

Proposed Interim Recertification Policy Option #2 SEK-CAP Housing Administrative Plan

PHAs must follow these requirements for interim redeterminations of income and family composition:

- PHAs must process an interim whenever one is requested by the family.
 - **SEK-CAP will process an interim whenever one is requested by the family.**
- PHAs may conduct an interim reexamination at any time.
 - **SEK-CAP will process an interim reexamination when required by HUD regulations. Interim reexaminations will not be completed for an increase in income between annual recertifications.**
- PHAs must adopt policies prescribing when and under what conditions the family must report a change in family income or composition and the timeframe within which the PHA will complete the interim redetermination. These policies must be in each PHAs administrative plan.
 - **If the family has a decrease in household income or loss of an income source, the family must report the change within 10 calendar days if the family wants SEK-CAP to complete an interim reexamination to adjust the family's rent. Other changes in household income are not required to be reported until the regularly scheduled annual reexamination.**
 - **A family must report all changes in household composition. A family must request the addition of new household members, in writing, to SEK-CAP. New adult household members must be approved by SEK-CAP and the property owner prior to the adult household member moving into the unit that is being assisted so SEK-CAP can determine eligibility. The addition of adult household members may be denied if they are not eligible to receive assistance or if the property owner disapproves.**
 - **SEK-CAP will verify eligibility of the new household member, including social security number, criminal background, and citizenship, and submit a HUD 50058, including applicable deductions, with the new household member's information. SEK-CAP will not collect and verify the new family member's income information until the next scheduled annual reexamination.**
 - **If a household member moves out of the assisted unit, the family must notify SEK-CAP, in writing, within 10 calendar days.**

In 2016, HUD adopted new regulations that allows for uniform policies related to interim reexaminations for the HCV and Public Housing Programs. Under the new regulations, PHAs may have a policy to streamline an interim reexamination when a family member is added without completing a full redetermination of income. This change allows PHAs to align their policies for their housing choice voucher and public housing programs.

As part of this streamlined interim reexamination, the PHA is still required to verify eligibility of the new member, including social security number, criminal background, and citizenship, and submit a HUD 50058, including any applicable deductions, with the new household member's information. However, the PHA does not have to collect and verify the new family member's income information until the next scheduled annual reexamination. The PHA must adopt this policy in the administrative plan.

NOTIFICATIONS

Reexaminations often result in a change in the Housing Assistance Payment, Tenant Rent, and Total Tenant Payment. At the effective date of the reexamination, the PHA must make appropriate adjustments in the housing assistance payment and notify the tenant and the owner of any changes in the amount of the HAP and Tenant Rent. The PHA must adopt policies prescribing how to determine the effective date of a change in the housing assistance payment resulting from an interim redetermination. Industry practice typically provides at least 30 days' notice of any increase in tenant payment.

TIMELY REPORTING

Standard for timely reporting of changes:

- **The standard for reporting changes in a timely manner is for the family to report the change in writing within ten days of the occurrence of the change.**
- **The tenant must provide required information and documentation by mail, fax, scanned email, or in person to SEK-CAP immediately upon request. If necessary, third party verification may be obtained.**
- **If the tenant does not return the requested information within ten days of SEK-CAP's request, the total tenant payment is calculated when the verification is received, and it will be considered "untimely reporting" by the tenant.**

Procedures when the change is reported in a timely manner:

SEK-CAP will notify the family and the owner of any change in the housing assistance payment to be effective according to the following:

- **The family will always be given a 30-day notice prior to the first of the month for a rent increase. Increases in the tenant rent are to be made effective upon thirty days' notice, prior to the first of the month, so that the change is always effective on the first of the month, rather than some date within the month.**
- **Decreases in the tenant rent are to be made effective the first day of the month following that in which the change was reported. However, no downward rent adjustments are to be processed until all the facts have been verified, even if a retroactive adjustment is the result.**
- **If the decrease is reported in a timely manner, then decreases in the family's total tenant payment must be effective the first of the month following the change.**
- **Where an error was made at admission or reexamination the family will not be charged retroactively for an error made by housing authority personnel.**

- The change may be based on the documentation the tenant provided, followed up by the third-party verification. Verbal confirmation by the tenant will not be acceptable.
- If the tenant does not provide the information, they will be requested to supply the documentation within 10 days or as soon as possible.
- Tenants may not waive the 30-day written notice for an increase.

UNTIMELY REPORTING

Procedures when the change is not reported in a timely manner:

If the family does not report the change within ten days of occurrence, the family will be determined to have caused an unreasonable delay in the interim reexamination processing.

- **Increased tenant rent: the change will be effective on the first of the month thirty days following the processed change, and HAP overpayment will be calculated retroactively to the date it should have been effective if the change were processed in a timely manner within the month of the report.**
- **Decreased tenant rent: the change will be effective on the first of the month following the reported change. However, if the change occurs on the last working day of the month and the tenant cannot report until the next working day, the change can be made effective on the first of the month following the change.**
- **Deviation from normal effective dates is justified because of the tenant's failure to supply the required report.**
- **The calculation is the same even if there is change three or four years ago that the tenant did not report and should have. The change is retroactive to the original date even if they have been changing jobs every six months and have not reported their job income at reexamination. A history has to be established to determine how much money the tenant owes SEK-CAP.**
- **If a tenant fails to timely report a change that would cause a decrease in tenant rent amount, the change will be effective the first of the month following the report and verification of this change.**

Procedures when the change is not processed by SEK-CAP in a timely manner:

- **"Processed in a timely manner" means that the change is effective on the date it would have been effective when the tenant reported the change in a timely manner.**
- **If the change cannot be made effective on those dates, using the required notice periods, the change is not processed by SEK-CAP in a timely manner.**
- **If changes are not processed by SEK-CAP staff in a timely manner, the change will be effective on the first of the month thirty days following the processed change. In addition, if the change resulted in a decrease, an overpayment by the tenant will be calculated retroactively to the date it should have been effective and a check will be sent to the tenant.**

In the event there is an interim adjustment completed, the next regular reexamination will be scheduled within a year from the last effective date of the annual reexamination of family contribution.

All notices must be provided in a manner that is accessible for persons with hearing and vision impairments. PHAs must provide appropriate auxiliary aids and services necessary to ensure effective communication, which includes ensuring that information is provided in appropriate accessible formats as needed, e.g., Braille, audio, large type, assistive listening devices, and sign language interpreters.

PHAs must also take reasonable steps to ensure meaningful access to their programs and activities to individuals with limited English proficiency. Notices may need to be translated to ensure access for persons with LEP consistent with HUD's LEP Guidance.