



**For Immediate Release**

## **Public Notice: Updates to the Housing Authority of New Orleans Housing Choice Voucher Program's Administrative Plan**

**July 14, 2020**—The Housing Authority of New Orleans (HANO) is making the following changes shown below to its Housing Choice Voucher Program (HCVP) Administrative Plan. All changes and/or additions to the plan are marked in red. These changes are effective July 15, 2020 and the full Administrative Plan has been updated accordingly, which is available at <http://www.hano.org/About/AgencyPlans>.

### **Chapter 5: Application, Waiting List, and Tenant Selection**

#### **5.9 LOCAL PREFERENCES**

HANO has established local preferences for the HCV program as described below.

##### **5.9.1 Homeless, Disabled and Victims of Domestic Violence 24 CFR 982.202(a); 24 CFR 982.207(a); PIH Notice 2013-15**

In an effort to reduce the homeless population and the population at-risk of homelessness in New Orleans, and to affirmatively further the goals of fair housing, based on funding availability, HANO may provide vouchers, to eligible families who are homeless, disabled and/or victims of domestic violence. Upon approval of vouchers, for this local preference, HANO will enter into a Memorandum of Understanding (MOU) by and between HANO and each partner agency. The MOU will define the criteria for eligibility for this local preference; however, to ensure compliance with HUD regulation 24 CFR 982.202(a) and 207(a), the parameters of each MOU will be added to the plan. HANO has two current MOUs with UNITY of Greater New Orleans and the New Orleans Family Justice Center.

HANO's current MOU with UNITY of Greater New Orleans is also in association with the New Orleans Equity and Inclusion Initiative and is valid through November 10, ~~2019-2020~~with the possibility of an extension of one year. To operate this MOU, HANO has established a local preference for one-hundred (100) chronically homeless individuals and twenty (20) vulnerable homeless families with children who are referred by UNITY of Greater New Orleans. This preference for chronically homeless and homeless families with children is limited to families who are referred to HANO by UNITY of Greater New Orleans. Upon the expiration of this MOU, HANO intends to convert this into an established local preference for one-hundred twenty (120) vouchers each year that will be evaluated for renewal annually.

HANO's MOU with the New Orleans Family Justice Center is targeted at serving survivors of domestic violence and is valid through July 21, 2020, with the possibility of an extension of one year. To operate this MOU, HANO has established a local preference for fifty (50) eligible families who are survivors of domestic violence, dating violence, stalking, or sexual assault and are homeless, ~~or~~at risk of becoming homeless, or have been determined to be ready to graduate from a Rapid Rehousing Program. This local preference is limited to survivor households who are referred to HANO by the New Orleans Family Justice Center. Upon the expiration of this MOU, HANO will convert this into an established local preference for fifty (50) vouchers each year that will be evaluated for renewal annually.

Subject to funding availability, HANO will provide a local homeless preference of up to two-hundred twenty five (225) vouchers for eligible individuals and families associated referred by UNITY of Greater New Orleans in partnership with the City of New Orleans. Priority will be given to the following individuals and families who are identified as having a high need for permanent, deep rental subsidy and have been determined to be able to live independently or with appropriate supportive services to allow for independent living: (1) individuals and families who were provided temporary housing in hotels as part of the emergency response to the COVID-19 health crisis by the City of New Orleans, State of Louisiana, and the Continuum of Care (CoC); (2) unsheltered individuals and families who are determined to be at risk during the pandemic; and (3) individuals and families with children currently living in emergency shelters within Orleans Parish or those who are working or have been hired to work in Orleans Parish.. As part of the implementation of this preference, HANO entered into an MOU with the City of New Orleans and UNITY of Greater New Orleans with a term of one year and an option of a one year extension.

Once an MOU has expired, HANO will remove the applicable local preference from its Administrative Plan.

### **5.9.2 Preference for Individuals and Families who are Moving On**

Subject to funding availability, HANO will provide a local Moving On Program preference for eligible individuals and families graduating from Permanent Supportive Housing (PSH) or Rapid Re-Housing (RRH) programs of up to one-hundred thirty (130) vouchers annually. Local homeless service providers operating Continuum of Care (CoC) programs will screen interested PSH and RRH tenants using an assessment created by UNITY of Greater New Orleans (the community's CoC lead agency) with input from HANO, and will send referrals to UNITY, which will process applicants to ensure eligibility for Moving On. UNITY will make referrals to HANO of individuals and families in PSH and RRH that have been pre-screened for eligibility for the HCV program, are stable, and do not need wraparound services to maintain housing. Per HUD Notice PIH 2013-15, issuing these households tenant-based vouchers will significantly contribute to community efforts to end homelessness by creating vacancies in Continuum of Care programs that can serve individuals and families experiencing homelessness. At its discretion, the PHA will annually evaluate whether to renew this preference.

### **5.9.25.9.3 Preference for Non-Elderly Persons with Disabilities**

HANO will provide a local preference for up to ninety-nine (99) non-elderly persons with disabilities who are:

- Transitioning out of institutional and segregated settings;
- At serious risk of institutionalization;
- Homeless;~~or~~
- At risk of becoming homeless; or
- Graduating from Permanent Supportive Housing or Rapid Re-Housing programs and are Moving On.

To meet this preference the applicant household must have at least one family member who is a non-elderly person with a disability and fall into one of the categories above, which are further defined in the glossary. A household where the sole member is an emancipated minor would not be eligible under this preference.

## **Chapter 11: Reasonable Rent Determinations**

### **11.9 RENT ADJUSTMENTS**

Requests for rent increase may be submitted once per year with at least sixty (60) days' notice of the proposed increase. The requested increase must either be approved by both landlord and tenant or correspond with the expiration of the current lease for the assisted unit. Owners must submit rent change requests, in writing, to

HANO within the specified timeframe prior to ~~reexamination~~lease expiration or upon approval by landlord and tenant, using the Contract Rent Adjustment Request Form. Approved rent changes will go into effect on the effective date of the ~~annual reexamination~~new lease for the assisted unit or at the end of the sixty day notice period for changes agreed to by both landlord and tenant. In order to process the rent increase, HANO must provide a copy of either an amended lease or a new lease for the assisted unit.

All contract rent increases will be reviewed for rent reasonableness prior to approval. If the requested rent is not approvable after application of the reasonable rent test, the following options apply:

- HANO will attempt to negotiate a lower, approvable rent with the landlord;
- If an approvable rent is not negotiated between the landlord and HANO, HANO will provide the participant with notice that the lease and HAP contract will be terminated. The participant will be issued a family packet to locate a new unit; or
- The participant may continue to lease in place without HCV program rent assistance and HANO will terminate the Housing Assistance Payments Contract with the owner.

## Chapter 15: Continued Occupancy

### 15.4 STANDARD FOR TIMELY REPORTING OF CHANGES

~~Generally,~~ HANO requires that families report interim changes described in this Administrative Plan to HANO within 10 business days from the date the change occurred. Any information, document, or signature needed from the family to verify the change must be provided within 10 business days from the date the change occurred, unless another time frame is specified.

If the change is not reported within the required time period or if the family fails to provide signatures, certifications, or documentation in the time period required by HANO, it will be considered program non-compliance and may result in the family entering into a repayment agreement with HANO or subject the family to termination from the program.

### 15.5 INTERIM REEXAMINATIONS

24 CFR 982.516, HCVP GB, p. 12-10

Family circumstances may change throughout the period between regular reexaminations. HUD and HANO policies dictate what kinds of information about changes in family circumstances must be reported and under what circumstances HANO will process interim reexaminations to reflect those changes. HUD regulations also permit HANO to conduct interim reexaminations of income or family composition at any time.

An interim reexamination does not affect the date of the regular reexamination.

#### 15.5.1 Frequency of Reexamination

Households have no restrictions on the frequency of interim reexaminations.

If there are changes in a family's income, household composition, or eligible deductions between regularly scheduled reexaminations, an interim reexamination may be conducted.

During an interim reexamination, HANO will verify only the items that have changed and will require families to complete either the ACO or other acceptable forms.

During an interim reexamination, HANO will apply the utility allowance in effect at the effective date of the interim and the payment standard in effect at the last regular reexamination. For application of payment standards and utility allowance during reexamination see *Chapter 14: Payment Standards and Utility Allowances in Sections 14.2.4, 14.2.5, and 14.5.*

HANO may require participating households to complete an interim reexamination and/or interim verifications at additional times to ensure that the participant is in compliance with program requirements.

### 15.5.2 Family Requests for Interim Reexaminations

24 CFR 982.516(c)

Families have the choice of requesting an interim reexamination under the following circumstances:

- They receive a decrease in income which may result in a rent decrease; or
- They have an increase in the following eligible allowances or deductions:
  - An increase in unreimbursed expenses for the care of a child or disabled family member;
  - An increase in permissible deductions and/or expenses due to a change in HUD regulations; or
  - For elderly/disabled families only, an increase in unreimbursed medical expenses.

Families are ~~not~~ required to report all increases in household income ~~except under circumstances as described below~~. If a family reports an increase in income that ~~was not required to be reported between~~ would result in an increase in the tenant portion between ~~regular reexaminations~~, HANO will not process an interim reexamination.

### 15.5.3 Circumstances Requiring an Interim Reexamination

An interim reexamination must be performed for a family when any one of the circumstances listed below occurs. In these circumstances, only changes in household status and income will be verified and considered in determining total tenant payment:

- ~~Increase in income after a zero income household or zero income individual reports zero income or after having an approved financial hardship exemption from minimum rent. If there are multiple zero income individuals in a household, an interim would be processed for each zero income individual who receives an increase in income;~~
- ~~Increase in income or a decrease in eligible deductions for a family who at their last regularly scheduled reexamination was calculated to receive a Utility Allowance Payment (UAP) or to pay the \$50 minimum rent to the owner;~~
- ~~Increase in income following an interim rent reduction. What this means is that if a family requests an interim reexamination due to a loss of income/benefits, the family is required to report the next increase in income/benefits within 10 business days from the date of the change. If the family experiences another increase in income before the next regular reexamination, the family does not have to report that increase until the next regular reexamination. For example, a family has a regular reexamination effective date of June 1, 2018. The family reports a loss of income on October 1, 2018. One of the family members gets a new job on December 2, 2018. The family is required to report the new income within 10 business days from December 2, 2018. In February 2019, another family member has an~~

~~increase in hours. The family is not required to report that increase until their next regular reexamination in June of 2019;~~

- ~~If the family fails to meet the reporting requirement for any increase of income and/or has misrepresented income or deductions of income that has caused HANO to overpay HAP on the family's behalf;~~
- Change in contract rent between regular reexaminations; and
- Household Changes. New persons may not be added to the household without HANO's prior approval (other than the birth of a child, court awarded custody, or adoption). Participants must report all changes in household composition within 10 business days of the occurrence involving:
  - Any addition of an adult member;
  - The loss of an adult member; or
  - The addition of a minor to the household.

#### 15.5.4 Fraud Prevention – Interim Reexamination

After two (2) or more ~~instances~~ years with reporting of job loss, income reduction, or increased medical or childcare expenses within 90 days of a scheduled recertification, the household's rent is determined using past, rather than prospective income data.

Rent is determined using the past year's income from EIV, IRS Tax Return Transcript, W-2, or using other past income information as available.

HANO may choose not to use prior year's income information if the household can provide verifiable evidence that the two (2) or more ~~instances~~ years with reporting of job loss, income reduction, or increased medical or childcare expenses within 90 days of a scheduled recertification are reasonable.

#### 15.5.5 ~~Temporary and Sporadic Income~~

~~Temporary and sporadic income is excluded from the calculation of annual income. As such, more frequent reexaminations may be required. Households/household members reporting only temporary or sporadic income will be subject to the zero income verification and reexamination requirements. See below. The "Verification of Zero Income" section in the Verification chapter includes specific policy guidance on verification requirements for zero income households.~~

#### 15.5.6 ~~Zero Income~~

~~Zero income households and zero income individuals are required to report monetary and/or non-monetary changes in income or benefits between regular reexamination periods. Once income or benefits are reported, the household is no longer required to report increases in income/benefits until the next regular reexamination. The "Verification of Zero Income" section in the Verification chapter includes specific policy guidance on this subject. Zero income households/household members are required to report monetary and/or non-monetary changes in income within 10 business days from the date the change occurred.~~

#### 15.5.7 ~~15.5.5~~ Earned Income Disallowance

For families receiving the Earned Income Disallowance (EID), HANO will conduct an interim reexamination at the start and conclusion of the second 12-month exclusion period (50 percent phase-in period). HANO will also conduct interim reexaminations for families that qualify for the EID when the EID family's

share of rent will change as a result of the increase. In all other cases, HANO will note the information in the tenant file, but will not conduct an interim reexamination.

#### 15.5.815.5.6 Other Interim Reexamination

If at the time of regular reexamination, third party documents were not available and the reexamination was processed without third party verification, HANO will conduct an interim reexamination if upon receipt of third party documents, the difference in income is greater than \$2,400 per year.

HANO may conduct an interim reexamination at any time in order to amend a previous reexamination or to investigate a tenant fraud complaint.

If a family reports a decrease in income from the loss of welfare benefits due to fraud or non-compliance with a welfare agency requirement to participate in an economic self-sufficiency program, the family's share of the rent will not be reduced.

#### 15.5.915.5.7 Changes in Family and Household Composition

All families must report all changes in family and household composition that occur between reexaminations.

HANO will conduct interim reexaminations to account for any changes in household composition that occur between reexaminations. ~~HANO will not downsize a family's voucher due to interim c~~Changes in family or household composition ~~until the next regularly scheduled reexamination may make it appropriate to downsize the voucher to comply with occupancy standards.~~ Any income and/or deduction changes resulting from the composition change will be considered as well; however, HANO will not add the income of a new family member for interim purposes if it will cause the tenant portion to increase. In the case of such an interim change, the new family member's income would not be added until the next regularly scheduled reexamination-

Families are required to report to HANO, within 10 business days, any changes in family composition that may occur between regularly scheduled reexaminations.

HANO may approve an addition to the household if:

- The new member is a minor child of a current member of the household;
- The new member is a minor member of the immediate family who is added as a result of birth, adoption, or court awarded custody;
- The new member is a person for whom the head of household can prove legal guardianship; or
- There is sufficient program funding.

Any request to add/remove a member to the household must be done in writing and must be accompanied by verification to support the requested additions to or deletions from the household.

Families must notify HANO in writing if any family member no longer lives in the unit. HANO must review and, if applicable, approve all changes to the family composition.

Families must notify owners and obtain their written permission to add a family member to the lease. The owner is permitted to apply their customary screening criteria, without regard to HANO's Criminal Background Policy, and make the decision to accept or deny the additional member. Documentation of owner approval of changes to family composition must be submitted to HANO in writing. The property owner reserves the right to make any mutually agreed upon changes to the lease.

When family composition changes occur, HANO will conduct an interim reexamination and determine if there are applicable changes in income or deductions associated with the change in family composition.

Requests to accommodate additional household members based on health-related reasons must be verified by a doctor/medical professional and/or social service professional.

To request a reasonable accommodation, contact the Client Services Department at (504) 670-3434. To utilize HANO's TTY/TRS number, dial (504) 670-3377.