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Housing Choice Voucher Eligibility

Derek Antoine, Instructor





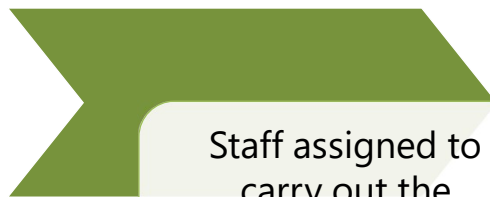
Admission Functions

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Admissions Functions



Admissions functions are critical to the agency's mission



Staff assigned to carry out the admissions functions lay the foundation for building a body of responsible families

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Processing Applications

Interviewing
the applicant

Verifications/
Documentation

Determining
eligibility

Providing
notification to
the applicant

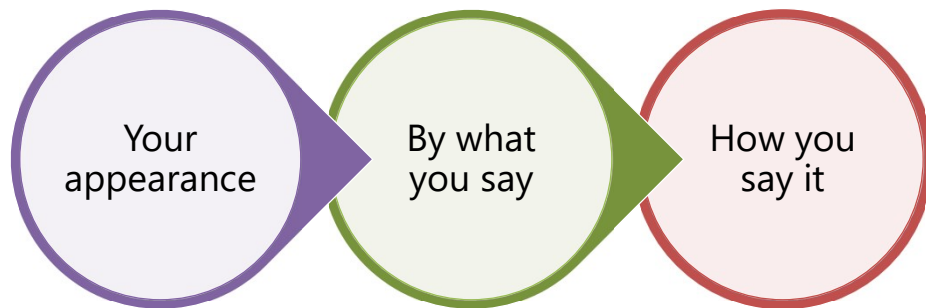


Interviewing Guidelines

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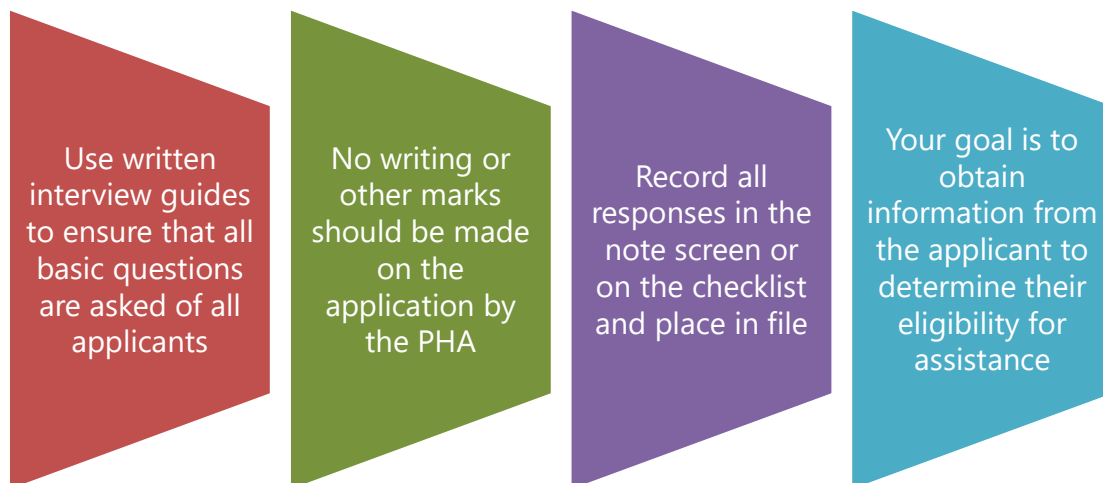
Conducting Interviews

You set the tone for the entire interview in the first **5 minutes** of the interview by:



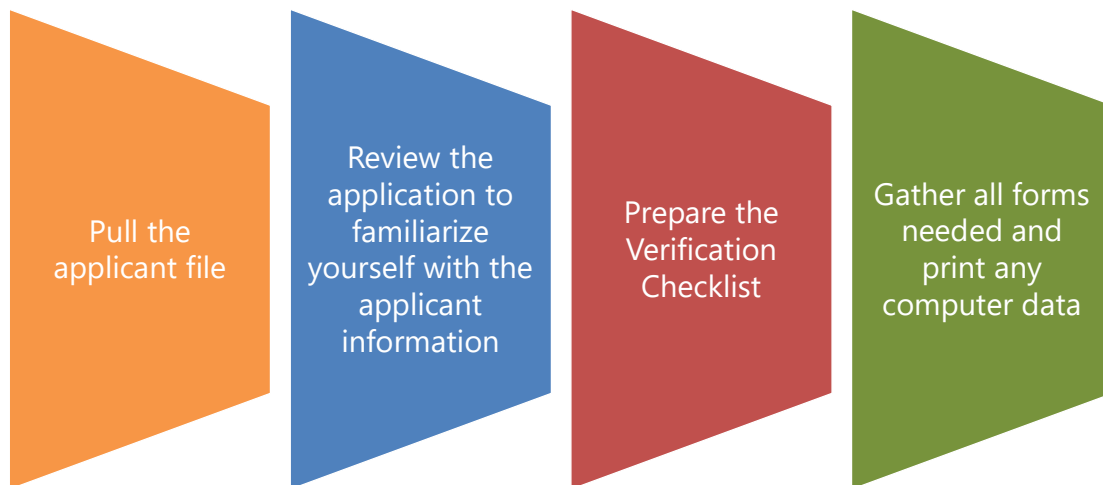
8

Interview Guidelines



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Interview Guidelines



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Introduce or Re-Introduce Yourself, and Explain:

The purpose of the interview

Indicate how long the interview usually takes

The types of questions that will be asked and what the information is used for

Address terms of confidentiality

The verification process of income, assets, deductions, and preferences

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Interview Guidelines: Explain the Following:



EIV Income & IVT Reports and when they will be generated



They will have opportunities to ask questions



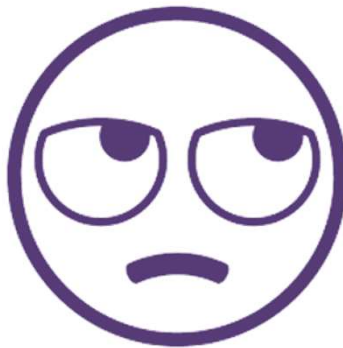
The responses will be recorded



Consequences of giving false information or knowingly omitting information



Provide preferred method of contact to applicant
(email, phone)



I cannot be held responsible for what my face does when you talk

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Interview Guidelines: Explain & Obtain Signature on:

The Application Forms

Declaration of Citizenship form

Criminal background consent forms for each household member age 18 or older

HUD-9886

(Authorization for the Release of Information/Privacy Act Notice)

HUD-92006

(Supplemental Information to Application)

HUD-52675

(Debts Owed to PHAs)

Other appropriate releases/consent forms

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Be an Educator Continually

Remember that the interview is not a one-way dialogue with the interviewee giving all the information

Use the different topics in the interview to educate and reinforce the PHA's policies and requirements

Once the interview has concluded, thank the applicant for coming and let them know when they should hear from you



ESCORT THEM OUT



Verifications

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PHA Verification Responsibilities

Must obtain and document in the files third-party verification of the following factors or must document why third-party verification was not available for:

Reported family
annual income

Value of assets

Expenses
related to
deductions
from annual
income

Other factors
that affect the
determination
of adjusted
income

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Applicant Responsibilities

Completion of **ALL** required paperwork

Accurate and complete disclosure of information

Providing requested information and documents in a timely manner

All adults to sign releases/consent forms

HUD Verification Hierarchy

REQUIRED TO USE THE HIGHEST LEVEL AVAILABLE	
Level 6 (Highest/Mandatory)	UIV, EIV and IVT
Level 5 (Highest/Optional)	UIV (non-HUD system)
Level 4 (High)	Written Third-Party Verification
Level 3 (Medium/Low)	Written Third-Party Verification Form
Level 2 (Low)	Oral Third-Party Verification
Level 1 (Lowest)	Tenant Declaration

Following the PHA's Verification Procedures

Record any verifications/documentation provided by applicant on the Verification Checklist

If necessary, prepare requests for traditional third-party verifications to supplement applicant provided documentation

Follow-up on verification/documentation not received as per PHA verification procedures



Determination of HCV Eligibility



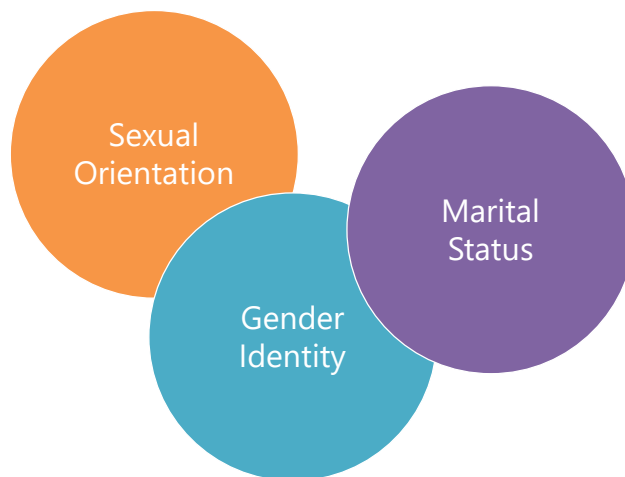
Fair Housing & Non-Discrimination

Protected Classes

- | | |
|--------------------------|--|
| 1 Race | 5 Sex |
| 2 Color | 6 Disability |
| 3 Religion | 7 Familial Status (families with children under 18) |
| 4 National Origin | ✓ Age |

Equal Access Rule - PIH Notice 2014-20

Ensures that housing programs are open to all eligible individuals regardless of:



Language/Alternate Communications forms

The PHA is obligated to take reasonable steps to ensure meaningful access to the information and services they provide

If an applicant requires assistance or a form of communication other than written due to a disability, the PHA should provide the assistance or accommodate that special need

Record the language/alternate communication for future use

A Fair Housing poster must be on display at each office where applications are accepted and at each development building except for single family dwellings

Information used by HUD to determine that the HCV program is being operated in a non-discriminatory manner must be maintained by the PHA

U. S. Department of Housing and Urban Development

EQUAL HOUSING OPPORTUNITY

We Do Business in Accordance With the Federal Fair Housing Law
(The Fair Housing Amendments Act of 1988)

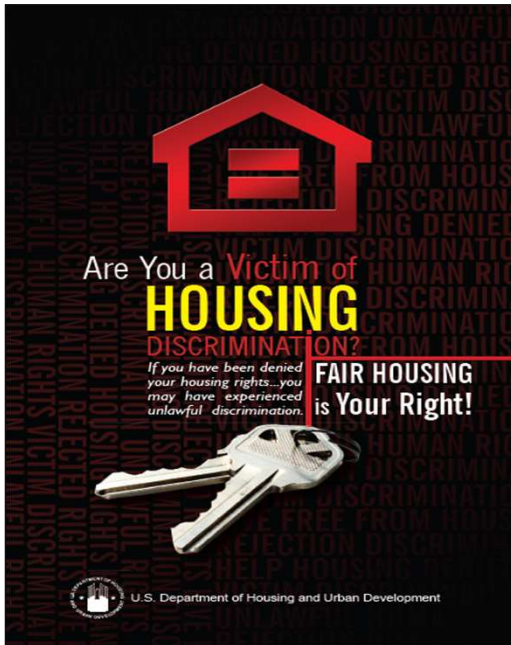
It is illegal to Discriminate Against Any Person Because of Race, Color, Religion, Sex, Handicap, Familial Status, or National Origin

- In the sale or rental of housing or residential lots
- In the provision of real estate brokerage services
- In advertising the sale or rental of housing
- In the appraisal of housing
- In the financing of housing
- Blockbusting is also illegal

Anyone who feels he or she has been discriminated against may file a complaint of housing discrimination:
1-800-669-9777 (Toll Free)
1-800-927-9275 (TTY)
www.hud.gov/fairhousing

U.S. Department of Housing and Urban Development
Assistant Secretary for Fair Housing and Equal Opportunity
Washington, D.C. 20410

Previous editions are obsolete. Form HUD-528.1 (01/2011)



Applicants who feel they have been discriminated against should notify the PHA or can file a complaint with FHEO:



Online



By email



By phone



By mail



Violence Against Women Act 2013 (VAWA)

The Violence Against Women Reauthorization Act 2013 (VAWA) protects tenants, participants, applicants, and affiliated individuals, who are victims of domestic violence, dating violence, sexual assault, or stalking (VAWA crimes) from being denied housing assistance, evicted, or terminated from housing assistance based on acts of such violence against them

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Protections for Applicants

Individuals are entitled to VAWA protections if the individual is an applicant for housing assistance

Admission to the program shall not be denied on the basis that the applicant is or has been a victim of a VAWA crime, if the applicant otherwise qualifies for assistance or admission

Protections Under VAWA

Provided to victims regardless of sex, gender identity, sexual orientation, age

Covers conduct when the victim and perpetrator are of the same sex

Provided to victims regardless of citizenship or immigration eligibility

Victims cannot be discriminated based on any protected class, including race, color, national origin, religion, sex, familial status, disability, or age

Youth under the age of 18 living in an assisted household may exercise VAWA protections if the youth is a victim of a VAWA crime

Determining Eligibility

The VAWA Final Rule also prohibits PHAs from denying assistance or admission based on an adverse factor, **if the adverse factor is determined to be a direct result** of the fact that the applicant is or has been a victim of a VAWA crime

If a denial of admission is required by a federal statute, based on a particular adverse factor, the PHA must deny admission even if the adverse factor is a direct result of a VAWA crime

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Examples of Adverse Factors

Poor Credit
History

Criminal Record

Failure To Pay
Rent

Poor Rental
History

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VAWA Documentation

PHA may request victims claiming VAWA protections provide supporting documentation of the abuse

PHA's request for this documentation **MUST** be in writing

PHA may require the documentation be submitted within **14 business days** after the date that individual received the request for the documentation

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Notice of Occupancy Rights Form HUD-5380

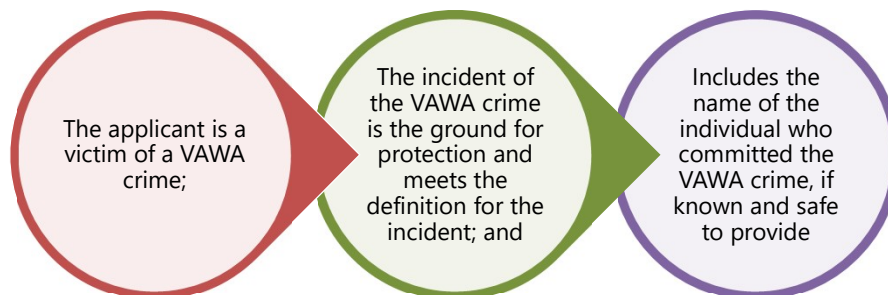


Explains the VAWA protections including the rights to confidentiality and any VAWA protection limitations

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The VAWA Certification Form HUD-5382

The Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternative Documentation (form HUD-5382) is to be completed by the victim to document an incident of a VAWA crime and states that:



Notice of Occupancy Rights & VAWA Certification Form

PHA must provide each **adult** applicant the Notice of Occupancy Rights and VAWA Certification form:

When an applicant
is denied assistance
or admission; and

At the time the
individual is
provided assistance
or admission

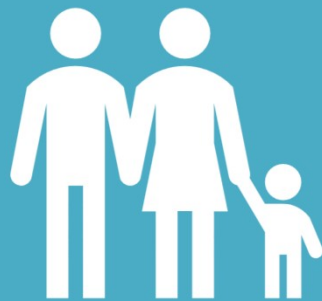
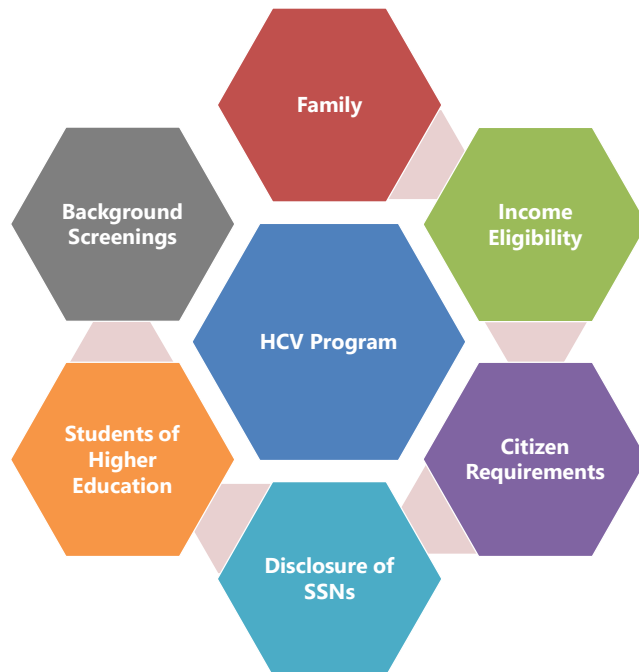
Victim Confidentiality



The PHA Shall Not: Allow PHA employees, owners/management agents, contractors to have access to VAWA information unless authorized by the PHA for reasons that specifically warrant these employees to have access to the information

Any information submitted to PHA, including the fact that an individual is a victim of a VAWA crime, must be kept and maintained in the strictest confidence

**PHA May Only
Admit Eligible
Families**



Definition of Family

Family vs Household

FAMILY

- Includes all household members except live-in aides and foster children/adults
- Use the number of family members to calculate subsidies and payments

HOUSEHOLD

- Includes everyone who lives in the unit, as well as foster children/adults and live-in aides
- Household members are used to determine unit size

Family includes but is not limited to, regardless of marital status, actual or perceived sexual orientation, or gender identity, the following:

A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person

A group of persons residing together, and such group includes, but is not limited to:

- A family with or without children
 - A child who is temporarily away from the home because of placement in foster care is considered a member of the family

Family: Elderly, Near Elderly or Disabled

Elderly family

A family whose head (including co-head), spouse or sole member is a person who is at least 62 years old

Near-elderly family

A family whose head (including co-head), spouse, or sole member is a person who is at least 50 years old but below the age of 62

Disabled family

A family whose head (including co-head), spouse, or sole member is a person with a disability

Family: Displaced or Remaining Members

A displaced family

A family in which each member, or whose sole member, is a person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief

Remaining family members

Family members of an assisted tenant family who remain in the unit when other members of the family have left the unit



Income Eligibility

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Annual Income

ALL AMOUNTS, MONETARY OR NOT, THAT:

Go to, or on behalf of, the family (even if a member is temporarily absent)

That is anticipated to receive from a source outside of the household in the 12 months following admission or annual reexamination

Including amounts derived from assets

DO NOT include federally mandated excluded income

Income Eligibility

TO BE ELIGIBLE FOR HCV, AN APPLICANT FAMILY MUST BE IN ANY OF THE FOLLOWING CATEGORIES:

EXTREMELY LOW-INCOME (ELI)

Very low-income families whose income does not exceed the higher of the Federal Poverty Level, or 30% of area median income

VERY LOW-INCOME (VLI)

Less than 50% of area median income

LOW INCOME (LI)

Less than 80% of area median income

An applicant is continuously assisted under the 1937 Act if the family is already receiving assistance under any 1937 Act program when the family is admitted to the HCV program

Family's Gross Annual Income

The applying family's gross annual income must not exceed the applicable HUD income limit

FY 2020 Income Limit Area	Median Family Income Explanation	FY 2020 Income Limit Category	Persons in Family							
			1	2	3	4	5	6	7	8
PHA Area	\$86,200	Very Low (50%) Income Limits (\$)	30,200	34,500	38,800	43,100	46,550	50,000	53,450	56,900
		Explanation								
		Extremely Low Income Limits (\$)*	18,100	20,700	23,300	26,200	30,680	35,160	39,640	44,120
		Explanation								
		Low (80%) Income Limits (\$)	48,300	55,200	62,100	68,950	74,500	80,000	85,500	91,050
		Explanation								

Income Targeting

75%

At least 75% of HCV new admissions each year must be extremely low-income



The applicant's gross annual income must be within the income limits at the time the family receives the voucher

60 Days

Annual income shall be verified within 60 days before the PHA issues a voucher to the applicant

Zero Income Families

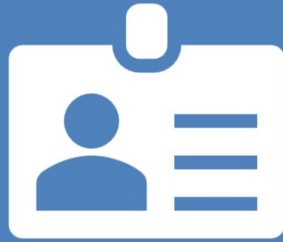
A PHA cannot establish minimum income for eligibility

PHA cannot require a family to apply for benefits or assistance

Families reporting no income may be required:

To verify how they pay for essential living expenses

Report at intervals



Citizenship Requirements

Section 214 of the Housing & Community Development Act of 1980

As amended ('87 & '95)
restricts financial assistance
(housing assistance) to:

U.S. citizens or nationals

*Noncitizens who have eligible
immigration status*

The Declaration

Each family member **must** sign a written declaration, signed under penalty of perjury, by which the family member declares whether they are an U.S. citizen/national or a noncitizen with eligible immigration status

*Each family member is required to submit the declaration **only once** during continuous occupancy*

Each family member must submit a signed declaration of citizenship

For each adult, the declaration of citizenship must be signed by the adult

For each child, the declaration of citizenship must be signed by an adult residing in the assisted unit who is responsible for the child

May be required to provide verification of citizenship (U.S. passport, birth certificate)

U.S. Citizenship/National

50058 Code: EC

Eligible Immigration Status

50058 Code: EN

Noncitizens who are 62 years old or older or who will be 62 years old or older and receiving assistance on 09/30/1996 or applying for assistance on or after 09/30/1996, must submit:

A signed declaration of eligible immigration status; and

Proof of age

No further documentation of eligible immigration status is required

Other noncitizens claiming eligible immigration status must submit:

A signed declaration of eligible immigration status for each family member

For each adult, the declaration of eligible immigration status form must be signed by the adult

For each child, the eligible immigration status form must be signed by an adult residing in the assisted unit who is responsible for the child

Unexpired original U.S. Citizenship and Immigration Service (CIS) documentation

Eligible Immigration Status

50058 Code: EN

Ineligible Immigration Status

50058 Code: IN

If one or more members of the family elect not to contend that they have eligible immigration status, the HAP will be prorated

The family must identify in writing the family member(s) who will elect not to contend that they have eligible immigration status



Disclosure of Social Security Numbers

Disclosure of SSNs

HUD uses the SSN (along with the name and date of birth) of an individual to validate:



The persons
identity



Obtain employment
and income
information via
computer matching
programs, and



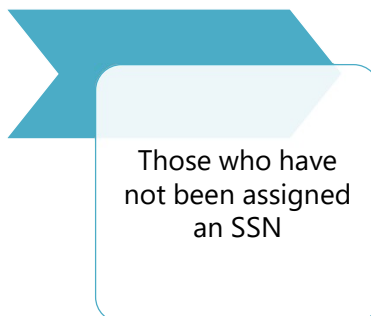
Ensure duplicate
assistance is not
being paid

Disclosure of SSNs

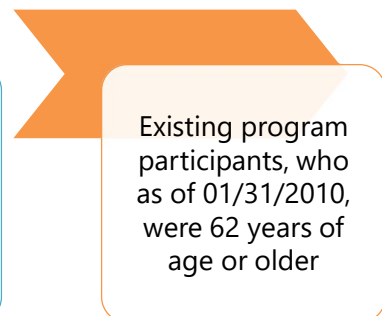
All members of the applicant household, including live-in aides, foster children/adults, **must** disclose their SSNs except:



Those who do not
contend to have
eligible
immigration
status



Those who have
not been assigned
an SSN



Existing program
participants, who
as of 01/31/2010,
were 62 years of
age or older

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Acceptable Evidence of SSN

A valid SSN card issued by the SSA

An original SSA-issued document, which contains the name and SSN of the individual; or

An original document issued by a federal, state, or local government agency, which contains the name and SSN of the individual

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PHAs Must Verify Each Disclosed SSN

Obtain the documentation of the SSNs from applicants (including each member of the household);

Make a copy of the original SSN documentation submitted, returning it, and retaining the copy in the file folder; and

Record the SSN on the HUD-50058

Note: HUD does not initiate computer matching for applicants

Failure to Disclose SSNs

PHAs **must** deny the applicant if **any** member of the household required to disclose their SSN failed to do so

If the applicant is otherwise eligible, the applicant may maintain their position on the waiting list for a time determined by the PHA

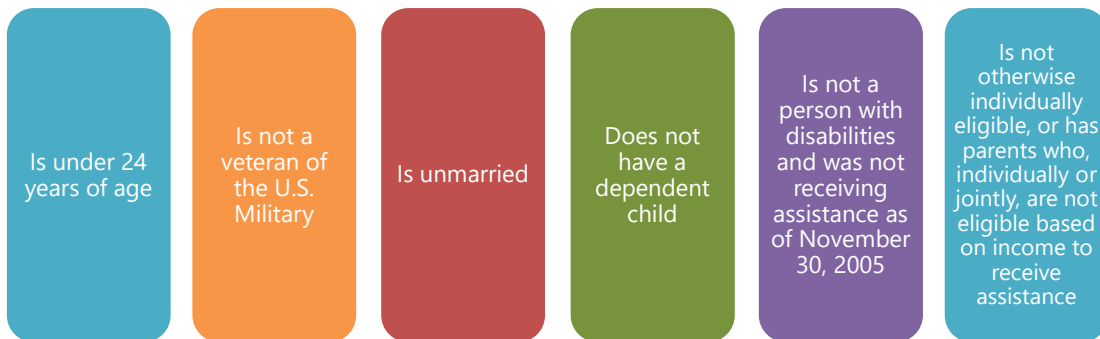
The Admin Plan should state the maximum time, pending disclosure of the SSNs



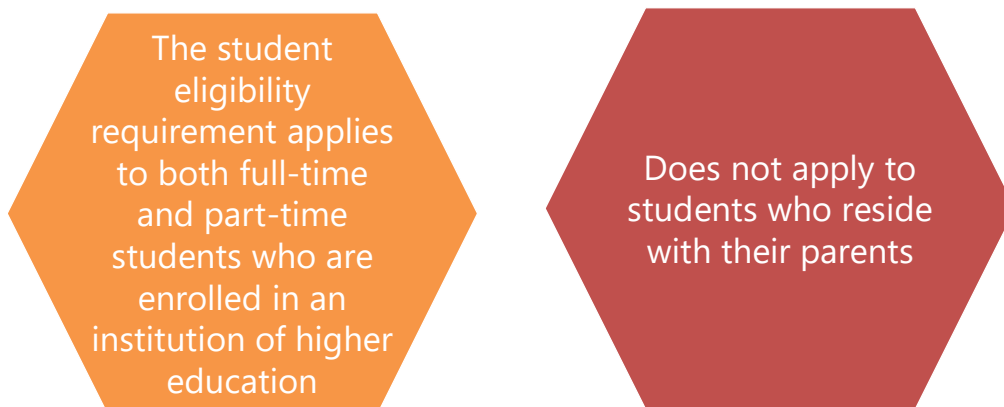
Students of Higher Education

Students of Higher Education Eligibility - 24 CFR 5.612

No Assistance shall be provided under Section 8 of the 1937 Act to any individual enrolled as a student of higher education who:



Students of Higher Education Eligibility

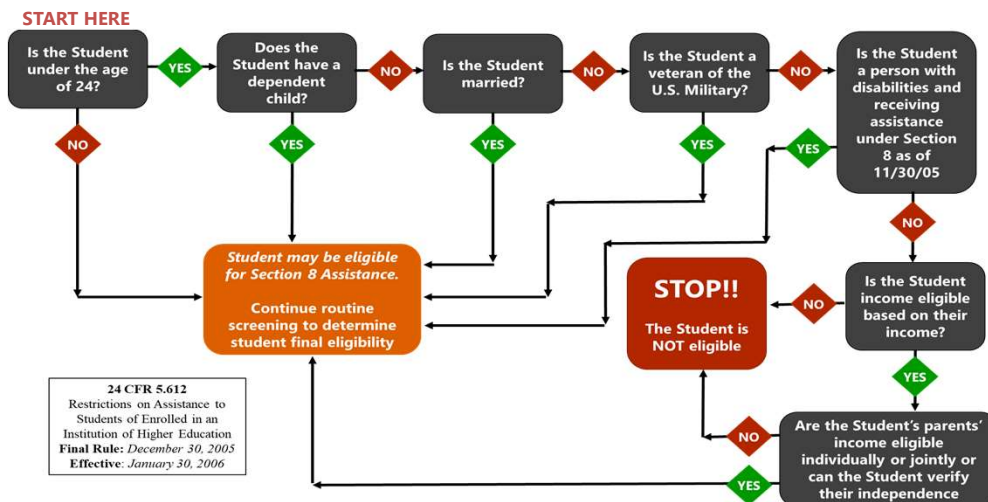


Independent Student Definition



Federal Register (FR-5969-N-01) September 21, 2016:
 HUD's definition of "**INDEPENDENT STUDENT**" now conforms with the updated Section 480(d) of the Higher Education Act of 1965, as amended (the HEA), 20 U.S.C. 1087vv(d) definition

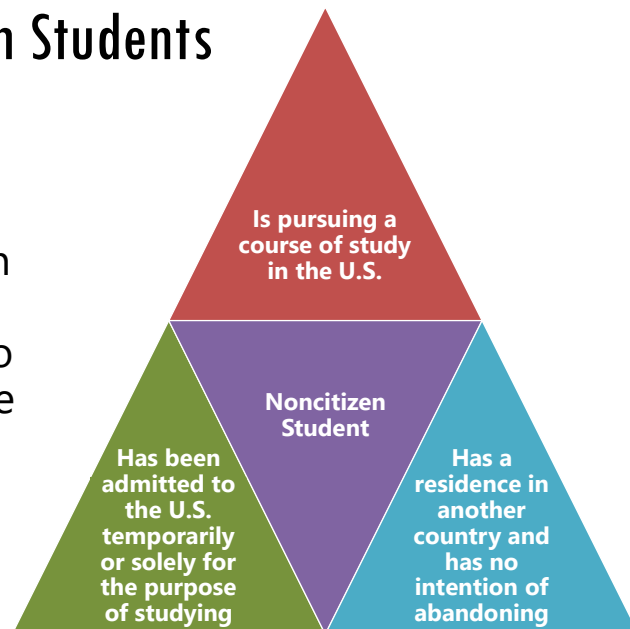
Determining Eligibility of Students of Higher Education S8 Programs (Not Applicable to Public Housing)



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Prohibition to Noncitizen Students

Noncitizen students, even with eligible immigration status, are **NOT** eligible to receive housing assistance



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Noncitizen Student Family

A noncitizen student, a noncitizen spouse and/or noncitizen children are **INELIGIBLE** for housing assistance

If a noncitizen student and noncitizen spouse have a citizen child, the whole family is still ineligible for housing assistance

If a noncitizen student has a citizen spouse, the citizen spouse and children, if any, are eligible for prorated housing assistance

Screening & EIV

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Criminal & Drug Activity

The regulation allows PHAs to prohibit admission for certain criminal activities, including alcohol abuse

A release **MUST** be executed by each household member age 18 and older prior to obtaining drug and criminal activity records -

Refusal to authorize this background check is grounds for denial of eligibility

The PHA **MUST** perform a drug and criminal activity background check on each household member age 18 or over prior to determining eligibility

The applicant **WILL NOT** incur any costs for the background checks

Screening of Applicants

It is the responsibility of the owner for screening the families based on their tenancy history

The PHA screens for eligibility only

PHAs have no liability or responsibility to the owner or other persons for the family's behavior or suitability for tenancy

PHAs may screen applicants for family behavior or suitability if in the Admin Plan

Applicant Screening

PHAs are required to provide the owner:

The family's current and prior address as shown in PHA records; and

The name and address, if known, of the family's current and prior landlord

PHAs must give the family a statement of the PHA's policy on providing information to owners

Statement must be included in the Briefing Packet

The policy must provide that the PHA will give the same types of information to all families and to all owners

Applicant Screening

Use of Enterprise Income Verification System (EIV)

PHAs are required to use EIV in its entirety 24 CFR 5.233

PIH Notice 2018-18

Supersedes previous PIH Notices 2017-12 & 2010-19

Incorporates the Income Validation Tool (IVT) Report

PHAs are required to review the EIV Former Tenant and Existing Tenants Report

EIV Background Checks

EIV Background Checks

PHAs are required to maintain the Reports and documentation of any follow-up in the file

If a new admission to the PHA, and a match is identified at another PHA or Multifamily property, the PHA must report the program admission date to the other PHA or Multifamily property and document the notification in the file

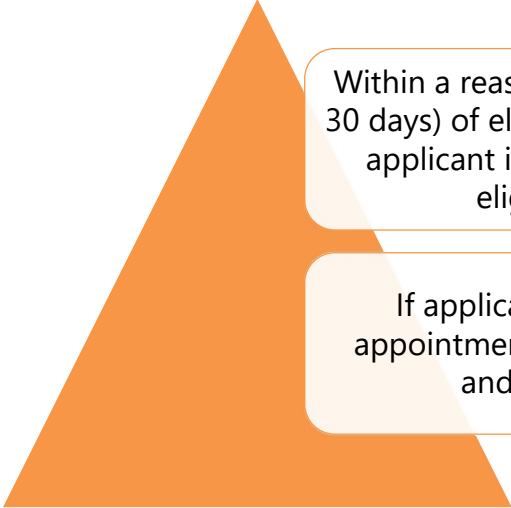
Review EIV Debts Owed to PHA Report to ensure the applicant does not have an outstanding balance to the PHA, another PHA, or to the Multifamily Program

Debts Owed to PHAs



Notification to Applicant Family

Notify Family of Determination



Within a reasonable time (not to exceed 30 days) of eligibility appointment, notify applicant in writing of their status – eligible or ineligible

If applicant is eligible, schedule appointment for HCV Tenant Briefing and issue the voucher



Thank You!



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