

## **Section 22.0 RESTRICTIONS ON MOVES BY A PARTICIPANT FAMILY**

During the initial 12 months of assisted occupancy, families who resided in the LA's jurisdiction prior to admission and wish to move within the same LA jurisdiction will be allowed to move only under the following conditions:

- The LA has terminated the Housing Assistance Payment (HAP) contract due to an owner's breach of responsibility (i.e. failure to correct Housing Quality Standards (HQS) violations); or
- The owner and family have agreed to mutual rescission of the lease;

**NOTE:** This provision may only be utilized once within any 12-month period by a participant and owner.

If a family lives in one LA jurisdiction and applies to the waiting list of another LA, the family will be required to utilize the assistance for 12 months in the jurisdiction of the LA where they are being admitted. (See also Section 1.0 "Selection and Admission Policies.")

Families will **not** be permitted to move more than once in a 12-month period unless the LA approves the move based on a documented reason over which the participant has no control (i.e. owner's failure to correct HQS violations).

As allowed by program regulations, families will **not** be permitted to move outside the LA's jurisdiction under portability provisions during the initial 12 months of assisted occupancy.

The LA may deny permission to move if:

- the family has violated a family obligation;
- the family owes the LA money; or
- the family has moved or was issued a voucher within the last 12 months.

Families are required to give proper written 30-day notice of intent to terminate the lease. During the initial term families may not end the lease unless the family and the owner mutually agree to end the lease and submit in writing to the LA a statement signed by the owner and tenant that the lease is being mutually terminated and the effective date of the termination. If the family moves from the unit before the initial term of the lease ends without the owner's and the LA's approval, it will be considered a serious lease violation and may subject the family to termination from the program.

The family is required to give the LA a copy of the notice to terminate the lease at the same time it gives the notice to the landlord. A family's failure to provide a copy of the lease termination notice to the LA will be considered a violation of family obligations and will cause the family to be terminated from the program. The family will be ineligible for assistance until three years have elapsed from the date of termination.