THE DISTRICT OF COLUMBIA HOUSING AUTHORITY

PROPOSED AMENDMENTS TO ADMINISTRATIVE PLAN

Chapter 50, FAIR HOUSING AND EQUAL OPPORTUNITY NON-DISCRIMINATION, is amended as follows:

Section 5003, PROTECTIONS FOR APPLICANTS AND PARTICIPANTS UNDER THE VIOLENCE AGAINST WOMEN ACT, is amended as follows:

Subsection 5003.15(a) is amended to read as follows:

(a) The HUD-approved certification form; Form HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking, and Alternate Documentation or comparable form/document providing the required information.

Subsection 5003.24(a)(1) is amended to read as follows:

(1) Prior to making any recommendation on who retains assistance, the conflicting allegations panel shall attempt to notify both adult family members involved in the alleged incident by first-class mail to the address of record or an alternative address or email address, if one is provided, by phone, if a phone number is provided, that only one (1) part of the family shall continue to receive assistance;

Chapter 51, ELIGIBILITY CONSIDERATIONS AND INITIAL FAMILY COMPOSITION, is amended as follows:

Section 5100, INTRODUCTION, is amended as follows:

Subsection 5100.5 is amended as follows:

5100.5 **The following definitions of "Elderly person" and "Near-elderly person" are amended to read as follows:**

Elderly person under DCHA's MTW authority, means a person who is at least fifty-five (55) years of age.

Near-elderly person under DCHA's MTW authority, means a person who is at least fifty (50), but less than fifty-five (55) years of age.

Section 5109, INCOME ELIGIBILITY AND TARGETING, is amended as follows:

A new subsection 5109.6 is added to read as follows:

5109.6 Upon the effective date determined by HUD for MTW agencies, families must meet asset and real property ownership restriction requirements at the time of admission. Families will be ineligible to receive assistance if:

(a) The family's net assets exceed the HUD-published asset limitation amount (adjusted annually by HUD); and/or

(b) The family has real property that is suitable for occupancy by the family as a residence and the family has:

i. A present ownership interest in the real property;

ii. A legal right to reside in the real property; and

iii. The effective legal authority to sell (based on state, District, or local laws of the jurisdiction where the property is located) the real property.

A new subsection 5109.7 is added to read as follows:

5109.7 The "real property" restriction does not apply to:

(a) Any property for which the family is receiving assistance for a manufactured home under 24 CFR 982.620 or under the HCV Homeownership program;

(b) Any property that is jointly owned by a member of the family and at least one non-household member who does not live with the family, if the non-household member resides at the jointly owned property;

(c) Any family that is offering the property for sale; or

(d) Any person who is a victim of domestic violence, dating violence, sexual assault, and/or stalking.

i. When a family asks for an exception because a family member is a victim of domestic violence, dating violence, sexual assault, or stalking, DCHA will comply with all the confidentiality requirements under VAWA. DCHA will accept a self-certification from the family member, and the restrictions on requesting documentation under VAWA apply.

A new subsection 5109.8 is amended to read as follows:

5109.8 A property is not considered "suitable for occupancy" unless the family demonstrates that it:

(a) Does not meet the disability-related needs for all family members;

(b) Is not sufficient for the size of the family based on the subsidy standards noted in §5301;

(c) Is geographically located so as to be a hardship for the family (e.g., there is in DCHA's sole determination an unreasonable distance between the real property and a family member's work, school, health care provider, or other necessary service);

(d) Is not safe to reside in because of the physical condition of the property; and/or

(e) Is not a property that a family may reside in under the state, District, or local laws of the jurisdiction where the property is located.

A new subsection 5109.9 is added to read as follows:

5109.9 The value of any real property that meets at least one exception under §5109.8 will be included in the family's assets unless it is specifically excluded by HUD.

Section 5112, FAMILY CONSENT TO RELEASE OF INFORMATION, is amended as follows:

Subsection 5112.1 is amended to read as follows:

5112.1 HUD requires each adult family member, and the head of household, spouse, or co-head, regardless of age, to sign form HUD-9886-A, Authorization for the Release of Information/Privacy Act Notice, the form HUD-52675 Debts Owed to Public Housing Agencies and Terminations, and other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

Subsection 5112.2 is amended to read as follows:

5112.2 DCHA must deny admission to the program if any member of the applicant family fails to sign and submit the consent forms or provides DCHA with written notice to revoke consent for obtaining information in accordance with 24 CFR §5, Subparts B and F.

Section 5115, DENIAL OF ASSISTANCE, is amended as follows:

Subsections 5115.8(g), (h) and (i) are amended to read as follows:

5115.8.1 DCHA shall deny assistance to an applicant family if:

…

(g) The family has breached the terms of a repayment agreement entered into with DCHA, unless the family repays the full amount of the debt covered in the repayment agreement prior to being selected from the waiting list;

(h) A family member has engaged in or threatened violent or abusive behavior toward DCHA personnel. *"*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; or

(i) Does not meet the asset restriction requirements noted under §5109.6.

Chapter 52, APPLICATIONS, WAITING LIST AND TENANT SELECTION, is amended as follows:

Section 5202, SELECTION FOR HCV ASSISTANCE, is amended as follows:

Subsection 5202.9 is amended to read as follows:

5202.9 Unless there is an express waiting list preference set forth in this Administrative Plan, DCHA will select families from the waiting list based on the method described in §5202.14.

Subsection 5202.14 is amended to read as follows:

5202.14 Families will be selected from the waiting list based on their waiting list position. Upon reopening the waiting list, DCHA will assign an applicant's waiting list position using a random selection process or other process announced at the time of reopening. However, any families already on the waiting list at the time of reopening will be selected for eligibility determination based on their time and date of application, allowing for any preferences, and prior to those added at the time of reopening.

Subsection 5202.17 is amended to read as follows:

5202.17 If a notification letter is returned to DCHA with no forwarding address and the email rejects as an invalid address, the family will be removed from the waiting list. A notice of withdrawal will be sent to the family's address of record.

Chapter 53, VOUCHER BRIEFINGS AND VOUCHER ISSUANCE, is amended as follows:

Section 5300, BRIEFINGS AND FAMILY OBLIGATIONS, is amended as follows:

Subsection 5300.48 is amended to read as follows:

5300.48 If DCHA has given approval, a foster child or a live-in aide may reside in the unit. DCHA has the discretion to adopt reasonable policies concerning residency by a foster child or a live-in aide, and to define when DCHA consent may be given or denied.

Section 5301, SUBSIDY STANDARDS AND VOUCHER ISSUANCE, is amended as follows:

Subsections 5301.3(d) and (g), are amended to read as follows:

(d) A child who is temporarily away from the home because of placement in foster care or who is away at school is considered a member of the family in determining the family unit size.

…

(g) Unless a live-in-aide resides with a family, the family unit size for any family consisting of a single person must be a one-bedroom unit.

Subsection 5301.4 is amended to read as follows:

5301.4 DCHA will generally assign one bedroom for each two persons within the household, regardless of age, sex, relationship, or marital status, except in the following circumstances:

(a) Single person will be allocated one bedroom; and

(b) Live-in aides will be allocated a separate bedroom. No additional bedrooms will be allocated for family members of a live-in aide.

Subsection 5301.6 is amended to read as follows:

5301.6 In determining family unit size for a particular family, DCHA may grant an exception to its established subsidy standards if DCHA approves it as a reasonable accommodation for a person with a disability. Reasons may include, but are not limited to:

(a) A need for an additional bedroom for medical equipment; or

(b) A need for a separate bedroom for reasons related to a family member's disability, medical or health condition.

Subsection 5301.7 is amended to read as follows:

5301.7 A single person who is not elderly, disable or a remaining family member will be assigned a one-bedroom voucher.

Chapter 54, INCOME AND SUBSIDY DETERMINATIONS, is amended as follows:

Section 5400, ANNUAL INCOME, is amended as follows:

Subsection 5400.1(c) is amended to read as follows:

(c) For MTW families, the imputed returns on family assets when the market value of total family assets exceed fifty thousand dollars ($50,000); and for non-MTW families, all actual anticipated income from assets regardless of the total net family assets, and the imputed return on net family assets when the new family assets exceed the HUD determined amount.

Subsection 5400.3's chart is amended to read as follows:

Summary of Income Included and Excluded by Person	
Live-in aides	Income from all sources is excluded [24 CFR § 5.609(b)(8)].
Foster child or foster adult	Income from all sources is excluded [24 CFR § 5.609(b)(8)]
Head, spouse, or co-head Other adult family members	All sources of income not specifically excluded by the regulations at 24 CFR § 5.609(b) or DCHA's approved MTW policy.
Children under 18 years of age	Earned income is excluded [24 CFR § 5.609(b)(3)]. All other sources of income, except those specifically excluded by the regulations at 24 CFR § 5.609(b) or DCHA's approved MTW policy, are included. All applicable regulations apply to full-time students approved pursuant to § 5120.
Full-time students 18 years of age or older (not head, spouse, or co-head)	Earned income is fully excluded. All other sources of income, except those specifically excluded by the regulations at 24 CFR § 5.609(b) or DCHA's approved MTW policy, are included. All applicable regulations apply to full-time students approved pursuant to § 5120.

Subsection 5400.27 is amended to read as follows:

5400.27 DCHA will accept tenant-provided third-party documents in order to anticipate annual income if they are dated within one hundred twenty (120) days of the date received by DCHA or for fixed income sources, are dated within the appropriate benefit year.

Subsection 5400.74 is amended to read as follows:

5400.74 Upon approval, DCHA will implement an MTW policy where DCHA will exclude all income from assets when the market value of the family's total assets is fifty thousand dollars ($50,000) or less. DCHA may determine the market value assets of a family based on a self-certification by the family that their total family assets do not exceed fifty thousand dollars ($50,000).

Subsection 5400.75 is amended to read as follows:

5400.75 When the market value of the family's total assets is greater than fifty thousand dollars ($50,000), DCHA will multiply the total market value of the family's assets by the HUD-established passbook savings rate to calculate and include imputed asset income. Any asset which is excluded will not be counted toward the total market value of the family's assets.

Subsection 5400.77 is amended to read as follows:

5400.77 For non-MTW families, DCHA will include actual income from assets, or as described in 24 CFR 5.609(a)(2) when net family assets exceeds the HUD determined amount.

Section 5401, ADJUSTED INCOME, is amended as follows:

Subsections 5401.1 (a), (b), and (c) are amended to read as follows:

(a) The HUD determined amount for each dependent;

(b) The HUD determined amount for any elderly family or disabled family;

(c) The sum of the following, to the extent the sum exceeds ten percent (10%) of annual income:

(1) Unreimbursed medical expenses of any elderly family or disabled family;

(2) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This deduction may not exceed the earned income received by family members who are eighteen (18) years of age or older and who are able to work because of such attendant care or auxiliary apparatus; and

Subsection 5401.5 is amended to read as follows:

5401.5 An "elderly family" under DCHA's MTW authority is a family whose head,

spouse, co-head, or sole member is fifty-five (55) years of age or older, and a "disabled family" is a family whose head, spouse, co-head, or sole member is a person with disabilities.

Subsection 5401.6 is amended to read as follows:

5401.6 Unreimbursed health and medical expenses may be deducted to the extent that, in combination with any disability assistance expenses, they exceed ten percent (10%) of annual income.

Subsection 5401.7 is amended to read as follows:

5401.7 The medical expense deduction under DCHA's MTW authority is permitted only for families in which the head, spouse, or co-head is at least fifty-five (55) or is a person with disabilities. If a family is eligible for a medical expense deduction, the medical expenses of all family members are counted.

Subsection 5401.9 is amended to read as follows:

5401.9 Upon implementation of the increase in the threshold for unreimbursed health and medical care expenses and/or disability assistance expenses, families will have phase-in relief if they qualify.

(a) A family will be considered a "qualifying family" for phased-in relief if at their last reexamination prior to implementation of this provision:

(i) The family received a deduction for unreimbursed health and medical care and/or reasonable attendant car or auxiliary apparatus expenses; and

(ii) The family's expenses exceeded five (5) percent of the family's annual income.

(b) For qualifying families:

(i) At the family's first regular recertification on/after implementation, DCHA will deduct unreimbursed health and medical care expenses and/or disability assistance expenses that exceed five percent (5%) of the family's annual income and switch the family to annual recertifications;

(ii) Twelve (12) months after the family's first regular recertification on/after implementation, DCHA will deduct unreimbursed health and medical care expenses and/or disability assistance expenses that exceed seven and one half percent (7.5 %) of the family's annual income;

(iii) Twenty-four (24) months after the family's first regular recertification on/after implementation, DCHA will deduct unreimbursed health and medical care expenses and/or disability assistance expenses that exceed 10 percent of the family's annual income;

(c) Upon implementation of the new ten percent (10%) threshold families will not qualify for phased-in relief if:

(i) They are new admissions to the HCV program;

(ii) They are current participants whose unreimbursed health and medical care expenses and/or disability assistance expenses did not exceed five percent (5%) of their annual income; or

(iii) They are current participants who had no unreimbursed health and medical care expenses and/or disability assistance expenses at their last reexamination prior to implementation.

(d) Upon implementation, any family may request an interim to account for any increase in unreimbursed health and medical care expenses and/or disability assistance expenses.

Subsection 5401.11 (c) is amended to read as follows:

(c) In combination with any medical expenses, exceed ten percent (10%) of annual income;

Subsection 5401.13 is amended to read as follows:

5401.13 The disability expense deduction is capped by the amount of "earned income received by family members who are eighteen (18) years of age or older and who are able to work" because of the expense. The earned income used for this purpose is the amount verified before any income exclusions are applied.

Subsection 5401.25 is amended to read as follows:

5401.25 This policy applies only to families under DCHA's MTW authority in which the head or spouse is fifty-five (55) or older or is a person with disabilities.

Subsection 5401.35 is amended to read as follows:

5401.35 The earned income used for this purpose is the amount of earned income verified after any income exclusions are applied.

A new subsection 5401.46 is added as follows:

5401.46 A family whose eligibility for the child care expense deduction is ending may receive a hardship exemption to continue receiving a child care expense deduction when the family no longer has a member that is working, looking for work, or seeking to further their education, and the deduction is necessary because the family is unable to pay their rent.

(a) A family will be determined by DCHA to be "unable to pay their rent" in such circumstances when the family's total unreimbursed child care expenses are at least two thousand dollars ($2,000) per year and the family owes no balance to DCHA or the owner/landlord.

(b) Relief for an approved hardship exemption includes a continuation of the child care exemption for a period of up to ninety (90) days. DCHA, at its sole discretion, may extend the hardship exemption for one additional ninety (90) day period based on family circumstances.

Section 5402, CALCULATING FAMILY SHARE AND PHA SUBSIDY, is amended as follows:

Subsection 5402.1(c) is amended to read as follows:

(c) A minimum rent of fifty dollars ($50).

Subsection 5402.5 is amended to read as follows:

5402.5 The minimum rent for this locality is fifty dollars ($50).

Subsection 5402.12 is amended as follows:

5402.12 DCHA will grant an exemption from payment of the minimum rent if the family is unable to pay the minimum rent because of a financial hardship when the family experiences one of the following ("qualifying hardship"):

(a) The family has lost eligibility for or is awaiting an eligibility determination for a Federal, State, or local assistance program, including a family that includes a member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for title IV of the Personal Responsibility and Work Opportunity Act of 1996. In such a case, the hardship will only be considered to exist if the loss of eligibility affects the family's ability to pay the minimum rent;

(b) The family would be evicted because it is unable to pay the minimum rent;

(c) The income of the family has decreased because of changed circumstances, including loss of employment;

(d) A death has occurred in the family (In such a case, the family must provide DCHA with written information as to how the death created a financial hardship); or

(e) Other circumstances determined by DCHA or HUD.

Subsection 5402.13 is amended to read as follows:

5402.13 If the family requests a financial hardship exemption, DCHA will suspend the minimum rent requirement beginning the month following the family's request and continuing until DCHA determines whether there is a qualifying financial hardship and whether it is temporary or long term.

Subsection 5402.14 is amended to read as follows:

5402.14 DHCA will promptly determine whether a qualifying hardship exists and whether it is temporary or long term.

Subsection 5402.15 is amended to read as follows:

5402.15 If DCHA determines that a qualifying hardship is temporary, it will:

(a) Not impose the minimum rent during the 90-day period beginning the month following the date of the family's request for a hardship exemption;

(b) Reinstate the minimum rent from the beginning of the suspension at the end of the 90-day suspension; and

(c) Offer the family a reasonable repayment agreement for the amount of back rent owed by the family.

Subsection 5402.16 is amended to read as follows:

5402.16 If DCHA determines there is no qualifying hardship exemption, DCHA will:

(a) Reinstate the minimum rent, including back rent owed from the beginning of the suspension; and

(b) Require the family to pay the back rent.

Subsection 5402.17 is amended to read as follows:

5402.17 If DCHA determines that a qualifying hardship is long term, DCHA will exempt the family from the minimum rent requirements so long as such hardship continues. Such exemption shall apply from the beginning of the month following the family's request for a hardship exemption until the end of the qualifying hardship.

Subsection 5402.18 is amended to read as follows:

5402.18 The financial exemption only applies to payment of the minimum rent and not to the other elements used to calculate the total tenant payment.

Subsection 5402.25 is amended to read as follows:

5402.25 DCHA sets its payment standards in line with existing market rents according to its approved MTW policy in order to maximize housing choice for voucher holders. DCHA is authorized under MTW to set payment standards up to one hundred eighty-seven percent (187%) of Fair Market Rent (FMR) for all bedroom sizes.

Subsection 5402.26 is amended to read as follows:

5402.26 Upon approval of this Administrative Plan, DCHA will adopt Small Area Fair Market Rents (SAFMRs) as the basis for its local payment standards. Accordingly, DCHA may set the payment standard for each zip code and/or bedroom size based on an annual analysis conducted by DCHA. DCHA may set payment standards at different levels across zip codes and/or bedroom sizes in order to respond to local market conditions and as warranted by funding availability.

Subsection 5402.27 is amended to read as follows:

5402.27 While DCHA will retain the authority to set the payment standard up to one hundred eighty seven percent (187%) of FMR, as authorized under MTW; DCHA will annually evaluate applicable SAFMRs, local market rents, leasing conditions, program utilization, and available funding to determine the appropriate payment standard for each ZIP code and/or bedroom size.

Subsection 5402.28 is amended to read as follows:

5402.28 DCHA is required to pay a monthly housing assistance payment (HAP) for a family that is the lower of (a) the payment standard for the family minus the family's TTP, or (b) the gross reasonable rent for the family's unit minus the TTP.

Subsection 5402.29 is amended to read as follows:

5402.29 If during the term of the HAP contract for a family's unit, the owner lowers the rent, DCHA will recalculate the HAP using the lower of the initial payment standard or the gross rent for the unit.

Subsection 5402.30 is amended to read as follows:

5402.30 When DCHA revises its payment standards during the term of the HAP contract for a family's unit, it will apply the new payment standards in accordance with HUD

regulations.

Subsection 5402.31 is amended to read as follows:

5402.31 Upon approval of the FY 2027 MTW Plan: DCHA will be authorized to apply reduced payment standards at each participant's next regular or interim reexamination or at DCHA's discretion, based on operational need and funding availability in the voucher program. If the application of the new payment standard results in an increase to the participants rent portion, DCHA will provide the participant with a minimum thirty (30) day notice prior to rental increase.

Chapter 55, VERIFICATION, is amended as follows:

Section 5500, GENERAL VERIFICATION REQUIREMENTS, is amended as follows:

Subsection 5500.2 is amended to read as follows:

5500.2 It is required that all adult applicants and participants sign form HUD-9886-A, Authorization for Release of Information. The purpose of form HUD-9886-A is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and DCHA may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA). Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

Subsection 5500.3 is amended to read as follows:

5500.3 If any family member who is required to sign a consent form fails to do so, or who revokes their consent in writing, DCHA will deny admission to applicants and terminate assistance of participants. The family may request an informal review (applicants) or informal hearing (participants) in accordance with DCHA procedures.

Subsection 5500.7 is amended to read as follows:

5500.7 Any documents used for verification must be dated within one hundred twenty (120) days of DCHA's receipt of the document or, for fixed income sources, is dated within the appropriate benefit year. The documents must not be damaged, altered or in any way illegible.

Subsection 5500.15 is amended to read as follows:

5500.15 DCHA must use HUD's EIV system in its entirety as a third-party source to verify

tenant employment and income information during mandatory reexaminations or recertifications of family composition and income in accordance with 24 CFR §5.236 and administrative guidance issued by HUD. The EIV system contains data showing earned income, unemployment benefits, Social Security benefits, and SSI benefits for participant families. The following policies apply to the use of HUD's EIV system.

Subsection 5500.17 is amended to read as follows:

5500.17 DCHA will obtain income and IVT reports for applicants and participants upon biennial/triennial reexaminations and on a regular basis, in a manner consistent with HUD requirements and guidance in PIH Notice 2023-27 (or applicable successor notice). DCHA will also run EIV and IVT reports within one hundred twenty (120) days of lease up to ensure all income was reported accurately at admission.

Subsection 5500.29 is amended to read as follows:

5500.29 HUD's current verification hierarchy defines two types of written third-party verification. The preferable form, "written third-party verification," consists of an original document generated by a third-party source, which may be received directly from a third-party source or provided to DCHA by the family. If written third-party verification is not available, DCHA must attempt to obtain a "written third-party verification form (this is a standardized form used to collect information from a third party) or oral verification.

Subsection 5500.34 is amended as to read follows:

5500.34 Third-party documents provided by the family must be dated within one hundred twenty (120) days of DCHA request date or for fixed income sources, be dated within the appropriate benefit year.

Subsection 5500.37 is amended to read as follows:

5500.37 When upfront verification is not available and the family is unable to provide written third-party documents, DCHA must request a written third-party verification form or conduct oral verification.

Subsection 5500.40 is amended to read as follows:

5500.40 Third-party verification forms will be sent or oral verification will be conducted when third-party verification documents are unavailable or are rejected by DCHA.

Subsection 5500.42 is amended to read as follows:

5500.42 Oral third-party verification may be used in lieu of written third-party form when written third-party verification is available.

Subsection 5500.43 is amended to read as follows:

5500.43 [RESERVED]

Subsection 5500.54 is amended to read as follows:

5500.54 When a family's total assets have a market value of fifty thousand dollars ($50,000) or less, DCHA will use self-certification to verify the market value of the asset. For non-MTW families, DCHA will verify the families assets at least once every three (3) years as required by HUD. When a family's total assets have a market value exceeding fifty thousand dollars ($50,000), DCHA will use its established verification methods to verify the market value of the asset

Subsection 5500.56 is amended to read as follows:

5500.56 DCHA will use third-party documentation for assets if the total market value of all assets is fifty thousand dollars ($50,000) or more for MTW families, or the total net value exceeds the HUD-determined amount for non-MTW families, or if DCHA receives information indicating the MTW family incorrectly certified the market value of all their assets as less than fifty thousand dollars ($50,000) or the non-MTW family incorrectly certified the net value of their assets as less than the HUD-determined amount.

Subsection 5500.57 is amended to read as follows:

5500.57 When HUD requires third-party verification, self-certification or "tenant declaration," is used when allowable as a last resort when DCHA is unable to obtain third-party verification.

Subsection 5500.58(b) is amended to read as follows:

(b) For MTW families, the market values of total family assets total fifty thousand dollars ($50,000) or less and DCHA has adopted a policy to accept self-certification at annual recertification, when applicable; and

Subsection 5500.59 is amended to read as follows:

5500.59 When DCHA is required to obtain third-party verification but instead relies on a tenant declaration for verification of income, assets, or expenses, the family's file must be documented to explain why third-party verification was not available.

Subsection 5500.60 is amended to read as follows:

5500.60 For non-MTW families, DCHA will require third-party of verification of all assets at admission and at least once every three (3) years when their net family assets do not exceed the HUD-threshold for assets. However, DCHA will accept a self-certification of assets in the years when third-party verification is not required.

Section 5501, VERIFYING FAMILY INFORMATION, is amended as follows:

Subsection 5501.5 is amended to read as follows:

5501.5 The family must provide documentation of a valid Social Security number (SSN) for each member of the household, except for individuals who do not contend eligible immigration status. Exemptions also include existing program participants who were at least sixty-two (62) years of age as of January 31, 2010, and had not previously disclosed an SSN.

Subsection 5501.6 is amended to read as follows:

5501.6 Note that an individual who previously declared to have eligible immigration status may not change their declaration for the purpose of avoiding compliance with the SSN disclosure and documentation requirements or penalties associated with noncompliance with these requirements. Nor may the head of household opt to remove a household member from the family composition for this purpose.

Subsection 5501.17 is amended to read as follows:

5501.17 Social Security numbers must be verified only once during continuously assisted occupancy unless DCHA has reason to question the accuracy of the information provided or needs to re-obtain it for administrative reasons.

Subsection 5501.18(a) is amended to read as follows:

(a) Obtaining documentation from applicants and participants that is acceptable as evidence of Social Security numbers; and

Subsection 5501.19 is amended to read as follows:

5501.19 [RESERVED]

Section 5502, VERIFYING INCOME AND ASSETS, is amended as follows:

Subsection 5502.7 is amended to read as follows:

5502.7 For applicants, since EIV does not contain Social Security (SS) or SSI benefit information, DCHA must ask applicants to provide a copy of their current SS or SSI benefit letter (dated within the appropriate benefit year) for each family member that receives SS or SSI benefits. If the family is unable to provide the

document or documents, DCHA should help the applicant request a benefit verification letter from SSA's website at www.ssa.gov or ask the family to request one by calling SSA at 1-800-772-1213. DCHA must obtain the original benefit letter from the applicant, make a photocopy of the document for the file, and return the original to the family.

Subsection 5502.10 is amended to read as follows:

5502.10 If the participant disputes the EIV-reported benefit amount, or if benefit information is not available in EIV, DCHA must request a current SSA benefit verification letter (dated within the appropriate benefit year) from each family member that receives SS or SSI benefits. If the family is unable to provide the document or documents, DCHA should help the participant request a benefit verification letter from SSA's website at www.ssa.gov or ask the family to request one by calling SSA at 1-800-772-1213. DCHA must obtain the original benefit letter from the participant, make a photocopy of the document for the file, and return the original to the family.

Subsection 5502.16(b) is amended to read as follows:

(b) DCHA will only verify the market value of assets disposed exceeding fifty thousand dollars ($50,000) only if DCHA does not already have a reasonable estimation of its value or the amount reported by the family in the certification appears obviously in error.

Subsection 5502.17 is amended to read as follows:

5502.17 When DCHA verifies assets depends on the value of the family's total assets. Under MTW, when a family's total assets have a market value of fifty thousand dollars ($50,000) or less, DCHA will use self-certification to verify the market value of the asset. For non-MTW families, DCHA will verify the family's assets as described in §5500.60. However, DCHA reserves the right to require third-party verification of assets if it has reason to believe the family has unreported or under-reported income and/or assets. When an MTW family's total assets have a market value exceeding fifty thousand dollars ($50,000), DCHA will use its established verification methods to verify the market value of the asset. For non-MTW families, where the family's net assets exceed the HUD-established amount, DCHA will verify the family's assets as described in §5500.56.

Example 1: An elderly participant reported a $60,000 certificate of deposit at the last biennial/triennial reexamination and DCHA verified this amount. Now the person reports that she has given this $60,000 to her son. DCHA has a reasonable estimate of the value of the asset; therefore, reverification of the value of the asset is not necessary.

Example 2: A family member has disposed of its 1/4 share of real property located in a desirable area and has valued her share at approximately $5,000. Based upon

market conditions, this declaration does not seem realistic. Therefore, DCHA will verify the value of this asset.

Section 5503, VERIFYING MANDATORY DEDUCTIONS, is amended as follows:

Subsection 5503.3 is amended as to read follows:

5503.3 DCHA must verify that the head, spouse, or co-head is, under DCHA's MTW authority, fifty-five (55) years of age or older or a person with disabilities.

Subsection 5503.5(a) is amended to read as follows:

(a) Written third-party documents provided by the family, such as pharmacy printouts or receipts.

Subsection 5503.9 is amended to read as follows:

5503.9 The medical expense deduction is permitted only for households in which the head, spouse, or cohead is, under DCHA's MTW authority, at least fifty five (55), or a person with disabilities. DCHA must verify that the family meets the definition of an elderly or disabled.

Subsection 5503.34 is amended to read as follows:

5503.34 DCHA will seek third-party verification of the work schedule of the person who is permitted to work by the childcare. In cases in which two (2) or more family members could be permitted to work, the work schedules for all relevant family members may be verified. The documentation may be provided by the family.

Chapter 56, HOUSING QUALITY STANDARDS AND RENT REASONABLENESS DETERMINATIONS, is amended as follows:

Section 5601, THE INSPECTION PROCESS, is amended as follows:

Subsection 5601.1(c) is amended to read as follows:

(c) Special Inspections. A special inspection may be requested by the owner, the family, or a third party as a result of problems identified with a unit between regular inspections.

Subsection 5601.27 is amended to read as follows:

5601.27 To the extent practicable, DCHA will complete the initial inspection, determine whether the unit satisfies HQS, and notify the owner and the family of the determination within ten (10) days of submission of the complete Request for Tenancy Approval (RFTA) and all required owner documents, as outlined in

Chapter 75.

Subsection 5601.40 is amended to read as follows:

5601.40 If a participant or government official reports a life-threatening condition which the owner would be required to repair or abate within twenty-four (24) hours, DCHA must inspect the unit within twenty-four (24) hours of notification. If the reported condition is not life-threatening, DCHA must inspect the unit within fifteen (15) days of notification.

Chapter 57, GENERAL LEASING POLICIES, is amended as follows:

Section 5700, GENERAL LEASING POLICIES, is amended as follows:

Subsection 5700.23(l) is amended to read as follows:

(l) Any other duplicative federal, State, or local housing subsidy, as determined by HUD. Local housing subsidy subject to this restriction includes any long-term rental assistance program. For this purpose, "housing subsidy" does not include the housing component of a welfare payment, a Social Security payment received by the family, or a rent reduction because of a tax credit.

Chapter 58, MOVING WITH CONTINUED ASSISTANCE AND PORTABILITY, is amended as follows:

Section 5800, MOVING WITH CONTINUED ASSISTANCE, is amended as follows:

Subsection 5800.2 is amended to read as follows:

5800.2 Upon approval of the FY 2027 MTW Plan**:** Participants will be limited to an issuance of one (1) voucher for a unit transfer every twenty-four (24) months, except if any of the following condition(s) apply:

(a) Emergency Moves

(1) The current unit fails to meet housing quality standards and the landlord is unable or unwilling to make required repairs within the specified timeframe. The unit is deemed unsafe or uninhabitable by the housing authority.

(2) Other Documented Public Safety Issue: DCHA may transfer residents to alleviate a verified threat of physical harm or criminal activity. Such circumstances may, at DCHA's discretion, include an assessment by law enforcement indicating that a family member

is the actual or potential victim of a criminal attack, retaliation for testimony, or a hate crime. DCHA will verify such threats in coordination with DCHA's Office of Public Safety.

(3) Violence Against Women Act (VAWA)-Related Move: The participant is a victim of domestic violence, dating violence, sexual assault, or stalking. Documentation and certification must be provided in accordance with VAWA requirements.

(4) Landlord Release from Lease: The landlord formally agrees to release the participant from the lease prior to its expiration. Written documentation from the landlord is required.

(b) Reasonable Accommodation: if a participant with a disability is approved for a reasonable accommodation that necessitates issuance of a voucher to transfer to a new unit.

Subsection 5800.3 is amended to read as follows:

5800.3 If a family requests an emergency transfer under VAWA based on a claim that the move is necessary to protect the health or safety of a family member who is or has been the victim of domestic violence, dating violence, sexual assault, or stalking, DCHA will request that the resident request the emergency transfer using Form HUD-5383: Emergency Transfer Request for Certain Victims of Domestic Violence, Sexual Assault, or Stalking, and DCHA will request other documentation as well.

(a) DCHA reserves the right to waive the documentation requirement if it determines that a statement or other corroborating evidence from the family or family member will suffice. In such cases, DCHA will document the waiver;

(b) DCHA may choose to provide a voucher to facilitate an emergency transfer of the victim without first terminating the assistance of the perpetrator;

(c) Before granting an emergency transfer, DCHA will ensure the victim is eligible to receive continued assistance based on the citizenship or immigration status of the victim;

(d) DCHA has adopted an emergency transfer plan;

(e) DCHA has terminated the housing assistance payments (HAP) contract for the family's unit for the owner's breach; or

(f) DCHA determines that the family's current unit does not meet the Housing

Quality Standards (HQS) space standards because of an increase in family size or a change in family composition. In such cases, DCHA must issue the family a new voucher, and the family and DCHA must try to find an acceptable unit as soon as possible. If an acceptable unit is available for the family, DCHA must terminate the HAP contract for the family's old unit in accordance with the HAP contract terms and must notify both the family and the owner of the termination. The HAP contract terminates at the end of the calendar month that follows the calendar month in which DCHA gives notice to the owner.

Subsection 5800.4 is amended to read as follows:

5800.4 A family's right to move is generally contingent upon the family's compliance with program requirements.

Subsection 5800.5 is amended to read as follows:

5800.5 DCHA will deny a family permission to move on grounds that DCHA does not have sufficient funding for continued assistance if:

(a) The move is initiated by the family, not the owner or DCHA;

(b) DCHA can demonstrate that the move will, in fact, result in higher subsidy costs;

(c) DCHA can demonstrate that it does not have sufficient funding in its annual budget to accommodate the higher subsidy costs; and

(d) For portability moves, the receiving public housing authority (PHA) is not absorbing the voucher.

Subsection 5800.6 is amended to read as follows:

5800.6 If DCHA does not have sufficient funding for continued assistance, but the family must move from their unit (e.g., the unit failed HQS), the family may move to a higher cost unit if the move is within DCHA's jurisdiction. DCHA, however, will not allow the family to move under portability in this situation if the family wishes to move to a higher cost area.

Subsection 5800.7 is amended to read as follows:

5800.7 For both moves within DCHA's jurisdiction and outside under portability, DCHA will not deny a move due to insufficient funding if DCHA previously approved the move and subsequently experienced a funding shortfall if the family cannot remain in their current unit. DCHA will rescind the voucher in this situation if the family will be allowed to remain in their current unit.

Subsection 5800.8 is amended to read as follows:

5800.8 DCHA will create a list of families whose moves have been denied due to insufficient funding. DCHA will keep the family's request open indefinitely, and when funds become available, the families on this list will take precedence over families on the waiting list. DCHA will use the same procedures for notifying families with open requests to move when funds become available as it uses for notifying families on the waiting list.

Subsection 5800.9 is amended to read as follows:

5800.9 DCHA will inform the family of its policy regarding moves denied due to insufficient funding in a letter to the family at the time the move is denied.

Subsection 5800.10 is amended to read as follows:

5800.10 With the exception of approved VAWA transfers defined in §5800.1(d), DCHA may deny a family permission to move if it has grounds for denying or terminating the family's assistance. If DCHA has grounds for denying or terminating a family's assistance, DCHA will act on those grounds in accordance with the regulations and policies set forth herein. In general, it will not deny a family permission to move for this reason; however, it retains the discretion to do so under special circumstances.

Subsection 5800.11 is amended to read as follows:

5800.11 DCHA will deny a family permission to make an elective move during the family's initial lease term. This policy applies to moves within DCHA's jurisdiction or outside it under portability.

Subsection 5800.12 is amended to read as follows:

5800.12 DCHA will also deny a family permission to make more than one elective move during any twelve (12) month period. For elective moves during the twelve (12) month period, DCHA will only allow a new lease to begin on the first of the month. This policy applies to all assisted families residing in DCHA's jurisdiction.

Subsection 5800.13 is amended to read as follows:

5800.13 DCHA will consider exceptions to these policies for the following reasons:

(a) To protect the health or safety of a family member (e.g., lead-based paint hazards, domestic violence, witness protection programs);

(b) To accommodate a change in family circumstances (e.g., new employment, school attendance in a distant area); or

(c) To address an emergency over which a family has no control.

Subsection 5800.14 is amended to read as follows:

5800.14 DCHA will allow exceptions to these policies in §5800 for purposes of reasonable accommodation of a family member who is a person with disabilities.

Subsection 5800.15 is amended to read as follows:

5800.15 If a family wishes to move to a new unit, the family must notify DCHA and the owner consistent with the provisions of their lease. The family must notify DCHA in writing before moving out of the old unit or terminating the lease on notice to the owner. If the family wishes to move to a unit outside DCHA's jurisdiction under portability, the notice to DCHA must specify the area where the family wishes to move. The notices must be in writing.

Subsection 5800.16 is amended to read as follows:

5800.16 Upon receipt of a family's notification that it wishes to move, DCHA will determine whether the move is approvable. DCHA will notify the family in writing of its determination within fourteen (14) business days following receipt of the family's notification.

Subsection 5800.17 is amended to read as follows:

5800.17 For families approved to move to a new unit within DCHA's jurisdiction, DCHA will not perform a new biennial/triennial reexamination unless the biennial/triennial reexamination is due with the effective date of the move.

Subsection 5800.18 is amended to read as follows:

5800.18 For families moving into, or families approved to move out of, DCHA's jurisdiction under portability, DCHA will follow the policies set forth in this §5800.

Subsection 5800.19 is amended to read as follows:

5800.19 Families approved to move to a new unit within DCHA's jurisdiction are required to attend or participate in a transfer briefing, which DCHA may provide in-person or online. Once DCHA has confirmed the family's attendance or participation, DCHA will issue the family a transfer voucher.

Subsection 5800.20 is amended to read as follows:

5800.20 DCHA will follow the policies on voucher term, extension, and expiration in accordance with Chapter 53 of this Title. If a family does not locate a new unit within the term of the voucher and any extensions, the family may remain in its

current unit with continued voucher assistance if the owner agrees, DCHA approves, and the HAP Contract is still in effect with the owner. Otherwise, the voucher term expires or ends with the family unassisted and the family will have to reapply to the program.

Subsection 5800.21 is amended to read as follows:

5800.21 For families moving into or families approved to move out of DCHA's jurisdiction under portability, DCHA will follow the policies set forth in this §5800.

Subsection 5800.22 is amended to read as follows:

5800.22 When a family moves out of an assisted unit, DCHA may not make any housing assistance payment to the owner for any month after the month the family moves out. The owner may keep the housing assistance payment for the month when the family moves out of the unit.

Subsection 5800.23 is amended to read as follows:

5800.23 If a participant family moves from an assisted unit with continued tenant-based assistance, the term of the assisted lease for the new assisted unit may begin during the month the family moves out of the first assisted unit. Overlap of the last housing assistance payment (for the month when the family moves out of the old unit) and the first assistance payment for the new unit, is not considered to constitute a duplicative housing subsidy.

Subsection 5800.24 is amended to read as follows:

5800.24 If the family moves between buildings owned by the same owner, the move will be processed like any other move except there will be no overlapping assistance.

Subsection 5800.25 is amended to read as follows:

5800.25 A participant who is not receiving any subsidy, but whose HAP contract is still in force, may request a voucher to move to a different unit. DCHA must issue a voucher to move unless it has grounds to deny assistance under the program regulations. However, if DCHA determines no subsidy would be paid at the new unit, DCHA may refuse to enter a HAP contract on behalf of the family.

Subsection 5800.26 is added to read as follows:

5800.26 If a zero HAP family requests to move to a new unit, the family may request a voucher to move. However, if no subsidy will be paid at the unit to which the family requests to move, DCHA will not enter into a HAP contract on behalf of the family for the new unit.

Section 5801, PORTABILITY, is amended as follows:

Subsection 5801.32(d) is amended to read as follows:

(d) Copies of the income verifications backing up the form HUD-50058, including a copy of the family's current EIV data.

In addition to these documents, DCHA will provide the following information, if available, to the receiving PHA:

(1) Social Security numbers (SSNs);

(2) Documentation of SSNs for all nonexempt household members whose SSNs have not been verified through the EIV system;

(3) Documentation of legal identity;

(4) Documentation of citizenship or eligible immigration status;

(5) As applicable, documentation of participation in a family self-sufficiency (FSS) program;

(6) As applicable and upon implementation of The Housing Opportunity Through Modernization Act of 2016 (HOTMA), information related to the family's health and medical care and disability assistance expense phased-in hardship exemption, including what stage the family is in and how many months remain in that phase-in stage.

Subsection 5801.50 is amended to read as follows:

5801.50 Upon approval of the FY 2027 MTW Plan: DCHA will not absorb port-in HCV participants with zero income. Participants without verifiable nonwage income (e.g., SSI, child support, or similar sources) must provide a valid employment offer or employment verification letter for work within the District of Columbia jurisdiction. Participants with zero income may port-in under billing arrangements with the originating PHA.

Subsection 5801.51 is amended to read as follows:

5801.51 Under the authority granted to DCHA under its Moving to Work status, DCHA does not administer the FSS Program for port-in families on an ongoing basis. The porting participant may enroll in DCHA's FSS program (thus ending participation in the initial PHA's FSS program) or be party to an agreement that they will continue in the initial PHA's FSS program. If the family opts for the latter, DCHA will also notify the initial PHA that the initial PHA should address the status of the

FSS family's escrow account.

Subsection 5801.52 is amended to read as follows:

5801.52 When a family moves into DCHA's jurisdiction under portability, the family is responsible for promptly contacting DCHA and complying with DCHA's policies on eligibility (Chapter 51) and voucher issuance (Chapter 53). The family's failure to comply may result in denial or termination of DCHA's voucher.

Subsection 5801.53 is amended to read as follows:

5801.53 If the voucher issued to the family by the initial PHA has expired, DCHA will contact the initial PHA to determine if it will extend the voucher. An informal hearing is not required when a voucher has expired without the family leasing a unit.

Subsection 5801.54 is amended to read as follows:

5801.54 If for any reason DCHA refuses to process or provide assistance to a family under the portability procedures, DCHA will notify the family of their right to request an informal review or hearing.

Chapter 59, REEXAMINATIONS – HOUSING CHOICE VOUCHERS AND PROJECT BASED VOUCHERS, is amended as follows:

Section 5900, REGULAR REEXAMINATIONS, is amended as follows:

Subsection 5900.6 is amended to read as follows:

5900.6 DCHA initiates the reexamination process one hundred fifty (150) days before the scheduled effective date. Generally, DCHA will schedule effective dates to coincide with the family's anniversary date, which is twenty-four (24) or thirty-six (36) months from the family's last regular examination or the family's initial examination, as applicable. However, DCHA may schedule reexaminations for a date other than the family's anniversary date for administrative purposes.

Section 5901, INTERIM REEXAMINATIONS, is amended as follows:

Subsection 5901.8 is amended to read as follows:

5901.8 Upon approval of the FY 2027 MTW Plan, all families are required to report all increases in income between biennial/triennial reexaminations.

(a) Other than zero income families, DCHA will only process an interim when the increase is Two Thousand Four Hundred Dollars ($2,400) per year or more (an increase of Two Hundred Dollars ($200) or more per month).

(b) For zero income families, all increases in income must be reported regardless of amount. DCHA will conduct an interim reexamination when a zero income family reports an increase in income.

Subsection 5901.9 is amended to read as follows:

5901.9 Families are permitted, but are not required, to report decreases in income. DCHA must process the request if the family reports a change that will result in a reduced family share, except for where allowed under DCHA's approved MTW policy.

(a) If a family reports a decrease in income from the loss of welfare benefits due to fraud or non-compliance with a welfare agency requirement to participate in an economic self-sufficiency program, the family's share of the rent will not be reduced.

(b) If a family reports a change that it was not required to report and that would result in an increase in the family share of the rent, DCHA will note the information in the tenant file, but will not conduct an interim reexamination.

(c) If a family reports a change that it was not required to report and that would result in a decrease in the family share of the rent, DCHA will conduct an interim reexamination, except upon approval of DCHA's 2027 MTW plan, within three (3) months of the following:

i. New admission to the program,

ii. A transfer move to a new assisted unit, and/or

iii. The effective date of a regular reexamination.

DCHA will allow a hardship exception to this only when the loss of income is involuntary and properly verified as due to the participant being laid off from employment, involuntarily terminated (fired) from employment, and/or has a loss of benefits that is not the result of fraud, misrepresentation, or failure to comply with program requirements.

(d) Families may report changes in income or expenses at any time.

Section 5902, RECALCULATING FAMILY SHARE AND SUBSIDY AMOUNT, is amended as follows:

Subsection 5902.4 is amended to read as follows:

5902.4 When DCHA changes its payment standards or the household composition or size changes, new payment standards are applied at the following times:

(a) If the DCHA's payment standard amount changes during the term of the HAP contract, the date on which the new standard is applied depends on whether the standard has increased or decreased:

1. If the payment standard amount has increased, the increased payment standard will be used to calculate the monthly housing assistance payment for the family beginning the earliest of:

i. The next scheduled regular or interim reexamination;

ii. The next scheduled contract rent increase that would result in an increase in the family share; or

iii. One (1) year following the effective date of the increase in the payment standard.

2. Upon approval of the FY 2027 MTW Plan**:** DCHA will be authorized to apply reduced payment standards at each participant's next regular or interim reexamination or at DCHA's discretion, based on operational need and funding availability in the voucher program. If the application of the new payment standard results in an increase to the participants rent portion, DCHA will provide the participant with a minimum 30-day notice prior to rental increase.

(b) If the family moves to a new unit, or a new HAP contract is executed due to changes in the lease (even if the family remains in place) the current payment standard applicable to the family will be used when the new HAP contract is processed.

Chapter 76, TERMINATION OF ASSISTANCE AND TENANCY, is amended as follows:

Section 7600, TERMINATION OF HCV ASSISTANCE – EVICTION, is amended as follows:

Subsection 7600.11 is amended to read as follows:

7600.11 DCHA will terminate assistance if any household member does not sign and submit any consent form or if any household member revokes their consent in writing.

Section 7602, TERMINATION OF HCV ASSISTANCE - FOR FAILURE TO DISCLOSE AND DOCUMENT SOCIALE SECURITY NUMBERS, is amended as follows:

Subsection 7602.1 is amended to read as follows:

7602.1 DCHA will terminate assistance if a family does not disclose the complete and accurate Social Security numbers of each household member and the documentation necessary to verify each Social Security number.

Section 7614, CONSIDERATION OF CIRCUMSTANCES, is amended as follows:

Subsection 7614.2 is amended to read as follows:

7614.2 If a family indicates that the behavior of a family member with a disability is the reason for a proposed termination of assistance, DCHA shall determine whether the behavior is related to the disability.

Section 7616, TERMINATION OF TENANCY BY THE OWNER, is amended as follows:

Subsection 7616.5 is amended to read as follows:

7616.5 The owner must give the tenant a written notice that specifies the grounds for termination of tenancy during the term of the lease. The tenancy does not terminate before the owner has given this notice, and the notice must be given at or before commencement of the eviction action. If the eviction action is finalized in court, the owner must provide DCHA with documentation related to the eviction, including notice of the eviction date, as soon as possible, but no later than five (5) business days following the court-ordered eviction.

Chapter 83, OWNERS, is amended as follows:

Section 8301, HAP CONTRACTS, is amended as follows:

Subsection 8301.42 (b) is amended to read as follows:

(b) A copy of the owner's IRS Form W-9, Request for Taxpayer Identification Number and Certification, or the SSN of the new owner;

Chapter 85, PROGRAM INTEGRITY, is amended as follows:

Section 8500, PREVENTING, DETECTING, AND INVESTGATING ERRORS AND PROGRAM ABUSE, is amended as follows:

Subsection 8500.13(b)(2) is amended to read as follows:

(2) whether any amount of money is owed DCHA or the family; and

Section 8501, CORRECTIVE MEASURES AND PENALTIES, is amended as follows:

Subsection 8501.18 is amended as follows:

8501.18 DCHA-caused incorrect subsidy determinations include:

(a) Failing to correctly apply housing choice voucher (HCV) rules regarding family composition, income, assets, and expenses;

(b) Assigning the incorrect voucher size to a family; and

(c) Errors in calculation.

Chapter 89, SPECIAL HOUSING TYPES, is amended as follows:

Section 8902, GROUP HOME, is amended as follows:

Subsection 8902.5 is amended to read as follows:

8902.5 Unless there is a live-in aide, the family unit size (voucher size) for an assisted occupant of a group home must be one-bedroom. If there is a live-in aide, the aide must be counted in determining the household's unit size.

Section 8903, SHARED HOUSING, is amended as follows:

Subsection 8903.15(b) is amended to read as follows:

(b) Space and Security: The entire unit must provide adequate space and security for all assisted and unassisted residents. The private space for each assisted family must contain at least one bedroom for each two persons in the family. The number of bedrooms in the private space of an assisted family must not be less than the family unit size (voucher size). A one-bedroom unit may not be used for shared housing.

Chapter 91, PROGRAM ADMINISTRATION & INFORMAL HEARINGS, is amended as follows:

Section 9105, RECORD KEEPING, is amended as follows

Subsection 9105.11 is amended to read as follows:

9105.11 Applicants and participants, including all adults in the household, are required to sign a consent form, HUD-9886-A, Authorization for Release of Information. This form incorporates the Federal Privacy Act Statement and describes how the information collected using the form may be used, and under what conditions HUD or DCHA may release the information collected.

Section 9108, VIOLENCE AGAINST WOMEN ACT (VAWA): NOTIFICATION, DOCUMENTATION, CONFIDENTIALTY, is amended as follows:

Subsection 9108.3(c) is amended to read as follows:

(c) The term "domestic violence" includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding and, in the case of victim services, includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who:

(1) is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;

(2) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

(3) shares a child in common with the victim; or

(4) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

Chapter 94, PROJECT BASED VOUCHERS, is amended as follows:

Section 9405, SELECTION OF PBV PROGRAM PARTICIPANTS, is amended as follows:

Subsection 9405.19(c) is amended to read as follows:

(c) Procedures for closing and reopening the waiting list.

Subsection 9405.31 is amended to read as follows:

9405.31 PBV properties may established a site-specific elderly family preference, to be used in conjunction with any applicable resident right to return. These include, but are not limited to units at the following sites: Kenilworth 166, Asberry (Barry Farm 1B), Edgewood Senior, Capitol Gateway Senior and Capper Senior I.

Section, 9407 DETERMINING RENT TO OWNER, is amended as follows:

Subsection 9407.17 is amended to read as follows:

9407.17 DCHA will not apply SAFMRs to DCHA's PBV program. Upon approval of the FY 2027 MTW Plan, DCHA will be authorized to utilize SAFMRs for the PBV program. DCHA does not currently apply SAFMRs to the PBV program but may

elect to exercise this authority in the future.

Chapter 199, DEFINITIONS, is amended as follows:

Section 19901, ACRONYMS, is amended as follows:

The acronym "EID - Earned income disallowance" is deleted from Section 19901.

Section 19902, GLOSSARY OF SUBSIDIZED HOUSING TERMS, is amended as follows:

The definition of "Elderly family" is amended to read as follows:

Elderly family. Under DCHA's MTW authority, a family whose head, co-head, spouse, or sole member is a person who is at least fifty-five (55) years of age; two (2) or more persons who are at least fifty-five (55) years of age living together; or one or more persons who are at least fifty-five (55) years of age living with one or more live-in aides.

The definition of "Elderly person" is amended to read as follows:

Elderly person. Under DCHA's MTW authority, an individual who is at least fifty-five (55) years of age.

The definition of "Family" is amended to read as follows:

Family. See §5100.5.

The definition of "Imputed asset income" is amended to read as follows:

Imputed asset income. The HUD passbook rate multiplied by the net cash value of the asset. The calculation is used when the value of market value of total family assets exceeds fifty thousand dollars ($50,000) under MTW. The calculation is also used for non-MTW families when their net family assets exceed the HUD-determined amount.

The definition of "Market value of assets" is added to Section 19902 to read as follows:

Market value of assets. The worth or face value of an asset, such as its current balance or the amount a buyer would pay for real estate.

The definition of "Near-elderly family" is amended to read as follows:

Near-elderly family. Under DCHA's MTW authority, a family whose head, spouse, or sole member is a person who is at least fifty (50) years of age but below the age of fifty-five (55); or two (2) or more persons, who are at least fifty (50) years of age but below the age of fifty-five (55), living together; or one or more persons who are at least fifty (50) years of age but below the age of fifty-five (55) living with one or more live-in aides.

The definition of "Net family assets" is amended to read as follows:

Net family assets. Applicable to non-MTW families only. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.

(a) In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income under §5.609.

(b) In determining net family assets, PHAs or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received, therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

The definition of "Previously unemployed" is deleted from Section 19902.

The definition of "Qualified family" is deleted from Section 19902.

Note: The above proposed amendments to the District of Columbia Housing Authority's Administrative Plan were published in the District of Columbia Register on October 23, 2026 in Volume 73, No. 43, Page 013586 to and including Page 013619 and on November 6, 2026 in Volume 73, No. 45, Page 014104 to and including Page 014105.