



HUD-VASH
Operating Requirements
Federal Register Notice
PHA Webinar

October 19, 2021



Webinar Housekeeping

- Today's webinar is targeted to a PHA audience
- The webinar will last approximately 1 hour
- Due to the number of attendees, all participants are muted
- This webinar is being recorded. We plan to make this recording available on the HUD-VASH website within a few weeks.



Webinar Housekeeping

- Please enter any questions into the chat, and we will try to address as many as possible at the end of the webinar
- If you have a question that is not answered during today's webinar, please email vash@hud.gov
- Questions will help inform the forthcoming FAQ document



Webinar Agenda

- HUD-VASH Background
- Operating Requirements Background
- Significant Updates to the Operating Requirements
- Updates Not Yet Fully Implemented
- Resources and Contact Information
- Questions



HUD-VASH Background

- The HUD-Veterans Affairs Supportive Housing (HUD-VASH) program is a special purpose voucher program administered in partnership with the U.S. Department of Veterans Affairs (VA).
- HUD-VASH enables homeless veterans and their families to use a voucher to access safe, affordable housing while also receiving an array of VA services.
- VA provides these services for participating veterans at VA medical centers (VAMCs), community-based outreach clinics (CBOCs), through VA contractors, or through other VA designated entities.



HUD-VASH Background

- Each year, since 2008, HUD and VA have collaboratively awarded HUD-VASH vouchers based on current geographic need and public housing agency (PHA) administrative capacity.
- Since 2017, the allocation process for awarding HUD-VASH vouchers has allowed PHAs to self-identify their interest in the program. HUD publishes an annual HUD-VASH Registration of Interest Notice containing detailed instructions that PHAs must follow if they are interested in receiving a portion of the available HUD-VASH vouchers.
- Between 2008-2020- 104,654 HUD-VASH vouchers have been awarded to 688 PHAs (and their partnering VA facilities) nationwide
- There is at least one PHA currently administering HUD-VASH in each of the 50 states, in the District of Columbia, Puerto Rico and Guam. A full list of HUD-VASH awards by PHA is located on the [HUD-VASH website](#).
- HUD-VASH vouchers are renewed annually based on actual PHA leasing along with all other housing choice vouchers (HCV).



Overview: HUD-VASH Lease Up Process

Intake and voucher issuance in the HUD-VASH Program

(detailed further in section II.a of the operating requirements and remains unchanged from prior versions)

- All HUD-VASH referrals must come to the PHA from partnering VA facility
- Partnering VA determines:
 - VA clinical eligibility
 - homelessness status
- PHA determines:
 - Income eligibility
 - Lifetime sex offender status



HUD-VASH Authorization

- HUD-VASH vouchers are authorized under section 8(o)(19) of the US Housing Act of 1937, as modified by the requirements in The 2008 Consolidated Appropriations Act (Pub. L. 110-161). All Congressional Appropriations Acts since 2008 have continued to authorize this program - most recently the Appropriations Act of 2021 (Public Law 116-260), enacted on December 27, 2020.
- Generally, the HUD-VASH program is administered in accordance with regular HCV and PBV program requirements ([24 CFR Section 982](#) and [983](#) respectively). This means that unless otherwise noted, regular program requirements apply.
- However, the authorizing language allows HUD to waive or specify alternative requirements for any provision of any statute or regulation affecting the HCV program in order to effectively deliver and administer HUD-VASH voucher assistance.



Operating Requirements Background

- HUD waivers and alternative requirements, that differ from regular program requirements, are established in the [HUD-VASH Operating Requirements](#)
- The HUD-VASH Operating Requirements were originally published in the Federal Register on May 6, 2008, they were updated March 23, 2012, and now updated again **September 27, 2021**.
- The current version of the Operating Requirements will remain in effect until the HUD-VASH program is no longer authorized by Congress or the authorization requirements change through a new FR Notice.
- Note that PHAs may also seek individual HUD-VASH waivers through the regular Field Office waiver process.
- The operating requirements apply to all PHAs that administer HUD-VASH vouchers, including those that have not received an allocation of HUD-VASH vouchers, but administer these vouchers as a receiving PHA under the portability feature of the HCV program.



Operating Requirements Background

Primary purposes for this latest update to the Operating Requirements:

1. Increase allowable flexibilities for PHAs to more efficiently administer the program
2. Provide the initial legal framework to properly implement congressionally directed changes to the program
3. Codify program requirements and add explanatory details in areas we have historically received PHA questions



Significant Updates

- **Codify “Designated Service Providers (DSPs)”**

- Under HUD-VASH Statute, PHAs must partner with a VA service provider for HUD-VASH referrals and case management services- this VA service provider can either be the VA Medical Center (VAMC), a Community Based Outpatient Clinic (CBOC), a VA contractor, or a VA designated service provider (DSP). The update further codifies the concept of the DSP
- VA Collaborative Case Management (CCM) Model
 - VA mechanism for approving DSPs
 - To apply for CCM, communities must submit an application, a memorandum of understanding between the PHA and the DSP, a gift of services agreement between the DSP and VA, and a letter of support from the VAMC.
 - As part of the approval process, the Secretary of Veterans Affairs will issue a letter designating the identified service provider to deliver case management and supportive services for these vouchers.



Significant Updates

- **HUD-VASH PBV (section II.a and section II.k)**

- Clarifies that PHAs are able to house HUD-VASH veterans referred by the VA in a project-based voucher unit without selecting from the PHA's waiting lists or applying local preferences (section II.a)
- New allowance for a PHA and owner to agree to amend a PBV HAP contract to re-designate a regular PBV unit as a unit specifically designated for HUD-VASH families and vice versa (section II.k)
- Conforms with changes made under HOTMA (section II.k)
 - Units exclusively made available to HUD-VASH families in a PBV project are exempted from the PBV income-mixing requirements (project cap)
 - No additional HUD approval needed to PBV HUD-VASH vouchers
- Explains HUD requirements that apply when HUD-VASH family is eligible to move from its PBV unit and there is no HUD-VASH tenant-based voucher available at the time the family requests to move (section II.k)
 - The PHA may require a family that still requires case management to wait for a HUD-VASH tenant-based voucher for a period not to exceed 180 days. If a HUD-VASH tenant-based voucher is still not available after that time period, the family must be allowed to move with its HUD-VASH voucher.
 - The PHA may either replace the assistance in the PBV unit with one of its regular vouchers if the unit is eligible for a regular PBV or the PHA and owner may agree to temporarily remove the unit from the HAP contract



Significant Updates

- **Accepted Personal Identification (section II.a)**
 - PHAs must accept the Certificate of Release or Discharge from Active Duty (DD-214) or the VA-verified Application for Health Benefits (10-10EZ) as verification of SSN and cannot require the veteran to provide an SSN card. These documents must also be accepted for proof of age purposes in lieu of birth certificates or other PHA-required documentation.
 - Photo ID card issued by the VA cards must be accepted by the PHA in lieu of another type of government-issued photo identification.
- **Adding family members after initial issuance (section II.a)**
 - When adding a family member after the HUD-VASH family is admitted to the program, the rules of § 982.551(h)(2) apply. Other than the birth, adoption, or court-awarded custody of a child, the PHA must approve additional family members and may apply its regular screening criteria in doing so.



Significant Updates

- **Housing on a VA owned site (section II.e)**
 - HUD-VASH families are permitted to live on the grounds of a VA facility in units developed to house homeless veterans. This applies to both tenant-based assistance and PBV. Therefore, 24 CFR 982.352(a)(5) and 983.53(a)(2), which prohibit units on the physical grounds of a medical, mental, or similar public or private institution, are waived for that purpose only.
 - VA Enhanced Use Lease (EUL) program - VA out-leases underutilized real estate under its jurisdiction or control to the private sector for the purpose of developing supportive housing for homeless veterans and their families.



Significant Updates

- **Portability in cases of domestic violence, dating violence, sexual assault, or stalking (section II.f)**
 - An eligible family issued a HUD-VASH voucher must receive case management services provided by the partnering VAMC or DSP. Therefore, if a family wants to move to another jurisdiction where it will not be possible for the initial PHA's partnering VAMC or DSP to provide case management services, the VAMC or DSP must first determine that the HUD-VASH family could be served by another VAMC or DSP that is participating in this program, and the receiving PHA must have a HUD-VASH voucher available for this family.
 - As an exception, veterans who request to port beyond the catchment area of the VAMC or DSP where they are receiving case management to protect the victim of domestic violence, dating violence, sexual assault, or stalking, may port prior to receiving approval from the receiving VAMC or DSP. The initial PHA must follow its emergency transfer plan as described in 24 CFR 5.2005(e).



Significant Updates

- **HUD-VASH Case Management Requirements (section II.g)**
 - This update further outlines the specific case management responsibilities of the VA or DSP
 - As a condition of HCV rental assistance, both tenant-based assistance and PBV, a HUD-VASH veteran must receive the required case management services, as needed, directly from or arranged by, the VAMC or DSP. The VAMC or DSP, in consultation with the veteran, is responsible for determining if case management is required and if the case management requirement is satisfied.



Significant Updates

- **Termination of Assistance (section II.h)**

- Failure to participate in required case management - If the VAMC or DSP has determined that a veteran is not participating in required case management, without good cause, the PHA must terminate the family from the HUD-VASH program. However, a VAMC or DSP determination that the veteran does not require or no longer requires case management is not grounds for termination of voucher or PBV assistance.
- Eviction- PHAs may terminate a family evicted from housing assisted under the program for a serious violation of the lease, but they are not required to do so. Prior to terminating HUD-VASH participants, HUD strongly encourages PHAs to exercise their discretion



Significant Updates

- **Family Breakup (Section II.h)**
 - Generally, in the case of a family break-up, the HUD-VASH assistance must stay with the HUD-VASH veteran. However, in the case of domestic violence, dating violence, sexual assault, or stalking, in which the HUD-VASH veteran is the perpetrator, the victim must continue to be assisted.
 - Upon termination of the perpetrator's HUD-VASH voucher due to the perpetrator's acts of domestic violence, dating violence, sexual assault, or stalking, the victim must be given a regular HCV if one is available, and the perpetrator's HUD-VASH voucher must be used to serve another eligible veteran family. If a regular HCV is not available for the victim, the perpetrator must be terminated from assistance, and the victim will continue to utilize the HUD-VASH voucher.



Significant Updates

- **MTW Flexibilities (Section II.j)**
 - HUD's HCV Office must approve the application of MTW flexibilities
 - PHAs must submit a request through their local field office to operate HUD-VASH in accordance with approved MTW flexibilities.
 - Requests will be approved provided the flexibilities do not conflict with the stated HUD-VASH program requirements.
 - HUD-VASH vouchers are never eligible for MTW fungibility



Significant Updates

- **Payment Standards (Section II.o)**
 - PHAs may go up to, but no higher than 120 percent of the published metropolitan area-wide FMRs or Small Area FMRs (based on which FMRs the PHA is applying) specifically for HUD-VASH families. A PHA that wants to establish a HUD-VASH exception payment standard over 120 percent must still request a waiver from HUD through the regular waiver process outlined in notice PIH 2018-16
- **Special Housing Types (Section II.p)**
 - New requirement that PHAs **must** permit HUD-VASH clients to use the following special housing types for tenant-based HUD-VASH assistance, regardless of whether these types are permitted in their administrative plan for other families: single room occupancy (SRO); congregate housing; group home; shared housing; and cooperative housing.
 - Special Housing Types must still follow regulations in 24 CFR 982, subpart M



Updates Not Yet Fully Implemented

- **Recapture and Reallocation (Section II.m)**

- This notice adds additional details and justification regarding the reallocation of HUD-VASH vouchers.
- If there is continued need at the VAMC/DSP, HUD-VASH vouchers may be voluntarily moved between PHAs administering HUD-VASH programs within the same VAMC/DSP catchment area. Alternatively, if it has been determined that a VAMC/DSP no longer has sufficient need and will not be able to utilize their available HUD-VASH vouchers, HUD and VA may jointly recapture HUD-VASH vouchers from the VAMC/DSP and any partnering PHA(s).
- HUD will issue additional PHA guidance on both HUD-VASH voucher voluntary moves within a VAMC or DSP and the HUD-VASH recapture processes.



Updates Not Yet Fully Implemented

- **PHAs as Designated Service Providers (Section II.a)**
 - As directed in the FY2021 congressional reporting language, this notice incorporates new guidance allowing PHAs to act in the role of DSP for the purposes of family selection in cases where the PHA has been previously approved for this authority
 - This DSP approval allows a PHA to issue a HUD-VASH voucher to a veteran without a referral from the VA. The PHA is responsible for determining the veteran is eligible for VA HUD-VASH case management. The PHA must refer the veteran to the VA for case management and must provide temporary case management until the VAMC has completed intake of the veteran.
 - HUD and the VA will publish further guidance on the requirements for a PHA to be approved and additional details necessary for PHAs to implement this provision. Until such guidance is issued, PHAs may not be approved as DSPs.



Next Steps

- Additional training materials will be made available from HUD – please watch the HUD-VASH website for updates
- HUD will continue to add to FAQs
- Forthcoming PIH Notices/guidance to further implement changes:
 - PHA process for voluntary Recapture/Reallocation
 - Process for PHAs interested in becoming Designated Service Providers (DSPs) by the VA



Resources

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

FR Notice Direct Link: <https://www.federalregister.gov/documents/2021/09/27/2021-20734/section-8-housing-choice-vouchers-revised-implementation-of-the-hud-veterans-affairs-supportive>



Questions, Comments, Concerns, Suggestions?

Please contact us at: VASH@hud.gov