



January 6, 2021

HCV PROGRAM NEWS

HUD Restricts Participation in Mobility Demonstration and MTW Expansion

Today in the *Federal Register*, the Department of Housing and Urban Development ([HUD](#)) published a [notice](#) to partially restrict participation in both the HCV mobility demonstration program and the Moving to Work (MTW) demonstration expansion program. According to the notice, these restrictions are necessary to ensure the integrity of the evaluations of both demonstrations required by Congress. Generally, PHAs may apply to all cohorts of the MTW expansion and also apply to the HCV mobility demonstration. However, HUD will restrict participation for PHAs selected for both programs as follows:

Cohorts #1 and #5

PHAs selected for cohorts #1 and #5 (MTW flexibilities) may participate in both the HCV mobility demonstration and the MTW expansion. However, the following MTW flexibilities may not be implemented without the express written permission of HUD: work requirements, vacancy loss, damage claims, other landlord incentives, prequalifying unit inspections, reasonable penalty payments, term limits, tenant payment as a modified percentage of income, fixed subsidy, initial rent burden, and imputed income activities. MTW flexibilities related to short-term assistance and increasing the Project-Based Voucher (PBV) program cap may be implemented as long as HUD provides prior approval. Additionally, these agencies may not make family self-sufficiency or other MTW self-sufficiency programs mandatory.

Cohorts #2, #3, and #4

PHAs may not participate in both the HCV mobility demonstration and cohorts #2 (rent reform), #3 (work requirements), or #4 (landlord incentives) of the MTW expansion.

- If a PHA is selected for both cohort #2 (rent reform) and the HCV mobility demonstration, the PHA must choose which demonstration to participate in and withdraw from the other one within 21 calendar days of its selection for both programs.
- If a PHA has already been selected for the HCV mobility demonstration, it may not apply for cohort #3 (work requirements) or cohort #4 (landlord incentives). If the selections for the HCV mobility demonstration have not been made by the application due date for these cohorts, PHAs may apply, however, if a PHA is selected for either cohort, it must choose between the mobility demonstration or the MTW cohort within 21 calendar days of its selection for both programs.

Today' notice also provides two minor technical corrections to definitions provided in the Mobility Demonstration implementation [notice](#) issued on July 15, 2020.

GENERAL NEWS

PIH Issues Notice on Use of Expired Guidance

Yesterday HUD's Office of Public and Indian Housing ([PIH](#)) issued Notice [PIH 2021-01](#) to inform PHAs that it will update certain guidance documents to remove their expiration date consistent with PIH standard practice.

Executive Order 13891, "Promoting the Rule of Law Through Improved Agency Guidance Documents" requires federal agencies to review and archive obsolete or expired guidance to reduce compliance burdens, promote regulatory analysis, and reduce administrative due process. According to the notice, as part of HUD's review and archiving of expired guidance, PIH realized that the following guidance documents that remain essential for PIH program operations unintentionally expired:

- Required Cash Management and Investment Policies (1996-33)
- Implementing PHAS (2011-13)
- FSS Child-Only Welfare Grants (2007-20)
- FSS Size Exceptions (1997-45)
- PHA Police Departments (1995-58)
- Mixed-Finance of Operating-Fund Only Projects (2004-5)
- Resident Advisory Boards (2000-36)
- Lease Terminations (2009-18)
- IMS/PIC Reporting and Validation (2011-7)
- EPC notice (2008-22 and 2009-16)
- Integrated Pest Management (2006-11)
- Renewal Mod Rehab HAP Contracts (1998-62)
- Revised ACC for Mod Rehab Program (1999-47)
- Mod- Rehab Renewal (2001-13)
- Technical Corrections on Mod-Rehab HAP Contracts (2001-24)
- Financial Management of Mod-Rehab (2001-29)
- Designated Housing (2005-2)
- Enhanced Vouchers for Conversions (2001-41)
- Operating Fund Financial Management Supplement (2007-9)

To allow for continued use of the above referenced guidance documents while they undergo further updates, today's notice replaces the expiration dates with the following standard language: "This notice remains in effect until amended, superseded, or rescinded."



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