

Section 10.0 SUBSIDY STANDARDS

10.01 Determination of Family Unit (Voucher) Size

The LA will issue a voucher for a specific bedroom size, taking into consideration the family size and family composition, in determining the family's level of assistance. The subsidy standard provides for the smallest number of bedrooms needed without overcrowding and must be applied consistently for all families of like size and composition. The following guidelines will be used to determine each family's unit size:

Zero Bedroom:

- 1 adult

One Bedroom:

- 1 adult
- 2 adults (spouse or cohabitants)

Two Bedrooms:

- 1 adult, 1 child
- 1 adult, 2 children (same sex)
- 1 adult, 2 children (opposite sex, **both** 5 years or younger)
- 2 adults (spouses or cohabitants), 1 additional adult
- 2 adults (spouses or cohabitants), 1 child
- 2 adults (spouses or cohabitants), 2 children (same sex)
- 2 adults, 2 children (opposite sex, **both** 5 years or younger)
- 2 adults (spouses or cohabitants), 2 adults (spouses or cohabitants)

Three Bedrooms:

- 1 adult, 2 children (opposite sex)
- 3 adults (not spouses or cohabitants)
- 1 adult, 2 children (same sex), 1 child (either sex)
- 2 adults (not spouses or cohabitants), 2 children (same sex)
- 2 adults (not spouses or cohabitants), 2 children (opposite sex, **both** 5 years or younger)
- 2 adults (spouses or cohabitants), 2 adults (not spouses or cohabitants)
- 2 adults (spouses or cohabitants), 2 children (same sex), 1 child (either sex)
- 2 adults (spouses or cohabitants), 2 children (same sex) 2 children (same sex)
- 2 adults (spouses or cohabitants), 4 children (all same sex)
- 2 adults (spouses or cohabitants), 4 children (opposite sex, **all** 5 years or younger)

Four Bedrooms:

- 4 adults (not spouses or cohabitants)
- 2 adults (not spouses or cohabitants), 2 children (opposite sex)
- 1 adult, 2 children (same sex), 2 children (opposite sex)
- 3 adults (not spouses or cohabitants), 2 children (same sex)
- 1 adult, 2 children (same sex), 2 children (same sex), 1 child (either sex)
- 2 adults (spouses or cohabitants), 2 children (same sex), 2 children (opposite sex, 5 years or younger)
- 2 adults (spouses or cohabitants), 2 children (same sex), 2 children (same sex), 1 child (either sex)
- 2 adults (spouses or cohabitants), 2 children (same sex), 2 children (same sex), 1 adult
- 2 adults (spouses or cohabitants), 2 children (same sex), 2 children (same sex), 2 children (same sex)
- 2 adults (spouses or cohabitants), 2 children (opposite sex, 5 years or younger), 2 children (opposite sex, 5 years or younger), 2 children (opposite sex, 5 years or younger)
- 2 adults (spouses or cohabitants), 6 children (opposite sex, **all** 5 years or younger)

The LA does not determine who shares a bedroom/sleeping room, but there must be at least one person per bedroom on the voucher. The LA's subsidy standards for determining voucher size shall be applied in a manner consistent with Fair Housing guidelines. For subsidy standards, an adult is a person 18 years old or older.

All standards in this section relate to the number of bedrooms on the voucher, not the family's actual living arrangements.

The unit size on the voucher remains the same as long as the family composition remains the same, regardless of the actual unit size rented.

Generally, the LA assigns one bedroom to two people. Exceptions to this standard are noted below:

- Persons of different generations, persons of the opposite sex (other than spouses and cohabitants), and unrelated adults should be allocated a separate bedroom.

For subsidy standard purposes different generations are defined as “*family members from different eras (i.e., grandparents/parents; parents/children, etc.)*”

- Separate bedrooms should be allocated for adult siblings of the same sex.
- Separate bedrooms should be allocated for persons of the opposite sex (other than adults who have a spousal relationship and children under five years old).

- Foster children will be included in determining unit size only if they will be in the unit for more than one month.
- Live-in attendants will generally be provided a separate bedroom. No additional bedrooms are provided for the attendant's family.

Space may be provided for a child who is away at school but who lives with the family during school recesses.

Space will not be provided for a family member, other than a spouse, who will be absent most of the time, such as a member who is away in the military.

Adults of different generations will have separate bedrooms.

A single pregnant woman with no other family members must be treated as a two-person family.

These standards are based on the assumption that each bedroom will accommodate no more than two persons. In determining bedroom size, the LA will include the presence of the first child to be born to a pregnant woman, children who are in the process of being adopted, children whose custody is being obtained, and children who are temporarily away at school or temporarily in foster-care.

The LA may grant exceptions to normal occupancy standards in accordance with the provisions in Section 10.02.

The family unit size will be determined by the LA in accordance with the above guidelines and will determine the maximum rent subsidy for the family; however, the family may select a unit that may be larger or smaller than the family unit size. If the family selects a smaller unit, the payment standard for the smaller size will be used to calculate the subsidy. If the family selects a larger size, the payment standard for the family unit size will determine the maximum subsidy.

10.02 Exceptions to Subsidy Standards

The LA may grant exceptions from the subsidy standards if the family requests and the LA determines that the exceptions are justified by the relationship, age, sex, health or disability of family members, or other individual circumstances.

The LA will grant an exception upon request as an accommodation for persons with disabilities.

Circumstances may dictate a larger size than subsidy standards permit when persons cannot share a bedroom because of a need such as a verified medical or health reason or elderly persons or persons with disabilities who may require a live-in attendant.

10.03 Requests for Exceptions to Subsidy Standards

The family may request a larger voucher than indicated by the LA's subsidy standards. Such request must be made in writing within 30 days of the LA's determination of voucher size. The request must explain the need or justification for a larger voucher. Documentation verifying the need or justification will be required as appropriate.

The LA will not issue a larger voucher due to additions of family members other than by birth, adoption, marriage or court-awarded custody. A larger voucher will not be issued due to additions of adult offspring, other adult family members (except by marriage), or room-mates. Requests based on health-related reasons must be verified by a licensed medical doctor.

At its discretion, as the PHA, HCR may authorize the LA to issue a larger voucher to the family due to extenuating circumstances. However, the LA must obtain documentation to substantiate the basis for the larger voucher and must submit same to their Program Representative for approval.

10.04 Errors in Subsidy Standards

If the LA commits an error in the bedroom size designation, the family will be issued a voucher of the appropriate size.

10.05 Changes for Applicants

The voucher size is determined prior to the family's briefing by comparing the family composition to the established LA subsidy standards. If an applicant requires a change in voucher size, based upon established LA subsidy standards, the guidelines in Section 10.01 will apply.

10.06 Changes for Participants

Upon initial lease-up for any unit, the LA must certify the family and give its approval of the persons who are permitted to reside in the unit as family members. Family members eligible for addition to the household subsequent to the initial lease-up fall into two categories as follows.

Category 1:

Persons added to the participant family by birth or adoption (including minor children previously born to or adopted by the program participant, but not residing in the household at the time of initial lease-up) or by court-awarded custody may be added

to the household as a matter of right. The family is required to notify the LA within 30 days of the addition of such person(s) to the household.

Category 2:

Persons other than those in category 1, including adult children of the participant, may not be added to the participant household without prior written notification to the owner and the LA. The guidelines in Sections 10.01 and 10.03 will apply to additions to the household in both categories 1 and 2.

10.07 Under-Housed and Over-Housed Families

If a unit does not meet Housing Quality Standards (HQS) space standards due to an increase in family size (unit too small), the LA will issue a new voucher of the appropriate size.

The LA will also notify the family of the circumstances under which an exception will be granted, such as:

- if a family with a disability is under-housed in an accessible unit;
- if a family requires the additional bedroom because of a health problem, which has been verified by the LA; or
- the LA and family have been unable to locate a unit within 180 days.

10.08 Ineligible Housing

The following types of housing are not assisted under the DHCR Statewide Section 8 Housing Choice Voucher Program:

- a public housing or Indian housing unit;
- a unit receiving project-based assistance under a Section 8 program;
- nursing homes, board and care homes, or facilities providing continual psychiatric, medical or nursing services;
- college or other school dormitories;
- units on the grounds of penal, reformatory, medical, mental, and similar public or private institutions;

- a unit occupied by its owner (this restriction does not apply to cooperatives or to assistance on behalf of a manufactured home owner leasing a manufactured home space); or
- a unit receiving any duplicative Federal, State, or local housing subsidy (this does not prohibit renting a unit that has a reduced rent because of a tax credit).

The LA will not approve a lease for any of the following special housing types, except as a reasonable accommodation for a family with disabilities:

- Congregate housing;
- Group homes;
- Shared housing;
- Assisted living facilities; or
- Single room occupancy housing.