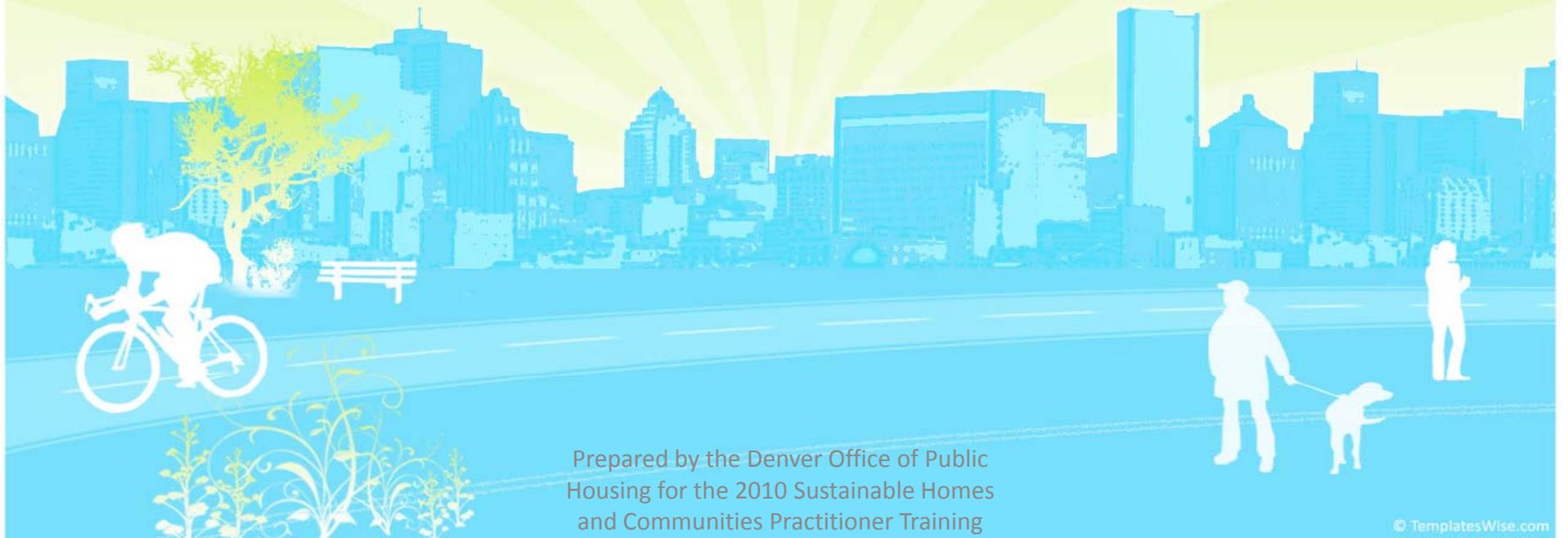




The Occupancy Cycle

Interim Activities



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Interim Activities

- Interim Reexaminations of Family Income and Composition
- Moves with Continued Assistance
- Family Break-up
- Deceased Tenants/Deceased Tenants Report
- Special HQS Inspections



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Interim Reexaminations

Change of Family Income and Composition

- PHA may conduct an interim reexamination of family income and composition at any time
- Family may request an interim reexamination of income or composition because of changes since last reexamination
- PHA must make the interim determination within a reasonable time after the family request
- Interim reexaminations must be conducted in accordance with PHA policies



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- PHA policy on interim reexaminations must include:
 - Clear guidance on when and under what circumstances the family must report a change in family income or composition
 - Rules on the effective date of a change in the HAP resulting from an interim reexamination
- HUD requires the PHA policy:
 - Require participants to report changes in family composition
 - Require PHAs to process interim reexaminations when a family reports a reduction in income
 - Prohibit processing of an interim reexamination when the family reports a loss of welfare benefits due to fraud or failure to participate in self-sufficiency or work activity

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Interim Reexaminations

Change in Family Size or Composition

- Individual added to the family is subject to all applicant requirements
- Income of additional family members must be included in family income
- New voucher must be issued if current unit does not meet HQS space standards because of change in family size or composition



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Moves with Continued Assistance

A family may move to a new unit if:

- The assisted lease for the old unit has terminated because:
 - PHA has terminated HAP contract due to owner's breach
 - Lease has terminated by mutual agreement of the owner and tenant
- The owner has given the tenant notice to vacate, started an action to evict the tenant, or obtained a court judgment to evict the tenant
- Tenant has given rightful notice of lease termination
- PHA may establish policies that prohibit the family from moving during the initial term of the lease or moving more than once in a one-year period



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Moves with Continued Assistance

Housing Assistance Payments

- PHA may not make any HAP payments to the owner for any month after the family moves out
- The owner may keep the HAP for the month the family moved out
- The term of the assisted lease for the new assisted unit may start during the month the family moves out of the first assisted unit – not duplicative housing subsidy
- Family that is not receiving any subsidy (Zero-HAP Subsidy) but whose HAP contract is still in force may request a voucher to move to a different unit, however
 - The PHA may refuse to enter into a HAP contract on behalf of the family

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Moves with Continued Assistance

- Transfers - moving tenants from one unit to another
- PHA ACOP should provide policy that makes clear:
 - Types of transfers recognized by the PHA
 - Priority among types of transfers
 - When transfers take precedence over waiting list admissions
 - Which transfers are mandatory or optional
 - Eligibility requirements for transfers
 - When costs of transfers are paid by the PHA and when the resident pays the transfer costs



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Family Break-Up

When a family breaks up

- PHA determines which members of an assisted family continue to receive assistance
- PHA ACOP or Administrative Plan should state policies on how to decide who remains in the program, considering these factors
- PHA must abide by court's decision if court determines disposition of property between members of the assisted family in a divorce or separation under a settlement or judicial decree



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Deceased Tenants

Deceased Head of Household (HOH) - Remaining Minor Household Members

- PHA should have established policy for dealing with situations of this nature
- PHA may allow remaining family members continued occupancy of the unit if there is at least one family member of legal age and capacity to execute the lease living in the household
- PHA may permit adult not on lease to be new HOH when remaining family members are children who otherwise would have to leave the unit.
- PHA may allow temporary adult guardian to reside in the unit until a court-appointed guardian is established



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Deceased Tenants

Deceased Tenants Report

- Available in the Enterprise Income Verification (EIV) System
- Assists PHAs in identifying families with deceased household members to
 - Reduce the occurrence of paying housing assistance on behalf of deceased single member households
 - Reflect accurate household composition
- PHAs must generate the Deceased Tenants Report at least once a month
 - PHAs administering HCV programs should generate the report prior to disbursing the upcoming HAP to owners
 - PHAs who administer Public Housing program should generate the report when generating the monthly rent roll to flag deceased tenants



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Special HQS Inspections

- PHA should conduct HQS inspections as needed to determine the unit meets HQS
- PHA should consider complaints and other information brought to its attention when scheduling special HQS inspections
- Life-threatening defects must be corrected within 24 hours. Other defects must be corrected in no more than 30 calendar days unless the PHA approves an extension
- PHA remedies for breach of HQS include termination, suspension or reduction of housing assistance payments and termination of the Housing Assistance Payment (HAP) contract



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