

## Exhibit 11-1

### Veterans Affairs Supportive Housing (VASH) Voucher Program

Rental assistance for homeless veterans is authorized under Section 8(o)(19) of the United States Housing Act of 1937. HUD-VASH is authorized pursuant to Division K, Title II of the Consolidated Appropriations Act, 2008 (Public Law 110-161) enacted on December 26, 2007. The HUD-VASH program combines rental assistance with case management and clinical services for homeless veterans.

#### 1. Voucher Increments

AHFC received VASH vouchers in the following increments. These vouchers are governed by the rules set forth in the *Federal Register*<sup>1</sup>.

- May 6, 2008, HUD funded 35 VASH vouchers.
- [September 1, 2009](#), HUD funded 35 additional VASH vouchers.
- [June 1, 2010](#), HUD funded 25 additional VASH vouchers.
- July 28, 2011, HUD funded 25 additional VASH vouchers.
- [January 1, 2012](#), HUD funded 25 additional VASH vouchers.
- [April 1, 2012](#), HUD funded 50 additional VASH vouchers.
- [September 1, 2013](#), HUD funded 15 additional VASH vouchers.
- [January 1, 2015](#), HUD funded 20 additional VASH vouchers.
- [May 1, 2015](#), HUD funded 17 additional VASH vouchers.
- [June 1, 2016](#), HUD funded 24 additional VASH vouchers.
- April 1, 2018, HUD funded 15 additional VASH vouchers.
- [November 1, 2018](#), HUD funded 22 additional VASH vouchers.
- [January 13, 2020](#), HUD funded 7 additional VASH vouchers.
- [January 1, 2021](#), HUD funded 17 additional VASH vouchers.

#### HUD Guidance

HUD-VASH vouchers under this part are administered in accordance with the HCV tenant-based rental assistance regulations set forth at 24 CFR part 982.

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<sup>1</sup> [Federal Register, May 6, 2008](#), titled: "Section 8 Housing Choice Vouchers: Implementation of the HUD-VA Supportive Housing Program."

- Updated with [Federal Register, March 23, 2012](#), and titled, "Section 8 Housing Choice Vouchers: Revised Implementation of the HUD-VA Supportive Housing Program."

Unless expressly noted below, all regulatory requirements and HUD directives regarding the HCV tenant-based program are applicable to HUD-VASH vouchers, including the use of all HUD-required contracts and other forms. The PHA's local discretionary policies adopted in the PHA's written administrative plan apply to HUD-VASH vouchers, unless such local policy conflicts with the requirements of the HUD-VASH vouchers outlined below.

## 2. Special Provisions

### 2.A Moving to Work Agencies

#### HUD Guidance

HUD-VASH vouchers must be administered in accordance with this Notice (Federal Register, March 23, 2012) and are not eligible for fungibility under their MTW agreements. HUD-VASH vouchers must be reported on separately from vouchers under the agency's MTW Agreement.

### 2.B Project-Based Assistance<sup>2</sup>

#### HUD Guidance

Although HUD-VASH vouchers are tenant-based rental assistance, the Department will consider, on a case-by-case basis, requests from the PHA (with the support of the applicable Director of the VAMC or Veterans Integrated Service Network (VISN)) to project-base these vouchers in accordance with 24 CFR part 983.

### 2.C Section 8 Management Assessment Program (SEMAP)

#### HUD Guidance

Since leasing of HUD-VASH vouchers will be dependent on referrals from the VAMC, the unit months and budget authority associated with these vouchers will not be included in the SEMAP leasing indicator denominator. Therefore, 24 CFR 985.3(n)(1)(i) and (ii) are waived. However, utilization of these vouchers will be monitored separately through HUD systems.

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<sup>2</sup> Additional guidance available in PIH Notice 2009-11 issued March 16, 2009, titled, "Project-Basing HUD-Veterans Affairs Supportive Housing Vouchers."

- Updated with PIH Notice 2010-23 issued June 25, 2010, titled, "Project-Basing HUD-Veterans Affairs Supportive Housing Vouchers."
- Updated with PIH Notice 2011-50 issued September 15, 2011, titled, "Project-Basing HUD-Veterans Affairs Supportive Housing Vouchers."
- Updated with PIH Notice 2015-10 issued June 12, 2015, titled, "Project-Basing HUD-Veterans Affairs Supportive Housing Vouchers."

## 2.D Reporting Requirements<sup>3</sup>

### HUD Guidance

A new code (VASH) has been established for use on line 2n of the Family Report (form HUD-50058), which provides for an indication if the family participates in "other special programs." This code must remain on the HUD-50058 for the duration of the HUD-VASH family's participation in the program. The PHA that administers the HUD-VASH voucher on behalf of the family (initial or receiving PHA under portability) must enter and maintain this code on the HUD-50058.

## 3. Family Eligibility and Selection

### HUD Guidance

HUD-VASH eligible families are homeless veterans and their families. The December 17, 2007, Explanatory Statement for the 2008 Appropriation Act provides, "The Appropriations Committees expect that these vouchers will be made available to all homeless veterans, including recently returning veterans' (153 Cong. Rec. H16514 (daily ed., Dec. 17, 2007)). HUD, through its undersigned Secretary, finds the following waivers necessary to effectively administer and deliver the program to all veterans in accordance with Congressional intent.

Section 8(o)(19) of the United States Housing Act of 1937 (USHA of 1937), which requires homeless veterans to have chronic mental illnesses or chronic substance use disorders with required treatment of these disorders as a condition of receipt of HUD-VASH assistance, is waived.

## 3.A Waiting List and Referrals

### HUD Guidance

The VAMC will refer HUD-VASH eligible families to the PHA for the issuance of vouchers. Written documentation of these referrals must be maintained in the tenant file at the PHA. Therefore, the PHA will not have the authority to maintain a waiting list or apply local preferences for HUD-VASH vouchers.

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<sup>3</sup> PIH Notice 2008-37 issued October 14, 2008, titled, "Reporting Requirements for the HUD-Veterans Affairs Supportive Housing Program."

- Updated with PIH Notice 2010-12 issued April 13, 2010, titled, "Reporting Requirements for the HUD-Veterans Affairs Supportive Housing Program."
- Updated with PIH Notice 2011-53 issued September 20, 2011, titled, "Reporting and Portability Requirements for the HUD-Veterans Affairs Supportive Housing (VASH) Program."

1. Accordingly, section 8(o)(6)(A) of the USHA of 1937, 42 U.S.C. 1437f(o)(6)(A), in regard to preferences, has been waived to provide for the effective administration of the program.
2. In addition, 24 CFR 982.202, 982.204, and 982.207, relating to applicant selection from the waiting list and local preferences, are also waived.
3. Sections 982.203, 982.205, and 982.206 regarding special admissions, cross-listing of the waiting list, and opening and closing the waiting list do not apply to the HUD-VASH program.

#### **AHFC Policy**

AHFC has an expedited procedure for eligible families that have had a VASH voucher expire within 90 days of the new referral.

### **3.B Screening**

#### **HUD Guidance**

The VAMC will screen all families in accordance with its screening criteria. By agreeing to administer the HUD-VASH program, the PHA is relinquishing its authority to determine the eligibility of families in accordance with regular HCV program rules and PHA policies.

1. Specifically, under the HUD-VASH program, PHAs will not have the authority to screen potentially eligible families or deny assistance for any grounds permitted under 24 CFR 982.552 (broad denial for violations of HCV program requirements) and 982.553 (specific denial for criminals and alcohol abusers), with one exception.
2. PHAs will still be required to prohibit admission if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program. However, unless the family member that is subject to lifetime registration under a state sex offender registration program is the homeless veteran (which would result in denial of admission for the family), the remaining family members may be served if the family agrees to remove the sex offender from its family composition.
3. Accordingly, the Department is exercising its authority to waive 42 U.S.C. 1437d(s); 42 U.S.C. 13661(a), (b), and (c); and 24 CFR Sections 982.552 and 982.553, with the exception of 982.553(a)(2)(i), which requires denial of admission to certain registered sex offenders.

### **AHFC Policy**

AHFC will screen<sup>4</sup> VASH referrals for the following:

1. Eligible income – must meet income limits for very low income families (50 percent of area median income).
2. Criminal History<sup>5</sup> – no adult family member may be subject to a lifetime registration requirement on a sex offender registry.
3. Citizenship – at least one family member must have eligible citizenship status.

### **3.C Social Security Number and Date of Birth Verification**

#### **HUD Guidance**

In regard to verifying Social Security numbers (SSNs) for homeless veterans and their family members, an original document issued by a federal or state government agency, which contains the name of the individual and the SSN of the individual along with other identifying information of the individual, is acceptable in accordance with 24 CFR part 5.216(g).

In the case of the homeless veteran, the PHA must accept the Certificate of Release or Discharge from Active Duty (DD-214) or the VA-verified Application for Health Benefits (10-10EZ) as verification of SSN and cannot require the veteran to provide a SSN card. These documents must also be accepted for proof-of-age purposes in lieu of birth certificates or other PHA-required documentation.

Please note that veterans are also issued photo identification cards by the VA. If such identification is required by the PHA, these cards must be accepted by the PHA in lieu of another type of government-issued photo identification. These cards may also be used to verify SSNs and date of birth.

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<sup>4</sup> AHFC asked for permission to require VASH applicants owing money to AHFC to sign a payment agreement prior to receipt of a VASH voucher. [Letter dated October 5, 2010 from Milan Ozdinec](#), Deputy Assistant Secretary for Public Housing and Voucher Programs. “AHFC cannot deny admission or require a repayment agreement if a member of the referred household owes money to the AHFC.”

<sup>5</sup> AHFC asked HUD for permission to deny eligibility to any person subject to a sex offender registry requirement. [Letter dated November 10, 2008 from Milan Ozdinec](#), HUD Deputy Assistant Secretary for Public Housing and Voucher Programs. “HUD’s intent in establishing alternative requirements for the HUD-VASH program was to serve the full range of homeless veterans. Therefore, the Department will not permit you to implement this alternative requirement (all individuals subject to a registration requirement) as it would further restrict the admission of homeless veterans and conflict with the intent of the HUD-VASH Program.”

### 3.D Adding a Household Member After Admission

#### **HUD Regulation – 24 CFR 982.551(h)(2)**

Use and occupancy of unit. The composition of the assisted family residing in the unit must be approved by the PHA. The family must promptly inform the PHA of the birth, adoption or court-awarded custody of a child. The family must request PHA approval to add any other family member as an occupant of the unit. No other person [i.e., nobody but members of the assisted family] may reside in the unit (except for a foster child or live-in aide as provided in paragraph (h)(4) of this section).

#### **HUD Guidance**

When adding a family member after the HUD-VASH family has been admitted to the program, the rules of § 982.551(h)(2) apply. Other than the birth, adoption, or court-awarded custody of a child, the PHA must approve additional family members and may apply its regular screening criteria in doing so.

## 4. Income Eligibility

#### **HUD Guidance**

The PHA must determine income eligibility for HUD-VASH families in accordance with 24 CFR 982.201.

Income targeting requirements of section 16(b) of the USHA of 1937, as well as 24 CFR 982.201(b)(2), do not apply for HUD-VASH families so that participating PHAs can effectively serve the eligible population specified in the 2008 Appropriation Act; that is, homeless veterans, who may be at a variety of income levels.

#### **HUD Regulation – 24 CFR 982.201**

When applicant is eligible: In general. The PHA may admit only eligible families to the program. To be eligible, an applicant must be a “family;” must be income-eligible in accordance with paragraph (b) of this section and 24 CFR part 5, subpart F; and must be a citizen or a noncitizen who has eligible immigration status as determined in accordance with 24 CFR part 5, subpart E. If the applicant is a victim of domestic violence, dating violence, or stalking, 24 CFR part 5, subpart L, applies.

#### **AHFC Policy**

Under Moving to Work Activity 2014-1 Reasonable Rent and Family Self-Sufficiency Initiative approved by AHFC’s Board of Directors with Resolution 2013-11 on February 27, 2013, VASH vouchers are part of AHFC’s Set Aside program and subject to a streamlined income calculation.

## 5. Initial Term of the HCV

### HUD Guidance

HUD-VASH vouchers must have an initial search term of at least 120 days. Therefore, § 982.303(a), which states that the initial search term must be at least 60 days, shall not apply, since the initial term must be at least 120 days. Any extensions, suspensions, and progress reports will remain under the policies in the PHA's administrative plan, but will apply after the minimum 120-day initial search term.

## 6. Initial Lease Term

### HUD Guidance

Under the HCV program, voucher participants must enter into an initial lease with the owner for one year, unless a shorter term would improve housing opportunities for the tenant and the shorter term is a prevailing market practice. To provide a greater range of housing opportunities for HUD-VASH voucher holders, initial leases may be less than 12 months; therefore, both section 8(o)(7)(A) of the USHA of 1937, 42 U.S.C. 1437f(o)(7)(A), and 24 CFR 982.309(a)(2)(ii) are waived.

## 7. Ineligible Housing

### HUD Guidance

HUD-VASH families will be permitted to live on the grounds of a VAMC in units owned by the VA. Therefore, 24 CFR 982.352(a)(5), which prohibits units on the grounds of a medical, mental, or similar public or private institution, is waived for that purpose only.

## 8. Mobility and Portability

### HUD Guidance

HUD-VASH participant families may reside only in those jurisdictional areas that are accessible to case management services as determined by the partnering VAMC or CBOC. Since the VAMC will be identifying homeless veterans eligible to participate in the HUD-VASH program, section 8(r)(1)(B)(i) of the USHA of 1937, 42 U.S.C. 1437f(r)(1)(B)(i), which restricts portability in cases where the family did not reside in the jurisdiction of the PHA at the time of application for HCV assistance, and 24 CFR 982.353(a), (b), and (c), which affects where a family can lease a unit with HCV assistance, do not apply.

## **8.A Portability Moves Where Receiving PHA Is Beyond Catchment Area**

### **HUD Guidance**

If a family wants to move to another jurisdiction where it will not be possible for the initial PHA's partnering VAMC or CBOC to provide case management services, the VAMC must first determine that the HUD-VASH family could be served by another VAMC or CBOC that is participating in this program, and the receiving PHA must have a HUD-VASH voucher available for this family.

In these cases, the families must be absorbed by the receiving PHA. Upon absorption, the initial PHA's HUD-VASH voucher will be available to lease to a new HUD-VASH-eligible family, as determined by the partnering VAMC or CBOC, and the absorbed family will count toward the number of HUD-VASH slots awarded to the receiving PHA.

## **8.B Portability Moves When Case Management is No Longer Required**

### **HUD Guidance**

If the family no longer requires case management, there are no portability restrictions. Normal portability rules apply. When completing the HUD- 50058, the family will continue to be coded "VASH" on line 2n unless the initial PHA issues the family a regular voucher, in which case the code will no longer apply.

## **9. HQS Initial Inspections**

### **HUD Guidance**

To expedite the leasing process, PHAs may pre-inspect available units that veterans may be interested in leasing, in order to maintain a pool of eligible units. If a HUD-VASH family selects a unit that passed a HQS inspection (without intervening occupancy) within 45 days of the date of the Request for Tenancy Approval (form HUD-52517), the unit may be approved, provided that it meets all other conditions under 24 CFR Section 982.305. However, the veteran must be free to select his/her unit and cannot be steered to these units.

## **10. Termination of Assistance**

### **HUD Guidance**

As a condition of receiving HCV rental assistance, a HUD-VASH-eligible family must receive the case management services from the VAMC or CBOC. Therefore, a HUD-VASH participant family's HCV assistance must be terminated for failure to participate, without good cause, in case management as verified by the VAMC or CBOC.

A HUD-VASH participant family must not be terminated after admission, for a circumstance or activity that occurred before admission and was known to the PHA, but could not be considered at the time of admission due to the HUD-VASH Operating Requirements. The PHA can terminate the family's assistance only for program violations that occur after the family's admission to the voucher program.

A VAMC or CBOC determination that the participant family no longer requires case management is not grounds for termination of assistance. In such a case, at its option, the PHA may offer the family continued HCV assistance through one of its regular vouchers, to free up the HUD-VASH voucher for another eligible family referred by the VAMC or CBOC.

## **11. Turnover of HUD-VASH Vouchers**

### **HUD Guidance**

In accordance with the 2008 Appropriation Act, upon turnover, HUD-VASH vouchers must be issued to eligible families as identified by the VAMC.

## **12. Abbreviations**

1. **CBOC** - Community-Based Outpatient Clinic
2. **HUD** - U.S. Department of Housing and Urban Development
3. **VAMC** - Veterans Affairs Medical Center
4. **VASH** - Veterans Affairs Supportive Housing

### **Numbered Memo**

21-04 Exhibit 11-1 Veterans Affairs Supportive Housing (VASH) Voucher Program