

## Housing Authority of Travis County

502 East Highland Mall Blvd.,  
Suite 106-B  
Austin, Texas 78752

T : (512) 480-8245  
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HATC Action Item 4C  
September 1, 2016

**Resolution No. HATC 2016-19:** To Amend the Housing Choice Voucher (HCV) Administrative Plan to only enter into Housing Assistance Payment (HAP) Contracts with Landlords on specified dates

**WHEREAS,** The HATC Housing Choice Voucher (HCV) Administrative Plan provides a framework for the management and administration of the HCV Program; and

**WHEREAS,** Periodic amendments to HATC Board-adopted Plan are necessary in order to accommodate legislative changes, and in consideration of current trends and best practices; and

**WHEREAS,** Establishing specific dates for HAP Contracts to be conferred will result in greater staff efficiency, and cost savings for the overall Voucher Program.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of HATC hereby:

1. Approves Resolution No. HATC-2016-19,
2. Authorizes the CEO/Executive Director to execute all necessary documents and extensions.

**Passed and approved the 1<sup>st</sup> day of September 2016.**

  
John Hernandez, Chair, Board of Commissioners

**Attested and approved as to form:**

  
Patrick B. Howard, CEO/Executive Director



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STRATEGIC HOUSING  
FINANCE CORPORATION  
of TRAVIS COUNTY

### HATC Action Item 4C September 1, 2016

**Resolution No. HATC 2016-19:** To Amend the Housing Choice Voucher (HCV) Administrative Plan to only enter into Housing Assistance Payment (HAP) Contracts with Landlords on specified dates.

#### Background Information:

Currently, HATC does not have a limitation defined for acceptance of Housing Assistance Payment (HAP) Contracts. Because there are no limitations, HATC provides rental subsidies to two landlords for one tenant who moves to another unit during the same month, which results in a quicker depletion of housing choice voucher funds. Consequently, fewer families are offered vouchers.

This proposed amendment would establish a framework whereby HATC would only enter into a HAP Contract with landlords on the 1<sup>st</sup> and 15<sup>th</sup> of the month.

Associated Reference: 24 CFR 982.311 - *When Assistance Is Paid*

#### Requested Action:

Consideration and appropriate action regarding Resolution No. HATC-2016-19, To Amend the Housing Choice Voucher (HCV) Administrative Plan to only enter into Housing Assistance Payment Contracts with Landlords on specified dates.

#### Alternate Option:

The Board of Commissioners could elect to Not Amend the Housing Choice Voucher (HCV) Administrative Plan to only enter into Housing Assistance Payment Contracts with Landlords on specified dates, and continue to enter into HAP contracts with landlords on any day of the last month of tenant's previous lease.

#### Fiscal Impact:

Entering into contracts on the 1<sup>st</sup> and 15<sup>th</sup> would result in cost savings in the Voucher Program, and thus creating more opportunity to provide vouchers to more families on the Waiting List.

Since HUD pays an Administrative Fee for every file leased on the 1<sup>st</sup> of the month, HATC anticipates receiving an increase in Administrative Fees.

Additionally, the proposed amendment would alleviate staff's workload by processing contracts more quickly and efficiently and reduce the number of adjustments that are processed monthly.



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**Attachments:**

- A. 24 CFR 982.311
- B. Proposed Amended Administrative Plan Excerpt

**Prepared by:**

Christina Montes, *Director of Housing Operations*

**Approval:**

A handwritten signature in blue ink that reads 'Patrick B. Howard'.

Patrick B. Howard, *CEO/Executive Director*



STRATEGIC HOUSING  
FINANCE CORPORATION

of TRAVIS COUNTY

## ELECTRONIC CODE OF FEDERAL REGULATIONS

e-CFR data is current as of August 22, 2016

Title 24 → Subtitle B → Chapter IX → Part 982 → Subpart G → §982.311

Title 24: Housing and Urban Development

PART 982—SECTION 8 TENANT-BASED ASSISTANCE: HOUSING CHOICE VOUCHER PROGRAM

Subpart G—Leasing a Unit

**§982.311 When assistance is paid.**

(a) *Payments under HAP contract.* Housing assistance payments are paid to the owner in accordance with the terms of the HAP contract. Housing assistance payments may only be paid to the owner during the lease term, and while the family is residing in the unit.

(b) *Termination of payment: When owner terminates the lease.* Housing assistance payments terminate when the lease is terminated by the owner in accordance with the lease. However, if the owner has commenced the process to evict the tenant, and if the family continues to reside in the unit, the PHA must continue to make housing assistance payments to the owner in accordance with the HAP contract until the owner has obtained a court judgment or other process allowing the owner to evict the tenant. The PHA may continue such payments until the family moves from or is evicted from the unit.

(c) *Termination of payment: Other reasons for termination.* Housing assistance payments terminate if:

- (1) The lease terminates;
- (2) The HAP contract terminates; or
- (3) The PHA terminates assistance for the family.

(d) *Family move-out.* (1) If the family moves out of the unit, the PHA may not make any housing assistance payment to the owner for any month after the month when the family moves out. The owner may keep the housing assistance payment for the month when the family moves out of the unit.

(2) If a participant family moves from an assisted unit with continued tenant-based assistance, the term of the assisted lease for the new assisted unit may begin during the month the family moves out of the first assisted unit. Overlap of the last housing assistance payment (for the month when the family moves out of the old unit) and the first assistance payment for the new unit, is not considered to constitute a duplicative housing subsidy.

[60 FR 34695, July 3, 1995, as amended at 80 FR 8246, Feb. 17, 2015]

Need assistance?

## Chapter 13

### OWNERS

#### 13-II.E. HAP CONTRACT TERM AND TERMINATIONS

The term of the HAP contract runs concurrently with the term of the dwelling lease [24 CFR 982.451(a)(2)], beginning on the first day of the initial term of the lease and terminating on the last day of the term of the lease, including any lease term extensions.

#### . HATC Policy

HATC will only enter into a Housing Assistance Payment (HAP) Contract with Landlords on the 1<sup>st</sup> and 15<sup>th</sup> of the month following a passed inspection.