

THE DISTRICT OF COLUMBIA HOUSING AUTHORITY

NOTICE OF FINAL RULEMAKING

The Board of Commissioners of the District of Columbia Housing Authority (“DCHA”), pursuant to the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-203 (2008 Repl. & 2012 Supp.)), hereby gives notice of the adoption of the following amendments to Chapter 95 of Title 14 of the District of Columbia Municipal Regulations (DCMR).

The proposed rulemaking was published in the *D.C. Register* on March 25, 2016, at 63 DCR 4498. This rulemaking was adopted as final at the Board of Commissioners regular meeting on May 11, 2016. The final rules will become effective upon publication of this notice in the *D.C. Register*.

The amended provisions of Chapter 95, TENANT-BASED HOUSING ASSISTANCE, of Title 14, HOUSING, of the DCMR is proposed as follows:

Section 9505 is amended to read as follows:

- 9505.1 LRSP Tenant-based housing assistance shall be administered in accordance with the DCHA HCVP rules and regulations except as provided in this Chapter.
- 9505.2 Notwithstanding § 9505.1, when determining eligibility to receive LRSP Tenant-based housing assistance for households referred to DCHA by the Department of Human Services, DCHA shall use the eligibility guidelines set forth in § 9508.
- 9505.3 LRSP Voucher shall not be eligible for portability as such term is defined and utilized in 24 CFR §§ 982.351 and 982.353, as amended.
- 9505.4 LRSP Tenant-based funds left “unobligated” at the end of each DCHA fiscal year shall be added to the LRSP funding for the next fiscal year. Funds are left unobligated when there are no Extremely Low Income households who could use LRSP funding.
- 9505.5 Dollars allocated to Tenant-based housing assistance shall be based on a sum of the new fiscal year funding plus any “unobligated” carryover funds from the previous fiscal year.

RESOLUTION 16-13

TO ADOPTAS FINAL REGULATIONS TO APPLY LRSP SPONSOR-BASED HOUSING ASSISTANCE ELIGIBILITY CRITERIA TO HOUSEHOLDS REFERRED BY DHS TO DCHA FOR LRSP TENANT-BASED HOUSING ASSISTANCE

WHEREAS, the Local Rent Supplement Program (“LRSP”) was established by the District of Columbia Housing Authority (“DCHA”) to provide housing assistance to extremely low income households in the District of Columbia, including, but not limited to, those who are homeless and those in need of supportive services, such as elderly individuals or those with disabilities; and

WHEREAS, DCHA is responsible to promulgate and administer the local regulations that govern the LRSP; and

WHEREAS, the LRSP has three types of housing assistance which is only available in the District of Columbia: Tenant-based, Project-based, and Sponsor-based; and

WHEREAS, LRSP Tenant-based housing assistance is administered in accordance with the rules and regulations of the Housing Choice Voucher Program (“HCVP”); and

WHEREAS, the Department of Human Services (“DHS”) refers households to DCHA to receive LRSP Tenant-based housing assistance; and

WHEREAS, households referred by DHS are often deemed ineligible to receive LRSP Tenant-based housing assistance under the HCVP rules and regulations; and

WHEREAS, the ineligibility of households referred by DHS to DCHA to receive LRSP Tenant-based assistance is further contributing to the rate of homelessness in the District of Columbia; and

WHEREAS, applying the LRSP Sponsor-based housing assistance eligibility criteria to households referred by DHS to DCHA for LRSP Tenant-based housing assistance would allow for more DHS referred households to be deemed eligible to receive LRSP Tenant-based housing assistance; and

WHEREAS, on March 9, 2016, the Board of Commissioners adopted Resolution 16-05 to apply the eligibility requirements for LRSP Sponsor-based housing assistance to families referred from DHS to DCHA to receive LRSP Tenant-based assistance and Emergency Regulations and authorized the publication of Proposed Regulations; and

**Resolution 16-13
To Adopt Emergency Regulations And Proposed Rulemakings
For The Application Of LRSP Sponsor-Based Housing Assistance
Eligibility Criteria To Households Referred By DHS To DCHA For
LRSP Tenant-Based Housing Assistance**

WHEREAS, the Proposed Regulations were published in the D.C. Register on March 25, 2016 and DCHA did not receive any comment during the thirty (30) day public comment period.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the District of Columbia Housing Authority hereby adopts the amendments to Chapter 95 of Title 14 of the District of Columbia Municipal Regulations as demonstrated herein below:

Section 9505 is amended to read as follows:

- 9505.1 LRSP Tenant-based housing assistance shall be administered in accordance with the DCHA HCVP rules and regulations except as provided in this Chapter.
- 9505.2 Notwithstanding § 9505.1, when determining eligibility to receive LRSP Tenant-based housing assistance for households referred to DCHA by the Department of Human Services, DCHA shall use the eligibility guidelines set forth in § 9508.
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- 9505.5 Dollars allocated to Tenant-based housing assistance shall be based on a sum of the new fiscal year funding plus any “unobligated” carryover funds from the previous fiscal year.

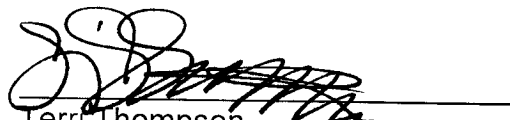
ADOPTED by the Board of Commissioners and signed in authentication of its passage the 11th day of May 2016.

ATTEST:



Adrienne Todman
Executive Director/ Secretary

APPROVAL:



Terri Thompson
Chairman

**Resolution 16-13
To Adopt Emergency Regulations And Proposed Rulemakings
For The Application Of LRSP Sponsor-Based Housing Assistance
Eligibility Criteria To Households Referred By DHS To DCHA For
LRSP Tenant-Based Housing Assistance**



APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Kenneth S. Slaughter
General Counsel

RESOLUTION 16-13