



# HOME TBRA

**Tenant-Based Rental Assistance**

## **Program Policies & Procedures**

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## 1. Introduction

**The HOME TBRA program is a Fair Housing and Equal Opportunity Program. The Georgia Department of Community Affairs does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in employment or services.**

### **a. Purpose and Use**

The attached program guidelines have been developed to facilitate the efficient and effective operation of the Tenant Based Rental Assistance Program (HOME TBRA) for DCA. The TBRA program will be administered by DCA Office of Programs and Public Affairs (OPPA). Funding for this TBRA is provided under Title II of the National Affordable Housing Act (1990) through the HOME Investment Partnership Program (HOME) under regulations and policies established by the Georgia Department of Community Affairs (DCA) in conjunction with the United States Department of Housing and Urban Development (HUD). DCA has set-aside a portion of its annual HOME allocation to provide TBRA to a targeted group of single individuals with disabilities and families with at least one adult family member with a disability. The household member with a disability must be receiving services from the State Money Follows the Person (MFP) program or be a recent graduate from the MFP program and connected with ongoing support services.

### **b. Primary Objective**

The primary objective of the TBRA program is to assist eligible applicants to secure safe, decent, and sanitary housing in the private rental market in cities and counties in Georgia. This program allows individuals/families to choose a neighborhood in which they prefer to live and helps to upgrade and maintain the quality of neighborhoods

### **c. Secondary Objective**

The secondary objective of the TBRA program is to empower individuals with disabilities and families with an adult family member with a disability to achieve the goal of self-sufficiency and being part of a traditional neighborhood and community. Self-sufficiency is defined as the ability of an individual or family to be self-supporting through income derived from employment, benefits such as SSI and SSDI, or a combination of income and benefits while maintaining safe and decent community based housing.

In order to qualify for TBRA, a participating head of household will sign a self-sufficiency agreement that he/she will diligently pursue an educational or training program designed to maximize the participants' income or, when feasible, will pursue employment that will allow the participant to acquire market-rate housing or other permanent housing with long-term rental assistance. Individuals who are eligible for public benefits will also be encouraged to apply for those benefits and other mainstream resources to maximize their annual household income and further the program goal of self-sufficiency. These services are available through community service agencies and are not being provided directly by the DCA TBRA program. Each program participant will select their own support service provider to assist them with their self-sufficiency plan and with assistance with carrying out the steps of the plan.

The terms of the self-sufficiency agreement will be mutually designed and agreed upon by DCA and the participant and all adult family members living in the household. The terms of the agreement will include but are not limited to: a specified time period with defined milestones, the type of educating/training to be acquired, benefits and entitlement programs to apply for, responsibilities of various parties including outside resources to be utilized, and a statement of understanding of consequences if a "diligent effort" to meet the terms of the agreement are not met.

While economic independence and self-sufficiency is the stated goal and objective of the program, DCA understands that alterations to the agreement may be required during the agreement's term and that a

"diligent effort" may be made without achieving the goal of economic independence. Whenever possible the participants and all other adult members of the household will be encouraged to tap into mainstream resources such as social service agencies, educational facilities, day care providers, Supplemental Nutrition Assistance Program (SNAPS), Temporary Assistance to Needy Families (TANF), and public transportation as ways to increase household income and resources. Progress will be monitored by DCA not less than once a year concurrent with re-certification of the participant but as staffing and program resources allow may choose to monitor the agreement more frequently.

## 2. Definitions

- a. **AMI:** Annual Median Income is a group of charts that are prepared annually for all the Counties and metropolitan areas in the US. The charts document income levels for various federal programs. The charts are broken down into very low income, low income, 30% of median income, 60% of median income, and median income.
- b. **Case Manager:** A case manager coordinates various services on behalf of an individual or family that needs assistance. In this document the term case manager can also refer to a Case Expeditor, Transition Coordinator, and Service Coordinator.
- c. **CFR:** The Code of Federal Regulations (CFR) is the codification of the general and permanent rules and regulations (sometimes called administrative law) published in the *Federal Register* by the executive departments and agencies of the federal government of the United States.
- d. **Contract Rent:** The total rent including the tenant portion and the amount of the rental assistance. Contract rent includes the utility allowance for the unit.
- e. **DCA:** Department of Community Affairs is the agency that administers various housing program in the State of Georgia.
- f. **Elderly Participant:** Any person that is 65 years of age or older. This definition applies to an elderly participant in the Money Follows the Person program.
- g. **Family Obligations:** Formal document executed between DCA and all adults living in the household. This contract spells out all the obligations that DCA and the participant's household will be responsible for to maintain the HOME TBRA.
- h. **FMR:** Fair Market Rent is a payment standard that is set for each county in the nation that establishes a fair market rent for all rental units by bedroom size and unit type. The rent standard is calculated for the base rent and the average cost of utilities for modest rental housing units.
- i. **HAP:** Housing Assistance Payment is a contract between a tenant that is on a rental assistance program and the landlord that is providing a rental unit. The HAP contract spells out the terms of the agreement for the landlord to receive monthly subsidy.
- j. **HCV:** The Housing Choice Voucher Program is a federally funded rental assistance program that provides "tenant-based" rental assistance, so a tenant can move from one unit of at least minimum housing quality to another. The tenant pays 30% of their adjusted gross household income toward the rent and the voucher pays the balance of the rent up to HUD's Fair Market Rent established for the area.
- k. **HOME:** The HOME Investment Partnerships Program (HOME) is a type of United States Federal assistance provided by the U.S. Department of Housing and Urban Development (HUD) to States in order to provide decent and affordable housing, particularly housing for low- and very low-income Americans. It is the largest Federal block grant to States and local governments designed exclusively to create affordable housing for low-income families, providing over US\$2 billion each year. The program is commonly referred to as the Home Investment or Home Partnership Program,

and is often operating in conjunction with other housing and other urban development programs, such as the CDBG program.

- l. HQS:** Housing Quality Standards inspection was developed by HUD to set a national minimum housing standard for many of the housing programs funded by the agency.
- m. MFP:** Money Follows the Person (MFP) Rebalancing Demonstration is part of a comprehensive, coordinated strategy to assist U.S. states, in collaboration with stakeholders, to make widespread changes to their long-term care support systems. This initiative will assist states in their efforts to reduce their reliance on institutional care, while developing community-based long-term care opportunities, enabling the elderly and people with disabilities to fully participate in their communities. Thirty states and the District of Columbia were awarded grants. In 2007, Centers for Medicare and Medicaid Services awarded \$1,435,709,479 in MFP grants with states proposing to transition over 34,000 individuals out of institutional settings over the five-year demonstration period.
- n. Payment Standard:** The official listing of maximum unit rents by bedroom size and type of building. The Payment Standard is broken down by city or geographic area.
- o. SNAPS:** The Supplemental Nutrition Assistance Program (SNAP), formerly known as the Food Stamp program, provides financial assistance for purchasing food to low- and no-income people living in the U.S. It is a federal aid program, administered by the U.S. Department of Agriculture, though benefits are distributed by individual U.S. states. They can be used to purchase any prepackaged edible foods, regardless of nutritional value (e.g. soft drinks and confections). Hot foods (such as those found in a supermarket deli) are ineligible, as well as items in fast food restaurants and similar retail settings.
- p. SRO:** Single Room Occupancy. A single room occupancy (more commonly SRO, sometimes called a single resident occupancy) is a multiple-tenant building that houses one or two people in individual rooms (sometimes two rooms, or two rooms with a bathroom or half bathroom), or to the single room dwelling itself. SRO tenants typically share bathrooms and/or kitchens, while some SRO rooms may include kitchenettes, bathrooms, or half-baths. Although many are former hotels, SROs are primarily rented as a permanent residence.
- q. TANF:** Temporary Assistance for Needy Families (TANF) is one of the United States of America's federal assistance programs. It began on July 1, 1997, and succeeded the Aid to Families with Dependent Children (AFDC) program, providing cash assistance to indigent American families with dependent children through the United States Department of Health and Human Services. This cash benefit is often referred to simply as "welfare."
- r. TBRA:** Tenant-Based Rental Assistance is a form of rent subsidy that allow a tenant to select the rental units that they wish to live in.

### **3. Eligible Beneficiaries**

DCA will use the HOME TBRA program specifically to allow elderly participants and non-elderly individuals with disabilities and their families who are engaged in or were participants of the Money Follows the Person program (MFP) to secure safe, decent, and affordable community based housing.

The Three Target Population Groups include:

#### **a. Elderly Participants**

- i.** Will be any individual that is 65 years of age or older that is currently enrolled in the MFP program in the State of Georgia.

## **b. Persons with a Disability**

### **i. Young Adults with Chronic Mental Illness**

A person with a primary diagnosis of severe mental illness that is currently living in a Psychiatric Residential Treatment Facility (PRTF) that is 18 to 21 years of age and is receiving services from MFP.

### **ii. Intellectual/Developmental Disability**

A person 18 years of age and older receiving services from MFP that has is functionally impaired with intellectual/developmental disabilities or a condition found to be closely related to an intellectual disability and attributable to: (a) cerebral palsy or epilepsy; or (b) any other condition, other than mental illness, which results in impairments of general intellectual or adaptive behavior similar to that of a person with an intellectual disability and meets the following criteria:

- Results in treatment or services needs similar to those required for individuals with a diagnosis of an intellectual disability;
- Is manifested before the person attains age 22;
- Is likely to continue indefinitely;
- Results in substantial functional limitations in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, and economic self-sufficiency; and
- Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated

### **iii. Physical Disability**

- Is a person between 18 and 64 years of age receiving services from MFP and has a diagnosed physical disability (PD) that is expected to be of long-continued and of indefinite duration;
- Substantially impedes his or her ability to live independently; and
- Is of such a nature that such ability could be improved by more suitable housing
- Includes persons with a physical disability caused by traumatic brain injury (TBI).

## **c. Post MFP Participants**

- MFP participants who currently reside in a congregate living arrangements where the participant does not have a traditional lease and the participant desires to move to a less restrictive and more independent setting.
  - MFP funding has ended due to the time restriction on the program but other state and community resources are available to support the client moving to a less restrictive non-congregate living arrangement in the community and to assist with the transition expenses.

## **4. MFP and Medicaid Requirements**

MFP participants must meet the following eligibility requirements:

- a. Live in an inpatient facility (i.e. nursing home, hospital or intermediate care facility) for at least 90 consecutive days (short-term rehabilitative stays don't count)
- b. Be a Medicaid beneficiary for at least one day prior to transition
- c. Meet institutional level of care
- d. Move into a qualified residence (home, apartment or group setting with four or fewer unrelated adults)
- e. Complete the MFP Transition Planning Process

A person must have resided in an inpatient facility for a minimum of 90 consecutive days (#1 above). There is a limitation to the 90 consecutive day eligibility policy--short-term rehabilitation stays will not count toward meeting MFP eligibility criteria.

For example, if an individual enters a nursing facility for rehabilitation following surgery, and the stay is not intended to be a long-term, the stay will not count toward MFP eligibility. If the individual stays more than 90 consecutive days, the remainder of the stay beyond 90 consecutive days may be counted toward MFP eligibility criteria if the individual is determined to need long-term support services and remains at the nursing facility.

Medicaid must have paid for the inpatient facility stay for at least one day (24 hour period) during the most current month (#2 above). Medicaid need not have paid for the entire 90 consecutive day stay. The participant needs to have received Medicaid for at least one day during their institutional stay. Participants who meet the minimum stay requirement (#1 above) and the Medicaid benefit requirement (#2), do not have to apply as a new Medicaid member and therefore do not have to wait another 90 consecutive days to qualify for MFP.

If a participant has not yet applied for Medicaid, but meets the facility requirement for minimum consecutive day stay (#1 above), the participant may apply for Medicaid and would only wait for one day to be eligible for MFP.

## 5. Income Limits

HOME TBRA is limited to households who are income eligible. 100% of HOME TBRA funds will be used to assist families who are at or below 60% of the area median income at the time of move in. The area median income is adjusted for household size as defined by the federal Housing Choice Voucher (HCV) income guidelines.

If at annual recertification the household income is above 60% but below 80% of area median income, the household may continue to receive assistance. If the household's income exceeds 80% of area median income at annual recertification, the household will no longer be eligible for HOME TBRA assistance.

If a tenant or tenant family is on the wait list for more than three months, income eligibility will be re-verified prior to receiving the TBRA rental assistance to determine that they still meet the income eligibility for the program.

## 6. Eligible Units

- a. Tenants who receive assistance from DCA's HOME TBRA can choose from any housing unit as long as that rental unit:
- b. Meets HUD Housing Quality Standards (HQS).
- c. Rents for a reasonable amount, compared to unassisted units in the area.

- d. Is privately or publicly owned but does not receive project based rental subsidies. TBRA cannot be used in public housing or Section 8 New Construction or Substantial rehabilitation projects with Section 8 Project-based Rental Assistance, in any unit with project-based rental assistance attached to the rental unit funded by and government or private sources (such as VASH), or in cooperative rental units (co-ops).
- e. Located in an area where there are adequate support services available to support the household member with a disability so they can live in community based housing.

## **7. Prohibition Against Duplicate Rental Assistance**

Participating households cannot receive TBRA if they are receiving rental assistance under another Federal, state or local rental assistance program IF the HOME subsidy would result in duplicative subsidies.

In accordance with the Section 8 Housing Choice Voucher program rule at 24 CFR 982.352 (c) (6), Housing Choice Voucher recipients and certificate holders cannot receive TBRA under the HOME Program because the two programs would provide duplicative subsidies.

HOME TBRA recipients who are offered a Housing Choice Voucher or certificate must relinquish HOME TBRA assistance, if they wish to accept the Housing Choice Voucher assistance.

## **8. Ineligible Uses of TRBA Assistance**

- a. Make commitments to specific owners for specific units/projects. Tenants must be free to use the assistance in any eligible unit;
- b. Assist resident owners of cooperative housing that qualifies as home ownership housing. TBRA may, however, be used by a tenant who is renting from a cooperative unit owner;
- c. Pay cost overruns, such as late fees.
- d. Prevent displacement of, or provide relocation assistance to, tenants as a result of activities other than the HOME Program.
- e. Provide TBRA to homeless persons for overnight or temporary shelter. The HOME TBRA subsidy must be sufficient to enable the homeless person to rent a transitional or permanent housing unit that meets Housing Quality Standards (HQS).

## **9. Support Services**

The HOME TBRA program is targeted to individuals and families with a least one adult family member who is disabled. DCA does not provide any support services in conjunction with the TBRA. DCA does not mandate that an individual be connected with support services related to their disability nor does DCA make it a condition to maintaining their rental assistance to be engaged in support services. DCA does encourage each individual with a disability to have a strong connection with a support service provider and have an active treatment plan.

DCA would also like to have each household member with a disability to have a case manager that assists them with achieving the goals in their treatment plan. DCA does require that the household member with a disability have a case manager to assist them with accessing the HOME TBRA program and to assist them with finding a suitable rental unit.

DCA would also like to see the case manager assist the participant with a disability complete the annual re-certification process with the tenant. The only other times DCA would like to have the case manager involved is if there is a request from the participant to increase the household composition, when the tenant

wants to move, or when the participant needs assistance if problems arise between the landlord and the tenant.

## **10. Determining Income and Allowances**

DCA will use the HUD Technical Guide for Determining Income and Allowances for the HOME Program and HUD 24 CFR Part 5, Subpart F for determining annual household income for all program participants.

## **11. Residency Requirement**

DCA requires that to be eligible for the HOME TBRA program that the applicant and the applicant's household members meet the State Money Follows the Person residency requirements. All applicants must first apply to and be accepted by the MFP program before they can submit an application for the HOME TBRA program.

## **12. Length of Stay**

The HOME TBRA program is designed to act a bridge subsidy until the tenant can secure permanent rental assistance from another source. The TBRA program will provide monthly rental assistance up to 24 months. DCA will issue the rental assistance in two 12 month contracts. The short-term nature of the TBRA program is a HOME requirement.

Participants are required to verify that they are on the wait list for permanent or long-term rental assistance as part of the application process. This would include verifying their status on a wait list for Section 8 or a wait list for public housing through a local housing authority or at a project-based Section 8 or Section 811 or 202 housing development. The participant, in lieu of providing documentation that they are on a wait list for other subsidized rental assistance program, may provide documentation that they have a viable housing plan that does not involve the need for rental assistance.

When a participant's name is called from the wait list of another subsidy source, the participant must notify the DCA TBRA Program Manager within 7 days of the receipt of the notification. All participants are required to complete the paperwork and take the necessary steps to activate the new rental assistance. Failure to notify DCA that your name has been called for rental assistance or a unit is a project-based rental unit is grounds for termination for the HOME TBRA program.

In the event that a participant's name has not been called for rental assistance during the 24 month term of the TBRA program, DCA will consider extending the TBRA assistance on a case-by-case basis. The participant and their case manager will be required to make a written request to the TBRA Program Manager outlining the circumstances for the participant's failure to secure permanent rental assistance and requesting an extension on the rental assistance. DCA can only grant such requests based on the availability of funding at the time the request is made.

## **13. Self-Sufficiency Agreement**

TBRA assistance will be limited to those participants who are willing to sign the self-sufficiency agreement. This agreement is not tied to any mandatory self-sufficiency program or any mandatory support service plan.

Because the TBRA rental assistance is only provided for 24 months DCA wants to target the assistance to participants who will be able to increase their income and be able to afford a rental unit without rental assistance or be able to secure a rental unit with permanent rental assistance at the time the TBRA assistance ends.

All applicants and other interested parties may view the Self-Sufficiency Agreement and other forms related to the HOME TBRA program on the DCA TBRA website. Follow the link to view the Self-Sufficiency Agreement.

#### **14. Payment Standards**

The payment standard for DCA's HOME TBRA program will be based on DCA's Housing Choice Voucher Fair Market Rent Standards (DCA/FMR).

#### **15. Security Deposits**

HOME TBRA funds can be used for security deposits for eligible participants. Security deposits cannot exceed the amount of two months' rent. The security deposit should be reasonable for the area and should be reasonable and equal to what a non-subsidized tenant would pay for the same unit. The security deposit will be paid by DCA directly to the landlord.

When the participant moves the security deposit will be refunded to the participant according to the terms of their lease. The security deposit is a grant to the participant and does not have to be repaid.

If the tenant plans on moving while on the program they will be responsible for the security deposit at the new rental unit. The HOME TBRA program will issue only one security deposit per participant. Tenants can use any refunded security deposit to fund the security deposit at a new rental unit. DCA may pay a second security deposit on a case by case basis if a tenant needs to leave their current living situation due to domestic violence or any other situation that put the tenant in danger of if the landlord is not making repairs to the property which causes the unit to be out of compliance with HQS standards.

#### **16. Pet Deposits**

HOME TBRA funds cannot be used to pay pet deposits. The tenant will have to use their own funds to pay a pet deposit.

#### **17. Service Animals**

A service animal is not consider a pet. Any applicant that has a service animal or expects to acquire one during the time they will be assisted by the HOME TBRA program will have to provide certification from a medical doctor or a psychologist that the animal is acting in the capacity of a service animal.

In most cases a landlord cannot charge a pet deposit for a service animal. The tenant is responsible for any damages done to the rental unit by the service animal.

#### **18. Utility Deposits**

TBRA funds can be used for utility deposits in conjunction with utility connection fees at an approved TBRA rental unit. Funds can only be approved for utility deposits for services that the tenant will be responsible for paying. The funds can only be used for the electric, gas, water, sewer, and trash collection services. The utility deposit program does not include telephone, cable television or Internet service.

This is a onetime service and will not be available to the participant if they move to another rental unit. The maximum grant for connecting utilities at an approved rental unit is \$500 for all services. The utility deposit funds are considered a grant and do not need to be repaid to DCA. Any funds returned to the participant after the end of the tenancy will be considered the participants funds.

DCA may pay a second utility deposit on a case by case basis if a tenant needs to leave their current living situation due to domestic violence or any other situation that put the tenant in danger of if the landlord is not making repairs to the property which causes the unit to be out of compliance with HQS standards.

All utility deposit funds will be paid directly to the utility provider and not directly to the participant. The participant will need to bring documentation from the utility provider that the service will be in the name of the participant and showing the amount of the required deposit and verification that the utility service will be

connected in the participants name once the deposit is received.

## **19. Utilities**

If the participant is leasing a rental unit where they will be responsible for paying for the utility service they must bring DCA written verification that the participant can connect the service in their name prior to moving into the rental unit. It is important that the head of household, co-head of household or another adult living in the household will have utility service connected in their name.

DCA will not permit utility service to be connected in a minor child's name or any other person that is not a member of the household. If these provisions cannot be met, then DCA will require that the participant secure a rental unit that has all utilities paid by the landlord.

DCA recommends that the household have at least \$300 in monthly income for every bedroom they are eligible for if they are considering paying utilities on their own. Households with less income may have a difficult time managing high utility costs on a monthly basis.

All rental units funded by the TBRA program must have all utilities connected at all times to remain in compliance with the terms of the program. Disconnected utility service is grounds for termination of the rental assistance.

## **20. Non-Refundable Fees, Inventory Checklist**

Nonrefundable fees cannot be paid from TBRA program funds.

There may be charges in addition to the security deposit at the time tenancy begins. These charges may be reasonable and nonrefundable, such as a cleaning charge or fee for wall washing, carpet cleaning, drapery cleaning, etc. A cleaning fee does not negate the obligation of the tenant to maintain the unit in a normal sanitary manner. These nonrefundable fees or charges are separate items from the security deposit and, as such, are not covered by the security and utility deposit provision found in Section 20 and 21.

## **21. Household Identifications**

Every household member is required to provide two pieces of identification (both adults and children). Acceptable forms of identification include: birth certificate, social security card, state issues ID, and driver's licenses. Copies of these identifications will be kept in the tenant's file. Photo ID's are required for all adult members of the household.

## **22. Contract Limitations/Period of Eligibility**

All participants will be informed that the HOME TBRA subsidy contracts cannot exceed two years. Although there is a possibility that the rental assistance could be extended, this is dependent on the availability of HOME funds and there is no guarantee that funds will be available beyond the first 24 months.

Once an applicant receives a HOME TBRA rental assistance coupon, assistance will continue, subject to funding availability and tenant eligibility.

All participants will be required to sign up for rental assistance such as Housing Choice Voucher program or public housing as part of the initial application process. Applicants must provide written verification that they are on a Wait List for a Housing Choice Voucher, public housing, HUD Section 811 or 202 apartment unit, or a privately owned Project-Based Section 8 rental unit. This verification will be needed at the time of initial application for the HOME TBRA program. Participants will also have to re-verify their Wait List status at the time of the annual re-certification on the program.

All participants will be required to access rental assistance from other funding sources when their name is

called from the other Wait Lists. DCA TBRA rental assistance will continue until the new rental assistance is activated from the new funding source. Participants who have applied for other tenant-based rental assistance, project-based Section 8 buildings or Section 202 or Section 811 properties must terminate the HOME TBRA and move to the new property.

DCA will work with the participant’s current landlord to help facilitate this move. DCA may allow the participant to remain in their current rental unit until the lease expires as long as the new landlord will hold their rental unit until the TBRA lease expires.

**23. Inventory Checklists and Major Tenant Responsibilities Regarding Security Deposits**

In order to protect the deposit and assure its return (whether or not program funds are used), DCA will assist the household understand their responsibilities as summarized below:

- a. Complete an Inventory Checklist at the start of occupancy (within seven days of move in);
- b. Give the owner a forwarding address within four days after moving out. If the tenant does not do this, the right to an itemized list of damages from the owner is forfeited. However, this requirement only applies if the owner has informed the tenant of this requirement in writing within 14 days after the tenant has moved in;
- c. Respond in writing, if he or she disputes the charges against the security deposit within 7 days of receipt of notice. It is a good practice to retain some type of proof of mailing.

**24. Re-certification**

The household income, family size, and composition must be recertified at least annually. Interim re-certifications will be considered on an individual basis when there is a change in household income or household composition. Interim re-certifications will not be required.

Household members are required to report all changes in household income to DCA within 30 days of the change. All decreases in household income will be adjusted immediately. Increases in household income will be adjusted at the next annual re-certification.

**25. Occupancy Standards**

DCA’s occupancy standards are based on the following table:

Rental Assisted Unit Bedroom Size	Number of Persons	
	Minimum	Maximum
1	1	2
2	2	4
3	3	6
4	5	8

In addition, household composition is taken into account and unit size is also based on the following.

Unit Size	Family Composition
1	1 adult or 2 adults (couple)
2	2 adults of the same or opposite sex living together in a non-conjugal relationship
2	1 adult and 1 child
2	2 adults (couple) and 1 child of any age
2	1 adult and 2 same-sex children
2	1 adult or a couple and 2 opposite sex children, both under 6 years of age

3	1 adult or a couple and 2 opposite sex children when one child is at least 6 years of age
3	1 adult and 3 same sex children or opposite sex children all under 6 years of age
3	2 adults (couple) and 3 children
3	1 adult or a couple and 4 children (either all of the same sex or any combination where 2 children of the opposite sex will not share a bedroom unless both are under the age of 6 years)
4	1 adult or a couple and 4 children, 3 of the same sex and 1 of the opposite sex, when all children are at least 6 years of age
4	1 adult or a couple and an 5 to 7 children, providing children do not have to share a bedroom with the parent(s) <u>or</u> with a child of the opposite sex when either is over the age of 6 years

The TBRA Program Manager considers requests for exceptions to the above stated Occupancy Standards because of health needs or other circumstances on a case-by-case basis. Such requests must be accompanied by appropriate documentation such as a doctor's statement. Except in exceptional circumstances, participants should not be permitted to move into a unit with more bedrooms than the minimum number stated in the above charts, even if the contract rent is in line with a smaller unit size. DCA will allow an additional bedroom for an approved live-in aid. See Section 48 Live-In Aide Requirements.

## **26. Waiting List Administration**

The TBRA program will maintain one Wait List for all eligible applicants. All applicants must; complete a written application, provide the required documentation, and be determined to meet the basic eligibility requirement for the program, in order to be placed on the HOME TBRA Wait List. Applications are available at the DCA website. Applications may also be obtained from your case managers or by calling the DCA Office of Programs and Public Affairs and requesting that an application be mailed to the participant.

Applications are accepted at any time unless DCA has posted the TBRA Wait List is closed. DCA will post a notice that the Wait List is closed on the DCA TBRA website.

Applications can be faxed, scanned and emailed, mailed through the US Postal Service, other postal services (FedEx, UPS) or hand delivered in person to the DCA Main office located at 60 Executive Park South NE, Atlanta, Georgia 30329-2231. DCA will close the Wait List if DCA determines that there will be more than a 2 year waiting period for an applicant at the bottom of the Waitlist to receive rental assistance. DCA will post the Open or Closed status of the TBRA Wait List on the DCA TBRA website.

DCA will review the applications and required documentation and will place it on the Wait List once the application has been determined to be complete with all the required information completed and required documentation and determined to meet the initial eligibility requirements for the program. Applications will be reviewed and date and time stamped upon receipt and will be place on the Wait List in the order that they are determined to be complete and meet the initial eligibility requirements.

DCA will notify applicants in writing if their application is determined to be incomplete or does not meet the initial eligibility requirements for the program. Incomplete applications will not be place on the Wait List. DCA will also notify in writing all applicants whose applications are determined to be complete and meet all eligibility requirements for the program that their names have been added to the wait list. The letter will state the date and time that the applications was received and give the position the application has on the wait list.

Applicants who need assistance in completing the application can make an appointment by contacting their Case Manager or contacting the DCA HOME TBRA Housing Director.

## **27. Tenant Selection**

DCA maintains a separate Tenant Selection Policy and Outreach Strategy for the HOME TBRA program

that is made a part of this document as Appendix 1. This policy spells out the specific steps that an individual or family must take to be selected for the program. This document is maintained on the DCA website for public view. Questions related to the Tenant Section and Outreach Strategy should be directed to the HOME TBRA Program Manager. DCA's TBRA website will have all current contact information posted.

- a. To qualify for assistance an applicant must meet the following general requirements:
- b. Household income must fall at or below 60% of AMI.
- c. Applicant or an adult member of household must provide documentation of their participation in the State of Georgia Money Follows the Person program (MFP).
- d. Applicant and all adult members of the applicant's household must sign and agree to participate in the TBRA Self-Sufficiency program.
- e. All household members must be U.S. citizens or have eligible immigration status. No member of the household is subject to a lifetime registration requirements under a State sex offender registration program.
- f. No member of the household has been convicted of the manufacturing or the sales of methamphetamine.
- g. Applicant must provide proof that the participant is on a Wait List for Section 8 Housing Choice Voucher, public housing, HUD Section 202 or 811 housing, privately owned project-based Section 8 rental unit, or any other private or publicly funded subsidized rental unit that provides long-term rental assistance.
- h. Applicant must provide documentation that at least one adult member of the household qualifies as an elderly participant or has a disability that is chronic and severe as defined by HUD: severe mental illness, physical disability, and developmental disability. The documentation must be from an approved medical or mental health professional.

Applicants on the wait list are required to update their contact information while their name is on the Wait List. DCA will make two attempts to contact the participant at the time their name comes up on the Wait List. DCA will contact the participant by mail and telephone in an effort to notify that the participants name has been selected for a coupon. DCA will also attempt to contact the case manager that is assisting the participant as well.

If the applicant cannot be reached after two attempts to contact them, their name will be removed from the Wait List. DCA will send a letter to the applicant and their case manager notifying them that the applicant has been removed from the Wait List. If the Wait List is open, the client may reapply if they still meet the eligibility requirements.

All applicants who do not update their application within the defined period will be removed from the waiting list. Participants will be informed in writing that they can re-apply after being purged from the waiting list, with a new date and time of application. If an applicant feels that their name has been removed from the Wait List in error they have the right to appeal this decision. Refer to the Appeal section of this document.

Once the participant's name comes up of the Wait List and they respond to the notice sent by DCA that they have been selected to receive rental assistance, the participant will be issued a date to come into the office to complete the application process and receive a briefing on how the program works.

The participant's case manager will also be notified of the briefing meeting. The case manager must attend the initial intake meeting to assist the participant in understanding the program requirements and to assist them with bringing all the required documentation needed to complete the application process. The

tenant may ask any other family member or friend that is assisting with this transition to attend the briefing meeting.

Applicants and case managers will be reminded that their rental assistance contracts cannot exceed two years. If funding is available, applicant eligibility to extend this period will be considered on an individual basis based on need and situation.

## **28. Local Preferences**

Assistance will be limited to participants in the Georgia Money Follows the Person Program (MFP). Please refer to the Tenant Selection Plan and Outreach Strategy for additional information related to the preferences for the HOME TBRA program.

The HOME TBRA Program Manager may give an applicant preference once their name is on the Wait List due to severe emergency situations where the applicant or member of the applicant's household has a medical or emergency situation that warrants them being moved to the top of the Wait List.

## **29. Rental Assistance Calculation**

DCA will use the Payment Standard based on DCA's Housing Choice Voucher program Fair Market Rent (DCA/FMR). The rental assistance calculation will follow the HUD Housing Choice Voucher program except the tenant portion of the rent cannot exceed 30% of the adjusted housing income. The TBRA program will also not allow the participant to use their rental assistance to be "over housed" or leasing a rental unit that does not meet the Occupancy Standard for their household size even if they find a large rental unit that is within the dollar value of the coupon.

- a. Rental Assistance Calculation - the maximum subsidy amount is calculated as the difference between 30% of the household adjusted monthly income and the Payment Standard for size of rental unit they are qualified for. The tenant is responsible for paying the difference between DCA's HOME TBRA share of the rent and the total Contract Rent. This Total Tenant Payment will be paid by the Tenant directly to the landlord each month.
- b. Minimum Tenant Rent – The minimum tenant rent would be 30% of the participant's total adjusted household income. In the event that the total adjusted household income is less than \$1.00 then the participant will have a zero Total Tenant Payment.

## **30. Utility Allowances**

The TBRA program will use the DCA Housing Choice Voucher Utility Allowance Charts when calculating rent under this program. Utility allowances will be factored into all rent calculations. If DCA does not have a utility allowance chart for a given area then the TBRA program will adopt the utility allowance from the local public housing authority operating in the given county or metropolitan area that the participant has selected to live.

If the tenant is very low income or has no income at the time of initial lease up, where their rent calculation results in a monthly utility allowance, DCA will request the tenant locate a rental unit where all the utilities are included in the rent. DCA will assist the tenant and case manager in negotiating all utilities being included in the rent with the landlord.

If a rental unit cannot be found where all utilities are included in the rent, then the TBRA program will issue the utility allowance payment directly to the utility company on a monthly basis. No utility allowance checks will be made payable to the participant or any member of the participants household.

## **31. Impact Of Unit Size On The Subsidy**

DCA will calculate the maximum subsidy based on the unit size authorized for the tenant. The participant

may not select a rental unit that is larger than the one specified in the program Occupancy Standards and designated on the TBRA Coupon that is issued to the participant.

### **32. Key Processing Steps for Initial Lease-Up**

#### **Step 1: Marketing and Outreach Activities**

- A. Public Announcement of Program.
- B. Outreach to Eligible Households.
- C. Outreach to Prospective Owners.

#### **Step 2: Accept Applications**

- A. All Applications must be in writing on a form prescribed by DCA. The application includes information that enables DCA to determine household income and eligibility.
- B. If long wait lists occur, DCA will use a short form application to serve as a preliminary application. Using this method, potentially eligible applicants are placed on the waiting list based upon the preliminary application. Nearer the time that an applicant would be selected from the list, DCA will request that the applicant complete the full application with current information. This current information will be used to verify eligibility.
- C. Each Application received must be reviewed for completeness and to determine if the applicant is eligible. DCA may elect to fully determine eligibility at the time the household makes application, and then put the applicant on the wait list.
- D. If an applicant is determined to be ineligible, they will be notified in writing. The written notice will identify the reason(s) the household is ineligible and state that the applicant has 10 days from the date of the notice to request an informal review of the decision.
- E. A tenant file will be created for each application. This file will ultimately contain the application, documentation of the household's eligibility, copies of program forms, unit information (lease/assistance contract, HQS Inspection) correspondence, future recertification paperwork, etc.

#### **Step 3: Determine Eligibility**

Applicants are selected from the waiting list in the order established by DCA's Tenant Selection policy. To determine a household's eligibility, the Grantee must verify:

- A. The household's *eligibility status*. Eligibility is not always verified at the time of application, but it must be verified before the household receives a coupon.
- B. The household's *size and composition*. This enables DCA to determine the unit size for which the household qualifies.
- C. Household income and adjustments to income. This enables DCA to determine if the household is income eligible, and to calculate the subsidy amount for which the household qualifies. Verification of the information provided by the household can be accomplished through a variety of sources and documents.

#### **Step 4: Issue Housing Coupon**

The issuance of a TBRA Housing Coupon authorizes the household to begin the search for housing. The coupon is generally issued in person, during a counseling session with the household, often called the "TBRA Briefing."

TBRA Briefing: The purpose of the briefing is to ensure that the household (1) understands its responsibilities, as well as those of DCA and the owner/landlord; and (2) has sufficient guidance to make an informed choice of housing. The briefing will cover:

- A. Roles and responsibilities of the applicant, household members, owner, and DCA.
- B. Limitations on the rent the owner may charge (i.e., a description of rent reasonableness), including how utility allowances are used in this determination.
- C. Subsidy calculations, including how DCA and tenant shares will be calculated.
- D. Security deposit policy, including how much may be charged, who pays, and who receives any refund.
- E. Housing Coupon Issuance Period and Extension Policies.
- F. Guidance on selecting a unit, including HQS requirements and procedures for submitting the Request for Lease Approval/Rental Unit Information form. Families should be counseled against signing any lease until DCA has approved the unit.
- G. Lead-Based Paint information.
- H. Prohibited Lease Provisions/Lease Addendum
- I. Fair housing information, including any search assistance that may be available, and the process for filing a complaint in the case of discrimination. DCA will direct participants and their case managers to Georgia Housing Search to assist households in their search. DCA will make it clear that the Coupon Holder is free to choose units other than those on the Georgia Housing Search website.

#### **Step 5: Unit/Lease Approval**

Once the household has located a unit and the owner has agreed to participate, the household and the owner jointly submit the Request for Unit Approval/Rental Unit Information form. This form provides essential information about the property (bedroom size, utility combination, proposed rent, ownership information). The submission of this document triggers DCA's inspection, rent negotiations and review of the owner's lease.

- A. Housing Quality Standards: Each unit must be inspected to confirm that it meets HQS. If the unit initially fails HQS, the owner may be given a reasonable amount of time to correct deficiencies, or the Coupon Holder may elect to look for another unit. A TBRA Contract with an owner must not be executed until the owner has made all repairs. (An exception may be made for corrections to defective exterior paint during the winter in climates where the weather makes this impossible.) The results of each inspection must be recorded on an inspection form prescribed by DCA and retained in the participant file.
- B. Rent Determination: The rent for each must be determined to be reasonable when compared to comparable, unassisted units. See above for key components of Rent Reasonable determination.

- C. Lease Review: DCA must review the owner's lease to assure that it does not include any of the prohibited lease provisions. The Lease Addendum provided by DCA is required for all HOME TBRA-assisted units.
- D. Final Subsidy Calculation: Once the unit has been approved, a final subsidy calculation is required to determine the tenant's share and assistance amount.

### **Step 6: Contract/Lease Execution**

The Lease Agreement and Lease Addendum are executed by and between the tenant and owner only. The TBRA Housing Assistance Payment (HAP) Contract is executed by and between the owner and DCA on behalf of the participant. Each HAP Contract should begin on the first of the month whenever possible.

### **33. Marketing and Outreach**

DCA will publicize and disseminate information concerning the availability and the nature of housing assistance for low and very low income families participating in the Georgia Money Follows the Person program.

Efforts to inform community leaders, housing owners, social service agencies, and other interested parties will be made through formal and informal meetings and other methods. DCA will encourage case manager and participants to use [www.GeorgiaHousingSearch.org](http://www.GeorgiaHousingSearch.org) as a method for quickly locating affordable rental units that will accept the TBRA rental assistance.

DCA's website has other resources that may assist the participant in locating other housing resources for themselves and members of their family. The DCA website is located at [www.dca.ga.gov](http://www.dca.ga.gov).

Refer to the TBRA Tenant Selection Plan and Outreach Strategy which is Appendix 1 to this document. It has additional information about marketing and tenant selection.

### **34. Eligibility and Income Calculations**

DCA will use the definitions of income established in the HUD Housing Choice Voucher program at 24 CFR Part 5, which is based on gross income before deductions. DCA will follow the guidance provided in HUD's Technical Guide for Determining Income and Allowances from the HOME Program Manual. Income will be verified in the following ways:

- a. Third Party Verifications: Request for written income verification from the tenant's employer or other income source; must be pre-approved by the applicant.
- b. Review of Documents: Documents include but are not limited to benefit award letters, pay stubs, bank statements, and income tax returns.
- c. Personal Certification: This is the least preferred method, but may be used if no other sources are available.

### **35. Coupon Issuance and Briefing Meeting**

When HOME TBRA funds are available, DCA will select the applicant who is at the top of the Wait List. DCA will select applicants according to date and time the application was filed with DCA and determined to meet the base eligibility requirements for the program.

Once an eligible program applicant is selected to receive assistance, DCA will hold a briefing meeting with the participant and their MFP case manager. The applicants may invite to the Briefing meeting other family members and friends who are assisting the participant in the relocation process. All adults living in the

household will also be invited to the Briefing Meeting. The case manager or another member of the support service team who will be working with the applicant is required to attend the Briefing Meeting.

At this meeting, DCA will review the policies and procedures for the program and the Household Obligations. DCA will also collect all documentation that has been requested of the applicant and all members of their household. DCA will review this information to determine final eligibility for the program.

DCA will do a preliminary rent calculation to determine approximately the tenant portion of the rent. DCA will also determine the size of the rental unit that the applicant and their household are eligible for. At the conclusion of the meeting, DCA will issue HOME TBRA coupon so that participant can search for an appropriate unit. The participant will also be given a Landlord Packet that they will give the landlord once the landlord has completed their screening process and has approved the participant to lease the unit.

The recipient of the coupon will have thirty days in which to locate an acceptable unit, but may request an extension of up to thirty days. Once a unit has been located and the tenant has been approved by the landlord to lease the property, the Landlord will need to complete the landlord packet and return it to DCA along with all required documentation from the landlord. Once the landlord packet is returned to DCA, DCA will schedule a Housing Quality Standards (HQS) inspection of the property. This will usually be done within 48 hours of receiving the completed landlord packet back from the landlord.

The applicant will also be given a Tenant Briefing Packet that has valuable information about how to locate suitable housing and how to be a good tenant.

The briefing will include:

- Responsibilities of DCA staff
- Responsibilities of the head of household and all other household members
- Responsibilities of the landlord
- Duration of assistance, coupon expiration, and extensions
- Termination of assistance
- Payment standards, eligible units, Housing Quality Standards (HQS), lead-based paint hazards and fair housing regulations
- Formal and informal reviews, and Appeals Hearing Process
- Occupancy standards
- Total tenant payment, rent calculation, security deposit, utility deposits
- Guidance on selecting a unit, HQS requirements, timing for signing the lease

Materials to be distributed at the briefing include:

- TBRA Coupon
- Family Obligations Notice which describes the recipients, landlords and administrators responsibilities
- Request for Tenancy Approval (to be submitted by the Landlord to request unit approval)
- Lease Addendum, which notifies the landlord of the rental subsidy
- Current utility allowances
- Fair housing pamphlet
- Lead-based paint brochure (HUD 1993-351-568)

- Information brochure on Georgia Housing Search

### **36. Approving Rental Unit and Lease**

Once the participant has located a unit and the owner has agreed to participate, the household and the landlord jointly submit the Request for Unit Approval. The TBRA Program Manager and processing staffing are available to discuss the program with prospective landlords to answer questions and review the rental documents and procedures for the operation of the TBRA program

Units identified by the program participant must be acceptable under the TBRA HOME guidelines. The following guidelines apply:

a. Rent Reasonableness:

DCA will insure that the subsidized rent and unsubsidized rents charged for comparable units are similar. DCA will utilize the Rent Reasonable checklist provided by HUD. Rental units that are found to be out of compliance with the HUD Rent Reasonableness standards will be rejected and the applicant will be asked to identify another suitable rental unit.

b. Housing Conditions:

HQS will be applied to all units assisted with HOME TBRA funds. Enforcement of local codes may be applied in addition to HQS standards.

DCA staff will schedule initial inspections with landlords upon receiving and approving a completed and signed Request for Unit Approval from the participant and landlord. DCA will schedule the HQS inspection with the landlord. Landlords will be notified in writing of the HQS inspection violations. If the landlord is not willing to correct the violations cited in the HQS inspection booklet and to make the unit ready for move-in in a reasonable amount of time, the participant will be given a new Landlord packet and requested to look for another rental unit.

The HOME Program regulation requires that all units assisted with HOME funds meet Section 8 HQS. Each unit under contract must be inspected, at least annually, to assure that this requirement is met. Units may also be inspected as a result of housing quality complaints initiated by the owner or the tenant.

If a unit fails to pass an inspection, the owner may be given a reasonable period of time (e.g., 24 hours for emergency conditions or 15 to 30 days for less serious conditions) to correct the deficiencies. If the owner fails to make the needed corrections on an initial lease-up, DCA will encourage the applicant to look for another rental unit. If the participant is already living in the unit, DCA will give the landlord 30 days to repair the items noted in the HQS inspection. If the repairs are not made in the 30-day period, DCA will request that the participants start looking for a new rental unit.

c. Size Requirement:

DCA will use the Occupancy Standards in determining unit size for each household. Occupancy Standards are found in Item 25.

d. Lease Approval:

The lease must comply with the requirements in 24 CFR 92.253 (Tenant and Participants Protection). Once a unit meets HQS, the landlord must provide a copy of the proposed lease to DCA. DCA will review the lease to assure that it does not include any of the prohibited lease provisions as outlined in 24 CFR Part 92 and 92.253(b).

### **37. Rent Reasonableness**

TBRA assisted units must rent for a reasonable amount, compared to rents charged for comparable, unassisted units. DCA must document the basis for their rent reasonableness determinations on a form prescribed by DCA. The prescribed form provides a rent analysis for three (3) comparable unassisted units. Key components of a comparability analysis include:

- a. Location in Community: In many markets location is the key determinant of housing price (i.e., good/safe neighborhood, close to schools/bus routes, etc.).
- b. Size: Only units of comparable size (both in terms of number of bedrooms and square footage) should be used.
- c. Rent for Unit: Amount of rent being charged by owner.
- d. Utilities Included: Consider the type and fuel source of utilities.
- e. Condition: Only units in similar condition should be compared.
- f. Amenities: Consider such amenities as garage, appliances and lot size.

### **38. Execution of Housing Assistance Payment Contract, Lease, and Lease Addendum**

Once DCA has verified the unit has passed the HQS inspection and the lease has been reviewed and approved, DCA will make arrangement to have the lease, lease addendum, and the Housing Assistance Payment Contract (HAP) signed by all three parties: tenant(s), owner/property manager, and DCA.

The HAP agreement states that the TBRA rental assistance will end if the participant is no longer eligible for the program regardless of the terms of the lease between the tenant and the landlord. The HOME rental assistance will not go into effect until the unit passes HQS and all above referenced documents are signed and returned to DCA TBRA office.

### **39. Rent Increases**

Landlord may request a rent increase at the anniversary date of their lease. Landlords must submit a request for a rent increase in writing as part of the annual re-certification process. Landlords should submit a new Request for Unit Approval form to DCA requesting the rent increase.

DCA will have to determine that the new proposed rent is reasonable in comparison to rents charged for comparable, unassisted units, and that it is within the DCA Fair Market Rent DCA/FMR set for the program.

### **40. On-Going DCA Program Responsibilities**

On-going DCA Program responsibilities are:

- a. Monitor eligibility of participating households.
- b. Monitor HQS standards. Units will be inspected at least once a year.
- c. Owners will receive prompt and accurate payments.
- d. DCA will review rents annually. Annual rent adjustments will be granted in accordance with published HUD approved adjustment factors.
- e. DCA will review payment standards annually.

- f. Tenants will be re-certified annually. Notices to re-certify tenants will be sent ninety days in advance. Interim re-certifications will be reviewed on an individual basis, but will not be required.
- g. DCA will maintain a waiting list. If the waiting list becomes two years long, the waiting list may be closed.

#### **41. Lease Enforcement and Termination of Tenancy**

DCA is not a party to the tenant/landlord lease and will not be obligated to enforce or intervene in a tenant/landlord dispute. DCA is not a party to the eviction process. If the household is legally evicted for cause, DCA may terminate assistance to the participant.

#### **42. Term of Housing Assistance Payment Contract**

The term of the TBRA Housing Assistance Payment Contract (HAP) runs in conjunction with the term of the Lease. The Lease cannot exceed 1 year. The HAP contract automatically terminates on the last day of the term of the Lease. If the participant is no longer eligible for TBRA the HAP contract with the Landlord will automatically terminate. DCA will no longer be required to make rental assistance payments to the landlord if the participant is no longer occupying the rental unit or if the tenant remains in the rental units after their rental assistance has ended.

#### **43. Non-Eligibility Requirements for Units**

TBRA participants may select units that are publicly or privately-owned. TBRA may *not* be provided to a family who proposes to rent a unit that receives project-based rental assistance through Federal, state or local programs, IF the HOME assistance would provide a duplicative subsidy (see 'Prohibition Against Duplicative Rental Assistance' above for more details).

Under certain circumstances, DCA may approve an exception allowing the participant to self-select a unit owned by DCA or other participating agency. (See 'Rental Units Owned by Agency Participating in the Continuum' above for more details.)

Tenant selected units must meet housing quality standards, and therefore require each unit to have a separate kitchen and a bathroom. Therefore, SRO's are NOT acceptable on the TBRA program. An efficiency apartment or studio, which has a kitchen and separate bathroom, is acceptable.

The intent of TBRA funds is meant to temporarily assist families and individuals obtain self-sufficiency and not to make mortgage payments. Therefore, rent-to-own leases, in which monthly rental assistance payment are used as mortgage payment, are not permissible.

Landlords cannot be related to the participant or any other member of the household. This includes parent, grandparent, aunt, uncle or blood relative. Exceptions to this rule may be granted on a case-by-case basis where the tenant has very special housing needs and the only way to accommodate these needs is through a family member or relative providing the rental unit. This process must be fully disclosed to the DCA TBRA Program Manager for review and approval. The applicant and their case manager must present the request in writing explaining the situation.

#### **44. Termination of Rental Assistance**

Assistance may be terminated if:

- a. The participant no longer qualifies, based on income eligibility, for assistance at annual re-certification or during an interim re-certification.
- b. The household assistance contract expires. Continuation of rental assistance can be considered on an individual basis provided DCA is currently operating a TBRA program and has funding to continue

rental assistance.

- c. DCA determines that the TBRA has been obtained fraudulently.
- d. The household has been evicted for cause and DCA determines that participant or a member of their household has violated the Family Obligations and there is no means to rectify the situation for continuation of the TBRA program.
- e. The household does not make a “diligent effort” or drops out of the required self-sufficiency program including failure to keep appointments with Case Manager or make progress on the self-sufficiency goals.
- f. The unit fails to meet HQS due to discontinuation of utility service or HQS compliance issues related to the tenant damage or housekeeping issues.
- g. Failure to comply with treatment program that impacts participant’s ability to maintain terms of lease and/or TBRA Family Obligations.
- h. Failure to report a change in household composition or allowing a person(s) to reside in the rental unit for an extended period of time that violate the terms of the lease or Family Obligations.
- i. For participants with past domestic violence history, allowing the abuser to reside in the unit.
- j. Conviction of drug related offenses at or away from TBRA rental unit.

#### **45. Eviction**

A Landlord may evict a Participant household from the contracted unit only by instituting a court action. The Landlord must notify DCA in writing of the commencement of procedures for termination of tenancy at the same time that the owner gives notice to the Participant pursuant to state or local law. The notice to the DCA may be given by furnishing DCA with a copy of the notice that was sent to the household. *Eviction does not always equal termination of rental assistance.* Final termination of rental assistance may only be approved by DCA TBRA Program Manager.

The participant has the right to appeal the decision. Refer to Due Process section of this document.

#### **46. Due Process**

DCA is always willing to work with program participants who are experiencing problems that threaten to disrupt their housing stability. Participants are expected to observe and abide by all the rules of the TBRA program; when a participant or a member of the participants household violates one or more of these rules, DCA has two levels of review it can apply, depending on the situation.

##### **a. HUD Requirement for Due Process**

HUD regulations at 24 CFR section 582.320(b) requires DCA give “due process” to any participant whose rental assistance has been terminated because of program rule violations. Due process must consist of, at a minimum, the following steps as stated in the regulation:

- i. Written notice to the participant containing a clear statement of the reason for termination;
- ii. A review of the decision, in which the participant is given the opportunity to present written or oral objection before a person other than the person (or a subordinate of the person) who made or approved the termination decision; and
- iii. Prompt written notice of the final decision to the participant.

## **b. Formal Hearings**

Based on the above, DCA has a procedure whereby a participant whose rental assistance has been terminated can appeal the termination. DCA follows this procedure for all of its rental assistance programs. The following steps are required to initiate and conduct the Appeal.

- i. The participant must submit a written request to DCA TBRA Program Manager requesting an Appeal of the household's termination from assistance. Normally the participant responds by filling out a form that is attached to or is a part of the letter sent informing the participant of the termination.
- ii. On receiving a written request for an Appeal, DCA schedules the Appeal. Attendance by the DCA staff person responsible for initiating the termination is mandatory. DCA invites all other relevant persons, who may include the participant's case manager, the landlord and any other persons who have first-hand knowledge or documentation of the issues involved – witnesses, in other word. The participant may be represented by legal counsel at his or her own expense and may bring up to two additional persons to act as witnesses.
- iii. Paragraph (2) of the HUD regulation establishing the due process requirement requires that an impartial person preside over the Appeal. An impartial person is someone who is unfamiliar with the Participant personally, has no prior knowledge of the issues that lead to the termination, and has no personal interest in seeing the Appeal resolved one way to another. DCA has an assigned person that is the Hearing Officer for all housing programs. In the absence of the Hearing Officer, DCA Director of the Office of Programs and Public Affairs will appoint someone or will preside over the Appeal.
- iv. The Hearing Officer or the DCA appointed representative will preside over the Appeal by examining all written and electronic documentation, hearing the testimony of all witnesses, and making the final decision on the appeal. The role of the DCA staff person processing the rental assistance is to facilitate the presentation of evidence and to show how he or she determined that termination was the appropriate step. The DCA staff person will provide an agenda for the Appeal and make copies of relevant paper documentation and provide access to relevant electronic records to everyone present at the Appeal meeting. Witnesses present will be called upon by the person presiding to present evidence.
- v. The presiding person should attempt to render a decision while the participant is still in attendance. If this isn't feasible, the decision must be issued within five working days, and a letter will be sent by DCA to the participant documenting the final Appeal decision. The Appeal decision is final and there is no further appeals process available.

## **c. Informal Hearings**

- i. An informal hearing may be arranged when a participant is experiencing problems relating to their rental unit, support services or outside causes. Such a hearing is an informal meeting designed to clarify program rules and expected behavior, to provide information the participant and/or case manager may need to be present in order to bring a participant into Program compliance, and to generally assist the participant in dealing effectively with any issues that may endanger his or her rental assistance. It may consist of a very informal and brief meeting with the program participant, or a sit-down meeting involving interested parties to discuss issues that immediately threaten the participant ability to continue in the program.
- ii. An informal hearing can be requested by DCA processing staff, the program participant, or the program participant's case manager, or the landlord. Any party (other than the program participant) may attend such a hearing by telephone if they are unable to attend

in person. If multiple interested parties need to attend, DCA staff is responsible for inviting them.

- iii. No formal agenda or format is required in an informal hearing. The hearing consists of informal discussion and resolution among the parties present.
- iv. Informal hearings are conducted by a DCA staff person, either in person or by telephone. At a minimum, participants should include the program participant, the case manager, and any other DCA staff that have been involved in processing the rental assistance. Other interested parties may be included at the discretion of the DCA staff and may include the landlord or property manager and any other individuals involved as deemed appropriate by the DCA staff. The participant may have legal counsel present at their own expense and may bring up to two additional representatives or advocates. The participant shall have the opportunity to present any written or oral testimony they wish.
- v. All parties involved have access to all relevant written and electronic documentation. The participant may examine any DCA documents directly relevant to the situation and will be given copies upon request. DCA staff and the participant may both present evidence and question witnesses who are present. All evidence presented shall be considered.
- vi. DCA staff is responsible for documenting the results of an informal hearing and for notifying all parties subsequently if the situation persists and warrants a formal hearing. All such documentation must be kept in the participant's program file.
- vii. While many informal hearings are informational in nature, depending on the issues involved and their severity, some require further action in the form of a decision by DCA on future actions to be taken. If a decision is required to be made on a participant's continuation in the program, DCA staff will make the decision no later than five working days after the hearing, and a written decision will be issued by DCA staff in consultation with the DCA TBRA Program Manager. If feasible, the decision should be given to all participants in the hearing that same day. Documentation of the hearing must state the reasons for the hearing and the decision. Factual determinations relating to the individual circumstances of the participant shall be based on a preponderance of the evidence presented at the hearing.
- viii. The DCA TBRA Program Manager has the final say with respect to the outcome of the informal hearing.

#### **d. Termination from Assistance Without Hearing or Due Process**

Some actions by program participants can result in automatic termination from assistance without the need for a hearing or due process. Generally these situations involve the participant's absence from the assisted unit, either because of long-term incarceration or because the participant has abandoned the unit voluntarily without giving notice to DCA processing staff. In such cases, once the situation has been documented by DCA, housing assistance will terminate automatically. In the absence of a 30-day notice to the landlord of the participant's departure, a final month's rent will generally be paid to the landlord as a vacancy loss.

#### **47. Portability and Moving**

Participant may move to a different rental unit within the participant's MFP service area at the end of their lease. Participants must notify DCA 60 days in advance of their lease expiration of their intention to move. The participant's case manager must be involved in any move and prepare a written statement to DCA that they are in support of the participant moving to a new rental unit. The HOME TBRA can only be used in the State of Georgia. The rental assistance cannot be transferred to any other State.

DCA will only pay one security deposit, so the participant is responsible to paying the security deposit at the new rental unit. If the landlord is refunding all or part of the security deposit from the prior rental unit, these funds can be used for the security deposit at the new rental unit.

DCA will only approve a tenant moving to a new rental unit if they are in good standing with their current landlord. The participant must abide by the terms of the lease related to moving from the unit including returning the rental unit to its move-in condition.

DCA may discontinue rental assistance at the new rental unit if a participant fails to return the keys, damages the rental unit or leaves personal property or fails to clean the rental unit to move-in condition.

Participants may not move outside the MFP service area and continue to receive HOME TBRA assistance unless the participant makes arrangements with another MFP service area to transfer their case. In that situation the participant must provide written verification from the new MFP case manager that the participants will be receiving services through the new MFP service area prior to the move being approved.

Tenants are encouraged to stay in their rental units until the lease expires. If the tenant wants to move prior to the lease expiration and there is no good cause for the move, DCA will require that the landlord issue a release from the current lease with no legal damages or penalties assessed to the tenant. Once DCA receives this documentation it will issue a new landlord packet to the tenant so they can look for a new rental unit.

DCA may approve a tenant breaking their lease if the landlord is not maintaining the property, violating Fair Housing laws, discriminating against the tenant or a member of the household, charging the tenant for utilities or rent in a side agreement, or other good cause. DCA also may approve a tenant breaking their lease if they are the victim of domestic violence, receiving threats from neighbors, or excessive crime in the area. In all these cases DCA will review the matter and hold a meeting of all parties and then make a decision on how to proceed. If DCA decides that it is in the best interest of the household to relocate, then DCA will issue the tenant a new landlord packet and TBRA coupon so they can secure a new rental unit. The participants case manager will be involved in all meetings and hearings related to their tenant's TBRA.

If a household has to relocate because of no fault of their own, then DCA will pay for a new security deposit and utility deposits at a new rental unit.

#### **48. Program Monitoring and Evaluation**

DCA will conduct periodic and annual examination of the HOME TBRA program to ensure program compliance to these program policies and procedures and to ensure compliance with HOME regulations. DCA's compliance staff from the Office of Programs and Public Affairs (OPPA) will conduct the compliance monitoring and will issue reports and finding to the Director of OPPA.

DCA compliance monitoring reviews will be focused in the following areas;

##### **a. Compliance with the policies set forth in this document, including but not limited to:**

- i. Accuracy of rent calculations
- ii. Organization of participants file and timing of annual recertification
- iii. Documentation and accuracy of calculating household income and income derived from assets
- iv. Accuracy of DCA billings to HOME
- v. Accuracy of utility reimbursement payment and utility deposits

- vi. Accuracy of IDIS and MITAS entries
- vii. Accuracy of rent payment to landlords

**b. Compliance related to Landlord Documentation**

- i. HQS inspections done on an annual basis
- ii. Quality control HQS inspections
- iii. Soundness of Rent Reasonableness surveys

**c. Compliance with local, state, and federal, fair housing laws and ordinances.**

- i. Investigate complaints against landlord related to discrimination, and violations of Fair Housing regulations

**49. Dental and Medical Expenses**

DCA has adopted the IRS policies regarding what is and is not allowable as a medical or dental expense for calculating medical deductions in the TBRA rent calculation. The following link will give details on what is and is not allowable as a medical deduction <http://irs.gov/publications/p502/index.htm1> .

**50. Live-In Aid Requirements**

DCA has adopted the following guidelines related to live-in aides. Because of the nature of the MFP program DCA is anticipating many of the participants will need the services of a live-in aide. DCA wants to make every accommodation possible to assist applicants with understanding our requirements and to assist them in implementing them.

**a. Definition of Live-in Aide: HUD 24 CFR 5.403**

A person who resides with one or more elderly persons or nearly-elderly persons or persons with disabilities and who:

- i. Is determined to be essential to the care and well-being of the persons;
- ii. Is not obligated for the support of the persons; and
- iii. Would not be living in the unit except to provide the necessary supportive services.

**b. Essential Care**

A medical doctor, psychiatrist, or a non-medical agency that provides services to people with disabilities, such as a Center for Independent Living will have to provide written documentation to DCA that the TBRA participant needs the services of a live-in aide. The recommendations should be from a professional that is familiar with the participant and have direct medical or professional experience in the areas related to the participant's disability.

The written documentation needs to define:

- i. the duration of the services (short-term or long-term care), and
- ii. level of daily care that the person with a disability needs to be able to live in an independent apartment or home setting (i.e. hours of care needed in a 24 hour period), and

- iii. skill level of live-in aide (i.e. any specialized medical certification or training needed by the live-in aide to meet the needs of the participant)

The written documentation needs to be on official letterhead from the medical professional or agency making the recommendation. The documentation needs to be dated within 60 days from the date that the services of the live-in aide will be required. The documentation should also give full contact information if DCA has questions concerning the recommendations.

### **c. Determining the Residence of the Live-in Aide**

DCA requires that the services of the live-in aid must be at an “arms-length transaction” between the participant and the live-in aide. The aid must not have been a member of the participant’s household prior to becoming the personal care aide.

### **d. Relatives as Live-In Aides**

A person that was or is a member of the participant’s household does not qualify as a live-in aide. If the participant wants to engage the services of a relative, DCA requires that the participant certify that:

- i. The live-in aide is qualified to provide the needed care.
- ii. The live-in aide was not part of the household prior to the participant enrolling in the TBRA program.
- iii. There is no other reason for the aide to reside in the unit other than to care for the participant (i.e. the individual can demonstrate they have a previous residence they left in good standing).
- iv. The aide and the participant will maintain separate finances.

If a participant has a family member or member of the participant’s current household that wishes to provide services for the TBRA participant and the family member does not meet the live-in aide requirements outlined above, this family member can be part of the household but their income will be counted as part of the household income.

## **51. Ongoing Program Administration**

### **a. Annual Housing Quality Standards (HQS) Unit Inspections**

All units assisted with TBRA funds must meet HQS. Each unit under contract must be inspected at least annually to assure all HQS requirements are met. The unit may also be inspected as a result of complaints initiated by the owner or tenant.

If a unit fails to pass an inspection, the owner may be given a reasonable period of time (i.e., 24 hours for emergency conditions or 15 to 30 days for less serious conditions) to correct the deficiencies. If the owner fails to make the needed corrections, the DCA has two options. DCA will, with adequate notice to the owner and household, terminate the HOME Housing Assistance Payment Contract and require the household to move to another location in order to continue to receive assistance.

DCA may also temporarily suspend its payments until the owner remedies the HQS deficiencies. (Note: If this second approach is taken, the tenant will be directed to continue to pay its share of the rent in order to prevent eviction.) Tenants should be given a reasonable period of time (i.e., 24 hours for emergency conditions or 30 days for less serious conditions) to correct the deficiencies. Documentation must be given to landlord and tenant addressing the suspension of funds for rental payments.

## **b. Interim Eligibility Determinations**

Participants are advised to notify the DCA of all changes in income and family composition. If this occurs, the following procedures apply:

- i. **Increase in Family Income:** The participant must report any increases in household income of \$50 or more per month. Also, the family must report if there is an increase due to the addition of a new family member with income. DCA will not recalculate increases in household income unless a new household member has been added to the household. All other increase in household income will be recalculated at the annual recertification.
- ii. **Decreases in Family Income:** The participant must report all decreases in household income as soon as it occurs. DCA will initiate an interim recertification to adjust the rent calculation. The decrease in tenant payment and subsequent increase in assistance payment must take effect the first month following verification of the decrease. Both the owner and participant will be notified in writing of the change in the payment structure.

## **c. Annual Eligibility Determinations**

Each household's eligibility to participate in the program and its share of the rent must be confirmed annually. If a participating household's income exceeds the Low-Income Limit (i.e., 60% of Area Median) the household's assistance must be ended. The re-examination process should begin 90-120 days in advance of the household's one year anniversary date to assure that the process is completed on time and that adequate notice is given to both the owner and tenant of changes in the household's eligibility or share of the rent. Tenants will be given at least 30 days' notice of any changes in the monthly tenant payment.

## **d. Moves and Termination of Tenancy**

The participant may elect to move to another unit in the apartment building, in the apartment complex, or to another rental unit owned by the current landlord if it is permitted by the lease and the participant provides DCA with prior written approval by the landlord at least 30 days prior to the move.

The TBRA Housing Assistance Payment Contract (HAP) contains provisions that terminate the agreement with the owner when the household moves out. To assure that TBRA subsidies are not paid on units any longer than occupied by an eligible tenant, the lease agreement must require that the household provide a minimum of 30 days written notice of their plans to relocate. This notice must be given to the owner and DCA. A tenant who wishes to move within their current building or complex will be issued another TBRA Coupon following the procedures used to issue the original Coupon.

Participants that wish to move to another landlord must contact DCA at least 60 days prior to the expiration of their lease so DCA can start the process to issue another coupon so the participant can seek a new rental unit.

All participants are encouraged to stay in their rental unit for the term of their lease. DCA will not approve a move to a new rental unit during the period of the initial lease period unless the current landlord is willing to release the participant from their lease and all further financial obligations related to remaining period of the lease. DCA requires that this release needs to be in writing signed by the owner of the building or a duly approved representative of the owner.

## **e. Updating Policies and Procedures**

Key operating procedures will be reviewed at least annually to determine if revisions are necessary. At a minimum, DCA, will assess the appropriateness of the Payment Standard and Utility Allowance schedule

and make changes as needed.

f. **Monitoring Performance**

DCA will monitor ongoing progress and implementation of the program to assure that the regulatory and statutory requirements are met, and to assess program outcomes. Some key performance indicators that will be considered are identified below:

- i. **Budget vs. Actual Spending:** Since the initial estimate of funding is based upon estimates, close monitoring of actual expenditures is essential. If participating households have incomes that are lower than expected, the number of families assisted may need to be reduced.
- ii. **On Time Payments:** One of the DCA's most important functions is making sure that rent checks are distributed on schedule because late checks can reduce the credibility of the program with owners willing to rent to those receiving TBRA.
- iii. **Outreach and Success Rates:** DCA will analyze participant success rates and make use of the results to determine if aspects of program design should be changed to improve the success rate.
- iv. **Administrative Efficiency:** DCA will review the length of time that various aspects of the TBRA program take, including the time between initial application and coupon issuance, and between coupon issuance and lease-up. While many factors can affect these time frames, this information can give clues about ways to improve the administrative efficiency of the program. For example, if the time between coupon issuance and lease-up is lengthy, it could be attributable to slow HQS monitoring procedures, poor communication with property owners, or slow paperwork processing, all of which are with the program administrator's control.
- v. **Turnover:** Turnover rates alone will reveal little. High turnover could indicate at one extreme that owners are quitting the program out of frustration and the family subsequently leaves the program. At the other extreme, it may be that families are becoming self-sufficient. DCA will examine the reasons for turnover in the program.

**52 Family Breakup—Divorce or Death**

- a. **When a Participant's household breaks up:** the rental assistance remains with the eligible Participant, i.e., the person receiving services from DCH MFP because they meet the disability requirements for the TBRA program.
- b. **If the Participant member of the household dies:** any remaining members of the household can continue to receive assistance for two full calendar months following the death of the eligible family member give that there is at least one adult family member remaining in the household. After that time the remaining household members will no longer be eligible to receive the TBRA rental assistance.

**53 Absence From the Unit**

Participants may be absent from their units for up to 90 days for medical related care or treatment and continue to receive rental assistance. This is with the understanding and agreement of the participant that the tenant share of the rent is being paid according to the lease provisions and that no other person is allowed to stay in the unit (other than approved household members listed on the lease) without the approval of the landlord and DCA.

Participants may be absent from their rental unit for up to 30 days during a 12 month period for vacation or

to visit out of town relatives or friends. The TBRA rental unit is intended to be your primary residence and extended absences may put the participant's rental assistance in jeopardy. If the participant head-of-household or co-head of household plan on being away from your rental unit for over 14 consecutive days they must notify their case manager and DCA TBRA office.

The sole exception to this allowance is incarceration, which causes the TBRA rental assistance to terminate automatically. Such terminations are evaluated on a case-by-case basis; very brief stays in jail for minor infractions will not be considered incarceration and will not result in immediate termination. Incarceration is defined as a jail sentence of more than 30 consecutive days.

Participants are required to notify DCA if they plan to be absent from their unit for longer than 30 days. The participant must also abide by the terms of the lease related to absence from the unit.

#### **54. Guests and Visitors to the Unit**

Participants are permitted and encouraged to have guests and visitors at their unit. Participants are responsible for their guests or visitors while they are on the property and at their unit. Any problems that guests or visitors have while they are at the participant's unit or on the property will become the participant's problem.

Guests and visitors are permitted to stay overnight, but no more than 14 days in a 12 month period. If guest stays beyond this period, the participant will be in violation of the DCA Family Obligations. Individuals can be added to the household but the participant's case manager will have to review the situation and make a recommendation to DCA stating that adding this person to the participant's household will be beneficial to the program participant and the other members of the household. DCA will make the final decision on adding a person(s) to the household. DCA will conduct a full screening and income verification of any person the participant wishes to add to the household. This will include a criminal background check.

## APPENDIX 1

### **Tenant Selection Plan and Outreach Strategy**

Note: The following Tenant Selection Plan and Outreach Strategy is part of the Georgia Department of Community Affairs (DCA) HOME Tenant-Based Rental Assistance (TBRA) Program Policies & Procedures. This document and all other documents related to the DCA HOME TBRA program can be found on the DCA website at [www.dca.ga.gov](http://www.dca.ga.gov).

#### **1. Key TBRA Policies Affecting Marketing and Tenant Selection**

Target Population: HOME TBRA will be targeted to elderly or disabled individuals and their household members who are enrolled in the Money Follows the Person (MFP) that also meets the following criteria:

- Currently live in a nursing home, hospital, residential care facility, intermediate care facility, group home, boarding home, habilitation center, or other institutional setting for more than 90 days
- Post MFP participants that are elderly or disabled individuals who currently reside in a congregate living arrangement, but desires to move to less restrictive and more independent setting
- Wish to live in an apartment or house in the community
- Lack the financial resources to make the transition from the congregate living setting to living in the community
- Have an income at or below 60% of the Area Median Income at the time the TBRA rental assistance is provided to the participant.
- Are eligible to receive assistance from a MFP provider agency such as an Independent Living Center or the Department of Behavioral Health and Developmental Disabilities provider network to assist with this transition from living in an institutional setting to living in an apartment or home in the community
- Is capable of living in an independent setting with support services available to assist with in-home and community based services as needed
- Meet the minimum State residency requirement of 90 days for the MFP program
- Require access to time-limited rental assistance in order to access a permanent housing option in the community using other rental housing options such as public housing, Section 8 Housing Choice Voucher, Project-Based Section 8, HUD Section 202, HUD Section 811, or other rental or owner occupied housing secured by the individual at their determination.

##### **a. Program Eligibility Determination**

- i. Participants must obtain verification that they are participating in the MFP program and provide written documentation to DCA at the time they submit their application

##### **b. Disability Status Determination**

- i. All applicants will have to complete the Verification of Disability form to be eligible for the program
- ii. A licensed medical doctor or psychiatrist will have to complete and sign all Verifications of Disability for all applicants with severe mental illness, physical disability, or developmental disability

### c. Special Needs Preference

The DCA HOME TBRA has preference related to elderly persons (65 years of age and older) and individuals and families with special needs. The special needs group that DCA has targeted is individuals with disabilities and their families that are connected with the Georgia Money Follows the Person program. This group includes individuals with the following disabilities.

- i. **Functionally Impaired Adults with Intellectual/Developmental Disabilities** 18 years of age and older (includes the following but is not limited to those mentioned on the list below):
  - Autistic Disorder
  - Cerebral Palsy
  - Down Syndrome
  - Fetal Alcohol Syndrome
  - Intellectual Disabilities
- ii. **Young Adults with Primary Diagnosis of Mental Illness that are leaving in a Psychiatric Residential Treatment Program (PRTF)** 18 to 26 years of age (includes the following mental illness diagnosis but is not limited to those mentioned on the list below):
  - Schizophrenia
  - Bi-Polar Disorder
  - Post-Traumatic Stress Disorder
  - Chronic Depression
- iii. **Physical Disabilities (PD)** 21 to 64 years of age:
  - Is a person receiving services from MFP and has a diagnosed physical disability that is expected to be of long-continued and of indefinite duration;
  - Substantially impedes his or her ability to live independently; and
  - Is of such a nature that such ability could be improved by more suitable housing
  - Traumatic Brain Injury (TBI)
- iv. **Elderly** 65 and older

Preference will also be given to post MFP participants who currently are residing in a congregate living arrangement, after recently being relocated by MFP, who desire to move to a less restrictive and more independent setting but those settings were not available at the time. The participants will be considered for the HOME TBRA program if they can secure a commitment for support service funding from a state or private resource that will agree to supply the necessary support services and assistance with providing funding for transitional moving expenses to allow the participant to move to an apartment or home where the participant is in control of their own lease and the management of their support services.

### d. Wait List

- i. DCA will maintain one Wait List for applicants seeking the HOME TBRA program under the MFP program
- ii. All applications will be date and time stamped when they are received by the DCA office
- iii. Applications will be placed on the Wait List once they are determined to be eligible and all documentation has been received and validated. Applications that are incomplete or found to be ineligible will not be placed on the Wait List.
- iv. DCA will give preference to emergencies that place the applicant or a member of their family in harm due to a medical or a severe health or safety situation.

All emergency preferences will be fully documented in writing as to why the applicant is being moved to the top of the Wait List. The DCA Director of the Office of Programs and Public Affairs will review and approve all emergency preferences.

## e. Application Procedure

### i. Wait List

- DCA TBRA will maintain a Wait List for the HOME TBRA program.
- Applications will be accepted at any time when the Wait List is open.
- Applications will be returned to the sender if the Wait List is closed.
- DCA will post a notice on the DCA website indicating if the Wait List is open or closed.
- Additional information pertaining to the Wait List can be found in the DCA HOME TBRA Program Policies & Procedures.

### ii. Announcement and Marketing

- HOME TBRA program will be marketed to the agencies that administer the Money Follows the Person program in Georgia.
- DCA will also market the program through the state and regional offices of the Department of Behavioral Health and Developmental Disabilities and with their network of providers that work with individuals who live in congregate and institutional settings.
- DCA will also post information on the DCA website.
- DCA will also market the program to the social service directors at nursing homes and in other institutional settings so they are familiar with the TBRA program so they can refer interested residents.

### iii. Application Process

- Applications will be posted on the DCA website along with the HOME TBRA Program Policies & Procedures, Tenant Selection Plan and Outreach Strategy, and all documents and forms related to processing the TBRA rental assistance.
- Applicants and case managers are encouraged to download the application from the DCA website instead of copying the application and storing them for future use as DCA will be updating the applications and related forms from time-to-time and applicants will want to be using the most current version.
- Applications will be accepted starting February 1, 2013. Funding will be available on March 1, 2013 for the first applicants to receive rental assistance.
- DCA's Office of Programs and Public Affairs will be coordinating the processing and approval of all applications.
- Detailed instructions will be included with the TBRA application packet on how to deliver the completed application.
- Applications packets can be mailed or emailed to anyone interested in receiving one. Please contact HomeTBRA@dca.ga.gov by calling (404) 982-3581.
- DCA staff will be processing TBRA applications on an on-going basis starting June 1, 2013.
- DCA staff will determine eligibility on each application. All program files and tenant files will be maintained in the main DCA office at 60 Executive Park South NE, Office of Programs and Public Affairs, Atlanta, Georgia, 30329.
- DCA will process all applications at their main office in Atlanta. All accounting functions

will also be done through the Atlanta office.

- Meetings with applicants and their case managers and support staff will take place at locations convenient to all parties. DCA staff will be mobile in order to process and administer the TBRA program.
- DCA will take all necessary precautions to protect the confidentiality of the applicant's protected health care information. DCA will ask all applicants to sign a release that will allow DCA to discuss health care information only as it relates to the applicant leasing and maintaining their rental unit. The release will directly relate to communication with landlords, property managers, case managers, and service providers. DCA agrees not to share any protected health care information with any party without the prior written consent of the participant.

iv. Funding Available

- DCA has allocated \$500,000 for the first phase of the TBRA program. DCA estimates that this will provide approximately 65 assisted rental units in the first year.

v. Special Accommodations and Compliance with Section 504 Requirements

- The Georgia Department of Community Affairs is committed to providing all persons with equal access to its services, programs, activities, education, and employment regardless of race, color, national origin, religion, sex, familial status, disability, or age. For a reasonable accommodation, please contact Staci Tillman or Ron Pounds at (404) 679-4840 or at [fairhousing@dca.ga.gov](mailto:fairhousing@dca.ga.gov).

vi. Opening and Closing the Wait List

- DCA will open the Wait Lists June 1, 2013. Funding will be available on July 1, 2013 for the first applications to be funded.
- DCA will keep the Wait List opened until the Wait List reaches 100 applicants.
- DCA will announce the opening and closing of the Wait Lists on the DCA website.
- Persons interested in obtaining information about the availability of funding and the application process can (404) 982-3581 or email [HomeTBRA@dca.ga.gov](mailto:HomeTBRA@dca.ga.gov). They can also visit the TBRA website at:  
<http://www.dca.ga.gov/housing/SpecialNeeds/programs/tbra.asp>

**f. Occupancy Standards**

DCA's occupancy standards are based on the following table:

Note: For the purpose of determining household composition and unit size, a pregnant woman is considered to be one adult and one child under the age of 6.

Rental Assisted Unit Bedroom Size	Number of Persons	
	Minimum	Maximum
1	1	2
2	2	4
3	3	6
4	5	8

In addition, household composition is taken into account and unit size is also based on the following.

Unit Size	Family Composition
1	1 adult or 2 adults (couple)
2	2 adults of the same or opposite sex living together in a non-conjugal relationship
2	1 adult and 1 child
2	2 adults (couple) and 1 child of any age
2	1 adult and 2 same-sex children
2	1 adult or a couple and 2 opposite sex children, both under 6 years of age
3	1 adult or a couple and 2 opposite sex children when one child is at least 6 years of age
3	1 adult and 3 same sex children or opposite sex children all under 6 years of age
3	2 adults (couple) and 3 children
3	1 adult or a couple and 4 children (either all of the same sex or any combination where 2 children of the opposite sex will not share a bedroom unless both are under the age of 6 years)
4	1 adult or a couple and 4 children, 3 of the same sex and 1 of the opposite sex, when all children are at least 6 years of age
4	1 adult or a couple and 5 to 7 children, providing children do not have to share a bedroom with the parent(s) or with a child of the opposite sex when either is over the age of 6 years

DCA will consider requests for exceptions to the above stated Occupancy Standards because of health needs or other circumstances on a case-by-case basis. Such requests must be accompanied by appropriate documentation such as a doctor's statement. Except in exceptional circumstances, participants should not be permitted to move into a unit with more bedrooms than the minimum number stated in the above charts, even if the contract rent is in line with a smaller unit size.

**g. Voucher Expirations and Extensions**

- i. DCA will issue a coupon to the participant which will allow them to look for a rental unit. The coupon is good for a 30 day period from the date it is issued.
- ii. DCA will grant two extensions to the voucher in 30 day increments that will allow the participant time to continue their search for a rental unit. DCA will only grant extensions if the participant and their case manager are making a good faith effort to locate a rental unit.
- iii. DCA will require the applicant and case manager to present written documentation showing the progress they have made in looking for a rental unit. The documentation must indicate the dates, times, and addresses of all the rental units investigated and the reason those units were not suitable. After reviewing this documentation. DCA will make a decision on whether or not to extend the voucher for another 30 days.

- iv. DCA will not issue a coupon for over 120 days unless the participant and case manager can show that the client has had some extenuating circumstances that have made it impossible for them to identify a suitable rental unit. DCA will have the option to issue the voucher for an additional 30 days with the review and approval of the DCA Director of Office and Program and Public Affairs.
- v. After 120 days, DCA will terminate the coupon and request that the participant reapply and start the process again. In this even, the new application will be placed at the bottom of the wait list.

#### **h. Termination of Tenancy and Tenant Moves**

- Policies related to termination of assistance are found in Section 42 of the TBRA Program Policies & Procedures

## **2. Outreach to Potential Applicants**

- a. DCA will work closely with the Georgia Department of Community Health and its regional and state coordinators of the MFP program to stimulate referrals to the TBRA program and to coordinate services for individuals seeking information about the program.
- b. DCA will set up meetings with all of the agencies that are involved with the Money Follows the Person initiative to market the TBRA program. Special efforts will be directed to the Independent Living Centers and the Department of Behavioral Health and Developmental Disabilities.
- c. DCA staff is active in community forums and committees related to housing issues. DCA staff will provide on-going information about the TBRA program at all upcoming meetings.
- d. DCA will take extras steps to ensure that low-income and minority areas receive information about TBRA. DCA will send printed and email flyers to minority churches and religious organizations as well as social service agencies targeting elderly and disabled individuals.

## **3. Outreach to Landlords and Property Owners**

- a. DCA has a large network of landlords and property owners that are familiar with the rental assistance programs that DCA currently provides. DCA will develop informational material directed to landlords and property managers and post it on the DCA website to market the new TBRA program.
- b. DCA staff will provide written information to market the TBRA program to targeted Landlord Associations around the state. DCA staff will be available to make presentations to these groups if additional information is requested.
- c. DCA will post information about TBRA on the [www.GeorgiaHousingSearch.org](http://www.GeorgiaHousingSearch.org) website so persons interested in housing resources for persons with disabilities will have information about the new program. This information will also be available to landlords that are using the site to list their available rental units.
- d. DCA networks with many of the public housing authorities throughout the state. DCA will use this network to disseminate information about TBRA.