenditure for any purpose.

72. Can Emergency Solutions Grants (including ESG-CV) or CoC funding be used to pair support services/case management with EHV?

In general, yes. A community could braid ESG or CoC funding with EHV. Recipients must ensure an individual is eligible and prioritized for both EHV and the program providing services. Additionally, recipients must ensure that all program requirements are met and that

the services or case management are eligible under the ESG or CoC program rules. If a community can meet those requirements, it may provide supportive services from either ESG or CoC with the voucher from EHV.

73. Will funding for EHV be available on a continuous basis?

The initial funding term expires on December 31, 2022, and HUD will provide renewal funding for EHV on a calendar basis moving forward after that, beginning in calendar year 2023. As stated in [PIH Notice 2021-15](#), Section 16, the \$5 billion in funds appropriated for EHV are available until September 30, 2030.

74. Will EHV clients be able to sign a 6-month lease, or will it follow the HAP contract of 12 months?

Per [PIH Notice 2021-15](#), Section 9n, HUD is waiving Section 8(o)(7)(A) of the United States Housing Act of 1937 and § 982.309(a)(2)(ii) so that the initial lease term for an EHV family may be less than 12 months regardless of whether the shorter term is a prevailing market practice.

75. For how long may a PHA extend the initial search term for an EHV?

HUD determined that an initial search term of 60 days may be inadequate. Consequently, HUD is waiving 24 CFR § 982.303(a), which provides that the initial search term must be at least 60 days and is establishing an alternative requirement that the initial term for an Emergency Housing Voucher must be at least 120 days per Section 9.m of Notice PIH 2021-15. After 120 days, the PHA's regular policies regarding extensions as established in the PHA's HCV Administrative Plan would apply. PHAs are encouraged to be reasonable in extending voucher search times; work closely with the family and partnering service providers; and provide the appropriate, required housing search assistance.

76. May PHAs establish a higher EHV payment standard for furnished units?

No. PHAs may not establish a higher payment standard for furnished units. HUD has waived 24 CFR § 982.502(a)(3) and established an alternative requirement permitting PHAs to establish separate higher payment standards for EHV to increase the potential pool of available units for families as explained in Section 9.p of [Notice PIH 2021-15](#). Through the alternative requirement, PHAs may establish a payment standard for the EHV program up to 120% of the applicable FMR/SAFMR. PHAs are reminded that EHV services fees may be used to purchase essential household items as determined by the PHA's policies. Further, PHAs are reminded that units selected by EHV participants must meet the rent reasonableness requirements at 24 CFR § 982.507, which requires PHAs to consider any amenities as part of its comparability analysis. PHAs may also negotiate the rent to the owner on behalf of the family as part of its required housing search assistance and in accordance with the regulations at 24 CFR § 982.506.

77. How are units approved for EHV tenancy?

EHVs follow the same procedures for tenancy as the regular HCV program. After an EHV family has submitted a Request for Tenancy Approval (RFTA), the PHA will contact the landlord to schedule an inspection. Please refer to the COVID-19 related waivers that the PHA may apply to EHV in Attachment 1 of [PIH Notice 2021-15](#) with respect to inspections.

The procedure may differ for individual PHAs, but in general, an issuing PHA must:

- Confirm the unit is eligible.
- Determine the unit meets the Housing Quality Standards (HQS) set by HUD.
- Determine that the rent being charged is reasonable in accordance with the standards established for that area by the PHA.

78. If a household is already housed with a subsidy (ex. ESG-CV or CoC PSH) and is referred for an EHV through Coordinated Entry, how is their lease situation handled? Will their current lease need to be terminated so a new lease can be started with the EHV or can the EHV be placed on the unit using the existing lease?

A new HCV compliant lease should be executed for eligible EHV families.

79. When can communities begin leasing using EHV's?

PHAs cannot enter into a HAP contract (i.e., begin leasing) before the HAP effective date of the EHV ACC funding increment, which is July 1, 2021.

80. Are PHAs required to offer orientation for families referred for EHV's?

PHAs are responsible for all the administrative responsibilities outlined in [PIH Notice 2021-15](#) and the applicable HCV program regulations. When the PHA selects a referred family to participate in the EHV program, the PHA must provide the family with an oral briefing. These requirements are found at 24 CFR 982.301. PIH Notice 2021-15 provides guidance for PHAs on the allowability of remote briefings. CoC and VSP partners may attend orientations with EHV families to assist families in keeping appointments and understanding program requirements.

81. If the CoC is certifying homeless status, will the PHA be held responsible for obtaining additional documentation other than a certification document to certify homelessness?

No. PHAs are not required to collect additional documentation to prove a family's homelessness. The referring agency must provide documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance. The PHA must retain the certification as part of the family's file.

82. Can you over-lease EHV's as long as the CY allocation is not exceeded?

No. Over-leasing is not permitted.

83. If an applicant owes money to a Section 8 project-based property for nonpayment of rent due to COVID-19, can EHV services fees be used to pay that debt to receive the EHV and go to another property?

No. EHV fees cannot be used to pay HCV debts.

Administrative & Service Fees

84. May an initial PHA porting an EHV family pay service fees to a receiving PHA that will absorb the EHV family into its HCV program upon admission? (NEW)

Yes. Per Section 9(o)(iv)(B) of [PIH Notice 2021-15](#), if the receiving PHA, in consultation and coordination with the initial PHA, will provide eligible services or assistance to the incoming EHV family, then the receiving PHA may be compensated for those costs by the initial PHA. Families are absorbed when the receiving PHA executes a HAP contract on behalf of the family, and until that time, the family remains an EHV program participant. Accordingly, the initial PHA may pay service fees to the receiving PHA in accordance with the requirements found in [PIH Notice 2021-15](#). The initial PHA will still need to provide documentation regarding the eligible services provided to the family via an invoice or similar documentation denoting funds expended.

85. May a PHA use a portion of the EHV service fee for groceries and toiletries?

[PIH Notice 2021-15](#) states that PHAs may use the service fee funding to assist the family with some or all of the costs of acquiring essential household items as defined by the PHA. The examples of tableware and bedding provided in the notice are not exhaustive. HUD provided PHAs with flexibility in defining essential household items. HUD recommends that PHAs work with local food banks, federal lifeline assistance, Salvation Army, and other organizations that may assist in providing families assistance with securing groceries and toiletries. HUD expects the use of the service fee for groceries and toiletries will be limited. PHAs are encouraged to keep records of its determination that service fees for such uses helped facilitate the leasing of EHV's.

86. Can CARES Act administrative fees be used to support EHV's?

CARES Act Administrative fees may be used for EHV's, with the caveat that all of the CARES Act requirements and restrictions on the CARES Act administrative fees apply regardless of whether the fees are used in support of Housing Choice Vouchers (HCV's) or EHV's. This includes reporting requirements, the period of availability during which CARES Act administrative fees must be expended (ends 12/31/21 per [PIH Notice 2020-24](#)), and the CARES Act eligible uses which include: (1) any currently eligible administrative costs during the period that the program remains impacted by COVID-19; and (2) new HUD-defined COVID-19 related activities, including activities to support or maintain the health and safety of assisted individuals and families, and costs related to the retention and support of participating owners.

87. Can Service Fees be used for expenses such as storage expenses and lock changes to support the needs of EHV families?

Yes. Moving expenses are an eligible use for the services fees when the family initially leases a unit with the EHV, and the PHA could choose to include storage expenses and lock changes as part of the moving expenses. However, there are limitations on eligible moving expenses for a family's subsequent moves. Per Section 6(d)(iv)(A) of [PIH Notice 2021-15](#), "the PHA may 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, stalking or human trafficking for example.”

88. Must PHAs remit interest earned on of EHV funds?

Yes. Interest earned amounts up to \$500 per year may be retained by the non-Federal entity for administrative expense. Any additional interest earned on Federal advance payments deposited in interest-bearing accounts must be remitted annually to the Department of Health and Human Services Payment Management System (PMS) through an electronic medium using either the Automated Clearing House (ACH) network or a Fedwire Funds Service payment. PHAs must retain appropriate documentation demonstrating the remittance of interest and substantiating the calculation of interest earned by the program.

Accordingly, PHAs must remit interest earned on all advanced EHV balances consistent with 2 CFR § 200.305(b)(7) and (8) which state:

(7) Standards governing the use of banks and other institutions as depositories of advance payments under Federal awards are as follows.

(i) The Federal awarding agency and pass-through entity must not require separate depository accounts for funds provided to a non-Federal entity or establish any eligibility requirements for depositories for funds provided to the non-Federal entity. However, the non-Federal entity must be able to account for funds received, obligated, and expended.

(ii) Advance payments of Federal funds must be deposited and maintained in insured accounts whenever possible.

(8) The non-Federal entity must maintain advance payments of Federal awards in interest-bearing accounts, unless the following apply:

(i) The non-Federal entity receives less than \$250,000 in Federal awards per year.

(ii) The best reasonably available interest-bearing account would not be expected to earn interest in excess of \$500 per year on Federal cash balances.

(iii) The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.

(iv) A foreign government or banking system prohibits or precludes interest-bearing accounts.

89. What EHV-related fees may a PHA use to expand/improve office space or purchase capital items/other equipment (e.g. computers, desks, vehicles, etc.)?

A PHA may use EHV preliminary fees, placement fees/expedited issuance reporting fees, and on-going administrative fees to pay for these items. PHAs are reminded that if these EHV funds are utilized to purchase additional space (e.g., a building), improve existing office space, or purchase

other capital items/equipment, those items must be used exclusively for the EHV program unless the PHA allocates the costs to all of the programs that will benefit from those expenditures using a reasonable allocation methodology. PHAs are reminded that the requirements of 2 CFR, Part 200 apply to the EHV program. The PHA's procurement policies apply to EHV purchases/expenditures of this nature. Upon close-out of the EHV program, any remaining capital assets purchased exclusively for the use of the EHV program will become property of the PHA's HCV program. PHAs must retain appropriate supporting documentation to support all purchases of this nature and must provide that documentation to HUD when requested.

Below are a few examples:

- Example #1: In order to expedite lease-up of EHV's, a PHA purchases an additional module for its software system that would allow for paperless inspections. This module would benefit both the EHV and the HCV program and would be available for both programs. The PHA would allocate the costs to both programs using a reasonable methodology. In this example, the PHA received 100 EHV's and has 1,000 HCV's. Nine percent of the costs could reasonably be charged to the EHV program ($100/1,100 = 9\%$) and ninety-one percent of the costs would be charged to the HCV program ($1,000/1,100 = 91\%$).
- Example #2: As part of its mix of housing search assistance, a PHA elects to purchase a passenger van to drive families to see units and to send staff with the family to complete rental applications as reliable taxi/public transportation is not available in the PHA's jurisdiction. The PHA purchases the vehicle using service fees and the vehicle is used for those purposes exclusively. When the EHV program sunsets, the passenger van becomes the property of the HCV program.
- Example #3: The PHA wants to build out two additional office spaces for staff administering the EHV program. One staff person will exclusively coordinate EHV housing search assistance and landlord outreach. The other will oversee the administration of the EHV program. In this case, the PHA may use service fees (or the other types of EHV fees) to pay for the build out of the office space for the staff that will coordinate EHV housing search assistance and landlord outreach if such costs are reasonable and justifiable given the shorter-term nature of the EHV program.

If a PHA elects to use EHV service fees to cover any portion of these sorts of costs, such costs must be reasonably and justifiably related to the provision of required housing search assistance, owner/landlord outreach, or expediting the leasing/inspection process.

90. Can PHAs use EHV services fees to hire staff?

Yes. PHAs may use the EHV services fees to hire staff to carry out required housing search assistance as described in Section 9d of [PIH Notice 2021-15](#). PHAs utilizing staff to conduct these activities must ensure that financial records are maintained in such a way as to fully support the time that staff have spent on EHV related services. This would include position descriptions,

allocations, and actual timecards in cases where staff are allocated less than 100% to EHV related matters.

PHAs are also reminded that EHV funds may not be used for any other program, including the regular HCV or Mainstream programs. As such, HUD recommends that PHAs create a separate subledger to record all transactions for the EHV program.

91. What additional fees will PHAs qualify for under EHV?

PHAs that accept an allocation of EHV will receive fees in addition to ongoing administrative fees to assist in the facilitation and leasing of EHV. Additional fees include:

- Preliminary Fees – \$400 will be awarded per allocated EHV.
- Issuing Fees – Participating PHAs will earn \$100 once the voucher is initially leased, provided the PHA reports the issuance of the EHV in the IMS/PIC system within 14 days of the later of the effective date of the family’s voucher or when the system becomes available for reporting.
- Placement Fees – PHAs will be awarded \$500 for each EHV family placed under a HAP contract no later than 4 months after the effective date of the ACC funding increment. For each EHV family placed under a HAP no later than 6 months after the effective date of the ACC funding increment, PHAs will receive \$250.
- Ongoing Admin Fees – PHAs will receive the full column A admin fee amount.
- Services Fee – For each allocated EHV, PHAs will receive \$3,500 that must initially be used for the services fee. Eligible uses are defined in PIH Notice 2021-15. The services fee can be used for:
 - Housing search assistance;
 - Tenant fees including security and utility deposit assistance, rental application fees, and holding fees;
 - Owner recruitment and outreach as well as incentive and retention payments; and
 - Other eligible uses to help families successfully lease up, including moving expenses, tenant readiness services, essential household items, and renter’s insurance if required by the family’s lease.

92. In terms of expensing Administrative expenses to EHV, if our PHA has a Central Office Cost Center (COCC), do we charge the same fees to EHV that we do to HCV?

Yes. The COCC may charge the same fees to EHV as HCV.

93. Can CoC staff do the HQS inspection and be paid from our PHA administrative fees?

Yes. The PHA may contract with other qualified entities to perform HQS inspections, which may include the CoC. However, HQS inspections are ultimately the responsibility of the PHA, and the PHA is responsible for ensuring that the HQS inspection is performed accurately regardless of whether the PHA conducts the inspection or contracts the administrative function out to a third party.

94. Are we required to spend \$3,500 services administrative fee for each voucher tenant or is it a pool of funds and we can spend more or less on each voucher tenant, depending on the need?

The latter. The services fee amount is not tied to each voucher, but instead is the combined total of the services fees are available to the PHA to design a menu of services that will best address the leasing challenges faced by the EHV eligible families in the PHA's community. The \$3,500 services fee is a one-time amount provided per EHV allocated and the use of the funds will depend on the supportive services identified for participants, including consideration of services to be provided by partners. Because this is a one-time fee, communities will want to ensure that they are able to assist additional families with EHV should the voucher turn over within the allowed window.

95. Would an FMR rent study be categorized as an eligible expense under Section 6.d.iii.A. of [PIH Notice 2021-15](#)?

As in the HCV program, an FMR rent study would be an eligible EHV administrative expense if that FMR rent study is going to be used for EHV purposes (such as determining an appropriate EHV payment standard, for example). However, an FMR rent study has applicability beyond the EHV program to the PHA's regular HCV program. Since EHV funds may not be used for regular HCV administrative expenses, a PHA could not use EHV administrative fees to pay the entire cost of the FMR rent study. In such an instance, the PHA would need to allocate the cost of the FMR study proportionally between the EHV program and the regular HCV program. For example, if the PHA has 180 HCV authorized units and 20 EHV's, the PHA could not use EHV administrative funds to pay for more than 10 percent of the cost of the FMR rent study, since the EHV's represent 10 percent of the PHA's combined HCV and EHV units. (20 EHV units divided by 200 (180+20) total HCV and EHV units = 10 percent.)

96. Can services fees be used for landlord incentives?

Yes. Landlord incentives are an eligible use of the services fee per Section 6.d(3) of [PIH Notice 2021-15](#).

97. Is there a cap on the amount that can be given as security deposit? For example, could a PHA do triple deposits as the landlord incentive? Or will it be up to each community?

Per Section 6.d(3) of [PIH Notice 2021-15](#), "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."

98. Is there an upper limit on the amount of incentive/retention payments or restrictions on the number or frequency of such payments?

Section 6.d(3) PIH Notice 2021-15 gives latitude to the PHA to design an owner incentive and/or retention payment structure in order to meet the needs of the housing supply challenges in their jurisdiction. The overall services fee is a one-time payment of \$3,500 per voucher allocated. As such, the PHA will want to weigh the owner incentive and/or retention payment amount among the other menu of services to be offered to EHV families to facilitate successful leasing.

In terms of limitations on the number or frequency of the owner incentive and/or retention payment, while [PIH Notice 2021-15](#) (Section 6.d.iii.B, page 13) states that HUD anticipates the owner incentive/retention payments would typically be made as a single payment at the beginning

of the assisted lease term (or lease renewal if a retention payment), PHAs may structure the incentive/retention payment in a manner in which the owner receives more than one payment. However, the incentive/retention payments cannot be made in a way that violates (or clearly circumvents) applicable statutory or regulatory requirements, so making owner incentive payments on an ongoing monthly basis would not be permissible.

Additionally, the PHA's Administrative Plan must clearly define the terms of the owner incentive and/or retention payments for the EHV program.

99. Can regular HCV admin fee reserves be used for EHV admin expenses?

Yes. PHAs may elect to use regular HCV admin fee reserves to supplement EHV administrative fees in covering EHV administrative costs. However, PHAs are reminded that EHV HAP and administrative fee funding may not be used for regular HCV or special purpose voucher program expenses. Please see section 15 of [PIH Notice 2021-15](#) for additional information on the use of EHV funds, reporting, and financial records.

100. Will admin fees be calculated at Column A & B Rates as per HCV Program or just Column A rates?

PHAs will be allocated the full Column A administrative fee amount for each EHV that is under HAP contract as of the first day of each month in accordance with Section 6c PIH Notice 2021-15. The Column A administrative fee rates for the HCV program are available on HUD's website:

https://www.hud.gov/program_offices/public_indian_housing/programs/hcv.

101. [PIH Notice 2021-15](#) (Section 6c.) states that HUD will advance the administrative fee for the first three months. At month four, will administrative fees be based on actual vouchers leased? At what point does HUD intend to do reconciliation of paid versus leased?

HUD plans to advance regular administrative fees based on actual leasing starting at month four, and reconciliations are likely to start before or no later than calendar year end 2021.

102. From an accounting perspective, should separate accounting records be set up for EHV so that the PHA can keep track of the remaining EHV equity? Is it necessary to setup a separate accounting records for the EHV admin fees or can these be combined with HCV admin fees fund?

The EHV program should be treated as its own program like the Mainstream program. The PHA will need to account for HAP and Fee revenues, expenditures, and equity separately. Administrative Fees and expenditures must not be combined with the normal HCV Administrative Fee and expenditure accounting. EHV funds cannot be co-mingled with the regular HCV funds.

PIH's Real Estate Assessment Center (REAC) will provide accounting and reporting guidance separately.

103. Are PHAs required to open a new bank account to disburse the EHV HAP to landlords?

No. Funding will be deposited into the HCV bank account already on file with HUD. HUD does not have the ability through HUDCAPS to deposit EHV funds into a different bank account. The PHA at its discretion may transfer funding to a designated EHV bank account. Any account established for program administration must include a HUD General Depository Agreement. At minimum, the PHA must account for each fund separately including EHV HAP, EHV Administrative Fee, EHV services fees, and EHV Preliminary and Placement fees.

104. PIH Notice [2021-15](#) (Section 6. d. iv. B). states that services fee funding can be used for “tenant-readiness services,” where the PHA may use funding to help create customized plans to address or mitigate barriers – does this include paying rent arrears or other debts owed by participants to address debts from previous tenancies (i.e. rental arrears, charges in excess of security deposit after a move)?

No. The services fee cannot be used to pay rental arrears, including debts owed to the PHA. However, PHAs, CoCs, and other service providers may choose to refer families to the Consumer Financial Protection Bureau (CFPB) or other state and local programs that may help tenant’s credit history. Treasury’s Emergency Rental Assistance (ERA) Program would also be a good resource for rental and utility arrearages. See HUD’s FAQs on the ERA program, available [here](#).

105. What is the income limit for EHV’s?

Income limits for EHV’s are the same as income limits for the Housing Choice Voucher (HCV) program. Please see 24 CFR 982.201(b)(1).

Portability

106. Are there specific guidelines for the billing of services rendered for ported EHV’s? (NEW)

[PIH Notice 2021-15](#), Section 9.o.iv.B states that if the receiving PHA, in consultation and coordination with the initial PHA, will provide eligible services or assistance to the incoming EHV household, then the receiving PHA may be compensated for those costs by the initial PHA. This is the case regardless of whether the receiving PHA bills the initial PHA or absorbs the family into its own program at initial lease-up. The initial PHA will still need to provide documentation regarding the eligible services provided to the family via an invoice or similar documentation denoting funds expended.

If the receiving PHA administers EHV’s under its Consolidated Annual Contributions Contract (CACC), the receiving PHA may use its own services fee and may be reimbursed by the initial PHA, or the initial PHA may provide the services funding upfront to the receiving PHA for those fees and assistance. If the receiving PHA does not administer EHV’s under its CACC, the initial PHA must provide the services funding upfront to the receiving PHA. Any amounts provided to the receiving the PHA that are not used for services or assistance on behalf of the EHV family must promptly be returned by the receiving PHA to the initial PHA.

107. Are there regulations guiding the amount of the service fee that can be provided by the PHA? (NEW)

Per [PIH Notice 2021-15](#), Section 9.o.iv.B, the amount of the service fee provided by the initial PHA may not exceed the lesser of the actual cost of services and assistance provided to the family by the receiving PHA or \$1750, unless the initial PHA and receiving PHA mutually agree to change the \$1750 cap.

108. Can the portability service fee cap of \$1,750 be negotiated between the initial and receiving PHA? (NEW)

Yes. Per PIH Notice 2021-15, Section 9.o.iv.A, if both PHAs agree, the PHAs may negotiate a different amount of reimbursement if they mutually agree to change the \$1750 cap.

109. If a family ports to another PHA before leasing, can a PHA place restrictions on the amount of assistance? (NEW)

Yes. As noted in [PIH Notice 2021-15](#), Section 6.d., the PHA may limit the amount of assistance that it provides for any of the eligible uses and place other restrictions on those uses.

110. If a family ports to another PHA using services at the initial and receiving PHA before finally leasing up, does the cap apply individually to each PHA or is it a combined cap? (NEW)

The \$1,750 is an individual cap for the initial PHA. Per [PIH Notice 2021-15](#), Section 9.o.iv.B “if the receiving PHA, in consultation and coordination with the initial PHA, will provide eligible services or assistance to the incoming EHV family, the receiving PHA may be compensated for those costs by the initial PHA.” The amount of the service fee provided by the initial PHA may not exceed the lesser of the actual cost of services and assistance provided to the family by the receiving PHA or \$1750, unless the initial PHA and receiving PHA mutually agree to change the \$1750 cap. The receiving PHA may additionally elect to negotiate a service fee between the initial and receiving PHA.

111. How should receiving PHAs bill the initial PHA for services? (NEW)

The Receiving PHA may utilize Form HUD-52665 to bill the initial PHA for services. Form HUD-52665 allows PHAs to document service fees as “Other,” under “Additional Amounts Due”, along with a comment field to describe specific services (see screenprint below).

b. Ongoing admin fee (1) lesser of Part I, line 11 or Part II, line 5, or (2) amount otherwise agreed upon)	<input type="text"/>
c. Total regular monthly billing amount (sum of lines a and b)	\$ 0.00
Additional Amount Due, If Applicable:	
d. Prorated HAP to owner from <input type="text"/> to <input type="text"/>	<input type="text"/>
e. Hard-to-house fee, if applicable	<input type="text"/>
f. Other (explain)	<input type="text"/>
<input type="text"/>	
This form may be reproduced on local office copies 3 of 4 form HUD-52665 (08/2016)	
g. Total additional amount (sum of lines d, e and f)	\$ 0.00
Total Billing Amount:	
h. Payment Due This Billing Submission (sum of lines c and g) (After this submission, billing amount is amount recorded on line c, unless otherwise notified by the receiving PHA.)	\$ 0.00
Comments:	
<input type="text"/>	

112. If an EHV is ported in and the PHA has an EHV available, does the PHA have to absorb the family?

No. PHAs may absorb the family into its EHV program or bill the initial PHA.

113. If an EHV family ports to a non-EHV PHA, does the family become a tenant in the regular Housing Choice Voucher program?

Yes. The voucher should be administered in accordance with the regular HCV requirements and PHA policies. The initial PHA should inform the family that if they choose to port to a non-EHV PHA jurisdiction, then their voucher will be administered in accordance with the requirements of the regular HCV program, not the EHV program. Per Section 9(o)(iv)(B) of [PIH Notice 2021-15](#), if porting to a non-EHV PHA occurs at initial lease-up, the receiving PHA can provide supportive services on behalf of the family in consultation and coordination with the initial PHA; however, service fee funding must be provided up-front by the initial PHA for them to do so.

114. A family is porting in using an EHV and the EHV is being administered by the receiving PHA, where should the receiving PHA report the voucher?

If the receiving PHA of an EHV family administers an EHV program, then the receiving PHA will report that activity in 14.EHV of the FDS, regardless of whether the receiving PHA absorbed the family using an EHV or will bill the initial PHA. If the receiving PHA does not absorb the EHV, the HAP payment for that EHV will be reported in FDS line 97350 “HAP Portability-In”.

If the receiving PHA does not administer an EHV program, then the receiving PHA may absorb the EHV family into its HCV program in accordance with 24 CFR§982.355(d). Therefore, all activity surrounding this voucher will be reported in the FDS column 14.871 (HCV program). However, if the receiving PHA that does not administer an EHV program chooses to bill the initial PHA, the receiving PHA must add 14.EHV to their FDS and begin reporting this billing

relationship / transactions under 14.EHV, including costs associated with administration of the port-in vouchers.

HUD has provided detailed journal entries and reporting guidance for portability transactions in the “Accounting Procedures for Recording Portability Transactions for the Housing Choice Voucher (HCV) Program Accounting Brief #18” at

<https://www.hud.gov/sites/documents/ACCTBRIEF18PORT.PDF>

115. Can a receiving PHA that is a non-EHV PHA that absorbs the family in the regular HCV perform a criminal background check based on their HCV policy and deny based on their criteria?

Yes. Because EHV waivers and alternative requirements are not imposed on the receiving non-EHV PHA, the receiving PHA that absorbs the family in their HCV program may apply its HCV screening criteria. Per Section 9(o)(iii) [PIH Notice 2021-15](#), the initial PHAs should advise families how portability works and how relocation outside of the PHAs jurisdiction may affect the family’s assistance and impact the special EHV services and assistance that may be available to the family.

116. When a PHA issues an EHV, and the family ports out, and the voucher is administered by the receiving PHA, is the voucher for the initial PHA counted on the EHV “Leasing” line item or the “Portable Vouchers Paid” line item?

The initial PHA should report the costs and leasing in the EHV leasing field to ensure that associated costs and fees for future funding calculations are associated to the initial PHA. Data entry in the EHV field will additionally ensure that the initial PHA’s EHV HAP expenses are accurately captured for reconciliation purposes.

117. If a family is porting in with an EHV, and the voucher is being absorbed, does the receiving PHA that has an EHV allocation report the voucher under EHV?

Yes.

118. How are portability fee rates determined?

For on-going administrative fees, EHV PHAs receive 100% of the Column A rate. When determining portability fee rates, PHAs must use the lesser of 80 percent of the initial PHA’s EHV ongoing administrative fee (Column A) or 100 percent of the receiving PHA’s ongoing administrative fee (or the receiving PHA’s EHV ongoing administrative fee if the receiving PHA administers the EHV program). Per Section 9(o)(iv)(A) of [PIH Notice 2021-15](#), if both PHAs agree, the PHAs may negotiate a different amount of reimbursement.

119. Will individuals and families be able to use vouchers outside the jurisdiction of the PHA that issued the voucher (i.e. port the voucher)?

Yes. EHV follows most of the normal portability rules of the HCV program with a few alternative requirements intended to be more permissive on moves, as outlined in [PIH Notice 2021-15](#), Section 9o. Under HCV program rules, if neither the household head nor spouse of an assisted family already had a ‘domicile’ (legal residence) in the jurisdiction of the PHA at the

time the family first submitted an application for participation in the HCV program, the family does not have any right to portability during the 12-month period from when the family is first admitted to the program, as the family is considered a “non-resident applicant” This means that the PHA has the discretion to restrict portability during this 12-month period in the HCV program. For EHV, the PHA may not restrict an EHV family from exercising portability as a non-resident applicant. Therefore, all EHV families may immediately move under portability.

120. On portability, will a receiving non-EHV PHA have to submit the new EHV-related 50058s?

Yes. The non-EHV receiving PHA will submit on an EHV-compliant 50058. More guidance will be issued on this topic. As stated in the Notice, “HUD expects to issue a streamlined Form 50058 in the near future that will allow HUD to pay monthly HAP and Administrative Fee disbursements based on that information”.

121. When an EHV family ports, how does this impact the services fee?

Section 9.o of [PIH Notice 20121-15](#) provides that 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. If the receiving PHA, in consultation and coordination with the initial PHA, will provide eligible services or assistance to the incoming EHV family, the receiving PHA may be compensated for those costs by the initial PHA. However, the amount of the services fee provided by the initial PHA may not exceed the lesser of the actual cost of the services and assistance provided to the family by the receiving PHA or \$1750, unless the initial PHA and receiving PHA mutually agree to change the \$1750 cap. If the EHV family has already leased a unit on the program and the portability move is a subsequent move, the family’s portability move will have no impact on the initial PHA’s services fee.

Reporting Requirements

122. In the Voucher Management System (VMS), there is only a “Leasing” line item under EHV’s. There is not a separate “after first of month leasing” for voucher count. Does this mean that move-ins after the first of the month are counted in the “Leasing” line item?

No. PHAs should not report leased units after the first of the month in the “Leasing” field as they would not be entitled to an admin fee for those units. Fees are paid for units leased as of the first of the month. While units leased after the first of the month are not collected in VMS, please note that [PIH Notice 20121-15](#) discusses the field in VMS that will collect expenses associated with units leased after the first of the month field. Those costs should be reported in the EHV HAP expenses incurred after the first of the month field.

123. Where should users report expenses for EHV Portables (In and Out) in the Voucher Management System (VMS)?

VMS reporting guidance for port-out EHV’s is consistent with guidance for the Housing Choice Voucher program as outlined in Section 8.1 of [HUD’s Voucher Management System \(VMS\)](#)

[Instruction Manual](#). A voucher under lease must be reported in only one main category. If a leased voucher could appropriately be reported in more than one category, it should be reported in the category that reflects how the participant initially qualified for the voucher. In the case of EHV, the port-out would be reported in the EHV field. An EHV port that is being administered by another PHA (port-in) should not be reported in the Portable Vouchers Administered field on the first tab. This field is for VO reporting only, and no other program type should be included.

124. Does it matter which line “2n” on the 50058 (there are two) a PHA enters “EHV” on?

No. PHAs may enter “EHV” on either or both lines labeled “2n” on the 50058.

125. If an EHV is ported in, does the receiving PHA report the family under “Portable Units Administered?”

No. EHV port-ins should not be reported in the Portable Units Administered field. That field is used to capture Voucher (“VO”) port-in information only.

126. If a PHA has already submitted a Form 50058 for an EHV family without the correct EHV code, how should the PHA correct it?

The PHA should void the initial Form 50058 submission for the family by submitting a 50058 with code “15” on action code line 2a. A *new* 50058 should then be completed with the correct EHV identifier “EHV” on line 2n.

As a reminder, PHAs must submit an issuance 50058 (code “10” on line 2a) *and* a new admission 50058 (code “1” on line 2a) in order to be eligible for the \$100 Issuance Administrative Fee.)

127. Is there any guidance regarding PIC-NG?

The EHV Operating Notice references that HUD will utilize the new Public Information Center – Next Generation (PIC-NG) system for EHV. Given delays in the implementation of the new PIC-NG platform, the Department will collect EHV tenant information using its existing IMS/PIC system in the same way it currently collects tenant information for the Housing Choice Voucher program.

[Notice PIH 2021-20](#) outlines the updated EHV reporting requirements for PHAs using IMS-PIC.

128. Will HMIS data entry be required for EHV?

No, PHAs will not be required to enter EHV into HMIS. However, if a family with an EHV receives services from a program that requires use of HMIS, the clients must be entered into the HMIS project from which they are receiving services. For example, if a family with an EHV is receiving case management services through ESG-CV, the family must be added to the ESG-CV project in HMIS.

Additionally, per the Notice, EHV will be receiving referrals from the CoC’s Coordinated Entry (CE) system. The CoC must have a way to record assessments and referrals from CE system and should track referrals to EHV. HUD recently updated the HMIS data standards to include a

response option in the coordinated entry element (4.20) to record referrals to EHV's. While HUD is not requiring these elements to be programmed in HMIS until October 1, 2021, HUD encourages communities to begin collecting that data now whether in HMIS or otherwise and be prepared to provide information about referrals to the PHAs it is working with for the EHV program. HUD encourages CoCs to develop a report that they can regularly run that, in the very least, tracks information on the number of referrals to EHV. It would be ideal to not only include data on the number of referrals to EHV but to also include data on the characteristics of those being referred (e.g. race, ethnicity, gender).

129. Will the EHV program have its own CFDA number?

No. PHAs will report under 14.EHV in the Financial Data Schedule (FDS). PIH's REAC will provide accounting and FDS reporting guidance separately.

130. In terms of VMS Reporting, are EHV's considered MTW (HCV) or Special Purpose Vouchers?

EHV's will be treated as Special Purpose Vouchers. There will be designated VMS fields for EHV leasing and expenses.

131. When will HUD provide additional guidance regarding EHV reporting requirements?

HUD anticipates issuing a notice on EHV reporting requirements by mid-July 2021. Training on EHV reporting requirements was provided on July 27, 2021. Please refer to the EHV website at <https://www.hud.gov/ehv> for additional information.

EHV Voucher Allocation

132. Why was my PHA not selected to receive EHV's?

HUD's allocation formula is designed to direct emergency vouchers to PHAs operating in areas where the EHV-eligible population has the greatest need while also considering PHA capacity and the requirement to ensure geographic diversity, including rural areas. The EHV Operating Notice includes a detailed description of the formula HUD used to determine whether and how much EHV a PHA was allocated.

If a PHA did not receive EHV funding, it is because of the minimum allocation size that is explained in the Notice. Note, because of the process for allocations to high need rural areas, it is possible smaller PHAs received an allocation in a state while a larger PHA does not.

EHV Voucher Acceptance/Rejection Process

133. Can I request fewer vouchers than the amount allocated to my PHA?

Yes. While PHAs are encouraged to accept the entire EHV allocation, the PHA may choose to accept a lower number of vouchers than the number offered by HUD in the notification but not fewer than the minimum allocation of 25 or 15, as applicable.

134. Can I request more EHV's than the amount outlined in my award?

Yes, the initial award letter provides an option where the PHA can select “Accept Full Allocation, Plus More.” When a PHA selects this option, they will also be requested to respond to the question of how many additional EHV’s the PHA would accept.

If PHAs fail to lease their authorized EHV’s within a reasonable period of time, HUD may revoke (recapture) and redistribute any unleased vouchers and associated funds to other PHAs. See Section 14 of [PIH Notice 2021-15](#) for additional information about EHV acceptance.

135. Upon a declining PHA’s request, may HUD instead allocate the PHA’s EHV allocation to a neighboring PHA or a PHA with an overlapping jurisdiction?

No. HUD will follow the EHV allocation formula outlined in [PIH Notice 2021-15](#).

136. If a PHA does not accept the EHV vouchers, will there be any penalties?

No. There are no penalties for not accepting an EHV allocation or accepting less than the amount allocated. PHAs are encouraged to reach out to their HUD Field Office to discuss their concerns. There may be technical assistance available to address concerns.

MTW

137. How do MTW PHAs request approval to use MTW flexibilities as it relates to the administration of EHV?

Section 10 of [PIH Notice 2021-15](#) states that, “MTW agencies may request approval from HUD’s Office of Housing Voucher Programs to administer EHV’s in accordance with the HCV programmatic flexibilities approved under PHA’s Annual MTW Plan or MTW Supplement to the PHA Plan, as permitted by its MTW Agreement or the MTW Operations Notice. The Office of Housing Voucher Programs may approve the MTW PHA’s request provided it determines the requested MTW flexibility is not in direct conflict with an EHV waiver or alternative requirement, and its application would not have a detrimental impact on EHV families.”

MTW PHAs may submit such requests with supporting justification through their local Field Office.

To expedite processing, it is strongly recommended that for each MTW flexibility requested, the MTW PHA addresses how the MTW flexibility is not in conflict with an EHV waiver or alternative requirement and that its application would not have a detrimental impact on families.

Housing Location/Landlord Resources

138. What benefits are available to landlords who agree to accept an EHV tenant?

There are a variety of benefits available to participating landlords, including:

- Having a contracted monthly assistance payment deposited directly into an owner’s bank account.
- Reduced likelihood of tenants defaulting on their rent. If the tenant’s income decreases, the landlord’s Housing Assistance Payment (HAP) may increase.

- Minimal paperwork is required to get set up and landlords are allowed to use their own lease and screening process.
- Inspections are completed by the Public Housing Agency, or their designee, which will aide owners in identifying maintenance issues on the property.
- EHV Service Fees can cover security deposits, holding fees, application fees, and renter's insurance (where necessary).

139. What is required to be an EHV or HCV eligible landlord?

The HCV program requirements at 24 CFR 982.306 set forth eligible housing requirements which landlords must meet for PHA approval of an assisted tenancy.

- Verification of property ownership.
- Property taxes must be current.
- Owners may not have any unpaid debt to the Public Housing Agency.
- A valid property management agreement if you are an agent for an owner.

140. How do I become a landlord for the EHV program?

When an applicant with an EHV applies for your unit, you are responsible for following your standard application screening process to determine suitability. Once you have approved the applicant to rent the unit, you will complete the request for tenancy (RFTA) provided by the applicant and return it to the Public Housing Agency with a copy of your unexecuted lease. If you are a contracted property management firm, you will also need to provide a copy of your management agreement with the property owner. Once your paperwork has been received, the Public Housing Agency will contact you with next steps.

Once the RFTA has been processed and initial determination of rent reasonableness has been conducted, an inspector will contact you to schedule an inspection of the unit. The inspection is followed by a final review of rent reasonableness. If your unit passes inspection and is determined rent reasonable, you will be notified that you can now proceed with signing a lease. If your unit does not pass the inspection, you will receive written notification of failed items and a follow-up inspection will be scheduled.

Once the unit has been approved and the lease signed, a representative from the Public Housing Agency will contact you with the Housing Assistance Payment (HAP) contract for signing.

Additional information on becoming a landlord for the Housing Choice Voucher program is available at [HUD's Landlord Resources](#) page, or you can view additional information about the voucher process [here](#).

141. Are EHV tenants screened by the PHA to ensure they are responsible tenants?

No. In accordance with CFR 24§ 983.307, the owner is responsible for screening and selection of the family to occupy the owner's unit. The PHA is responsible for screening families to determine eligibility for the HCV program.

142. Can a security deposit be required?

Yes. Landlords are permitted to collect a security deposit.

143. Who is responsible for ensuring that the tenant pays their required share of the rent?

The tenant is responsible for paying the family's share of the rent, and the owner is responsible for enforcing the lease if the tenant fails to do so. The landlord must also send any notices issued to the tenant for non-payment or noncompliance to the PHA.

144. What is the purpose of Housing Quality Standards (HQS)?

The goal of the Emergency Housing Voucher (EHV) program is to provide decent, safe, and sanitary housing at an affordable cost to low-income families experiencing or at risk of homelessness. Housing Quality Standards (HQS) help accomplish that goal by establishing the minimum quality criteria necessary for the health and safety of program participants. All housing units must meet HQS in order to participate in the EHV program.

145. What aspects of housing quality are covered in the HQS?

The HCV program requirements at 24 CFR 982.401 set forth basic housing quality standards which all units must meet before the PHA can pay assistance on behalf of a family. The key aspects of housing quality covered by HQS include:

- Sanitation facilities
- Food preparation and refuse disposal
- Space and security
- Thermal environment
- Illumination and electricity
- Structure and materials
- Interior air quality
- Water supply
- Lead-based paint
- Access
- Site and neighborhood
- Sanitary conditions
- Smoke detectors

146. Where can owners advertise units to EHV families?

Voucher holders search for available units on the open market. Owners can consider advertising their units online, including the following websites:

- GoSection8.com
- Apartments.com
- Craigslist.com
- ForRent.com
- Zillow.com