

Emergency Housing Vouchers Frequently Asked Questions (FAQs)

Eligibility

1. Who qualifies for the Emergency Housing Voucher Program?

Emergency Housing Vouchers (EHVs) are specifically designed for households who are:

- Homeless;
- At Risk of Homelessness;
- Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking or human trafficking;
- Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability.

Detailed information on household eligibility can be found in Section 8 of Notice 2021-15.

2. How many vouchers are available? BHA was awarded 38 EHV's .

3. Can applicants be denied from BHA?

- Only for violent criminal activity within the last 12 months.
- Manufacturing meth amphetamines on Federal Subsidized property.
- Lifetime registered sex offender.

4. Can they appeal? Yes, anyone denied can ask to appeal the decision.

5. On the McKinney Act definitions, the following provision about not having a support network appears in several places, "Lacks the resources or support networks, e.g., family, friends, and faith-based or other social networks, to obtain other permanent housing." Does this have to be demonstrated, and if so how?

Organizations certifying whether applicants lack the resources or support networks to obtain other permanent housing must establish procedures of documentation of the evidence relied upon to establish and verify status at intake. The procedures must establish the order of priority for obtaining evidence in the following order:

- Third-party documentation first;
- Intake worker observations second; and
- Certification from the person seeking assistance third.

Specifically, for lacking the resources or support networks, the following are acceptable documentation of this status:

- Certification by the individual or head of household that no residence has been identified; and
- Certification or other written documentation that the individual or family lacks the

resources and support networks needed to obtain other permanent housing.

Agency Rolls

6. What are the roles and responsibilities of PHAs, CoCs, and Victim Service Providers (VSPs)?

CoCs and VSPs are responsible for the following:

- Assessing eligible households for EHV and services (if needed).
- Referring eligible households to the PHA for EHV.
- CoCs may additionally assist referred households in completing and obtaining necessary documentation for the EHV application process.

PHAs are responsible for all the PHA administrative responsibilities for the EHV program in accordance with the EHV Operating Requirements Notice and the applicable HCV program regulations, including but not limited to:

- Reviewing applications for EHV, certifying program eligibility, and conducting annual recertifications for continued eligibility
- Determining that the unit meets Housing Quality Standards and approving units for leasing and contracts.
- Determining amounts and paying Housing Assistance Payments to landlords on behalf of participants
- Explaining and providing information about program policies and procedures to current and prospective landlords and participants
- Monitoring program performance and compliance of participants and owners

7. Is there an appeals process required for Coordinated Entry determinations?

CoCs are required to have written policies and procedures that include a process by which individuals and families may appeal Coordinated Entry decisions. **This would be up to the HSC.**

8. Does the PHA pull households from its current waitlist for EHV?

No, PHAs must only accept referrals for EHV directly from the CoC Coordinated Entry System or other partner referral agencies. However, PHAs must inform families on the HCV waiting list of the availability of EHV at a minimum by either by posting the information to their website or providing public notice in their respective communities. The PHA public notice must describe the targeted populations to which the EHV are limited and that the availability of these EHV is managed through a direct referral process through the CoC. The PHA notice must advise the family must contact the CoC (and any other PHA referral partner) if the family believes they may be eligible for EHV assistance.

HUD has waived 24 CFR 982.204(f) which provides that a PHA must use a single waitlist for admission to its HCV program. An alternative requirement has been established for the EHV program under which the PHA maintains a separate waiting list for EHV referrals/applicants.

9. Are the vouchers available for individuals or just for families?

EHVs are available to both individuals and families meeting the eligibility criteria.

10. What if an individual or family is over income?

As in the regular voucher program, the PHA must determine whether a family is income eligible prior to the provision of EHV assistance. If the family is over income based on the most recently published income limits for the family size, the family is ineligible for HCV assistance.

Partnerships and Collaborations

1. What is a Continuum of Care?

The Continuum of Care (CoC) is a local planning body that coordinates housing and services funding for homeless individuals and families. The CoC Program is designed to:

- promote community-wide commitment to the goal of ending homelessness;
- provide funding for efforts by nonprofit providers and State and local governments to quickly rehouse homeless individuals and families and minimize the trauma and dislocation that homelessness causes for individuals, families, and communities;
- promote access to and effect utilization of mainstream programs by homeless individuals and families; and
- optimize self-sufficiency among individuals and families experiencing homelessness.

Section 9.b of Notice PIH 2021-15 provides a more thorough description of CoCs and their role in the EHV program. Additional information on CoC's can be found at https://www.hud.gov/program_offices/comm_planning/coc

2. What is a Victims Service Provider?

HUD defines a victim service provider to mean a private nonprofit organization whose primary mission is to provide direct services to victims of domestic violence. This term includes permanent housing providers—including rapid re-housing, domestic violence programs (shelters and non-residential), domestic violence transitional housing programs, dual domestic violence and sexual assault programs, and related advocacy and supportive services programs.

3. What is a Coordinated Entry system?

Provisions in the CoC Program Interim Rule at 24 CFR § 578.7(a)(8) require that CoCs establish a Coordinated Entry (CE) System. The Coordinated Entry (CE) process is an approach to coordination and management of a crisis response system's resources that allows users to make consistent decisions, based on available information, to efficiently and effectively connect people to housing and service interventions that will rapidly end their homelessness. **The Housing Solutions Center is the coordinated entry agency for Kitsap County.**

4. Is HUD requiring a signed Memorandum of Understanding (MOU) with the CoC and Victim Service Providers for the administration of EHV's?

HUD has established an alternative requirement for the EHV program under which the PHA must enter into a MOU with all referring agencies to establish a partnership for the administration of EHV's. Communities may have a single MOU or multiple MOUs with referring agencies.

See Section 9.b of PIH Notice 2021-15 for more information regarding the MOU requirement. Additionally, a sample MOU template is included as Attachment 2 of Notice 2021-15. Partners can review and update MOUs as the program progresses.

5. When does HUD expect PHAs to have executed MOUs with partnering agencies?

HUD's expectation is that PHAs will enter into an MOU as soon as possible, ideally by July 1, 2021. By this date PHAs will have received their July EHV Housing Assistance Payment (HAP) amount, and the clock for the placement fees begins. HUD is providing \$500 for each EHV placed under contract no later than 4 months from the effective date of July 1, 2021 of the ACC funding increment, which is November 1, 2021. PHAs are required to enter into an MOU within 30 days of the effective date of the ACC funding increment; therefore, the MOU must be established no later than July 31, 2021.

6. Can you clarify if or how the agencies partnering with PHAs on EHV's are paid? If the CoC or the domestic violence agency refers a family, or assists the family, does the PHA pay them by way of the services fee, or out of the admin fee? And if so, at what rate? Or are the partnering agencies paid some other way?

Section 6 of the EHV Operating Notice defines the administrative fees and funding for other eligible expenses a PHA administering EHV's may receive. The use of this funding is limited to the activities defined in the notice. Paying a fee to a CoC, Victim Service Provider, or other partnering agency for a referral is not an eligible use of the EHV funding.

A PHA may enter into an agreement, through the Memorandum of Understanding that is a requirement of the EHV program, to reimburse the CoC or other partnering service agencies for eligible expenses. For example, housing search assistance is required to be made available to EHV families during their initial housing search. Housing search assistance may be provided directly by the PHA or through the CoC or another agency or entity. Where housing search assistance is being provided by the CoC or another agency or entity, the PHA may reimburse that entity for the eligible activities as defined in the agreement.

As a reminder, CoC funds may be used to cover many of the costs associated with the EHV program. For example, Coordinated Entry (CE) grants can be used to cover the CE costs, and Rapid Rehousing (RRH) funds can be used to assist with housing search assistance. In addition, Homeless Emergency Solutions Grants (ESG)-CV funds may be used for referrals, housing location, and other costs, including outreach, essential services in emergency shelters, RRH, and homelessness prevention.

7. Can we allow EHV holders to keep the security deposit we paid on behalf of the family, when it is returned by the owner?

The Notice states that the PHA, “...**may** place conditions on the security deposit assistance, such as requiring the owner or family to return the security deposit assistance to the PHA at the end of the family’s tenancy (less any amounts retained by the owner in accordance with the lease.”, Alternatively, the PHA may choose not place those restrictions—i.e., the PHA could allow EHV holders to keep the security deposit. PHAs are encouraged to consult with their counsel as to whether there are any local and state statutes that would limit their flexibility with respect to returning of security deposits. **BHA will not have any conditions placed on the deposit assistance.**

8. Can EHV be utilized for individuals and families identified for the “Move-On” Strategy?

Yes. Individuals and families identified for a Moving On strategy who currently reside in Permanent Supportive Housing and were homeless at the time of admission to that program may be eligible. As such, these individuals may qualify under Category 4 of the eligible populations for EHV. The CoC must refer all clients eligible under this category, and all applicants must meet the statutory requirements under the ARP. HUD has made available resources to help communities with their Moving On strategies at the following webpage:
<https://www.hudexchange.info/programs/coc/moving-on/>.

9. Do Emergency Housing Vouchers come with supportive services?

EHVs do not come with ongoing supportive services. Communities are encouraged to work with local stakeholders that have a vested interest in supporting services for vulnerable populations. HUD will provide technical assistance to communities to aide in the design and implementation of EHV, including service delivery resources that may be paired with EHV to ensure housing stability.

10. Who is responsible for helping EHV recipients locate housing?

PHAs are required to ensure housing search assistance is made available to EHV families during their initial housing search. The PHA may use the services fee funding to provide this required housing search assistance to eligible EHV households. Housing search assistance can be provided by the PHA, the CoC, or another entity, with these responsibilities outlined in the MOU.

PHAs are encouraged to leverage housing location services offered by the CoC and VSPs. Housing Locators affiliated with CoCs and VSPs are often skilled negotiators and have existing relationships with landlords, which can provide opportunities for households with higher barriers to housing.

11. Are the Waivers discussed on the May 12, 2021 webinar automatically applied for all communities, or does each PHA need to request the specific ones they want to utilize?

Notice 2020-15 provides waiver authority and alternative requirements to administer EHV to all participating PHAs and communities. PHAs do not need to request HUD approval for these waivers. However, while some waivers and alternative requirements are at the discretion of the PHA, others are mandatory and required for EHV administration. With respect to those waivers

that are discretionary, PHAs are highly encouraged to work with partners to select from a menu of waivers to aide eligible households to eliminate barriers to housing and ensure expedited leasing. **BHA will consider all available waivers allowed.**

12. Are there any restrictions on families who may owe debts to a PHA?

No, as outlined in HUD Notice 2021-15, Section 9g., unlike regular HCV admissions, PHAs may not deny an EHV applicant admission regardless of whether:

- Any member of the family has been evicted from federally assisted housing in the last five years or a PHA has ever terminated assistance under the program for any member of the family.
- The family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.
- The family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.
- The family breached an agreement with the PHA to pay amounts owed to a PHA or amounts paid to an owner by a PHA.

EHV funding may not be used for the repayment of debts or any amounts owed to HUD by HUD program participants including, but not limited to, those resulting from Office of Inspector General (OIG), Quality Assurance Division (QAD) or other monitoring review findings.

13. What type of documentation is acceptable when determining that a family falls under the four categories? Should the PHA receive formal documentation or information from the local CoC or our local Victims Service Provider?

CoCs and Victim Service Providers are responsible for determining eligibility for EHV's and referring eligible families to the PHA. An example certification of homelessness and human trafficking is provided in Notice 2020-15 and may be utilized by communities to certify eligibility. PHAs may utilize HUD Form 5382 to certify survivors of domestic violence, dating violence, sexual assault, and stalking. **BHA will make form 5382 available.**

14. What type of documentation will acceptable during the issuance process? BHA will accept self-certification during the issuance. Applicants will be required to turn in all necessary documents with in 90 days of being issued. BHA will work with the families to obtain the required documents during the following 90 days.

Portability

15. Will individuals and families be able to use vouchers outside the jurisdiction of the PHA that issued the voucher?

Yes. EHV follows most of the normal portability rules of the HCV program with a few alternative requirements intended to be more permissive on moves, as outlined in HUD Notice 2021-15, Section 9o. Under HCV program rules, if neither the household head nor spouse of an assisted family already had a 'domicile' (legal residence) in the jurisdiction of the PHA at the time the family first submitted an application for participation in the HCV program, the family does not have any right to portability during the 12-month period from when the family is first admitted to the program, as the family is considered a "non-resident applicant" This means that

the PHA has the discretion to restrict portability during this 12-month period in the HCV program. For EHV, the PHA may not restrict an EHV family from exercising portability as a non-resident applicant. Therefore, all EHV families may immediately move under portability. **BHA will accept requests for portability.**

16. On portability, will a receiving non-EHV PHA have to submit the new EHV related 50058s?

Yes, the non-EHV receiving PHA will submit on an EHV-compliant 50058. More guidance will be issued on this topic. As stated in the notice, “HUD expects to issue a streamlined Form 50058 in the near future that will allow HUD to pay monthly HAP and Administrative Fee disbursements based on that information”. **BHA will follow up with the PHA’s that accept one of the EHV on behalf of the applicant.**