

City of Pasadena Housing Department

Temporary Policy Supplement (TPS)

EMERGENCY HOUSING VOUCHERS (EHVs)

INTRODUCTION

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (ARP) (P.L. 117-2). Section 3202 of the ARP appropriated \$5 billion for the creation, administration, and renewal of new incremental emergency housing vouchers (EHVs) and other eligible expenses related to COVID-19.

On May 5, 2021, HUD issued Notice PIH 2021-15, which described HUD's process for allocating approximately 70,000 EHVs to eligible PHAs and set forth the operating requirements for PHAs who administer them. Based on criteria outlined in the notice, HUD notified eligible PHAs of the number of EHVs allocated to their agency, and PHAs were able to accept or decline the invitation to participate in the program.

PHAs may not project-base EHVs; EHVs are exclusively tenant-based assistance.

All applicable nondiscrimination and equal opportunity requirements apply to the EHV program, including requirements that the PHA grant reasonable accommodations to persons with disabilities, effectively communicate with persons with disabilities, and ensure meaningful access for persons with limited English proficiency (LEP).

This chapter describes HUD regulations and PHA policies for administering EHVs. The policies outlined in this chapter are organized into six sections, as follows:

Part I: Funding

Part II: Partnering Agencies

Part III: Waiting List Management

Part IV: Family Eligibility

Part V: Housing Search and Leasing

Part VI: Use of Funds, Reporting, and Financial Records

Except as addressed by this chapter and as required under federal statute and HUD requirements, the general requirements of the HCV program apply to EHVs.

PART I: FUNDING

TPS-I.A. FUNDING OVERVIEW

The American Rescue Plan Act of 2021 (ARP) provides administrative fees and funding for the costs of administering emergency housing vouchers (EHVs) and other eligible expenses defined in Notice PIH 2021-15. These fees may only be used for EHV administration and other eligible expenses and must not be used for or applied to other PHA programs or vouchers. The PHA must maintain separate financial records from its regular HCV funding for all EHV funding.

Housing Assistance Payments (HAP) Funding

ARP funding obligated to the PHA as housing assistance payments (HAP) funding may only be used for eligible EHV HAP expenses (i.e., rental assistance payments). EHV HAP funding may not be used for EHV administrative expenses or for the eligible uses under the EHV services fee.

The initial funding term will expire December 31, 2022. HUD will provide renewal funding to the PHA for the EHVs on a calendar year (CY) basis commencing with CY 2023. The renewal funding allocation will be based on the PHA's actual EHV HAP costs in leasing, similar to the renewal process for the regular HCV program. EHV renewal funding is not part of the annual HCV renewal funding formula; EHVs are renewed separately from the regular HCV program. All renewal funding for the duration of the EHV program has been appropriated as part of the ARP funding.

Administrative Fee and Funding

The following four types of fees and funding are allocated as part of the EHV program:

- **Preliminary fees** support immediate start-up costs that the PHA will incur in implementing alternative requirements under EHV, such as outreach and coordination with partnering agencies:
 - \$400 per EHV allocated to the PHA, once the consolidated annual contributions contract (CACC) is amended.
 - This fee may be used for any eligible administrative expenses related to EHVs.
 - The fee may also be used to pay for any eligible activities under EHV service fees (TPS-I.B).
- **Placement fees/expedited issuance reporting fees** will support initial lease-up costs and the added cost and effort required to expedite leasing of EHVs:
 - \$100 for each EHV initially leased, if the PHA reports the voucher issuance date in Public Housing Information Center–Next Generation (PIC–NG) system within 14 days of voucher issuance or the date the system becomes available for reporting.
 - Placement fees:
 - o \$500 for each EHV family placed under a HAP contract effective within four months of the effective date of the ACC funding increment; or
 - o \$250 for each EHV family placed under a HAP contract effective after four months but less than six months after the effective date of the ACC funding increment.
 - o HUD will determine placement fees in the event of multiple EHV allocations and

funding increment effective dates.

- Placement/expedited issuance fees only apply to the initial leasing of the voucher; they are not paid for family moves or to turnover vouchers.
- **Ongoing administrative fees**, which are calculated in the same way as the standard HCV program:
 - PHAs are allocated administrative fees using the full column A administrative fee amount for each EHV under contract as of the first day of each month.
 - Ongoing EHV administrative fees may be subject to proration in future years, based on available EHV funding.
- **Services fees**, which are a one-time fee to support PHAs' efforts to implement and operate an effective EHV services program in its jurisdiction (TPS-I.B):
 - The fee is allocated once the PHA's CACC is amended to reflect EHV funding.
 - The amount allocated is \$3,500 for each EHV allocated.

TPS-I.B. SERVICE FEES

Service fee funding must be initially used for defined eligible uses and not for other administrative expenses of operating the EHV program. Service fees fall into four categories:

- Housing search assistance
- Security deposit/utility deposit/rental application/holding fee uses
- Owner-related uses
- Other eligible uses such as moving expenses or tenant-readiness services

The PHA must establish the eligible uses and the parameters and requirements for service fees in the PHA's administrative plan.

CoPHD Policy

The eligible uses for service fees include:

Housing search assistance, which may include activities such as, but not limited to, helping a family identify and visit potentially available units during their housing search, helping to find a unit that meets the household's disability-related needs, providing transportation and directions, assisting with the completion of rental applications and PHA forms, and helping to expedite the EHV leasing process for the family.

Application fees/non-refundable administrative or processing fees/refundable application deposit assistance. The PHA may choose to assist the family with some or all these expenses.

Holding fees are fees an owner requests that are rolled into the security deposit after an application is accepted but before a lease is signed. The CoPHD will cover all of the holding fee for units where the fee is required by the owner after a tenant's application has been accepted but before the lease signing. The CoPHD and owner must agree how the holding fee gets rolled into the deposit, and under what conditions the fee will be returned. In general, owners need to accept responsibility for making needed repairs to a unit required by the initial housing quality standards (HQS) inspections and can only

keep the holding fee if the client is at fault for not entering into a lease.

Security deposit assistance. The amount of the security deposit assistance may not exceed the lesser of two months' rent to owner, the maximum-security deposit allowed under applicable state and/or local law, or the actual security deposit required by the owner. The CoPHD will pay the security deposit assistance directly to the owner.

Utility deposit assistance/utility arrears. The CoPHD may provide utility deposit assistance for some or all of the family's utility deposit expenses. Assistance can be provided for deposits (including connection fees) required for the utilities to be supplied by the tenant under the lease. The CoPHD will pay the utility deposit assistance directly to the utility company. The CoPHD will require the utility supplier or family to return the utility deposit assistance to the CoPHD at such time the deposit is returned by the utility supplier (less any amounts retained by the utility supplier). In addition, some families may have large balances with gas, electric, water, sewer, or trash companies that will make it difficult if not impossible to establish services for tenant-supplied utilities. The CoPHD may also provide the family with assistance to help address these utility arrears to facilitate leasing. Utility deposit assistance returned to the CoPHD will be used for either services fee eligible uses or other EHV administrative costs, as required by HUD.

Owner recruitment and outreach for EHV. The CoPHD may use the service fee funding to conduct owner recruitment and outreach specifically for EHV. In addition to traditional owner recruitment and outreach, activities may include conducting pre-inspections or otherwise expediting the inspection process, providing enhanced customer service, and offering owner incentive and/or retention payments.

Owner incentive and/or retention payments. The CoPHD may make incentive or retention payments to owners that agree to initially lease their unit to an EHV family and/or renew the lease of an EHV family. Payments will be made as a single payment at the beginning of the assisted lease term (or lease renewal if a retention payment). Owner incentive and retentions payments are not housing assistance payments, are not part of the rent to owner, and are not taken into consideration when determining whether the rent for the unit is reasonable.

Moving expenses (including move-in fees and deposits). The CoPHD may provide assistance for some or all of the family's reasonable moving expenses when they initially lease a unit with the EHV. The CoPHD will not provide moving expenses assistance for subsequent moves unless the family is required to move for reasons other than something the family did or failed to do (e.g., the CoPHD is terminating the HAP contract because the owner did not fulfill the owner responsibilities under the HAP contract or the owner is refusing to offer the family the opportunity to enter a new lease after the initial lease term, as opposed to the family choosing to terminate the tenancy in order to move to another unit), or a family has to move due to domestic violence, dating violence, sexual assault, or stalking.

Tenant-readiness services. The CoPHD may use fees to help create a customized plan to address or mitigate barriers that individual families may face in renting a unit with an EHV, such as negative credit, lack of credit, negative rental or utility history, or to connect the family to other community resources (including COVID-related resources) that can assist with rental arrears.

Essential household items. The CoPHD may use services fee funding to assist the family with some or all of the costs of acquiring essential household items such as tableware, cooking equipment, beds or bedding, and essential sanitary products such as soap and toiletries.

Renter's insurance if required by the lease. The CoPHD may choose to assist the family with some or all this cost.

Any services fee assistance that is returned to the CopHD after its initial or subsequent use may only be applied to the eligible services fee uses defined in Notice PIH 2021-15 (or subsequent notice) or other EHV administrative costs. Any amounts not expended for these eligible uses when the PHA's EHV program ends must be remitted to HUD.

PART II: PARTNERING AGENCIES

TPS-II.A. CONTINUUM OF CARE (CoC)

PHAs that accept an allocation of EHV's are required to enter into a Memorandum of Understanding (MOU) with the Continuum of Care (CoC) to establish a partnership for the administration of EHV's.

CoPHD Policy

The CoPHD has entered into an MOU with Pasadena Partnership to End Homelessness (CoC). See Exhibit TPS-1 for a copy of the MOU.

TPS-II.B. OTHER PARTNERING ORGANIZATIONS

The PHA may, but is not required to, partner with other organizations trusted by persons experiencing homelessness, such as victim services providers (VSPs) and other community partners. If the PHA chooses to partner with such agencies, the PHA must either enter into an MOU with the partnering agency or the partnering agency may be added to the MOU between the PHA and CoC.

CoPHD Policy

The CoPHD has not entered into a MOU with any other partnering organization.

TPS-II.C. REFERRALS

CoC and Partnering Agency Referrals

The primary responsibility of the CoC under the MOU with the PHA is to make direct referrals of qualifying individuals and families to the PHA. The PHA must generally refer a family that is seeking EHV assistance directly from the PHA to the CoC or other referring agency for initial intake, assessment, and possible referral for EHV assistance. Partner CoCs are responsible for determining whether the family qualifies under one of the four eligibility categories for EHV's. The CoC or other direct referral partner must provide supporting documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance.

CoPHD Policy

The CoC must establish and implement a system to identify EHV eligible individuals and families within the agency's caseload and make referrals to the CoPHD. The CoC must certify that the EHV applicants they refer to the CoPHD meet at least one of the four (4) EHV eligibility criteria. The CoPHD will maintain a copy of the referral and/or certification form from the CoC in the participant's file along with other eligibility paperwork. Homeless service providers are required to use the certification form found in Exhibit TPS-2 of this chapter. Victim services providers may, but are not required to, use the certification form found in Exhibit TPS-3 of this chapter when identifying eligible families who qualify as victims of human trafficking.

As part of the MOU, the CoPHD and CoC will identify staff positions to serve as lead EHV liaisons. These positions will be responsible for transmission and acceptance of referrals. The CoC must commit sufficient staff and resources to ensure eligible individuals and families are identified and determined eligible in a timely manner.

The CoPHD liaison responsible for acceptance of referrals will contact the CoC liaison via email indicating the number of vouchers available and requesting an appropriate number of referrals. No more than five business days from the date the CoC receives this notification, the CoC will provide the CoPHD with a completed package of the referred individual or family to include the necessary EHV application, required documentation (residency, SS cards, income, etc.) a completed release form for each adult family member; and a written certification for each referral indicating they are EHV-eligible.

Offers of Assistance with CoC Referral

The CoPHD may make an EHV available without a referral from the CoC in order to facilitate an emergency transfer under VAWA in accordance with the PHA's Emergency Transfer Plan (ETP).

The CoPHD must also take direct referrals from outside the CoC if:

- The CoC does not have a sufficient number of eligible families to refer to the CoPHD; or
- The CoC does not identify families that may be eligible for EHV assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking.

If at any time the CoPHD is not receiving enough referrals or is not receiving referrals in a timely manner from the CoC (or the CoPHD and CoC cannot identify any such alternative referral partner agencies), HUD may permit the CoPHD on a temporary or permanent basis to take EHV applications directly from applicants and admit eligible families to the EHV program in lieu of or in addition to direct referrals in those circumstances.

PART III: WAITING LIST MANAGEMENT

TPS-III. A. HCV WAITING LIST

The regulation that requires the PHA to admit applicants as waiting list admissions or special admissions in accordance with admission policies in Chapter 4 does not apply to PHAs operating the EHV program. Direct referrals are not added to the PHA's HCV waiting list.

The PHA must inform families on the HCV waiting list of the availability of EHV's by, at a minimum, either posting the information to their website or providing public notice in their respective communities in accordance with the requirements listed in Notice PIH 2021-15.

CoPHD Policy

Information about the EHV program for families on the PHA's HCV waiting list will be posted on the CoPHD website. The posting will:

Describe the eligible populations to which EHV's are limited;

Clearly state that the availability of these EHV's is managed through a direct referral process;

Advise the family to contact the CoC if the family believes they may be eligible for EHV assistance

The CoPHD will ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities in accordance with Chapter 2. The CoPHD will also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP) in accordance with Chapter 2.

TPS-III.B. EHV WAITING LIST

The HCV regulations requiring the CoPHD to operate a single waiting list for admission to the HCV program do not apply to PHAs operating the EHV program. Instead, when the number of applicants referred by the CoC exceeds the EHV's available, the CoPHD must maintain a separate waiting list for EHV referrals, both at initial leasing and for any turnover vouchers that may be issued prior to September 30, 2023.

Further, the EHV waiting list is not subject to PHA policies regarding opening and closing the HCV waiting list. The CoPHD will work directly with its CoC to manage the number of referrals and the size of the EHV waiting list.

TPS-III.C. PREFERENCES

HCV Waiting List Preferences

If local preferences are established by the PHA for HCV, they do not apply to EHV's. However, if the PHA has a homeless preference or a VAWA preference for the HCV waiting list, the PHA must adopt additional policies related to EHV's in accordance with Notice PIH 2021-15.

COPHD Policy

The COPHD does offer a substandard housing preference for the HCV waiting list.

EHV Waiting List Preferences

With the exception of a residency preference, the PHA may choose, in coordination with the CoC to establish separate local preferences for EHV's. The PHA may, however, choose to not establish any local preferences for the EHV waiting list.

PART IV: FAMILY ELIGIBILITY

TPS-IV.A. OVERVIEW

The CoC determines whether the individual or family meets any one of the four (4) eligibility criteria described in Notice PIH 2021-15 and then refers the family to the PHA. The PHA determines that the family meets other eligibility criteria for the HCV program, as modified for the EHV program and outlined below.

TPS-IV.B. REFERRING AGENCY DETERMINATION OF ELIGIBILITY

In order to be eligible for an EHV, an individual or family must meet one of (4) four eligible criteria.

- Homeless as defined in 24 CFR 578.3;
- At risk of homelessness as defined in 24 CFR 578.3;
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking (as defined in Notice PIH 2021-15), or human trafficking (as defined in the 22 U.S.C. Section 7102); or
- Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability as determined by the CoC or its designee in accordance with the definition in Notice PIH 2021-15.

As applicable, the CoC must provide documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance. The PHA must retain this documentation as part of the family's file.

TPS-IV.C. PHA SCREENING

Overview

HUD waived 24 CFR 982.552 and 982.553 in part for the EHV applicants and established alternative requirement for mandatory and permissive prohibitions of admissions. Except where applicable, PHA policies regarding denials in Chapter 3 of this policy do not apply to screening individuals and families for eligibility for an EHV. Instead, the EHV alternative requirement listed in this section will apply to all EHV applicants.

The mandatory and permissive prohibitions listed in Notice PIH 2021-15 and in this chapter, however, apply only when screening the individual or family for eligibility for an EHV. When adding a family member after the family has been placed under a HAP contract with EHV assistance, the regulations at 24 CFR 982.551(h)(2) apply. Other than the birth, adoption, or court-awarded custody of a child, the PHA must approve additional family members and may apply its regular HCV screening criteria in Chapter 3 in doing so.

Mandatory Denials

Under alternative requirements for the EHV program, mandatory denials for EHV applicants include:

- 24 CFR 982.553(a)(1)(ii)(C), which prohibits admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of

methamphetamine on the premises of federally assisted housing.

- 24 CFR 982.553(a)(2)(i), which prohibits admission to the program if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.

The PHA must deny admission to the program if any member of the family fails to sign and submit consent forms for obtaining information as required by 24 CFR 982.552(b)(3) but should notify the family of the limited EHV grounds for denial of admission first.

COPHD Policy

While the COPHD will deny admission to the program if any adult member (or head of household or spouse, regardless of age) fails to sign and submit consent forms, the COPHD will first notify the family of the limited EHV grounds for denial of admission as part of the notice of denial that will be mailed to the family.

Permissive Denial

Notice PIH 2021-15 lists permissive prohibitions for which the PHA may, but is not required to, deny admission to EHV families. The notice also lists prohibitions that, while allowable under the HCV program, may not be used to deny assistance for EHV families.

If the PHA intends to establish permissive prohibition policies for EHV applicants, the PHA must first consult with its CoC partner to understand the impact that the proposed prohibitions may have on referrals and must take the CoC's recommendations into consideration.

CoPHD Policy

In consultation with the CoC, the CoPHD will apply permissive prohibition to the screening of EHV applicants. Determinations using permissive prohibitions will be made based on an individualized assessment of relevant mitigating information in accordance with policies in Section 3-III.E.

The CoPHD will establish the following permissive prohibitions:

- If the CoPHD determines that any household member has been convicted of, or has engaged in within the previous 12 months:
 - Violent criminal activity

Prohibitions based on criminal activity for the eligible EHV populations regarding drug possession will be considered apart from criminal activity against persons (i.e., violent criminal activity).

In compliance with PIH 2021-15, the PHA **will 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;

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;

The family would otherwise be prohibited admission under alcohol abuse standards established by the PHA in accordance with 24 CFR 982.553(a)(3);

The PHA determines that any household member is currently engaged in or has engaged in during a reasonable time before the admission, drug-related criminal activity.

TPS-IV.D. INCOME VERIFICATION AT ADMISSION

The CoPHD may accept self-certification of income by way of a general affidavit or CoPHD-provided self-certification form without first attempting higher levels of verification, and third-party documents may be older than 60 days from the date received. The CoPHD must review the EIV Income and Income Validation Tool (IVT) Reports to confirm/validate family-reported income within 90 days of the PIC submission date and resolve any income discrepancies within 60 days and in accordance with current policies.

TPS-IV.E. SOCIAL SECURITY NUMBER AND CITIZENSHIP STATUS VERIFICATION

For the EHV program, the PHA is not required to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting the family to the EHV program. Instead, PHAs may adopt policies to admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the PHA provides an extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

CoPHD Policy

The CoPHD will admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. These individuals must provide the required documentation in accordance with policies within 180 days of admission. The PHA may provide an additional 60-day extension based on evidence from the family or confirmation from the CoC that the family has made a good-faith effort to obtain the documentation.

If the CoPHD determines that an ineligible family received assistance, the CoPHD will take steps to terminate that family from the program in accordance with policies.

TPS-IV.F. AGE AND DISABILITY VERIFICATION

PHAs may accept self-certification of date of birth and disability status if a higher level of

verification is not immediately available. If self-certification is used, the PHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

CoPHD Policy

The CoPHD will accept self-certification of date of birth and disability status if a higher form of verification is not immediately available. The certification must be made in a format acceptable to the CoPHD and must be signed by the family member whose information or status is being verified. If self-certification is accepted, within 90 days of admission, the CoPHD will verify the information in EIV or through other third-party verification if the information is not available in EIV. The CoPHD will note in the family's file that self-certification was used as initial verification and include an EIV printout or other third-party verification confirming the applicant's date of birth and/or disability status.

If the CoPHD determines that an ineligible family received assistance, the CoPHD will take steps to terminate that family from the program in accordance with policies.

TPS-IV.G. INCOME TARGETING

The PHA must determine income eligibility for EHV families in accordance with 24 CFR 982.201 and PHA policy; however, income targeting requirements do not apply for EHV families. The PHA may still choose to include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

CoPHD Policy

The CoPHD will not include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

PART V: HOUSING SEARCH AND LEASING

TPS-V.A. INITIAL VOUCHER TERM

Unlike the standard HCV program, which requires an initial voucher term of at least 60 days, EHV vouchers must have an initial search term of at least 120 days. PHA policies on extensions as outlined in Section 5-II.E. will apply.

CoPHD Policy

All EHV's will have an initial term of 120 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 120-day period unless the PHA grants an extension.

TPS-V.B. HOUSING SEARCH ASSISTANCE

The PHA must ensure housing search assistance is made available to EHV families during their initial housing search. The housing search assistance may be provided directly by the PHA or through the CoC.

At a minimum, housing search assistance must:

- Help individual families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low poverty neighborhoods;
- Provide transportation assistance and directions to potential units;
- Conduct owner outreach;
- Assist with the completion of rental applications and CoPHD forms; and
- Help expedite the EHV leasing process for the family.

CoPHD Policy

As identified in the MOU between the CoPHD and CoC, the following housing search assistance will be provided to each EHV family:

The CoPHD will:

Will support landlord outreach and recruitment to increase the pool of rental units that are available for EHV holders. This includes contacting existing landlords to inquire about availability of current units;

Expedite the EHV leasing process for the family to the extent practicable and in accordance with policies in this chapter;

At least every 30 days, conduct proactive check-ins via email and telephone with families who are searching with an EHV and remind them of their voucher expiration date;

Assign a dedicated landlord liaison for EHV families.

The CoC will:

Help families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low-poverty neighborhoods;

Provide transportation assistance to potential units;

Assist the family with the completion of rental applications and COPHD forms.

TPS-V.C. HQS PRE-INSPECTIONS

To expedite the leasing process, PHAs may pre-inspect available units that EHV families may be interested in leasing in order to maintain a pool of eligible units.

COPHD Policy

COPHD may conduct pre-inspections of available units that EHV families may be interested to rent. CoPHD will make every effort to fast-track the inspection process, including adjusting the normal inspection schedule for any required inspections or reinspections.

TPS-V.D. INITIAL LEASE TERM

Unlike in the standard the HCV program, EHV voucher holders may enter into an initial lease that is for less than 12 months, regardless of the PHA policy in Section 9-I.E., Term of Assisted Tenancy.

TPS-V.E. PORTABILITY

The City of Pasadena Housing Department (CoPHD) has entered into Interagency Agreements with the Housing Authority of the City of Los Angeles (HACLA) and the Los Angeles Community Development Authority (LACDA) to allow inter-jurisdictional leasing for the EHV program. EHV voucher holders may choose housing in specific areas outside of the CoPHD's geographic area, which is the City of Pasadena.

This mobility provides the opportunity for persons who are experiencing homelessness to have access to additional housing options while still maintaining their EHV assistance from the CoPHD.

The CoPHD has determined that the following cities / communities are eligible areas for TBRA mobility:

- Altadena
- Arcadia
- La Cañada Flintridge
- Rosemead
- San Gabriel
- San Marino
- Sierra Madre
- South Pasadena
- Los Angeles Neighborhoods:
 - Atwater Village
 - Eagle Rock
 - Highland Park
 - Glassell Park
 - Montecito Heights

The EHV voucher holder will submit the Request for Tenancy Approval (RFTA) to the CoPHD if the voucher holder locates a unit in any of these communities. The CoPHD will inspect the unit, approve move-in, and administer the ongoing EHV assistance.

EHV voucher holders who wish to lease a unit that is outside of Pasadena and not in one of the adjacent areas that are accessible through mobility are able to port their voucher to the PHA that covers the area where they wish to live. Porting means that the voucher holder's paperwork is sent to the PHA that serves the area in question. That PHA will issue a new voucher to the family, and will receive the RFTA, inspect the unit, approve move-in, and administer the ongoing EHV assistance.

The normal HCV portability procedures and requirements generally apply to EHV's. Exceptions are addressed below.

Nonresident Applicants

Under EHV, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied, regardless of PHA policy in Section 10-II.B.

Billing and Absorption

A receiving PHA cannot refuse to assist an incoming EHV family, regardless of whether the PHA administers EHV's under its own ACC.

- If the EHV family moves under portability to another PHA that administers EHV's under its own ACC:
 - The receiving PHA may only absorb the incoming EHV family with an EHV (assuming it has an EHV voucher available to do so).
 - If the PHA does not have an EHV available to absorb the family, it must bill the initial PHA. The receiving PHA must allow the family to lease the unit with EHV assistance and may not absorb the family with a regular HCV when the family leases the unit.
 - Regardless of whether the receiving PHA absorbs or bills the initial PHA for the family's EHV assistance, the EHV administration of the voucher is in accordance with the receiving PHA's EHV policies.
- If the EHV family moves under portability to another PHA that does not administer EHV under its own ACC, the receiving PHA may absorb the family into its regular HCV program or may bill the initial PHA.

Family Briefing

In addition to the applicable family briefing requirements at 24 CFR 982.301(a)(2) as to how portability works and how portability may affect the family's assistance, the initial PHA must inform the family how portability may impact the special EHV services and assistance that may be available to the family.

The initial PHA is required to help facilitate the family's portability move to the receiving PHA and inform the family of this requirement in writing, taking reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).

Coordination of Services

If the portability move is in connection with the EHV family's initial lease-up, the receiving

PHA and the initial PHA must consult and coordinate on the EHV services and assistance that will be made available to the family.

CoPHD Policy

For EHV families who are exercising portability, when the CoPHD contacts the receiving PHA, the CoPHD will consult and coordinate with the receiving PHA to ensure there is no duplication of EHV services and assistance, and ensure the receiving PHA is aware of the maximum amount of services fee funding that the initial PHA may provide to the receiving PHA on behalf of the family.

Services Fee

Standard portability billing arrangements apply for HAP and ongoing administrative fees for EHV families.

For service fees funding, the amount of the service fee provided by the initial PHA may not exceed the lesser of the actual cost of the services and assistance provided to the family by the receiving PHA or \$1,750, unless the initial PHA and receiving PHA mutually agree to change the \$1,750 cap. Service fees are paid as follows:

- If the receiving PHA, in consultation and coordination with the initial PHA, will provide eligible services or assistance to the incoming EHV family, the receiving PHA may be compensated for those costs by the initial PHA, regardless of whether the receiving PHA bills or absorbs.
- If the receiving PHA administers EHV, the receiving PHA may use its own services fee and may be reimbursed by the initial PHA, or the initial PHA may provide the services funding upfront to the receiving PHA for those fees and assistance.
- If the receiving PHA does not administer EHV, the initial PHA must provide the services funding upfront to the receiving PHA. Any amounts provided to the receiving PHA that are not used for services or assistance on behalf of the EHV family must promptly be returned by the receiving PHA to the initial PHA.

Placement Fee/Issuance Reporting Fee

If the portability lease-up qualifies for the placement fee/issuance reporting fee, the receiving PHA receives the full amount of the placement component of the placement fee/issuance reporting fee. The receiving PHA is eligible for the placement fee regardless of whether the receiving PHA bills the initial PHA or absorbs the family into its own program at initial lease-up. The initial PHA qualifies for the issuance reporting component of the placement fee/issuance reporting fee, as applicable.

TPS-V.F. PAYMENT STANDARDS

Payment Standard Schedule

For the EHV program, HUD has waived the regulation requiring a single payment standard for each unit size. Instead, the PHA may, but is not required to, establish separate higher payment standards for EHVs. Lower EHV payment standards are not permitted. If the PHA is increasing the regular HCV payment standard, the PHA must also increase the EHV payment standard if it would be otherwise lower than the new regular HCV payment standard. The separate EHV payment standard must comply with all other HCV requirements with the exception of the alternative requirements discussed below.

Further, if the PHA chooses to establish higher payments standards for EHVs, HUD has provided other regulatory waivers:

- Defining the “basic range” for payment standards as between 90 and 120 percent of the published Fair Market Rent (FMR) for the unit size (rather than 90 to 110 percent).
- Allowing a PHA that is not in a designated Small Area FMR (SAFMR) area or has not opted to voluntarily implement SAFMRs to establish exception payment standards for a ZIP code area above the basic range for the metropolitan FMR based on the HUD published SAFMRs. The PHA may establish an exception payment standard up to 120 percent (as opposed to 110 percent) of the HUD published Small Area FMR for that ZIP code area. The exception payment standard must apply to the entire ZIP code area.
 - The PHA must notify HUD if it establishes an EHV exception payment standard based on the SAFMR.

CoPHD Policy

Payment Standards for the EHV program are set at 120% of the HUD published Fair Market Rents and will be adjusted annually if continued funding is available.

Rent Reasonableness

All rent reasonableness requirements apply to EHV units, regardless of whether the PHA has established an alternative or exception EHV payment standard.

Increases in Payment Standards

The requirement that the PHA apply increased payment standards at the family’s first regular recertification on or after the effective date of the increase does not apply to EHV. The PHA may, but is not required to, establish an alternative policy on when to apply the increased payment standard, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family’s first regular reexamination following the change.

CoPHD Policy

The CoPHD will not establish an alternative policy for increases in the payment standard. PHA policy governing increases in payment standards will apply to EHV.

TPS-V.G. TERMINATION OF VOUCHERS

After September 30, 2023, a PHA may not reissue EHV's when assistance for an EHV-assisted family ends. This means that when an EHV participant (a family that is receiving rental assistance under a HAP contract) leaves the program for any reason, the PHA may not reissue that EHV to another family unless it does so no later than September 30, 2023.

If an applicant family that was issued the EHV is unsuccessful in finding a unit and the EHV expires after September 30, 2023, the EHV may not be reissued to another family.

All EHV's under lease on or after October 1, 2023, may not under any circumstances be reissued to another family when the participant leaves the program for any reason.

An EHV that has never been issued to a family may be initially issued and leased after September 30, 2023, since this prohibition only applies to EHV's that are being reissued upon turnover after assistance to a family has ended. However, HUD may direct PHAs administering EHV's to cease leasing any unleased EHV's if such action is determined necessary by HUD to ensure there will be sufficient funding available to continue to cover the HAP needs of currently assisted EHV families.

PART VI: USE OF FUNDS, REPORTING, AND FINANCIAL RECORDS

EHV funds allocated to the PHA for HAP (both funding for the initial allocation and HAP renewal funding) may only be used for eligible EHV HAP purposes. EHV HAP funding obligated to the PHA may not be used for EHV administrative expenses or the other EHV eligible expenses under this notice. Likewise, EHV administrative fees and funding obligated to the PHA are to be used for those purposes and must not be used for HAP.

The appropriated funds for EHV are separate from the regular HCV program and may not be used for the regular HCV program but may only be expended for EHV eligible purposes. EHV HAP funds may not roll into the regular HCV restricted net position (RNP) and must be tracked and accounted for separately as EHV RNP. EHV administrative fees and funding for other eligible expenses permitted by Notice PIH 2021-15 may only be used in support of the EHV and cannot be used for regular HCVs. 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.

The PHA must comply with EHV reporting requirements in the Voucher Management System (VMS) and Financial Data Schedule (FDS) as outlined in Notice PIH 2021-15.

The PHA must maintain complete and accurate accounts and other records for the program and provide HUD and the Comptroller General of the United States full and free access to all accounts and records that are pertinent the administration of the EHV in accordance with the HCV program requirements at 24 CFR 982.158.

Exhibit TPS-1: MEMORANDUM OF UNDERSTANDING (MOU)

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF PASADENA HOUSING DEPARTMENT
AND
THE PASADENA CONTINUUM OF CARE
RELATING TO THE
EMERGENCY HOUSING VOUCHER PROGRAM**

This Memorandum of Understanding is made and entered into by and between the City of Pasadena Housing Department (“CoPHD”), and the Pasadena Continuum of Care (“CoC”), known as the Pasadena Partnership to End Homelessness and recognized by the U.S. Department of Housing and Urban Development as one (1) of thirteen (13) Continua of Care that participate in regional efforts to prevent and end homelessness in Southern California, hereafter referred to as the Pasadena Partnership. This memorandum sets forth the obligations of the parties in conducting the Emergency Housing Voucher Program (“EHV”) and funding as authorized by the American Rescue Plan Act (“ARPA”) of 2021 (Public Law No: 117-2). The EHV’s are provided to assist individuals and families who are (1) homeless, (2) at risk of homelessness (3) fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking, or (4) recently homeless. The program shall be administered by the PHA in partnership with the CoC and its established Coordinated Entry System (“CES”). This memorandum is executed as of July 1, 2021.

A. Introduction and Goals

The CoPHD and Pasadena Partnership are committed to administering the Emergency Housing Vouchers (EHV) in accordance with all HUD requirements.

The CoPHD’s and Pasadena Partnership’s shared goals and standards of success in administering the program include:

- Approve referrals for 109 EHV-eligible individuals/households between August 1, 2021 and February 28, 2022. Prepare and submit application packets for approved referrals.
- Issue vouchers to eligible individuals/families within 30 days of application submission.
- Offer housing location and navigation services to 100% of EHV participants.
- Turnover vouchers reissued within 30 days of qualifying referral and application submission.
- 90% of individuals/families housed with an EHV retain their housing at least 12 months after initial lease up.

CoPHD liaison:	Name: Anne Lansing, Housing Assistance Officer	
	Email: alansing@cityofpasadena.net	Phone: 626 744-6701
Pasadena Partnership liaison:	Name: Jennifer O’Reilly-Jones, Homeless Programs Coordinator	
	Email: joreillyjones@cityofpasadena.net	Phone: 626 744-8305

B. Define the populations eligible for EHV assistance to be referred by CoC

Eligible populations include the following, as defined in PIH Notice 2021-15.

1. Individuals or families who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking.
2. Recently homeless and for whom providing rental assistance will prevent the individuals' or family's homelessness or high risk of instability, including households requesting a VAWA emergency transfer.
3. Homeless as defined in section 103(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)), which is codified in HUD's Continuum of Care Program regulations at 24 CFR 578.3.
4. At risk of homelessness as defined in section 401(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(1)), which is codified in HUD's Continuum of Care Program regulations at 24 CFR 578.3.

C. Services to be provided to eligible EHV individuals and families

Eligible services for EHV individuals and families include:

1. Service providers will support individuals and families in completing applications and obtaining necessary supporting documentation to support referrals and applications for assistance, while aiding households in addressing barriers to obtaining and maintaining permanent housing.
2. Service providers will support the CoPHD in ensuring that eligible household applicants are notified of appointments with the CoPHD and support the applicants to attend these meetings.
3. CoPHD will establish timeframes for applicant submission, appointments, and applicant briefings for those determined eligible.
4. CoPHD will provide listings of vacant apartments from the Available Housing List and will provide information about online resources to locate housing, including pasadenahousingsearch.com and other commercial sites.
5. CoPHD will inform eligible individuals and households about portability and other rights and responsibilities under the EHV program.
6. Service providers will provide housing location services for eligible individuals and families who have been issued an EHV.
7. CoPHD and service providers will provide counseling on compliance with rental lease

requirements.

8. Service providers will assist with eligible individuals and households with the apartment application process and completing and submitting the RFTA package.
9. Service providers will provide EHV-funded financial assistance to pay for, on an as needed basis:
 - security deposit assistance and holding fees directly to landlords agreeing to rent to EHV holders;
 - landlord incentive and retention payments;
 - utility hook-up fees and utility deposits when the tenant is responsible for tenant-paid utilities;
 - rental housing application fees;
 - rental insurance when it is specifically required by the lease agreement;
 - essential household items and/or household furnishings; and
 - moving expenses.
10. Service providers will assess and refer individuals and families to benefits and supportive services, where applicable.

D. CoPHD Roles and Responsibilities

1. CoPHD will coordinate and consult with the CoC to develop the services and assistance to be offered under the EHV services fee.
2. CoPHD will accept direct referrals for eligible individuals and families through the Los Angeles County Coordinated Entry System (“CES”) in which the CoC participates.
3. CoPHD will review and either approve or reject applications for EHV, and notify the CoC if an applicant has been approved or rejected.
4. CoPHD will designate a staff to serve as the lead EHV liaison.
5. CoPHD will support landlord outreach and recruitment to increase the pool of rental units that are available for EHV holders. This includes contacting existing landlords to inquire about availability of current units.
6. CoPHD will inspect to verify or receive landlord certification that units to be assisted with EHV meet Housing Quality Standards (HQS).
7. CoPHD will process payment to landlords in accordance with EHV guidelines.
8. CoPHD will comply with all reporting requirements as outlined in PIH Notice 2021-15 and all subsequent Notices or HUD requests.
9. CoPHD will ensure EHV are not issued or reissued after September 30, 2023; however, EHV may be issued/reissued to eligible individuals/families up to this deadline.

10. CoPHD will comply with the provisions of this MOU.

E. CoC Roles and Responsibilities

1. The CoC will coordinate and consult with the CoPHD to develop the services and assistance to be offered under the EHV services fee.
2. The CoC will ensure outreach to and engagement with service providers, including victim service providers, serving survivors of domestic violence, sexual assault, and human trafficking, and provide opportunity for EHV referral.
3. The CoC will provide guidance on how to refer eligible individuals, families, and survivors of domestic violence, dating violence, sexual assault, stalking, and human trafficking to CoPHD. The CoC will provide a secure method of referral for the prior stated population.
4. Information regarding survivors of domestic violence, sexual assault, stalking, and human trafficking will be maintained and/or shared in compliance with federal, state, and local law and HUD notices to ensure confidentiality.
5. The CoC will provide guidance to service providers on how to support eligible applicants in completing applications and obtaining the necessary supporting documents, including but not limited to self-certifications, birth certificates, social security cards, and identification cards.
6. The CoC will coordinate EHV briefings with the referring service provider to ensure the applicant's understanding of the EHV requirements and the importance of continued contact with the assigned CoPHD staff and referring service provider.
7. The CoC will provide guidance to service providers on how to submit applications for the EHV program. The CoC will submit at least 18 applications per month beginning August 1, 2021 through February 28, 2022 until all vouchers have been issued
8. The CoC will provide training and guidance to service providers on how to assist EHV applicants to locate and apply for rental housing, and support the applicant throughout the housing search process.
9. The CoC will identify, provide supportive services, and provide referrals to other services available in the community to EHV participants as needed. However, participants are not required to participate in supportive services.
10. The CoC will comply with the provisions of this MOU.

I. Program Evaluation

The CoPHD, CoC, and participating service providers agree to cooperate with HUD, provide requested data to HUD or HUD-approved contractor delegated the responsibility of program evaluation protocols established by HUD or HUD-approved contractor, including possible random assignment procedures.

J. Term of the MOU

This MOU may be modified by the mutual consent of the parties by the issuance of a written amendment, signed and dated by the parties. The MOU may be terminated for any reason by either party upon sixty (60) days written notice. Notwithstanding any early termination, the term of this MOU shall end on September 30, 2023, unless otherwise extended.

Executed by:

Anne Lansing, Housing Assistance Officer, CoPHD

Date

Jennifer O'Reilly-Jones, Program Coordinator, CoC Lead

Date

Exhibit TPS-2: HOMELESS PROVIDER'S CERTIFICATION

Attachment 3 of Notice PIH 2021-15 Example of a Homeless Provider's Certification

Emergency Housing Voucher (EHV)

HOMELESS CERTIFICATION

EHV Applicant Name: _____

Household without dependent children (complete one form for each adult in the household)

Household with dependent children (complete one form for household)

Number of persons in the household: ____

This is to certify that the above named individual or household meets the following criteria based on the check mark, other indicated information, and signature indicating their current living situation-

Check only one box and complete only that section

Living Situation: place not meant for human habitation (e.g., cars, parks, abandoned buildings, streets/sidewalks)

The person(s) named above is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus station, airport, or camp ground.

Description of current living situation:

Homeless Street Outreach Program

Name: _____

This certifying agency must be recognized by the local Continuum of Care (CoC) as an agency that has a program designed to serve persons living on the street or other places not meant for human habitation. Examples may be street outreach workers, day shelters, soup kitchens, Health Care for the Homeless sites, etc.

Authorized Agency Representative Signature: _____

Date: _____

Living Situation: Emergency Shelter

The person(s) named above is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) a supervised publicly or privately operated shelter as follows:

Emergency Shelter Program Name:

This emergency shelter must appear on the CoC's Housing Inventory Chart submitted as part of the most recent CoC Homeless Assistance application to HUD or otherwise be recognized by the CoC as part of the CoC inventory (e.g., newly established Emergency Shelter).

Authorized Agency Representative Signature: _____ Date
: _____

Living Situation: Recently Homeless

The person(s) named above is/are currently receiving financial and supportive services for persons who are homeless. Loss of such assistance would result in a return to homelessness (ex. Households in Rapid Rehousing Programs, residents of Permanent Supportive Housing Programs participating in Moving On, etc.)

Authorized Agency Representative Signature:

This referring agency must appear on the CoC's Housing Inventory Chart submitted as part of the most recent CoC Homeless Assistance application to HUD or otherwise be recognized by the CoC as part of the CoC inventory.

Immediately prior to entering the household's current living situation, the person(s) named above was/were residing in:

emergency shelter OR a place unfit for human habitation

Authorized Agency Representative Signature: _____
Date: _____

Exhibit TPS-3: EXAMPLE OF A VICTIM SERVICES PROVIDER'S CERTIFICATION

Attachment 4 of Notice PIH 2021-15: Example of a Victim Services Provider's Certification

Emergency Housing Voucher (EHV)

SAMPLE HUMAN TRAFFICKING CERTIFICATION

Purpose of Form:

The Victims of Trafficking and Violence Protection Act of 2000 provides assistance to victims of trafficking making housing, educational health care, job training and other Federally-funded social service programs available to assist victims in rebuilding their lives.

Use of This Optional Form:

In response to this request, the service provider may complete this form and submit it to the Public Housing Agency (PHA) to certify eligibility for EHV assistance.

Confidentiality: All information provided to the service provider concerning the incident(s) of human trafficking shall be kept confidential and such details shall not be entered into any shared database. Employees of the PHA will not have access to these details, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

TO BE COMPLETED ON BEHALF OF HUMAN TRAFFICKING SURVIVOR

EHV Applicant Name: _____

This is to certify that the above named individual or household meets the definition for persons who are fleeing or attempting to flee human trafficking under section 107(b) of the Trafficking Victims Protection Act of 2000.

Immediately prior to entering the household's current living situation, the person(s) named above was/were residing in:

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual(s) named above is/has been a victim of human trafficking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Authorized Agency Representative Signature: _____ **Date:** _____