

U.S. Department of Housing and Urban Development

Public and Indian Housing

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Special Attention of:

Office Directors of Public Housing;  
Secretary's Representatives; Public Housing  
Agencies Administering Section 8 Programs,  
Administrators Office of Native American  
Programs.

**Notice PIH 2000-41 (HA)**

Issued: September 1, 2000

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Cross References:

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**Subject: Use of Housing Choice Vouchers in Assisted Living  
Facilities**

**Purpose:** The purpose of this Notice is to inform HUD field staff and public housing agencies (PHAs) that program applicants or participants may use housing choice vouchers in assisted living facilities in accordance with program rules. Section 523 of the Preserving Affordable Housing for Senior Citizens and Families into the 21<sup>st</sup> Century Act confirms that a PHA may provide voucher assistance for families who live in an assisted living facility. These provisions were enacted in the Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 2000 ( Public Law 106-74,113 Stat. 1047, approved on October 20, 1999).

The use of housing choice vouchers in an assisted living facility will supplement the Medicaid Home and Community Based Waiver Program under Section 1915(c) of the Social Security Act to pay for residential care. These waivers allow medicaid-eligible individuals at risk of being placed in hospitals, nursing facilities, or intermediate care facilities the alternative of being cared for in their homes and communities. The use of housing choice vouchers in assisted living facilities also allows the frail elderly to obtain supportive services in order to remain independent and avoid premature institutionalization.

**Eligibility Housing:** Assisted living facilities are sometimes called residential care facilities, adult care facilities, congregate care facilities, or group homes. Assisted living facilities are designed for residents who have the physical ability to live independently but need assistance with some activities of daily living, such as personal care, transportation, meals, laundry, medication monitoring, security, and housekeeping.

A person residing in an assisted living unit must not require

continual medical or nursing care. Nursing homes, board and care homes, or facilities providing continual psychiatric, medical, or

nursing services, are not eligible properties under the housing choice voucher program. See Section 982.352 (a)(3).

**Program Requirements:** All housing choice voucher program rules apply to assisted living facilities (e.g., housing quality standards, rent reasonableness).

**Housing Assistance Payment:** The housing assistance payment is calculated the same way as the normal voucher subsidy calculation. The housing assistance payment is the lower of the gross rent (including the utility allowance for all tenant furnished utilities) minus the total tenant payment or the payment standard applicable to the family minus the total tenant payment.

The cost of meals or supportive services may not be included in the rent to owner. These items must be paid for through other sources, e.g., resident fees or third party providers. Nonpayment of these fees for meals and services is not grounds for termination of housing choice voucher assistance or for eviction from the housing.

**Further Information:** Any questions regarding this Notice should be addressed to the Real Estate and Housing Performance Division in the Office of Public and Assisted Housing at (202) 708-0477.

/s/ Milan Ozdinec for  
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Assistant Secretary for Public  
and Indian Housing

