

# Chapter 12

**"Threatening" refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.**

24. Welfare-to-Work Non-compliance. [24CFR 982.552 (c)(1)(x)].
25. Failure to submit any information the PHA determines is necessary to the administration of the program and consent to PHA verification of that information. [24CFR 982.551]

**26. PHA Policy – Failure to Meet PHA Deadlines, Including Missed Appointments, for Supplying Information Necessary for the Administration of the Program.**

**27. PHA Policy - Failure to provide in writing all information requested from a participant family in response to a PHA deadline.**

**28. PHA Policy – Discovery after admission to program facts that made the participant ineligible.**

29. Family Absence from Unit for more than 90 days [24CFR 982.312] (See Chap. 3-I.L.vii)

30. Asset Limitation [24 CFR 5.618; Notice PIH 2023-27]

The PHA has discretion with respect to the application of the asset limitation at annual and interim reexamination. The PHA may adopt a written policy of total non-enforcement, enforcement, or limited enforcement as well as adopting exception policies.

**PHA Policy**

***The PHA has adopted a policy of total non-enforcement of the asset limitation for all program participants. The asset limitation only applies to initial eligibility determinations for new admissions to the PHA's HCV program.***

7/1/2025

31. Insufficient Funding [24CFR 982.454] (See Chap. 16-VIII)

10/16/2012

**PHA Policy**

***The PHA will determine whether there is sufficient funding to pay for currently assisted families according to the policies in Part VIII of Chapter 16. If the PHA determines there is a shortage of funding, prior to terminating any HAP contracts, the PHA will determine if any other actions can be taken to reduce program costs.***

***In the event that the PHA decides to stop issuing vouchers as a result of a funding shortfall, and the PHA is not assisting the required number of special purpose vouchers (NED families, HUD-Veterans Affairs Supportive Housing (VASH) families, and Family Unification Program (FUP) families), when the PHA resumes issuing vouchers, the PHA will issue vouchers first to the special purpose voucher families on its waiting list until it has reached the required number of special purpose vouchers, when applicable. If after implementing all reasonable cost cutting measures there is not enough funding available to provide continued assistance for current participants, the PHA will terminate HAP contracts as a last resort.***

***Prior to terminating any HAP contracts, the PHA will inform the local HUD field office. The PHA will terminate the minimum number needed in order to reduce HAP costs to a level within the PHA's annual budget authority.***

***If the PHA must terminate HAP contracts due to insufficient funding, the PHA will do so in accordance with the following criteria and instructions:***

3/20/2024

***Families who have been assisted in the HCV program the longest will be the first to be terminated, excluding families that include elderly or disabled members***

***Families comprising the required number of special purpose vouchers, including nonelderly disabled (NED), HUD-Veteran's Affairs Supportive Housing (HUD-VASH), and Family Unification Program (FUP) will be the last to be terminated. (See 16-VIII.C. for further instructions.)***

## 12-I.D. Mandatory Termination of Assistance

7/17/2012

(See Chap 3-III for "hold-out" period program violations.)

For 24CFR 982.552 See Exhibit 12-I.A

For 24CFR 982.553 See Exhibit 12-I.B

For 24CFR 982.551 See Exhibit 12-I.C

The PHA must terminate assistance for the following 12 reasons:

### 1. Eviction from the Housing Choice Voucher Program [(24CFR 982.552(b)(4)] [24CFR 5.2005(c)(1)].

#### PHA Policy- Eviction Determination

**A family will be considered evicted if the family moves after a legal eviction order has been issued, whether or not physical enforcement of the order was necessary.**

**If a family moves after the owner has given the family an eviction notice for serious or repeated lease violations but before a legal eviction order has been issued, termination of assistance is not mandatory. In such cases, the PHA will determine whether the family has committed serious or repeated violations of the lease based on available evidence and may terminate assistance. In making its decision, the PHA will consider the factors in Sec 12-II.D and 12-II.E. Upon consideration of such factors, the PHA may, on a case-by-case basis, choose not to terminate assistance.**

**Serious and repeated lease violations will include, but not be limited to, non-payment of rent, disturbance of neighbors, destruction of property, or living or housekeeping habits that cause damage to the unit or premises and criminal activity. Generally, the criterion to be used will be whether or not the reason for the eviction was the fault of the tenant or guests.**

### 2. Failure to Sign Consent Forms. [24 CFR 982.552(b)(3); (24 CFR 5.232)].

The PHA must terminate assistance if any family member fails to sign and submit any consent form they are required to sign for a regular or interim reexamination. See Chapter 7 for a complete discussion of consent requirements

7/1/2025

#### PHA Policy

**The PHA will also terminate assistance if the family revokes consent for the PHA to collect information from financial institutions.**

### 3. Failure to Submit Evidence of Citizenship or Eligible Immigrant Status. [24 CFR 982.552(b)(4); 24 CFR 5.514(c)] (Also see Chapter 7 for a complete discussion of documentation requirements).

### 4. Failure of Students to Meet Ongoing Eligibility Requirements. [24 CFR 982.552(b)(5); (CFR 4/10/06)] (Also see Resource Binder.)

If a student enrolled at an institution of higher education is under the age of 24, is not a veteran, is not married, does not have dependent children, is not residing with their parents in an HCV assisted household, and is not a person with disabilities receiving HCV assistance as of November 30, 2005, the PHA must terminate the student's assistance if, at the time of reexamination, either the student's income or the income of the student's parents (if applicable) exceeds the applicable income limit.

3/20/2024

If a participant household consists of both eligible and ineligible students, the eligible students shall not be terminated, but must be issued a voucher to move with continued assistance in accordance with program regulations and PHA policies, or must be given the opportunity to lease in place if the terminated ineligible student members elect to move out of the assisted unit.

### 5. Failure to Disclose, Document, Verify, and Certify Social Security Numbers. [24 CFR 5.218(c) Notice PIH 2018-24]

3/17/2020

12/7/2010

#### PHA Policy – Failure to Disclosure SSN – Deferral of Termination

**The PHA will defer the family's termination and provide the family with the opportunity to comply with the requirement for a period of 30 calendar days from the deadline to disclose for circumstances beyond the**