



U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

Special Attention of:
Regional and Field Office Directors of Public
Housing; Financial Management Center;
Public Housing Agencies Administering
Housing Choice Voucher Programs; Regional
Directors; State and Area Coordinators

Notice PIH 2010-22 (HA)

Issued: June 17, 2010

Expires: June 30, 2011

[Notice PIH 2008-38 & 2008-45 \(HA\)](#)

Cross References

Appendix

Subject: Consolidated Guidance on Disaster Housing Assistance Program - Ike (DHAP-Ike) and Extension Operating Requirements

1. Purpose.

This Notice reinstates both Notices PIH 2008-38 (HA) and PIH 2008-45 (HA), which have expired. **Please note that most deadlines mentioned in the two Notices have elapsed (click links to access Notices: [PIH 2008-38](#) and [PIH 2008-45](#)).**

This Notice also sets forth the Extension Operating Requirements (below), which establish the policies and procedures for the Disaster Housing Assistance Program-Ike (DHAP-Ike) Extension, as authorized by Inter-Agency Agreement (IAA) Number HSFEHQ-08-X-1760, Modification 8. DHAP-Ike is a HUD-FEMA initiative to provide monthly rental assistance, service connections, security deposit and utility deposit assistance for certain families displaced from their homes by Hurricane's Ike or Gustav.

The DHAP-Ike Extension has been modeled after the current Disaster Housing Assistance Program (DHAP-Ike) for families displaced by Hurricanes Ike and Gustav, which is administered by HUD's network of public housing agencies (PHAs). PHAs that agree to administer the DHAP-Ike Extension must do so in accordance with these Extension Operating Requirements, the original DHAP-Ike Operating Requirements (originally established with Notice [PIH 2008-38](#)), and any subsequent HUD directives and guidance for the program.

2. Background.

In August and September, 2008, Hurricanes Ike and Gustav struck the United States, causing catastrophic damage to property, loss of life, and the displacement of tens of thousands of individuals from their homes and communities. On September 23, 2008, HUD and FEMA executed IAA Number HSFEHQ-08-X-1760 under which HUD acted as the servicing agency of DHAP-Ike and began administration of the program effective November 1, 2008.

HUD utilized its existing network of local PHAs to administer tenant-based rental assistance and provide case management services to impacted families under DHAP-Ike. Pursuant to FEMA's grant authority, grants were provided to local PHAs to administer DHAP-Ike on behalf of FEMA. PHAs made rental assistance payments on behalf of eligible families to participating landlords beginning November 1, 2008 and ending March 13, 2010.

Because of a continuing need for housing assistance by the families displaced by Hurricanes Ike and Gustav, HUD and FEMA executed Modification 8 to IAA Number HSFEHQ-08-X-1760 on February 4, 2010, in order to initially extend the DHAP-Ike program for an additional two months, until May 27, 2010. The program has been further extended until October 31, 2010. In the event that HUD and FEMA agree to further extend the DHAP-Ike program, any future extensions will also be subject to these Operating Requirements.

While the Extension is largely based on the original DHAP-Ike Operating Requirements, a small number of programmatic changes will take effect under the Extension. The Operating Requirements issued in Notice PIH 2008-38 on October 14, 2008 apply to the Extension, unless otherwise changed as part of the Extension Operating Requirements detailed below.

3. General Overview

Under the DHAP-Ike Extension, PHAs will continue to provide monthly rent subsidies, security deposit assistance, utility deposit assistance, and service connections for eligible families displaced by Hurricanes Ike or Gustav. If the PHA is willing to administer the Extension, the PHA will enter into an Amended Grant Agreement with FEMA to administer the DHAP-Ike Extension. The PHA will maintain the same responsibilities it assumed in agreeing to execute the DHAP-Ike program, as set forth in the DHAP-Ike Operating Requirements issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

FEMA, through the PHAs, will continue to provide rental assistance payments for eligible families beginning on March 14, 2010 and ending no later than October 31, 2010. The term of this Extension and the Grant Agreement may be extended upon written notification to the PHA from HUD, as authorized by FEMA.

4. Operating Requirements.

The Operating Requirements for the DHAP-Ike Extension are presented in the following order:

- a. Family Eligibility
- b. Database of Eligible DHAP-Ike Families
- c. DHAP-Ike Extension Participating PHAs
- d. DHAP-Ike Extension Fees
- e. Security Deposit and Utility Deposit Assistance
- f. Owner Lease and Amended DHAP-Ike Lease Addendum
- g. DHAP-Ike Extension Monthly Rent Subsidy
- h. Incremental Rent Transition
- i. Ineligible Units and Prohibition Against Other Subsidy
- j. Amended Disaster Rent Subsidy Contract
- k. Rent Reasonableness
- l. Housing Quality Standards
- m. PHA Case Management through the DHAP Service Connection Program
- n. Amended Family Obligations
- o. Family Eligibility for Continued Assistance
- p. Termination of Assistance
- q. Subsequent Moves under DHAP-Ike Extension
- r. End of DHAP-Ike Extension
- s. Use of DHAP-Ike Extension Funding, Program Accounts and Records
- t. Disbursement of Funds
- u. Financial Reporting
- v. Program Close-Out

a. Family Eligibility

The determination of whether the family was originally eligible to be admitted to DHAP-Ike was solely the responsibility of FEMA, not the PHA. However, during the program, if the PHA determines that a family is subsequently ineligible for continued assistance, the PHA is responsible for any resulting appeal process. The Extension does not change the eligibility requirements set forth in the DHAP-Ike Operating Requirements issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38. Additionally, families will only be eligible for the DHAP-Ike Extension if:

- They were under a DRSC and received a rental assistance payment for the month of March 2010, or
 - a. If they were not under a DRSC and did not receive a rental assistance payment for the month of March 2010, due to no fault of the family (e.g., the family may have been in between a move or an appeal process may have delayed the

payment), the PHA can determine eligibility on a case by case basis. The PHA must notify HUD with the name of the families who are deemed eligible under this criteria.

- b. If the family's participation was terminated from DHAP-Ike by the PHA as of March 1, 2010, but the family has appealed the end of participation decision on or before April 30, 2010. The PHA must notify HUD with the name of the families who are deemed eligible under this criteria.
- They resided in a FEMA Temporary Housing Unit (THU) or a FEMA-funded temporary housing unit and were referred by FEMA to HUD after the date of the execution of IAA Number HSFEHQ-08-X-1760, Modification 8 (February 4, 2010) and before March 13, 2010.

The Extension does not otherwise change the continuing eligibility requirements set forth in the DHAP-Ike Operating Requirements, Section 4.q, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38; PHAs will continue to verify families' incomes on a quarterly basis in order to assess the families' continued eligibility (Section 4.o below).

b. Database of Eligible DHAP-Ike Families

The PHA will continue to update the Disaster Information System (DIS) with program and other reporting data required by HUD and access DIS to verify the family's eligibility status as set forth in the DHAP-Ike Operating Requirements issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

c. DHAP-Ike Extension Participating PHAs

HUD will invite PHAs that administered DHAP-Ike to administer the Extension.

If the PHA agrees to administer the Extension, the PHA enters into a DHAP-Ike Grant Agreement Amendment with FEMA and must assist all eligible families in their jurisdiction in accordance with these requirements. The Grant Agreement Amendment initially extended the term of the original Grant Agreement through May 27, 2010, and was extended via written notification to the PHA from HUD until October 31, 2010. The Grand Agreement Amendment may be further extended via written notification to the PHA from HUD.

In cases where a PHA is unable or unwilling to administer the Extension, HUD will identify an alternative PHA to administer the Extension.

The Extension does not otherwise change the requirements set forth in the DHAP-Ike Operating Requirements, Section 4.c, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

d. DHAP-Ike Extension Fees

PHAs will receive administrative services fees, placement fees and case management fees for each family they serve under the Extension. The chart below illustrates the payment and type of administrative fees a PHA will receive as DHAP-Ike Extension administrators.

DHAP Administrative Activities	What services does a PHA perform to receive this Fee?	When are funds received?	Amount?
Service Connection Program (Case Management)	See section m below	At the time the family is assigned by HUD to the PHA, the PHA will receive an initial advance of fees (up to three months). Once the family is fully participating (found to be eligible for continued assistance, leased and receiving case management services) in DHAP, the PHA will receive monthly fees (advanced to the PHA for 1 to 3 month periods). In the event a family ports to another PHA, fees will begin once the family is under lease.	\$100/month times the number of families receiving case management services
One-time Placement Fee	Family is placed under a Disaster Rent Subsidy Contract (DRSC)	At the time the family is initially placed under a DRSC	\$1000
Administrative Services	On-going PHA responsibilities (e.g., rent reasonableness, HQS, rent transition)	Payments on a monthly basis commencing August 1, 2009 based on number of families under DRSC	14% of initial DHAP rent subsidy payment for each month family is under DRSC after August 1, 2009

The performance period of the current IAA is through October 31, 2010. Modification 8 to the IAA also stipulates payment of DHAP to HCV conversion fees in the event that

FEMA and HUD extend the term of the DHAP-Ike Extension beyond May 27, 2010, and Congress provides funding for permanent Housing Choice Vouchers (HCVs) through a special appropriations bill or HUD obtains funding for HCVs through a Continuing Resolution (CR) to convert DHAP-Ike families to permanent HCVs. Under these conditions, PHAs may earn up to \$250 for each DHAP-Ike family they complete an eligibility determination for and serve with a voucher that is provided through a special allocation of Housing Choice Vouchers for DHAP-Ike families. These Operating Requirements will be valid through any extension beyond October 31, 2010, including the period covering any DHAP to HCV conversion.

PHAs would receive a \$150 pre-funding allocation assessment fee for each family that the PHA completes a pre-funding allocation eligibility determination for between September 1, 2010 and October 31, 2010, as well as an additional \$100 fee for added processing, outreach and conversion reporting related to completing the HQS inspection and leasing-up the DHAP-Ike conversion family. In the event that FEMA and HUD extend the term of the DHAP-Ike Extension beyond October 31, 2010, FEMA will be responsible for paying these incentive fees, unless HUD receives an appropriation that covers the HCV assessment and eligibility process which would duplicate these fees. In the event that such a conversion takes place, families will have to meet the obligations set forth in the Family Obligations (discussed below) in order to remain eligible to receive assistance under the Extension or to convert to HCV.

The Extension does not otherwise change the requirements for payment of the case management and administrative services fees, or the methods of funding and reconciliation, as set forth in the DHAP-Ike Operating Requirements, Section 4.d, issued in Notice PIH 2008-38 on October 14, 2008, or in any reissue of Notice PIH 2008-38. For example, the monthly administrative services fee for the family under a DRSC will continue to be based on fourteen percent (14%) of the initial rent subsidy payment paid by the PHA on behalf of the family.

e. Security Deposit and Utility Deposit Assistance

The Extension does not otherwise change the security deposit and utility deposit assistance requirements set forth in the DHAP-Ike Operating Requirements, Section 4.f, as issued in Notice PIH 2008-38 on October 14, 2008, or in any reissue of Notice PIH 2008-38.

f. Owner Lease and Amended DHAP-Ike Lease Addendum

The Extension does not change the DHAP-Ike program for the month of March. PHAs should make full Housing Assistance Payments (HAP) for the month of March.

However, families must be placed under an Amended DHAP-Ike Disaster Rent Subsidy Contract (DRSC) before PHAs may make any additional rental assistance payments in April and beyond. The PHA should execute the Amended DRSC with *landlords* as soon as possible to minimize breaks in service for families, as required by Section 4.j below. Families are not required to sign the Amended Lease Addendum, which is included as Part C of the DRSC Amendment. However, PHAs are required to notify the family of

the new terms of the Amended Lease Addendum and of the Extension Family Obligations.

In the event that DHAP-Ike is further extended by HUD and FEMA, the DRSC may be extended beyond October 31, 2010 by written notification from the PHA to the landlord. The Extension does not otherwise change the lease and lease addendum requirements set forth in the DHAP-Ike Operating Requirements, Section 4.g, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

g. DHAP-Ike Extension Monthly Rent Subsidy

The Extension does not change the monthly rent subsidy requirements set forth in the DHAP-Ike Operating Requirements, Section 4.h, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

h. Incremental Rent Transition

The Extension does not change the incremental rent transition or hardship waiver requirements set forth in the DHAP-Ike Operating Requirements, Section 4.i, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

For all families, the portion of the rent that the family is responsible for will increase by \$50 every month, while the rent subsidy payment received by the family will decrease by \$50 every month for families who are not exempt under the hardship exemption in accordance with the DHAP-Ike Operating Requirements issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

In the event that FEMA and HUD extend the term of the DHAP-Ike Extension beyond October 31, 2010, and Congress provides funding for permanent Housing Choice Vouchers (HCVs) through a special appropriations bill or HUD obtains funding for HCVs through a Continuing Resolution (CR), families that do not submit a pre-application before October 31, 2010 will lose their IRT hardship exemption. The family's contribution to the rent will increase by \$50 every month thereafter, until they satisfy this requirement. Once the requirement is satisfied the IRT will revert to the highest amount the family was paying prior to losing the hardship exemption. If the family submits the pre-application, but subsequently fails to comply with the PHA's timeline for submitting supporting documents, the family will lose their IRT hardship exemption. The family's contribution to the rent will increase by \$50, beginning the month after this trigger is missed. The IRT will revert to the highest amount the family was paying prior to losing the hardship exemption after the family has acted to satisfy this requirement.¹ Operating requirements and family obligations in the event of a conversion are discussed below in Section 4.n.

¹ For example, if a family's IRT was frozen at \$300, but the family does not submit a pre-application by October 31, 2010, the family temporarily loses their hardship exemption, and their family contribution to the next month's rent would increase by \$50 to \$350. If the family still does not submit a pre-application, their family contribution to the January 2011 rent would again increase by \$50, to \$400. If the family then submits a pre-application and satisfies the trigger, the IRT will return to \$300, the highest amount the family was paying prior to losing their hardship exemption.

i. Ineligible Units and Prohibition Against Other Subsidy

The Extension does not change the requirements set forth in the DHAP-Ike Operating Requirements, Section 4.j, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

j. Amended Disaster Rent Subsidy Contract

The Extension does not change the DHAP-Ike program for the month of March. PHAs should make full Housing Assistance Payments (HAP) for the month of March, if they have not already done so.

However, families must be placed under an Amended DHAP-Ike Disaster Rent Subsidy Contract (DRSC) before PHAs may make any additional rental assistance payments in April and beyond. The PHA should execute the Amended DRSC with landlords as soon as possible to minimize breaks in service for families. However, in all cases, the PHA may back date the amendment up to 60 days, if warranted by individual circumstances. In such instances, the rent subsidy payment may be made retroactively to cover a period up to 60 days prior to the actual execution of the amendment. HUD may back date the amendment in excess of 60 days if warranted by individual circumstances.

In the event that DHAP-Ike is further extended by HUD and FEMA, the DRSC may be extended beyond October 31, 2010 upon written notification by the PHA to the landlord.

The Extension does not otherwise change the DRSC requirements set forth in the DHAP-Ike Operating Requirements, Section 4.k, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

k. Rent Reasonableness

The Extension does not change the requirements for rent reasonableness set forth in the DHAP-Ike Operating Requirements, Section 4.l, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

l. Housing Quality Standards

The Extension does not change the Housing Quality Standards set forth in the DHAP-Ike Operating Requirements, Section 4.m, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

m. PHA Case Management through the DHAP Service Connections

DHAP Case Management is hereafter referred to as DHAP Service Connections. DHAP Service Connections, which provide case management services, are extended for the entire duration of the Extension. These services must be implemented in accordance with

section 4.n of Notice PIH 2008-38, Notice PIH 2008-45, or any re-issue of these notices, and with the DHAP-Ike Extension SOPs.

n. Family Obligations

The Extension does not change the Family Obligations set forth in the DHAP-Ike Operating Requirements, Section 4.o, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38. The existing Family Obligations Certification signed by the family continues under the Extension. A new Family Obligations Certification does not need to be completed by the family.

Under the existing Family Obligations Certification, families agree to abide by all future requirements that may be issued by HUD and the PHA for the DHAP-Ike program. This clause covers all new policies and requirements issued under the DHAP-Ike Extension.

In the event that FEMA and HUD extend the term of the DHAP-Ike Extension beyond October 31, 2010 and there is a DHAP-Ike to HCV conversion, eligible families will be strongly encouraged to transition from DHAP-Ike to the PHA's regular HCV program. In order to encourage families to transition to the HCV program in a timely manner, families will have to meet certain deadlines in order to remain eligible for DHAP-Ike Extension assistance and keep their hardship waivers. PHAs should notify families of these additional requirements in a letter. HUD will also notify families of these new requirements.

In the event that FEMA and HUD extend the term of the DHAP-Ike Extension beyond October 31, 2010 and there is a DHAP-Ike to HCV conversion, families will be encouraged to submit a pre-application to PHAs before October 31, 2010. Families that fail to submit a pre-application by this date will lose their IRT hardship exemption, and the family's contribution to the rent will increase by \$50 every month thereafter. The IRT will revert to the highest amount the family was paying prior to losing the hardship exemption after the family has acted to satisfy this requirement.

If the family submits the pre-application, but fails to comply with the PHA's timeline for submitting supporting documents, they will lose their IRT hardship exemption; the family's contribution to the rent will increase by \$50, beginning the month after this trigger is missed. The IRT will revert to the highest amount the family was paying prior to losing the hardship exemption after the family has acted to satisfy this requirement.²

Families who are determined eligible for the HCV must accept this assistance within the timeframe specified in the PHA's local policies for HCV processing. If the family does not accept the HCV after being determined eligible and within the timeframe specified by the PHAs local HCV policies, they are terminated from DHAP-Ike. If local policy in the jurisdiction where the family is residing does not specify how long families have to accept the HCV voucher, families will have 30 days to accept the HCV voucher before they are terminated from DHAP-Ike.

² See footnote 1.

Families that are issued a RFTA but are unresponsive before the voucher expires under the PHA's regular HCV policy will be terminated from DHAP-Ike, unless the family is unable to identify a suitable unit and requests an extension. If a family fails to find a unit within the period and requests an extension, then they will not be terminated from DHAP-Ike. The PHA may require that families requesting an extension must do so in accordance with the PHA's local administrative policies. Families that are terminated for unresponsiveness will be able to appeal under guidelines established by the DHAP-Ike Operating Requirements issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

o. Family Eligibility for Continued Assistance

PHAs will assess the families' continued eligibility on a quarterly basis. The Extension does not otherwise change the requirements set forth in the DHAP-Ike Operating Requirements, Section 4.q, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

p. Termination of Assistance

The PHA may terminate DHAP-Ike Extension assistance for a participating family that does not comply with the family obligations under Section 4.n, above.

In particular, in the event of a DHAP-to-HCV conversion, families who are determined eligible for the HCV, but who fail to accept the HCV or return their RFTA before the voucher expires under the PHA's regular HCV policy, will be terminated from DHAP-Ike.

The Extension does not otherwise change the requirements for termination of assistance set forth in the DHAP-Ike Operating Requirements, Section 4.r, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

q. Subsequent Moves under DHAP-Ike

The Extension does not change the requirements as set forth in the DHAP-Ike Operating Requirements, Section 4.s, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

r. End of DHAP-Ike

If the family's participation in DHAP-Ike ends for any reason prior to the termination of the Extension, the PHA must record the family's end of participation in DIS. Otherwise, the PHA will make full rent subsidy payments for families under DRSC each month, through the termination of the program. The term of the Extension may be extended by written notification to the PHA by HUD, as authorized by FEMA.

s. Use of DHAP-Ike Funding, Program Accounts, and Records

The Extension does not change the requirements for the requirements set forth in the DHAP-Ike Operating Requirements, Section 4.u, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

t. Disbursement of Funds

The Extension does not change the requirements as set forth in the DHAP-Ike Operating Requirements, Section 4.v, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

u. Financial Reporting

The Extension does not change the requirements as set forth in the DHAP-Ike Operating Requirements, Section 4.w, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

v. Program Close-Out

The Extension does not change the requirements as set forth in the DHAP-Ike Operating Requirements, Section 4.x, as issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38.

5. Paperwork Reduction Act Requirements. The information collection requirements imposed by HUD in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2577-0252. In accordance with the PRA, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.

6. Additional Information. Any questions related to this Notice should be addressed to the Office of Public Housing and Voucher Programs at (202) 402-7387.

/s/
Sandra Henriquez, Assistant Secretary for
Public and Indian Housing