

Housing Choice Voucher Set-Aside & Preference for Settlement Agreement Population

Answers to Frequently Asked Questions

Q1: What is a Housing Choice Voucher (formerly known as Section 8)?

A1: The Housing Choice Voucher program is the federal government's major program for assisting very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market. Housing assistance is provided on behalf of the family or individual so participants can find their own housing, including single-family homes, townhouses, and apartments. Housing is not limited to units located in subsidized housing projects.

An individual/family that has a housing voucher is responsible for finding a suitable housing unit of their choice where the owner agrees to rent under the Housing Choice Voucher program. Rental units must meet minimum standards of health and safety, and the rent must be reasonable, as determined by the local housing administrator. Support Coordinators, providers, family and friends will play a key role in assisting individuals with the housing search process.

A rental housing subsidy is paid to the landlord on behalf of the participating family. The family then pays the difference between the actual rent charged by the landlord and the amount subsidized by the program.

Housing Choice Vouchers are administered locally by Public Housing Agencies (PHAs). The PHAs receive federal funds from the U.S. Department of Housing and Urban Development (HUD) to administer the voucher program.

Q2: How are the vouchers that are set aside for the Settlement Agreement Population different from the typical voucher program waiting list slots?

A2: HUD approved PHAs to make vouchers available to the individuals with DD in the Settlement Agreement population by set-aside or preference. Individuals are referred by support coordinators to DBHDS. DBHDS verifies individuals are in the Settlement Agreement population and have permissible household compositions. DBHDS then sends the referrals to local PHAs, where individuals apply for Housing Choice Vouchers.

These vouchers will be made available immediately in areas where the local PHA has created a **set-aside** of Housing Choice Vouchers with a special admissions preference for the Settlement Agreement population. Unlike other Housing Choice Voucher applicants, individuals who are referred by DBHDS to PHAs with **set-aside vouchers** will not have to put their name on the local waiting list and go through the typical waiting list process, which could take a year or more. Once the PHA awards all of the set-aside vouchers, DBHDS will maintain a waitlist of referrals to send to the PHA.

Local PHAs that have a **preference** in their Housing Choice Voucher programs will require individuals to first get on the local Housing Choice Voucher waitlist when it opens. Individuals on the Voucher waitlist will receive "preference points" for being in the Settlement Agreement population, among other preference categories. When a Housing Choice Voucher becomes available, the PHA will determine which household on the waitlist has the most preference points, and this household will receive the voucher.

In either case, the individual's support coordinator must submit a Housing Resource Referral form to DBHDS so DBHDS can verify the individual is in the target population and has an eligible household composition for the PHA. Before submitting the referral, please make sure that the individual is or will be ready to move into rental housing when a voucher is issued by a local PHA, e.g., individuals are committed to living on their own with appropriate supports, adequate supports are available or will be available at the time of transition, etc.

Q3: Who is eligible for a Housing Choice Voucher under the Settlement Agreement Population Admissions Preference?

A3: Eligible individuals must:

1. Be age 18 or older
2. Have a developmental disability as defined in the Code of Virginia
3. Be in one of the following categories:
 - a. transitioning from a skilled nursing facility, an intermediate care facility, a state training center, a group home or other congregate setting and meet the level of functioning criteria for a Developmental Disability waiver); OR
 - b. receiving Building Independence (BI), Family and Individual Support (FIS) or Community Living (CL) Waiver services; OR
 - c. determined eligible for and currently on a waitlist for the BI, FIS or CL Waiver; AND
4. Meet the criteria for an eligible family:
 - a. The individual cannot live with parents, grandparents, or guardians.
 - b. If additional persons will reside with the individual, a stable family relationship must be demonstrated by providing evidence that the individual and these persons lived together previously or certifying that each person's income and other resources will be available to meet the needs of the family.

Q4: What responsibilities do I have as it relates to receiving a Housing Choice Voucher (HCV)?

A4: Once you receive your voucher, the local housing administrator or the PHA will review your Family Obligations with you. These are requirements that you *must* abide by as a participant in the HCV Program. You will also sign a lease with a landlord. A lease is a legal agreement between you and the owner or manager of the rental housing that explains the rules you and the owner must follow for you to live there.

The Family Obligations Notice and the lease include many of your responsibilities. For example, you must:

- provide accurate and complete information about household income/ household size and any changes to the local housing agency;
- pay the tenant portion of the rent and any utilities on time and in full;
- not damage the unit beyond normal wear and tear;
- notify the PHA if you intend to terminate your lease.

Q5: What housing expenses am I responsible for as a tenant in rental housing?

A5: You are responsible for certain **upfront costs** to move to new a new home, such as the rental application fee, the security deposit, furniture, bedding, curtains, cooking/cleaning equipment and supplies, dishes, a telephone, etc. In addition, you are responsible for certain **regular, ongoing housing expenses**, including the tenant's rent share, any utilities not included in the rent (gas, electric, water/sewer, trash, cable, phone), and any regular housekeeping supplies (e.g., light bulbs, batteries for the smoke detector, trash bags, cleaning supplies, etc.). Finally, you may be responsible for **special fees** such as fees for late rent, fees if the landlord goes to court to evict you, fees for damages you cause to the apartment that are not normal wear and tear, fees for services that the landlord provides (e.g., visitor parking permits or pool passes) or anything else the lease requires.

In June 2015 and 2016, DBHDS provided the following Community Services Boards (CSBs) flexible funding to assist with the cost of upfront expenses in an effort to increase access to and the availability of integrated, independent housing options for individuals with an intellectual or developmental disability that meet the criteria for the target population as defined in the Settlement Agreement between the Commonwealth and the U.S. Department of Justice.

The following CSBs were provided funding and serve as fiscal intermediaries in the regions they are located:

Region 1 Agent by CSB	Name/Email	Phone
Region Ten CSB	Leela Lipscombe Leela.Lipscombe@regionten.org	(T) (434) 972-1800
Region 2 Agent by CSB	Name/Email	Phone
Alexandria CSB	Phil Caldwell Phillip.caldwell@alexandriava.gov	(T) (703) 746-3380
Arlington Dept of Human Services	La Voyce Reid Lreid@arlingtonva.us	(T) (703) 228-1731
Fairfax-Falls Church CSB	Connie Price CSBFlexFunding@fairfaxcounty.gov	(T) (703) 559 3000
Loudoun Dept of MHSADS	Max Harrison max.harrison@loudoun.gov	(T) (703) 777-0377
Northwestern CSB	Donna Higgs dhiggs@nwcsb.com	(T) (540) 636-4250, x2221
Prince William CSB	Jackie Jackson Turner jjackson@pwcgov.org	(T) (703) 792.7769
Rappahannock Area CSB	Joseph Wickens jwickens@racs.state.va.us	(T) (540) 899-4401
Rappahnnock-Rapidan CSB	Paula Stone pstone@rrcsb.org	(T) (540) 825-3100 x 3437 (
Region 3 Agent by CSB	Name/Email	Phone
New River Valley CSB	Lucy McCandlish lmccandlish@nrvc.org	(T) (540) 961-8300
Region 4 Agent by CSB	Name	Phone/ Fax
Henrico MHDS	Michelle Johnson joh36@henrico.us	(T) (804) 727-8250

Region 5 Agent by CSB	Name	Phone/ Fax
Hampton Newport News CSB (North of Tunnel)	Joy Cipriano joyc@hnnscsb.org	(T) (757) 788-0066
Norfolk CSB (South of Tunnel)	Steve Stewart Steve.Stewart@norfolk.gov	(T) (757) 823-1683

Q6: What housing expenses will the flexible funding cover?

A6: Upfront assistance to secure housing and assistance to remain in housing

Upfront Covered Expenses: Up to \$5,000 per individual for:

- Security Deposits
- Utility Deposits/Connections
- Environmental Modifications
- Household Furnishings
- Moving Expenses
- Fees to obtain legal documents
- Activities to assess need/arrange for and procure services
- Pest removal/deep cleaning

Covered Expenses: Up to \$5,000 per individual for:

- Emergency rent payment & late fees (Limited to 3 months per lease year)
- Last resort utility assistance (Limited to \$500.00 per lease year)
- Household management activities (Limited to \$500.00 per lease year)
- Unit repairs (One request per year, not to exceed \$500.00)
- Temporary relocation (One request per year, not to exceed \$2500.00)
- Miscellaneous tenant support (Must obtain written approval from DBHDS)

Q7: What kinds of places can I live in using rental assistance?

A7: A unit could be in a multifamily apartment building, a single family home (e.g., a two bedroom house), a manufactured or mobile home, etc. Referrals will not be made for individuals who desire to live in any of the following settings (this list is not all inclusive):

- Nursing homes or facilities providing continuous medical or psychiatric care
- DBHDS or DSS licensed settings (including group homes and assisted living facilities)
- boarding houses
- college or school dormitories
- units not permitted to be rented as part of another residence by local building/zoning ordinances
- non-residential settings (shelters, vacation timeshares, extended stay hotels)
- units that have a DBHDS-licensed service provider as a co-signer or guarantor on the lease

Q8: How will I find a place to live that will take my Housing Voucher?

A8: Your Support Coordinator and others whom you trust can help you find rental housing. In many instances, the voucher program has a list of landlords who participate in the program, and www.virginiahousingsearch.com

can be reviewed for rental housing options. You can also consult the DBHDS Housing Specialist in your region (see the last page).

Q9: How much will my rent be?

A9: There are many elements that go into calculating the amount you will contribute toward rent, e.g. income, expenses, deductions and allowances. The local housing administrator or the PHA will determine the subsidy or voucher size you are eligible for based on the number of people in your household. The amount you contribute toward rent is based on your current income. Once the local housing administrator or the PHA verifies your income, you will get a better idea of the monthly amount you will contribute toward rent and the maximum amount of rent plus tenant paid utilities the voucher will subsidize. Typically, a family pays no more than 30% to 40% of their adjusted monthly income (as determined by the HUD guidelines not IRS adjusted income) toward rent and utilities.

Q10: Can I live with a friend? What about with my brother or sister or with a caregiver?

A10: It is possible to have friends, caregiver, or family members, excluding parents, grandparents and legal guardians, as part of your household. (Please see Q and A #15 below.) The type of support these individuals provide will determine how they are classified as members of your household. Additional household members may have to meet the same program requirements as the program applicant, e.g., income limits, background checks, etc. Please consult with the local program administrator or the PHA for more information regarding who can live with you and the associated implications.

Q11: Who can make a referral? What is the process?

A11: Only CSB Support Coordinators and CSB-Contracted Support Coordination Agencies can submit a referral for an eligible individual. The support coordinator will complete a Housing Readiness Assessment with the individual to identify any barriers to housing, determine the household composition, develop a sustainable budget for independent housing, identify supports needed to obtain and maintain housing, and assess housing needs (location, features, unit size, etc.). The support coordinator will also complete a Housing Action Plan to develop strategies for addressing barriers, budget issues, support needs, securing household members, etc.

Q12: How will DBHDS decide who is referred to a PHA for a Housing Choice Voucher?

A12: DBHDS will only process completed and signed referral forms. If a form is resubmitted for any reason or additional documentation or information is required, DBHDS will date and time stamp the form when the completed form and the additional documentation/information is received by DBHDS. Referrals are placed in the queue for prioritization after DBHDS reviews the Housing Readiness Assessment and Housing Action Plan and determines the individual has met the following five “readiness criteria”:

1. The individual possesses critical housing documents, including a birth certificate or proof of citizenship/legal residency in the U.S., a social security card, and government issued photo identification.
2. The individual has a feasible plan to address major housing barriers and cover upfront costs to obtain housing.
3. If necessary, the individual has identified another person or persons to live with him/her as part of the household (friends, roommates, live-in aides, etc.). Any other persons are prepared to supply the same critical housing documents and complete a background check.
4. The individual has a sustainable budget for independent housing, in which expenses do not exceed income.

5. The individual has a person centered individual support plan (ISP) that, at a minimum, reflects access to resources, services and paid/unpaid supports that address functional limitations/needs for assistance in housing as identified in the VIDES.

Q13: Will DBHDS prioritize or provide a preference for individuals?

A13: Yes. The purpose of the Housing Choice Voucher Set-Aside & Preference Program is to provide opportunities for individuals in the Settlement Agreement population to move to their own rental housing. This gives them the opportunity to pursue housing options other than institutions, private intermediate care facilities (ICF-IDD), nursing homes, group homes, sponsor homes, family homes, etc.

DBHDS will make all referrals to PHAs for eligible individuals based on the prioritization structure below:

- **Priority #1:** Individuals who live in congregate settings, including skilled nursing facilities, intermediate care facilities, state training centers, and group homes
- **Priority #2:** Individuals who are either
 - a. Homeless, as evidenced by documentation from the support coordinator that the individual has slept in a shelter, on the street, or in a place not meant for human habitation for the last three nights, or at risk of homelessness, as evidenced by a Writ of Possession for the individual's current residence;
 - b. Paying more than 50% of their own gross monthly income toward their own rental housing (based upon verification of income and current rent); OR
 - c. Experiencing an imminent threat to health and safety in their housing, as documented by Adult Protective Services.
- **Priority #3:** Individuals who live with their families of origin

Q14: Will DBHDS make referrals for individuals that are currently leasing in their own rental housing?

A14: DBHDS reserves the right to make referrals for individuals that are currently leasing and/or living in their own rental housing, if there are no other eligible individuals on its referrals list for the locality in which the individual wishes to reside. The Support Coordinator must be able to document and justify why the rental assistance is needed and how not receiving the rental assistance could put the individuals in jeopardy of losing their housing and becoming institutionalized or placed in a less integrated setting.

Q15: Will DBHDS make referrals for individuals that want their parent(s), grandparents, legal guardian, etc. to live with them?

A15: DBHDS will not make referrals for individuals who want to live with their parent(s), grandparents, legal guardian, etc. This living situation is contrary to a primary goal of the Housing Choice Voucher Set Aside & Preference Program for the Settlement Agreement Population, which is to enable individuals to establish their own households, independent of their families of origin.

Q16: What happens if I want to live in a locality that is not currently accepting referrals?

A16: DBHDS will determine whether there are other housing resources available in the locality where you want to live that provide a similar type of assistance. If there are, DBHDS staff will contact your support coordinator to see if you may wish to be referred for an alternative housing resource.

DBHDS, VHDA, and HUD Richmond will continue to encourage additional PHAs to make the target population a priority on their waitlists. DBHDS will continue to maintain a referral list and all referrals will be date and time stamped, according to when they are deemed complete by DBHDS. When a local PHA decides to accept referrals from DBHDS, eligible individuals will be referred in the priority order outlined in Answer – A13 above and the date and time in which their referral was received and deemed complete.

Q17: What happens if I am not ready to move when my name comes to the top of the referral list?

A17: If DBHDS receives a referral for individuals who are not ready to move within 120 days of being notified that their name is at the top of referral list, they will lose their place on the referral list, and must be referred again.

Q18: What if I need to make changes to my apartment to make it more accessible?

A18: You may need **assistive technology or environmental modifications** to help make your apartment more accessible before you move. You, your support coordinator or another member of your support team may need to make a reasonable accommodation or modification request to the landlord or property owner.

Assistive technology is specialized medical equipment, supplies, devices, controls and appliances that help people perform activities of daily living or function or communicate in the environment in which they live.

Environmental modifications are physical changes to the residence (such as permanently installed fixtures or changes to the structure of the site) that ensure the health and safety of the individual or that enable him or her to function with greater independence at home and not require institutionalization.

Q19: What is a reasonable accommodation?

A19: A reasonable accommodation is an exception or change that a housing provider makes to rules, policies, services or regulations that will assist a resident or applicant with a disability to take full advantage of a housing program and/or dwelling. Fair housing laws require providers to make reasonable accommodations in their rules, policies, practices or services to give a person with a disability an equal opportunity to use and enjoy a dwelling unit or common area. Accommodations are “reasonable” when they are practical and feasible. For more information related to reasonable accommodations: please click the following link:

<http://homeofva.org/Portals/0/Images/PDF/GuideforReasonableAccommodations.pdf>

One type of reasonable accommodation some Housing Choice Voucher participants use is a **live-in aide**. A live in aide is a person who resides with one or more elderly persons, or near elderly persons or persons with disabilities, and who:

1. is determined to be essential to the care and well-being of the persons;
2. is not obligated for the support of the persons; and
3. would not be living in the unit except to provide the necessary supportive services.

Relatives, excluding parents, grandparents and legal guardians, may be approved as live in aides on a case by case basis by the PHA if they meet all of the criteria defining a live in aide and can demonstrate that the

relationship to the individual is an arm's length transaction, e.g. the relative would not otherwise be living in the unit. However, a relative who serves as a live-in aide is not considered a family member and would not be considered a remaining member of a tenant family.

Q20: What is a reasonable modification?

A20: A reasonable modification is an alteration to the physical premises allowing a person with a disability to overcome obstacles that interfere with his/her use of the dwelling and/or common areas. These are typically structural changes to the housing necessary to accommodate a person with a disability.

Reasonable modifications can include (but are not limited to):

- A structural change or repair in an apartment or another part of the complex that would make it easier for a person with a disability to live in the dwelling;
- Allowing the installation of a ramp at a unit where there are only stairs;
- Modifying door knobs to levers for someone with mobility impairments; or
- Altering a residence so that it can be accessed and used by a person in a wheelchair, such as widening a door so one can get through it with their wheelchair.

For more information related to reasonable modifications: please click the following link:

<http://homeofva.org/Portals/0/Images/PDF/GuideforReasonableAccomodations.pdf>

Q21: If I don't like living on my own, may I go back to my previous setting?

A21: DBHDS strongly encourages you to review and follow the Family Obligations of the Housing Choice Voucher Program and the rules in your lease agreement, both of which are typically 12 month commitments. If you fail to follow the Housing Choice Voucher Program rules you risk losing your assistance by being terminated from the program. Participants who do not follow the rules specified in their lease agreement may risk losing their security deposit or pay the equivalent of up to two months of rent for breaking their lease. Moreover, you can only go back to your prior living arrangement if there is an opening and the provider/facility agrees to accept you. So, it is important to communicate with your team if something is not going well or if you are feeling lonely. There may be other ways to solve the problem first!

If you have more questions about SRAP, contact your DBHDS Regional Housing Specialist (contact information on next page).

Region 1 Western

Housing Specialist: Marie Fraticelli

Please email: marie.fraticelli@dbhds.virginia.gov for assistance

Phone: 434-953-7146

Region 2 - Northern

Housing Specialist: Jeannie Cummins Eisenhour

Email: j.cummins@dbhds.virginia.gov

Phone: 804-836-4308

Region 3 - Southwestern

Housing Specialist: Anna Bowman

Please email: anna.bowman@dbhds.virginia.gov for assistance

Phone: 804-839-0476

Region 4 - Central

Housing Specialist: Sheree Hilliard

Email: sheree.hilliard@dbhds.virginia.gov

Phone: 804-629-1675

Region 5 - Eastern

Housing Specialist: Kim Rodgers

Email: kimberly.rodgers@dbhds.virginia.gov

Phone: 804-629-1674

