

## Chapter 7

### MOVES WITH CONTINUED ASSISTANCE

Participating families are allowed to move, with proper notice, to another unit:

- A. After the initial term of the lease has expired
- B. If the landlord and the participant have mutually agreed to terminate the lease (if within the first year of the lease, requires approval from IHFA), or
- C. If the landlord or participant have exercised their right not to renew the lease at the end of the lease term, or
- D. If IHFA has terminated the HAP contract. IHFA will issue the family a new voucher if the family does not owe IHFA or any other Housing Authority money, has not violated a Family Obligation, has not moved or been issued a voucher within the last 12 months, and if IHFA has sufficient funding for continued assistance. If the move is necessitated for a reason other than family choice, the 12-month requirement may be waived. Some reasons for a waiver are medical necessity, employment, or because of imminent danger to the participant due to domestic abuse or threatened violence from other parties. Such waivers will be considered on a case-by-case basis and the participant will be required to document the need for such a move.

#### **7.1 WHEN A FAMILY MAY MOVE**

For families already participating in the Voucher Program, IHFA will allow the family to move to a new unit if:

- A. The HAP Contract for the old unit has been terminated by IHFA. If a participant family moves from an assisted unit with continued tenant-based assistance, the term of the assisted lease for the new assisted unit may begin during the month the family moves out of the first assisted unit. Overlap of the last housing assistance payment (for the month when the family moves out of the old unit) and the first assistance payment for the new unit is not considered to constitute a duplicative housing subsidy, however, such overlap may not exceed 30-days.
- B. The owner has given the participant a notice to vacate, has commenced an action to evict the participant, or has obtained a court judgment or other process allowing the owner to evict the participant; or
- C. The participant has given notice of lease termination properly exercising their right not to renew the lease at the end of the lease term.

- D. The participant does not currently owe money to IHFA for overpaid HAP, and/or repayment agreements are paid in full. In the event that extreme extenuating circumstances exist, an exception may be made after review and approval from the Branch Office Supervisor.

## **7.2 PROCEDURES REGARDING FAMILY MOVES**

Families considering moving to a new unit will be required to recertify household income and composition. Once the recertification is completed the family will be scheduled to attend a move briefing. All families who are moving, including any families moving into IHFA's jurisdiction, will be required to attend a move briefing prior to IHFA issuance of a voucher and entering a new HAP contract on their behalf. If they cannot attend the originally scheduled briefing, they may schedule to attend a later session. Failure to attend two scheduled briefings without good cause will be considered grounds for termination. This briefing is intended to provide the following:

- A. A refresher on program requirements and the family's responsibilities. Emphasis will be on giving proper notice and meeting all lease requirements such as leaving the unit in good condition.
- B. Information about finding suitable housing and the advantages of moving to an area that does not have a high concentration of poor families;
- C. Payment standards, exception payment standard rent areas, and the utility allowance schedule.
- D. An explanation that the family share of rent may not exceed 40% of the family's monthly adjusted income if the gross rent exceeds the applicable payment standard;
- E. Portability requirements and opportunities;
- F. The need to have a reexamination conducted prior to the move;
- G. An explanation and copies of the forms required to initiate and complete the move;
- H. All forms and brochures provided to applicants at the initial briefing.

Families are required to give proper written notice of their intent to terminate the lease. In accordance with HUD regulations, no notice requirement may exceed 60 days. During the initial term, families may not end the lease unless they and the owner mutually agree to end the lease and IHFA has given approval. If the family moves from the unit before the initial term of the lease ends without the owner's and IHFA's approval, it will be considered a serious lease violation and subject the family to termination from the program.

The family is required to give IHFA a copy of the notice to terminate the lease at the same time as it gives the notice to the landlord. A family's failure to provide a copy of the lease

termination notice to IHFA will be considered a violation of Family Obligations and may cause the family to be terminated from the program. Failure to follow the above procedures may subject the family to termination from the program.

### **7.3 WHEN A FAMILY TRANSFERS TO ANOTHER BRANCH OFFICE**

- A. When a family transfers to another IHFA branch, the initiating branch office will issue the family a voucher to move, and inform the family that they have 14 business days to contact the receiving branch office.
- B. The initiating IHFA branch will, within ten (10) working days, notify the receiving IHFA branch office to expect the family.
- C. The initiating IHFA branch will fax to the receiving IHFA branch office the most recent HUD Form 50058 (Family Report) for the family, and related verification information.
- D. The receiving IHFA branch office conducts the move recertification, and holds the briefing for the family.
- E. Upon execution of the new Lease and HAP Contract, the transfer will be documented in the physical file and the file(s) forwarded to the receiving IHFA branch office.

## NOTES