



Special Attention of:

Directors of HUD Regional and Field
Offices of Public Housing;
Agencies that Administer the
Housing Choice Voucher Program

Notice PIH 2017-17 (HA)

Issued: September 1, 2017

Expires: This Notice remains effective
until Amended, Superseded or Rescinded

Cross References: Notice PIH 2015-10; *Implementation of the HUD-Veterans Affairs Supportive Housing (HUD-VASH) Program* published in the *Federal Register* on March 23, 2012.

Subject: Registration of Interest for HUD-VASH Vouchers

1. Purpose. The 2017 Appropriations Act provides \$40 million in HUD-Veterans Affairs Supportive Housing (HUD-VASH) funding that will support approximately 5,500 new HUD-VASH vouchers. The purpose of this notice is to identify public housing agencies (PHA) with interest in receiving new HUD-VASH awards. These vouchers will be administered in partnership with the Department of Veterans Affairs (VA) and enable homeless veterans and their families to access affordable housing with an array of supportive services.

The vouchers are being made available from the Consolidated Appropriations Act, 2017 (the Act) (Public Law 115-31), enacted May 5, 2017, as authorized under section 8(o)(19) of the United States Housing Act of 1937.

2. Background. The HUD-VASH program combines HUD Housing Choice Voucher (HCV) rental assistance for homeless Veterans with case management and clinical services provided by the VA at its medical centers (VAMC) and community based outpatient clinics (CBOCs). The VA facility refers all eligible HUD-VASH families to the PHA.

Generally, the HUD-VASH program is administered in accordance with 24 CFR Section 982 and 983. However, the Act allows HUD to waive or specify alternative requirements for any provision of any statute or regulation that HUD administers in connection with this program in order to effectively deliver and administer HUD-VASH assistance (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance. Waivers and alternative requirements for HUD-VASH are detailed in the Revised Operating Requirements published in the Federal Register on March 23, 2012. This and other documents pertinent to the program can be found on the HUD-VASH website at:

https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/vash.

3. Summary of Changes to Allocation Process. Consistent with previous appropriations act provisions on HUD-VASH, the 2017 Act provides HUD (in consultation with VA) with broad

authority to allocate HUD-VASH vouchers based on need. In previous years, HUD has awarded tenant-based vouchers (TBV) by assessing local need and inviting PHAs to apply. Project-based vouchers (PBV) have previously been awarded through a competitive process.

This year HUD seeks to award tenant-based HUD-VASH to self-identified, interested PHAs based on local need. Awards will follow a two-step process: 1) PHAs will respond to this Notice with an email and a VA Letter of Support (Registration of Interest), 2) Based on a need formula, registered PHAs that are selected will receive an invitation to apply for a specific number of HUD-VASH vouchers. **This means that PHAs must respond to this Notice to be considered for a HUD-VASH award.**

All HUD-VASH awards can be converted to PBV at any time after award without notice to HUD, consistent with FR-5976-N-03 (HOTMA).

Please carefully review the Notice in its entirety for Registration of Interest requirements.

4. Amount Available. The 2017 Appropriations Act provides \$40 million in HUD-Veterans Affairs Supportive Housing (HUD-VASH) funding that will support approximately 5,500 new HUD-VASH vouchers.

5. Eligible Applicants. Any PHA currently administering a HCV program is eligible to submit a Registration of Interest (i.e., email and Letter of Support). This includes PHAs that do not currently administer the HUD-VASH program. *Tribes/TDHEs are not eligible to submit a Registration of Interest under this Notice.

6. Registration of Interest Requirements. PHAs must consult with their partnering VA facility to discuss their intentions of submitting a Registration of Interest and request the required Letter of Support for HUD-VASH vouchers under this Notice.

PHAs will send an email to VASH2017@hud.gov identifying that they are interested in receiving HUD-VASH vouchers. The subject line of the email should be "Registration of Interest" and include the PHA code (i.e. AL001). The body of the email must identify which VAMC or CBOC the PHA will be partnering with. PHAs must also attach a signed letter of support from their partnering VA facility. The Letter of Support may be signed by the Director of the VA Medical Center or Veterans Integrated Service Network (VISN).

A separate email must be sent for each PHA-VAMC or CBOC partnership; i.e. *if a PHA partners with more than one VA facility, the PHA must submit a separate email with the signed letter of support for each VA facility it wishes to partner with for these vouchers. **Emails submitted without a signed letter of support from a VA Facility are not curable and will not be considered for an award.***

7. Registration of Interest Due Date. Registration of Interest must be transmitted no later than midnight in the time zone of the PHA on **October 31, 2017**. A letter of support from the partnering VA facility must accompany each email. *Emails without a corresponding letter of support will not be considered for an award. A Registration of Interest that is not received on*

time will not be processed and no extensions will be granted.

All letters must be submitted electronically to VASH2017@hud.gov. Faxes and hard copy submissions will not be accepted.

8. Invitation of PHAs. Selected PHAs will receive an invitation via email to apply for a specific number of HUD-VASH vouchers. This number is the maximum number of vouchers being offered. PHAs may choose to apply for fewer vouchers. Additional instructions will be included in the invitation letter.

HUD may award any remaining funds via invitation to additional PHAs at any time based on availability and need.

9. Selection of PHAs. The Act requires HUD-VASH vouchers to be allocated based on geographic need and PHA administrative performance. The geographic need will be determined using Continuum of Care (CoC) and local VA Medical Center data. The PHA's administrative performance will be assessed by the HUD Field Office and will consider areas such as any major unresolved program management findings from an Inspector General audit, HUD management review, or Independent Public Accountant (IPA) audit for the PHA's HCV program or other significant program compliance programs that were not resolved or in the process of being resolved prior to invitation. Major program management findings or significant program compliance problems are those that inhibit the capacity of the PHA to effectively administer the HUD-VASH program. In addition, the PHA must not be involved in litigation that HUD determines that may seriously impede the ability of the PHA to administer the HUD-VASH program.

Additionally, all outstanding civil right matters must be resolved *prior to the invitation to apply for HUD-VASH vouchers*. PHAs with unresolved civil right matters will not receive an invitation to apply for HUD-VASH vouchers, and will not be considered for an award.

Applicants having any of the charges, cause determinations, lawsuits, or letters of findings referenced in subparagraphs (1) – (5) that have not been resolved to HUD's satisfaction prior to the invitation to apply are ineligible for funding. Such matters include:

- (1) Charges from HUD concerning a systemic violation of the Fair Housing Act or receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a substantially equivalent state or local fair housing law proscribing discrimination because of race, color, religion, sex, national origin, disability or familial status;
- (2) Status as a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public importance under 42 U.S.C. 3614(a);
- (3) Status as a defendant in any other lawsuit filed or joined by the Department of Justice, or in which the Department of Justice has intervened, or filed an amicus brief or statement of interest, alleging a pattern or practice or systemic violation of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, the Americans with Disabilities Act or a claim under the False Claims Act related to fair housing, non-discrimination, or civil rights generally including an alleged failure to affirmatively further fair housing;

- (4) Receipt of a letter of findings identifying systemic non-compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974; or the Americans with Disabilities Act;
- (5) Receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law prohibiting discrimination in housing based on sexual orientation, gender identity, or lawful source of income.

HUD will determine if actions to resolve the charge, cause determination, lawsuit, or letter of findings taken prior to invitation will resolve the matter. Examples of actions that may be sufficient to resolve the matter include, but are not limited to:

- (1) Current compliance with a voluntary compliance agreement signed by all the parties;
- (2) Current compliance with a HUD-approved conciliation agreement signed by all the parties;
- (3) Current compliance with a conciliation agreement signed by all the parties and approved by the state governmental or local administrative agency with jurisdiction over the matter;
- (4) Current compliance with a consent order or consent decree;
- (5) Current compliance with a final judicial ruling or administrative ruling or decision; or
- (6) Dismissal of charges.

10. Information Contact. All inquiries about this notice should be directed to vash@hud.gov.

11. Paperwork Reduction Act. The information collection requirements contained in this Notice have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C 3520). 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. The active information collections contained in this Notice have been approved under the PRA OMB Control Number 2577-0169.

/s/

Dominique Blom
Deputy Assistant Secretary
Public and Indian Housing