

INFORMATION GUIDE TO PREPARE FOR
TENANT-BASED RENTAL ASSISTANCE
(TBRA)

"A LONG TERM HOUSING SOLUTION"

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April 2009

TENANT-BASED RENTAL ASSISTANCE (TBRA) 24 CFR 574.300 (5)

Introduction

In the past, the State HOPWA Program has focused primarily on temporary and short-term rental, mortgage and utilities housing assistance (STRMU), and other select short-term housing services allowed by federal HOPWA Regulations 24 CFR 574.300 for eligible individuals living with HIV/AIDS. These services alone do not address the housing needs of many of today's clients who are living longer, and are in need of long-term or permanent housing to maintain a stable housing environment. Our Annual Progress Report results indicate more than 50% of our clients receiving HOPWA housing assistance continue to receive HOPWA support from the prior operating year.

The State HOPWA Program launched a new, long-term housing pilot project in Monroe County, July 1, 2008. This pilot project added Tenant Based Rental Assistance (TBRA), a long-term housing option, to the housing continuum in Area 11B, and provided another way to apply state HOPWA funds to serve clients with long-term housing needs.

The State HOPWA Contract for 2009/2010 has added **Tenant Based Rental Assistance (TBRA)** as an approved State HOPWA Program allowable activity for use in all State HOPWA service areas. It is anticipated that only Monroe County (Area 11B) will be prepared to implement TBRA effective July 1, 2009. However, this office will be working with State HOPWA Project Sponsors to familiarize them with TBRA to allow for a long-term housing option to offer their clients. Adding TBRA to the existing State HOPWA Contract will be completed through the contract amendment process, at any time during the contract year.

To better prepare for TBRA, the following information and other plans include the following:

COMPLETED

- A TBRA-specific conference call with all State HOPWA Project Sponsors will be scheduled to answer TBRA questions, and A.H. of Monroe County, Inc., HOPWA Project Sponsor in Area 11B will be present to discuss the benefits of their TBRA program for their clients. **(4/8/09)**
- The TBRA information guide is prepared as an introduction to TBRA and how to implement TBRA for client's with long term housing needs. At the request of conference call participants, the attached document now includes more in depth TBRA information relating to the client, rental unit and the landlord. (Disseminated **3/31/09**; Revised **4/25/09**)

TO BE COMPLETED -CHECK THE HOPWA WEBSITE

- The State HOPWA Program Orientation features short term and long term housing, specifically TBRA. This on-line presentation will be available in the very near future and provides an overview of the entire State HOPWA Program.
- TBRA Guidelines developed for the Area 11B pilot project includes specific procedures and forms which will be incorporated into the State HOPWA Guidelines, currently under revision.
- This office will be discus sing with Collaborative Solutions, Inc. (funded by HUD) about providing training for State HOPWA Project Sponsors in TBRA policies, procedures and forms.
- The State HOPWA Website will be used to post additional TBRA information and training materials, as it becomes available.

TENANT-BASED RENTAL ASSISTANCE (TBRA) DEFINED

TBRA Defined

The State HOPWA Tenant Based Rental Assistance (TBRA) is a program that provides long-term housing to low-income persons living with HIV/AIDS and their families. TBRA is an eligible HOPWA activity and is defined in 24 CFR 574.300(5) as “Project-or tenant-based rental assistance, including assistance for shared housing arrangements. “ TBRA is a housing subsidy for use on the open rental market by eligible persons with HIV/AIDS, and who have a long-term housing need. The tenant (client) holds a lease with a private landlord for a unit that is rented at or under Fair Market Rent.

Short-Term Rental, Mortgage and Utility (STRMU) assistance which is a short-term intervention housing option was never intended to provide continuous or perpetual housing assistance. TBRA is intended to provide long-term and continuous housing without the time-limit constraints of STRMU

A Prospective TBRA Client

HIV/AIDS Eligibility Requirements and State HOPWA Program Qualifications are not the same, and should not be confused.

- a. A State HOPWA client must meet the core eligibility requirements authorized in Chapter 64D-4 F.A.C., and verified with a current Notice of Eligibility.
- b. A State HOPWA client must meet the HOPWA specific program qualifications:
 - ❑ Household Income is 80% or less than the Area Median Income (AMI), and
 - ❑ The client must have a housing need (short-term or long-term).

Examples of new clients and current clients served under the existing State HOPWA STRMU program infrastructure, who could benefit from TBRA, include the following:

- ❑ Existing clients receiving STRMU for short-term assistance (21 weeks), but are at the end of their 21 weeks and in need of a more permanent housing arrangement.
- ❑ Existing clients receiving short-term facility assistance (60 days), but at the end of 60 days are still in need of a more permanent arrangement, and have only STRMU as an option (21 weeks).
- ❑ New clients in which improvement with their housing circumstance will not change due to disability or other circumstances, within the 21-weeks provided by STRMU.
- ❑ New clients with long term housing needs, pending Section 8 Placement.

STRMU AND TBRA COMPARISON

The State HOPWA STRMU program has been the primary housing option for persons with HIV/AIDS providing the established framework for additional housing services and programs available through State HOPWA. The implementation of TBRA is designed to use the current and existing infrastructure developed by Project Sponsors in the 10 geographical service areas of the state to allow service area flexibility.

Both TBRA and STRMU are eligible housing activities under 24 CFR 574.300 and both serve low-income individuals with HIV/AIDS. However, there are some basic differences and similarities between the two:

Short-Term

STRMU is “needs-based” and intended to benefit clients who are temporarily unable to meet their monthly housing and utility expenses due to unexpected situations.

STRMU is one of several short-term intervention activities (permanent housing placement and supportive housing), and is not intended to provide continuous or perpetual assistance.

Long-term

TBRA is used when client assessments indicate that little or no improvement of the “conditions” that caused the financial burden are likely to occur during or after the 21- week assistance period provided through STRMU.

TBRA is long-term until a more permanent placement in Section 8 housing or other non-HOPWA housing program is secured.

Other Comparisons

| STRMU | TBRA |
|--|--|
| STRMU is a HOPWA Eligible Activity (24 CFR 574.300 (6)). | TBRA is a HOPWA Eligible Activity. (24 CFR 574.300 (5)) |
| STRMU provides case management. | TBRA requires case management. |
| STRMU is time-limited (21 weeks). | TBRA does not have time restrictions. TBRA is used until permanent placement (Section 8) is secured. |
| STRMU pays mortgages. | TBRA does not pay mortgages. |
| STRMU pays utilities. | TBRA pays a utility allowance. |
| STRMU requires minor inspections. | TBRA requires a more thorough inspection. |
| STRMU follows State HOPWA Program Guidelines, February 2001. | TBRA program guidelines will be incorporated into the State HOPWA Program Guidelines (under revision). |
| TBRA does not pay for information and/or support to locate and apply for on-going housing assistance. | |
| TBRA does not pay for move-in support, such as supplies, furnishings, incidental costs, and minor repair of rental units. | |

ASSESSING CLIENT NEED FOR TBRA


The utilization of TBRA depends on the client need, the existing housing continuum available for resources and other housing factors specific to a local area. Project Sponsors and staff must become familiar with their existing STRMU clients and caseloads from the context of developing and implementing TBRA. It is likely many STRMU clients will be considered for TBRA, if other long-term housing is unavailable. The initial steps to prepare for TBRA begin with completing the following caseload assessment:

- (1) Assess each case manager/housing specialist's current State HOPWA caseloads by reviewing the client's housing plan, and determining how many clients are currently being served under the following:

- STRMU (21 weeks) #
- Permanent Placement (for 60 days) #
- Short Term Supported Housing (60 days only). #
- Total currently receiving State HOPWA services #

- From the total above, count the number of existing STRMU clients who are receiving rental assistance, are at the end of their 21-weeks, and are in jeopardy of losing rental assistance. (These are potential TBRA candidates). Total #
- Count the number of new clients who are not yet in STRMU, but are in a rental unit (or actively seeking one), and have a long-term housing need (meaning STRMU would need to be repeated continuously or at interval time periods.). These are potential TBRA placements. Total #

Keep this data current. It will be used once the housing continuum information is completed.

- (2) Continue to participate in additional TBRA conference calls, check the Website and other TBRA training opportunities to better prepare for implementing TBRA.
- (3) Review the next section DEVELOPING A HOUSING CONTINUUM to update or develop a comprehensive list of available housing resources and information in your State HOPWA geographical area. 

DEVELOPING A HOUSING CONTINUUM

A housing continuum refers to an array of housing resources available to HOPWA clients in each community. It includes emergency, transitional, short-term, long-term and permanent housing assistance, as well as other housing services, such as rent, mortgage and utility payments. The development of a comprehensive resource guide listing the local housing information is a beneficial tool for State HOPWA case managers/housing coordinators when determining the client needs for short-term or long-term housing.

Developing the HIV/AIDS housing continuum for the State HOPWA geographical service areas is essential for State HOPWA Project Sponsors and staff as it allows for identification of and familiarity with housing gaps, needs, and resources that exist in their area, and how to access other housing resources to meet client needs. Partnering with the community is essential to the development of an effective housing continuum to identify, develop and utilize whatever resources a community may have. There may be multiple housing resources in a community however resources are of little or no value to the State HOPWA client or the community until they are

- Identified
- Developed, and
- Utilized.

State and city HOPWA programs depend on non-HOPWA programs to provide and complete a full range of housing services in a specific area for all clients living with HIV/AIDS.

HOPWA cannot meet its objectives and goals to prevent homelessness without private, local, state and federal housing partnerships.

Questions asked when developing a housing continuum:

- Is there an affordable housing shortage in my community, and how is it being addressed?
- What housing resources exist in the community for state HOPWA clients and how can they apply for these services?
- What is the best use of state HOPWA funds in the community to maximize available resources?
- In addition to city and state HOPWA, what other non-HOPWA emergency, short-term, and long-term housing services are available?
- Are there section 8 public housing, homeless shelters, and other types of housing in the community, and what is the waiting time?
- What is the average rent amount and where are the possible rental units located?
- What are the housing service gaps in the community?

- ❑ Who else needs to be at the table to guarantee a comprehensive housing continuum?

Housing Resources: The following are some of the housing resources, if available, which should be included in a local HOPWA continuum to meet the full range of client housing needs:

- ❑ City HOPWA Programs
- ❑ Section 8 Public Housing
- ❑ Local Social Service Programs
- ❑ City or County Indigent Programs
- ❑ Rental or Housing Assistance Programs
- ❑ Emergency and Homeless Shelters
- ❑ The Salvation Army
- ❑ The United Way
- ❑ Food Banks
- ❑ Faith Based Organizations
- ❑ Churches

Local Housing Planning Bodies:

A local housing planning body (referred to as coalitions, alliances, consortium or other housing related terms) can be used as a strategic housing team to identify local community housing resources. For the State HOPWA Program, the participation in an existing local housing planning body provides the most effective community approach to developing a housing continuum.

Local housing planning bodies provide the venue and collective representation to:

- ❑ Address all housing issues impacting the community,
- ❑ Consider all of the various situations HOPWA clients may face and
- ❑ Identify and record a wide range of housing services and assistance for low-income persons living with HIV/AIDS.

Furthermore, it provides an opportunity to ensure that the State HOPWA program is working in conjunction with other housing resources in the community. State HOPWA staff should join an existing housing planning body in the community if one is active.

No Planning Bodies:

Local housing planning bodies vary statewide and may not be as active in some parts of the state as others, or may not exist at all. If this is the case, individuals in the community from local, state and federal housing agencies, as well as programs and coalitions, can and do collaborate with the State HOPWA Program. Individuals such as housing advocates, public officials, realtors, builders, landlords and other interested community residents have a stake in addressing the housing needs of their community, and have valuable housing information to offer in the

development of a continuum. With or without access to an existing community housing planning group, there are two statewide housing advocacy organizations that may be able to assist in the development of a housing continuum.

The **Florida Supportive Housing Coalition** is a statewide organization committed to creating long-term, independent housing solutions for people with special needs in Florida, including persons living with HIV/AIDS. FLSCH web address is www.flshc.net.

The **Florida Housing Finance Corporation** was created by the legislature 25 years ago to help Floridians obtain safe, decent, and affordable housing that might otherwise be unavailable to them. FHFC web address is www.floridahousing.org.

The Internet:

Take the time to review the above and other housing websites for information and partnerships that may be available in your community when developing or updating the local housing continuum. The Internet also provides valuable internet links for housing information, grants, funding opportunities and HOPWA training and resource information.

Generally, www.hudclips.org and www.hud.gov will provide access to most HUD subjects. Click on **HOPWA** for HOPWA-specific information such as HOPWA income, eligibility, STRMU, TBRA, and Community Policy Development (CPD) for federal HOPWA policies. In addition, local area housing information can be accessed by citing the local area with key terms such as Public Housing Authority, Veterans Housing, Homeless and Section 8. The National AIDS Housing Coalition-Research Summit Reports can be accessed at www.nationalaidshousing.org, and the National Low-Income Housing Coalition at www.nlihc.org and www.FloridaHousingSearch.org is another helpful local link for Florida rental amounts. Don't forget the State HOPWA Website!

Addition Housing Programs to Consider:

- ❑ **Housing Choice Vouchers (Section 8):** The federal Section 8 Programs are non-HOPWA, long-term and permanent housing programs funded by HUD and implemented through the Housing Authority in many areas of the state. Section 8 was enacted as part of the Housing and Community Development Act of 1974, which re-codified the U.S. Housing Act of 1937. The Section 8 program objectives are designed to assist eligible individuals and families in securing decent, safe and sanitary housing at an affordable rent level. This housing program is not specific to persons with HIV/AIDS, but is open to all low income families and citizens.

The Section 8 program involves private landlords who wish to lease their apartments or houses to low-income clients. The advantage to the participant is rental assistance in a home that meets or exceeds federal Housing Quality Standards. The advantage to the landlord is that on the first of each month, a check is placed in the mail to them or electronically deposited into their bank account of choice for the housing authority's portion of the rent, and they can also list vacant apartments for individuals seeking a new place to live.

Section 8 housing generally has a 2-3 year waiting list but is the obvious transition from state or city HOPWA to a more permanent housing solution for clients. All State HOPWA Project Sponsors and staff should be familiar with Housing Choice Vouchers (Section 8) programs in their immediate or surrounding area. The Section 8 programs can be located from www.Hudclips.org and entering Section 8.

- ❑ **Public Housing Authority:** Public Housing is available to extremely-low to low income residents and is used to assist the families in preparation for home-ownership or financial stability. A community's public housing authority provides decent, safe and sanitary housing for low-income families and can be explored through internet links, such as www.publichousingauthority.gov. For example, www.Tallahasseehousingauthority.org provides housing information specific to the Tallahassee, FL area.
- ❑ **Homeless Continuum of Care Programs:** (Shelter + (Plus)Care, Supportive Housing Programs, SRO). These are programs for homeless and the disabled and are often a collaboration of state and federal agencies funded by HUD to provide housing subsidies. For example, the Shelter Plus Care (S+C) is a program designed to provide housing and supportive services on a long-term basis for homeless persons with disabilities, primarily those with serious mental illness, chronic problems with alcohol and/or drugs, and acquired immunodeficiency syndrome (AIDS) or related diseases. These programs are intended for individuals and their families who are living in places not intended for human habitation (streets, under bridges) or in emergency shelters. The program allows for a variety of housing choices, and a range of supportive services funded by other sources, in response to the needs of the hard-to-reach homeless population with disabilities.
- ❑ **The United States Department of Agriculture (USDA):** The USDA provides homeownership opportunities to rural Americans, and home renovation and repair programs. USDA also provides financing to elderly, disabled, or low-income rural residents in multi-unit housing complexes to ensure that they are able to make rent

payments. The statutory references for related subjects include: Single Family Direct Homeownership Loans (Section 502); Single Family Guaranteed Homeownership Loans (Section 502); Rental Assistance Subsidy (Section 521).

USDA works with public and nonprofit organizations to provide housing developers with loans and grants to construct and renovate rural multi-family housing complexes. Eligible organizations include local and state governments, nonprofit groups, associations, nonprofit private corporations and cooperatives, and Native American groups. Statutes include:

- Single Family "Self-Help" Technical Assistance Grants (Section 523)
- Rental Housing Direct Loans (Section 515)
- Farm Labor Housing Loans and Grants (Sections 514 and 516)
- Housing Preservation Grants (Section 533)
- Housing Application Packaging Grants

- **Veterans Affairs (VA):** Veterans or service members who have specific service-connected disabilities may be entitled to a grant from the Department of Veterans Affairs (VA) for the purpose of constructing an adapted home or modifying an existing home to meet their needs. The goal of the Specially Adapted Housing (SAH) Grant Program is to provide a barrier-free living environment that affords the veterans or service members a level of independent living he or she may not normally enjoy. Links to Veterans Administration housing options can be located at www.veteransadministration.org.

7 Steps to Developing a Housing Continuum

Updating or developing the housing continuum or joining a local housing planning body provides an opportunity to ensure that the State HOPWA program is working in conjunction with the other much needed housing resources. The following provides 7 steps to develop a new or update a local housing continuum:

1. Take an inventory of all local, state, national, private and public agencies, organizations, social service programs and individual representatives involved or interested in affordable housing for low-income persons in your State HOPWA geographical area. Include contact persons, phone numbers, services and how to apply, as applicable. These are the potential partners needed to address affordable housing for low-income individuals with HIV/AIDS.

2. Include City HOPWA (EMSA) jurisdictions and their surrounding counties. Include the range of housing services the EMSA provides, contact information and how to apply for their services.
3. Include non-HOPWA programs as listed in pages 7-10 and check the internet for other local housing resources.
4. Join an existing housing group or invite local individuals and housing groups to join a State HOPWA group for strategic planning to find and locate affordable housing for eligible clients. Examples of invitees include realtors, builders, contractors, sheriff and police officers, county commissioners, board members for homeless coalitions and other related groups and interested parties familiar with homeless individuals and homelessness.
5. Increase housing awareness by compiling the list, and plan or participate in lunch and learn sessions, conferences, seminars or other local housing meetings. Invite the community leaders, workers, advocates and other interested parties to increase awareness to low-income and affordable housing issues or other issues specific to the area. Take the opportunity to explain TBRA as the new addition to the State HOPWA program.
6. Assess rental unit availability in the local area and compile a list of existing STRMU rental units and landlords from the existing caseloads, who may be potential TBRA providers. Include information such as; Name of rental-only apartments and homes, their location, rental amounts, security deposit requirements, number of bedrooms and bathrooms, rental unit description and other informative information. An internet resource for available apartments in a specific local area is www.FloridaHousingSearch.org.
8. Secure the latest HOPWA Fair Market Rent (FMR) updated by HUD and based on Section 8 Fair Market Rents (FMRs) published in the Federal Register on October 1st of each year for use as applicable. Access this information at www.hud.gov/cpd/home/limits/rent/rentlimt.html. An additional list of links is located on the State HOPWA Website.

Once a local housing continuum is developed, it is maintained, updated and used to ensure TBRA staff and clients have the most current housing information available for their area.

HELPFUL TBRA TERMS

Terms and definitions developed for TBRA and referenced throughout the HOPWA Federal Regulation 24 CFR 574, provide informative reference material about the program. (Refer to Attachment A). These terms and definitions are specific to TBRA and may have a different meaning for other programs, such as eligibility under Chapter 64D-4 FAC. Eligibility requirements and State HOPWA Program Qualifications are not the same. For the full text of these State HOPWA definitions, staff are strongly encouraged to review 24 CFR 574 and have a copy of it while reviewing and using this document. The following is just a summary of some of the terms, most located in 24 CFR 574:

- (1) *Eligible person* means a person with AIDS or related diseases who is a low-income individual, as defined in 24 CFR 574.3, and the person's family. Individuals must meet at least two criteria to be eligible for assistance under the HOPWA program: Low-income (below 80% of area median income) and documentation of HIV/AIDS status.
- (2) *Low-income* as defined in the AIDS Housing Act means any individual or family whose annual income does not exceed 80% of the median income for the area, as determined by HUD.
- (3) *Family* means a household composed of two or more related persons. The term family also includes one or more eligible persons living with another person or persons who are determined to be important to their care or well being, and the surviving member or members of any family described in this definition who were living in a unit assisted under the HOPWA program with the person with AIDS at the time of his or her death.
- (4) *Fair Market Rent* refers to the Section 8 Fair Market Rent (FMR) published in a chart annually to establish the rent standards for local areas statewide and nationwide.
- (5) *Roommate* is defined as a person sharing housing with a person or a family, but is not part of the family.
- (6) *Project Sponsor* means any nonprofit organization or governmental housing agency that receives funds under a contract with the grantee (Department of Health) to carry out eligible activities under the HOPWA federal regulations.
- (7) *Eligible Activities* are a list of programs and services allowed by HOPWA, and include but are not limited to short-term rent, mortgage, and utility payments to prevent the homelessness of the tenant or mortgagor of a dwelling; project-or tenant-based rental assistance, including assistance for shared housing arrangements (TBRA); supportive services including permanent housing placement, case management and others.

- (8) *Housing Continuum* refers to a local community's comprehensive range of housing resources from emergency, transition, to permanent housing to meet the needs of all clients.
- (9) *Rent Reasonableness* refers to the rent amount for a client's rental unit in relation to rents currently being charged for comparable units in the private unassisted market. The amount must not be in excess of rents currently being charged by the owner for comparable unassisted units.
- (10) *Rent standard* refers to the standard amount of rent for comparable rental units as published by HUD in a Fair Market Rent (FMR) chart.
- (11) *Resident Rent Payments* refer to the amount for rent and utility the client must contribute.
- (12) *Maximum Subsidy* refers to the amount for rent and utility the agency pays, which is the difference between the rent standard or reasonable rent and the calculated client's contribution.
- (13) *Utility Allowance* refers to the amount calculated that the agency will contribute towards the client's utility bill.
- (14) *Adjusted Income* refers to the client's final income calculation based on the client's gross income calculation with specific deductions and allowances. This final amount is used to determine the client's contribution for rent and utilities.
- (15) *Housing Quality Standards Inspection* refers to the housing inspection required for all TBRA rental units to ensure the housing is decent, safe and sanitary in compliance with the habitability standards.

TBRA PROCEDURES AND FORMS

Assessing a Client's Need for TBRA (Page 5) and Developing a Housing Continuum (Pages 6-11) should be completed before proceeding to this section. In addition, the client must have a current Notice of Eligibility to verify compliance with HIV status, income less than 400% FPL and other eligibility requirements authorized by Chapter 64D-4 FAC before proceeding with TBRA.

This section provides a sequence of Client, Rental Unit and Landlord/Owner procedures and forms for familiarity purposes and preparing for the TBRA process. The #3 Steps (Client, Rental Unit, Landlord) include the applicable federal regulation citations, specific instructions, income and other calculation worksheets, forms, reference material and internet links for use as applicable.

***Please Note:**

The information in this section is a summary of TBRA procedures and forms to better familiarize State HOPWA Project Sponsors and staff with the tasks associated with long-term housing. This is not complete information but the final TBRA procedures are currently under revision in conjunction with the State HOPWA Guidelines. Please review Page 2 for additional TBRA training activities, which will be provided prior to the implementation of TBRA statewide.

TBRA Calculations. A summary of the numerous TBRA client and rental unit calculations necessary to ensure TBRA approval in compliance with the regulations include the following:

- 1) The area median income
- 2) The client's annual gross household income
- 3) The Fair Market Rent (rent standard/reasonableness)
- 4) The client's adjusted income
- 5) The client's rental contribution
- 6) The client's utility allowance
- 7) The agency's rental contribution (maximum subsidy)

All of the calculations are discussed under Step #1: Client Related Activities; Step #2: Rental Unit Related Activities or Step #3: Landlord/Owner Requirements.

Step #1: CLIENT RELATED ACTIVITIES

Step #1 provides the client-related activities for TBRA staff to complete the housing application, client assessment and justification for TBRA, development of the client housing plan, completion of the gross household income and the area median income.

Completing the TBRA Housing Application and Assessment (Attachment B)

The TBRA Housing Application and Assessment (Attachment B) is a HUD document completed by State HOPWA staff to document the following client information:

- Name and Address Information
- Recent Living Situation
- Demographics
- Type of Housing the Client Needs
- Housing Subsidy Information
- Terms of Current Unit
- Landlord Information
- Utility Information
- Current Housing Condition Checklist

The application and assessment process is the time to gather the most accurate up to date information (whether a new or existing client) to assess if long-term rental assistance is needed, the source of the housing problem, and whether or not the problem is chronic (long-term), or episodic (short-term). TBRA pre-screening information for TBRA approval on a prospective client includes the following; otherwise, the client will not be qualified for TBRA:

- TBRA clients must be in a lease (rental unit) or actively seeking a rental unit.
- TBRA clients must be able to pay a rent (and utility) contribution, unless there is “no income” justification and documentation.
- TBRA clients cannot receive mortgage assistance.

The application also collects client level data required for State HOPWA annual reporting, including the CAPER, IDIS and APR.

TBRA Assessment (Attachment B)

The TBRA case manager/housing coordinator must provide justification and documentation for TBRA, if this is the best option for the household, and the appropriate housing resource for the client. The assessment documentation is completed on the last page of **Attachment B**. The assessment should include psychosocial, adherence to medication and patient care, social, mental health and other client information necessary for the TBRA case manager/housing coordinator to connect the client to the housing resource that best fits his/her needs, even if TBRA is not applicable. A review of the client's current rental lease should be reviewed at this time, if applicable.

The assessment comments and statements are related to the client's need for assistance with a statement addressing the client's housing stability, homelessness or imminent homelessness and plans to find housing or to provide for housing (for inclusion on the Client's Housing Plan). For purposes of the assessment *homelessness* is defined as not having an adequate nighttime residence. If need is related to increased burden of medication/treatment, this should be noted with detail.

The Client Budget Worksheet (**Attachment E**) can also be complete during the assessment or completing the client housing plan. The budget worksheet outlines a client's monthly income and expenses, and may be helpful during the housing plan development depending on the client's financial circumstances.

Completing the Client Housing Plan (Attachment C)

The 3-page Client Housing Plan (**Attachment C**) is initiated for each client, once the assessment and justification for TBRA has been determined. The client's individualized housing plan is the plan of action written by the TBRA case manager/housing coordinator after all of the necessary information has been obtained during the assessment process. The objectives of the housing plan are to:

- Identify and document the client's housing activities to secure TBRA.
- Secure permanent housing plans for Section 8 housing, if applicable.
- Realistic time frames for meeting the client's goals.

Appropriate discussions to develop the Plan of Care with the client include, but are not limited to the following:

- ❑ Client's financial status
- ❑ Employment
- ❑ Additional household members or roommates (Shared Housing)
- ❑ Problems with the rental unit or landlord
- ❑ Client's access to medical care and drugs
- ❑ Illnesses
- ❑ Any changes to the client's status which could impact TBRA.

Other factors relating to the development of the housing plan include the following:

- a) Section 8: Because of the waiting time for Section 8 housing, a Section 8 application should be initiated and included in every TBRA client housing plan. TBRA staff should contact Section 8 personnel for introductions, if previous contacts have not been made.
- b) No Income. The goals and objectives of client's with "no income" should be addressed in the housing plan, as applicable. It is expected the client will be receiving income in the near future, and has or is applying for assistance. This information is documented on the Verification of No Income (Attachment D). If a client is pending Social Security or Disability payments, the housing plan should reflect the client's on-going housing status of how the client is managing without income. Monthly contacts are required by mail, e-mail or face-to-face contact. For client's without social security (illegal aliens), the housing plan should address goals and objectives to establish or better maintain a stable living environment for these clients based on the resources available in the community through the local housing continuum. A monthly progress report is required for 0-income clients.
- c) Revisions. The housing plan is developed collaboratively between the TBRA case manager/housing coordinator and the client and revised as necessary. Unforeseen situations (illnesses, incarcerations, etc.) may change the housing plan outcome, goal and objectives. Revisions to the Client's Housing Plan are always documented to ensure a written account of the client's housing situation.

Eligibility Requirements and TBRA Client Gross Annual Household Income

The client's gross annual household income was determined during the eligibility process (Chapter 64D-4 FAC), and the Federal Poverty Level (FPL) is reflected on the required Notice of Eligibility. However, for purposes of TBRA, the income in dollar amounts must also be known

and documented. Rental calculations will be derived from the income amount and the 400% FPL, required for eligibility determination will not be useful during the required rental calculations.

Avoid Duplication. The client's Notice of Eligibility and the Eligibility Staff Assessment Worksheet which are completed by the originating eligibility office and referenced in the Eligibility Procedure's Manual provide income information which can be gleaned for TBRA income purposes. Use of this financial eligibility income information is encouraged to avoid duplication of effort by staff and client. Both the Notice of Eligibility (which provides the FPL), and the Eligibility Assessment Worksheet (which provides the dollar amount of the income from all sources) are verified and updated during the TBRA income determination.

Please Note: In most cases, a client's income determination of below 400% FPL will coincide with the HOPWA TBRA requirement that client household income cannot exceed 80% of the area median income. However, if a client's income is higher than 400% FPL, but is still within 80% of the area median income, the client meets the financial requirements for TBRA.

Documentation and Verification of Income: As a condition of participation in TBRA, each client must agree to supply all information and documentation required for TBRA approval by the agency. Client's must be truthful and provide information to the best of their knowledge.

TBRA Gross Household Income Calculation Worksheet: (Attachment F)

(Training will be provided to HOPWA Staff prior to the implementation of TBRA to ensure uniformity statewide).

The use of this TBRA worksheet is required to ensure appropriate documentation for the annual household income. For purposes of determining the household income, the following family definition applies:

Family means a household composed of two or more related persons. The term family also includes one or more eligible persons living with another person or persons who are determined to be important to their care or well being, and the surviving member or members of any family described in this definition who were living in a unit assisted under the HOPWA program with the person with AIDS at the time of his or her death.

The directions are included on the TBRA Gross Household Income, Calculation Worksheet **Attachment F**. (Use the eligibility income information as applicable). This worksheet is completed with the client during the TBRA interview. The following information is provided and follows the worksheet order:

- a) Household Size: First, determine the number of persons in the household based on the following examples and definition of family as provided above. Not everyone in the household is counted for purposes of determining the TBRA household income. Always counted in household size are the applicant, the spouse (if married), dependent children and any adults such as parents, adult siblings, adult children, significant others and partners who live with the applicant and are financially dependent on one another.

For example:

- If the client lives alone, it is a household of one.
- If the client is married, it is a household of 2, the client and spouse.
- If the client is married & has children, it is a household of 2, plus the number of children.
- If the client has a roommate, it is a household of one. A roommate shares room and board only, will have separate bedroom and separate financial arrangements. (Refer to the shared income information contained on page ____).
- If the client has a significant other, partner or other adult who lives with the client and the two are financially dependent on one another, it is a household of 2.
- Document the household size on the worksheet.

- b) Area Median Income (AMI): Second, obtain or print out HUD's Current Area Median Income Limits for Florida (www.hudclips.org—go to Florida median income limits or find HOPWA and search under AMI). (Attachment G). This chart provides income limits of 30%, 50% (very low-income) and 80% (low-income) categories of Florida's major cities and counties based on the number of persons in the household. The 80% "low-income" category is used for median income purposes. Determine the area median income from the client's area based on the household number. Document the AMI on the worksheet.

- c) Gross Household Income: Determine the client's household income from all sources. Use the worksheet (Attachment F), and extra paper to include all types of allowable income. Refer to the allowable income and exclusions cited in 24 CFR 5.609) (Attachment H). Examples of income included and excluded include the following:

| Income includes: | Excluded from income: |
|---|--|
| Income from wages, salaries, tips, etc. | Student financial aid |
| Business income | Earned income of children |
| Interest and Dividend Income | Foster Care Payments |
| Income includes: | Excluded from income: |
| Retirement and insurance income | Inheritance & Insurance income (lump sums) |

Welfare Assistance, Armed Forces
Alimony, child support, gift income

Medical expense reimbursements
Income from employed Live-In Aides who care
for the client & caregivers who care for client
unpaid.

The total gross household income is documented on #8 the worksheet and the area median
income on #9. (Attachment F)

- d) Final Compliance Documentation. Document compliance or non compliance with less than
80% of the area median income on Question #10.

**File this worksheet in the client file for future reference. The income information will
be used to determine the rental payments as described in Step #2.**

Step #2: RENTAL UNIT RELATED ACTIVITIES

Step #2 provides the rental activities necessary to proceed with TBRA approval, after the client activities have been completed. The rental activities include the information to schedule and complete a housing inspection of the proposed rental unit; determine the standard and reasonableness rent; calculate the amount of the client and agency rental assistance contribution, and other rental related activities.

The order of the rental activities will vary depending on the status of the client as new or existing, and whether or not the client is already in a rental unit or actively seeking one. All steps apply regardless of the client's circumstance and include the following:

- Schedule and Complete the Required Housing Inspection (24 CFR 574.310(b) & 574.635), and the lead based paint requirements, if applicable
- Determine the Fair Market Rent (FMR) (24 CFR 574.320(a)(2))
- Determine Rent Reasonableness (24 CFR 574.320(a)(3))
- Determine Client Rental Contribution (24 CFR 574.310(d)(1)(2)(3))
- Determine Agency Rental Payment (Maximum Subsidy) (CFR 574.320(1))

Forms

The following attachments should be assembled for use during the rental unit related activities:

| | |
|----------------|--|
| Attachment (A) | 24 CRF 574 Housing Opportunities for Persons with AIDS |
| | Definition for Fair Market Rent (24 CFR 574.320(a)(2)) |
| | Definition for Rent Standard (24 CFR 574 320(a)(2)) |
| | Definition for Rent Reasonableness (24 CFR 574.320(a)(3)) |
| | Definition for Client Rent Payment (24 CFR 574.310d (1)(2)(3)) |
| | Definition for Maximum Subsidy (24 CFR 574.320d (1)) |
| Attachment I | HUD Housing Quality Standards (HQS) Inspection Checklist |
| Attachment J | HOPWA HQS Habitability Standards |
| Attachment K | HUD's Fair Market Rent (FMR) for Florida |
| Attachment L | Rent Reasonableness Checklist (24 CFR 574.320(a)(3)) |
| Attachment M | Local Income Limits and FMR Chart |
| Attachment N | Rent Calculation Worksheet |
| Attachment O | Utility Allowance Chart |
| Attachment P | Final Calculations |

Housing Quality Standards Inspection

In conjunction with (24 CFR 574.310(b) & 574.635) all housing participating in TBRA must be in compliance with the federal Housing Quality Standards (HQS), and state and local requirements

to ensure a safe and sanitary dwelling. The habitability quality standards include the following categories:

| HQS | |
|-------------------------|---------------------------------------|
| Structure and Materials | Thermal Environment |
| Access | Illumination and Electricity |
| Space and Security | Food Preparations and Refuse Disposal |
| Interior Air Quality | Sanitary Condition |
| Water Supply | |

The housing inspection of a proposed TBRA should be scheduled as soon as possible. The inspection provides useful information about the condition of the rental unit, and the sooner the inspection is completed, the sooner it will be known whether or not the rental unit is an option for the client. Information about scheduling and completing the required HQS TBRA inspection and other inspection information includes the following:

- 1) **The Inspection Checklist(s):** All findings are documented directly on either checklist:
 - a) The Housing Quality Standards (HQS) Inspection Checklist (Attachment I) is used by HUD for purposes of Section 8 inspections and is a 7-page comprehensive document required for all Section 8 housing. It can be used for TBRA purposes, particularly if a TBRA unit is being considered for a possible Section 8 unit in the future.
 - b) The HOPWA HQS Habitability Standards Checklist (Attachment J) is used for TBRA purposes, and is a 3-page checklist with all of the inspection categories provided. This checklist has a certification statement that the evaluator is not a certified HUD inspector for signature, as applicable.
- 2) **Pre-Screening:** TBRA case managers/housing coordinators should review and become familiar with the HOPWA HQS Habitability Standards (Attachment J), and use it as an initial pre-screening tool. Information obtained during the application and assessment and documented on the TBRA Application and Assessment (Attachment B) will also provide some basic housing information for the pre-screening. An actual home visit may also be conducted. A visual assessment of a unit prior to the inspection can identify deteriorated paint, dust, debris, residue, unsanitary conditions or other factors which may impact inspection approval. Deficiencies can possibly be repaired, fixed or cleaned prior to the required inspection, if known.
- 3) **Inspectors:** Certified HUD inspectors responsible for Section 8 housing inspections may be available for TBRA inspections upon request and for a fee. The TBRA case manager/housing

coordinator should contact the Section 8 program or the Local Public Housing Authority for inspection and training information. Although there is no requirement that HQS inspectors be certified, it is preferred. The HQS Habitability Standards form provides a disclaimer that states ***“I certify that I am not a HUD certified inspector and I have evaluated the property located at the address below to the best of my ability and find the following:”***

- 4) **The Inspection:** The TBRA case manager/housing coordinator is responsible for notifying the HQS inspector to set up a HQS inspection. Prior to rental assistance being provided, an Initial/Move In inspection is conducted to determine if the unit and property meet Housing Quality Standards (HQS), as defined in CFR 574.310 (2) b.; to document the current condition of the unit to assist in future evaluations whether the condition of the unit exceeds normal wear and tear, and to document the information to be used for determination of rent reasonableness. These inspections will also be conducted on an annual basis thereafter.

Lead-Based Paint Requirements: HUD Lead Regulation 24 CFR Part 35, Subpart M, applies to the TBRA program. The regulation only applies to structures built before 1978 that house children under the age of six or under. The specific lead-based paint requirements are specified on the inspection form. Additional website information and key requirements on lead based paint can be accessed with the following link:

www.hud.gov/offices/cpd/affordablehousing/training/web/leadsafe/tenantbased/keyrequirements.cfm

- 5) **Inspection Findings:** Depending on the inspection results, there may be corrective action. If a rental unit fails to pass the inspection, the landlord/client may be given a reasonable period of time to correct the deficiencies. If the deficiencies are not corrected TBRA may not be approved. All items must be re-evaluated before the rental unit can be approved for TBRA.

Determine the Fair Market Rent (FMR) (24 CFR 574.320(a)(2))

When a rental-unit has been inspected and approved to be in compliance with the HQS, proceed and determine the FMR. The amount of the rent for a rental unit (as defined in the federal regulations) must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market, and must not be in excess of rents currently being charged by the owner for comparable unassisted units. (24 CFR 574.320(a)(3)). Each area should develop a “cheat sheet” with the FMR for each county for quick access by staff as needed.

The U.S. Department of Housing and Urban Development publishes annually the Fair Market Rent for existing housing, by state, and provides a listing of metropolitan areas with the standard rent amount for 3-4 bedroom rental units. It also has non-metropolitan counties with the standard rent for 3-4 bedroom rental units. This chart is used for TBRA purposes. To determine rent reasonableness for the client's existing rent, the TBRA case manager/housing coordinator must:

- a) Obtain or print out the HUD's current Fair Market Rent Existing Housing for Florida (www.hudclips.org—go to fair market rent for Florida). (Attachment K).
- b) Refer to the local city or county on the chart and determine and document the amount for each rental unit listed.(ex. Baker County, FL . \$500 (1 BDRM), \$555 (2 BDRM) etc. This is the FMR for the specific area.
- c) Refer to the updated State HOPWA housing continuum (SECTION 3-10) for rental information for the local area. Accessing www.Floridasearch.org may be helpful also for availability and rental amounts.

Determine the Rent Reasonableness (24 CFR 574.320(a)(3))

Once the FMR chart is obtained and rental information for the local area has been determined, the Rent Reasonableness Checklist (Attachment L) is used to document a client's current rental unit amount for comparison purposes. Each TBRA office should develop a chart with a local income limit and fair market rents for the area, which is accessible and available to TBRA staff and clients. Refer to SECTION 3-10 (P6) for housing continuum information and Attachment M for an example Key West of a Local Income Limit and FMR Chart.

Rent Reasonableness factors include the following:

- If the client is not in a lease but actively seeking a rental unit, the FMR is provided for future reference once the client's rental contribution has been determined.
- On a unit-by-unit basis, the FMR can be increased up to 10% for up to 20% of the units assisted with appropriate approval.
- **Review the Lease.** During this activity, all of the critical elements of the lease are reviewed particularly the monthly payment and utilities (if applicable).

Determine the Client's Rental Contribution (24 CFR 574.310(d)(1)(2)(3))

Determining the client's rental payment can be complicated. As referenced in the federal requirements, a client must pay as rent, including utilities (allowance), an amount which is the higher of: (1) 30 percent of the family's monthly **adjusted** income (adjustment factors include the age of the individual, medical expenses, size of family and child care expenses and are described in detail in 24 CFR5.609); (2) 10 percent of the family's monthly gross income; or (3) If the family

is receiving payments for welfare assistance from a public agency and a part of the payments, adjusted in accordance with the family's actual housing costs, is specifically designated by the agency to meet the family's housing costs, the contribution of the payment that is designated for housing costs."

The rental amount from the rental lease, as well as the utility information is documented on the TBRA Rent Calculation Worksheet (Attachment N) worksheet. Before the client's rental contribution can be determined, the gross household income determined in Step #1 and documented on the TBRA Gross Household Income, Calculation Worksheet (Attachment F) must be adjusted. Only after the income adjustments are made can the client's total rent and utility payment be determined. The adjustments are made in accordance with the regulations (24 CFR 574.310d (1)(2)(3) which are further explained on the worksheet itself.

TBRA Rent Calculation Worksheet (Attachment N)

This worksheet is completed to calculate the client and agency's contribution to the rent. Use the following information as needed for further clarification:

(TBRA Rent Calculation Worksheet Cont.)

- a) Using the TBRA Rent Calculation Worksheet (Attachment N) begin to the client's income adjustment following the directions on the worksheet. The goal of the adjustments is to reduce income where possible. These calculations will serve as the basis for the rent.
- b) The client's annual gross household income determined and documented on the TBRA Gross Household Income Worksheet (Attachment F) during Step #1 is entered on the worksheet in the appropriate space. This entry must be made before proceeding.
- c) Directly on the Rent Calculation Worksheet determine and document #1A and #1B amounts. #1B amount will be used later on the worksheet.
- d) **Deductions:** This information will be included in the final draft and training will be provided.
- e) **Total Rent Payment:** On the worksheet (Attachment N) follow the instructions for #7-#11. Determine the client's rent payment which is the higher of 30% of Monthly Adjusted Income or 10 % of Monthly Gross Income. This will be the maximum amount that the family will be required to pay toward rent. Enter the amount on #10 and #11. Once a rental unit is

selected, this amount may be reduced depending upon utility allowances or utility reimbursement.

- f) Utility Allowance:** Follow the instruction for #12. The utility allowance amount is determined by the local PHA. Refer to a sample Utility Allowance Recommendations (Attachment O). The Utility Allowance schedule is revised annually and is based on an estimated full year of usage divided by 12.

Other Utility Factors:

- A Public Housing Authority (PHA) must revise its allowances when there has been a change of 10% or more in the utility rates since the last revision. The schedule must include utilities and services necessary to provide housing in compliance with HQS.
- Utilities and services do not include allowances for personal expenses (Satellite, TV, Cell Phone). PHA can approve a utility allowance amount higher than the applicable amount on its schedule if a higher amount is needed as reasonable accommodation to make the program usable by a family member with a disability. The family must request the higher allowance and provide sufficient information to determine the amount of additional allowance needed.
- When utilities are not included in the rent and are paid out-of-pocket by the client, a utility allowance will be provided. The client must provide proof of utility connection or copies of utility bills under his/her name and current address in order to receive the utility allowance. The Public Health Authority utility allowance recommendations will be used to calculate the allowance. When the total rent payment amount is negative due to the utility allowance, the balance will be paid directly to the utility company.

- g) Total Rent/Utility Payment.** The client's final rent/utility payment is entered on the #13 entry.

Determine the Agency's Rental Contribution (Maximum Subsidy)

The final calculation relating to the rental unit is the *maximum subsidy* or the agency's contribution of the rental payment. This agency's payment amount is the difference between the rent standard or reasonable rent and the client's contribution as calculated (24 CFR 574.310). The subsidy cannot be higher than the difference between the rent standard and the client contribution. The maximum subsidy (agency rental contribution) is documented on the Final Calculation form (Attachment P, a Sample from Key West) with the other calculations.

An Example:

- (1) A family has been approved for the program and will contribute \$100 (client contribution)
- (2) The maximum subsidy the agency will pay is the rent standard minus the client contributions.
- (3) \$500 rent standard - \$100 = \$400 maximum subsidy.

(4) *The tenant now goes to look for a rental unit with the understanding that the rent and utility costs of the unit cannot exceed \$500.*

To determine the agency's contribution of the payment the following client and rental information which has been obtained is assembled. It includes the following example:

| | Example |
|--|------------------|
| The FMR or the rental standard for the area: | \$500 for 1 BDRM |
| The Client's Contribution of the Rent/Utilities (Documented on Attachment Q) | \$250 |
| The Agency's Contribution (maximum subsidy) | #\$250 |

Other factors:

- HUD can approve the use of the PHA rent standards for a local area which are set at 110% of FMR.
- On a unit-by-unit basis and with approval, the agency's contribution can be increased up to 10% for up to 20% of the units assisted.
- Document all of the final calculations on **Attachment P.**

The Client TBRA Agreement

The client agrees to TBRA requirements concerning the rental subsidy by reading and signing the Tenant Based Housing Program, Letter of Agreement. **(Attachment Q)** This letter of agreement specifies all of the client responsibilities to the TBRA program. All clients must read, sign and be given a copy of this document.

Step #3: THE LANDLORD/OWNER RELATED ACTIVITIES

Step #3 provides the activities necessary to execute TBRA agreements between the client, landlord/owner and the State HOPWA TBRA agency. The landlord related activities in Step #3 include the following and may require legal reviews:

- Prepare the Tenant Rental Lease
- Enter into a Home Rental Assistance Contract with the State HOPWA Agency.
- Sign off on the Lead Based Requirements.
- Cooperate with the HQS Inspectors
- Correct all deficiencies, as agreed upon

Landlord/Owner Contract/Agreement

The landlord/owner must enter into a TBRA Contract/Agreement with the state TBRA HOPWA agency. The contract will begin on the first day of the lease between the owner and the client and will terminate on the last day of the lease. The contract is renewed annually, depending on the availability of TBRA funds and other factors.. [\(Attachment R\)](#)

The agreement document provides comprehensive information about the rental unit, the monthly rental amount, the agency financial obligations, the time period of the lease, and consequences if the obligations are not met. The contract is signed by the landlord/owner, client (tenant) and the designated state TBRA HOPWA staff.

The Landlord/Owner Participation and Payment

The Tenant Based Housing Owner/Landlord Participation and Payment Form [\(Attachment S\)](#) is completed for every client. The landlord/owner must agree to participate in the TBRA and be willing to accept the agency's rental contribution. The landlord/owner must also be flexible in certain circumstances if the check is delayed for up to 15th of the month. The Tenant's name and fiscal information is included on this form. The landlord/owner must sign the document.

Maintaining TBRA

On-Going TBRA Activities

Once a client and the rental unit are approved and the agreements between the TBRA program, the client and landlord/owner have been executed, there are on-going TBRA activities to ensure a client continues to be housed in a decent, safe and sanitary environment. This SECTION provides the primary responsibilities for maintaining client TBRA.

TBRA Case Manager/ Housing Coordinator Responsibilities

Client Contacts: (TO BE DETERMINED)

Client contacts can include phone, e-mail, mail, home visit or other face-to-face interaction. TBRA does not require a specified number or type of client contacts or home visits, except for the following circumstances:

a) Client has 0-Income: The TBRA case manager/housing coordinator is required to have a monthly contact at least once a month, if the client has 0-income. The progress of the client's finances and how the client is living with little or no income is monitored and documented in the plan of care with appropriate revisions. The monthly contact can be by phone, e-mail, mail, home visit or face-to-face interaction.

b) Home Visit: The TBRA case manager/housing coordinator is not required to make home visits, however it is recommended that through coordination with other agencies, either the client's regular case manager or the housing case manager complete one home visit per year. The documentation of the visit is shared and included in the client's file.

b) Complaints: The TBRA case manager/housing coordinator (or applicable personnel) may need to conduct a home visit, if there is information received relating directly to the physical structure or interior of the client's the rental unit and/or the rental agreement. The housing inspector may need to be contacted for assessment and/or corrective action depending on the information. Please refer to SECTION 2, Step #3-3 Housing Quality Standards Inspection (page 31).

Client Housing Plan Revisions:

The Client's Housing Plan is developed as a part of the initial TBRA process. It is updated or reviewed at least every 6 months or more as necessary depending on the client's housing

circumstances. The status of a Section 8 housing should be monitored as a routine part of the plan of care update.

Revisions to the Client's Housing Plan (**Attachment C**) are always documented to ensure a written account of the client's housing situation. Appropriate discussions with the client include, but are not limited to the following:

- ❑ Client's financial status
- ❑ Employment
- ❑ Additional household members or roommates
- ❑ Problems with the rental unit or landlord
- ❑ Client's access to medical care and drugs
- ❑ Illnesses
- ❑ Any changes to the client's status which could impact TBRA.

Other methods of client contact include, mail, office visits, e-mail or other applicable location and documentation is included in the client's file. The TBRA case manager/housing coordinator will make the appropriate revisions to the Client Housing Plan and make appropriate referrals as applicable.

Annual HQS Rental Unit Inspections

The HOPWA Federal Regulations and the TBRA Program require that all rental-units meet Section 8 Housing Quality Standards. (**Attachments I & J**). Each unit under contract must be inspected, at least annually, to assure that this requirement is met. Units may also be inspected as a result of housing quality complaints initiated by the client, landlord/owner or other. If a unit fails to pass the inspection, the landlord/owner may be given a reasonable period of time (24 hours for emergency conditions or 30 days for less serious conditions) to correct the deficiencies. If the owner fails to make the needed corrections, the TBRA program has several options:

- With adequate notice to the landlord/owner, the TBRA Contract could be terminated and require the household to move to another location in order to continue to receive assistance.
- The TBRA program may also temporarily suspend its payments until the owner remedies the HQS deficiencies. (If this approach is taken, the household should be encouraged to continue to pay its share of the rent in order to prevent eviction.)

In most instances, a rental unit's deficiencies can be corrected appropriately, if cited.

Annual Contract and Lease Renewal

The TBRA contract, participation and payment forms and all other TBRA tenant/client and rental unit are renewed and updated annually with all appropriate signatures. (Attachments Q, R, & S)

Eligibility Determination and Program Qualifications

- The client's eligibility requirements to receive HIV/AIDS Patient Care Services must be renewed every 6-months by the appropriate eligibility staff, and in accordance with SECTION 64D-4 FAC. A current Notice of Eligibility is issued and included in the TBRA client file.

- The client's TBRA fiscal and programmatic qualifications must be re-determined, updated and approved annually.

ATTACHMENTS

(Page numbers where attachments can be located are in parenthesis.)

Step #1

Client Related Activities (Pages 15-20)

| | |
|--------------|---|
| Attachment A | 24 CFR 574 Housing Opportunities for Persons with AIDS (12) |
| Attachment B | TBRA Housing Application, Assessment & Housing Plan (15-16) |
| Attachment C | Client Housing Plan (16, 30) |
| Attachment D | Verification of No Income (17) |
| Attachment E | Client Budget Worksheet (16) |
| Attachment F | TBRA Gross Household Income Calculation Worksheet (18-20) |
| Attachment G | HUD's Current Area Median Income Limits for Florida (19) |
| Attachment H | Income Inclusions and Exclusions (24 CFR 5.609) (19) |

Step #2

Rental Unit Related (Pages 21-27)

| | |
|--------------|---|
| Attachment I | HUD Housing Quality Standards (HQS) Inspection Checklist (22, 30) |
| Attachment J | HOPWA HQS Habitability Standards (22, 30) |
| Attachment K | HUD's Fair Market Rent (FMR) for Florida (24) |
| Attachment L | Rent Reasonableness Checklist (24 CFR 574.320(a)(3). (24) |
| Attachment M | Local Income Limits and FMR Chart (24) |
| Attachment N | Rent Calculation Worksheet (25)) |
| Attachment O | Utility Allowance Chart (26) |
| Attachment P | Final Calculations (27) |
| Attachment Q | Tenant Based Housing Program/Letter of Agreement (27, 31) |

Step #3

Landlord Related Attachments (Pages 28)

| | |
|--------------|---|
| Attachment R | Tenant/Landlord/TBRA Case Manager/Housing Coordinator Agreement (28) |
| Attachment S | Tenant Based Housing Owner/Landlord Participation & Payment Form (28) |

