

Housing Choice Voucher Set-aside for DOJ Target 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 because the housing is not limited to units located in subsidized housing projects.

An individual/family that is issued 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 DOJ Target Population different from the typical voucher program waiting list slots?

A2: PHAs that have received HUD approval to make vouchers available to individuals with I/DD, who are in the DOJ target population, that are referred by the Department of Behavioral Health and Developmental Services (DBHDS) will make vouchers available immediately.

Unlike other Housing Choice Voucher applicants, individuals who are referred by DBHDS 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.

Before submitting a 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., individual is 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 DOJ Target Population Admissions Preference?

A3: Eligible individuals must be at least 18 years of age or older and be the head of household for lease purposes. In addition, they must have an intellectual or developmental disability and meet any of the following additional criteria: (1) Currently reside at any of the Commonwealth's training centers, (2)

Currently receive or be on the waitlist to receive Intellectual Disability (ID) waiver or Developmental Disability (DD) waiver services, or (3) Currently reside in a nursing home or private intermediate care facility (ICF-IDD).

Once DBHDS makes the referral, eligibility for a housing voucher is determined by the local housing administrator based on the total annual gross income and family size and is limited to U.S. citizens and specified categories of non-citizens who have eligible immigration status. In general, the family's income may not exceed 50% of the median income for the county or metropolitan area in which the family chooses to live. The local housing administrator serving your community can provide you with the income limits for your area and family size.

During the application process, the local housing administrator will collect information on household income, assets, and family composition. The local housing administrator will verify this information with other agencies, your employer and bank, and will use the information to determine program eligibility and the amount of the housing assistance payment.

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

A4: Once you receive your voucher, the local housing administrator 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.

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

A5: You are responsible for certain **upfront costs** of a new place to live, such as 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, the Department of Behavioral Health and Developmental Services (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 will serve as a fiscal intermediary in the region in which they serve:

- Fairfax Falls Church CSB- Northern Virginia region (NOVA Team)
Contact: Barbara Wadley Young
Email: Barbara.Wadley-Young@fairfaxcounty.gov
- Hampton Newport News CSB- Hampton Roads region (Peninsula Team)
Contact: Joy Cipriano
Email: JoyC@hnnncsb.org
- Henrico CSB- Richmond region (Richmond Team)
Contact: Michelle Johnson
Email: joh36@henrico.us
- Norfolk CSB- Hampton Roads region (Southside Team)
Contact: Steve Stuart
Email: stephen.stewart@norfolk.gov

Q6: What kinds of places can I live in using the rental assistance subsidy?

A6: A unit could be in a multifamily apartment building, a single family home (e.g., a 2 BR house), a manufactured or mobile home, etc. Referrals will not be made for individuals who desire to live in any of the following settings:

- assisted living facilities,
- group homes,
- boarding houses,
- rental housing shared by more than three people with disabilities.

Q7: How will I find a place to live that will take my Housing Voucher?

A7: Your Support Coordinator and others that 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.

Q8: How much will my rent be?

A8: There are many elements that go into calculating the amount of rent you will pay (income, expenses, deductions and allowances). The local housing administrator will determine the subsidy or voucher size you are eligible for based on the number of people in your household. The amount of rent you pay is based on your income. Once the local housing administrator verifies your income, they can give you a better idea of the amount of rent you will be paying and a rental dollar amount in which to search for a

unit. Typically, a family pays no more than 30% of their adjusted monthly income (as determined by the HUD guidelines not IRS adjusted income) toward rent and utilities.

Q9: Can I live with a friend? What about with my brother or sister? Or with a caregiver?

A9: It is possible to have family members, friends or a caregiver as part of your household. 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 for more information regarding who can live with you and the associated implications.

Q10: Who can make a referral? What is the process?

A10: Only ID Support Coordinators, DD Support Coordinators, Community Integration Managers, and Centers for Independent Living staff can submit a referral form for an eligible individual. Referral forms can be downloaded from the DBHDS website via the following web link (please click the housing tab): <http://www.dbhds.virginia.gov/professionals-and-service-providers/developmental-disability-services-for-providers/community-support-services> .

Once the referral form has been completed, the referring individual/entity must fax the completed form to 804-692-0077. You must include a cover page, and it must be addressed to DBHDS - DOJ Target Population Housing Choice Voucher Set-Aside. Forms that are not legible, complete, signed by the eligible individual and person making the referral and faxed to the number listed above will not be accepted.

Q11: Will DBHDS process referral forms that are incomplete and/or not signed?

A11: 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/or additional documentation/information is received by DBHDS.

Q12: How will DBHDS decide who is referred to a PHA for a voucher?

A12: DBHDS will make referrals to PHAs that have agreed to either absorb referrals from VHDA or have received HUD approval and are able to implement an admissions preference within their local program for the DOJ target population.

Although, there are some PHAs that have not made a decision to prioritize the target population on their waitlist, DBHDS and the Virginia Housing Development Authority (VHDA) and HUD Richmond continue to conduct outreach to encourage more PHAs to make the target population a priority on their waitlists.

Please note that slot allocations will be determined based on the Health Planning Region where the referral individual/entity is located and not where the individual chooses to live.

Q13: Will you prioritize or provide a preference for individuals based on their current living situation?

A13: Yes. The purpose of the special admissions preference and the voucher set-aside is to provide opportunities for individuals in the DOJ target 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.

To align with the spirit and intent of the DOJ Settlement agreement, DBHDS will make all referrals for eligible individuals based on the preference structure outline below:

- Priority #1- eligible individuals who, at the time of referral, have participated or been approved for the Rental Choice VA pilot program, are in good standing with the program, and state funding for Rental Choice VA continues to be time limited.
- Priority #2- eligible individuals who, at the time of referral, reside at any of the Commonwealth's training centers and who choose to live in a more integrated, less restrictive, community setting.
- Priority #3- eligible individuals who, at the time of referral, reside in a nursing home or non-state ICF-IDD and who choose to live in a more integrated, less restrictive, community setting.
- Priority #4- eligible individuals who, at the time of referral, receive ID waiver services in a congregate residential setting, such as a group home or a sponsored residential setting, and choose to live in a more integrated, less restrictive, community setting.
- Priority #5- eligible individuals who, at the time of referral, are currently receiving ID waiver or DD waiver services, and who choose to live in a more integrated, less restrictive, community setting.
- Priority #6- eligible individuals who, at the time of referral, are currently on the waitlist for an ID or DD waiver, and who choose to live in a more integrated, less restrictive, community setting.
- Priority #7- eligible individuals who, at the time of referral, are currently living in their own rental housing, and who choose to live in a more integrated, less restrictive, community setting.

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

A14: DBHDS reserves the right to make referrals for individuals that are currently living in their own rental housing, if they are no other eligible individuals on its referrals list for the locality in which they wish 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 individual 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.

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

A16: 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 – A6 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 an individual who is not ready to move within 120 days of being notified that their name is at the top of referral list, they will lose their slot, 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 in. You, your support coordinator or another member of your support team may need to make a reasonable accommodation or reasonable 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>

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 which are 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!