

Emergency Housing Vouchers Frequently Asked Questions (FAQs)

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 Notice 2021-15.

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

Yes. CoCs have the discretion to refer households in Rapid Rehousing programs.

3. What are the roles and responsibilities of PHAs, CoCs, and Victim Service Providers (VSPs)?

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 additionally 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, certifying 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 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

4. On the McKinney 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?

Organizations certifying whether applicants lack the resources or support networks to obtain other permanent housing must establish procedures of documentation of the evidence relied upon to establish and verify status at intake. 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 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 Coordinated Entry System or other partner referral agencies. However, PHAs must inform families on the HCV waiting list of the availability of EHV at a minimum by either by posting the information to their website or providing public notice in their respective communities. The PHA public notice must describe the targeted populations to which the EHV are limited and that the availability of these EHV is managed through a direct referral process through the CoC. The PHA notice must advise the family must contact the CoC (and any other PHA referral partner) if the family believes they may 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 for families?

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

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

As in the regular voucher 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 assistance.

Partnerships and Collaborations

1. What is a Continuum of Care?

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

- promote community-wide 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 Notice PIH 2021-15 provides a more thorough description of CoCs and their role in the EHV program. Additional information on CoC's can be found at

https://www.hud.gov/program_offices/comm_planning/coc

2. What is a Victims Service Provider?

HUD defines a victim service provider 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 re-housing, 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.

3. What is a Coordinated Entry system?

Provisions in the CoC Program Interim Rule at 24 CFR § 578.7(a)(8) require that CoCs establish a Coordinated Entry (CE) System. The Coordinated Entry (CE) process is an approach to coordination and management of a crisis response system's resources that allows users to make consistent decisions, based on available information, to efficiently and effectively connect people to housing and service interventions that will rapidly end their homelessness.

4. 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 a 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. Additionally, a sample MOU template is included as Attachment 2 of Notice 2021-15. Partners can review and update MOUs as the program progresses.

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

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.

6. What does the MOU look like if a PHA’s jurisdiction covers more than one CoC? Or if a CoC works with multiple PHAs?

The intent of the Notice is to provide communities with the flexibilities needed to respond to the target population. HUD expects EHV’s 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.

Communities may utilize a single MOU or multiple MOUs with each CoC to ensure that all parties are aware of the policies guiding referrals, and roles and responsibilities of each entity. MOUs may additionally address local protocols and procedures that are consistent and equitable in designating clear EHV distribution criteria.

7. 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. By this date PHAs will have received their July EHV Housing Assistance Payment (HAP) amount, and the clock for the placement fees begins. HUD is providing \$500 for each EHV 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 an 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 get started.

8. How do service providers outside of the CoC scope (eg. Victims of domestic violence, sexual assault, stalking, dating violence, and human trafficking) get referrals to the PHA? Who does the PHA enter into an MOU with?

In some communities, Victim Service Providers (VSPs) may be embedded into the CoC’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 part of the CoC’s Coordinated Entry process, PHAs must enter into a MOU with VSPs 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 the EHV Operating Notice provides communities the flexibility to develop procedures that work best on a local level.

9. What happens if the PHA and CoC can’t agree on the terms of an MOU?

PHAs and CoCs should work collaboratively in the development of the MOU and the implementation of EHV’s. A sample MOU has been included in the Notice to aide community’s in getting started.

If you are having difficulties entering into an 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.

10. Can you clarify if or how the agencies partnering with PHAs on EHV's are paid? If the CoC or the domestic violence agency 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?

Section 6 of the EHV Operating Notice 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. Paying a fee to a CoC, Victim Service Provider, or other partnering agency for a referral is not an eligible use of the EHV funding.

A PHA may enter into an agreement, through the Memorandum of Understanding that is a requirement of the EHV program, to reimburse the CoC or other partnering service agencies for 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 Rapid Rehousing (RRH) funds can be used to assist with housing search assistance. 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 shelters, RRH, and homelessness prevention.

Voucher Administration

1. Why wasn't my PHA selected to receive EHV's?

HUD's allocation formula is designed to direct emergency vouchers to the PHAs operating in areas where the EHV's eligible populations have the greatest need while also taking into account 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 many EHV a PHA was allocated.

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

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

Yes, the EHV Operating Notice 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)."

3. What additional fees will PHAs qualify for under EHV's?

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

Preliminary Fees - \$500 will be awarded per allocated EHV.

Issuing Fees - Participating PHAs will earn \$100 once the voucher is initially leased, provided the PHA reported the issuance of the EHV in the Public Housing Information Center-Next Generation (PIC-NG) system within 14 days of the later of the effective date of the family's EHV 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 of 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 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.

4. If a PHA has unleased vouchers after 9/30/23, I understand they can still be issued. Can we over-issue in recognition of our success rate? For example, if we have 10 yet unleased vouchers and we have to issue 16 to house 10, can we issue 16?

No, for EHV's a PHA may not over-issue beyond what was allocated to the PHA.

5. If, after September 30, 2023, a PHA is not to re-issue vouchers when a family leaves the EHV program but can issue vouchers that were never leased, how should PHAs 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/ID EHV vouchers, but HUD is not requiring that specific approach to tracking.

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

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.", Alternatively, the PHA may choose not place those restrictions—i.e., the PHA could allow EHV holders to keep the security deposit. PHAs are encouraged to consult with their counsel as to whether there are any local and state statutes that would limit their flexibility with respect to returning of security deposits.

7. Can EHV be utilized for individuals and families identified for the "Move-On" Strategy?

Yes. Individuals and families identified for a Moving On strategy who currently reside in Permanent Supportive Housing and were homeless at the time of admission to that program may be eligible. As such, these individuals may qualify under Category 4 of the eligible populations for EHV. The CoC must refer all clients eligible under this category, and all applicants must meet the statutory requirements under the ARP. 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/>.

8. Do Emergency Housing Vouchers come with supportive services?

EHVs 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 provide technical assistance to communities to aide in the design and implementation of EHV, including service delivery resources that may be paired with EHV to ensure housing stability.

9. 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 another entity, 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.

10. Can EHV be utilized for project-based voucher units?

No, PHAs may not project-base EHV but must administer these vouchers exclusively as tenant-based assistance. Section 4102(b)(1) of the ARPA provides that the EHV's "shall be tenant-based assistance under section 8(o) of the United States Housing Act of 1937."

In addition to the requirement that EHV's 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 discussed below in Section 13 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.

11. 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 less than the minimum allocation of 25 or 15, as applicable.

12. 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 (i.e., recapture) and redistribute any unleased vouchers and associated funds to other PHAs. See Section 14 of the EHV Operating Notice for additional information.

13. 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 must follow the EHV allocation formula outlined in the EHV Operations Notice 2021-15.

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

In general, yes. PHAs are allowed to contract with a third party to carry out PHA administrative functions on behalf of the PHA in administrating of their HCV program. A PHA may enter into an arrangement with another entity (including another PHA) to perform specific PHA administrative responsibilities with respect the EHV's 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's 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.

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

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

16. 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 is performed accurately regardless of whether the PHA conducts the inspection or contracts the administrative function out to a third party.

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

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 the EHV Operation Notice.

18. What is a waiver and alternative requirement?

Per the EHV Operating Notice (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 have been determined by the 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.

19. Are EHV's time limited for the family?

No. However, EHV's 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.

20. Are the Waivers discussed on the May 12, 2021 webinar automatically applied for all communities, or does each PHA need to request the specific ones they want to utilize?

Notice 2020-15 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 aide eligible households to eliminate barriers to housing and ensure expedited leasing.

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

No, as outlined in HUD 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.

22. What type of documentation is acceptable when determining that a family falls under the four categories. Should the PHA receive formal documentation or information from the local CoC or our local Victims Service Provider?

CoCs and Victim Service Providers are responsible for determining eligibility for EHV's and referring eligible families to the PHA. An example certification of homelessness and human trafficking is provided in Notice 2020-15 and may be utilized by communities to certify eligibility. PHAs may utilize HUD Form 5382 to certify survivors of domestic violence, dating violence, sexual assault, and stalking.

23. What is the difference in end dates: 9/30/2030 vs 9/30/2035 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.

Portability

1. Will individuals and families be able to use vouchers outside the jurisdiction of the PHA that issued 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 HUD 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.

2. 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”.

Reporting Requirements

1. Is there any guidance regarding PIC-NG for EHV?

The EHV Operating Notice references that HUD will utilize the new PIC-NG system for EHV. This is a similar technology solution that HUD is currently piloting through the MTW Expansion. HUD will work closely with participating PHAs and PHA software providers to ensure a seamless transition.

In the event that the new PIC-NG platform is not operational by July 2021, PHAs will continue to utilize the current PIC system and transition to PIC-NG at a later date. In the interim, HUD is updating VMS with new fields to allow PHAs to report on their administration of the EHV program and the associated fees.

A separate notice will follow to aide PHAs in understanding the reporting requirements associated with EHV. Additionally, a webinar will be offered to talk through the reporting requirements and discuss any questions or concerns PHAs may have. HUD will offer technical assistance to participating PHAs.