

# Housing Opportunities of SW Washington

## Tenant Based Rental Assistance (TBRA) Local Program Policies and Procedures

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**\*\*All program operating procedures not addressed in this document are subject to Housing Opportunities of SW Washington's Section 8 Administrative Plan**

## **A. THE FORMS OF ASSISTANCE OFFERED**

Deposit assistance will be made available to all new participants in the amount of no more than \$500. This type of assistance is considered a grant. Security deposit payments will be made directly to the landlord with the first housing assistance payment. Utility deposit payments will be made directly to the utility provider upon approval of the Payments Contract.

Deposit assistance is limited to new admissions only.

Rental assistance will be made available to all active TBRA participants in good standing. This subsidy will not exceed the difference between the \*established payment standard and 30 percent of the household's monthly adjusted income.

\*subject to alternative payment standard methodology

## **B. THE TARGETED POPULATIONS**

Priority for housing will be homeless or about to be homeless veterans, both individuals and their families and homeless civilian individuals, families and families with minor children.

Homelessness is defined as:

An individual or family who lacks a fixed, regular and adequate nighttime residence OR an individual or family who has a primary nighttime residence that is:

1. a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
2. an institution that provides a temporary residence for individuals intended to be institutionalized; or
3. a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings

Chronically Homeless:

An unaccompanied homeless individual with a disabling condition who has either been continually homeless for a year or more OR has had at least four episodes of homelessness in the past three years.

A disabling condition is defined as a diagnosable substance use disorder, serious mental illness, developmental disability, or chronic physical illness or disability.

For chronic homelessness, the definition of a homeless person is an unaccompanied individual sleeping in a place not meant for human habitation or in an emergency homeless shelter.

All participants must be at or below 50% of area median income (AMI) and fall into one of the following targeted groups.

Applicants will be required to cooperate with their respective case manager/service provider to ensure their transition to permanent housing with increased self-sufficiency. Housing Stability plans must be submitted on behalf of the TBRA participant annually.

Applicants must have case management services through TBRA partners which include HOSWWA's Veteran Integration Program and the Coordinated Entry provider in each grant county/jurisdiction.

### **C. TENANT SELECTION POLICY**

Applicants must provide a case manager/service provider certification of homelessness, impending homelessness or chronic homelessness, and be actively involved in case management services. Applicants who are not veterans must provide case manager/service provider certification of active involvement in services through Coordinated Entry or their referring agent.

Applications are reviewed and processed by each service provider. Each partner provider also maintains a waiting list and will establish a priority system consistent with their admissions or client selection procedure.

As funding becomes available, PHA will notify provider of available funding. Provider submits applications to PHA according to their selection procedures. The application is reviewed to verify the household (1) is now or is about to be homeless, (2) is enrolled with a partner service provider; (3) income does not exceed 50% of area median income; and (4) qualifies under HOSWWA-adopted Admissions policies.

Application packet must also contain a Service Provider Certification. The certification must (1) indicate the household is homeless or about to be homeless, and (2) be signed by an authorized representative of a partner service agency. If the application does not include a qualifying certification the applicant is given 10 days to submit a completed certification. If no certification is submitted the applicant is not admitted to the TBRA program.

*Please refer to HOSWWA Section 8 Administrative Plan, Chapter 3, ELIGIBILITY*

## **D. HQS REPAIR PROCEDURES**

*Please refer to HOSWWA Section 8 Administrative Plan, Chapter 8, HOUSING QUALITY STANDARDS AND RENT REASONABLENESS DETERMINATIONS*

PHA will inspect all units for presence of operable Carbon Monoxide Detectors (**RCW 19.27.530**). If none is present, or the detector is present but inoperable, the owner will be notified in writing of the failed HQS inspection.

### **CO alarm installation requirements**

- Alarms must be located outside of each separate sleeping area, in the immediate vicinity of the bedroom and on each level of the residence.
- Single station carbon monoxide alarms must be listed as complying with UL 2034, and installed in accordance with the code and the manufacturer's instructions.
- Combined CO and smoke alarms are permitted.

**E. A TRACKING SYSTEM TO IDENTIFY CHILDREN AT RISK FOR LEAD PAINT POISONING**

HOSWWA has every TBRA household certify to the presence of household members under the age of six (6).

At the initial interview, each family is supplied with the Lead Hazard Information Pamphlet, prior to selecting and occupying a unit. A Lead Disclosure Notice is also attached to every Request for Tenant Approval, which requires the certification of both the landlord and tenant of their knowledge of the LBP status of the unit.

HOSWWA is required to check with the local or state health department at least quarterly for a list of children with elevated blood lead levels in our service area. If available, this list will be cross-checked with the addresses of our assisted units in which children reside. Files of client households that have children under six will be flagged for ongoing monitoring.

*Refer to HOSWWA's Section 8 Administrative Plan, 8-I-E. SPECIAL REQUIREMENTS FOR CHILDREN WITH ENVIRONMENTAL INTERVENTION BLOOD LEAD LEVEL [24 CFR 35.1225]*

If a PHA is notified by a public health department or other medical health care provider, or verifies information from a source other than a public health department or medical health care provider, that a child of less than 6 years of age, living in an HCV-assisted unit has been identified as having an environmental intervention blood lead level, the PHA must complete a risk assessment of the dwelling unit. The risk assessment must be completed in accordance with program requirements, and the result of the risk assessment must be immediately provided to the owner of the dwelling unit. In cases where the public health department has already completed an evaluation of the unit, this information must be provided to the owner.

Within 30 days after receiving the risk assessment report from the PHA, or the evaluation from the public health department, the owner is required to complete the reduction of identified lead-based paint hazards in accordance with the lead-based paint regulations [24 CFR 35.1325 and 35.1330]. If the owner does not complete the "hazard reduction" as required, the dwelling unit is in violation of HQS and the PHA will take action in accordance with Section 8-II.G.

**F. OCCUPANCY STANDARDS**

*Refer to HOSWWA Section 8 Administrative Plan, **Chapter 6, INCOME AND SUBSIDY DETERMINATIONS** [24 CFR Part 5, Subparts E and F; 24 CFR 982]*

## **G. THE PAYMENT STANDARD**

### **Updating Payment Standards**

\*TBRA Program Guidelines (2017, page 8) state the following:

“Because HUD’s FMR market areas are quite large, the published FMR may be dramatically high or low for a specific jurisdiction within the FMR area. For this reason, the TBRA Program offers Contractors a second option for establishing the payment standard. The Contractor may establish the payment standard at any level (higher or lower than the FMR), based upon its own market analysis. To exercise this option, the Contractor must document the results of its market analysis” (rent comparability/reasonableness test).

As approved by Dept. of Commerce, the FMR schedule published by HUD annually will no longer be considered for rent limits in rural areas where rents commonly exceed FMR schedules.

Therefore, the family payment standard used for TBRA programs will reflect actual rents and estimated utility consumptions based on the PHA’s annual assessment of utilities.

PHA staff will conduct a market analysis/rent comparability study and to justify the request rent, and to approve the rent plus utilities (gross rent) as the new family payment standard. This will assure program participants never pay rent that exceeds 30% of their monthly adjusted income.

This alternative methodology for establishing the TBRA family payment standard will be used at all new admission to the TBRA program, and each respective annual reexamination of family income and expenses or a move to a new unit. New methodology will not be reestablished at interim changes of household income or change in family size.

\* alternative payment standard methodology



## **H. THE METHODOLOGY FOR CALCULATING SUBSIDIES**

Household income used in calculating rent includes all monetary amounts received on behalf of the family, excluding what is defined by HUD in the federal regulations.

The maximum subsidy will be calculated by subtracting 30% of the participant's monthly-adjusted income from the lesser of the family's gross rent (rent plus utilities) or the \*approved Family Payment Standard. The household pays the difference between the maximum subsidy and the gross rent for the unit.

The family's share will not exceed 40% of their monthly, adjusted income, consistent with the HUD HCV Program model.

The minimum household payment is zero.

*Refer to HOSWWA Section 8 Administrative Plan, **Chapter 6, INCOME AND SUBSIDY DETERMINATIONS** [24 CFR Part 5, Subparts E and F; 24 CFR 982]*

## **I. THE AGENCY'S MARKETING APPROACH**

Rent assistance department staff will notify partnering service providers of a TBRA grant award, and remain in regular contact regarding referrals, compliance, progress with Housing Stability Plan and budget restrictions.

The TBRA wait list is open to all clients participating in case management or services with partner agencies. Partner agencies are provided with pre-applications and application criteria. When waiting lists are open for the Section 8 Housing Choice Voucher programs, staff will inform partner agencies of the status of waiting lists, where pre-applications will be available, and will automatically place eligible (currently participating) TBRA participants on HCV waiting lists that are open. Pre-applications for the HCV programs and all subsidized projects are available at Housing Opportunities of SW Washington's main office and website at [www.hoswwa.org](http://www.hoswwa.org).

**A POLICY ON RE-EXAMINATIONS**

*Refer to HOSWWA Section 8 Administrative Plan, Chapter 11, REEXAMINATIONS*

## **J. STANDARDS FOR OWNER RENT INCREASES**

The owner may not adjust the contract rent until after the first term is completed. After that, the owner is required to notify the TBRA assisted family and HOSWWA, in writing, at least 60 days before any change in the amount of rent to owner is scheduled to go into effect.

Any requested change in rent to owner will also be subject to the Section 8 rent reasonableness requirements.

K. POLICY ON TENANT MOVES

*Refer to HOSWWA's Section 8 Administrative Plan, Chapter 10, MOVING WITH CONTINUED ASSISTANCE AND PORTABILITY\*\**

\*\*Note: TBRA participants will not be permitted to move outside the participating jurisdiction.

\*\*Note: All moves by TBRA participants will be subject to written PHA approval.

**L. POLICY ON TERMINATION AND DENIAL OF ASSISTANCE.**

All participants must be at or below 50% of area median income (AMI) at admission. If a household's income exceeds 50% of AMI before admission, their TBRA assistance will be withdrawn.

If a TBRA participant is no longer receiving case management services through a partnering service provider their TBRA assistance will be terminated.

Each subsidy contract cannot exceed one year. However, assistance on behalf of an individual household can be extended under subsequent contracts if HOSWWA continues to administer a TBRA program and has funds available.

Participant can be reenrolled if they are at the end of their maximum two years of continuous enrollment, and if reenrollment is supported by both the participant and the services provider.

All notices including contract violations and terminations will be copied to the participant's case manager/service provider.

*Refer to HOSWWA's Section 8 Administrative Plan, Chapter 12, TERMINATION OF ASSISTANCE AND TENANCY*

## **M. FILE CHECK LIST**

Pre-Application

Case Management Certification

Case Management Stability Plan

Verification of Social security number for all members of the household

Verification of legal identity (driver's license, birth certificate, military ID) for all household members

Declaration of Citizenship for all household members

Release of information signed by all adult household members

Fraud affidavit

3<sup>rd</sup> party verifications

Income/Deduction calculation

Rental assistance Shopping Voucher

Request for Tenancy Approval

Rent reasonableness checklist/certification

HQS inspection form

Lead-based paint certification

Housing Assistance Payments Contract

Tenancy Addendum

Signed Lease