

**Proposed Admissions and Continued Occupancy Plan, Administrative Plan  
& FY2023 MTW Annual Plan Amendment  
Frequently Asked Questions**

March 10, 2023

Updated March 27, 2023

**Waiting List**

**Q. How was the 15-business day timeframe selected for families to respond to waitlist updates? How will families be contacted?**

A. DCHA will contact families by mail and email (if available). The 15-day timeframe is common in the industry, and DCHA extended it to 15 business days to provide additional time for families to respond.

**Q. If you did not respond to DCHA's outreach for a good reason (e.g. hospitalization), can you be added back?**

A. DCHA may reinstate the family if the lack of response was due to DCHA error, to circumstances beyond the family's control, as a result of a family member's disability, or as a direct result of status as a victim of domestic violence, dating violence, sexual assault, or stalking, including an adverse factor resulting from such abuse.

If a family is removed because DCHA has determined the family is not eligible for admission, a notice will be sent to the family's address of record. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal hearing.

**Q. Will the public housing transfer list be site-based like the waitlist?**

A. DCHA will investigate the feasibility of implementing a site-based transfer list.

**Q. If an applicant who is on both the public housing and voucher waiting list is selected for and accepts a public housing unit, how does that impact their wait for a voucher?**

A. The agency's current policy gives preference for vouchers to those experiencing homelessness. Under the proposed policy, the agency has removed all preferences and voucher participant selection is based solely on the date and time of application.

**Initial Lease-Up**

**Q. Are age and gender considered in the two people per bedroom occupancy standard policy?**

A. There are several exceptions. Public housing exceptions can be found in the Admissions and Occupancy Plan, Chapter 5-I.B. Voucher exceptions can be found in the Administrative Plan, Chapter 5-II.B.

**Q. Why is the initial voucher term decreasing from 180 to 120 days?**

A. This change helps allocate financial resources to families with active leases. It also incentivizes families to actively search for their new home.

**Q. What does suitability for tenancy mean?**

A. For public housing applicants, DCHA may contact previous landlords for the past three years regarding past performance in meeting financial obligations, disturbance of neighbors, destruction of property, or living or housekeeping habits at prior residences which may adversely affect the health, safety, or welfare of other tenants. In the event of the receipt of unfavorable information with respect to an applicant, DCHA will consider the time, nature, and extent of the applicant's conduct (including the seriousness of the offense).

**Rent**

**Q. Can DCHA waive the minimum rent requirement for public housing? What happens when a zero-income household cannot pay?**

A. Housing Authorities, including MTW agencies, must set a minimum rent. \$50 was selected because it is consistent with the amount charged by other housing authorities and to encourage self-sufficiency and resident investment in their community. Residents who cannot pay may request a hardship exemption.

**Q. Is there an expectation around timeframe for people to become employed if they have requested a hardship for their rent?**

A. When a family requests a financial hardship exemption, DCHA determines whether the financial hardship exists and whether the hardship is temporary or long-term. If the qualifying financial hardship is temporary, the minimum rent is suspended for 90 days beginning the first of the month following the date of the family's request for a hardship exemption. At the end of the 90-day suspension period, the family must resume payment of the minimum rent and must repay the PHA the amounts suspended under the terms of a repayment agreement.

If the hardship is expected to last over 90 days, the family is exempt from minimum rent so long as the hardship continues. When the financial hardship has been determined to be long-term, the family is not required to repay the minimum rent.

**Q. On minimum rent, what if a person does not have any income?**

A. All families are required to pay minimum rent unless they request and receive a hardship exemption (see above).

**Q. How is DCHA selecting its rent reasonableness tool and how will the agency ensure it is accurate, eliminating over- and under-payment?**

A. With the goal of ensuring that Public Housing Authorities (PHA) pay no more and no less than market rent, HUD requires that PHAs:

- Set a payment standard annually;
- Complete a market study annually;
- Update the utility allowance schedule annually; and
- Follow a rent reasonableness process that includes checking comparable rents considering the units location, quality, size, type and age of the units and any amenities, maintenance or utilities that may be provided by the owner.

Together, these steps will ensure that DCHA is paying market rent to landlords.

Informed by feedback from HUD, other industry experts and the market study, DCHA is in the process of evaluating multiple rent reasonableness tools. The agency is also completing a fiscal impact analysis and developing a plan for implementation.

**Q. Can DCHA make the adult with income responsible for rent and repayment agreements rather than the head of household?**

A. Rent is calculated by family and the head of household is responsible for its household's rent payments.

**Q. What are the terms of a repayment agreement and how many can a family enter?**

A. Generally, a family may enter one repayment agreement at a time. A 25% down payment is generally required, and the monthly amount is generally set at the difference between 40% of the family's monthly adjusted income and the total tenant payment at the time the agreement is executed. Payments are due by the 15<sup>th</sup> day of the month, or the next business day if the 15<sup>th</sup> does not fall on a business day. Late or missed payments constitute default of the repayment agreement and may result in termination of tenancy.

**Community Service—Public Housing**

**Q. What counts as community service and how will it be tracked?**

A. Community service includes work at a variety public and non-profit organizations and on DCHA properties, as specified under the Exhibit 11-1 “Community Service and Self-Sufficiency Policy” in the Admissions and Continued Occupancy policy. Approximately 60 days prior to the end of the lease term, the DCHA will provide written notice requiring the family to submit documentation that all subject family members have complied with the service requirement. The family will have 10 business days to submit the DCHA-required documentation form(s).

Exhibit 11-1 will be provided to residents at lease-up, lease renewal, when a family member becomes subject to the community service requirement during the lease term, and at any time upon the family’s request.

**Q. When was the last time these requirements were enforced by DCHA?**

A. DCHA has never implemented the Community Service requirement established by HUD. The agency requested to use MTW Authority to modify the requirement; however, HUD determined the community service requirement was not subject to MTW flexibilities.

**Q. When was the last time public housing residents were presented with notice for this requirement by DCHA?**

A. DCHA has never implemented the Community Service requirement established by HUD. The agency requested to use MTW Authority to modify the requirement; however, HUD determined the community service requirement was not subject to MTW flexibilities.

The families will be scheduled for appointments to discuss the requirement and complete the acknowledgement form.

**Q. Will public housing residents receive a document explaining the details of this requirement (including details on allowable activities and guidelines for exemptions)? When was the last time they received a document? Method of receipt?**

A. Yes, they will receive notification about the implementation including requirements, etc. and the timeframe.

DCHA has never implemented the Community Service requirement established by HUD. The agency requested to use MTW Authority to modify the requirement; however, HUD determined the community service requirement was not subject to MTW flexibilities.

**Q. How will community service hours be tracked & what office will be responsible for doing this?**

A. Per HUD guidelines families will have the ability to self-certify, and DCHA will provide a form where the families will need to document their hours. The property management office will receive the forms.

**Q. HUD allows more exemptions/detailed exemptions than what has been presented by DCHA so far. Why wouldn’t HUD’s list be honored by DCHA?**

A. DCHA has followed the exemptions outlined by HUD in the most recent notice dated PIH 2015-12.

**Q. How will an exemption form be provided to those who qualify and who will they submit a completed form to?**

A. The form will be available at the property management office and will be posted on the DCHA website as well.

**Q. What happens if people refuse to comply with the community service requirements?**

A. Violation of the service requirement is grounds for nonrenewal of the lease at the end of the 12-month lease term. DCHA will not renew the lease at the end of the current 12-month lease term unless the tenant enters into a written work-out agreement or the family provides written assurance that is satisfactory to DCHA explaining that the tenant or other noncompliant resident no longer resides in the unit.

### **Other Continued Occupancy—Public Housing**

**Q. Is there a proposed pet fee, how much is it and how often is it assessed?**

A. The proposed pet fee is a one-time \$100 fee.

**Q. Are there restrictions on dog breeds and sizes as part of the pet policy?**

A. While there are not breed restrictions, all pets' adult weights must be under 25 pounds. No new pets will be registered beginning January 2024.

**Q. Are you allowed to have the pets of guests on the property or in your unit?**

A. Pets visiting for an occasion (i.e. bbq) , managed in accordance with DC law (leash restrained, etc.), and leaving the premises with their owner are authorized to visit the properties.

**Q. What changes were made to the smoking policy?**

A. No changes were made; however, the policy will be consistently enforced going forward.

**Q. How many residents are expected to be found non-lease compliant once the ACOP is adopted?**

A. DCHA will work with residents to get them into compliance prior to any action being taken, including working with residents to grandfather in their pets, meeting with residents to sign an acknowledgement form regarding the community service requirements, entering repayment agreements with applicable residents, working with families to add eligible household members, etc.

**Q. Is the agency proposing any changes to the recertification process of public housing?**

A. DCHA is not proposing any substantive changes to the recertification process.

**Q. Can DCHA simplify its recertification forms?**

A. As DCHA creates the procedures to accompany the new ACOP, the agency will consider how the recertification forms may be simplified while meeting all HUD requirements.

**Q. How will DCHA remove people from units who have been living in public housing for years, but are not actually on the lease?**

A. DCHA will work with families to add eligible household members to the lease.

**Q. Do the absence guidelines apply to active military family members?**

A. No. An employed head, spouse, or cohead absent from the unit more than 60 consecutive days due to employment will continue to be considered a family member.

**Q. Do the absence guidelines apply to students?**

A. No. When someone who has been considered a family member attends school away from home, the person will continue to be considered a family member unless information becomes available to the DCHA indicating that the student has established a separate household, or the family declares that the student has established a separate household.

**Q. What is the process for requesting an exception to the guest policy?**

A. Residents with extenuating circumstances should contact their management office.

**Q. If your grandchildren come to stay with you for the summer, do you have to report it to DCHA?**

A. Yes, all public housing guests staying more than three days need to be reported to DCHA. This enhances security by allowing the agency to track which guests are authorized.

**Q. DCHA residents previously had resident IDs. Have you considered reinstating that?**

A. DCHA is looking into how this was previously implemented and its successes and challenges.

**Q. What are the conduct requirements in public housing?**

A. DCHA is currently creating house rules and updating the lease agreement to outline conduct requirements in public housing, which will have a separate public engagement and comment period.

**Q. What is the definition of threatening and abusive behavior?**

A. Abusive or violent behavior towards DCHA personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior. Threatening refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

**Q. What are valid grounds for rejecting an initial transfer offer and getting another chance?**

A. Examples of good cause for refusal of a unit offer include, but are not limited to, the following: the family demonstrates to the DCHA's satisfaction that accepting the unit offer will require an adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities; the family demonstrates to the DCHA's satisfaction that accepting the offer will place a family member's life, health, or safety in jeopardy; a health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members; the unit is inappropriate for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30-day notice to move; the unit has lead-based paint and the family includes children under the age of six. DCHA will require documentation of good cause for unit refusals.

**Q. How will the updates effecting public housing residents be communicated to said residents?**

A. During the public comment period, DCHA is meeting with the Citywide Advisory Board, Resident Council Presidents, and each property. After approval, but prior to implementation, there will be a comprehensive communication strategy, including additional meetings with residents, the introduction of house rules summaries, lease updates, etc.

**Continued Occupancy—Housing Choice Voucher Program**

**Q. How can landlords enforce payment of late fees through DCHA?**

A. Landlords are responsible for enforcing their lease terms.

**Q. Can DCHA refine its procedures so landlords can transfer the electric bill to the tenant without a new lease-up package?**

A. Changes in financial responsibilities require re-calculation of rent and a new lease-up package.

**Termination**

**Q. Can DCHA terminate the HAP after 180 days of \$0 assistance while allowing the participant to remain in the voucher program?**

A. If the amount of assistance provided by the PHA is reduced to zero, the family's assistance terminates automatically 180 days after the last HAP payment.

**Q. Does an informal hearing/grievance occur before a public housing resident is terminated?**

A. Any resident who receives a termination notice is entitled to grieve the action except for terminations involving:

1. Criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or employees.
2. Violent or drug-related criminal activity on or off the premises.
3. Any criminal activity resulting in felony conviction of a household member.

**Q. Is there a form for resident grievances?**

A. There isn't a specific form for a grievance; a family can either email or submit a written request for a grievance.

#### **Other**

**Q. What are the consequences when staff threaten/harass residents?**

A. DCHA will follow the Human Resources Personnel policy regarding staff action/behavior.

**Q. How will DCHA ensure housing managers share correct information?**

A. After these policies are adopted, staff will undergo policy and procedures trainings with follow-up quality control measures in place.

**Q. How will DCHA develop new public housing units to expand affordable housing?**

A. DCHA evaluates its options for expanding access to affordable housing through each of its re-development projects. Additionally, public housing is only one of the tools the District of Columbia has employed to expand affordable housing.

**Q. What is the process to request a reasonable accommodation?**

A. The following steps are taken to request a reasonable accommodation:

1. Request: Family requests an accommodation, preferably using a reasonable accommodation request form.



2. Verify: DCHA confirms disability and how the request will assist the individual.
3. Consider: DCHA considers whether the request is reasonable.
4. Respond: Decision to approve or deny rendered in writing within 20 days of application.
5. Implement: DCHA implements approved accommodations.

**Q. Is there a specific form to request reasonable accommodations?**

A. DCHA's Reasonable Accommodation Forms are available online at <https://www.dchousing.org/wordpress/customers/people-with-disabilities/>. While submission via these forms is encouraged, DCHA will consider the accommodation anytime the family indicates that an accommodation is needed.

**Process**

**Q. How and when are the new policies being put into local regulations?**

A. Should the Board of Commissioners vote to approve the policies at the April 12<sup>th</sup> meeting, the regulations will be published in Chapter 14 of the DCMR as both emergency and proposed regulations directly following.

**Q. When will these policies take effect?**

A. Should the Board of Commissioners vote to approve the policies at the April 12<sup>th</sup> meeting, staff training will begin immediately. Some policies, such as those related to the waiting list, will take effect immediately. Others, like community service and pet policy changes, will take the Agency longer to implement because of training requirements and the planning needed to effectively communicate changes with residents.