



U.S. Department of Housing and Urban Development Public and Indian Housing

Special Attention of:
Directors of HUD Regional and Field
Offices of Public Housing;
Agencies that Administer the
Housing Choice Voucher Program

Notice PIH 2010-1 (HA)

Issued: January 5, 2010

Expires: January 31, 2011

Cross References: HUD Notices PIH
2006-12, PIH 2006-29, PIH 2006-37, PIH
2007-3, PIH 2007-4, PIH 2007-17, PIH
2008-29, PIH 2008-36, PIH 2009-8

Subject: Extension of the Disaster Voucher Program (DVP)

- 1. Purpose:** This notice informs DVP administering public housing agencies (PHAs) that the DVP has been extended beyond the previously projected end date of December 31, 2009, for all pre-disaster public housing, project-based, homeless and special needs housing families currently receiving DVP assistance. The purpose of this extension is to allow adequate time for families eligible for tenant protection vouchers (TPVs) or vouchers provided through the Supplemental Appropriations Act for Federal Fiscal Year (FFY) 2009 to transition to the Housing Choice Voucher (HCV) program. HUD has been working with PHAs to assist displaced families in finding permanent housing solutions.
- 2. Background:** In HUD Notice PIH 2009-8, the Department extended the DVP end date for all pre-disaster public housing, project-based, homeless, and special needs housing families from February 28, 2009, to at least December 31, 2009. The notice stated that December 31, 2009, was a projected end date and that the length of the extension would be dependent on the availability of funding and the number of families assisted.
- 3. Revised DVP End Date:** The Department is projecting that there is sufficient DVP funding remaining to continue DVP assistance for current participants through September 30, 2010. This is the final extension of the Disaster Voucher Program. This extension applies only to those families already receiving DVP assistance, and does not permit any additional families to be admitted to the program.

4. Transitioning Families from DVP to other Voucher Assistance

HUD has been working with PHAs to transition displaced eligible families to the HCV program or assist them in finding other permanent housing assistance. Again, the purpose of this nine month extension is to allow families time to search for units that meet HCV program rules and PHAs time to process families in accordance with HUD-provided guidance and instructions, HCV program regulations, and PHAs' Administrative Plans.

- a. **Tenant Protection Vouchers:** The Office of Public and Indian Housing (PIH) has been working with PHAs to transition eligible families to the HCV program by issuing TPVs to families displaced by Hurricanes Katrina or Rita and subsequently affected by Housing Conversion Actions, or eligibility events, such as Section 18 Demolition/Disposition of Public Housing or Section 8 project-based contract termination of a multifamily property. Instructions pertaining to the TPV process are posted on HUD's website, <http://www.hud.gov/offices/pih/publications/dvp.cfm>.
- b. **Supplemental Appropriations Funding and Katrina/Rita Preference:** Congress appropriated \$80 million in tenant-based rental assistance under the Supplemental Appropriations Act for FFY 2009 (Public Law 111-32, enacted June 24, 2009). The Act amended Section 1203 of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act 2009 (Public Law 110-329, 122 Stat 3574). The funding was awarded to PHAs in areas impacted by Hurricanes Katrina and Rita (Mississippi, Louisiana, Texas, Alabama and Florida) that agreed to provide a local preference for admission to the HCV program for families displaced by Hurricanes Katrina and Rita (i.e., Katrina/Rita Preference).

Although PHAs must provide the highest preference to eligible displaced families who have recently left or will be leaving FEMA temporary housing units such as mobile homes and travel trailers or FEMA funded Alternative Housing Programs such as "Katrina Cottages", other families displaced by Katrina/Rita, which includes DVP families, would also qualify for a preference. These preferences take precedence over all other local preferences, as it relates to the vouchers awarded under this special appropriation. Additional information regarding these vouchers can be found on HUD's website, <http://www.hud.gov/offices/pih/publications/sec1203.cfm>.

- c. HUD has provided a list of DVP families who are eligible for voucher assistance to the DVP PHAs, as well as to the housing authorities that assisted the families at the time of the storms. The list identified those families that are eligible to receive TPVs or voucher assistance through the special appropriation. To ensure DVP families are aware of the availability of vouchers under this special appropriation, HUD is requesting that both the DVP PHAs and the pre-disaster PHAs contact the families with the family outreach letter posted on <http://www.hud.gov/offices/pih/publications/dvp.cfm>. HUD will continue to work with all parties throughout this process to ensure all eligible families are successfully transitioned to the voucher program, or other permanent housing assistance.

5. DVP Reminders

- a. **Moves with Continued DVP Assistance:** As discussed in Notice PIH 2009-8, many PHAs that once administered the DVP no longer have active participants in the program, and may no longer be willing to administer the program. A PHA's operation of the DVP ends at the time the last active DVP participant leaves the PHA's program.

If a family wishes to move to another PHA's jurisdiction while on DVP, and the family cannot transition to the regular voucher program as described in section 4 as part of the move, a move with continued DVP assistance is possible, but the DVP PHA must first verify that the receiving PHA is willing to administer the DVP assistance. If a PHA is not willing to administer the DVP, either because the PHA never administered the DVP, or because the PHA is no longer operating the program, the current DVP PHA must notify the family that a move with continued DVP assistance to that jurisdiction is not possible. In the event the family still wishes to move to that particular jurisdiction, the DVP PHA must inform the family that if they proceed with the move the family's participation in DVP will be terminated.

In cases where moves with continued DVP assistance are approved, PHAs should continue to process moves in accordance with the instructions provided in Notice PIH 2006-12 (as amended by Notice PIH 2006-37, which removed the initial lease term requirements of Section 8(o)(7)(A) of the United States Housing Act of 1937 from the DVP). The Department will continue to provide DVP funding directly to the receiving PHA on the basis of the information entered into the Disaster Information System. In cases where families are transitioning to the voucher program, PHAs should process the move in accordance with regular voucher program rules.

- b. **Reminder: TTP and Zero HAP for 180 Days:** Guidance pertaining to the reinstatement of the total tenant payment (TTP) and the family share of rent based on normally applicable voucher program requirements can be found on HUD's website, <http://www.hud.gov/offices/pih/publications/dvp.cfm>. Please refer to Notice PIH 2007-17 and DVP Instruction Letter #2 for further details. In addition, HUD is reminding all DVP PHAs that in accordance with normally applicable voucher program regulations found at 24 CFR 982.455, the DVP HAP contract automatically terminates 180 calendar days after the last housing assistance payment to the owner. In such cases, please notify DVP participants in accordance with your PHA's Administrative Plan.

6. **Information Contact.** Inquiries about this notice should be directed to Trenessa Sidney in the Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, at (202) 402-4303.

7. **Paperwork Reduction Act.** The information collection requirements contained in this Notice have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C 3520). In accordance with the PRA, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number. The active information collections contained in this Notice have been approved under the PRA and assigned OMB Control Number 2577-0169.

/s/

Sandra B. Henriquez, Assistant Secretary for
Public and Indian Housing