

## **Chapter 8**

### **PORTABILITY**

#### **8.1 GENERAL POLICIES OF IHFA**

A family whose head, co-head or spouse has a domicile (legal residence) in the jurisdiction of IHFA at the time the family first submits its application for participation in the program to IHFA may lease a unit anywhere in the jurisdiction of IHFA or outside IHFA's jurisdiction as long as there is another entity operating a tenant-based Section 8 program covering the location of the proposed unit.

If the head or spouse of the assisted family does not have a legal residence in the jurisdiction of IHFA at the time of its application, the family will not have any right to lease a unit outside of IHFA jurisdiction for a 12-month period beginning when the family is first admitted to the program. During this period, the family may only lease a unit located in the jurisdiction of IHFA. An exception may be made to this policy when extenuating circumstances exist and will be considered on a case-by-case basis.

Families participating in the Voucher Program will not be allowed to move more than once in any 12-month period. Under extraordinary circumstances IHFA may consider allowing more than one move in a 12-month period.

For income targeting purposes, the family will count towards the initial housing authority's goals unless the receiving housing authority absorbs the family. If absorbed, the admission will count towards the receiving housing authority's goals.

If a family has moved out of their assisted unit in violation of the lease, IHFA will not issue a voucher and will pursue termination of assistance in compliance with Chapter 16, Termination of the Lease and Contract. IHFA will allow a participant to break a lease and move with assistance under extenuating circumstances such as, but not limited to, a reasonable accommodation.

IHFA will not issue a voucher to a family until 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. If an exception is made due to extenuating circumstances, the Branch Office Supervisor should notify the receiving PHA of the exception and the reason for it.

#### **8.2 INCOME ELIGIBILITY**

- A. A family must be income eligible in the area where the family first leases a unit with assistance in the Voucher Program

- B. If a portable family is already a participant in the Initial Housing Authority's Voucher Program, income eligibility is not re-determined.

### **8.3 PORTABILITY: ADMINISTRATION BY RECEIVING HOUSING AUTHORITY**

- A. When a family utilizes portability to move to an area outside the Initial Housing Authority jurisdiction, another housing authority (the Receiving Housing Authority) must administer assistance for the family if the Housing Authority has a tenant-based program covering the area where the unit is located.
- B. A Housing Authority with jurisdiction in the area where the family wants to lease a unit must issue the family a voucher. If there is more than one such housing authority, the Initial Housing Authority may choose which housing authority shall become a Receiving Housing Authority.

### **8.4 PORTABILITY PROCEDURES**

- A. When IHFA is the Initial Housing Authority:
  - 1. IHFA will meet with the family to discuss the process that must take place to exercise portability.
  - 2. IHFA will contact the Receiving Housing Authority by a confirmed delivery method, such as email, to determine if the participant will be absorbed by the Receiving Housing Authority, or if they will bill IHFA.
  - 3. IHFA will determine whether the family is income-eligible in the area where the family want to lease a unit (if applicable)
  - 4. IHFA will issue the family a voucher.
  - 5. IHFA will advise the family how to contact and request assistance from the Receiving Housing Authority.
  - 6. IHFA will, within ten (10) working days, notify the receiving Housing Authority to expect the family.
  - 7. IHFA will immediately mail, fax, or email, to the receiving Housing Authority the completed HUD form 52665, most recent HUD Form 50058 (Family Report) for the family, related verification information, and a copy of the voucher issued by IHFA. When faxing Enterprise Income Verification (EIV) information, IHFA will:
    - a. Mark the fax "Confidential";

- b. Identify a contact person at the receiving PHA who is standing by and ready to receive the fax;
- c. Confirm that the fax was received by the contact person;
- d. Document the file that the proper protocol was followed in faxing EIV information.

B. When IHFA is the Receiving Housing Authority:

1. When IHFA is contacted by an Initial Housing Authority about a portable family, IHFA will determine whether it will absorb the portable family or bill the Initial Housing Authority for assistance paid on behalf of the portable family, and respond by confirmed delivery method. When IHFA receives the portable family, the family will be absorbed if funds are available.
2. IHFA will issue a voucher to the family. The term of IHFA's voucher will not expire before the expiration date of any Initial Housing Authority's voucher. IHFA will determine whether to extend the voucher term. The family must submit a request for tenancy approval to IHFA during the term of IHFA's voucher.
3. IHFA will determine the family unit size for the portable family. The family unit size is determined in accordance with IHFA's subsidy standards.
4. IHFA will promptly (within ten working days) notify the Initial Housing Authority when the family has leased an eligible unit under the program, or if the family fails to submit a request for tenancy approval for an eligible unit within the term of the voucher.
5. If IHFA opts to conduct a new reexamination, IHFA will not delay issuing the family a voucher or otherwise delay approval of a unit. Unearned recurring income of a participant will not be re-verified. Participant income from wages will be verified but will be expedited to ensure there is no undue delay.
6. In order to provide tenant-based assistance for portable families, IHFA will perform all Housing Authority program functions, such as reexaminations of family income and composition. At any time, either the Initial Housing Authority or IHFA may make a determination to deny or terminate assistance to the family in accordance with 24 CFR 982.552.
7. IHFA may terminate assistance for family action or inaction in accordance with 24 CFR 982.552 and 24 CFR 982.553.

### C. Absorption by IHFA

1. If funding is available under the consolidated ACC for IHFA's Voucher Program when the portable family is received, IHFA will absorb the family into its Voucher Program. After absorption, the family is assisted with funds available under the consolidated ACC for IHFA's Tenant-Based Program. IHFA will notify the initial PHA within 10 working days. IHFA will absorb a family that is a participant in the FSS program for program continuity and to ensure that escrow balances are retained by participating families.

### D. Portability Billing

1. To cover assistance for a portable family, the Receiving Housing Authority will bill the Initial Housing Authority for housing assistance payments and administration fees. The billing procedure will be as follows:
  - a. As the Initial Housing Authority, IHFA will promptly reimburse the Receiving Housing Authority for the full amount of the housing assistance payments made by the Receiving Housing Authority for the portable family. The amount of the housing assistance payment for a portable family in the Receiving Housing Authority's program is determined in the same manner as for other families in the Receiving Housing Authority's program
  - b. The Initial Housing Authority will promptly reimburse the Receiving Housing Authority for 80% of the Initial Housing Authority's ongoing administrative fee for each unit month that the family receives assistance under the tenant-based programs and is assisted by the Receiving Housing Authority. If both Housing Authorities agree, they may negotiate a different amount of reimbursement.
  - c. In the case of a port-out family, the utility allowance payment will be reimbursed to the receiving housing authority, not to the participant.

### E. When a Portable Family Moves

When a portable family moves out of the tenant-based program of a Receiving Housing Authority that has not absorbed the family, the Housing Authority in the new jurisdiction to which the family moves becomes the Receiving Housing Authority, and the first Receiving Housing Authority is no longer required to provide assistance for the family.

## NOTES