

**STATE OF IOWA**

HOUSING OPPORTUNITIES FOR PERSONS  
WITH AIDS (HOPWA) PROGRAM

*SUMMER 2021  
THE CLOUDBURST GROUP*

# PRESENTATION OVERVIEW

Review of....

- HOPWA Eligibility
- Family Definition
- Income Definition (Inclusions and Exclusions)
- State of Iowa's HOPWA funded activities and Key Elements

BASIC HOPWA  
ELIGIBILITY  
CRITERIA

Except for Housing  
Information Services, to be  
eligible for HOPWA....

At least one family member  
diagnosed with HIV / AIDS

Total income of all family  
members at or below 80%  
Area Median Income (AMI)

DEFINITION OF  
FAMILY

Anyone who is important to  
each other's care and well-  
being – **no** requirement to be;

Married

Partnered or intimate

Significant other

Related to one another

**Not *Family* Members:**

Roommates

Live-In Aide

Foster Children

Foster Adults

# DEFINITION OF FAMILY

## Family Member

- ▶ Anyone who is determined to be important to each other's care and well-being.
  - ▶ Income included to determine eligibility and rental calculations
  - ▶ Assistance not pro-rated
  - ▶ Includes survivor's benefits

## Household Member

- ▶ Live-In Aids, Foster Children, and Foster Adults
  - ▶ Income **excluded** to determine eligibility and portions of rent
  - ▶ Assistance is **not** pro-rated
  - ▶ Does **not** include survivor's benefits

## Roommate

- ▶ Relationship **solely** to split housing costs (not a family member\*)
  - ▶ Income **excluded** to determine eligibility and portions of rent
  - ▶ Assistance **is** pro-rated
  - ▶ Does **not** include survivor's benefits

# DEFINITION OF ANNUAL INCOME

24 CFR 5.609: **Annual income** means all amounts, monetary or not, which:

- **(1)** Go to, or on behalf of, the family head or spouse (even if temporarily absent) **or to any other family member; or**
- **(2)** Are anticipated to be received from a **source outside the family** during the 12-month period following admission or annual reexamination effective date; **and**
- **(3)** Which are not specifically **excluded**....
- **(4)** Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has **access**.

# INCOME INCLUSIONS AND EXCLUSIONS

Exhibit 5-1

4350.3 REV-1

## **Exhibit 5-1: Income Inclusions and Exclusions**

**24 CFR 5.609(b) and (c)**

Examples included in parentheses have been added to the regulatory language for clarification.

**[https://www.hud.gov/sites/documents/DOC\\_35699.PDF](https://www.hud.gov/sites/documents/DOC_35699.PDF)**



KEY ELEMENTS

## Tenant-Based Rental Assistance (TBRA)

# TBRA – KEY ELEMENTS

- Initial certification, interim recertification and annual recertification
- Choose their own unit (with program guidelines/regulations)
- Unit must meet certain criteria (rent standard, rent reasonableness, habitability)
- Lease between the family and landlord (sublease not allowed)
- Housing assistance payment agreement (or contract) between the HOPWA program and the landlord
- Rent amount based on the higher of 30% adjusted monthly income, 10% gross monthly income or the welfare rent
  - HOPWA Resident Rent Calculator
- Moves with continued assistance

## TBRA-CV – KEY ELEMENTS

- No changes to TBRA funding itself due to the CARES Act
  - The Office of HIV Housing (OHH) does not encourage the use of HOPWA-CV funds for new TBRA vouchers without a plan for ongoing housing once CV funds run out.
  - Can cover increases in housing assistance payments, those amounts paid to a landlord on behalf of the assisted family, due to COVID-19, lockdowns, economic downturn, etc.
- Changes due to waivers/notices:
  - Should be able to track and close out applicable waivers

# TBRA

## KEY ELEMENTS: COSTS

- Housing assistance payments
- Utility reimbursements



# WHAT ARE MORE IN-DEPTH KEY ELEMENTS ASSOCIATED WITH TBRA?

## **Rental Calculations**

- Documentation requirements
- Family must pay as rent, including utilities, the higher of 30%, 10% gross or the welfare rent
- Required forms (rent calculations worksheet; utility allowance schedule)

## **Adjusted Income**

- Earned Income Disregard (EID) for currently assisted families – not applicants
- 5 Mandatory Income Deductions/Allowances
  - Dependent Allowance
  - Elderly/Disabled Allowance
  - Childcare Expenses
  - Disability Assistance Expenses
  - Medical Expenses

# WHAT ARE MORE IN-DEPTH KEY ELEMENTS ASSOCIATED WITH TBRA?

## **Leases**

- State/local requirements
- Local flexibilities
- VAWA

## **Rental Assistance Agreement**

## **Occupancy/Subsidy Standards**

- How established
- Reasonable accommodations
- Larger unit policy
- Shared Housing

## **Termination**

- Proposed vs. actual
- End of assistance
- Different from eviction

# WHAT ARE MORE IN-DEPTH KEY ELEMENTS ASSOCIATED WITH TBRA?

## **Habitability/HQS**

- Lead based paint visual assessment

## **Rent Standard**

- Methodology (2 possible methods)\*
- Establishes the maximum of rent, including utilities for which HOPWA TBRA may be used
- When changes take affect
- 10/20 rule
- Reasonable accommodations

KEY ELEMENTS

Short-Term, Rent,  
Mortgage & Utility  
(STRMU)

# STRMU – KEY ELEMENTS

- Needs-based assistance
- Short-term intervention due to;
  - Financial crisis as a result HIV/AIDS health condition or
  - Change in economic circumstances.
- Past or current amounts for mortgage, rent, utilities
  - Not cable, internet or phone
- Limits - 21 weeks of assistance in a 52-week period\*
- Intended to reduce the risks of and prevent homelessness

## STRMU – CV KEY ELEMENTS

- All the same key elements as regularly funded STRMU except:
  - Limits – 24 months of assistance in a 24-month period
- Changes due to waivers/notices:
  - Should be able to track and close out applicable waivers

# STRMU

## KEY ELEMENTS: COSTS

- Rent payments to landlords, including late fees
- Mortgage payments (banks, lenders, etc.), including property taxes if part of mortgage payment
- Utilities (utility companies), usually utilities tied to utility allowance schedule

## WHAT ARE MORE IN-DEPTH KEY ELEMENTS ASSOCIATED WITH STRMU?

- Family share of rent, mortgage, and utilities
- Duplication of assistance
- Evidence of need
- Habitability/HQS – doesn't apply
  - Lead Based Paint
- Rent Standard/Rent Reasonableness – doesn't apply
- Tracking # of weeks used

KEY ELEMENTS

## Permanent Housing Placement (PHP)

# PHP

## KEY ELEMENTS

- Establish a new residence where on-going occupancy is expected to continue
- Used to assist clients to locate and move into more affordable, stable permanent housing
- Separate funded HOPWA activity (not funded out of the Supportive Services budget line)

# PHP CV

## KEY ELEMENTS

- No changes due to CARES Act
  - There have been some flexibilities offered by HUD's Office of HIV Housing for additional costs

# PHP

## KEY ELEMENTS: COSTS

- Security Deposits\* – not to exceed the amount of two months rent
- Housing application fees
- First month's rent\*
- Credit check
- Utility hook-up fees
- Utility deposits

## WHAT ARE MORE IN-DEPTH KEY ELEMENTS ASSOCIATED WITH PHP?

- Habitability/HQS
  - Lead Based Paint
- PHP used with Rental Assistance (Duplication of Benefits)
- Program Income

KEY ELEMENTS

**Supportive Services**

## SUPPORTIVE SERVICES – KEY ELEMENTS

- Stabilize current housing and improve other outcomes
- Assist with finding and keeping permanent housing
- Increasing self-sufficiency and access to resources
- Projects should only perform approved Support Services activities in Grantee agreements
- Encourage use of non-HOPWA funds for Supportive Services

## SUPPORTIVE SERVICES – KEY ELEMENTS: ALLOWABLE TYPES

Allowable activities include (but not limited to):

- Case management
- Child-care and other child services
- Health/medical/intensive care services (if approved)
- Legal services
- Life skills management (outside of case management)
- Meals/nutritional services
- Mental health services
- Transportation

## SUPPORTIVE SERVICES CV – KEY ELEMENTS

- No changes due to CARES Act
  - There have been some flexibilities offered by the Office of HIV Housing for additional costs

# SUPPORTIVE SERVICES

## WHAT IS CASE MANAGEMENT?

- Case management is a holistic approach to serving a client's housing, medical, and other needs
  - Filling out housing and insurance applications; offering food and transportation referrals; coordinating doctor's appointments, etc.
- Case management exists independent from other HOPWA activities:
  - A "case manager" might be doing a rental calculation, but that means they are doing TBRA, not holistic case management
    - Would need to pro-rate time/costs

## WHAT ARE MORE IN-DEPTH KEY ELEMENTS ASSOCIATED WITH SUPPORTIVE SERVICES?

- HOPWA eligibility
- Allocating of activity delivery costs

KEY ELEMENTS

Housing Information  
Services

# WHAT IS HOUSING INFORMATION SERVICES?

Housing Information Services is an activity under which HOPWA funding may be used to provide information and referral services to assist households to locate, acquire and maintain affordable housing, including HOPWA and non-HOWPA funded housing resources.

[24 CFR 574.300 Eligible Activities](#)

**IS THERE A LIMIT ON THE USE OF HOPWA FUNDS CHARGED TO THE HOUSING INFORMATION SERVICES CATEGORY FOR HMIS OR HMIS-COMPLIANT SYSTEMS?**

- HUD would consider reasonable and allow for up to three percent of the HOPWA grant to be used for HMIS or HMIS-compliant systems to track client access and utilization and enhance housing access. These costs are separate from the three percent grantee administrative cost cap and may be billed under Housing Information Services, provided that such information systems comply with requirements for confidentiality of personal information. The agreement between the grantee and the project sponsor should clearly specify the amount designated for each of these activities.

## WHAT ARE MORE IN-DEPTH KEY ELEMENTS ASSOCIATED WITH HOUSING INFORMATION SERVICES?

- Housing Information Services has its own separate budget line and distinct from providing day-to-day case management.
- HOPWA income eligibility does not apply

KEY ELEMENTS

**Administration**

# ADMINISTRATION – KEY ELEMENTS

Administration is a **separate** activity – just like TBRA, STRMU, etc.

Administrative activities and allowable costs refer to:

- General management
- Oversight and monitoring
- Evaluation and APR/CAPER Reporting

Limits

- Grantees - 3% under regular HOPWA, 6% for CV
- Projects – 7% under regular HOPWA, 10% for CV

Administrative activities can **ONLY** be charged to Administration – **NOT** any other HOPWA-funded activity

Not for general agency-wide administration – **ONLY** for HOPWA administrative activities

## WHAT ARE MORE IN-DEPTH KEY ELEMENTS ASSOCIATED WITH HOPWA ADMINISTRATION?

- Eligible Admin costs
- Allocating other non-admin activity delivery costs



# COMPLETELY PEANUTS

Whew! I'm glad that's over..



BUCKMAN 2013