

CHAPTER 5

PART II: SUBSIDY STANDARDS AND VOUCHER ISSUANCE

5-II.A. OVERVIEW

The PHA must establish subsidy standards that determine the number of bedrooms needed for families of different sizes and compositions. This part presents the policies that will be used to determine the family unit size (also known as the voucher size) a particular family should receive, and the policies that govern making exceptions to those standards. The PHA must also establish policies related to the issuance of the voucher, to the voucher term, and to any extensions of the voucher term.

5-II.B. DETERMINING FAMILY UNIT (VOUCHER) SIZE [24 CFR 982.402]

For each family, the PHA determines the appropriate number of bedrooms under the PHA subsidy standards and enters the family unit size on the voucher that is issued to the family. The family unit size does not dictate the size of unit the family must actually lease, nor does it determine who within a household will share a bedroom/sleeping room.

The following requirements apply when the PHA determines family unit size:

- The subsidy standards must provide for the smallest number of bedrooms needed to house a family without overcrowding.
- The subsidy standards must be consistent with space requirements under the housing quality standards.
- The subsidy standards must be applied consistently for all families of like size and composition.
- A child who is temporarily away from the home because of placement in foster care is considered a member of the family in determining the family unit size.
- A family that consists of a pregnant woman (with no other persons) must be treated as a two-person family.
- Any live-in aide (approved by the PHA to reside in the unit to care for a family member who is disabled or is at least 50 years of age) must be counted in determining the family unit size;
- Unless a live-in-aide resides with a family, the family unit size for any family consisting of a single person must be either a zero- or one-bedroom unit, as determined under the PHA subsidy standards.

OHCD Policy

Subsidy Standards for the Housing Choice Voucher (HCV) Program:

The OHCD will assign **one bedroom for each two persons within the household, except in the following circumstances:**

Persons of the opposite sex (Other than spouses and children under age 5) will be allocated separate bedrooms.

Live-in-aides will be allocated a separate bedroom.

Single-person families will be allocated one bedroom.

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OHCD will reference the following chart in determining the appropriate voucher size for a family:

Voucher Size	Persons in Household (Minimum – Maximum)
1 Bedroom	1-2
2 Bedroom	2-4
3 Bedroom	3-6
4 Bedroom	4-8
5 Bedroom	6-10

The OHCD will reference the following space requirements to comply with state and local laws:

- The 2009 space requirements set forth in this policy are based on the Virginia Uniform Statewide Building Code (VUSBC), the Prince William County building code. Owners are responsible for ensuring their units comply with these requirements.
- The VUSBC establishes occupancy standards that are based on the square footage of the bedrooms and other sleeping areas, e.g. a den, finished basement, regularly occupied by those residing in the unit.
- Space requirements per bedroom or sleeping area are:
 - one person-70 square feet;
 - two or more persons per bedroom or sleeping area-50 square feet per person, e.g. 100 square feet for two people, 150 square feet for three people, etc.
- Areas designated as bedrooms or sleeping areas must provide privacy, adequate light, and ventilation, two means of exit, one of which must lead directly to the outside, and must not be used as the only means of access to other bedrooms or other parts of the residential unit and shall not serve as the only means of exit from other habitable spaces of the unit. For example, a person must not have to go from their bedroom or sleeping area through another bedroom or sleeping area to go to the bathroom. They must have direct access from their bedroom or sleeping area to the bathroom.

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5-II.C. EXCEPTIONS TO SUBSIDY STANDARDS

In determining family unit size for a particular family, the PHA may grant an exception to its established subsidy standards if the PHA determines that the exception is justified by the age, sex, health, handicap, or relationship of family members or other personal circumstances [24 CFR 982.402(b)(8)].

Reasons may include, but are not limited to:

- A need for an additional bedroom for medical equipment
- A need for a separate bedroom for reasons related to a family member's disability, medical or health condition

For a single person who is not elderly, disabled, or a remaining family member, an exception cannot override the regulatory limit of a zero or one bedroom [24 CFR 982.402(b)(8)].

OHCD Policy

The PHA will consider granting an exception for any of the reasons specified in the regulation: the age, sex, health, handicap, or relationship of family members or other personal circumstances.

The family must request any exception to the subsidy standards in writing. The request must explain the need or justification for a larger family unit size and must include appropriate documentation. Requests based on health-related reasons must be verified by a knowledgeable professional source (e.g., doctor or health professional), unless the disability and the disability-related need for accommodation is readily apparent or otherwise known. The family's continued need for an additional bedroom due to special medical equipment must be re-verified at annual reexamination.

OHCD will notify the family of its determination within 10 business days of receiving the family's request.

Requests for a larger sized voucher due to a Family Unification court order will be reviewed on a case-by-case basis. The Housing Program Analyst must provide documentation verifying the court order and clearly showing the need for a larger size unit. The OHCD will submit the applicant/participant's request, including documentation, to the Housing Program Manager for review. If the request is approved, the court order, OHCD's written approval and the other documentation must be held in the file with the voucher.

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5-II.D. VOUCHER ISSUANCE [24 CFR 982.302]

When a family is selected from the waiting list (or as a special admission as described in Chapter 4), or when a participant family wants to move to another unit, the PHA issues a Housing Choice Voucher, form HUD-52646. This chapter deals only with voucher issuance for applicants. For voucher issuance associated with moves of program participants, please refer to Chapter 10.

The voucher is the family's authorization to search for housing. It specifies the unit size for which the family qualifies and includes both the date of voucher issuance and date of expiration. It contains a brief description of how the program works and explains the family obligations under the program. The voucher is evidence that the PHA has determined the family to be eligible for the program, and that the PHA expects to have money available to subsidize the family if the family finds an approvable unit. However, the PHA does not have any liability to any party by the issuance of the voucher, and the voucher does not give the family any right to participate in the PHA's housing choice voucher program [Voucher, form HUD-52646]

A voucher can be issued to an applicant family only after the PHA has determined that the family is eligible for the program based on verification of information received within the 60 days prior to issuance [24 CFR 982.201(e)] and after the family has attended an oral briefing [HCV GB 8-1].

OHCD Policy

Vouchers will be issued to eligible applicants immediately following the mandatory briefing.

The PHA should have sufficient funds to house an applicant before issuing a voucher. If funds are insufficient to house the family at the top of the waiting list, the PHA must wait until it has adequate funds before it calls another family from the list [HCV GB p. 8-10].

OHCD Policy

Prior to issuing any vouchers, OHCD will determine whether it has sufficient funding in accordance with the policies in Part VIII of Chapter 16.

If OHCD determines that there is insufficient funding after a voucher has been issued, OHCD may rescind the voucher and place the affected family **back on the waiting list**.

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5-II.E. VOUCHER TERM AND EXTENSIONS

Voucher Term [24 CFR 982.303]

The initial term of a voucher must be at least 60 calendar days. The initial term must be stated on the voucher [24 CFR 982.303(a)].

OHCD Policy

The initial voucher term will be 60 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 60-day period unless the PHA grants an extension.

Extensions of Voucher Term [24 CFR 982.303(b)]

The PHA has the authority to grant extensions of search time, to specify the length of an extension, and to determine the circumstances under which extensions will be granted. There is no limit on the number of extensions that the PHA can approve. Discretionary policies related to extension and expiration of search time must be described in the PHA's administrative plan [24 CFR 982.54].

PHAs must approve additional search time if needed as a reasonable accommodation to make the program accessible to and usable by a person with disabilities. The extension period must be reasonable for this purpose.

The family must be notified in writing of the PHA's decision to approve or deny an extension. The PHA's decision to deny a request for an extension of the voucher term is not subject to informal review [24 CFR 982.554(c)(4)].

OHCD Policy

If a family has not submitted an RTA within the first 60 days and the OHCD is granting extensions (at its discretion), the family must submit a Progress Report and show what attempts it has made to find an acceptable unit. The OHCD will offer advice and consultation and determine whether to issue an extension for an additional period of up to 30-60 days segments, but no more than the maximum 240 days. This decision by the supervisor will be based primarily on the efforts demonstrated by the family searching for a unit. If the supervisor determines that the family has made an adequate effort to obtain housing, the Voucher will be extended. If the family has not demonstrated an appropriate effort, OHCD staff may not offer an extension and the Voucher will expire and will be offered to another family on the waiting list.

The OHCD will approve additional 30-day extensions only in the following circumstances:

It is necessary as a reasonable accommodation for a person with disabilities.

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It is necessary due to reasons beyond the family's control, as determined by the PHA. The following is a list of extenuating circumstances that the PHA may consider in making its decision. The presence of these circumstances does not guarantee that an extension will be granted:

- Serious illness or death in the family
- Other family emergency
- Obstacles due to employment
- Whether the family has already submitted requests for tenancy approval that were not approved by the OHCD
- Whether family size or other special circumstances make it difficult to find a suitable unit
- The family has shown considerable diligence in searching for a unit.

Any request for an additional extension must include the reason(s) an additional extension is necessary. The OHCD may require the family to provide documentation to support the request or obtain verification from a qualified third party.

All requests for additional extensions to the voucher term must be made in writing and submitted to the OHCD prior to the expiration date of the voucher (or extended term of the voucher).

The OHCD will decide whether to approve or deny an extension request within 10 business days of the date the request is received and will immediately provide the family written notice of its decision.

Suspensions of Voucher Term [24 CFR 982.303(c)]

At its discretion, a PHA may adopt a policy to suspend the housing choice voucher term if the family has submitted a Request for Tenancy Approval (RTA) during the voucher term. "Suspension" means stopping the clock on a family's voucher term from the time a family submits the RTA until the time the PHA approves or denies the request [24 CFR 982.4]. The PHA's determination not to suspend a voucher term is not subject to informal review [24 CFR 982.554(c) (4)].

OHCD Policy

When a Request for Tenancy Approval and proposed lease are received by the OHCD, the term of the voucher will be suspended while the OHCD processes the request.

When the OHCD denies a request for tenancy, the family will be notified immediately that the clock on the voucher term has restarted. The notice will include the new expiration date of the voucher.

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Expiration of Voucher Term

Once a family's housing choice voucher term (including any extensions) expires, the family is no longer eligible to search for housing under the program. If the family still wishes to receive assistance, the PHA may require that the family reapply, or may place the family on the waiting list with a new application date but without requiring reapplication. Such a family does not become ineligible for the program on the grounds that it was unable to locate a unit before the voucher expired [HCV GB p. 8-13].

OHCD Policy

If an applicant family's voucher **term or** extension expires before the OHCD has approved a tenancy, the OHCD will require the family to reapply for assistance.

Within 10 business days after the expiration of the voucher term or any extension, OHCD will notify the family in writing that the voucher term has expired and that the family must reapply when the waiting list is open, in order to be placed on the waiting list.