

## **NLIHC Summary of Key Emergency Housing Voucher FAQs (June 10, 2021)**

HUD's Office of Public and Assisted Housing (PIH) has been posting frequently asked questions (FAQs) about the Emergency Housing Voucher (EHV) program created by the American Rescue Plan Act (ARPA). Public housing agencies (PHAs) were eligible to apply for 70,000 EHV's (see *Memo*, [5/10](#)). PIH announced the EHV allocations available to 696 PHAs (see *Memo*, [5/17](#))

An [initial FAQ](#) was posted on May 19 and [version 2](#) was posted on May 28. A [third version](#) was posted on June 9. The FAQs and other EHV information is on an [Emergency Housing Voucher website](#). Given the frequency with which the FAQ is updated, residents and advocates will want to check the EHV website periodically. Version 2 added 21 FAQs and Version 3 added 36 FAQs. In total there are 97 FAQs, most of which are technical items only of concern to PHAs.

On June 10, HUD Secretary Marcia Fudge [announced the first tranche of \\$1.1 billion](#) for EHV's to [626 PHAs](#) (apparently some PHAs did not apply). The \$1.1 billion will cover the cost of EHV's and related administrative costs, including up-front costs needed to stand up the program, for an initial 18-month period. Thereafter, HUD will provide annual funding to cover the cost of renewals in 12-month increments through September 30, 2030, or until the \$5 billion ARPA allocation runs out, whichever comes first.

The FAQs are organized by various topics.

### **Eligibility**

FAQ 1 explains that EHV's are only available to people who are: homeless; at risk of homelessness; fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking; or who were recently homeless and for whom rental assistance will prevent homelessness or high risk of housing instability.

FAQ 3 links to an [outline](#) that defines "at risk of homelessness."

FAQ 6 (page 3) states that PHAs cannot select people from an existing Housing Choice Voucher (HCV) waitlist. They can only accept referrals for EHV directly from a Continuum of Care's (CoC's) Coordinated Entry System (CES), which are explained at FAQs 14 and 16 below. However, PHAs must inform people on a HCV wait list that EHV's are available.

FAQ 9 states that CoCs and Victim Service Providers (explained at FAQ 15 below) are responsible for determining whether people are eligible for EHV's and then referring them to PHAs.

FAQ 10 (page 4) clarifies that the immigration status requirements for EHV's are the same as for HCV's; to be eligible at least one member of a household must be a U.S. citizen or a noncitizen who has an eligible immigration status.

## **Partnerships and Collaboration**

Many HCV advocates are not familiar with the McKinney-Vento homelessness program and the CoCs that are central to it. Nor are they familiar with Victim Services Providers (VSPs). The FAQs on pages 4 and 5 describe them.

FAQ 14 explains that a CoC is a local planning body that coordinates housing and services funding for homeless individuals and families. A CoC provides funding for nonprofit providers and state and local governments to quickly rehouse homeless people. A CoC also promotes access to and effect use of mainstream programs by homeless people.

FAQ 15 defines a Victims Service Provider (VSP) as a private nonprofit organization whose primary mission providing direct services to victims of domestic violence. This term includes permanent housing and rapid rehousing providers, domestic violence programs (shelters and non-residential), domestic violence transitional housing programs, dual domestic violence and sexual assault programs, and related advocacy and supportive services programs.

FAQ 16 explains that a Coordinated Entry System (CES) coordinates and manages a crisis response system's resources that allows users to make consistent decisions based on available information to connect people to housing and service interventions efficiently and effectively.

FAQ 17 explains that a CoC's Coordinated Entry System (CES) will set priorities for providing EHV's. However, a PHA may choose to establish local preferences for EHV admissions in coordination with a CoC. This would prioritize the order that families are issued EHV's from the EHV waiting list when the number of referrals to the PHA exceeds available EHV's.

FAQs 30 and 31 (pages 8 and 9) note that under HCV rules, a PHA can deny admission to a household if a member is engaging in or has engaged in certain types of criminal activity. PIH is making an exception regarding drug-related activity for EHV's. If a PHA intends to establish other grounds for denying EHV, the PHA must consult with the CoC and take the CoC's recommendations into consideration.

## **Voucher Administration**

FAQ 42 (page 11) states that it is a PHA's responsibility to ensure that housing search assistance is made available to EHV households during their initial search. PHAs may use the \$3,500 services fee funding they receive for each household to provide the required housing search assistance. (See FAQ 62 below for more about the \$3,500 service fee.)

FAQ 46 (page 12) states that EHV's are not time-limited for households; they can continue to be assisted as long as they need assistance. However, when an EHV is no longer used by a household (turns over) they cannot be reissued after September 23, 2023.

FAQ 52 (page 14) establishes a 120-day initial search term for EHV's (normally a search term is 60 days). After 120 days, a PHA's regular policies regarding extensions in its HCV Administrative Plan apply. PIH encourages PHAs to be reasonable in extending EHV search times, to work closely with households and partnering agencies, and to provide appropriate required housing search assistance.

FAQ 48 (page 12) indicates that a PHA cannot deny an EHV applicant even if: a member of the household has been evicted from federally assisted housing in the last five years, a PHA terminated assistance for any member of a household, or a household owes rent or other amounts to a PHA.

FAQ 54 (page 14) allows a PHA to establish higher EHV payments standards up to 120% of the appropriate Fair Market Rent (FMR) or Small Area FMR (SAFMR). The usual limit is 110%.

FAQ 58 (page 15) clarifies that, like with HCVs, PHAs must provide EHV households with an oral orientation briefing (which may be conducted remotely during the pandemic). CoC and VSP partners may attend.

### **Administration and Services Fees**

FAQ 62 (page 15) lists the additional fees a PHA receives for leasing EHV:

- \$400 per allocated EHV as a preliminary fee
- \$100 issuing fee once an EHV is initially issued
- \$500 placement fee for each EHV household placed under a Housing Assistance Payment (HAP) contract within four months, and \$250 for each household placed under HAP after six months.
- \$3,500 service fee for each allocated EHV, which must initially be used for services such as housing search, security and utility deposits, rent applications, holding fees, owner recruitment and outreach, moving expenses, tenant readiness, essential household items, and renter's insurance.
- An ongoing HCV Administration fee

### **Portability**

FAQ 76 (page 19) allows a household with an EHV to move with their EHV (port the voucher) at any time; they do not have to wait at least one year as is required by the HCV regulations.

The Emergency Housing Voucher website is at: <https://bit.ly/3wdoeuG>

Emergency Housing Vouchers, Frequently Asked Questions (FAQs) v.3 is at: <https://bit.ly/3cyKqrf>