**NOTICE OF PUBLIC HEARING**

**Georgia Department of Community Affairs**

**Housing Choice Voucher Division**

**Notice of Proposed Change to the:**

**HCV Administrative Plan**

The Georgia Department of Community Affairs (DCA) is announcing a public comment period for proposed changes to the PHA Administrative Plan. The purpose of the change is to align PHA Policies to better meet local housing needs and agency priorities and incorporate regulatory changes.

PHA will receive written comments regarding the proposed changes during a 45-day public comment period to commence December 1, 2024, through January 14th, 2025. All written comments are to be mailed or hand delivered to the following address:

**Hand Deliver to:**

ATTN: Ryan Smith, Director of Program Governance

 1875 Century Blvd. Ste 400

 Atlanta, GA 30345

**Mail to:**

Georgia Department of Community Affairs (DCA)

ATTN: Ryan Smith, Director of Program Governance

P.O. Box 450329,

Atlanta, GA 31145
**or**

**Email to:**

 Craig.McLean@dca.ga.gov

The Georgia Department of Community Affairs will hold a Public Hearing via teleconference and in person on January 15, 2025, from 5pm-7pm. Members of the public are encouraged to attend the Public Hearing and provide public comments:

**In Person:**

1875 Century Blvd Ste 400

Atlanta, GA 30345

**Teleconference:**

Link will be available at [www.dcaga.zendesk.com/hc](http://www.dcaga.zendesk.com/hc) on 1/13/2025.

|  |  |  |
| --- | --- | --- |
| Chapter | Change | Purpose |
| 2 | Increase written response time from 10 days to 15 days for complaints regarding discrimination complaints, alerting all parties. | Gives a grace period in the event of an increase in complaints. Target response time will remain 10 days. |
| 2 | Update phone number to reflect customer service call center’s number. Change “will” to “may” with optional housing information signage. | Gives autonomy on where to post signage while removing fault if signage is destroyed or missing. |
| 3 | Add VASH referrals to be accepted at the low-income rate (rather than restricted to very and extremely low). | Allows us to serve more veterans. Does not count against income targeting requirements.  |
| 3 | Add verbiage requiring all applicants to be screened properly for existing and former tenant searches at eligibility. This is already a HUD requirement, just not stated in Admin Plan. | Policy stated clearly for operations staff to avoid multiple subsidies and avoid admitting ineligible applicants.  |
| 5 | Allowing virtual briefings at eligibility  | Accessibility |
| 5 | Updated verbiage to the subsidy standard (bedroom size determination) to be more concise and easier to understand. Removed bedroom allowance for domestic partner. | Reduces HAP spending to lower cost per unit. Eliminates room for errors in bedroom size determination/voucher issuance.  |
| 6 | Changed lumpsum child support payments to be counted as an asset instead of recurring income. | Reduces the financial hardship on custodial parents for funds that they went without and are now collecting. Reduces the administrative burden of processing unnecessary interim changes. |
| 7 | Clarify the condition and form of verification that will be accepted.  | Provides clarity to staff and supports our expectations to recipients |
| 7 | Clarify the amount of child support payments needed to annualize the income.  | Give a more holistic look into the expected income based on past income.  |
| 7 | Add verbiage on expectation of income verification age, to match other parts of Admin Plan. | Create consistency and avoid conflicting information throughout plan.  |
| 8 | Add language to support the rent increase process and offer an extended time frame for submissions.  | Increases landlord retention and gives grace to landlords who may miss submission period. |
| 11 | Spelling correction |  |
| 11 | Adding restrictions on who can be added to Household after admission.  | Reduce HAP and lower cost per unit. |
| 11 | Adding restrictions on who can be added to Household after admission. Restricts to Live-in-aides, Reasonable Accommodation, birth, adoption, marriage, foster, court awarded custody.  | Reduce HAP and lower cost per unit. Avoids additional changes while decreasing administrative burden. Makes income tracking possible to avoid IVT alerts from HUD. |
| 11 | Prevent people from moving out of the assisted unit (being removed) to avoid income being counted, by not allowing them to be re-added.  | IVT alert reduction, HAP reduction, and Cost per unit decreases. |
| 11 | Remove Earned Income Disallowance  | Benefit ended under HOTMA 12/31/2023 |
| 17 | Remove Newspaper publishing of PBV RFPs  | Cost associated with publishing is not manageable now that we intend to publish RFPs yearly and/or biannually.  |
| 17 | Streamline notification of award process for PBVs  | Digital notifications will replace paper notification.  |
| 17 | Acceptance of Certificate of Occupancy for new construction  | Aligns with regulation |
| 17 | Introduction of site-based waitlist  | HUD guidance to allow sites to manage their own waitlist and avoid DCAs obligation to vacancy payments. |
| 19 | Fostering Stable Housing Opportunities Act | Adopt and expand a referral based program, in partnership with DFCS, to house youth aging out of foster care- contingent on HUDs award of additional vouchers.  |
| 19 | Moving on from PSH limited preference referral program | Adopting MOU and referencing in admin plan the intent of partnership with OSHN. HCV will accept a limited number of referrals from BOS to transition families from temporary housing to the permanent housing solution- HCV. |

**2-I.B. NONDISCRIMINATION**

**Discrimination Complaints (pg. 2-3)**

Within 15 business days of receiving the complaint, DCA will provide a written notice to those alleged to have violated the rule. DCA will also send a written notice to the complainant informing them that notice was sent to those alleged to have violated the rule, as well as information on how to complete and submit a housing discrimination complaint form to HUD's Office of Fair Housing and Equal Opportunity (FHEO).

**2-II.A. OVERVIEW (pg. 2-4)**

DCA will provide the telephone number of designated staff (470-802-4707) to process requests for accommodation.

DCA may display posters and other housing information and signage in locations throughout DCA’s office in such a manner as to be easily readable from a wheelchair.

**Using Income Limits for Eligibility [24 CFR 982.201] (pg. 3-10)**

DCA will admit HUD VASH referrals up to the low-income (80%) income limit.

**3-II.F. EIV SYSTEM SEARCHES [Notice PIH 2018-18; EIV FAQs; EIV System Training**

**9/30/20]**

**Existing Tenant Search (pg. 3-17)**

DCA will conduct an existing tenant search on every applicant household member.

DCA will contact the PHA or owner identified in the report to confirm that the family has moved out of the unit and obtain documentation of current tenancy status,

including a form HUD-50058 or 50059, as applicable, showing an end of participation. DCA will only approve assistance contingent upon the move-out from the currently occupied assisted unit.

**Debts Owed to PHAs and Terminations (pg. 3-17)**

DCA will conduct a former tenant/debt owed search on every applicant household member 18+.

DCA will require each adult household member to sign the form HUD-52675 once at the eligibility determination. Any new members added to the household after admission will be required to sign the form HUD-52675 prior to being added to the household.

DCA will search the Debts Owed to PHAs and Terminations module as part of the eligibility determination for new households and as part of the screening process for any household members added after the household is admitted to the program. If any information on debts or terminations is returned by the search, DCA will determine if this information warrants a denial in accordance with the policies in part III of this chapter.

**5-I.B. BRIEFING [24 CFR 982.301] (pg. 5-1)**

Briefings will be conducted individually, in group meetings, or virtually.

**5-II.B. DETERMINING FAMILY UNIT (VOUCHER) SIZE [24 CFR 982.402]**

DCA will assign one bedroom per two heartbeats, with the following exceptions:

* Head of household, with no spouse/significant other, will be assigned their own bedroom (unless the HOH has a child under 1, and there are other household members).
* Persons of the opposite sex will be assigned separate bedrooms (unless under the age of 5 or spouse/significant other)
* A pregnant woman (with no other family members) will be allocated a two-bedroom unit
* Live-in aides (including any family members of a live-in aide) will be allocated

one separate bedroom

DCA does not determine who shares a bedroom/sleeping room.

**6-I.K. PERIODIC AND DETERMINABLE ALLOWANCES [24 CFR 5.609(b)(7)]**

DCA will count court-awarded amounts for alimony and child support unless DCA verifies that: (1) the payments are not being made, and (2) the family has made reasonable efforts to collect amounts due, including filing with courts or agencies responsible for enforcing payments [HCV GB, pp. 5-23 and 5-47].

Families who do not have court-awarded alimony and child support awards are not required to seek a court award and are not required to take independent legal action to obtain collection. Lumpsums, due to backpay, will be counted as an asset.

**7-I.B. OVERVIEWOF VERIFICATION REQUIREMENTS**

**Requirements for Acceptable Documents (pg.7-2)**

Any documents used for verification must be within 60 days of the date of DCA’s request for applicants and 120 days for participants. The documents must not be damaged altered or in any way illegible.

Print-outs from web pages are considered original documents.

DCA staff members who views the original document must make a photocopy.

Any family self-certifications must be made in a format acceptable to DCA and must be signed by the family member whose information or status is being verified.

DCA will accept legible, unaltered, and scanned/emailed or faxed copies of original documents.

**Written Third-Party Verification [Notice PIH 2018-18]**

Third-party documents provided by the family must be dated within 60 days of DCA request date for applicants and 120 days for participants.

If DCA determines that third-party documents provided by the family are not acceptable, DCA will explain the reason to the family and request additional documentation.

As verification of earned income, DCA will require the family to provide between two (2) to four (4) current and consecutive pay stubs (bi-weekly, semi-monthly, and monthly) or four (4) current and consecutive pay stubs (weekly), or four (4) weeks of current and consecutive pay stubs (daily). All must be dated within the last 60 days. At DCA’s discretion, if additional paystubs are needed due to the family’s circumstances (e.g., sporadic income, fluctuating schedule, etc.), DCA may request additional paystubs or a payroll record.

As verification of child support income, DCA will require the family to provide verification of the last 6 months, at minimum. DCA, at least, will use the past 90 days of Child Support income to annualize the income.

**7-III.A. EARNED INCOME**

For wages other than tips, the family must provide between two (2) and four (4) current and consecutive pay stubs (bi-weekly, semi-monthly, and monthly) or four (4) current and consecutive pay stubs (weekly) dated within the last 60 days for applicants or 120 days for participants. Per PIH notice 2016-5, DCA will accept original or authentic copies of pay stubs.

**8-III.B.WHEN RENT REASONABLENESS DETERMINATIONS ARE REQUIRED**

**Owner-Initiated Rent Determinations**

After the initial occupancy period, the owner may request a rent adjustment in accordance with the owner’s lease. For rent increase requests after initial lease-up, DCA may request owners to provide information about the rents charged for other units on the premises, if the premises include more than 4 units. In evaluating the proposed rents in comparison to other units on the premises, DCA will consider unit size and length of tenancy in the other units.

DCA will determine whether the requested increase is reasonable within 15 business days of receiving the request from the owner. The owner will be notified of the determination in writing. All rent increase request must be received sixty (60) days but no more than ninety

(100) days before the requested effective date.

DCA will permit rent increases ~~only at the anniversary of the HAP contract,~~ after the initial lease term, and will grant increases if the rent increase is within the comparable rates for the area, and funding is available.

All rent increases requests must be preceded by tenant notification.

DCA will not approve more than 1 rent increase in a 12-month period.

Rent increases will not be approved unless all failed items identified by the most recent HQS inspection have been corrected.

**11-I.D. CONDUCTING ANNAUL REEXAMINATIONS**

**Correction**

**11-I.D. CONDUCTING ANNUAL REEXAMINATIONS**

**11-II.B. CHANGES IN FAMILY AND HOUSEHOLD COMPOSITION (pg. 11-6)**

DCA Policy

The family must inform DCA of the birth, adoption, ~~Grandparent Power of Attorney~~, or court-awarded custody of a child within 30 business days. If custody or guardianship paperwork is not available, verification such as a TANF letter, school enrollment letter~~, or verification from a healthcare or clinic is acceptable.~~

DCA will not permit the addition of household members outside of birth, adoption, marriage, court-awarded custody, live-in aide, foster children, or foster adults.

Families must request DCA approval to add a new family member, live-in aide, foster child, or foster adult. This includes any person not on the lease who is expected to stay in the unit for more than 14 consecutive days or 30 cumulative days within a 12-month period and therefore no longer qualifies as a “guest.” Requests must be made in writing and approved by DCA prior to the individual moving into the unit. Adults added under these circumstances are still subject to meeting DCA’s eligibility criteria (see Chapter 3) and documentation requirements (see Chapter 7, Part II).

Any addition of a minor not as a result of birth, adoption, or court-awarded custody must provide a notarized written statement and verification such as a TANF letter, school enrollment letter, or verification from a healthcare or clinic.

If DCA determines an individual meets DCA’s eligibility criteria and documentation requirements, DCA will provide written approval to the family. If the approval of a new family member or live-in aide will cause overcrowding according to HQS standards, the approval letter will explain that the family will be issued a voucher and will be required to move.

If DCA determines that an individual does not meet DCA’s eligibility criteria or documentation requirements, DCA will notify the family in writing of its decision to deny approval of the new family or household member and the reasons for the denial.

DCA will make its determination within 10 business days of receiving all information required to verify the individual’s eligibility.

**Departure of a Family or Household Member**

If a household member ceases to reside in the unit, the family must inform DCA within 10 business days. This requirement also applies to a family member who has been considered temporarily absent at the point that the family concludes the individual is permanently absent.

If a live-in aide, foster child, or foster adult ceases to reside in the unit, the family must inform DCA within 10 business days.

DCA will not approve previously removed household members to be added back to the voucher unless due to an approved reasonable accommodation request.

**11-II.C. CHANGES AFFECTING INCOME OR EXPENSES**

~~DCA will conduct interim reexaminations in each of the following instances:~~

~~For families receiving the Earned Income Disallowance (EID), DCA will conduct an interim reexamination at the start and conclusion of the second 12 month exclusion period (50 percent phase-in period).~~

***Required Reporting***

~~DCA will also conduct interim reexaminations for families that qualify for the earned income disallowance (EID), and only when the EID family’s share of rent will change as a result of the increase.~~

**PBV Updates- Chapter 17**

**Solicitation and Selection of PBV Proposals [24 CFR 983.51(c); Notice PIH 2017-21]**

DCA Policy

DCA Request for Proposals for Rehabilitated and Newly Constructed Units DCA will advertise its request for proposals (RFP) for rehabilitated and newly

constructed housing in the following ~~newspapers and trade journals.~~

* DCA’s website and social media

~~The newspaper of general circulation in the applicable county(ies) Minority media newspapers, when available~~

The advertisement will state ~~the number of vouchers available to be project-based~~, the type of units that will be considered, the submission deadline, and will note how to obtain the full RFP with information on the application and selection process. Advertisements will also contain a statement that participation in the PBV program requires compliance with Fair Housing and Equal Opportunity (FHEO) requirements.

In addition, DCA will post the RFP and proposal submission and rating and ranking procedures on its website.

~~DCA will publish its advertisement in the newspapers and trade journals mentioned above for at least one day per week for three consecutive weeks. The advertisement will specify the number of units DCA estimates that it will be able to assist under the funding DCA is making available. Proposals will be due in DCA office by close of business 30 calendar days from the date of the last publication.~~

In order for the proposal to be considered, the owner must submit the proposal to DCA by the published deadline date, and the proposal must respond to all requirements as outlined in the RFP. Incomplete proposals will not be reviewed.

DCA will rate and rank proposals for rehabilitated and newly constructed housing using the following criteria:

Owner experience and capability to build or rehabilitate housing as identified in the RFP;

Extent to which the project furthers DCA goal of deconcentrating poverty and expanding housing and economic opportunities;

If applicable, the extent to which services for special populations are provided on site or in the immediate area for occupants of the property; and

In order to promote partially assisted projects, projects where less than 25 percent of the units will be assisted will be rated higher than projects where 25 percent or more of the units will be assisted. In the case of projects for occupancy by the elderly, persons with disabilities or families needing other services, DCA will rate partially assisted projects on the percentage of units assisted. Projects with the lowest percentage of assisted units will receive the highest score.

PHA Requests for Proposals for Existing Housing Units

DCA will advertise its request for proposals (RFP) for existing housing in the following ~~newspapers and trade journals.~~ DCA’s website and social media

~~The newspaper of general circulation in the applicable county(ies) Minority media newspapers, when available~~

In addition, DCA will post the notice inviting such proposal submission and the rating and ranking procedures on its website.

~~DCA will periodically publish its advertisement in the newspapers and trade journals mentioned above for at least one day per week for three consecutive weeks. The advertisement will specify the number of units DCA estimates that it will be able to assist under the funding DCA is making available.~~ Owner proposals will be accepted on a first- come first-served basis and will be evaluated using the following criteria:

Experience as an owner in the tenant-based voucher program and owner compliance with the owner’s obligations under the tenant-based program;

Extent to which the project furthers DCA goal of deconcentrating poverty and expanding housing and economic opportunities;

If applicable, extent to which services for special populations are provided on site or in the immediate area for occupants of the property; and

Extent to which units are occupied by families that are eligible to participate in the PBV program.

DCA Selection of Proposals Subject to a Previous Competition under a Federal, State, or Local Housing Assistance Program

DCA will accept proposals for PBV assistance from owners that were competitively selected under another federal, state or local housing assistance program, including projects that were competitively awarded Low-Income Housing Tax Credits on an ongoing basis.

DCA may periodically advertise that it is accepting proposals, in the following ~~newspapers and trade journals:~~

DCA’s website and social media

~~The newspaper of general circulation in the applicable county(ies) Minority media newspapers, when available~~

The advertisement will state ~~the number of vouchers available to be project-based,~~ the type of units that will be considered, the submission deadline, and will note how to obtain the full RFP with information on the application and selection process. Advertisements will also contain a statement that participation in the PBV program requires compliance with Fair Housing and Equal Opportunity (FHEO) requirements.

In addition to, or in place of advertising, DCA may also directly contact specific owners that have already been selected for Federal, state, or local housing assistance based on a previously held competition, to inform them of available PBV assistance.

Proposals will be reviewed on a first-come first-served basis. DCA will evaluate each proposal on its merits using the following factors:

**PHA Notice of Owner Selection [24 CFR 983.51(d)]**

DCA Policy

~~Within 15 business days of DCA making the selection,~~ DCA will notify the selected owner, in writing, of the owner’s selection for the PBV program. DCA will also notify, in writing, all owners that submitted proposals that were not selected ~~and advise such owners of the name of the selected owner.~~

~~In addition, DCA will publish its notice for selection of PBV proposals for two consecutive days in the same newspapers and trade journals DCA used to solicit the~~ ~~proposals. The announcement will include the name of the owner that was selected for the PBV program. DCA will also post the notice of owner selection on its electronic web site.~~

DCA will make available to any interested party its rating and ranking sheets and documents that identify DCA’s basis for selecting the proposal. These documents will be available for review by the public and other interested parties for one month after publication of the notice of owner selection. DCA will not make available sensitive owner information that is privileged, such as financial statements and similar information about the owner.

DCA will make these documents available for review at DCA during normal business hours. The cost for reproduction of allowable documents will be $.25 per page. Electronic copies will be at no cost.

**Exceptions to 25 Percent per Project Cap [FR Notice 1/18/17; Notice PIH 2017-21; FR Notice 1/24/22]**

***Supportive Services***

DCA Policy

DCA will provide vouchers to families in need of services. This may include disabled families or families in need of particular supportive services. Properties will be expected to provide services if the property project bases more than 25% of its units. ~~The families must receive the services, or successfully complete the service program, to be eligible for continued occupancy. Families that do not continue to receive the services or complete the required service program will be terminated in accordance with DCA policies in Section 12-II.F.~~ The following types of services should be provided by the property depending on the needs of the family:

Transportation for activities such as grocery shopping, attending medical and dental appointments; Supervised taking of medications; Treatment for drug rehabilitation in the case of current abusers; Treatment for alcohol addiction in the case of current abusers; Training in housekeeping and homemaking activities;

Work skills development and job training.

Monitoring compliance: On an annual basis, DCA will monitor all families that are receiving services to determine if the property meets its obligation to provide services. ~~such families will be allowed to continue receiving PBV assistance. Each service provider will submit a report to the PHA identifying the services received by each family, and a certification that all services required in the statement of family obligation or FSS contract of participation were received.~~ DCA may, on a case by case basis, audit the service providers records to confirm that the reports are accurate.

**Execution of the HAP Contract [24 CFR 983.204]**

DCA Policy

For existing housing, the HAP contract will be executed within 15 business days of DCA determining that all units pass HQS.

For rehabilitated or newly constructed housing, the HAP contract will be executed within 15 business days of DCA determining that the units have been completed in accordance with the agreement to enter into HAP, all units meet HQS, and the owner has submitted all required evidence of completion. For newly constructed units, DCA will accept a certificate of occupancy as verification that the units meet Housing Quality Standards.

**Vacancy Payments [24 CFR 983.352(b)]**

DCA Policy

DCA will make vacancy payments for PBV units whose waitlists are managed by DCA. Vacancy payments are not to exceed 60 days and may not overlap with lease terms of any unit.

Vacancy payments will be equivalent to 80% of the contract rent, but not to exceed the payment standard.

Vacancy payments will only be paid for units after the unit has been occupied during the HAP contract term. The vacancy cannot be the fault of the owner.

The owner (or representative of the owner) must submit the request for vacancy payment in writing to DCA within 10 days of the vacancy.

DCA may request additional information to determine eligibility of the vacancy payment.

**17-VI.C. ORGANIZATION OF THE WAITING LIST [24 CFR 983.251(c)]**

DCA Policy

~~DCA will establish and manage separate waiting lists for individual projects or buildings that are receiving PBV assistance.~~

Properties will maintain their own site specific waitlists. In establishing their waitlists, properties must follow DCA administrative plan guidance for outreach and notification, including allowing DCA to notify all the applicants on the DCA HCV tenant based voucher waitlist of project based unit availability when initially establishing the waitlist.

Properties will share their waitlist management process for DCA to make publicly available and referenced in the DCA HCV Administrative Plan, in alignment with HUD policy. DCA will review and approve their waiting list management process that may coincide with their tenant selection plan. Properties receiving PBV assistance must follow Fair Housing regulations in their waitlist management.

Properties may choose to use DCA’s tenant selection plan (lottery based) and preferences in establishing their own site specific waitlist.

**17-VII.D. EXCEPTIONS TO THE OCCUPANCY CAP [24 CFR 983.262]**

DCA Policy

DCA will allow families who initially qualified to live in an excepted unit to remain when circumstances change due to circumstances beyond the remaining family members’ control.

In all other cases, when DCA determines that a family no longer meets the criteria for a “qualifying family” in connection with the 25 percent per project cap exception, DCA will provide written notice to the family and owner within 10 business days of making the determination. The family will be given 60 days from the date of the notice to move out of the PBV unit. If the family does not move out within this 60-day time frame, DCA will terminate the housing assistance payments at the expiration of this 60-day period. DCA may make exceptions to this 60-day period if it is needed for reasons beyond the family’s control such as death, serious illness, or other medical emergency of a family member.

~~DCA~~ The property may refer other eligible families to the excepted units. However, if there are no eligible families on the waiting list ~~and the owner does not refer eligible families to DCA~~, DCA will amend the HAP contract to reduce the total number of units under contract.

**17-IX.B. VACANCY PAYMENTS [24 CFR 983.352]**

DCA Policy

DCA will make vacancy payments for PBV units whose waitlists are managed by DCA. Vacancy payments are not to exceed 60 days and may not overlap with lease terms of any unit.

Vacancy payments will be equivalent to 80% of the contract rent, but not to exceed the payment standard.

Vacancy payments will only be paid for units after the unit has been occupied during the HAP contract term. The vacancy cannot be the fault of the owner.

The owner (or representative of the owner) must submit the request for vacancy payment in writing to DCA within 10 days of the vacancy.

DCA may request additional information to determine eligibility of the vacancy payment.

DCA will not make vacancy payments for PBV units whose waitlists are not managed by DCA.