

# FAQs ABOUT THE AMERICAN RESCUE PLAN'S EMERGENCY HOUSING VOUCHERS

**Q1: Since these vouchers are called “Emergency Housing Vouchers,” does that mean that survivors can only be eligible if they are in a crisis or an emergency situation related to the violence they experienced?**

**A:** No. The vouchers are called “Emergency Housing Vouchers” because they were created by Congress in response to the COVID-19 pandemic. The term “emergency” is not related to the survivors’ experience with violence

**Q2: Is there a citizenship requirement for EHV’s?**

**A:** The EHV’s have the same citizenship and immigration status requirements as the Housing Choice Voucher program (also known as “Section 8”). Therefore, applicants must either be a U.S. citizen/U.S. national or an “eligible immigrant”. Eligible immigrants are defined as:

- VAWA Self-petitioners;
- Asylees and refugees;
- Parolees;
- Persons granted withholding of removal/deportation;
- Persons fleeing or attempting to flee human trafficking
- Individuals residing in the U.S. under Compacts of Free Association with the Marshall Islands, Micronesia, and Palau; and
- Immigrants admitted for lawful temporary residence under the Immigration Reform & Control Act of 1986.

What this means is that each applicant household must have at least one member who is a U.S. citizen OR an eligible immigrant. The U.S. citizen or eligible immigrant can be a minor child. Mixed-status families, or households where there are eligible and ineligible members based on their immigration statuses, can live together while the household receives EHV assistance. However, the EHV assistance of the mixed-status family/household will be prorated (or decreased) to take into account the ineligible household members.

## Acronym Guide

**EHV** = Emergency Housing Voucher

**CoC** = Continuum of Care

**PHA** = Public Housing Agency

**HUD** = U.S. Department of Housing and Urban Development

**HAP** = Housing Assistance Payments

**VSP** = Victim Service Providers

### Q3: How can undocumented survivors be qualified?

**A:** Survivors must be either a U.S citizen or an “eligible immigrant”. The “eligible immigrant” categories are listed in question 2.

### Q4: Are DACA recipients eligible for EHV?

**A:** Recipients of Deferred Action for Childhood Arrivals (DACA) are NOT eligible for EHV, based on their immigration status. However, DACA recipients can be part of a mixed-status family/household that receives an EHV and has their voucher assistance prorated (or decreased). For more information, see question 2.

### Q5: Do individuals need to be employed when applying for the EHV?

**A:** No. According to [HUD’s EHV Notice](#) on page 34, PIH Notice 2021-15, "In conformance with normal program rules, PHAs may not deny admission to a family with zero income and must consider hardship circumstances before charging a minimum rent."

### Q6: Is there an age limit to receive an EHV?

**A:** To be eligible for an EHV, an applicant household must have at least one person who is 18 years old, per the [HUD EHV FAQs released on June 2, 2021, Question 10](#)

### Q7: Will people be required to stay in a shelter first or can they transition directly from an unstable living situation to an apartment with their EHV?

**A:** For survivors of trafficking, domestic violence, sexual assault, dating violence, and stalking, no shelter stay is required to be eligible for EHV.

### Q8: Are individuals with criminal records eligible for EHV?

**A:** Yes, HUD has waived a number of requirements related to criminal records, to help expand access to survivors and individuals experiencing homelessness with criminal histories. **The only mandatory prohibitions of admissions for EHV applicants are:**

1. If any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
2. If any member of the household is subject to a lifetime registration requirement under a State sex offender registration program.

PHAs also have **permissive prohibitions** of admissions on certain grounds. However, if a PHA uses these permissive grounds to deny an applicant access to an EHV, then the determination must be made based on an **individualized assessment of relevant mitigating information**. The permissive prohibitions are:

1. If the PHA determines that any household member is currently engaged in, or has engaged in within the previous 12 months:
  - Violent criminal activity.
  - Other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity.
2. If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program within the previous 12 months.
3. If the family engaged in or threatened abusive or violent behavior toward PHA personnel in the last 12 months

**PHAs are PROHIBITED from denying admission for EHV applicants on these grounds:**

- Any member of the family has been evicted from federally assisted housing in the last five years or a PHA has ever terminated assistance under the program for any member of the family.
- The family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance.
- The family has not reimbursed any PHA for amounts paid to an owner under a Housing Assistance Payments (HAP) contract for rent, damages to the unit, or other amounts owed by the family under the lease.
- The family breached an agreement with the PHA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA.
- The family would otherwise be prohibited admission under alcohol abuse standards established by the PHA.
- The PHA determines that any household member is currently engaged in or has engaged in during a reasonable time before the admission, drug-related criminal activity.

**Q9: Can the local CoC limit eligibility?**

**A:** Generally speaking, CoCs should not be creating additional barriers for individuals and families to access these vouchers, unless doing so is permitted by HUD's EHV Notice, PIH Notice 2021-15. Additionally, CoCs, PHAs, and other community stakeholders should determine the prioritization of the EHV among different eligible populations. CoCs will need to send over a sufficient amount of referrals for the EHV according to that determined prioritization, so that if there are not enough vouchers for all eligible populations in the community, the Coordinated Entry System will not send over anyone. It is important to remember that it is not just the CoC that should be determining the prioritization, but rather a community-wide conversation with stakeholders. Anti-trafficking programs are highly encouraged to work with their area CoCs to inform them about the need for trafficking survivors to access EHV and educate them about the dynamics of human trafficking.

**Q10: Will an applicant who qualifies for multiple eligibility categories (for example, a trafficking survivor experiencing homelessness) be given higher priority?**

**A:** HUD does not require this kind of prioritization for EHV's. However, PHAs can create a local preference that allows for this type of prioritization. If PHAs want to create a system of local preferences to administer their EHV's, these preferences must be developed in consultation with the area CoCs, referral partners, and other community stakeholders. The preferences must also not prohibit admissions from any of the four qualifying categories of eligibility. Other HUD guidance on local preferences is on pages 28 and 29 of the [EHV Notice, PIH Notice 2021-15](#),

**Q11: Is there a number of EHV's available based on the state, such as considering the population size of the state?**

**A:** The EHV allocation process is described in depth on pages 3 to 7 of HUD's EHV Notice, [PIH Notice 2021-15](#)

**Q12: How can I find out if my local PHA has EHV's?**

**A:** HUD has provided a list of the PHAs that have accepted EHV's. This list can be found on HUD's [EHV website](#) ("*List of EHV Awardees*")

**Q13: Will there be a standardized referral form for victim service providers to use to submit to PHAs?**

**A:** HUD has provided [a template certification](#) form that referring victim service providers (VSPs) can customize and submit to PHAs to certify survivors' eligibility. (Attachment #4)

**Q14: Are PHAs responsible for inspections and documentation from landlords and payment as the ones administering the EHV's?**

**A:** Yes. PHAs can contract out these responsibilities, but the PHAs are ultimately the responsible entities for inspections and documentation.

**Q15: How do long waiting lists for Section 8 vouchers affect accessing EHV's?**

**A:** HUD is requiring that PHAs establish new waiting lists for EHV's that are separate from the Section 8 Housing Choice Voucher waiting lists. This means that individuals and families applying for EHV's will not be subject to the existing Section 8 voucher waiting list times. The hope is that these EHV's will be provided to eligible individuals and families relatively quickly.

**Q16: Is the EHV a lifetime voucher similar to the Section 8 vouchers?**

**A:** Essentially, but with two caveats. If an individual or family leaves the program after September 30, 2023, the EHV cannot be reissued to a new family. Additionally, the American Rescue Plan only provided funding for the EHV until 2030. However, HUD is saying that individuals and families should use the EHV like a regular Section 8 Housing Choice Voucher.

**Q17: If an individual obtains an EHV, do they automatically get removed from the Section 8 waiting list?**

**A:** An individual/family that was on a Section 8 HCV waiting list and receives the EHV should be removed from the HCV waiting list. HUD is advising applicant households to use EHV like regular housing vouchers.

**Q18: Should anyone housed with an EHV anticipate that the voucher will last until 2030?**

**A:** Yes, HUD is saying that individuals and families should use the EHV like a regular Section 8 Housing Choice Voucher and possibly even after 2030.

**Q19: What is the timeline for when EHV will be available?**

**A:** PHAs will be able to start issuing these vouchers on July 1, 2021. Hopefully, starting July 1, HUD, PHAs, CoCs, and other referral partners will provide more information on how individuals and families can apply for EHV.

**Q20: Is there an effort going on within all PHAs to train about EHV?**

**A:** Yes! Please contact your local HUD office to learn more. Upcoming HUD EHV Office Hours and relevant webinars are also available on HUD's [EHV website](#).

**Q21: Can a PHA use the entire \$3,500 services fee per EHV for only owner/landlord incentives?**

**A:** Likely no. HUD's EHV Notice, PIH Notice 2021-15, is clear that housing search assistance is required and must be funded. These housing search assistance activities, as described in the EHV Notice, should directly benefit the families that receive the EHV (e.g. helping a family identify and visit potentially available units during their housing search, helping to find a unit that meets the household's disability-related needs, providing transportation and directions, assisting with the completion of rental applications and PHA forms, helping to expedite the EHV leasing process for the family). By contrast, the owner/landlord incentive is listed in the EHV Notice as a separate, optional eligible use.

### **Additional Resources:**

#### **[HUD's EHV website](#)**

This website includes a list of the PHAs that have accepted EHV's as well as HUD's EHV FAQs, which are updated on a regular basis. The website also provides information on upcoming HUD EHV Office Hours and related webinars.

#### **[HUD's EHV Notice re: Operating Requirements](#)**

This resource provides information about the process HUD is using to allocate EHV's to PHAs.