



# Chapter 20

## Emergency Housing Vouchers

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# Chapter 20

## Emergency Housing Vouchers

### Overview

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (ARP) (P.L. 117-2). Section 3202 of the ARPA appropriated \$5 billion for the creation, administration, and renewal of new incremental emergency housing vouchers (EHVs) and other eligible expenses related to COVID-19.

On May 5, 2021, HUD issued Notice PIH 2021-15, which described HUD's process for allocating approximately 70,000 EHVs to eligible Public Housing Authorities (PHAs) and set forth the operating requirements for PHAs who administer them. Based on criteria outlined in the notice, HUD notified eligible PHAs of the number of EHVs allocated to their agency, and PHAs were able to accept or decline the invitation to participate in the program.

PHAs may not project-base EHVs; EHVs are exclusively tenant-based assistance.

All applicable nondiscrimination and equal opportunity requirements apply to the EHV program, including requirements that the PHA grant reasonable accommodations to persons with disabilities, effectively communicate with persons with disabilities, and ensure meaningful access for persons with limited English proficiency (LEP).

HUD regulations and PHA policies outline program administration for the EHV program. The policies are organized into six sections:

Part I: Funding

Part II: Partnering Agencies

Part III: Waiting List Management

Part IV: Family Eligibility

Part V: Housing Search and Leasing

Part VI: Use of Funds, Reporting, and Financial Records

## Part I: Funding

### 20-I.A. Funding Overview

The ARP provides administrative fees and funding for the costs of administering EHV's and other eligible expenses defined in Notice PIH 2021-15. These fees may only be used for EHV administration and other eligible expenses and cannot be used for or applied to other PHA programs or vouchers. The PHA must maintain separate financial records from its regular HCV funding for all EHV funding.

### Housing Assistance Payments Funding

ARP funding obligated to the PHA as housing assistance payments (HAP) funding may only be used for eligible EHV HAP expenses (i.e., rental assistance payments). EHV HAP funding may not be used for EHV administrative expenses or for the eligible uses under the EHV services fee.

The initial funding term will expire December 31, 2022. HUD will provide renewal funding to the PHA for the EHV's on the calendar year (CY) basis commencing with CY 2023. The renewal funding allocation will be based on the PHA's actual EHV HAP costs in leasing, similar to the renewal process for the regular HCV program. EHV renewal funding is not part of the annual HCV renewal funding formula; EHV's are renewed separately from the regular HCV program. All renewal funding for the duration of the EHV program has been appropriated as part of the ARP funding.

### Administrative Fee and Funding

The following four types of fees and funding are allocated as part of the EHV program:

- **Preliminary fees** support immediate start-up costs that the PHA will incur in implementing alternative requirements under EHV, such as outreach and coordination with partnering agencies:
  - \$400 for EHV allocated to the PHA, once the consolidated annual contributions contract (CACC) is amended.
  - This fee may be used for any eligible administrative expenses related to EHV.
  - The fee may also be used to pay for any eligible activities under EHV service fees (EHV-I.B)
- **Placement fees/expedited issuance reporting fees** will support initial lease-up costs and the added cost and effort required to expedite leasing of EHV:
  - \$100 for each EHV initially leased, if the PHA reports the voucher issuance date in Public Housing Information Center – Next Generation (PIC-NG) system within 14 days of voucher issuance or the date the system becomes available for reporting.
  - Placement fees:
    - \$500 for each EHV family placed under a HAP contract effective within four months of the effective date of the ACC funding increment; or
    - \$250 for each EHV family placed under a HAP contract effective after four months but less than six months after the effective date of the ACC funding increment.
    - HUD will determine placement fees in the event of multiple EHV allocations and funding increment effective dates.
  - Placement/expedited issuance fees only apply to the initial leasing of the voucher; they are not paid for family moves or to turnover vouchers.
- **Ongoing administrative fees**, are calculated in the same way as the standard HCV program:

- PHAs are allocated administrative fees using the full column A administrative fee amount for each EHV under contract as the first day of each month.
- Ongoing EHV administrative fees may be subject to proration in future years, based on eligible EHV funding.
- **Service fees**, are a one-time fee to support PHA's efforts to implement and operate an effective EHV services program in its jurisdiction (EHV-I.B):
  - The fee is allocated once the PHA's CACC is amended to reflect EHV funding.
  - The amount allocated is \$3,500 for each EHV allocated.

## 20-I.B. Service Fees

Service fee funding must be initially used for defined eligible uses and not for other administrative expenses of operating the EHV program. The four service fee categories are:

- Housing search assistance,
- Security deposit/utility deposit/rental application/holding fee uses,
- Owner-related uses, and
- Other eligible uses such as moving expenses or tenant-readiness services.

The PHA must establish the eligible uses and the parameters and requirements for services fees in the PHA's administrative plan.

**Housing search assistance**, may include activities such as, but not limited to, helping a family identify and visit potentially available units during their housing search, helping to find a unit that meets the household's disability-related needs, providing transportation and directions, assisting with the completion of rental applications and PHA forms, and helping to expedite the EHV leasing process for the family.



**Application fees/non-refundable administrative or processing fees/refundable application deposit assistance.** The PHA may provide assistance to EHV participants for the some or all of the costs of application fees, non-refundable administrative or processing fees, and refundable application deposit.

**Holding fees** are fees and owner requests that are rolled into the security deposit after an application is accepted but before a lease is signed. The PHA may cover part or all of the holding fee for units where the fee is required by the owner after the tenant's application has been accepted but before the lease signing. The PHA and the owner must agree how the holding fee gets rolled into the deposit, under what conditions the fee will be returned. In general, owners need to accept responsibility for making needed repairs to a unit required by the initial housing quality standards (HQS) inspections and can only keep the holding fee if the client is at fault for not entering in a lease.

**Security deposit assistance** may not exceed the lesser of two months' rent to owner, the maximum-security deposit allowed under applicable state and/or local law or the actual security deposit required by the owner. The PHA may pay the security deposit assistance directly to the owner or may pay the assistance to the family. If paid to the family, the PHA will require documentation that the family paid the security deposit.

**Utility deposit assistance/utility arrears.** The PHA may provide utility deposit assistance for some or all of the family's utility deposit expenses. Assistance can be provided for deposits (including connection fees) required for the utilities to be supplied by the tenant under the lease. The PHA may pay the utility deposit assistance directly to the utility company or may pay the assistance to the family. If paid to the family, the PHA will require documentation the family paid the utility deposit. The PHA will require the utility supplier or family to return the utility deposit. The PHA will require the utility supplier or family to return the utility deposit assistance to the PHA at such time the deposit is returned by the utility supplier (less any amounts retained by the utility supplier). In addition, some families may have large balances with gas, electric, water, sewer, or trash

companies that will make it difficult if not impossible to establish services for tenant-supplied utilities. The PHA may also provide the family with assistance to help address these utility arrears to facilitate leasing. Utility deposit assistance returned to the PHA will be used for either services fee eligible uses or other EHV administrative costs, as required by HUD.

**Owner recruitment and outreach for EHV's.** The PHA may use the service fee funding to conduct owner recruitment and outreach specifically for EHV's. In addition to traditional owner recruitment and outreach, activities may include conducting pre-inspections or otherwise expediting the inspection process, providing enhanced customer service, and offering owner incentive and/or retention payments.

**Owner incentive and/or retention payments.** The PHA may make incentive or retention payments to owners that agree to initially lease their unit to an EHV family and/or renew the lease of an EHV family. Payments will be made as a single payment at the beginning of the assisted lease term (or lease renewal if a retention payment). Owner incentive and retentions payments are not housing assistance payments, are not part of the rent to owner, and are not taken into consideration when determining whether the rent for the unit is reasonable.

**Moving expenses (including move-in fees and deposits).** The PHA may provide assistance for some or all of the family's reasonable moving expenses when they initially lease a unit with the EHV. The PHA will not provide moving expenses assistance for subsequent moves unless the family is required to move for reasons other than something the family did or failed to do (e.g., the PHA is terminating the HAP contract because the owner did not fulfill the owner responsibilities under the HAP contract or the owner is refusing to offer the family the opportunity to enter a new lease after the initial lease term, as opposed to the family choosing to terminate the tenancy in order to move to another unit), or a family has to move due to domestic violence, dating violence, sexual assault, or stalking.

**Tenant-readiness services.** The PHA may use fees to help create a customized plan to address or mitigate barriers that individual families may face in renting a unit with an EHV, such as negative credit, lack of credit, negative rental or utility history, or to connect the family to other community resources (including COVID-related resources) that can assist with rental arrears.

**Essential household items.** The PHA may use services fee funding to assist the family with some or all of the costs of acquiring essential household items such as tableware, cooking equipment, beds or bedding, and essential sanitary products such as soap and toiletries.

**Renter's insurance if required by the lease.** The PHA may choose to assist the family with some or all this cost.

Any service fee assistance that is returned to the PHA after its initial or subsequent use may only be applied to the eligible services fee uses defined in Notice PIH 2021-15 (or subsequent notice) or other EHV administrative costs. Any amounts not expended for these eligible uses when the PHA's EHV program ends must be remitted to HUD.

### Commerce Policy

#### **The eligible uses for service fees include:**

- **Housing search assistance, which may include activities such as, but not limited to, helping a family identify and visit potentially available units during their housing search, helping to find a unit that meets the household's disability-related needs, providing transportation and directions, assisting with the completion of rental applications and PHA forms, and helping to expedite the EHV leasing process for the family.**

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**Commerce will include the cost of renter's insurance in the HAP contract for EHV families if it is a condition of the lease but will not provide assistance if the renter's insurance has to be purchased separately and not included in the lease.**

**Commerce may provide security deposit assistance to EHV participants only after all other sources for assistance have been exhausted. Examples of other sources of assistance are the Montana Emergency Rental Assistance program and the Emergency Solutions Grant.**

**Commerce will not provide utility arrears and utility deposit assistance to EHV participants. EHV participants requiring assistance with utility arrears and utility deposit assistance are encouraged to seek assistance from other available programs.**

**Commerce may provide landlord mitigation funds and other incentive programs for EHV participant landlords while funding is available.**

**Commerce will not reimburse holding fees, moving expenses, or essential household items to EHV participants.**

## Part II: Partnering Agencies

### **20-II.A. Continuum of Care**

PHAs that accept an allocation of EHVs are required to enter into a Memorandum of Understanding (MOU) with the Continuum of Care (CoC) and establish a partnership for the administration of EHVs.

#### **Commerce Policy**

**Commerce has entered into an MOU with the Montana CoC. For the purpose of this Admin Plan the CoC and Coordinated Entry agencies will be referred to as referral agencies.**

### **20-II.B. Other Partnering Organizations**

The PHA may, but is not required to, partner with other organizations trusted by persons experiencing homelessness, such as victim services providers (VSPs) and other community partners. If the PHA chooses to partner with such agencies, the PHA must either enter into an MOU with the partnering agency or the partnering agency may be added to the MOU between the PHA and CoC.

#### **Commerce Policy**

**Commerce may partner with other organizations at its own discretion.**

## **20-II.C. Referrals**

### **CoC and Partnering Agency Referrals**

The primary responsibility of the CoC under the MOU with the PHA is to make direct referrals of qualifying individuals and families to the PHA. The PHA must generally refer a family that is seeking EHV assistance directly from the PHA to the CoC or other referring agency for initial intake, assessment, and possible referral for EHV assistance. Partner CoCs are responsible for determining whether the family qualifies under one of the four eligibility categories for EHV. The CoC or other direct referral partner must provide supporting documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance.

#### **Commerce Policy**

**The referral agencies have established the following referral priorities for EHV eligible individuals and families:**

- 1. -Homeless;**
- 2. -At risk of homelessness;**
- 3. -Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking; and**
- 4. -Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability.**

**The referral agencies must certify that the EHV applicants they refer to Commerce meet at least one of the four EHV eligibility criteria listed above. Commerce will maintain a copy of the referral or certification from the referral agencies in the participant's file along with other eligibility paperwork. Homeless service providers may, but are not required to, use the**

**certification form found in Exhibit EHV-1. Victim services providers may, but are not required to, use the certification form found in Exhibit EHV-2 when identifying eligible families who qualify as victims of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking.**

**As part of the MOU, Commerce and the referral agencies will identify agencies to serve as lead EHV referral agencies. These agencies will be responsible for transmission and acceptance of referrals. Within 14 calendar days of receiving the completed referral packet the referring agency will transmit the packet to Commerce for processing. The referral agencies must commit sufficient staff and resources to ensure eligible individuals and families are identified and determined eligible in a timely manner.**

**Commerce is responsible for processing referrals from the referral agencies. Commerce will track and notify the referral agencies of the number of available EHV's.**

## **Offers of Assistance with CoC Referral**

The PHA may make an EHV available without a referral from the CoC or other partnering organization in order to facilitate an emergency transfer under the Violence Against Women Act (VAWA) in accordance with the PHA's Emergency Transfer Plan (ETP) in Chapter 16 of the Admin Plan.

The PHA must also take direct referrals from outside the CoC if:

- The CoC does not have a sufficient number of eligible families to refer to the PHA;
- or

- The CoC does not identify families that may be eligible for EHV assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking.

If at any time the PHA is not receiving enough referrals or is not receiving referrals in a timely manner from the CoC or other partner referral agencies (or the PHA and CoC cannot identify any such alternative referral partner agencies) HUD may permit the PHA on a temporary or permanent basis to take EHV applications directly from applicants and admit eligible families to the EHV program in lieu of or in addition to direct referrals.



## Part III: Waiting List Management

### 20-III.A. HCV Waiting List

The regulation that requires the PHA to admit applicants as waiting list admissions or special admissions in accordance with admission policies in Chapter 4 of the Admin Plan does not apply to PHAs operating the EHV program. Direct referrals are not added to the PHA's HCV waiting list.

The PHA must inform families on the HCV waiting list of the availability of EHV's , at a minimum, either by posting the information to their website or by providing public notice in their respective communicates in accordance with the requirements listed in Notice PIH 2021-15.

#### Commerce Policy

**Commerce will post information about the EHV program for families on the HCV waiting list on their website. The notice will:**

- **Describe the eligible populations to which EHV's are limited,**
- **Clearly state that the availability of these EHV's is managed through a referral process, and**
- **Advise the family to contact the referral agencies if the family believes they may be eligible for EHV assistance.**

**Commerce will ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities in accordance with Chapter 2 of the Admin Plan. Commerce will also take reasonable steps to ensure meaningful access for persons with LEP in accordance with Chapter 2 of the Admin Plan.**

## **20-III.B. EHV Waiting List**

The HCV regulations requiring the PHA to operate a single waiting list for admission to the HCV program do not apply to PHAs operating the EHV program. Instead, when the number of applicants referred by the CoC or partnering agency exceeds the EHVs available, the PHA must maintain a separate waiting list for EHV referrals, both at initial leasing and for any turnover vouchers that may be issued prior to September 30, 2023.

Further, the EHV waiting list is not subject to PHA policies in Chapter 4 of the Admin Plan regarding opening and closing the HCV waiting list. The PHA will work directly with its CoC and other referral agency partners to manage the number of referrals and the size of the EHV waiting list.

## **20-III.C. Preferences**

### **HCV Waiting List Preferences**

If local preferences are established by the PHA for HCV, they do not apply to EVHs. However, if the PHA has a homeless preference or a VAWA preference for the HCV waiting list, the PHA must adopt additional policies related to EHVs in accordance with Notice PIH 2021-15.

#### **Commerce Policy**

**Commerce does not offer either a homeless or a VAWA preference for the HCV waiting list.**

### **EHV Waiting List Preferences**

With the exception of a residency preference, the PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHVs.

The PHA may however, choose to not establish any local preferences for the EHV waiting list.

### Commerce Policy

**Commerce will not establish a local preference for the EHV waiting list.**

## Part IV: Family Eligibility

### 20-IV.A. Overview

The CoC or referring agency determines whether the individual or family meets any one of the four eligibility criteria described in Notice PIH 2021-15 and then refers the family to the PHA. The PHA determines that the family meets other eligibility criteria for the HCV program, as modified for the EHV program and outlined below.

### 20-IV.B. Referring Agency Determination of Eligibility

In order to be eligible for an EHV, an individual or family must meet one of four eligibility criteria:

- Homeless;
- At risk of homelessness;
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking; and
- Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability.

As applicable, the CoC or referring agency must provide documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance. The PHA must retain this documentation as part of the family's file.

The following definitions always apply with respect to EHV eligibility, regardless of whether the PHA may have established another definition for any of these terms in its PHA administrative plan.

**A. Individuals and families who are homeless**

The meaning of “homeless” is as such term is defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)), which is codified in HUD’s Continuum of Care Program regulations at 24 CFR 578.3 and reads as follows:

Homeless means:

- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
  - (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
  - (ii) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, State, or local government programs for low-income individuals); or
  - (iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

- (2) An individual or family who will imminently lose their primary nighttime residence, provided that:
- (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
  - (ii) No subsequent residence has been identified; and
  - (iii) The individual or family lacks the resources or support networks, *e.g.*, family, friends, faith-based or other social networks, needed to obtain other permanent housing.
- (3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
- (i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);
  - (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
  - (iii) Have experience persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
  - (iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical

health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree of General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention from criminal activity, and a history of unstable employment.

**B. Individuals or families who are at-risk of homelessness**

- The meaning of “at-risk of homelessness” is as such term is defined in section 401(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(1)), which is codified in HUD’s Continuum of Care Program regulations at 24 CFR 578.3 and reads as follows:
- At risk of homelessness.
  - (1) An individual or family who:
    - (i) Has an annual income below 30 percent of median family income for the area, as determined by HUD;
    - (ii) Does not have sufficient resources or support networks, *e.g.*, family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the “Homeless” definition above; and
    - (iii) Meets one of the following conditions:
      - (A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
      - (B) Is living in the home of another because of economic hardship;

- (C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days of the date of application for assistance;
  - (D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by federal, State, or local government programs for low-income individuals;
  - (E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons, or lives in a larger housing unit in which there reside more than 1.5 people per room, as defined by the U.S. Census Bureau;
  - (F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
  - (G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan.
- (2) A child or youth who does not qualify as "homeless" under this section, but qualifies as "homeless" under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(m) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(m)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or
- (3) A child or youth who does not qualify as "homeless" under this section, but qualifies as "homeless" under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

- C.** Individuals or families who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking
- This category is composed of any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking. This includes cases where a HUD-assisted tenant reasonably believes that there is a threat of imminent harm from further violence if they remain within the same dwelling unit, or in the case of sexual assault, the HUD-assisted tenant reasonably believes there is a threat of imminent harm from further violence if they remain within the same dwelling unit that they are currently occupying, or the sexual assault occurred on the premise during the 90-day period preceding the date of the request for transfer.
  - **Domestic violence** includes felony or misdemeanor crimes of violence committed by:
    - a. A current or former spouse or intimate partner of the victim (the term “spouse or intimate partner of the victim” includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship),
    - b. A person with whom the victim shares a child in common,
    - c. A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,



- d. A person similarly situated to a spouse of the victim under the domestic of family violence laws of the jurisdiction receiving grant monies, or
- e. Any other person against an adult or youth victim who is protected from the person's acts under the domestic or family violence laws of the jurisdiction.

- **Dating violence** means violence committed by a person:

- a. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- b. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - 1. The length of the relationship;
  - 2. The type of relationship; and
  - 3. The frequency of interaction between the persons involved in the relationship.

**Sexual assault** means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.

**Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (1) Fear for the person's individual safety or the safety of others; or
- (2) Suffer substantial emotional distress.

**Human trafficking** includes both sex and labor trafficking, as outlined in the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. § 7102). These are defined as:

*Sex trafficking* means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; (and)

*Labor trafficking* means the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

**D. Individuals or families who are recently homeless**

- This category is composed of individuals and families determined by the CoC or its designee to meet the following definition
- **Recently homeless** is defined as individuals and families who have previously been classified by a member agency of the CoC as homeless but are not currently homeless as a result of homeless assistance (financial assistance or services), temporary rental assistance or some type of other assistance, and where the CoC or its designee determines that the loss of such assistance would result in a return to homelessness or the family having a high risk of housing instability. Examples of households that may be defined as recently homeless by the CoC include, but are not limited to, participants in rapid rehousing, and permanent supportive housing.
- Individuals and families classified as recently homeless must be referred by the CoC or its designee.

**Commerce Policy**

**The referral agencies will conduct the verification process and provide documentation to establish which of the four EHV eligibility categories that a family or individual meet.**

**Commerce will retain verification documentation as part of the family's file.**

## 20-IV.C. PHA Screening

### Overview

HUD has waived 24 CFR 982.552 and 982.553 in part for the EHV applicants and established alternative requirement for mandatory and permissive prohibition of admissions. Except where applicable, PHA policies regarding denials in Chapter 3 of the Admin Plan do not apply to screening individuals and families for eligibility for an EHV. Instead, the EHV alternative requirement listed in this section will apply to all EHV applicants.

The mandatory and permissive prohibitions listed in Notice PIH 2021-15 and in this addendum, however, apply only when screening the individual or family for eligibility for an EHV. When adding a family member after the family has been placed under a HAP contract with EHV assistance, the regulations at 24 CFR 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 HCV screening criteria in Chapter 3 of the Admin Plan in doing so.

### Mandatory Denials

Under alternative requirements for the EHV program, mandatory denials for EHV applicants include:

- 24 CFR 982.553(a)(1)(ii)(C), which prohibits admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
- 24 CFR 982.553(a)(2)(i), which prohibits admission to the program if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.

### Commerce Policy

**Commerce will deny admission to EHV applicants if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing and if any member of a household is subject to a registration requirement under a state sex offender registration program. The State of Montana sex offender registration list is tiered and does not designate or distinguish lifetime sexual offender status. Due to this limitation, Commerce will deny federal assistance to all Programs under this Administrative Plan if any household member, as well as foster children and live-in aids, if the individual appears on the Montana sexual offender registry.**

The PHA may deny admission to the program if any member of the family fails to sign and submit consent forms for obtaining information as required by 24 CFR 982.552(b)(3). The PHA should notify the family of the limited EHV grounds for denial of admission before denial.

### Commerce Policy

**Commerce will deny admission to the program if any adult member (or head of household or spouse, regardless of age) fails to sign and submit consent forms, Commerce will first notify the family of the limited EHV grounds for denial of admission as part of the notice of denial that will be mailed to the family.**

## Permissive Prohibitions

Notice PIH 2021-15 lists permissive prohibitions for which the PHA may, but is not required to, deny admission to EHV families. The notice also lists prohibitions that, while allowable under the HCV program, may not be used to deny assistance for EHV families.

If the PHA intends to establish permissive prohibition policies for EHV applicants, the PHA must first consult with its CoC partner to understand the impact that the proposed prohibitions may have on referrals and must take the CoC's recommendations into consideration.

### Commerce Policy

**Commerce will establish the following permissive prohibitions:**

**Commerce will deny assistance to household members already receiving assistance from another program in accordance with Section 9.h. of Notice PIH 2021-15.**

In compliance with PIH Notice 2021-15, the PHA **will not** deny an EHV applicant admission regardless of whether:

- Any member of the family has been evicted from federally assisted housing in the last five years;
- A PHA has ever terminated assistance under the program for any member of the family;
- The family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act;

- The family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages, to the unit, or other amounts owed by the family under the lease;
- The family breached an agreement with the PHA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA;
- The family would otherwise be prohibited admission under alcohol abuse standards established by the PHA in accordance with § 982.553(a)(3); and
- The PHA determines that any household member is currently engaged in or has engaged in during a reasonable time before the admission, drug-related criminal activity.

Similar to the HUD-Veterans Affairs Supportive Housing (HUD-VASH) program, HUD is eliminating the PHA's permissive prohibitions for EHV admissions for drug-related criminal activity.

## **20-IV.D. Income Verification at Admission**

### **Self-Certification at Admission**

The requirement to obtain third-party verification of income in accordance with Notice PIH 2018-18 does not apply to the EHV program applicants at admission, and alternatively, PHAs may consider self-certification the highest form of income verification at admission. As such, PHA policies related to the verification of income in Section 7-I.B. do not apply to EHV families at admission. Instead, applicants must submit an affidavit attesting to their reported income, assets, expenses, and other factors that would affect an income eligibility determination.

Additionally, applicants may provide third-party documentation that represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the PHA's request.

### Commerce Policy

For applicants who are unable to obtain third-party documentation for income or assets, Commerce will accept self-certification as the highest form of income verification at admission. Applicants must submit a certification that they are attesting to the reported income.

Commerce will verify income reported with EIV Income and Income Validation Tool reports to confirm/validate family-reported income within 90 days of the submission date.

## Recently Conducted Income Determinations

PHAs may accept income calculations and verifications from third-party providers or from an examination that the PHA conducted on behalf of the family for another subsidized housing program in lieu of conducting an initial examination of income as long as:

- The income was calculated in accordance with rules outlined at 24 CFR Part 5 and within the last six months; and
- The family certifies there has been no changes in income or family composition in the interim.

### Commerce Policy

**Commerce will accept income calculations and verification from third-party providers provided they meet the criteria outlined above.**

**The family certification must be made in a format acceptable to Commerce and must be signed by all adult family members whose information or status is being verified.**

At the time of the family's annual reexamination the PHA must conduct the annual reexamination of income as outlined at 24 CFR 982.516 and PHA policies in Chapter 11 of the Admin Plan.

## Enterprise Income Verification (EIV) Income Validation

Once HUD makes the EIV data available to PHAs under this waiver and alternative requirement, the PHA must:

- Review the EIV Income and Income Validation Tool (IVT) reports to confirm and validate family-reported income within 90 days of the PIC submission date;
- Print and maintain copies of the EIV Income and IVT Reports in the tenant file; and
- Resolve any income discrepancy with the family within 60 days of the EIV Income or IVT Report dates.

Prior to admission, PHAs must continue to use HUD's EIV system to search for all household members using the Existing Tenant Search in accordance with PHA policies in Chapter 3 of the Admin Plan.

If a PHA later determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program in accordance with Chapter 12 of the Admin Plan.

## 20-IV.E. Social Security Number and Citizenship Status

For the EHV program, the PHA is not required to obtain and verify Social Security Number (SSN documentation and documentation evidencing eligible noncitizen status before admitting the family to the EHV program. Instead, PHAs may adopt policies to admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the PHA provides an extension based



on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

### **Commerce Policy**

**Commerce will admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. These individuals must provide the required documentation in accordance with policies in Chapter 7 of the Admin Plan within 180 days of admission. Commerce may provide an additional 60-day extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation. The Commerce contracted Field Agency will coordinate with the referral agency to obtain the required eligibility documentation.**

**If the PHA determines that an ineligible family received assistance, Commerce will take steps to terminate that family from the program in accordance with policies in Chapter 12 of the Admin Plan.**

## **20-IV.F. Age and Disability Verification**

PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. If self-certification is used, the PHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

### Commerce Policy

Commerce will accept self-certification of date of birth and disability status if a higher form of verification is not immediately available. The certification must be made in a format acceptable to Commerce and must be signed by the family member whose information or status is being verified. If self-certification is accepted, within 90 days of admission, Commerce will verify the information in EIV or through other third-party verification if the information is not available in EIV. Commerce will note the family's file that self-certification was used as initial verification and include an EIV printout or other third-party verification confirming the applicant's date of birth and/or disability status.

If Commerce determines that an ineligible family received assistance, Commerce will take steps to terminate that family from the program in accordance with policies in Chapter 12 of the Admin Plan.

## **20-IV.G. Income Targeting**

The PHA must determine income eligibility for EHV families in accordance with 24 CFR 982.201 and PHA policy in Chapter 3 of the Admin Plan; however, income targeting requirements do not apply for EHV families. The PHA may still choose to include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

### Commerce Policy

Commerce will not include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

## Part V: Housing Search and Leasing

### 20-V.A. Initial Voucher Term

Unlike the standard HCV program, which requires an initial voucher term of at least 60 days, EHV vouchers must have an initial search term of at least 120 days. PHA policies on extensions as outlined in Section-II.E. will apply.

#### Commerce Policy

**All EHV's will have an initial term of 120 calendar days.**

**The family must submit a Request for Tenancy Approval (RTA) and proposed lease within the 120-day period unless Commerce grants an extension.**

**Requests for voucher extensions must be made in writing prior to the voucher expiration date. Commerce will review all requests for voucher extensions according to Chapter 5, page 10, of the Administrative Plan on a case-by-case basis. The maximum voucher term will not exceed 150 days unless by reasonable accommodation.**

### 20-V.B. Housing Search Assistance

The PHA must ensure housing search assistance is made available to EHV families during their initial housing search. The housing search assistance may be provided directly by the PHA or through the CoC or another partnering agency or entity.

At a minimum, housing search assistance must:

- Help individual families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low-poverty neighborhoods;
- Provide transportation assistance and directions to potential units;

- Conduct owner outreach;
- Assist with the completion of rental applications and PHA forms; and
- Help expedite the EHV leasing process for the family.

### **Commerce Policy**

**As identified in the MOU between Commerce and the CoC, the following housing search assistance will be provided to each EHV family:**

**Commerce may:**

- **Conduct owner outreach in accordance with policies in Chapter 13 of the Admin Plan;**
- **Provide names of landlords which may have potential units as part of the EHV briefing packet;**
- **Expedite the EHV leasing process for the family to the extent practicable and in accordance with policies in this addendum;**
- **Provide landlords a one-time incentive for leasing to a EHV family and landlord mitigation funds as described in Exhibit EHV-3.**

**The referral agency may:**

- **Help families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low poverty neighborhoods;**
- **Provide transportation assistance to potential units; and**
- **Assist the family with the completion of rental applications and PHA forms.**

**The Field Agencies are not eligible for housing search assistance reimbursements.**

## **20-V.C. Housing Quality Standards (HQS) Pre-Inspections**

To expedite the leasing process, PHAs may pre-inspect available units that EHV families may be interested in leasing in order to maintain a pool of eligible units.

### **Commerce Policy**

**To expedite the leasing process, Commerce may pre-inspect available units that EHV families may be interested in leasing to maintain a pool of eligible units. If an EHV family selects a unit that passed an HQS pre-inspection (without intervening occupancy) within 45 days of the date of the RTA, the unit may be approved provided that it meets all other conditions under 24 CFR 982.305.**

**The family is free to select their unit.**

**When a pre-inspected unit is not selected, Commerce will make every effort to fast-track the inspection process, including adjusting the normal inspection schedule for any required reinspections.**

## **20-V.D. Initial Lease Term**

Unlike in the standard HCV program, EHV voucher holders may enter into an initial lease that is for less than 12 months, regardless of the PHA policy in Section 9-I.E., Term of Assisted Tenancy.

## **20-V.E. Portability**

The normal HCV portability procedures and requirements outlined in Chapter 10 of the Admin Plan generally apply to EHV's. Exceptions are addressed below.

## Nonresident Applicants

Under EHV, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied, regardless of PHA policy in Section 10-II.B.

### Commerce Policy

**EHV applicants must be reviewed and determined eligible prior to receiving a voucher. Once an EHV family receives their voucher they may request to port their voucher to another jurisdiction.**

## Billing and Absorption

A receiving PHA cannot refuse to assist an incoming EHV family, regardless of whether the PHA administers EHV under its own Annual Contributions Contract (ACC).

- If the EHV family moves under portability to another PHA that administers EHV under its own ACC:
  - The receiving PHA may only absorb the incoming EHV family with an EHV (assuming it has an EHV voucher available to do so).
  - If the PHA does not have an EHV available to absorb the family, it must bill the initial PHA. The receiving PHA must allow the family to lease the unit with EHV assistance and may not absorb the family with a regular HCV when the family leases the unit.
  - Regardless of whether the receiving PHA absorbs or bills the initial PHA for the family's EHV assistance, the EHV administration of the voucher is in accordance with the receiving PHA's EHV policies.

- If the EHV family moves under portability to another PHA that does not administer EHV under its own ACC, the receiving PHA may absorb the family into its regular HCV program or may bill the initial PHA.

## Family Briefing

In addition to the applicable family briefing requirements at 24 CFR 982.301(a)(2) as to how portability works and how portability may impact the special EHV services and assistance that may be available to the family.

The initial PHA is required to help facilitate the family's portability move to the receiving PHA and inform the family of this requirement in writing, taking reasonable steps to ensure meaningful access for persons with Limited English Proficiency (LEP).

### Commerce Policy

**In addition to following Commerce policy on briefing in Chapter 5 of the Admin Plan, as part of the briefing packet for EHV families, Commerce will include Information regarding porting EHV's to the briefings.**

**For LEP applicants, Commerce will provide interpretation services in accordance with Commerce's LEP plan (see Chapter 2 of the Admin Plan).**

## Coordination of Services

If the portability move is in connection with the EHV family's initial lease-up, the receiving PHA and the initial PHA must consult and coordinate on the EHV services and assistance that will be made available to the family.

### Commerce Policy

For EHV families who are exercising portability, Commerce will contact the receiving PHA in accordance with Section 10-II.B. Preapproval Contact with Receiving PHA, Commerce will consult and coordinate with the receiving PHA to ensure there is no duplication of EHV services and assistance and ensure the receiving PHA is aware of the maximum amount of services fee funding that the initial PHA may provide to the receiving PHA on behalf of the family.

### Service Fee

Standard portability billing arrangements apply for Housing Assistance Payment (HAP) and ongoing administrative fees for EHV families.

For service fees funding, the amount of the service fee provided by the initial PHA may not exceed the lesser of the actual cost of the services and assistance provided to the family by the receiving PHA or \$1,750, unless the initial PHA and receiving PHA mutually agree to change the \$1,750 cap. Service fees are paid as follows:

- If the receiving PHA, in consultation and coordination with the initial PHA, will provide eligible services or assistance to the incoming EHV family, the receiving PHA may be compensated for those costs by the initial PHA, regardless of whether the receiving PHA bills or absorbs.
- If the receiving PHA administers EHV, the receiving PHA may use its own services fee and may be reimbursed by the initial PHA, or the initial PHA may provide the services funding upfront to the receiving PHA for those fees and assistance.



- If the receiving PHA does not administer EHV, the initial PHA must provide the services funding upfront to the receiving PHA. Any amount provided to the receiving PHA that are not used for services or assistance on behalf of the EHV family must promptly be returned by the receiving PHA to the initial PHA.

## Placement Fee/Issuance Reporting Fee

If the portability lease-up qualifies for the placement fee/issuance reporting fee, the receiving PHA receives the full amount of the placement component of the placement fee/issuance reporting fee. The receiving PHA is eligible for the placement fee regardless of whether the receiving PHA bills the initial PHA or absorbs the family into its own program at initial lease-up. The initial PHA qualifies for the issuance reporting component of the placement fee/issuance reporting fee, as applicable.

## 20-V.F. Payment Standards

### Payment Standard Schedule

For the EHV program, HUD has waived the regulation requiring a single payment standard for each unit size. Instead, the PHA may, but is not required to, establish separate higher payment standards for EHV. Lower EHV payment standards are not permitted. If the PHA is increasing the regular HCV payment standard, the PHA must also increase the EHV payment standard if it would be otherwise lower than the new regular HCV payment standard. The separate EHV payment standard must comply with all other HCV requirements with the exception of the alternative requirements discussed below.

Further, if the PHA chooses to establish higher payment standards for EHV, HUD has provided other regulatory waivers:

- Defining the “basic range” for payment standards as between 90 and 120 percent of the published Fair Market Rent (FMR) for the unit size (rather than 90 to 110 percent).

- Allowing a PHA that is not a designated Small Area FMR (SAFMR) area or has not opted to voluntarily implement SAFMRs to establish exception payment standards for a ZIP code area above the basic range for the metropolitan FMR based on the HUD published SAFMRs. The PHA may establish an exception payment standard up to 120 percent (as opposed to 110 percent) of the HUD published SAFMR for that ZIP code area. The exception payment standard must apply to the entire ZIP code area.
  - The PHA must notify HUD if it establishes an EHV exception payment standard based on the SAFMR.

### Commerce Policy

**Commerce will maintain a payment standard of 120% of FMRs for EHV.**

## Rent Reasonableness

All rent reasonableness requirements apply to EHV units, regardless of whether the PHA has established an alternative or exception EHV payment standard.

## Increases in Payment Standards

The requirement that the PHA apply increased payment standards at the family's first regular recertification on or after the effective date of the increase does not apply to EHV. The PHA may, but is not required to, establish an alternative policy on when to apply the increased payment standard, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family's first regular reexamination following the change.

### Commerce Policy

**Commerce will not establish an alternative policy for increases in the payment standard. Commerce policy in Section 11-III.B. governing increases in payment standards will apply to EHV.**

## **20-V.G. Termination of Vouchers**

After September 30, 2023, a PHA may not reissue EHV's when assistance for an EHV-assisted family ends. This means that when an EHV participant (a family that is receiving rental assistance under a HAP contract) leaves the program for any reason, the PHA may not reissue that EHV to another family unless it does so no later than September 30, 2023.

If an applicant family that was issued the EHV is unsuccessful in finding a unit and the EHV expires after September 30, 2023, the EHV may not be reissued to another family.

All EHV's under lease on or after October 1, 2023, may not under any circumstances be reissued to another family when the participant leaves the program for any reason.

An EHV that has never been issued to a family may be initially issued and leased after September 30, 2023, since the prohibition only applies to EHV's that are being reissued upon turnover after assistance to a family has ended. However, HUD may direct PHAs administering EHV's to cease leasing any unleased EHV's if such action is determined necessary by HUD to ensure there will be sufficient funding available to continue to cover the HAP needs of currently assisted EHV families.

## Part VI: Use of Funds, Reporting, and Financial Records

EHV funds allocated to the PHA for HAP (both funding for the initial allocation and HAP renewal funding) may only be used for eligible EHV HAP purposes. EHV HAP funding obligated to the PHA may not be used for EHV administrative expenses or the other EHV eligible expenses under this notice. Likewise, EHV administrative fees and funding obligated to the PHA are to be used for those purposes and must not be used for HAP.

The appropriated funds for EHV are separate from the regular HCV program and may not be used for the regular HCV program but may only be expended for EHV eligible purposes. EHV HAP funds may not roll into the regular HCV restricted net position and must be tracked and accounted for separately as EHV RNP. EHV administrative fees and funding for other eligible expenses permitted by Notice PIH 2021-15 may only be used in support of the EHV and cannot be used for regular HCVs. EHV funding may not be used for the repayment of debts, or any amounts owed to HUD by HUD program participants including, but not limited to, those resulting from Office of Inspector General, Quality Assurance Division, or other monitoring review findings.

The PHA must comply with EHV reporting requirements in the Voucher Management System and Financial Data Schedule as outlined in Notice PIH 2021-15.

The PHA must maintain complete and accurate accounts and other records for the program and provide HUD and the Comptroller General of the United States full and free access to all accounts and records that are pertinent to the administration of the EHV in accordance with the HCV program requirements at 24 CFR 982.158.

Exhibit 20-1

**EMERGENCY HOUSING VOUCHER**

**HOMELESS CERTIFICATION**

EHV Applicant Name: \_\_\_\_\_

- Household without dependent children (complete one form for each adult in the household)
  - Household with dependent children (complete one form for household)
- Number of persons in the household: \_\_\_\_\_

This is to certify that the above-named individual or household meets the following criteria based on the check mark, other indicated information, and signature indicating their current living situation-

**Check only one box and complete only that section**

\_\_\_\_\_

**Living Situation: place not meant for human habitation (e.g., cars, parks, abandoned buildings, streets/sidewalks)**

- The person(s) named above is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus station, airport, or campground.

Description of current living situation:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Homeless Street Outreach Program

Name: \_\_\_\_\_

This certifying agency must be recognized by the local Continuum of Care (CoC) as an agency that has a program designed to serve persons living on the street or other places not meant for human habitation. Examples may be street outreach workers, day shelters, soup kitchens, Health Care for the Homeless sites, etc.

Authorized Agency Representative Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Living Situation: Emergency Shelter**

- The person(s) named above is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) a supervised publicly or privately-operated shelter as follows:

Emergency Shelter Program Name:

---

This emergency shelter must appear on the CoC's Housing Inventory Chart submitted as part of the most recent CoC Homeless Assistance application to HUD or otherwise be recognized by the CoC as part of the CoC inventory.

Authorized Agency Representative Signature:

---

Date: \_\_\_\_\_

**Living Situation: Recently Homeless**

- The person(s) named above is/are currently receiving financial and supportive service for persons who are homeless. Loss of such assistance would result in a return to homelessness (ex. Households in Rapid Rehousing Programs, residents of Permanent Supportive Housing Programs participating in Moving On, etc.).

This referring agency must appear on the CoC's Housing Inventory Chart submitted as part of the most recent CoC Homeless Assistance application to HUD or otherwise be recognized by the CoC as part of the CoC inventory.

Immediately prior to entering the household's current living situation, the person(s) name above was/were residing in:

- Emergency Shelter
- A place unfit for habitation

Authorized Agency Representative Signature:

---

Date: \_\_\_\_\_

## **EMERGENCY HOUSING VOUCHER**

CERTIFICATION FOR SURVIVORS OF DOMESTIC VIOLENCE,  
DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND/OR HUMAN TRAFFICKING

### **Purpose of Form:**

The Violence Against Women Act (“VAWA”) 2013 protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

The Victims of Trafficking and Violence Protection Act of 2000 provides assistance to victims of trafficking making housing, educational health care, job training and other federally-funded social service programs available to assist victims in rebuilding their lives.

### **Use of This Optional Form:**

Service providers may utilize this form to certify a family’s eligibility for EHV to document households who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, and/or human trafficking. In response to this request, the service provider may complete this form and submit it to the Public Housing Agency (PHA) to certify eligibility for HUD’s Emergency Housing Voucher.

### **Confidentiality:**

All information provided during the referral process concerning the incident(s) of domestic violence, dating violence, sexual assault, stalking, and human trafficking shall be kept confidential and such details shall not be entered into any shared database. Employees of the PHA will not have access to these details, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is:





(i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED ON BEHALF OF SURVIVORS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND/OR HUMAN TRAFFICKING.**

EHV Applicant Name: \_\_\_\_\_

The applicant named above is a survivor of (please check from the list all that apply):

- Domestic Violence
- Dating Violence
- Sexual Assault
- Stalking
- Human Trafficking

Immediately prior to entering the household's current living situation, the person(s) name above was/were residing in:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This certifies that the above named individual or household meets the definition for persons who are fleeing, or attempting to flee domestic violence, dating violence, sexual assault, stalking and/or human trafficking under section 107(b) of the Trafficking Victims Protection Act of 2000. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Authorized Agency Representative Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Exhibit 20-3

**LANDLORD INCENTIVE FUND  
EMERGENCY HOUSING VOUCHER**

Incentive funds are available to landlords who lease to an Emergency Housing Voucher (EHV) household. Details are as follows:

- One (\$1,000) incentive will be granted per new EHV household leased, effective 07/24/2023.
- Landlords that have previously received an incentive for leasing to an EHV household, will not be eligible for additional incentive fees for that household.
- Funds are available for a limited time as determined by Montana Housing and based on availability.
- If there are additional questions, program staff have the right to request additional information. Program staff will confirm the participation of the landlord in the Emergency Housing Voucher Program. Incentive will only be processed after a new admission is processed
- Requests must be submitted via File Transfer service to *EHV@mt.gov*.

<b>Landlord Name</b>	
<b>Address</b> (to mail check to)	
<b>Landlord Phone Number</b>	
<b>Tenant Name(s)</b>	
<b>Address of Assisted Unit</b>	

\_\_\_\_\_  
Landlord Signature\_\_\_\_\_  
Date\_\_\_\_\_  
Approval by Montana Housing Staff\_\_\_\_\_  
Date