

## FYI Questions and Answers

### Foster Youth to Independence (FYI) Initiative

Frequently asked questions submitted to [FYITPV@hud.gov](mailto:FYITPV@hud.gov) will be answered in this document. The document will be updated periodically and reposted with the date it was update.

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Questions are organized into the following topic areas:

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### Eligibility

**1. Can I apply for TPVs under the notice and submit an application(s) for funding under a FUP Notice of Funding Availability (NOFA)?**

Yes. PHAs are eligible to apply for funding under the notice until such time they have been awarded vouchers under a FUP NOFA.

**2. Can I apply for funding under a FUP NOFA if I've been awarded TPVs under this notice?**

Administering TPVs under the notice would not preclude a PHA from applying for funding under a FUP NOFA if the PHA otherwise meets the requirements under the NOFA.

**3. My PHA administers the FUP, but does not have enough vouchers to serve all FUP-eligible families and FUP-eligible youth, are we eligible to request assistance under the notice?**

No. PHAs that administer the FUP are not eligible to request assistance under the notice.

**4. Can youth in the HCV program be transferred to a FYI TPV voucher?**

No. FYI TPV funding would not be used appropriately if a regular HCV youth is transferred to a FUP voucher. In this particular situation, these youth are not homeless or at-risk of homelessness because their housing need has already been met through the existing HCV program.

**5. What happens to the status of a FUP-eligible youth if that youth gives birth after she has leased up under a FYI TPV?**

The youth is still eligible for the full 36 months of assistance.

**6. In order to qualify, does a youth have to have lived only in foster care or would any residential placement by the PCWA qualify them for the FUP voucher?**

Under the federal definition of foster care, placement can include, but is not limited to, “placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.” (See 45 CFR 1355.20.)

**7. Are youth being discharged from an institution eligible for a FYI TPV?**

The definition of at risk of homelessness includes, among others, a person that is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution). (See 24 CFR 576.2) The youth must also:

- i. Have an annual income below 30 percent of median family income for the area, as determined by HUD; and
- ii. Does not have sufficient resources or support networks, e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the “homeless” definition at 24 CFR 576.2.
- iii. If the youth meets all of the above, and all other requirements are met, the youth is eligible to receive a FYI TPV.

**8. At which point must a youth be no more than 24 years old?**

A youth must be no more than 24 years old at the time of PCWA certification as FUP-eligible **and** also at the time of HAP contract execution. Timing of the referral is particularly important in this case. For example, a PCWA may be planning to refer a youth that is still 24 years old at the time of referral but is close to turning 25 years old. Although the youth meets the age requirement at the time of referral, there could be a strong likelihood that, at the time of HAP contract execution, the youth may no longer meet the age requirement. The PHA and PCWA will have to ensure that the youth does not reach the age requirement limit before the effective date of the HAP contract or the youth will no longer be eligible for a FYI TPV.

- 9. What documentation is the PHA required to have in their file regarding the eligibility determination made by the PCWA? Is the referral sufficient or do we need to have the full documentation that demonstrates their eligibility?**

The PHA is not required to maintain full documentation that demonstrates youth's eligibility. In order to maintain an audit trail, the PHA should keep the referral or certification from the PCWA.

- 10. The Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351) amended the title IV-E program to enable states and tribes to provide extended foster care through a federal option to youth up to the age of 21, as the state/tribe may elect. Are youth participating in the extended federal foster care program eligible for FUP?**

The purpose of the title IV-E foster care program is to provide partial reimbursement to states/tribes for the costs associated with safely maintaining children in foster care. States and tribes operating the program have the option to serve eligible youth ages 18 – 21 in foster care. An otherwise eligible youth age 18 or older in foster care must be placed in a licensed foster family home, child-care institution, or a supervised independent living setting. Youth participating in the title IV-E foster care program are entitled to receive or have paid on their behalf a title IV-E foster care maintenance payment to cover the costs of food, clothing and shelter, among other costs. Supplementing title IV-E foster care with the housing assistance under the FUP is not a permitted use of this resource.

- 11. Can organizations other than PHA's administer FYI TPVs?**

No. The PHA must have an existing ACC with HUD for HCVs. A contract administrator that does not have an ACC with HUD for HCVs but constitutes a PHA under 24 CFR 982.4 by reason of its administering HCVs on behalf of another PHA, is not eligible to submit an application under the notice. A list of PHAs with an ACC with HUD for HCVs that do not administer FUP may be found on the FYI webpage: [https://www.hud.gov/program\\_offices/public\\_indian\\_housing/programs/hcv/fyi\\_tpv](https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/fyi_tpv)

- 12. What is the minimum number of vouchers that may be requested?**

There is no minimum request size. As few as one FYI TPV may be requested.

- 13. Why are PHAs that administer FUP not eligible to request assistance under the notice?**

For PHAs that already administer FUP, HUD would encourage the PHAs to look at how they are meeting the needs of FUP-eligible youth now. Where need exceeds supply of FUP vouchers, HUD would encourage these communities to explore federal, state, and philanthropic opportunities to provide housing and service supports. This includes applying for CoC funds, and submitting an application under the next FUP NOFA.

- 14. If foster youth have a criminal record, are they eligible to participate in the program?**

In most cases, PHAs and owners have discretion to decide whether or not to deny admission to an applicant with certain types of criminal history, or terminate assistance or evict a household if a tenant, household member, or guest engages in certain drug-related or other criminal activity on or near the premises (in the case of the HCV

program). HUD regulations outline the limited instances where denial of admission or termination of assistance is required. (See 24 CFR 982, subpart L.)

In deciding whether to exercise their discretion to admit or retain an individual or household that has engaged in criminal activity, PHAs and owners may consider all of the circumstances relevant to the particular admission or eviction decision, including but not limited to: the seriousness of the offending action; the effect that eviction of the entire household would have on family members not involved in the criminal activity; and the extent to which the leaseholder has taken all reasonable steps to prevent or mitigate the criminal activity. Additionally, when specifically considering whether to deny admission or terminate assistance or tenancy for illegal drug use by a household member who is no longer engaged in such activity, a PHA or owner may consider whether the household member is participating in or has successfully completed a drug rehabilitation program, or has otherwise been rehabilitated successfully.

For more information on this topic, see [Notice PIH 2015-19](#).

**15. When a young person leaves the program, can the PHA apply on behalf of another young person?**

Each PHA is limited to a maximum award of 25 vouchers under this notice in a fiscal year. If the PHA has not reached the maximum award cap in the fiscal year, it may submit a new request.

**16. Our PHA is a large agency and/or our jurisdiction covers a wide area, are we still limited to 25 vouchers in a fiscal year?**

Yes. Each PHA is limited to a maximum award of 25 vouchers under the notice in a fiscal year.

**17. Are youth exiting the juvenile justice system eligible to participate in the program?**

Youth exiting the juvenile justice system will need to meet the eligibility requirements for the program.

**18. What would a PHA do under this program if the age of majority to sign a lease is 21 in the state where the PHA is located?**

PHAs must administer assistance under FYI consistent with state law. A best practice is for the PHA to educate the PCWA on the HCV program, including eligibility requirements. The PHA may incorporate into the partnership agreement a condition that the PCWA only refer otherwise-eligible youth between 18 and 20 years of age that may enter into a lease. This does not impact the eligibility of youth between 21 and 24 years of age.

**19. Does a youth's decision not to participate in extended foster care make the youth ineligible for FYI?**

No. Having participated in extended foster care is not an eligibility requirement for participation in FYI.

**20. May a request be made for a youth who has not reached 18 years of age?**

A request for assistance may be submitted on behalf of a youth who will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H)

of the Social Security Act and meets all other requirements. (See Section 7 of the notice.) The PHA must not enter into a Housing Assistance Payment Contract (HAP contract) with the youth until the youth reaches the age of 18. As a result, when requesting assistance on behalf of such young person, the PHA-identified effective date for the voucher should be no sooner than the youth's 18th birthday.

**21. Does the youth have to have been in custody of the PCWA making the eligibility determination, or may the youth have been in custody of another PCWA?**

The youth does not have to have been in the custody of the PCWA that is partnering with a PHA to administer FYI TPVs. The partnering PHA has the responsibility of verifying the youth meets all eligibility requirements.

**22. If the youth exited foster care before their 18<sup>th</sup> birthday are they still eligible?**

The youth must have left foster care at 16 years of age or older.

## Application Process

**23. Is there a formal application for this program through grants.gov?**

No. The application requirements are explained in Section 15 of [Notice PIH 2019-20](#).

**24. Is the PHA required to submit the partnership agreement prior to submitting the individual request for vouchers?**

No. PHAs are not required to submit the partnership agreement. Rather, they are required to certify that the PHA has entered into a partnership agreement with the PCWA, and CoC (as applicable). The application requirements are explained in Section 15 of [Notice PIH 2019-20](#).

**25. What is the deadline to apply for assistance under the notice?**

Subject to the conditions outlined in Section 3 of the [notice](#), HUD will accept PHA requests for FYI TPVs under the notice on a rolling basis.

**26. Is there an emergency referral process?**

HUD has not established an "emergency referral process." HUD processes requests in order of receipt.

**27. Our PCWA has concerns with privacy and its internal protocols in providing the names of the youth they want to use these vouchers for. Can a code be assigned to each youth for application purposes (email to HUD)?**

A code, alias, initials, or full name of the youth may be used in the request for assistance.

**28. Does the partnership agreement (MOU or letter of intent) with the PCWA need to be included in the request for assistance?**

No. The partnership agreement does not need to be included in the request for assistance. The request for assistance must include a certification that the PHA has entered into a partnership agreement with the PCWA, and CoC (CoC as applicable).

**29. HUD recently issued a revised funding application (form HUD-52515). Should PHAs use this new form? If so, what information is required?**

PHAs submitting a request for assistance under the notice should use the newly revised form HUD-52515. The revised form has an expiration of July 31, 2022. Only the first page of the document needs to be included. Items E through L which appear on page two of the form do not need to be completed.

## General Program Operation

**30. Do PCWAs have an obligation to inform PHAs of a referral's criminal history?**

HUD policies and regulations do not and cannot impose an obligation on PCWAs to provide information regarding an applicant's criminal history to the PHA. However, it is in the best interest of the PHA and the PCWA for this information to be made known during the referral process, subject to any privacy laws, since an applicant's criminal history, such as a prior conviction for drug-related criminal activity, could make the applicant ineligible for assistance under PHA policy. PCWAs often know the details and circumstances surrounding an applicant's criminal activity including, among others, whether the applicant is participating in or has successfully completed a supervised drug or alcohol rehabilitation program. Such details are helpful to the PHA in determining an applicant's eligibility and may result in the applicant being determined eligible under PHA policy.

**31. May PHAs collaborate with more than one PCWA?**

Yes, PHAs may collaborate with more than one PCWA. This may be especially useful for state-level PHAs, where there are multiple PCWAs serving different parts of the PHA's jurisdiction. PHAs considering this option must have a partnership agreement with each PCWA to administer FYI TPVs.

**32. May referrals come from agencies other than the PCWA?**

Referrals can come from other organizations in the community who work with the population, including organizations that the PCWA has contracted with to handle a specific department or division, and through a Continuum of Care's (CoC's) coordinated entry system. In cases where a referral comes from another organization in the community, the PCWA must certify that the youth meets the eligibility requirements under the notice, unless the PCWA has vested another organization with this authority.

**33. Can the funds be used for a specific housing development?**

Assistance is in the form of a tenant-based voucher. Since housing assistance is provided on behalf of the young person, they are able to find their own housing on the private market. The young person may be provided information about a specific location, but they cannot be required to use their assistance at the development. Assistance provided under the notice is prohibited from being project-based.

**34. Do private child welfare agencies count or is it only public agencies?**

The notice defines a public child welfare agency (PCWA) as the agency that is responsible under applicable State law for determining that a child is at imminent risk of placement in out-of-home care, or that a child in out-of-home care under the supervision

of the public agency may be returned to his or her family, or that a youth is at least 18 years of age and not more than 24 years of age and left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless at age 16 or older.

**35. For how long is rental assistance provided?**

Youth may receive up to 36 months of assistance.

**36. During the young person's participation in the program, is there a requirement that the participant make efforts toward maintaining sustainability?**

The notice does not establish metrics of "sustainability." The program is designed to offer the young person a minimum set of supportive services for the length of their participation in the program. A participant cannot be required to participate in these services as condition of receipt of the voucher.

**37. Can the PHA service an otherwise eligible youth from an area outside of its jurisdiction?**

In the case of providing a voucher to a youth that resides outside of the PHA's jurisdiction and that does not plan on residing in the PHA's jurisdiction upon receipt of a voucher, the PHA should review its discretionary policies on this subject. This includes reviewing whether it has a residency requirements or preference in place that may impact its ability to serve an otherwise eligible youth from outside of its jurisdiction. (See 24 CFR 982.207(b)(1).)

**38. Will encrypted emails be used to transmit individual cases to protect client confidentiality?**

The PHA and PCWA must determine applicable confidentiality requirements for making and receiving referrals for assistance.

**39. What changes to the administrative plan are required to implement these vouchers?**

PHAs should review administrative plan requirements at 24 CFR 982.44. Of particular note, 24 CFR 982.54 (d)(3) includes any special rules for use of available funds when HUD provides funding to the PHA for a special purpose, including funding for specified families or a specified category of families.

**40. If the youth is eligible for a program which offers case management with a wide array of supports, could that qualify as meeting the supportive services requirement?**

The PCWA must determine whether the supportive services offered meet the requirements found in Section 6 of the notice.

## Portability

**41. Can PHAs restrict portability for youths for the first year or for the full 36 months of assistance?**

No. Portability of a participant is handled in the same way as regular Housing Choice Vouchers (HCVs), so a PHA may not restrict or deny portability for a FYI



TPV participant for reasons other than those specified in HCV program regulations (such as restrictions on nonresident applicants under 24 CFR 982.353(c)).

**42. Does a participant that wants to move with continued assistance have to move to a jurisdiction that administers FYI TPVs?**

No. A participant does not have to move to a jurisdiction that administers FUP or FYI TPVs. The referring community would no longer have an obligation to offer supportive services.

**43. If the receiving PHA has a FUP program, may the youth move to the jurisdiction?**

Yes. A participant is not prohibited from moving to a jurisdiction that administers FUP.

**44. Can a PHA absorb a FYI TPV youth into its regular HCV program?**

Yes. There is nothing that precludes a PHA from absorbing the youth into its regular HCV program if it has vouchers available to do so. If the receiving PHA absorbs the youth into its regular HCV program, that youth becomes a regular HCV participant with none of the limitations of a FYI TPV. In the case of absorption, the FYI TPV would sunset.

**45. If a FYI TPV participant ports to another jurisdiction under a billing arrangement, which PHA has the responsibility of terminating the assistance once the 36-month limit expires?**

The initial and receiving PHA must work together to initiate termination of assistance upon expiration of the 36-month limit.

## Voucher Time Limit

**46. Does the 36-month assistance limitation mean 36 months of paid HAP or 36 months on the program?**

If no subsidy (HAP) is being paid on behalf of the youth, that period of time does not count under the 36-month limitation.

**47. Is it permissible to reissue a FYI TPV for another 36 months to a youth whose voucher has reached the 36-month limit?**

No. It is not permissible to reissue another FYI TPV to the same youth upon expiration of their 36 months of FUP assistance.

**48. Can a youth be issued a regular HCV upon expiration of the 36-month limit?**

Yes. However, the youth would have to be selected from the HCV waiting list for a regular HCV. To facilitate this process, PHAs may choose to create a preference in their regular HCV program for persons whose FUP youth assistance is expiring and will lack adequate housing as a result of their termination from the program, or other similar category.

**49. Can the 36-month time limit on a FUP youth voucher be waived?**

No. The 36-month time limit is a statutory requirement under Section 8(x) of the U.S. Housing Act of 1937 and cannot be waived. However, PHAs may work collaboratively



with PCWAs in developing a transitional plan to help prepare youths for the eventual expiration of their 36 months of FUP assistance. PHAs also have the option of using a preference.

**50. Do program participants age out of the program?**

No. A participant may continue with the program until they have received 36 months of assistance. The upper age limit is for entering the program.

**51. Does the assistance expire after 36 months?**

Yes. These vouchers “sunset” when the youth leaves the program. This means that the PHA cannot reissue the HCV assistance issued under this notice when the youth exits the HCV program. When the youth exits the HCV program, HUD will reduce the PHA’s HCV assistance to account for the removal of the FYI TPV assistance from the PHA’s HCV baseline inventory.

**52. If a young person is assisted with an FYI TPV but leaves the program before having received 36 months of assistance, are they eligible to participate in the program again.**

If the young person is otherwise program eligible, they may be re-admitted to the program. This does not mean that the young person is eligible for another 36 months of assistance. The young person is limited to a total 36 months of assistance under the program. For example, if the first time in the program the youth received subsidy (HAP was paid on behalf of the youth) for 24 months, the young person would be eligible to participate in the program up to another 12 months, for a total of 36 months.

**53. If the youth is participating in a PHA’s Family Self-Sufficiency (FSS) program, may the youth be assisted for longer than 36 months?**

No. A youth participating in a PHA’s FSS program is limited to the statutory maximum assistance of 36 months.

**54. Are youth who had some level of child welfare involvement, but were not in foster care, eligible to be assisted under the program.**

No. Youth eligibility is outlined in Section 7 of the notice. The PCWA must certify that the youth meets all of the following conditions:

1. Has attained at least 18 years and not more than 24 years of age;
2. Left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act at age 16 or older; and
3. Is homeless, or is at risk of becoming homeless.

**55. Are youth sleeping in cars considered homeless?**

It is the responsibility of the PCWA to determine youth eligibility. This includes determining whether the youth meets the definition of being homeless or at risk of becoming homeless. These terms are defined at 24 CFR 578.3, and 24 CFR 576.2, respectively. The definition of homeless includes, but is not limited to, an individual or family who lacks a fixed, regular, and adequate nighttime residence, which may include a primary nighttime residence that is a public or private place not designated for or ordinarily used as regular sleeping accommodation for human beings, including a car.

**56. How will HCV administration be different than administering regular HCVs?**

The major administrative differences are outlined in Section 16 of the [notice](#). This includes, but is not limited to, the vouchers sunseting when the youth leaves the program, the prohibition of project-basing the assistance, and not following regular waiting list requirements.

## Terminations

**57. Under what circumstances can a PHA terminate a FYI TPV?**

Termination of a FYI TPV is handled in the same way as with any HCV; therefore, termination of a FYI TPV must be consistent with HCV regulations at 24 CFR Part 982, Subpart L. Given the statutory time limit, a PHA must terminate the youth's voucher once the 36-month limit on assistance has expired.

## Funding

**58. Are administrative fees available for administration of FYI TPVs?**

Yes. Administrative fees are paid based on the number of units under lease.

**59. At what time does HUD determine the Per Unit Cost (PUC)?**

HUD will determine the PUC for the PHA at the time an eligible request has been received using the most recent data available to HUD.

**60. Is the maximum 25 FYI TPVs per PHA, per county, or state?**

The maximum award of 25 vouchers under the notice is per PHA in a fiscal year.

## Shared Housing

**61. May FYI TPVs be used in shared housing situations?**

A youth assisted with a FYI TPV may share a unit with other persons assisted under the HCV program, or with other unassisted persons. For example, two FYI TPV participants may decide to seek out a 2-br unit as a result of tight market conditions for 0-BR and 1-BR units. Such a unit consists of both common space shared by the occupants of the unit and separate private spaces for each assisted family.

## Supportive Services

**62. Can a PHA or private non-profit provide the supportive services?**

Yes. The notice does not restrict who may provide the supportive services required under the notice. Eligibility to receive funding under the notice to administer FYI TPVs requires that the PCWA provide or secure a commitment of supportive services for participating youth to assist the youth in achieving self-sufficiency. The PHA or private non-profit may provide some or all of the supportive services if it has the resources to do so. The provision of supportive services is not an eligible use of the FYI TPV funding under the notice.

**63. Are youth required to sign a supportive service agreement?**

Participation in supportive services cannot be required as a condition of receipt of assistance under the notice.

**64. If the young person enters the program at 24 years of age, does that mean that services must be offered to that person to the age of 27?**

An otherwise eligible youth may enter the program between the ages of 18 years and not more than 24 years of age. The age at which the youth enters the program does not change the requirement to provide the required supportive services.

## Prioritization

**65. Does the notice set prioritization policies, or is this the responsibility of the community?**

The notice does not set prioritization policies. Given the limited nature of FYI TPVs, the PCWA is encouraged, to consider how they are prioritizing youth for referrals. The intent of prioritization should be to ensure that youth are prioritized for housing resources and related services based upon level of need and appropriateness of the intervention.

**66. Are applicants required to use coordinated entry?**

No. Applicants are not required to use coordinated entry. Using the coordinated entry system to identify youth and getting them re-connected to child welfare to verify and make the referral to the PHA can help ensure that some of the most vulnerable youth are accessing the resources. Using coordinated entry in this way does not mean that FYI TPVs have to use the same eligibility and prioritization as CoC funded projects – it can simply be a vehicle for identifying and connecting young people experiencing homelessness.