

Section 26.0 ENHANCED VOUCHER

26.01 Zero Housing Assistance Payments at Initial Conversion

In cases where a family is eligible for Enhanced Voucher Assistance at initial conversion but there is no initial Housing Assistance Payment (HAP) and the family continues to reside in the project/development, the following guidelines must be complied with:

If it is determined that a family is income eligible for an Enhanced Voucher but there is no HAP payment because the family's total tenant payment (TTP) is equal to or greater than the gross rent, the LA **must** inform the family that if there is a decrease in income or an increase in rent **within five (5) years** of the initial eligibility determination, the family may inform the LA of the change. ***It is the family's responsibility to notify the LA of the change.*** In addition, the LA must maintain a record of the family's initial income determination.

26.02 Over-Housed Enhanced Voucher Families *(February 12, 2016 Addition)*

The owner must create a "Priority" waiting list for over-housed Enhanced Voucher families.

The list must include but is not limited the following information:

- name of each over-housed Enhanced Voucher family;
- current address and apartment number ;
- apartment size the family is currently occupying; and
- the appropriate size unit the family should be occupying based on their current family composition.

The owner is also required to monitor the household composition of each Enhanced Voucher family on a regular basis and submit an updated waiting list to the local administrator (LA) on a monthly basis. The update must include but is not limited to the following:

- date an appropriate size unit became available;
- date the unit was offered to the family;
- apartment/unit number; and
- date occupied or refused by the family.

It is also the owner's responsibility to add additional families to the list as they become over-housed.

The owner must also submit a current rent roll to the LA on a monthly basis. The rent roll must be submitted during the first week of each month and thereafter until the owner/agent is notified by the LA that the rent roll is no longer necessary.

Over-housed Enhanced Voucher families must be offered an appropriate-sized unit upon availability. This offer must be made in writing and a copy of said notice/offer must be submitted to the LA.

Upon receiving a copy of the notice the LA will calculate the new Enhanced Voucher subsidy based on the gross rent for the new unit. If the new Enhanced Voucher housing assistance payment (HAP) exceeds the existing HAP, the family will not be required to move to the appropriate size unit.

26.02.01 Owner's Failure to Offer Appropriate Size Unit to Family

When an owner fails to offer an available appropriate size unit to an over-housed Enhanced Voucher family on the waiting list, or fails to notify the local administrator of an over-housed family's refusal to accept an available appropriate size unit (that results in an overpayment of HAP), the local administrator must commence the following:

A written notice must be sent to the owner advising the owner that HAP payments for all over-housed Enhanced Voucher families will be abated [effective the first of the month following the LA's awareness of the available unit(s)] until a written explanation is received stating the reason(s) for not offering the available unit(s) to a family or families on the waiting list.

If it is determined that the owner was not in compliance with the over-housed requirements (i.e.; failure to offer the unit to a family on the priority list or failure to notify the LA that the family refused to accept the appropriate size unit) the LA must retroactively recoup the HAP overpayment as follows:

1. If the owner did not offer the unit to the next designated family on the waiting list, the LA will determine what the HAP payment would have been, based on the lower payment standard and the contract rent for the appropriate size unit, retroactive to the date that the unit was available, or;
2. In cases where the owner failed to notify the LA that the family was offered an appropriate size unit but the family refused to accept the unit, the LA will determine what the HAP/TTP payments would have been for the oversized unit, based on the applicable payment standard

for the family composition (not the actual size unit) retroactive to the date that the unit was available.

In such cases, the LA is required to give the family a thirty (30) day notice in writing prior to the effective date of the new total tenant payment.

The LA must inform the owner that families are not responsible for HAP payments that were recouped as a result of the owner's failure to comply with the Enhanced Voucher program requirements.

26.02.02 Family's Refusal to Accept Appropriate Size Unit

If an over-housed Enhanced Voucher family refuses to move to an appropriate size unit, the LA will calculate the family's housing assistance payment for the oversized unit based on the normal applicable voucher subsidy formula using the applicable payment standard for its voucher program. The family will be responsible for any amount of the gross rent not covered by the housing assistance payment.