

RESOLUTION 16-05

TO ADOPT EMERGENCY REGULATIONS AND PROPOSED RULEMAKINGS FOR LRSP TENANT-BASED HOUSING ASSISTANCE REFERRALS

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, the 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 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 DHS referred households to be deemed eligible to receive LRSP Tenant-based housing assistance; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the District of Columbia Housing Authority hereby adopts emergency regulations which amend Section 9505 of Chapter 9500 of Title 14 of the District of Columbia Municipal Regulations to allow the application of LRSP Sponsor-based housing assistance

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Assistance Referrals

eligibility criteria to households referred by DHS to DCHA for LRSP Tenant-based housing assistance and authorizes publication of proposed regulations to amend such provisions.

Adopted by the Board of Commissioners and signed in authentication of its passage the 9th day of March 2016.

ATTEST:

APPROVAL:

Adrienne Todman
Executive Director/ Secretary

Terri Thompson
Chairman

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Kenneth S. Slaughter
General Counsel

THE DISTRICT OF COLUMBIA HOUSING AUTHORITY

NOTICE OF EMERGENCY AND PROPOSED 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) on the date of publication of this notice in the *D.C. Register*.

The purpose of the amendments is to apply Local Rent Supplement Program Sponsor-based housing assistance eligibility criteria to households referred by DHS to DCHA for LRSP Tenant-based housing assistance.

Per DC Code 2-505 (c) emergency rulemakings are promulgated when the action is necessary for the immediate preservation of the public peace, health, safety, welfare, or morals. There is an urgent need to adopt these emergency regulations to decrease the rate of homelessness in the District of Columbia.

These emergency regulations were adopted by the Board on March 09, 2016 and became effective immediately. They will remain in effect for up to one hundred twenty (120) days from the date of adoption, until July 08, 2016, or upon publication of a Notice of Final Rulemaking in the D.C. Register, whichever occurs first. The Board of Commissioners of DCHA also gives notice of intent to take rulemaking action to adopt these proposed regulations as final in not less than thirty (30) days from the date of 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.

9505.2 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.

9505.3 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.

9505.4 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.