

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FREQUENTLY ASKED QUESTIONS (FAQ's)
SPECIFIC TO HURRICANE DISASTERS
Current as of October 18, 2005**

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SECTION 1. THE PUBLIC

Evacuees Needing Immediate Assistance

I am an evacuee of a hurricane disaster. Where do I go for immediate assistance?

It is important that you register with the Federal Emergency Management Agency (FEMA) immediately by calling FEMA at 1-800-621-3362 or going to their internet website at <http://www.fema.gov/>. FEMA also has an Individual Assistance Programs Directory at: <http://www.fema.gov/rrr/inassist.shtm>

Additional numbers and useful internet websites for immediate assistance are:

- Red Cross: 1-800-435-7669 - Web: <http://www.redcross.org/>
- Salvation Army: 1-800-725-2769 - Web: <http://www.salvationarmyusa.org/>
- Catholic Charities: 1-800-919-9338 - Web: <http://www.catholiccharitiesusa.org/>
- National Suicide Prevention Crisis Hotline: 1-800-273-TALK (1-800-273-8255) (For the hearing impaired, the Crisis Hotline number to call is 1-800-799-4TTY (4889). Callers will be connected to a network of local crisis centers across the country committed to crisis counseling. Callers to the hotline will receive counseling from trained staff at the closest certified crisis center in the network.

I am looking for a family member, food & water, or basic shelter.

FEMA maintains a Question & Answer list covering these topics on its website at: <http://www.fema.gov/rrr/qanda.shtm>

Are state government level emergency resources available?

FEMA maintains a directory of state emergency management departments on its website at: <http://www.fema.gov/fema/statedr.shtm>

Individuals Willing to Help

How can I contribute money to the disaster relief effort?

Visit the USA Freedom Corps website at: http://www.freedomcorp.gov/content/about_usafc/newsroom/announcements_dynamic.asp?ID=1049

Where can I offer goods or services to help the relief effort?

To donate goods or services, please call FEMA at (800) 440-6728.

How do I volunteer to help?

If you would like to help with the disaster recovery effort, please visit the USA Freedom Corps website at <http://www.freedomcorp.gov/index.asp> or find your local chapter of the Red Cross at <http://www.redcross.org/where/chapts.asp>.

I have some properties that could be made available to disaster victims. Who do I contact?

HUD does not keep a list of private properties. Those with properties that they wish to make available to disaster victims may want to contact one of the following:

1. <http://www.swern.gov>
This is the National Emergency Resource Registry run by the DHS-Private Sector Office. It is designed for institutional users to post or locate large-volume type housing resources. (Ex., a commercial mobile home park with substantial unoccupied lots; a large lot with built-in utilities; or a vacant commercial building convertible to residential).
2. <http://www.dhronline.org>
 - This is the Disaster Housing Resource on-line system operated by the Florida State University
 - If you have a home or apartment that you would like to offer, visit Disaster Housing Resources Online at to make an offer of housing. This site is designed for public users to post or locate retail-level housing resources (Ex., a room for free; an apartment for rent, etc.)
3. Email: Fema-Housing-Area-Command@dhs.gov
 - This email address is established by FEMA so that resource contributors can email information to them.
4. You may also want to contact the local Housing Authority, State Emergency Management Department, local charities, the Red Cross (1-800-435-7669), or Salvation Army (1-800-725-2769).
 - HUD's has a list of local Housing Authorities on the web at: <http://www.hud.gov/offices/pih/pha/contacts/index.cfm> (Use this webpage to find a housing authority in your local area.)
 - FEMA maintains a directory of State Emergency Management Departments on its website at: <http://www.fema.gov/fema/statedr.shtm> (Use this list to find local Emergency Management Departments by State.)

I am a contractor who would like to offer my services in the clean up and rebuilding phases of hurricane recovery operations.

HUD is part of a team of federal agencies dedicated to helping Hurricane Katrina victims rebuild their lives. This effort will be the most extensive and expensive undertaking in American history, and it will depend on the skills of thousands of contractors to make it happen. While the

Department is unable to make any commitments at this time, you may send a letter detailing the services your company provides to HUD's Office of Procurement and Contracts. Your business will be added to the list of contractors seeking to do business with the Department during the clean up and rebuilding phases.

FHA and Conventional Mortgage-Related Questions

I have an FHA-insured mortgage, and my home was affected by the hurricane. I won't be able to pay my mortgage. What do I do?

There is a 90-day FHA foreclosure moratorium now in effect for all Hurricane Katrina disaster areas.

- HUD mortgagee letter 2005-33 has the details on the moratorium: http://hudclips.org/sub_nonhud/cgi/pdfforms/05-33ml.doc (describes program guidance for lenders and housing counselors)
- Our National Servicing Center (NSC) web site can be found at: <http://www.hud.gov/offices/hsg/sfh/nsc/nschome.cfm> (The goal of HUD's National Servicing Center is to help FHA homeowners by working with lenders to find creative solutions to avoid foreclosure. They also provide direction and training to lenders and Housing Counseling agencies, which are then better able to provide assistance to homeowners.)
- HUD Approved Housing Counseling Agencies may be able to assist you in your communication with your FHA lender. You can locate a local housing counseling agency by calling (800) 569-4287 or at <http://www.hud.gov/offices/hsg/sfh/hcc/hccprof14.cfm>

What if I have a conventional mortgage (non FHA mortgage) and my home was affected by the hurricane. I won't be able to pay my mortgage. What do I do?

HUD Approved Housing Counseling Agencies may be able to assist you in your communications with your lender. You can locate a local housing counseling agency by calling (800) 569-4287 or at <http://www.hud.gov/offices/hsg/sfh/hcc/hccprof14.cfm>

You can also contact your lender to ask them about any disaster programs that may apply to your mortgage. Check the following sources for lender contacts:

- a. Your monthly mortgage billing statement
- b. Your payment coupon book
- c. Web links or customer service numbers, at: <http://www.hud.gov/offices/hsg/sfh/econ/smhend.cfm>.

Also Federal National Mortgage Association (Fannie Mae) has taken measures to assist homeowners with conventional mortgages. More information on Fannie Mae's response to the hurricane disaster is on their website at <http://www.fanniemae.com/> or call 1-800-732-6643.

I have a Home Equity Conversion Mortgage (HECM) mortgage that provides for monthly payments to me. I have not received my monthly payment from my mortgagee. What should I do?

A. Call HUD's National Servicing Center toll-free at (888) 297-8685, or visit their web page at: <http://www.hud.gov/offices/hsg/sfh/nsc/nschome.cfm>. In order for HUD to assist you, we will need the name of your mortgage lender, your FHA case number, and the address of your home. If the damage caused by the hurricane has temporarily affected your lender's ability to send you your payment, HUD may be able to assist you in obtaining your payment under your HECM mortgage loan.

Special Mortgage Insurance Program for Disaster Victims

What is 203(h)?

Under the 203(h) program, FHA insures mortgages for victims of a major disaster who have lost their homes and are in the process of rebuilding or buying another home.

Who is eligible for a Section 203(h) insure mortgage?

People are eligible for this program if their home -- whether they owned their home or rented -- is located in an area designated by the President as a disaster area, and their home was damaged to such an extent that reconstruction or replacement is necessary. These individuals must be able to qualify for a mortgage through FHA's underwriting guidelines, which are generally more lenient than in the private sector.

Under HUD's mortgage insurance program for disaster victims, can I purchase a new home in an area other than the Presidential declared disaster area?

Yes, disaster victims can take advantage of this program in any part of the country and are not required to purchase in the disaster area. For example, a family whose home on the Gulf Coast was destroyed by Hurricane Katrina can relocate to Chicago and purchase a new home there under this program.

What kind of documentation must I provide to prove that I am eligible for this program?

You will need to provide documentation showing that your permanent residence was in the affected area before the disaster, which includes a valid driver's license, a voter registration card, utility bills, etc. You will also need to provide documentation regarding destruction of the residence, which includes an insurance report, an inspection report by an independent inspector or government agency, or conclusive photographic evidence showing the destruction or damage.

Can I use Section 203(h) to purchase a home even though I rented the damaged property?

Yes, this program is available to both renters and owners of affected properties. For example, if you rented a unit in an apartment complex that was destroyed in the disaster, you may purchase a home using this program.

How much down payment is required?

No down payment is required under the Section 203(h) program. Potential homeowners are eligible for 100 percent financing of the mortgage. The borrower will pay some closing costs, but often the seller and the lender pay a portion of these costs.

Are there limitations to how much money I can borrow?

Yes, the maximum mortgage amounts under this program are the same as for HUD's basic mortgage insurance program. A list of mortgage amounts, which are determined by county, can be found on HUD's website at <https://entp.hud.gov/idapp/html/hicostlook.cfm> (This website is a search engine that displays mortgage limit data by state and county. The mortgage limits vary from county to county.)

Homeowner Repair Programs

Does HUD have a loan program for repairs?

HUD has an insured mortgage program called 203(k). Section 203(k) insurance enables homebuyers and homeowners to finance both the purchase (and refinancing) of a house and the cost of its rehabilitation through a single mortgage - or to finance the rehabilitation of their existing home.

- Information can be found on the web at:
<http://www.hud.gov/offices/hsg/sfh/203k/203kabou.cfm> (This website has basic information on the 203k rehabilitation mortgage)

What other loans, mortgages or grants are available to citizens for repair a home?

Other HUD home improvement programs can be found on the web at:

<http://www.hud.gov/improvements/index.cfm>. Some of these programs, especially the grants, are administered through local government agencies and are not directly available through HUD.

This website has a lot of different resources from HUD and other federal agencies. To Search this web site:

- Select "Information by State" for the State where the caller is located.
- Select "Homeownership" (see left side of the screen)
- Scroll down to "Owning and Maintaining Your Home"
- Select "Home Repairs"
- You will be able to find local repair program information for the specific State. There are 50 of these pages, so you have to drill down for you selection.

How can I find a lender that can help me with a mortgage to repair my home?

A list of lenders can be found online at: <http://www.hud.gov/ll/code/llplcrit.html> (**NOTE:** This is a Search Engine that will display lenders according to the search terms entered. Be sure to check 203b and 203k when searching.)

Purchasing HUD Homes

I saw a vacant HUD Home, are they available for disaster victims?

Yes. HUD has referred to FEMA those HUD Homes that are habitable within the following states: Florida, Alabama, Mississippi, Georgia, Tennessee, Kentucky, South Carolina, Louisiana, Texas, Oklahoma, and Arkansas. Please contact FEMA for further information at 1-800-621-3362 - Web: <http://www.fema.gov/>

I placed a bid in a HUD Home before they were pulled out of the market. What will happen to that bid?

The Marketing and Management contractors were instructed to open all bids up to Friday September 2nd. If you were not notified of selection, then you are to assume that the previously submitted bid was not selected. No further bids will be accepted in the following states: Florida, Alabama, Mississippi, Georgia, Tennessee, Kentucky, South Carolina, Louisiana, Texas, Oklahoma and Arkansas.

How can I find a housing counselor that will help me with my disaster related housing problems?

HUD sponsors certain approved housing counseling agencies that in turn provide counseling services to citizens for free. To find a counselor that serves your neighborhood, call HUD's Toll-free number at: 1-800-569-4287 or visit: <http://www.hud.gov/offices/hsg/sfh/hcc/hccprof14.cfm> (List of Housing Counseling Agencies by State.)

Multifamily and Rental Housing

Where do I get information on rental or multifamily housing?

Any questions related to HUD's Multifamily Housing Division should be referred to (800) 568-2893. (Closed after 6:00pm EDT)

Public Housing and Section 8 Voucher Programs

I was a tenant who lived in Public Housing (or had a section 8 voucher), and I was displaced by Hurricane Katrina. What should I do?

Tenants who lived in Public Housing or had Section 8 vouchers and were displaced by Hurricane Katrina should call the Information Resource Center at 1-800-955-2232. For a list of contact numbers for all Public Housing Authorities by State, go to: <http://www.hud.gov/offices/pih/pha/contacts/index.cfm> (Use this web page to find a housing authority in the local area of the caller)

I have a Section 8 voucher in New Orleans and I am now in Dallas (or any other city). Can I use my voucher to live here permanently?

Generally, yes, through the portability provisions of the Housing Choice Voucher Program. However, tenants must first contact the Housing Authority of New Orleans (HANO) at their temporary Houston location at: 1-713-652-2924 for assistance.

FEMA's Transitional Housing Programs

Which evacuees are taken care of by FEMA?

Qualified homeowners and renters are eligible for FEMA individual assistance. However, certain families are eligible for HUD assistance under the Katrina Disaster Housing Assistance Program (KDHAP). See KDHAP general information in a subsequent section of this document.

What type of assistance do these (FEMA assisted) evacuees receive?

Eligible evacuees will initially get three months of rental assistance, however they may continue to receive rental assistance payments for up to eighteen months based on established need. As a measure of accountability, evacuees must present receipts after three months in order to receive continued rental assistance from FEMA.

Total disbursements per individual may not exceed the statutory program cap. Rental assistance is one component of FEMA's Assistance to Individuals and Households, which is funded by the Robert T. Stafford Disaster Relief and Assistance Act. The maximum amount of assistance for an individual or household for one disaster is \$26,200.

What steps is the Administration taking to stop fraudulent collections of the three-month rental assistance from FEMA? How will you ensure they are spending the money on housing?

FEMA will require complete data about the location and size of each eligible household. To avoid duplicate payments for transitional housing, an evacuee's residence in FEMA supplied housing – including state-provided housing reimbursed in whole or part by FEMA – would make that individual ineligible.

Overpayments in this initial distribution must be repaid, credited against future rental assistance or deducted from any additional funds paid through individual assistance.

Individual assistance recipients have a legal obligation to meet reporting requirements, such as submission of rental receipts, and each must comply with federal program audit requirements. The DHS Inspector General has assisted with the design of audit and accountability requirements for this program and will be auditing individual and DHS program compliance.

How will you protect against landlords taking advantage and hiking their rents?

Many cities have significant vacancy rates, so landlords are looking for renters in many places, which should provide a sufficient safeguard.

In addition, there will be a ceiling on payments made at roughly the median rent in the locality, which will limit how much landlords can charge. HUD staff spot check rents for reasonableness relative to the local market rents for similar properties. In addition, the Federal Trade Commission (FTC) and the Department of Justice (DOJ) will work with state and local law enforcement to dissuade price gouging.

Will there also be trailer parks, like the one in Punta Gorda, FL, created for evacuees? And where will those be located?

Under the Public Assistance provisions of the Stafford Act, FEMA is funding certain other temporary housing for Katrina evacuees, such as travel trailers, mobile homes and temporary shipboard housing. However, there is limited supply in the marketplace.

Trailers will be used to house workers employed by clean-up and rebuilding operations. Trailers will be positioned as close as possible to worksites to facilitate employee access and speed recovery efforts in affected areas. Law enforcement officers and first responders will also be similarly sheltered nearby to secure the area and keep residents safe.

The Administration is aware of the problems that have arisen in temporary trailer communities in the past – and is taking careful steps not to create a similar situation for any of the Katrina evacuees. Trailer parks tend to situate people in an isolated environment that separate them from job opportunities and community services.

A comprehensive transitional housing assistance program will allow displaced individuals the opportunity to relocate to cities and towns of their choice where the housing and job markets can better meet their needs. Evacuees will not be isolated, but rather have the choice to settle in established communities and find housing close to jobs, places of worship and daily necessities.

Katrina Disaster Housing Assistance Program (KDHAP): General Information

Does HUD have a disaster assistance program for evacuees not eligible for FEMA assistance?

Yes, HUD is providing transitional housing assistance to evacuees through the Katrina Disaster Housing Assistance Program (KDHAP). While the majority of evacuees will receive assistance through FEMA, some are eligible for benefits under KDHAP. Under KDHAP rental assistance will be given to evacuees that were previously in HUD assisted housing programs or were homeless. KDHAP gives evacuees the choice and flexibility they need to find housing for up to 18 months. Through this program, displaced families will have the opportunity to relocate to cities and towns of their choice where the housing availability and job markets meet their immediate needs. For more information, please visit <http://www.hud.gov/offices/pih>.

What constitutes transitional housing?

An alternative to shelters, transitional housing includes apartments, hotels, motels, travel trailers, mobile homes, federal housing stock and other options throughout the country that provide evacuees with more stable and sufficient housing environments.

A comprehensive transitional housing assistance program will allow displaced individuals the opportunity to relocate to cities and towns of their choice where the housing and job markets can better meet their needs. By providing a flexible and portable solution to immediate housing needs, the federal government will accommodate large numbers of evacuees while the affected states work to rebuild and restore their damaged communities and infrastructure.

Who will be eligible for transitional housing through HUD’s KDHAP program?

Evacuees who received HUD assistance or were homeless before Hurricane Katrina are eligible. Evacuees receiving Section 8 rental assistance will continue to receive their vouchers regardless of where they relocate. Public housing residents will be provided with housing assistance to find transitional housing in their new locations. Families and households also will receive relocation assistance to help rebuild their lives.

How many people does HUD expect to help?

Close to 50,000 households are expected to receive assistance through the HUD program.

How is HUD defining “homeless?”

For purposes of eligibility for KDHAP assistance, “homeless” is defined as an individual or family who is identified as homeless by HUD’s Continuum of Care program.

How is the HUD program different from the agency’s traditional Section 8 voucher program?

This program is temporary and has different eligibility requirements. While providing stable housing assistance, this program is set up on a maximum of eighteen-month time frame. The purpose of this program is to give these people assistance in order to get them back on their feet and to be self-reliant again. This new program is configured similarly to the Section 8 Voucher program in order to take advantage of the management structure already in place. This approach would also reduce the likelihood of fraud.

Is there enough available housing for to support this assistance program?

Since the KDHAP program relies upon available private sector housing, there is sufficient stock throughout the country that will meet the needs of formerly HUD assisted evacuees.

How will a change in location affect an evacuee who received a Section 8 housing voucher before the storm?

KDHAP assistance will pay for up to 100% of the FMR in the community the evacuee selects. This will all go directly to the landlord and will be a seamless process for the family.

How does a system that allows evacuees to move across the country help them ultimately return to their homes? Will they be able to go back?

KDHAP is designed to meet the short-term needs of evacuees as their homes and infrastructure are rebuilt. The President is determined to see the Gulf Coast emerge stronger and better than before and we are confident many evacuees will begin moving back to their communities as quickly as possible.

Although not a direct part of this program, DHS anticipates three complimentary programs to meet longer-term relocation needs.

- Relocation reimbursement. DHS will propose that transportation costs for evacuee relocation incurred by a qualified state or local government may be reimbursed by FEMA.
- Welcome Home Relocation Program. To support the return of citizens forced to relocate out of state, FEMA will negotiate with the Mississippi, Alabama and Louisiana to establish a program whereby those states can use appropriate Stafford Act funds to assist with the transportation costs of one relocation for an evacuee individual or household, when that individual or household is moving from another state back into the home state.
- Transportation of Personal Property. The cost of transporting evacuees' belongings is a reimbursable expense under individual assistance.

How much will each family get? How will this be determined?

The Department of Homeland Security (DHS) will provide accelerated individual assistance payments through FEMA to support transitional housing assistance for qualified homeowners and renters displaced by Katrina.

- All eligible households will receive three months of rental assistance in the amount of \$786 per month, for a total of \$2358. This initial payment is based on the national average of fair market rent (FMR) for a two-bedroom unit in five Gulf coast cities. To the extent that evacuees qualify for additional assistance beyond three months based on demonstrated need, this amount will be adjusted to the FMR of the evacuee's current place of residence.
- Rental assistance is one component of FEMA's Assistance to Individuals and Households, which is funded by the Robert T. Stafford Disaster Relief and Assistance Act. The maximum amount of assistance for an individual or household for one disaster is \$26,200.

The Department of Housing and Urban Development (HUD), in cooperation with FEMA and local housing authorities, will provide housing assistance for evacuee households that were previously receiving public housing assistance, and for evacuees who were homeless prior to the hurricane.

- Rental assistance will be calculated at 100 percent of the fair market rent (FMR) in any community where an evacuee is located for private units.
- Families and households also will receive relocation assistance to help rebuild their lives.

***Katrina Disaster Housing Assistance Program (KDHAP) Phone and E-Mail Contact
Information for Families, PHAs and Owners***

Families

Call 1-800-955-2232 for general questions about HUD programs and assistance available to families affected by federally declared disasters. Or email questions to pihirc@firstpic.org.

HUD assisted families and homeless families participating in HUD's continuum of care programs immediately prior to the hurricane, who were displaced as a result of Hurricane Katrina, and who need relocation assistance under the KDHAP can call 1-866-373-9509. Alternatively, KDHAP eligible families may visit the KDHAP Referral Call Centers located in designated Disaster Relief Centers (DRC) in Gulfport, MS; Baton Rouge, LA; Memphis, TN; Atlanta, GA; Little Rock, AR; San Antonio, TX; Houston, TX; Ft. Worth, TX; and Dallas, TX.

PHAs and Owners of HUD-Assisted Units

PHAs and multifamily assisted housing owners who have KDHAP policy questions or need verification that the family affected by a federally declared disaster was a public housing resident, voucher participant, or living in a HUD-assisted unit immediately prior to the disaster can call 1-888-245-4860. Or email questions to pihirc@firstpic.org.

Temporary Location of the Housing Authority of New Orleans (HANO)

The Housing Authority of New Orleans (HANO) is temporarily located in Houston, TX.

Families and PHAs can call 713-652-2923 to request verification that the family was previously assisted by the HANO.

PHAs can call 713-652-2920 or 2921 for questions concerning voucher program portability. HANO portability billings should be sent to the Neighborhood Resource Center, Attn: Housing Authority of New Orleans, 815 Crosby Street, Houston, TX 77019.

Housing Discrimination

I think I have been discriminated against because of my race. I went to an apartment building that had a vacancy sign out front. When I inquired about renting an apartment I was told there's nothing available. The place continues to post a vacancy sign. What can I do?

The Fair Housing Act prohibits discrimination based on race, color, religion, national origin, sex, familial status (i.e., the presence of children or a pregnant woman in the household) or disability in the sale, rental, or financing of housing. If you believe you have been a victim of housing discrimination, you may file a complaint by calling HUD's toll-free housing discrimination hotline at 1-800-669-9777 (voice) or 1-800-927-9275 (TTY). You may also file a complaint

online at www.hud.gov/fairhousing. We will investigate your complaint and assist you in resolving the matter.

I contacted a landlord about renting an apartment and he told me he would have to conduct a background check on me, which includes checking my credit rating, previous landlords' references and whether I have a criminal background. I have fled a hurricane and I can't provide all of the information he has requested. If I am denied the apartment, is it a violation of my housing rights?

Landlords may require a background check when deciding whether to rent to someone. However, the federal Fair Housing Act makes it illegal for a landlord to discriminate against any person by requiring this information from some and not others because of their race, color, religion, national origin, sex, disability, or the fact that they have children. If you suspect that the landlord does not treat all applicants in the same way, you can call HUD's toll-free housing discrimination hotline, 1-800-669-9777. You may also file a housing discrimination complaint on-line at www.hud.gov/fairhousing.

I tried to rent an apartment using a voucher and the landlord won't accept it. Is this against the law?

Some states and localities may have laws that make it illegal to deny someone housing because of the source of their rental income (these places include, but may not be limited to, California, Connecticut, District of Columbia, Maine, Massachusetts, Minnesota, New Jersey, North Dakota, Oklahoma, Oregon, Utah, Vermont, and Wisconsin; Chicago, Illinois; and Montgomery County, Maryland).

However, it is not a violation of the federal Fair Housing Act to refuse to rent to someone who has a voucher. Still, the federal fair housing law requires that landlords treat all persons the same regardless of race, color, religion, national origin, sex, disability, or the fact that they have children. A landlord would be in violation of the law, for example, if he or she accepted vouchers from persons only of one particular race.

I am a person with a disability. When the government relocates people to new or temporary housing, will I be provided with accessible housing?

HUD is working with the Federal Emergency Management Administration (FEMA) to help ensure that accessible temporary housing will be made available to persons with disabilities. Individuals who need accessible temporary housing should make their specific needs known when completing housing forms, and when talking to government personnel and other individuals coordinating relocation efforts.

HUD will also work with FEMA to help ensure that disability-related access needs are addressed with respect to replacement housing. Under Section 504 of

Rehabilitation Act of 1973, housing programs operated with federal funds must be accessible to persons with disabilities. Newly-constructed buildings with four or more units must meet certain accessibility requirements, whether they are operated with federal funds or not. HUD will work with FEMA, other federal agencies, and state and local governments to ensure compliance with all disability-rights requirements.

I have been told that our family can't rent the apartment we found because there are too many of us. Is this legal?

Housing providers can set reasonable occupancy standards limiting the number of people that live in a dwelling unit, as long as they apply those standards to all tenants. Sometimes occupancy standards may not be reasonable and may limit the housing choices for families with children. If you believe you have faced discrimination, you can call HUD's toll-free housing discrimination hotline, 1-800-669-9777.

We found a place we can afford but they won't rent to us unless we sign a year's lease. We haven't decided whether we want to move back when it is safe to do so and we don't want to commit ourselves to a year's lease. Can they require this?

A landlord can have a policy of requiring a lease for a specified period, as long as that requirement is applied equally to everyone, without regard for race, color, religion, national origin, sex, disability, or the fact that they have children. If you suspect that this requirement is being imposed in a discriminatory manner, you should contact HUD's toll-free housing discrimination hotline, 1-800-669-9777.

SECTION 2: HUD LENDERS

FHA Insured Mortgages

My company closed on several loans in the affected areas but subsequently they have been severely damaged by the Hurricane. Will HUD insure these loans?

Yes, HUD will insure mortgages for properties even though they are now damaged provided that settlement occurred prior to the devastation caused by Katrina.

What kind of mortgage can HUD provide to disaster victims?

HUD provides a mortgage insurance program to assist victims of Presidentially declared disasters, known commonly as Section 203(h). This program allows FHA to insure mortgages made by qualified lenders to individuals and families whose residences were destroyed or damaged to such an extent that reconstruction or repair is necessary and are eligible for 100% financing for the purchase of a home. However, closing costs and prepaid expenses not paid by

the seller must be paid by the borrower in cash or through premium pricing (slightly higher than market interest rate).

- Information on 203(h) can be found on HUD's website at: - <http://www.hud.gov/offices/hsg/sfh/ins/203h-dft.cfm> (describes basic- information about the 203(h) mortgage)
- Or call the HUD Homeownership Centers in Atlanta - 1-888-696-4687; Denver - 1-800-543-9378; Philadelphia - 1-800-440-8647; Santa Ana – 1-888-827-5605

SECTION 3: CPD'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) GRANTEES

Can CDBG funds be used to pay costs associated with services for displaced evacuees of the Gulf Coast disaster who have been forced to abandon their homes and seek shelter in other communities and states?

Yes. Most of these costs, such as the provision of food, temporary shelter and related services, are eligible CDBG expenditures. Beneficiaries are presumed to be low and moderate-income under the limited clientele provision at Title 24 of the Code of Federal Regulations (CFR), Section 570.208(a)(2)(i)(D), which qualifies the activity based on the nature and location of the activity.

Does the 15% public services cap apply to services provided to displaced evacuees of the Gulf Coast disaster that have been forced to abandon their homes and seek shelter in other communities and states?

HUD has suspended the provision imposing a 15% cap on public service expenditures for displaced evacuees of the Gulf Coast disaster. This suspension shall be available to CDBG grantees only for purposes related to Hurricane Katrina assistance efforts. The damage attributable to Hurricane Katrina has been so great that the populace has moved to other communities and states in an effort to find the basic necessities of life, including shelter and sustenance. In this instance, addressing the damage caused by the federally declared disaster involves addressing the needs of the population displaced by the disaster. Communities exercising this waiver should so indicate in writing to HUD as soon as it is convenient.

Does the proposed use of CDBG funds and other funds to pay costs associated with the expense of housing and serving displaced evacuees require grantees to implement a citizen participation process as a prelude to the allocation and expenditure of CDBG funds? Does the proposed change constitute a substantial amendment requiring the grantee to provide a period of not less than 30 days during which affected citizens may review and comment on its implementation?

Displaced evacuees may avail themselves of the benefits of existing programs funded with CDBG funds. Given the unexpected nature of this situation, however, the jurisdiction's

consolidated plan may not have included activities that address the needs and expenses of displaced evacuees whose homes were damaged or destroyed by Hurricane Katrina. A substantial amendment is required for changes if there is a change in the use of CDBG funds from one eligible activity to another. The criteria for a substantial amendment should be defined in the jurisdiction's consolidated plan and necessary actions will flow from a determination as to whether the proposed amendment is substantial or not under the definition in the plan.

In instances where a substantial amendment is required for activities related to Hurricane Katrina assistance efforts, the Department has waived the 30 day standard established through 24 CFR 91.105(c)(2) and instituted a minimum three (3) day comment period. The relief granted by this waiver will be available through November 30, 2005 to grantees solely for activities related to Hurricane Katrina assistance efforts. Communities exercising this waiver should so indicate in writing to HUD as soon as it is convenient.

SECTION 4: HOME PARTICIPATING JURISDICTIONS

I want to provide HOME assistance to evacuees, but the approach I want to use is not one of my approved HOME activities. What should I do?

The Participating Jurisdiction (PJ) must identify its priority needs and use of Federal resources in its Consolidated Plan/Action Plan. If the PJ intends to use its HOME funds for tenant-based rental assistance (TBRA), it also must include a certification in its Consolidated Plan/Action Plan that TBRA is an essential element. The PJ must amend its Consolidated Plan/Action Plan before it undertakes any activity that is not reflected in its HUD-approved Consolidated Plan/Action Plan, in accordance with HUD requirements. The amendment process normally requires a minimum 30-day public comment period.

HUD has granted a waiver to allow a PJ to immediately reprogram the use of its HOME funds by reducing the public comment period for amendments to 3 days. This option applies to FY 2005 or prior years HOME funds.

How can I qualify a family for HOME assistance when the household lacks documentation?

HUD has granted a waiver to permit a PJ to use the income self-certification method to initially qualify displaced persons who have registered with FEMA and received a registration letter or will receive a FEMA registration letter within 60 days of receiving HOME program benefits. This waiver expires 9/9/06.

You should advise applicants that the income self-certification is based on anticipated income for the next twelve months. Therefore, a displaced household's lack of current employment or reduced employment will be considered.

HUD recommends that your PJ develop a standard form for income self-certification. The certification must indicate the amount of the family's projected annual income, family size and a

certification that the information is complete and accurate. The form must also indicate the status of the household's FEMA registration.

Your PJ must have a system to follow up with those families that do not have a FEMA registration letter to ensure that they receive the required FEMA registration letter within 60 days of receiving HOME benefits. Your PJ must maintain a copy of the household's income self-certification and a copy of the household's FEMA registration in your HOME files. If the household is occupying a HOME-assisted rental unit, the HOME project owner must also maintain this documentation.

Note that for displaced households receiving HOME rental assistance, upon subsequent annual income recertification, the displaced household must meet the same HOME income verification requirements as any other HOME-assisted tenant or TBRA recipient, in accordance with 24 CFR 92.203(a)(1). For occupants of HOME-assisted rental housing, if a formerly displaced household is found to be over-income at that time, the household must pay the rent that is required by 24 CFR 92.254(i). The household cannot be displaced. For TBRA recipients, if a formerly displaced household is found to be over-income, the household's TBRA assistance must be terminated.

My PJ is providing HOME tenant-based rental assistance (TBRA) to evacuees, but I am having difficulty finding apartments with rents that fall below the normal TBRA rent standard. What can I do to help displaced families find apartments?

HUD has granted a waiver to permit a PJ to provide a more generous TBRA subsidy to displaced persons who must rent units with rent charges that exceed the PJ's normal TBRA standard. This more generous subsidy may be provided to the displaced household for a period of up to one year. This waiver expires 9/9/06.

First, your PJ must establish revised TBRA rent standards for persons that have been displaced by the Hurricane. These rent standards can be based on comparable unassisted units in the area. The rent standards must vary by unit size. Your PJ must take into account the location, size, type, quality, amenities, facilities, management and maintenance of each comparable unit in order to establish these revised standards. This authority is unnecessary if your PJ has a high vacancy rate and moderate rent levels.

Your PJ must maintain documentation on how the revised standards were determined. Your PJ must also document that the assisted family is registered with FEMA or has received FEMA certification within 60 days of receiving TBRA assistance.

Your PJ must disapprove a lease if the rent is not reasonable, based on the revised rent standards.

I am trying to assist evacuees move into permanent housing as quickly as possible. Not all available units meet Housing Quality Standards (HQS). Can evacuees that are receiving HOME TBRA still rent these units?

HUD has granted a waiver to permit a PJ to use state and local health and safety codes, instead of HUD Housing Quality Standards (HQS), for a period of one year in order to quickly qualify

properties for occupancy by displaced persons who receive HOME TBRA. Lead hazard safety requirements remain in effect. This waiver expires 9/9/06.

Your PJ must ensure that the unit meets state and local health and safety codes within 30 days of occupancy. Your PJ must also perform a visual assessment of deteriorated paint surfaces for lead-paint hazards when a child under 6 will occupy the unit.

Your PJ should have a system for inspecting and documenting that the unit meets state and local safety codes and lead hazard safety requirements. No later than one year after the lease is signed, the unit must meet HQS or the assisted family must move to a unit that meets the HQS requirement.

Your PJ must document that the assisted family is registered with FEMA or has received FEMA certification within 60 days of receiving TBRA assistance.

How can I use vacant HOME units to house persons displaced by the Hurricane?

Your PJ should contact the owners of HOME-assisted rental properties and compile a list of vacant units by bedroom size and location. It is also useful to identify whether these units are accessible by public transportation.

Your PJ can request project owners to amend their written tenant-selection criteria to provide a preference for admission to persons displaced by the Hurricane.

Your PJ should advise your owners that they can accept an income self-certification from displaced households as the basis for initial income determinations (see discussion under #2).

Your PJ should also advise your owners that the unit lease can be for less than one year (but at least thirty days) by mutual consent with the tenant. Absent a complaint or other evidence to the contrary, the tenant's signature on the lease is satisfactory evidence of mutual consent. The lease may not contain any lease terms prohibited by 24 CFR 92.253(b).

HOME assisted rental units must comply with HOME property standards. Absent evidence to the contrary, your PJ is not required to inspect these units except in accordance with the normal on-site monitoring requirements of 24 CFR 92.504(d).

How can I use HOME tenant-based rental assistance (TBRA) to house persons displaced by the Hurricane?

If your PJ already administers a TBRA program, your PJ can establish a preference for persons displaced by the Hurricane in its written tenant selection criteria. If your PJ does not administer a TBRA program, it must amend its Consolidated Plan/Action Plan (see discussion under #1) and establish a preference for persons displaced by the Hurricane.

Your PJ can accept an income self-certification from displaced households as the basis for initial income determinations (see discussion under #2). The household's certified income also determines how much the household will pay towards rent and how much TBRA subsidy it will

receive. Therefore, your PJ must determine whether the household is also receiving a subsidy from FEMA no later than 90 days after approving the HOME TBRA. The HOME TBRA subsidy must be adjusted as needed, based on the amount of any FEMA subsidy.

Your PJ can establish a rent standard based upon rents being charged for comparable unassisted units (see discussion under #3). TBRA recipients can also rent units that do not meet HQS or have not had an HQS inspection, as long as the unit meets local health and safety standards and lead-based paint requirements (see discussion under #4).

The TBRA unit lease can be for less than one year (but at least thirty days) by mutual consent between the owner and the tenant. Absent a complaint or other evidence to the contrary, the tenant's signature on the lease is satisfactory evidence of mutual consent. The lease may not contain any lease terms prohibited by 24 CFR 92.253(b).

What should I do if my PJ needs additional regulatory relief to assist Hurricane evacuees?

You should contact the CPD Director in your local HUD Field Office.

What are the source documents for this guidance?

The following guidance is based on the September 9, 2005, memorandum "Guidance on Use of HOME Funds and Waiver of HOME Requirements to Facilitate Assistance to Persons Displaced by Hurricane Katrina" and the October 4, 2005, memorandum "Guidance on Use of HOME Funds and Waiver of HOME Requirements to Facilitate Assistance to Persons Displaced by Hurricane Rita". These memoranda apply to all HOME Participating Jurisdictions that are "receiving communities" and are providing shelter to Hurricane Katrina or Hurricane Rita evacuees.

How do I get additional information?

More information can be found on HUD's HOME web page:

<http://www.hud.gov/offices/cpd/affordablehousing/programs/home/index.cfm>

and HUD's Hurricane web resource page:

<http://www.hud.gov/katrina/index.cfm>

SECTION 5: ORGANIZATIONS SERVING HOMELESS INDIVIDUALS

Eligibility Questions

Are persons displaced by the recent hurricanes eligible for housing and other assistance through FEMA? I am a homeless service provider unfamiliar with the benefits and services available to disaster survivors. Where can I learn about the services that are available and how to refer hurricane survivors to those services?

FEMA can provide housing and other assistance for up to 18 months from the date the President declares the disaster. The types of assistance that FEMA can provide include: housing, medical,

dental, transportation and other assistance. FEMA should be the primary source of assistance for persons displaced by the hurricane. The best place to find out about how to access services for hurricane survivors is through the FEMA web site at www.fema.gov. All hurricane survivors are urged to register for assistance with FEMA as soon as possible. Below are some specific sites and information that you can access:

- ❑ FEMA Hotline For Evacuees To Find Shelter: (888) 312-4567
- ❑ FEMA Telephone Registration: If you would like to apply for Federal Disaster Assistance by telephone, you can contact 1-800-621-FEMA (3362) or for the hearing/speech impaired at TTY: 1-800-462-7585. The current hours and days of operation are 24 hours per day 7 days per week.
- ❑ Register with FEMA online at: <http://www.fema.gov/register.shtm>
- ❑ Information on how to assist clients in getting help:
http://www.fema.gov/press/2005/resources_katrina.shtm
- ❑ Red Cross Family Links Registry: <http://www.familylinks.icrc.org/katrina> or 1-877-LOVED-1s
- ❑ You can link to the FEMA page from the HUD web site at <http://www.hud.gov/katrina/index.cfm>.
- ❑ The National Emergency Resource center: <http://www.swern.gov/emergency> provides information to register services offered by individuals and organizations.

If persons displaced by the hurricanes Katrina or Rita seek help from a HUD-funded homeless assistance project, is he or she eligible for assistance?

For persons who lost their housing due to a hurricane and lack the resources to secure housing, they are considered homeless by virtue of living in a place not meant for human habitation. However, as highlighted above, for persons affected by the disaster to be eligible for the significant assistance available through FEMA, they should immediately register with FEMA.

If someone displaced by the recent hurricanes requests assistance, he or she is eligible for which HUD homeless programs?

Homeless persons are eligible for HUD's: 1) Emergency Shelter Grants Program (ESG), 2) Supportive Housing Program's (SHP): Transitional Housing and Supportive Services Only projects, and the 3) Section 8 Moderate Rehabilitation Program for Single-Room Occupancy Dwellings for Homeless Individuals (SRO). (By law, the SRO program may only be used for individuals.)

Which persons are eligible for HUD's other homeless assistance programs?

HUD has several permanent housing programs designed to serve disabled persons. These programs are the 1) Supportive Housing Program's Permanent Housing for Persons with Disabilities component and the Safe Haven component and 2) the Shelter Plus Care Program. Homeless persons who are also disabled are eligible for these programs.

Once hurricane evacuees are receiving housing funds from FEMA, can they continue to receive supportive services support from HUD homeless assistance programs?

Once the immediate crisis has passed and evacuees are receiving their housing assistance payments from FEMA or HUD's KDHAP, they should also be eligible to receive support services from FEMA and no longer need supportive service assistance from homeless providers. Many evacuees are receiving their Public Assistance payments from FEMA. Grantees must identify all types of assistance being paid for by FEMA in order to avoid a duplication of benefits.

Waivers

Can the supportive services match requirement for the Shelter + Care program be waived?

The supportive services match requirement is a statutory, not a regulatory requirement, and, therefore, cannot be waived.

Can participant eligibility requirements for the Supportive Housing Program's permanent housing units be waived?

By law, persons who may be assisted in SHP permanent housing units must be both homeless and disabled.

Will the 30% cap on uses of Emergency Shelter Grants funds for essential services be waived?

The Emergency Shelter Grants program already allows grantees to request HUD to waive the 30% requirement, if they can demonstrate that the other eligible activity requirements will be paid for with other resources.

What provisions of the ESG program are being suspended or waived to assist persons displaced by the recent hurricanes?

The following program requirements are being suspended or waived to assist persons displaced by hurricanes:

- Citizen Participation and Consolidated Plan Amendments - permits a city or state grantee to immediately reprogram the use of ESG funds by reducing the 30-day comment period for substantial amendments to 3 days. Reprogramming does not require HUD approval.
- Definition of emergency shelter - permits ESG funds to be used to provide short-term emergency and transitional shelter in conventional housing owned by private sector landlords.
- Allows grantees to use funds beyond the current 24-month deadline for making expenditures.

Redirecting Funds

Can a homeless provider that has remaining grant funds that would be recaptured at the end of this year's grant term (2005) use those funds to pay for services for hurricane evacuees?

Projects have the flexibility to use remaining grant funds to provide eligible assistance to homeless hurricane evacuees, pending an extension approval by the field office, until December 31, 2005.

Changing Components

My project is serving disabled homeless persons in SHP permanent housing. Can I serve hurricane evacuees?

Projects that are designed to provide permanent housing can serve hurricane evacuees if the evacuees meet the standards of both homelessness and disability.

Emergency Shelter Grants (ESG) Program

Can homeless prevention funds be used to supplement rent, utilities or other services for hurricane evacuees?

No. Hurricane evacuees without housing resources are considered homeless and can be helped only under the ESG homeless activities of essential services, shelter. Individuals and families may receive prevention assistance if, as required by the statute, "... have received eviction notices or notices of termination of utilities services and if—

- (A) the ability of the family to make the required payments is due to a sudden reduction in income;
- (B) the assistance is necessary to avoid eviction or termination of services;
- (C) there is a reasonable prospect that the family will be able to resume payments within a reasonable period of time; and
- (D) the assistance will not supplant funding for pre-existing homeless prevention activities from other sources...."

There is a statutory limitation that no more than 30 percent of an ESG grant may be used for prevention and this requirement cannot be waived.

Can ESG prevention be used to provide transportation vouchers?

No. This would qualify as an essential service, not as prevention.

Under the ESG regulations, how does HUD define temporary housing? The grantee wants to provide housing assistance for 3-4 months.

HUD provides great flexibility to communities to identify emergency and transitional housing types. The regulations do not provide a specific time frame for temporary housing however, HUD's standard for temporary, short-term housing is four months

Can a city receiving ESG funds assist evacuees by providing housing outside its jurisdiction?

Yes, if there is no suitable shelter within the city's own boundaries and the city opts to use their ESG funds for evacuees. The "outside " jurisdiction must certify its approval for housing the evacuees.

Homeless Management Information Systems (HMIS)

Should persons displaced by the hurricane be entered into the HMIS if existing programs are serving them?

HUD is focused on ensuring that the survivors of the recent hurricanes who may be transported to CoCs around the country are served appropriately and as quickly as possible, and knows that many localities are seeking guidance on how best to coordinate the services being provided to these people. It is possible that HMIS systems already in place in many communities can provide the infrastructure needed to coordinate these important services in order to best serve persons displaced by the disaster. In those communities where an HMIS is operational, HUD expects that those served in existing programs will be entered into the HMIS in accordance with the community policies and procedures already in place for management of client data. Several communities we have spoken to have already added a field to their intake screen within the HMIS to indicate if the person is displaced due to the hurricane. HUD will post the zip codes for the hurricane-affected areas defined by FEMA on its [web site](#) and on www.hmis.info for use by communities in determining evacuee status.

SECTION 6: PUBLIC HOUSING AUTHORITIES REGARDING SERVICES AVAILABLE UNDER THE PUBLIC HOUSING AND VOUCHER PROGRAM (IN ADDITION TO THOSE AVAILABLE UNDER KDHAP)

I represent a Public Housing Authority (PHA) being approached by a tenant or Section 8 voucher recipient who has no documentation.

If the family arrives without any documentation, the PHA will obtain the name and SSN of the Head of Household that holds the voucher. The PHA will verify the current eligibility by calling the Real Estate Assessment Center (*this number is for PHA's only and not for individual tenants to call*) at 1-888-245-4860 and asking REAC to verify the family's participation. This number can also be used to answer other disaster-related policy questions. (Closed after 8:00pm EDT)

Can a PHA use its own existing available vouchers or public housing units to assist either displaced public housing or voucher participants affected by the disaster?

PHA may use its own existing available vouchers or public housing units to assist either displaced public housing or voucher participants affected by the disaster, provided it amends its Administrative Plan and/or Admissions and Continued Occupancy Policy (ACOP) to specify a preference for a disaster-affected family. The Board must approve the amendment. The Executive Director should have the amendment written to specify that families of federally declared disasters who are Section 8 voucher holders or public housing residents in another

jurisdiction will receive preference over other waiting list placeholders. Once written, and it need only be a few sentences, the PHA may convene a conference call with all the members of the board and ask the Board to approve the amendment. (Please note that it is HUD's recommendation that the PHA's Board not consider the amendment as "significant" to the Administrative Plan or ACOP. Should the Board consider the amendment as "significant" then a formal notice to the public must be prepared and public meeting advertised and held.) Once passed and recorded, the PHA may then immediately admit disaster victims using its own resources. Please remember that these are federal guidelines. PHAs must ensure that they have complied with individual state or local requirements above and beyond the federal requirements such as the Open Meetings Act or similar state law. Contact the Real Estate Assessment Center at 1-888-245-4860 for further inquiries (**this number is for PHAs only and not for individual tenants to call**) (Closed after 8:00pm EDT)

May PHAs use voucher administrative fees and administrative fee reserves to assist public housing displacees as well as voucher program displacees?

FY04 and FY 05 earned administrative fees by law cannot be used to assist public housing displacees and may only be used for voucher displacees. Pre-2004 PHA earned administrative fee reserves may be used to assist both public housing and voucher program displacees.

What happens if a voucher or public housing recipient is not the head of the household, and the head of the household is either missing or located somewhere else? What happens if additional family members are brought in with the initial family?

Remaining members of an assisted family are considered a family. As to additional members, a PHA can make the determination as to whether the members may be included in the family.

Where can owners call who want to make their properties available to public housing/HCV residents?

Owners should call the PHA in the jurisdiction.

Where can displaced families that need services get help?

Families should call FEMA, Salvation Army, or Red Cross. PHAs with ROSS or HOPE VI grants may also use such funds to provide supportive services.

Can PHAs or HUD offices have access to the PIC system to verify status?

PHAs and selected field offices have access to the PIC system. However, PHAs and HUD offices should call REAC at 1-888-245-4860 to obtain verification regarding the status of persons who indicate they are receiving housing assistance from a PHA. See guidance below.

How does a PHA determine if the family was an existing public housing or voucher program participant at a disaster-impacted PHA?

For current voucher participants and current public housing residents, the receiving PHA can call HUD at 1-888-245-4860 to verify that the family is a participant by matching the SSN or family name with PIC-50058 data. The resource center is only a resource to confirm public housing and voucher participants for non-functioning PHAs and can only verify information that is available in PIC.

For new families displaced by the disaster who were not receiving voucher or public housing assistance, it is expected that the family will need to provide the PHA with documentation that they are from the area impacted by the disaster. The FEMA webpage lists the impacted areas. The family is permitted to self-declare income and family status so admission is not delayed.

How will PHAs conduct income verification and rent determination for displaced families?

PHAs should use normal processes but are permitted to utilize tenant-supplied documentation or tenant declarations for up to 90 days before conducting a full income verification and rent determination

Will there be any relief from LIHTC requirements?

Treasury Department and IRS have waived the normal income requirements associated with the LIHTC program so that owners of tax credit properties can provide housing to victims of Hurricane Katrina who do not qualify as low-income. However, tax credit units that are also section 8 or public housing units must continue to abide by the low-income requirements of those programs. A link to the Treasury Department press release regarding this waiver can be found at: <http://www.treas.gov/press/releases/js2698.htm>

Is there going to be any additional funding available for additional office and salary expenses or for other unanticipated costs?

PHAs with operating subsidy or operating reserves can use those funds to pay for additional office and salary expenses or other unanticipated costs related to operating the PHA or its public housing projects. With regard to costs related to the section 8 program (or the public housing program for those PHAs without operating subsidy or reserve), the only funds available are the \$1.3 million in special administrative fees under PIH Notice 2005-18. HUD is developing the protocol for distributing these funds. These funds may also be used for security deposits, utility deposits, and transportation expenses related to relocation.

Can PHAs give a preference to public housing residents and voucher participants affected by the disaster?

Yes, PHAs with a voucher or public housing program are encouraged to adopt an admission preference for public housing residents and voucher participants displaced by the disaster. See guidance below.

Can PHAs give preference to disaster area residents who are not currently a Public Housing resident or voucher holder but who are determined program eligible?

Yes, the PHA may provide for an admission preference for unassisted disaster families.

May PHAs use their housing voucher program administrative fees to pay for security deposits, utility deposits, or transportation expenses for housing voucher families displaced by Hurricane Katrina?

Yes. PHAs may use funds from PHA administrative fees and PHA administrative fee reserves to assist housing voucher families displaced by Hurricane Katrina with security deposits, utility deposits, or transportation expenses relating to relocation. See KDHAP Section above for specific guidance on KDHAP eligible families.

What is the admissions process for a portable voucher family? Can a PHA choose not to issue vouchers to local applicants in order to absorb incoming portable voucher families from disaster areas? What is the admissions process for a portable voucher?

The assistance for a family affected by a disaster is administered by a receiving PHA under existing portability procedures. A PHA may always choose to use available voucher funding to absorb portability families and does not place these families on the waiting list first. See guidance below.

Should PHAs notify current voucher waiting list applicants of their intent to provide a local preference for voucher assistance to disaster-impacted families?

No. There is no HUD requirement for PHAs to notify waiting list applicants of changes in local preferences for admission to the voucher program. See guidance below.

Is HUD making funds available to private citizens who want to rehab housing for disaster victims?

No.

Can PHAs continue to make payments for homeownership units that were demolished or seriously damaged by the Hurricane?

Yes, PHAs may continue making payments under the homeownership option of the voucher program. The PHA may continue such payments while the family completes repairs with proceeds from its insurance policy or sells the property. A family cannot receive benefits as a renter and homeowner at the same time. Homeowner's with FHA-insured homes should contact their lender to determine what are the best options for the family.

May a PHA make housing assistance payments under a HAP contract without conducting an HQS inspection with the understanding that the inspection will be conducted at a later date?

No. By law, a PHA cannot make housing assistance payments until the unit is inspected and satisfies HQS. However, if a PHA wants to take the risk, it may allow a family to move into a unit in anticipation of the unit passing HQS. In such cases, the unit must be inspected and the HAP contract must be executed and retroactive payments made within a time period not to exceed 60 days.

Can PHAs provide lease terms of less than one year?

Yes, if shorter term is the prevailing local market practice and it will improve housing opportunities for the family.

Can a receiving PHA admit additional family members to a portable voucher family or must the family composition remain as it was under the disaster-impacted PHA's program?

The receiving PHA has the authority to approve the family composition for the incoming portable family

Is the PHA required to determine income eligibility for an incoming voucher family moving under portability?

No. If a family is a voucher participant, the receiving PHA does not determine income eligibility. However, for a portable family that was issued a voucher but never leased a unit, the family must be determined income eligible in the receiving PHA's jurisdiction (e.g., the receiving PHA's income limits are applicable).

May the receiving PHA bill? How does the receiving PHA submit billing information and receive billing reimbursement for non-functioning PHAs?

Receiving PHAs that assist incoming disaster portability families may bill for HAP and 80% of the receiving PHA's on-going administrative fee. HUD will soon establish a portability billing processing system to cover the role of the initial PHA for non-functioning PHAs.

What is the process for assisting an incoming voucher family porting from the disaster impacted area?

If the initial PHA is functioning, the receiving PHA will contact that PHA and follow the normal portability procedures. If the family is from an initial PHA that is non-functioning, the receiving PHA will contact REAC at 1-888-245-4860 and request verification of family participation. See guidance below.

Will HUD provide relief (i.e., exempt PHAs) from the requirements of SEMAP for PHAs affected by the hurricane?

Yes. HUD will issue a notice identifying the conditions pursuant to which PHAs may request a waiver for exemptions from SEMAP. The notice will also provide some consideration for non-affected PHAs holding vouchers back for a limited period of time to assist displaced families.

Are PHAs required to post changes to its administrative policies?

Yes. Preferences and other such policies must be posted in the PHA's admission office and provided to residents, upon request. Such actions need not occur before the disaster victims are admitted to the public housing program.

Can a PHA temporarily house over-income disaster victims in a public housing unit and temporarily hold off on housing eligible applicants on the waiting list?

No, the Department's first priority is to assist existing public housing and voucher program participants who have been affected by Hurricane Katrina. The only exception is for PHAs with less than 250 units. Such PHAs may, on a monthly basis, lease a unit in a public housing project to an over-income disaster family, but only if there are no eligible families applying for housing assistance for the PHA for that month and the PHA provides not less than a 30-day public notice of such assistance. If the unit is vacant and there is no one on the waiting list, the PHA may allow an over-income family to gain immediate occupancy in the unit while simultaneously providing reasonable public notice and outreach with regard to the availability of the unit. For PHAs with more than 250 units, vacant public housing units can be temporarily deprogrammed and made available for temporary occupancy by disaster victims without regard to income. These units would not receive operating subsidy during the period which they are deprogrammed for use by disaster victims.

Should PHAs notify current public housing waiting list applicants of their intent to provide a local preference for voucher assistance to disaster-impacted families?

If the PHA's waiting list is closed, the PHA needs to open the waiting list to accept applications only from disaster victims. The PHA must notify applicants on the waiting list of the change in preference categories. This can be done by publication of a notice in the newspaper. PHAs must use best efforts to implement notification to all tenants but such actions should not delay addressing urgent housing needs.

What about standards for terminating or evicting, when a PHA may not be able to get landlord, credit or criminal background checks for awhile?

There is no change to the standards for terminations or evictions. However, PHAs may need to change their standards for criminal record and rent history verifications. Because of the national emergency, NCIC is making some exceptions to policy to help the states accommodate identification of the evacuees. The states will be able to make queries to request criminal histories (RAP sheets). These will return criminal history from all states. Local and state law enforcement officials are able to submit such queries. Contact William McKenzie, FBI/NCIC, at 304-625-2800 for additional assistance.

May PHAs use their capital funds to pay for security deposits, utility deposits, or transportation expenses for displaced public housing residents?

Yes. PHAs may use capital funds for relocation costs for public housing residents if they are related to the potential future modernization or demolition or development of public housing units. To the extent that the family's accommodations require higher security deposits, the additional deposit can be paid from capital funds. In addition the costs of moving public housing families and their belongings also may be paid from capital funds.

Can tenants stay in water damaged public housing units?

No, it is not safe to stay in homes that have been flooded. See <http://www.hud.gov/news/release.cfm?content=pr04-087.cfm>

Can PHA staff volunteer?

PHA employees can on their own time (e.g., weekends, annual leave) volunteer their services to another PHA. The receiving PHA can use operating subsidy to pay the volunteers a nominal fee and to provide reasonable benefits (e.g., shelter, food) in connection with the volunteer activities

Can PHAs donate goods and service to relief efforts?

Under applicable cost principles PHAs cannot use grant funds as part of a contribution or donation. PHAs cannot simply donate services, goods, or labor to another PHA without remuneration. A PHA cannot use its funds for expenditures for another PHA because the use of the funds must be in connection with its projects and public housing families. There are no provisions that would exempt disaster relief from this prohibition. PHAs that want to provide services of their staff, goods or equipment can do so under the following conditions. The "sending" PHA and "receiving" PHA should enter into an agreement to cover issues related to costs. The agreement should set out which agency will pay for travel costs and other related costs (shelter, food, etc.). The receiving PHA should provide remuneration to the sending PHA for the services, goods and labor. The agreement should cover how such costs would be allocated.

Will HUD give consideration on the vacancy PHAS performance rating to PHAs who hold their current vacant units for a period of time in anticipation of housing displaced families?

Yes. HUD will issue a Notice identifying the basis for exempting PHAs affected by the disaster from PHAS rating for FY 2005 and will provide some consideration for non-affected PHAs holding back units for a limited period of time to assist displaced families.

What are HUD's PHA procurement policies to meet disaster needs?

A. 24 CFR 85.36 permits PHA to procure from single source through noncompetitive proposals. PHA can use single source when award is infeasible under small purchase, sealed bids or competitive proposals and item is available only from single source or public exigency or emergency for the requirement will not permit a delay from competitive solicitation. PHAs must maintain in their files, however, rationale of the single source proposal and cost analysis, i.e., proposed cost data, cost projections, evaluation of specific elements of cost and profits. Labor costs are what they are if you can find people to do the work.

Can ROSS funds currently under NOFA be redirected to PHAs providing assistance to families impacted by Katrina for services such as counseling, transportation, and food?

No. ROSS funds must be used for supportive service activities for their public housing residents and that the PHA applied for and that were approved in their grant agreement. Food is an ineligible item in ROSS grants.

Can some of the ROSS funds currently under NOFA be redirected for housing assistance?

No. The appropriation language will not allow ROSS funds to be used for housing assistance

Can the FY 2005 funds that have not been awarded yet be directed towards PHAs involved in the Katrina relief effort?

No. Any change to permit other PHAs to apply would require another notice and competition

Can the ROSS coordinator help PHA residents?

Yes.

Some PHAs are already ROSS grantees; can HUD add funds to their grants for this purpose?

No. The PHAs competed for a set amount and HUD cannot award them funds beyond that amount.

May HUD waive security deposits in Public Housing for disaster victims?

No HUD waiver is required. The PHA has the option to eliminate security deposits for public housing families that are disaster victims.

Should all referrals be made to FEMA, whether or not housing assistance is provided?

Yes. Have all families contact FEMA at the toll free number 1-800-631-FEMA.