
HACSM Hardship Policy for MTW Initiatives

The HACSM Hardship Policy is designed to address:

A. Rent reform initiatives

- *Tiered Subsidy Table Activity*
- *Payment Standard Activity*
- *Full Time Student Activity*
- *Foster Care, KinGap, and Adoption Assistance Activity*
- *Earned Income Disallowance*
- *Minimum Tenant Rent*

B. Time limited assistance

- *Extension of Program Participation*
- *Portability (Moving out of San Mateo County)*
 - *Current Program Participants*
 - *New Program Applicants*

C. Portability

All hardship requests must be made in writing, stating both the reason for the hardship and the expected duration.

Each request will be reviewed and weighed against other local resources available to the family. The result of the review may consist in referral to other local resources, an adjustment in the portion of the family's rent, or an extension in the length of subsidy assistance given.

HACSM Hardship Policy for MTW Initiatives

A. Rent Reform

- **Tiered Subsidy Table**

In order to qualify for hardship exemptions, households must meet all of the criteria listed below:

1. The household is in compliance with all the program rules and regulations.
2. The household does not owe HACSM any money or is current with a re-payment agreement.
3. The household must be admitted to the program prior to March 1, 2010, unless the household is a resident of HACSM public housing, converting to the Project-Based Voucher (PBV) program and remaining in-place at the complex.
4. The household has not relocated on or after March 1, 2010.
5. The household must experience an increase of \$25.00 or more in rent as a direct result of the MTW rent reform initiatives.
6. The household requested the hardship waiver within the deadline set by HACSM. Households have 10 business days from the date of their "Notice of Change" letter in which to request an Informal Hearing and/or Hardship Review.
7. The household has not received a rent reform hardship relief for tiered subsidy calculation previously.

- **Payment Standards Application at Interim**

Note: This Hardship policy does not apply to Payment Standard Changes at Annual or Biennial Recertifications

In order to qualify for hardship exemptions, households must meet all of the criteria listed below:

1. The household is in compliance with all the program rules and regulations.
2. The household does not owe HACSM any money or is current with a re-payment agreement.
3. The household must be admitted to the program prior to July 1, 2010.
4. The household has not relocated on or after July 1, 2010.
5. The household must experience an increase of \$25.00 or more in rent as a direct result of the MTW rent reform initiatives.
6. The household requested the hardship waiver within the deadline set by HACSM. Households have 10 business days from the date of their "Notice of Change" letter in which to request an Informal Hearing and/or Hardship Review.

HACSM Hardship Policy for MTW Initiatives

7. The household has not received a rent reform hardship relief for the Payment Standards application at interim recertification previously.

- **Full Time Students (FTS)**

In order to qualify for hardship exemptions, households must meet all of the criteria listed below:

1. The household is in compliance with all the program rules and regulations.
2. The household does not owe HACSM any money or is current with a re-payment agreement.
3. The household must be admitted to and have a household member with FTS in their household prior to July 1, 2011.
4. The FTS status must be established at the last annual or interim recertification prior to July 1, 2011.
5. The household must experience an increase of \$25.00 or more in rent as a direct result of the MTW rent reform initiatives.
6. The household requested the hardship waiver within the deadline set by HACSM. Households have 10 business days from the date of their "Notice of Change" letter in which to request an Informal Hearing and/or Hardship Review.
7. The household has not received a rent reform hardship relief for full time student's income inclusion previously.

- **Foster Care, KinGap and Adoption Assistance**

In order to qualify for hardship exemptions, households must meet all of the criteria listed below:

1. The household is in compliance with all the program rules and regulations.
2. The household does not owe HACSM any money or is current with a re-payment agreement.
3. The household must be admitted to the program and have the foster child/adult in their household prior to July 1, 2011.
4. The Foster Child/Adult status of the household member must be established at the last annual or interim recertification prior to July 1, 2011.
5. The household must experience an increase of \$25.00 or more in rent as a direct result of the MTW rent reform initiatives.

HACSM Hardship Policy for MTW Initiatives

6. The household requested the hardship waiver within the deadline set by HACSM. Households have 10 business days from the date of their "Notice of Change" letter in which to request an Informal Hearing and/or Hardship Review.
7. The household has not received a rent reform hardship relief for Foster Care, KinGap, or Adoption Assistance income inclusion previously.

- **Earned Income Disallowance**

In order to qualify for hardship exemptions, households must meet all of the criteria listed below:

1. The household is in compliance with all the program rules and regulations.
2. The household does not owe HACSM any money or is current with a re-payment agreement.
3. The household must be admitted to the program and received the benefits of Earned Income Disallowance in rent calculation prior to July 1, 2012.
4. The Earned Income Disallowance status of the household member must be established at the last annual or interim recertification prior to July 1, 2012.
5. The household must experience an increase of \$25.00 or more in rent as a direct result of the MTW rent reform initiatives.
6. The household requested the hardship waiver within the deadline set by HACSM. Households have 10 business days from the date of their "Notice of Change" letter in which to request an Informal Hearing and/or Hardship Review.
7. The household has not received a rent reform hardship relief for Earned Income Disallowance previously.

- **Child Care Expense Deduction**

In order to qualify for hardship exemptions, households must meet all of the criteria listed below:

1. The household is in compliance with all program rules and regulations.
2. The household does not owe HACSM any money or is current with a repayment agreement.
3. The household must be admitted to the program and received the benefits of the Child Care Expense Deduction in rent calculation prior to July 1, 2013.
4. The Child Care Expense Deduction status of the household member must be established at the last annual or interim recertification prior to July 1, 2013.
5. The household must experience an increase of \$25.00 or more in rent as a direct result of the MTW rent reform initiatives.

HACSM Hardship Policy for MTW Initiatives

6. The household requested the hardship waiver within the deadline set by HACSM. Households have 10 business days from the date of their "Notice of Change" letter in which to request an Informal Hearing and/or Hardship Review.
7. The household has not previously received a rent reform hardship relief for the Child Care Expense Deduction.

Approval Process for all Rent Reform Initiatives

- Households who meet the criteria listed above may mail, fax, or e-mail their request to HACSM.
- Housing Programs Specialist will review the request promptly, using the HACSM provided tool, calculate the tenant rent and forward the result and the tenant file to the supervisor.
- Supervisor approves the new rent if there are no other issues. If there are other issues, the supervisor will conduct further review and consult with Housing Rental Programs Manager.

Hardship Relief for all of the above Rent Reform Initiatives

Households who qualify and receive waiver approval may pay their portion of rent based on the calculation under HUD regulations until their next recertification or relocation. At the next annual recertification, biennial recertification, or relocation, whichever comes first, the household will automatically be subject to the rent reform initiatives.

Note: Each household is only eligible for one term of relief for each rent reform initiative and if the household qualifies for more than one relief at any given recertification (annual or interim), the reliefs will be calculated concurrently.

HACSM Hardship Policy for MTW Initiatives

- **Minimum Tenant Rent**

HACSM's minimum tenant rent, without consideration of utility allowance, shall be \$100 effective August 1, 2016. The new minimum rent shall apply to the next 50058 change (unit/household/subsidy/contract rent). HACSM may adjust the amount of minimum tenant rent through future MTW Annual Plan processes.

In order to qualify for hardship exemptions, households must meet all of the criteria listed below:

1. The household is in compliance with all program rules and regulations.
2. The household does not owe HACSM any money or is current with a repayment agreement.
3. The household must be admitted to the program prior to August 1, 2016 and paid \$50 immediately prior to August 1, 2016 as a result of the HACSM's minimum rent policy.
4. The tenant rent portion, after applying the new minimum rent, is greater than 30% of the household's monthly adjusted income without consideration of utility allowance.
5. The household requested the hardship waiver within the deadline set by HACSM. Households have 10 business days from the date of their "Notice of Change" letter in which to request an Informal Hearing and/or Hardship Review.
6. The household has not previously received a hardship relief for the current minimum rent increase.

Approval Process for Minimum Rent Initiative

- Households who meet the criteria listed above may mail, fax, or e-mail their request to HACSM.
- Housing Programs Specialist will review the request promptly, using the HACSM provided tool, calculate the tenant rent based on the new minimum rent and hardship policy and forward the result and the recert, interim, or rent increase package to the supervisor.
- Supervisor approves the new rent if there are no other issues. If there are other issues, the supervisor will conduct further review and consult with Housing Rental Programs Manager.

Hardship Relief for Minimum Rent Initiative

Households who qualify and receive waiver approval may pay \$50 as their portion of rent until their next annual/triannual recertification, interim due to increase in income or change in family composition, or relocation. At the next annual/triannual recertification, interim due to increase in income in change in family composition, or relocation, the household will automatically be subject to the HACSM's minimum rent at that time.

HACSM Hardship Policy for MTW Initiatives

B. Time Limited Assistance - *Extension of program participation*

- **Basic Requirements**

1. The household is in compliance with all program rules and regulations.
2. The household does not owe the HACSM any money or is current with a repayment agreement.

- **Qualification**

1. The Head of Household and all the adult (18 and over) household members are 62 years of age or older and/or people with disabilities. (The HUD definition of disability shall apply)
2. The Head of Household is the sole adult member who is responsible to care for a minor (under 18) household member who is a person with disability. (The HUD definition of disability shall apply).
3. "Tight Rental Market." In order to qualify, all four of the following thresholds must be met:
 - a. At the time of program exit, the average vacancy rate in San Mateo County for affordable units is less than 4% during the previous 6-month period, ***and***
 - b. The HCV utilization rate is below 95%, ***and***
 - c. The family's annual gross income is below 80% of AMI, ***and***
 - d. The family agrees to actively participate in the Self Sufficiency case management services.
4. The household is actively engaging in educational or vocational activities per the initial or subsequent revised service plan. The activities on a revised service plan must be approved by HACSM or the case manager at least 12 months prior to the program exit date.

- **Approval Process for Extension of Program Participation**

1. All applications will be reviewed for completeness.
2. Households who meet qualification category number 4 above must list on the Hardship Application the following:
 - a. Educational or vocational activities that the household is currently engaging in; ***and***
 - b. The name of the school/institution/agency that provides the service; ***and***
 - c. The expected completion date; ***and***

HACSM Hardship Policy for MTW Initiatives

- d. A brief statement on how the extension of assistance would benefit the household in achieving its self-sufficiency goal.
 3. The Family Self-Sufficiency Coordinator will review the request promptly and forward the file to the supervisor with his/her recommendation.
 4. The Supervisor approves the extension if there are no other issues.
- **Hardship Relief for Extension of Program Participation**
 1. For households who meet qualification category number 1 and 2, the length of assistance may be extended for an additional 12 months. Any subsequent renewals on the extension will require a new request from the household and will be subject to the HACSM hardship policy in effect at that time.
 2. For households who meet qualification category number 3 and 4, HACSM will grant a 12-month extension, with the possibility of a second 12-month extension if the “tight rental market” condition persists.
 3. For households who meet qualification number 4, the length of assistance may be extended for a maximum of 12 months, and is subject to compliance to case management services and acceptable verification of educational or vocational activities listed in the hardship application.

Note: For Qualification Categories #3 and #4, the total combined extension period cannot exceed 24 months total.
 4. Decisions reached by HACSM will be final.

HACSM Hardship Policy for MTW Initiatives

C. Portability (Moving out of San Mateo County)

Current Program Participant and New Voucher holders who have county resident status and have not leased up

“Current Participant” means a voucher holder has secured and leased a unit that they are living in within San Mateo County and have met all lease obligations.

- **Basic Requirements**

1. The household is in compliance with all program rules and regulations.
2. The household does not owe the HACSM any money or is current with a repayment agreement.

- **Qualifications** (The household must meet one of the following)

1. The Head of Household and all the adult (18 and over) household members are 62 years of age or older and/or people with disabilities. (The HUD definition of disability shall apply).
2. The Head of Household is the sole adult member who is responsible to care for a minor (under 18) household member who is a person with disability. (The HUD definition of disability shall apply).
3. The Head of Household, Co-head, or Spouse has secured full-time employment of at least 32 hours/week and said employer's, or job location, is greater than 35 miles beyond the San Mateo County border and the voucher has a minimum of 18 months remaining term of assistance.
4. The Head of Household, Co-head, or Spouse are full-time students at an accredited educational institution that is located more than 35 miles beyond the San Mateo County border and the voucher has a minimum of 18 months remaining term of assistance.
5. The receiving Housing Authority is absorbing the household.

- **Approval Process for Portability (Moving out of San Mateo County)**

1. All applications will be reviewed for completeness.
2. Households who meet qualification number 3 must provide proof of the following:
 - Employment. Written verification must include the employer's name, the position title, the number of hours to be worked per week and the rate of pay.
 - The physical address of the employer and the address of the job location.

HACSM Hardship Policy for MTW Initiatives

- Written verification from the receiving Housing Authority that they agree and acknowledge that HACSM's MTW voucher is for a term of five (5) years and that HACSM will not make any payments beyond the fifth year.
3. Households who meet qualification number 4 must provide proof of the following:
 - Enrollment and attendance record at an accredited institution.
 - The location of the accredited institution's street address.
 - Written verification from the receiving Housing Authority that they agree and acknowledge that HACSM's MTW voucher is for a term of five (5) years and that HACSM will not make any payments beyond the fifth year.
 4. The Family Self-Sufficiency Coordinator will review the request promptly and forward the file to the supervisor with his/her recommendation.
 5. The Supervisor will determine whether or not the hardship request is approved.
 - * *Note: The five-year term of assistance begins upon initial lease up, thus if a household is approved for portability after the initial 12 months or greater, they may only be eligible for assistance for the remaining voucher term, not an additional five years..*
- **Hardship Relief for Portability (Moving Out of San Mateo County)**
 1. For households who meet qualification numbers 1 or 2, the Housing Authority may approve the household's request for portability.
 2. For households who meet qualification numbers 3 or 4, the Housing Authority may approve the household's request for portability, with the length of assistance to be no more than a maximum term of five (5) years, less any term of participation already completed.
 3. For households who meet qualification number 5, the Housing Authority will approve the household's request for portability.

Decisions reached by HACSM will be final.

HACSM Hardship Policy for MTW Initiatives

New voucher holders (Households who have not yet leased a unit in San Mateo County) from MTW Wait List who do not have county status

Note: Per the Housing Authority's Administrative Plan, applicants who do not have county preference at the time of eligibility determination are required to initially lease in San Mateo County for a period of no less than 12 months, unless Reasonable Accommodation (RA) has been approved.

- **Basic Requirements**
 1. The household has been determined eligible for the program.
 2. The household has attended a briefing and is within the eligible voucher term
- **Qualifications** (The household must meet one of the following)
 1. The Head of Household and all the adult (18 and over) household members are 62 years of age or older and/or people with disabilities (the HUD definition of disability shall apply), and the household has completed the Reasonable Accommodation (RA) process and a nexus has been established.
 2. The Head of Household is the sole adult member who is responsible to care for a minor (under 18) household member who is a person with disability (the HUD definition of disability shall apply) and the household has completed the Reasonable accommodation (RA) process and a nexus has been established.
- **Approval Process for Portability (Moving out of San Mateo County)**
 1. All applications will be reviewed for completeness.
 2. The RA will be reviewed for completeness and nexus determination approval.
 3. The Housing Specialist will review the request promptly and forward their recommendation to the supervisor with his/her recommendation.
 4. The Supervisor will review the request and determine whether or not the hardship request is approved.
- **Hardship Relief for Portability (Moving Out of San Mateo County)**
 1. For households who meet qualification number 1, the Housing Authority may approve the household's request for portability.
 2. For households who meet qualification number 2, the Housing Authority may approve the household's request for portability.

HACSM Hardship Policy for MTW Initiatives

3. For households who require reasonable accommodation and a nexus is established, the Housing Authority will approve the household's request for portability.

Decisions reached by HACSM will be final.