

Boston Housing Authority

City of Boston Voucher Program (CBVP)

Policies and Procedures

Fall 2021

Table of Contents

PROGRAM SUMMARY	4
Section 1 – Target Populations.....	5
1.1 Generally	5
1.2 Homeless.....	5
1.3 Displaced	5
1.4 Priority for Supportive Housing Referrals.....	6
1.5 Waiting List Administration	7
Section 2 – Eligibility	8
2.1 Number of Vouchers Issued	8
2.2 Income Limits and Eligibility	8
2.3 Nondiscrimination	8
Section 3 – Determining Tenant Rent Share and Housing Assistance Payments	9
Section 4 – Contract Rent Determination	10
Section 5 – Guidelines for Project Based Vouchers.....	11
5.1 Procurement.....	11
5.2 Requirements of Owners	11
Section 5 – Jurisdiction.....	13
Section 6 – Termination of Assistance	14
6.1 Termination of Assistance Due to Lack of Adequate Funding	14
6.2 Termination For Cause	14
Section 7 – Return of Vouchers to Subsidy Pool	15
Section 8 – Divergences from the Leased Housing Administrative Plan for Section 8 Programs	16
Chapter 3: Applications and Admission	16
Chapter 4: Communications and Verification	16
Chapter 5: Determination of Eligibility	16
Chapter 6: Denial of Voucher and Applicant Appeals.....	17
Chapter 7: Finding and Leasing Approvable Housing	17
Chapter 8: Rent	17
Chapter 9: Inspections.....	17
Chapter 10: Renewal	17

Chapter 12: Portability	17
Chapter 13: Termination of Assistance	18
Chapter 14: Programs Administered by the Leased Housing Division and Special Program Types	18
Chapter 15: Homeownership Option	18
Chapter 16: Project Based Voucher Program	18
Chapter 17: Rental Assistance Demonstration (RAD)	18
Chapter 19: Glossary	18

PROGRAM SUMMARY

In order to further housing opportunity for residents and address high housing costs, the City of Boston established a rental voucher program, to be administered by the Boston Housing Authority (“BHA”), in its FY21 budget. The City of Boston Voucher Program (“CBVP”) was established with a \$2.5m appropriation from the city’s general fund, which was increased to \$5m in the FY22 budget. The CBVP serves as a long-term operating support for affordable tenancy, subject to annual appropriation. The Boston Housing Authority and City of Boston launched the CBVP in early 2021.

The BHA administers the CBVP, including the administration of the waiting list for any Project Based or Tenant Based component of the program and verification of initial and continued eligibility for applicants and participants. The program is comparable, and shall be administered similar to the BHA’s to the federal Section 8 Housing Choice Voucher program for the purposes of rent calculation and subsidy payments. However, the program differs significantly in its targeting and eligibility requirements.

The CBVP is a flexible resource designed to improve housing affordability, access and opportunity while supporting the operation of deeply affordable housing. Tenant based vouchers (TBVs) provide mobile support for households in need while project-based vouchers (PBVs) promote fair housing in Boston neighborhoods by securing affordability in income restricted new construction, deepening affordability in existing housing developments, preserving tenancies and supporting city housing acquisition programs.

The CBVP supplements rental supports provided by the state and federal government and prioritizes Bostonians facing extreme need as well as those unserved or underserved by other housing programs. Recognizing the need to address displacement, BHA is also incorporating prioritization for households facing displacement in partnership with the city’s Office of Housing Stability.

The CBVP will follow the policies and procedures outlined in the Boston Housing Authority’s [Section 8 Administrative Plan](#) except as specified by this document. The CBVP shares the foundational goals of the Section 8 Housing Choice Voucher and the statewide Massachusetts Rental Voucher Program in providing economic mobility for low-income households and expanding housing opportunity.

Section 1 – Target Populations

1.1 Generally

The CBVP shall target support to homeless adults and families as well as extremely low-income and low-income residents facing displacement, with a priority for those households that are not eligible for the federal or state programs. CBVP shall provide priority to applicants referred through Supportive Housing Referral Partnerships.

1.2 Homeless

For the purposes of the CBVP, “homeless” means:

The Household lacks a fixed, regular and adequate nighttime residence, meaning:

- (1) the household has as a primary nighttime residence that is a public or private place not meant for human habitation; or
- (2) is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, Transitional Housing, and hotels and motels paid for by non-profit, charitable organizations, or by federal, state and local government programs); or
- (3) Is living in housing that is being funded or provided to offer homeless individuals and families with the interim stability and support to ultimately make the transition to and maintain permanent housing; or
- (4) A Household that would otherwise be in shelter if not for a medical condition which precludes a person from staying in shelter as verified by a medical provider

1.3 Displaced

For the purposes of the CBVP, a “displaced” Household must meet verification requirements set forth below:

- (1) Displaced or Imminent Danger of Displacement:** the Applicant must have been Displaced from their residence or is in imminent danger of being Displaced from a home in Boston, and
- (2) Proof of Address:** the Applicant must verify proof of residence at the *address from where the applicant had been displaced* by providing a lease, utility bill(s), official mail from a government agency, or a written certification from the owner of the property or other government official, and
- (3) No Receipt of other Subsidized Housing:** The Applicant must **not** be in receipt of an income-based rental subsidy from the BHA or another government agency. An applicant will continue to be considered displaced if they reside in subsidized housing that is not permanent or is not accessible as defined in Priority

The BHA may, utilizing information it receives from applicants and vetted through the referral process, prioritize award of vouchers to individuals or households experiencing overcrowding, i.e. two or more

unpartnered persons per bedroom; to residents deemed ineligible or unlikely to benefit from state or federal aid; and to homeless applicants in shelter in accordance with their length of stay.

1.4 Priority for Supportive Housing Referrals

The BHA shall engage in cooperative interagency partnerships to secure the referral of homeless and displaced residents. The referring partners shall provide services that may include, but not be limited to: stabilization services, financial resources required for relocation, and housing search as needed.

Referrals through the partnerships listed below shall receive priority application to the CBVP. All referrals must be BHA document ready, meaning they have completed all necessary CBVP application forms and have appropriate supporting verification.

(1) *CBVP Leading the Way Home*. DHCD, through its family shelter system shall refer former Boston families to the BHA upon request, by earliest date in shelter, and offered the following supports (1) 18 months of support services focused on stabilization and self-sufficiency, and (2) CBVP rental assistance. The BHA CBVP will provide a minimum of 25 vouchers to qualified applicants of this referral agreement. Referred applicants shall be ordered on the BHA CBVP waiting list by earliest date of homelessness.

(2) *City of Boston Coordinated Access System*. The Coordinated Access System ("CAS") Referral Program is a program specifically designed to reduce homelessness amongst Boston individuals/families in shelter. Applicants will be notified and referred through CAS. The BHA CBVP will provide a minimum of 25 vouchers to qualified CAS applicants.

(3) *Homeless Boston Public Schools Families*. The BHA has engaged in partnerships to house homeless, as defined by the McKinney-Vento Homeless Assistance Act, which includes doubled-up, BPS families through its federal Section 8 Housing Choice Voucher Program. *BHA will allow families who face barriers in accessing federal aid to be referred to a CBVP waiting list*. Referred applicants shall be ordered on the BHA CBVP waiting list by earliest date of homelessness.

(4) *Families Facing Displacement Referred by OHS*. The BHA will engage in a cooperative interagency partnership with the City of Boston's Office of Housing Stability (OHS). Upon receipt of a referred applicant from OHS or an approved OHS vendor, the BHA may award a tenant-based voucher if leasing in place will prevent displacement and no there is no immediately available project based unit.

A resident referred by OHS shall be eligible if they meet BHA's income eligibility guidelines, have experienced substantial housing cost or cost burden increases that threaten the household's ability to remain in place, are a City of Boston resident or were a resident within the past six months at time of referral and are not currently a resident of public housing.

In order to provide cost-effective subsidy to as many residents as is feasible, BHA may at its discretion give preference to residents of income-restricted housing who are cost-burdened. Such residents, if evicted, may otherwise lack access to the state shelter system and other affordable housing opportunities.

BHA may give preference to residents who face barriers in accessing state or federal aid.

1.5 Waiting List Administration

The BHA shall establish a waiting list for each referral priority described above. A counter shall be used to refer eligible program applicants to the owner for suitability screening. The top position from each established referral waiting list shall be referred to the owner for suitability screening for the bedroom size that is available, before the second position person from any referral waiting list is referred to the owner for suitability screening, unless no eligible family for the bedroom size exists is on the list.

Section 2 – Eligibility

2.1 Number of Vouchers Issued

Under the CBVP, the number of vouchers issued and units leased will be determined based on funding from the City. Program utilization shall be assessed on at least a quarterly basis. BHA shall make an annual budget request for program administration costs and housing assistance payments at least 60 days prior to the start of the City's new fiscal year.

The CBVP will be focused on providing project based subsidy. In certain circumstances, tenant based subsidies will be provided as a means to prevent displacement.

2.2 Income Limits and Eligibility

Income eligibility for the CBVP shall be for families or individuals earning less than 60% of the Area Median Income ("AMI"). The BHA shall attempt to maintain an average income of applicants at or below 40% AMI and shall adjust the referral policy as necessary to maintain this average.

2.3 Nondiscrimination

The CBVP shall be administered in a nondiscriminatory fashion and in such a manner as enables the full participation of classes protected under local, state and federal law. The BHA will not collect information related to citizenship or Social Security identifying information from any applicant or from members of an applicant's household, nor require the inclusion of such information when requesting Criminal Offender Record Information or conducting a related background check.

Section 3 – Determining Tenant Rent Share and Housing Assistance Payments

The BHA shall determine the tenant share of rent in accordance with the Leased Housing Administrative Plan.

For Project Based Vouchers the Housing Assistance Payment (“HAP”) to the owner shall be the Gross Rent (Contract Rent for plus any BHA Utility Allowance for tenant assigned utilities) less the Total Tenant Portion (30 percent of the tenant’s monthly adjusted income). The Tenant share of rent is the Contract rent less the HAP as calculated above. The contract rent shall be capped at the restricted rent for the unit if applicable.

In the Tenant Based Component of the program, the Total HAP, including any utility reimbursement to the tenant, will be calculated by subtracting the Total Tenant Portion from the lower of the Gross Rent or the BHA Payment Standard. The HAP to the owner will be the lower of the Total HAP or the contract rent to the owner. The Tenant share of rent is the Contract Rent less the HAP to the owner. Any remainder of the Total HAP not paid to the Owner is considered Utility allowance reimbursement and shall be paid to the resident.

A tenant shall be prohibited from moving into a unit where they will pay more than 40% of their monthly adjusted income towards rent and utilities at the move in.

The BHA reserves the right to establish a utility allowance/benefit in a manner that diverges from the Section 8 program, e.g. by incorporating internet services.

For the purposes of the CBVP, BHA will not collect information irrelevant to program administration and a household or family member’s origin will not give cause for rejection or pro-ration of rent.

Section 4 – Contract Rent Determination

When applicable, as with the Section 8 HCV Program, BHA will utilize GoSection8 as a primary tool for surveying market comparable units and determining Reasonable Rent.

The contract rent shall be capped at the restricted rent for the unit if applicable. Owners may request rent increases if permitted by existing restrictions, for review by a BHA Leasing Officer, following the procedures outlined in BHA's Leased Housing Administrative Plan. The BHA will, on a periodic basis, survey market conditions in order to determine reasonable rent standards.

Section 5 – Guidelines for Project Based Vouchers

5.1 Procurement

The BHA will issue a competitive Request for Proposals in partnership with the City of Boston. Eligible proposers will be owners and/or developers of properties in the City of Boston containing income-restricted or otherwise low-cost units which can be made affordable to tenants earning at or below 30% of the AMI through the introduction of project-based rental assistance. This would be in addition to the units obligated for the 10% homeless set aside requirement.

The BHA may, in lieu of a competitive solicitation, determine to provide PBV funding to a proposal for housing assisted under a federal, state or local government housing assistance, community development or supportive services program that requires competitive selection of proposals, with where the proposal has already been selected in accordance within three years of the BHA's PBV proposal selection date.

5.2 Requirements of Owners

Requirements of owners for the CBVP are comparable, but not identical, to those of owners of project-based Section 8 Housing Choice Voucher Units as specified in the BHA's Section 8 Administrative Plan.

- Notably, an owner and/or a developer applying for project-based support must utilize a model lease or compliant private market lease;
- enter into a Housing Assistance Payment (HAP) contract with the BHA;
- follow BHA's policies for tenant selection for the CBVP-subsidized units, which may require amendment to an existing affirmative fair housing marketing plan or Tenant Selection Plan;
- comply with city, state and federal fair housing law;
- comply with building and sanitary regulations and BHA's inspection requirements;
- follow other specifications identified in BHA CBVP procurement documents or contracts

An owner and/or developer contracting with the BHA shall maintain a set number of and not less than 10 units in a development, for the purposes of project-based subsidy, provided that the owner may, with BHA approval, re-allocate the subsidy to different units over time in contractual correspondence with tenant turnover or changes in tenant eligibility. An owner must work with BHA to ensure that the unit type, size and number of bedrooms for any PBV-supported units remains constant.

The BHA will not allow an Owner who has been debarred from federal programs or who has been found in violation of city, state and federal fair housing law to participate in the CBVP. An Owner shall not be approved for CBVP if there is a history of a failure to comply with code enforcement that could result in conditions that are detrimental to the health and safety of the tenants.

Section 5 – Jurisdiction

The jurisdiction for the CBVP shall be the City of Boston

Section 6 – Termination of Assistance

The BHA's Section 8 Administration Plan outlines (in Sections 9 and 13) procedures and policies related to termination of assistance. The CBVP will diverge from these policies in the following fashion:

6.1 Termination of Assistance Due to Lack of Adequate Funding

For the purposes of the CBVP, the BHA shall be limited by the annual budget for the CBVP. In the event that funding is reduced so that the program shall no longer support the number of families participating in the program the BHA shall offer families Super Priority for a tenant-based voucher in the Housing Choice Voucher program. The family shall be converted to HCVP as funding permits. This type of action is reference in 13.4.4 of the Admin Plan.

If funding is not available and the BHA must terminate the assistance of families, elderly and disabled families shall be excluded from termination of assistance.

6.2 Termination For Cause

Grounds for termination are set forth in the Leased Housing Administrative Plan but for those Sections excluded in Chapter 8 below.

Section 7 – Return of Vouchers to Subsidy Pool

Pursuant to adequate funding allocation for the CBVP, upon the expiry of assistance for a tenant-based voucher or change in eligibility of a tenant previously receiving tenant-based rental assistance, an increase in income that lessens the BHA's assistance to a particular tenant, termination of assistance for cause, or the ending and non-renewal of a contract associated with a project-based voucher, the BHA shall (1) utilize such funds for the issuance of new project-based rental assistance or (2) at its discretion, issue new tenant-based rental assistance where entry into a project-based contract would be infeasible or disadvantageous.

Section 8 – Divergences from the Leased Housing Administrative Plan for Section 8 Programs

This section distinguishes the CBVP from the BHA's federally administered Housing Choice Voucher Program by listing the Chapters and Sections of the Leased Housing Administrative Plan that do not apply to the CBVP, or those instances where the CBVP Policy and Procedure provides different requirements.

Chapter 3: Applications and Admission

Section 3.2.6, Conversion of Project-Based to Tenant-Based Voucher, shall not apply to the CBVP, as there is not right for a CBVP participant to request a mobile version of their project based voucher after one-year in the program.

Section 3.3, Priority and Preference Admissions. CBVP shall have its own set of distinct priorities and preferences.

Section 3.3.5, Priority Categories, shall not apply to the CBVP. The targeted populations listed above in the referral partnerships shall serve as the Priority Categories for the CBVP.

Section 3.3.9, Point System. CBVP shall have distinct requirements for ranking applicants.

Section 3.4, Special Admissions. This section shall not apply to CBVP.

Chapter 4: Communications and Verification

Section 4.3, Verification Requirements. All language regarding Enterprise Income Verification (EIV) in Chapter 4 does not apply to CBVP.

Chapter 5: Determination of Eligibility

Section 5.1, Number of Vouchers Issued. Under the CBVP, the number of vouchers issued will be determined based on funding from the City. Program utilization shall be assessed on at least a quarterly basis. BHA shall make an annual budget request for program administration costs and housing assistance payments at least 60 days prior to the start of the City's new fiscal year.

Section 5.2.2, Income eligible as defined by HUD. Income limits as a percentage of AMI shall differ for the CBVP.

Section 5.4.1, Verification of Family Composition. Family members of CBVP may certify that they have not been assigned a Social Security number and generally requirements surrounding social security numbers to apply to CBVP

Section 5.5.2, Targeting Requirements. The income targeting requirements of this section to not apply to CBVP. Other targeting requirements may apply.

Section 5.5.3, Determining and Verifying Family Income. The earned income disregard (EID) shall not apply to the CBVP.

Section 5.6, Review of Citizenship and Eligible Immigration Status. This Section does not apply to the CBVP.

Section 5.8, Required Release Forms. BHA specific release authorization form for the CBVP. Federal release forms do not apply to CBVP.

Section 5.9, Briefing Session. The briefing session shall be modified to meet the requirements of the CBVP. Briefing sessions shall be conducted in person or online in the manner that is most effective and preferable for the BHA and the Family.

Chapter 6: Denial of Voucher and Applicant Appeals

Section 6.1.2, Mandatory Denial. A CBVP applicant shall not be denied assistance if a family member fails to submit evidence of citizenship or eligible immigration status. If a family member is currently or recently engaged in illegal use of a drug, participation in a recovery program may serve as a mitigating factor in CBVP. This provision will be a reason for discretionary denial in CBVP.

Chapter 7: Finding and Leasing Approvable Housing

Section 7.1, Searching for Housing. A tenant-based voucher issued under CBVP shall be restricted to search within the limits of the City of Boston.

Section 7.3.4, Disapproval of Owners. The BHA will not allow an Owner who has been debarred from federal programs to participate in the CBVP. An Owner shall not be approved for CBVP if there is a history of a failure to comply with code enforcement that could result in conditions that are detrimental to the health and safety of the tenants.

Section 7.4.2, Variations from the BHA Model Lease. The BHA model lease shall not be utilized for the CBVP. A Private Market lease in conjunction with the CBVP Housing Assistance Payments Contract shall be used.

Chapter 8: Rent

Section 8.8.2, Total Tenant Payment. For the purposes of the CBVP, the TTP shall be 30 percent of monthly adjusted income.

Chapter 9: Inspections

Section 9.1.1, Generally. The BHA shall not conduct initial or routine inspections for Project Based Units which are tax credit units and have separate distinct requirements unit compliance. BHA shall inspect the unit as a tenant complaint if needed. Initial and Routine inspections, at least on a biennial basis, shall be conducted for any tenant based assistance under CBVP.

Chapter 10: Renewal

Section 10.1, Annual Recertification. Requirement for recertification of eligibility shall be biennial for the CBVP.

Chapter 12: Portability

This chapter shall not apply to CBVP as the jurisdiction of the program shall be limited to the City of Boston.

Chapter 13: Termination of Assistance

Section 13.1.1, Drug Related Criminal Activity. Note that illegal drugs for the purposes of the CBVP are distinguished from the federal HCVP program. Determining criminal activity for the purposes of the CBVP shall reference State law.

Section 13.2.2, Consent Forms. This provision shall not apply to the CBVP.

Section 13.2.3, Evidence of Citizenship. This provision shall not apply to the CBVP.

Section 13.3.5, Fraud. Any amounts collected due to fraud or overpayment shall be utilized for Housing Assistance Payments after deducting for the costs of the fraud collection.

Section 13.3.9, Violation of Family Obligations. The family obligations shall be established for the CBVP and are included in the Eligibility Questionnaire.

Section 13.4, Termination of Assistance Due to Lack of Adequate Funding. For the purposes of the CBVP, the BHA shall be limited by the annual budget for the CBVP. In the event that funding is reduced so that the program shall no longer support the number of families participating in the program the BHA shall offer families Super Priority for a tenant based voucher in the Housing Choice Voucher program. The family shall be converted to HCVP as funding permits. This type of action is reference in 13.4.4

If funding is not available and the BHA must terminate the assistance of families, elderly and disabled families shall be excluded from termination of assistance.

Chapter 14: Programs Administered by the Leased Housing Division and Special Program Types

This Chapter does not apply to the CBVP.

Chapter 15: Homeownership Option

This Chapter does not apply to the CBVP.

Chapter 16: Project Based Voucher Program

Section 16.1.4, Maximum Amount of PBV Assistance. This section does not apply to CBVP.

Section 16.2, Selection of PBV Owner Proposals. Owner Selection shall be completed in accordance with the Procurement Documents in the policy Appendix.

Section 16.5.10, Family right to move. This section does not apply to the CBVP.

Section 16.5.11, When occupancy may exceed 25-percent cap. This section does not apply to the CBVP.

Section 16.6.5, Rent to Owner: Effect of Rent Control and Other Rent Limits. Any rent restriction or tax credit rent shall be the ceiling contract rent for the CBVP program.

Chapter 17: Rental Assistance Demonstration (RAD)

This Chapter does not apply to the CBVP.

Chapter 19: Glossary