

Attachment 4

Wake County Rental Assistance Housing Program (RAHP)

Basic Procedures and Requirements

I. Overview

A. Basic Requirements

The Wake County Rental Assistance Housing Program (RAHP) serves vulnerable individuals and families in need of Permanent Supportive Housing (PSH) which combines rental subsidy with tenancy support services to maximize housing stability, improve economic opportunity and prevent returns to homelessness. RAHP requirements do not establish an upper limit for the number of persons receiving tenancy support services through RAHP that can or might live in any project. Vulnerable persons who can afford the rent and/or have rental assistance should be encouraged to apply to the project as any other tenant without being referred.

Projects are not required to provide onsite supportive services or a services coordinator, and participation in supportive services is voluntary and not a condition of tenancy.

II. Roles and Responsibilities

A. Wake County

Wake County RAHP agree to act as the program administrator, tenancy support provider, care coordinator or referral agent for the range of community services available to tenants participating in RAHP in their communities. Wake County RAHP will also ensure program compliance and administer rental subsidy on behalf of the tenant.

Should a program participant fail to comply with the terms and conditions of the annual lease and vacate a unit, Wake County may issue a vacancy payment pro-rated up to the amount of one month's rent. Should a unit leased by a program participant sustain damages, Wake County may issue a damage payment up to the amount of one month's rent for incurred cost above those covered by the Security Deposit amount. Proof of damages and related costs must be documented by Management. At a maximum, Management may receive an amount that equals up to three months of rent to cover Vacancy payment, Damage payment and Security Deposit should a program participant fail to comply with the terms of the annual lease.

Individual property managers (Management) may develop their own working relationships with the local services community; however, to minimize Management involvement with individual service needs, RAHP staff may act as the point of contact with the Management over the life of the project, and to represent the tenant in dealings with Management and/or the local service system.

B. Tenant

The prospective tenant will complete an application for tenancy and any other documentation required by Management, including information required for the verification of income. Once tenancy has been established, the tenant must fulfill the obligations of tenancy and provide annual information required for verification of income. The tenant may be responsible for his/her own application fee, security deposit and share of the monthly rent. The tenant will also be required to fulfill the obligations of Wake County RAHP.

C. Management

Management is responsible for qualifying the applicant and will screen each referral, applying the same criteria used for all other applicants. If Wake County or Department of Housing and Urban Development assistance will be utilized, these funding sources' eligibility also applies. Referred households must be program eligible (income, other required status depending on the type of rental subsidy) and project eligible (elderly, non-elderly, household size, credit worthy, criminal background, rental history, etc.). Management will notify the applicant and Wake County staff as to whether the household's application is approved or rejected (reason must be disclosed). If the household doesn't meet the project's screening criteria, Management will consider requests for Reasonable Accommodations. Reasonable Accommodations may include but are not limited to:

- (1) permission to keep a service or emotional support animal in a person's unit/bed space without having to pay an extra deposit or monthly fee; or
- (2) rescinding a lease termination notice when the reason for the termination is behavior related to the individual's disability for which the individual is receiving treatment.

However, the Fair Housing Act does not protect an individual with a disability whose tenancy would constitute a "direct threat" to the health or safety of other individuals or result in substantial physical damage to the property of others unless the threat can be eliminated or significantly reduced by reasonable accommodation.

Other requirements of Management:

- notify the Wake County RAHP prior to commencement of pre-leasing or upon receipt of notice of intent to vacate a Wake County set-aside unit;
- include a section on Reasonable Accommodation in the application for tenancy;
- notify RAHP staff of vacancy and hold unit open for referrals for the required timeframe (described in Section IV(A));
- permit an annual inspection of each RAHP unit;
- enter into an annual vendor contract with Wake County to receive rental subsidies, vacancy payments, deposits, and/or damage payments;

- execute all pertinent documents to create a valid tenancy with the tenant (annual lease);
- identify units with Wake County referrals and Wake County assistance in the Rental Compliance Reporting System, contact Wake County Rental Assistance Housing Program with questions regarding a voucher unit household's application;
- contact Wake County about any issues that may arise during the tenancy.

III. Targeted Populations

Projects funded with Wake County resources have various mechanisms to ensure Wake County RAHP units are affordable to vulnerable populations in need of permanent supportive housing. In these projects, targeted populations may include: the formerly homeless, persons with disabilities (mental, developmental, physical), persons with HIV/AIDS, veterans and/or youth who have aged out of foster care (up to age 25).

A. Eligibility for a Wake County Voucher Unit

Wake County RAHP units may only be occupied by persons referred through the Wake County Rental Assistance Housing Program. "Walk-ins" may reveal that they have a disability or are homeless, but if the person has not been referred, the household does not count towards the required number of Wake County RAHP units. Wake County RAHP participates in the Continuum of Care's coordinated entry system.

B. Household Composition Policy

Household composition is governed by the persons listed on the application for rental assistance. No person(s) other than those listed on the application for rental assistance and the lease shall live/stay in the residence other than on a temporary basis, not to exceed 30 days, in a calendar year. Program participants must promptly inform Wake County RAHP of the birth, adoption, court-awarded custody or guardianship of a child or adult. Program participants must receive prior approval from Management and Wake County RAHP to add any additional persons to the household.

For program participants, members of any household who were living in a unit assisted with Wake County RAHP rental assistance at the time of a qualifying participant's eviction from the unit because the qualifying member was found to have engaged in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking, have the right to rental assistance under this section until the expiration of the lease in effect at the time of the qualifying participant's eviction.

C. Surviving Household Members

In some instances, surviving members of a household who are living in a Wake County RAHP unit at the time of a qualifying participants death may be eligible for continued housing assistance and supportive services under RAHP until the expiration of the lease in effect at the

time of the qualifying participant's death, but may not exceed one year from the death of the qualifying participant. The Wake County RAHP shall notify the household of the duration of their eligibility and may assist the household with information on other available housing programs and/or relocation expenses.

D. Caregivers and Live-in Aides

Tenants that require caregivers or live-in aides are eligible for Wake County RAHP units. All caregivers that reside in the unit should be screened for criminal history eligibility; however, caregivers should be screened for credit eligibility only if they are responsible to pay rent, in which case the caregiver is a member of the household and their income is included in the total household income for income qualification and rent determination purposes.

The income of a live-in aide is not included in the household income and such individuals should not be screened for credit eligibility. Live-in aides qualify by being able to document the following:

- • is essential to the care and well-being of the person with disabilities,
- • is not obligated to support the household, and
- • would not be living in the unit except to provide the necessary assistance and supportive services.

Relatives may qualify as live-in aides, but must meet the above requirements, and documentation is essential.

Leases or lease addendums should deny occupancy of the live-in aide if the qualifying household member moves from the unit, or the live-in aide violates any rules established by the development.

IV. Processing Referrals to Wake County RAHP Units

A unit only qualifies as a Wake County RAHP unit if occupied by a household referred by Wake County RAHP. Units otherwise occupied by persons who are formerly homeless, have disabilities, are HIV positive, veterans or are recently released from foster care do not count towards the required number of Wake County RAHP units.

A. Rent-Up and Unit Mix

Management is responsible for contacting Wake County RAHP prior to commencement of pre-leasing. Working with Wake County RAHP early on will facilitate compliance and avoid delays in referrals and occupancy.

1) The required number of Wake County RAHP units will be held open for referrals for the lesser of thirty (30) days after the first Certificate of Occupancy or until the project meets the requirement.

2) After initial lease-up, if a Wake County RAHP unit is vacated, vacancies must be held open for referrals for a period of thirty (30) days starting when Wake County RAHP receives notice of the vacancy from Management. A vacancy payment may be pro-rated during this thirty (30) day period until the unit is rented.

3) If a Wake County RAHP participant vacates a unit, and the unit suffers damage, Wake County RAHP will make a damage payment to cover incurred cost above those covered by the Security Deposit. Proof of damages and related costs must be documented by Management. At a maximum, Management may receive an amount that equals up to three months of rent to cover Vacancy payment, Damage payment and Security Deposit should a program participant fail to comply with the terms of the annual lease.

Management should not designate which units are going to be Wake County RAHP units prior to receiving referrals and should attempt to avoid concentrating the program units into one building.

B. Fair Market Rent

Rental assistance may only be provided if the total rent for the unit does not exceed the fair market rent standard(FMR) established by HUD for the Raleigh, NC MSA and complies with HUD's standard of rent reasonableness, or the project's proposed 60% AMI rent level, whichever is lower. Rent reasonableness will be determined by the Wake County Rental Assistance Housing Program in accordance with 24 CFR 982.507. Fair Market Rents are determined by unit bedroom size and are updated annually in the Spring. At the time of the release of this RFP, Fair Market Rents for the Raleigh Metropolitan Area are as follows:

FY 2019 Fair Market Rent by Unit Bedrooms					
Year	Efficiency	One-bedroom	Two-bedroom	Three-bedroom	Four bedroom
FY 2019	\$846	\$949	\$1,086	\$1,396	\$1,764
FY 2020	To be released in Spring 2019				

In addition, rental assistance will only be provided if the units meet HUD Housing Quality Standards (HQS) and comply with lead-based paint requirements (24 CFR 574.635). Fire Protection Regulations and local codes also apply.

C. Waitlists

Wake County RAHP will maintain waiting lists for program participants and will refer waitlisted persons to property management during initial lease up, based upon the required number of Wake County RAHP units. During and after rent-up, Wake County RAHP unit referrals must be moved in first regardless of chronological order of the general waiting list until all Wake County RAHP units are occupied with referrals. Management must notify Wake County RAHP of

vacancies as they occur, regardless of unit size or income targeting, until the total number of Wake County Voucher units are occupied by referred households.

D. Federal project-based assistance

Leasing and occupancy rules enforced by the provider of federal PBRA may supersede these procedures and requirements for such units.

E. Rehabilitation projects

Households who were relocated as part of a rehabilitation of the project have first priority to return regardless of disability status; however, returning or existing tenants cannot occupy Wake County RAHP units unless enrolled in the program. Management should notify Wake County RAHP of units not filled by returning or existing tenants and accept referrals from Wake County RAHP until the required number of Wake County units are filled.

V. Fair Housing and Equal Opportunity

Wake County complies with the non-discrimination and equal opportunity provisions of Federal civil rights laws as specified at 24 CFR 5.105(a), including, but not limited to the following:

- Fair Housing Act
- Section 504 of the Rehabilitation Act
- Title VI of the Civil Rights Act
- Title II of the Americans with Disabilities Act
- HUD's Equal Access Rule

A. Affirmatively Furthering Fair Housing

Wake County RAHP has non-discrimination policies in place and conducts assertive outreach to people least likely to engage in the homeless system. Wake County RAHP markets housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or disability; and, provides program applicants and participants with information, in writing, on their rights and remedies under applicable federal, state, and local fair housing and civil rights laws.

B. Integration and Accessibility (Fair Housing and Equal Opportunity)

Wake County RAHP offers housing rental assistance and tenancy support services that must be offered in an integrated manner, such that persons may enjoy a meaningful life within the community. Wake County RAHP offers housing rental assistance and tenancy support services to enable individuals with disabilities to interact with nondisabled persons to the fullest extent possible.

C. Discrimination Based on Actual or Perceived Gender

HUD's Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Final Rule (Equal Access Rule) requires that HUD's housing projects be made available

to individuals and families without regard to actual or perceived sexual orientation, gender identity, or marital status. The rule defines “gender identity” to mean “actual or perceived gender-related characteristics.” The final rule also prohibits owners and administrators of HUD-assisted or HUD-insured housing, approved lenders in an FHA mortgage insurance program, and any other recipients or subrecipients of HUD funds from inquiring about sexual orientation or gender identity to determine eligibility for HUD-assisted or HUD-insured housing.