

Mainstream Program: Frequently Asked Questions

Frequently asked questions submitted to <u>MainstreamVouchers@hud.gov</u> will be answered in this document. The document will be updated periodically and reposted with the date it was updated.

3/22/2019: Newly added questions are highlighted in yellow.

Questions are organized into the following topic areas:

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1. General Mainstream Voucher Administration

1.1. Will there be a deadline for when the awarded mainstream vouchers must be leased up?

There is not an official deadline, however, HUD expects that PHAs will make every effort to utilize at least 80% of the vouchers within the first year. If the PHA does not maintain a leasing rate of at least 80%, HUD may recapture and reallocate the funding. PHAs should consider their capacity to lease-up these vouchers when setting the minimum and maximum vouchers requested in their application. Additional vouchers will be available through future NOFAs, and a poor leasing rate could negatively affect a PHAs chances of being awarded future allocations.

1.2. Will mainstream vouchers use the same payment standards as regular housing choice vouchers in our PHAs jurisdiction? What if our PHA is using Small Area FMRs?

Yes, the same payment standards apply to mainstream vouchers as regular housing choice vouchers. If the PHA is using SAFMRs, then those would apply to mainstream vouchers as well. Persons with disabilities may be eligible to receive a reasonable accommodation for an exception payment standard if they are not able to find an affordable unit that meets their needs. Exception payment standards are granted on a case-by-case basis and must be approved by HUD and the PHA.



1.3. Is there a requirement for the (811) Mainstream Vouchers to be utilized at 80% within the first year?

On page 17 of the NOFA, under "Reallocation of Funds", HUD reserves the right to recapture and reallocate funding if the PHA does not comply with the terms of the NOFA or maintain an 80% leasing rate.

1.4. As a PHA, do we use the definition of disability found in 24 CFR Part 5 subpart D 5.403? This is the definition that we use in the Section 8 Housing Choice Voucher program.

The definition of disability for purposes of program eligibility is the same used in the Section 8 Housing Choice Voucher program.

1.5. Please clarify for purposes of determining eligibility: A person 18 years of age or older and less than 62 years of age and who has a disability, as defined in 42 U.S.C.423?

This refers to the first category of people considered to have a disability under the definition of "non-elderly person with disabilities" provided in the NOFA. Please see 42 U.S.C. 423(d) "Disability" defined for the definition of disability under this section.

1.6. It says on page 9 from the NOFA that one of the definitions of being at risk of becoming homeless is if the family lives in a larger housing unit in which there reside more than 1.5 people per room, as defined by the U.S. Census Bureau. Do we include the rooms not for sleeping (i.e. kitchen) in this formula?

Rooms that are not for sleeping are included in this definition. The U.S. Census defines a room as "Rooms include living rooms, dining rooms, kitchens, bedrooms, finished recreation rooms, enclosed porches suitable for year-round use, and lodgers rooms."

You can find the definition here: https://www.census.gov/glossary/#term Rooms

Here's a document about measuring overcrowding exploring the various definitions published by the Census Bureau:

https://www.census.gov/programssurveys/ahs/research/publications/Measuring Overcrowding in Hsg.html

1.7. Mainstream vouchers awarded under a previous NOFA, are those vouchers now subject to the new eligibility requirements outlined in the current NOFA?

No. This NOFA does not change the eligibility criteria of previously awarded vouchers. Turnover requirements for existing mainstream assistance will be addressed in a PIH Notice.



1.8. Are Mainstream vouchers awarded in a previous NOFA counted in the baseline along with those awarded through this NOFA? For example, if a PHA currently administers 50 Mainstream vouchers that are 100% utilized, and is then awarded another 50 through this NOFA, is the PHA's utilization rate 0/50 on day one, or is it 50/100 on day one?

The PHA's overall utilization rate of mainstream voucher assistance will be based on its total baseline, including those already awarded.

1.9. Can a PHA use a different Payment Standard amount for Mainstream Vouchers than it does for Section 8 vouchers? For example, S8 vouchers are set at 95% FMR and Mainstream Vouchers are set at 100% FMR?

No, there is no special authority to provide a different payment standard for mainstream vouchers.

- **1.10.** Is Mainstream funding classified as "Targeted Funding" under 24 CFR 982.204(e)? Yes, PHAs must provide assistance to families that include a non-elderly person with disabilities.
- 1.11. Is it possible for individuals or families who are using a bridge voucher to apply for a mainstream voucher? Assuming they meet the other eligibility criteria for the mainstream voucher and are on the waiting list? Many of the bridge vouchers are state or locally funded (i.e., not HUD funded) and usually those using them are required to sign up for waiting lists for any other housing voucher program available (e.g. CoC, PHA). The bridge voucher holder may have been homeless or institutionalized and be at risk of homelessness or further institutionalization if they do not "bridge" to another permanent voucher.

The eligible population for vouchers awarded under this NOFA are families that include a non-elderly person with disabilities. In order to receive the benefit of a housing choice voucher, including a mainstream voucher, the participant must not be receiving a duplicate subsidy from another state or local program. More information about the prohibition on duplicate subsidies is available at 24 CFR 982.352(c).

1.12. Can a PHA receive admission preference points in Section V.A.1.d for "move-on" type initiatives that allow formerly homeless individuals move from Permanent Supportive Housing to a Housing Choice Voucher?

No, PHAs will not receive preference points under this NOFA for a preference for "move-on" type initiatives. Mainstream vouchers may be used to assist these families, however, provided they are a family that includes a non-elderly person with disabilities.



1.13. When does the participant need to meet the age requirement for Mainstream vouchers?

At the time of admission, i.e. initial HAP Contract signing and the action type 1 HUD-50058, the household must include a non-elderly (at least 18 years of age and less than 62 years of age) person with disabilities. After this date, the eligible household member may turn 62 and retain the voucher.

1.14. Can we add new community partners to the program if they were not included in our application?

Yes.

1.15. Can we begin accepting applicants and leasing up before our Admin Plan is updated?

The NOFA allowed us a year to update our Admin Plan.

Yes.

2. PIC and VMS Reporting

2.1. How should we code these new mainstream vouchers on the HUD-50058? Enter "MS5" on line 2n of the HUD-50058.

2.2. How should we report these new mainstream vouchers in VMS?

New mainstream vouchers should be included along with previously allocated mainstream vouchers in the 5 Year Mainstream field in VMS.



2.3. When we leased up a family where the eligible person was not the head, co-head, or spouse, we received a fatal error when we tried to submit the HUD-50058 to PIC. What should we do?

The fatal error in PIC was changed to a warning, so PHAs will be able to submit the HUD-50058 with the code MS5 for families where the eligible household member is not the head, co-head, or spouse.



The eligibility criteria for mainstream vouchers changed for the newly allocated vouchers. Prior allocations were for disabled households where the head, co-head, or spouse is a person with disabilities, while this allocation is for any family that includes a non-elderly person with disabilities. PIC was programmed to validate that households met the previous eligibility criteria when "MS5" was entered under line 2n. This validation corresponded to the eligibility criteria for the existing mainstream vouchers.

2.4. Can an MTW agency submit the HH information on the MTW Family Report?

Yes, the MTW Family Report is the HUD-50058 MTW. Mainstream voucher assistance will be administered like other housing choice vouchers. PHAs will use the HUD-50058 (or HUD-50058 MTW) to report tenant information.

2.5. Will these be like other housing choice vouchers? Will they use the HUD-50058? Yes, mainstream voucher assistance will be administered like other housing choice vouchers. PHAs will use the HUD-50058 to submit tenant information to PIC.

3. Waiting List Administration and Preferences

3.1. Will PHAs maintain a mainstream wait list separate from the regular HCV wait list? No, PHAs must maintain one waiting list for all tenant-based assistance (24 CFR 982.204(f)).

3.2. Our waiting list is closed. How can we add eligible applicants?

The PHA may adopt criteria defining what families apply for assistance when opening its waiting list (24 CFR 982.206(b)(1)). For example, with respect to eligible applicants under the NOFA, if the PHA opens its waiting list for solely these applicants, the PHA must provide public notice that it is opening its waiting list specifically for non-elderly persons with disabilities who are transitioning out of institutional or other segregated settings, at serious risk of institutionalization, homeless, or at risk of becoming homeless. The PHA must have a policy for how families with the same preference will be selected – either in order by the date and time of their application or a random choice technique (24 CFR 982.207(c)). The PHA must comply with the requirements for opening the waiting list under 24 CFR 982.206, including the requirement to provide public notice and to accept applications from families for whom the list is open.

3.3. Can a PHA give the mainstream voucher to homeless non-elderly disabled on their waiting list?

Yes. The PHA must follow its waiting list policies and select eligible families in the order they appear with respect to any applicable preferences. PHAs should be mindful that the eligible population for the vouchers awarded under this NOFA are families that include a non-elderly (age 18-61) person with disabilities. This definition is different than the Non-Elderly Disabled



voucher program which serves families with a head, co-head, or spouse who is a non-elderly person with disabilities.

3.4. Can a PHA implement eligibility screening criteria for Mainstream vouchers that is different than the eligibility screening criteria for the regular HCV program? In other words, can a PHA maintain its current criminal history lookback periods for HCV, but use only the HUD-mandated exclusions (Lifetime registered sex offender and production of methamphetamine in federally assisted housing) in order to provide a program that more closely aligns with Housing First principles for people experiencing homelessness?

No, there is no special authority to treat families that receive mainstream families differently from other housing choice voucher program applicants and participants.

3.5. Can we target just the homeless/at risk of becoming homeless? We have a preference on our waiting list for Homeless and one for Disabled already. We have over 600 people on our waiting list for this target area. Our area does not have institutions for folks to transition out of so I am not sure how we would target that area.

Yes, your PHA may target non-elderly persons with disabilities who are homeless or at risk of becoming homeless. You may establish partnerships with organizations that assist this target population.

3.6. In lieu of a waitlist, may a PHA use the CoC's Coordinated Entry system to identify and refer applicants for mainstream vouchers?

All admissions must come from the PHA's tenant-based voucher waiting list. Pages 5 and 6 of <u>PIH Notice 2013-15</u> provide guidance on how PHAs may establish preferences for homeless individuals being referred through a CoC Coordinated Entry System.

- 3.7. If a PHA establishes an admissions preference, can it be "capped" to only apply to the number of vouchers or funding provided under this award? Or does the preference need to apply to all vouchers issued after the date of the administrative plan change?24 CFR 982.207(a)(3) allows PHAs to set a limit to the number of applicants that may qualify for a local preference. HUD expects PHAs that claim points under the NOFA will establish a preference for at least the number of vouchers awarded to the PHA under this competition.
- 3.8. Can a PHA set aside a specific number of vouchers for each category? Example: PHA receives 150 Mainstream vouchers: can the PHA set- aside 50 to each category?
 24 CFR 982.207(a)(3) allows PHAs to set a limit to the number of applicants that may qualify for a local preference. HUD expects PHAs that claim points under the NOFA will establish a preference for at least the number of vouchers awarded to the PHA under this competition.
- 3.9. Our HCV waitlist is currently 3-5 years long. We can add qualified people to the HCV waiting list but they may not get pulled for several years because they will be at the



bottom of the waitlist, which means we will not be able to lease-up any mainstream vouchers in the first year if we relied on that process.

The PHA does not need to wait to issue a special purpose voucher until a qualified family comes to the top of the waiting list. When a special purpose voucher is available, the PHA pulls the first family from the waiting list that meets the eligibility criteria of the special purpose voucher.

3.10. Under PIH Notice 2013-15 regarding serving homeless households, it appears that we can adopt a homeless preference or a limited homeless preference and leave that preference open at all times, thereby serving homeless households quickly. From HUD's perspective, if we adopt a homeless preference and leave that preference open, are we essentially moving homeless families to the top of our HCV waitlist or are we maintaining a separate homeless waitlist?

PHAs must maintain one waiting list for HCV assistance (24 CFR 982.204(f)). PHAs may use preferences that allow families that meet certain criteria to move up the waiting list (24 CFR 982.207).

3.11. How do we balance this preference with all our other preferences we already have to figure out what preference or combination of preferences move someone to the top of the waiting list?

The PHA's administrative plan must include its criteria and policy for awarding preferences. PHAs must administer preferences in accordance with 24 CFR 982.207.

3.12. Are those households who don't receive vouchers from this NOFA put on the regular waiting list?

In order to receive a mainstream voucher, the household would need to be on the PHA's regular HCV program waiting list. PHAs must maintain a single waiting list for all tenant-based voucher assistance (24 CFR 982.204(f)).

3.13. We have researched and cannot find the answer as to whether or not we can offer these vouchers to applicants who are on our Homeless Limited Preference Wait List. These are applicants who have been referred to us by partnering homeless service agencies. In looking at how other PHA's were using the mainstream vouchers, it appeared that they were offering them to applicants from their regular HCV waitlists if they met the mainstream criteria at the time their name came up for a voucher.

PHAs must maintain one waiting list for HCV assistance (24 CFR 982.204(f)). PHAs may use preferences that allow families that meet certain criteria to move up the waiting list (24 CFR 982.207). Please refer to pages 5 and 6 of <u>PIH Notice 2013-15</u> for guidance on how PHAs may establish preferences for homeless individuals being referred through a CoC Coordinated Entry System.

3.14. Do we have to open our waiting list to be in compliance with the NOFA or if we currently have enough families/individuals on our existing waiting list who meet the



NOFA criteria and who have applied directly to us, can we use our existing waiting list until we need to open the waiting list?

There is no requirement to open the waiting list. Waiting list administration is up to the PHA. If the PHA claims points for implementing a preference, HUD expects that the PHA will either confirm there are eligible families on the waiting list or open the waiting list to receive applications for those that meet the preference category claimed.

3.15. Admissions Preference- Please confirm whether or not PHAs are being asked to establish this admissions preference for the Mainstream Voucher Program ONLY and not for the voucher program as a whole.

The admissions preference cannot apply only to certain vouchers, however, PHAs have the ability to limit the number of applicants that may qualify for a particular preference. Please see other questions and answers on this topic above.

3.16. Can a PHA implement a preference for households with children so long as the household has a non-elderly member with disabilities?

This type of admission preference may be permitted but would not be eligible for additional points under this NOFA because it is different than the preferences outlined in the NOFA. This NOFA awards funding for vouchers to assist non-elderly persons with disabilities and their families. While not a requirement to receive funding, HUD will award additional points under the NOFA if the PHA targets funds by implementing a preference to assist non-elderly persons with disabilities who are transitioning from institutional or other segregated settings, at serious risk of institutionalization, homeless, or at risk of homelessness. These households may include children.

If a PHA is considering implementing an admission preference for households with children in this program, the PHA should first ensure that the preference is consistent with Federal civil rights laws and requirements. The preference cannot discriminate because of a Federally protected characteristic, including race, color or national origin. PHAs with questions about appropriate preferences in this program or more generally may also contact their local FHEO office.

4. Project-Basing Mainstream Voucher Assistance

4.1. Are we permitted to project-base mainstream vouchers?

Yes, mainstream vouchers may be project-based. The Frank Melville Supportive Housing Investment Act of 2010 converted mainstream assistance to tenant-based assistance under 8(o) of the United States Housing Act of 1937. Tenant-based assistance may be converted to project-based assistance under (8)(o)(13) of the same Act.

Given the population served by the mainstream voucher program, PHAs need to be particularly mindful of fair housing requirements. The owner and the PHA are responsible for ensuring that,



in addition to complying with project-based voucher program requirements, the project complies with all applicable Federal nondiscrimination and civil rights statutes and requirements. This includes, but is not limited to, Section 504 of the Rehabilitation Act (Section 504), titles II or III of the Americans with Disabilities (ADA), and the Fair Housing Act and their implementing regulations at 24 CFR part 8; 28 CFR parts 35 and 36; 24 CFR part 100. Please see 24 CFR Part 983 as well as PIH Notice 2017-21(HA) Implementation Guidance: Housing Opportunity Through Modernization Act of 2016 (HOTMA) — Housing Choice Voucher (HCV) and Project-Based Voucher (PBV) Provisions.

4.2. Since mainstream vouchers may be project based, how would that work with portability requirement, if the vouchers are tied to a place or project?

If a tenant chooses to lease a project-based unit, the tenant has the ability to terminate the least after one year of tenancy in the project-based unit. Per 24 CFR 983.261(c), the tenant may request tenant-based assistance. The tenant may choose to live in the jurisdiction or move outside the jurisdiction using portability.

5. Portability

5.1. Will receiving PHAs be allowed to bill or absorb port-in vouchers?

Yes, the receiving PHA has the same option to bill or absorb as with regular HCV assistance.

5.2. If receiving PHAs are billing for port-ins, will there be a deadline for them to absorb the vouchers into their own program?

No, the same portability rules and guidelines apply for mainstream assistance as for regular HCV assistance.

5.3. May our PHA administer mainstream vouchers outside of our jurisdiction without going through the portability process?

PHA jurisdictions are set at the state and local level. HUD released a short guide for PHAs on "Existing Authorities to Promote Housing Choice Voucher Mobility". A few points under the Portability section of this guide may be helpful for PHAs looking to develop agreements with nearby PHAs to streamline portability or expand their jurisdiction:

<u>PHA agreements to streamline portability.</u> PHAs have the ability to enter into agreements with one another to facilitate portability from one jurisdiction to the other. These agreements typically specify standardized procedures for handling portability between the two jurisdictions that reduce delays and allow procedures to be explained clearly to families interested in moving.

Expanding geographical scope of voucher administration. Some states allow voucher agencies to administer the HAP contracts of families residing in the jurisdiction of other PHAs (e.g., with the consent of the other PHA in question). Where this is permitted, a PHA may elect to continue



administering such HAP contracts in order to negate the need for a formal "portability" move, for example if a family seeks to live in an opportunity area in the jurisdiction of another PHA. In some cases, PHAs may choose to contract with neighboring PHAs to execute certain functions – such as HQS inspections – to facilitate this type of arrangement.

5.4. If a voucher holder ports to a Housing Authority that does <u>not</u> have Mainstream Vouchers, can the receiving HA bill for the port-in? Could they absorb the port-in?

If a mainstream voucher participant ports to another PHA and the PHA chooses to bill the initial PHA, then the voucher will remain a mainstream voucher. If the PHA chooses to absorb the voucher, the voucher will be considered a regular voucher and the mainstream voucher at the initial PHA will be freed up to lease to another eligible family.