

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

**Special Attention of:
Regional Directors;
Public Housing Office Directors;
Public Housing Agencies (PHAs)
Section 8 PHAs/Owners**

NOTICE: PIH 2003-5 (HA)

**Hub and Program Center Directors;
Resident Management Corporations (RMCS)**

Issued: January 30, 2003

Expires: Indefinite

SUBJECT: Deployment of Military Personnel to the Persian Gulf Region

This Notice provides general guidance to Public Housing Agencies (PHAs) administering Public Housing and/or Housing Choice Vouchers and Section 8 Moderate Rehabilitation programs, and owners participating in the Housing Choice Voucher program, on providing support for families and dependents of military personnel (including reservists and guardsmen) who are called to active duty in the Persian Gulf Region.

HUD encourages PHAs and private owners to be as lenient as responsibly possible to support these families. This includes a variety of situations when persons are called to active duty in the Armed Forces as a result of deployment to the Persian Gulf Region.

Specific actions that a PHA or private owner should undertake to support these military families include, but are not limited to:

- (1) Allowing a suitable guardian to move into the assisted unit on a temporary basis to care for any dependents that the military person leaves in the unit. Income of the guardian temporarily living in the unit solely for this purpose is not to be counted in determining family income and the amount of rent the family pays based on family income.
- (2) Careful consideration of the circumstances of any case involving delayed payment of rent by the family. Determine whether it is appropriate to accept a late payment.
- (3) For the voucher program, granting exceptions to PHA administrative plan policies concerning family absence from the unit to continue housing assistance payments to the owner on behalf of a military family, even though all members of the military family are temporarily absent from the assisted unit because a member of the assisted family has been called to active duty in the Persian Gulf. The voucher program regulation at 24 CFR 982.312 permits family absence from the unit for no more than 180 consecutive days and a PHA may not exceed this regulatory limit.

- (4) For public housing, allow the assisted tenancy and dwelling lease to remain in effect for a reasonable period of time (for example, six months), even though all members of the military family are temporarily absent from the assisted unit because a member of the family has been called to active duty on the Persian Gulf. After a reasonable period of time the PHA could reevaluate the situation and take appropriate action to balance the needs of the family with the need of the PHA to make good use of scarce housing resources.

It is important to note that special pay to a family member who is exposed to hostile fire while serving in the Armed Forces is specifically excluded from annual income (24 CFR 5.609 (c) (7)).

This Notice may be updated as circumstances warrant.

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Michael Liu

Assistant Secretary for Public and Indian Housing