



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

SPECIAL ATTENTION OF:

Office Directors of Public Housing;
Regional Directors; Public Housing
Agencies

NOTICE PIH 2019-20 (HA)

Issued: July 26, 2019

This notice remains in effect until
amended, superseded or rescinded

Cross-references: PIH Notice 2009-08;
Consolidated Appropriations ACT, 2019
(Public Law 116-6, enacted February 15,
2019)

Subject: Tenant Protection Vouchers for Foster Youth to Independence Initiative

- 1. Purpose.** Through the Foster Youth to Independence (FYI) initiative HUD will provide Tenant Protection Vouchers (TPVs) for youth eligible under the Family Unification Program (FUP), subject to availability. Throughout this notice, these vouchers are referred to as FYI TPVs. Per the Consolidated Appropriations Act, 2019 (2019 Appropriations Act) (Public Law 116-6, approved February 15, 2019), TPV appropriated funds may be used for FUP under Section 8(x) of the U.S. Housing Act of 1937 (42 U.S.C. 1437f(x)).

This notice explains the eligibility and application requirements for FYI TPV funding, in addition to describing how applications will be processed.

- 2. Summary.** Through this targeted allocation, HUD is investing in local, cross-system collaborative efforts to prevent and end homelessness among youth with a current or prior history of child welfare involvement. The success of this effort requires that community partners coordinate effectively to identify, target, and connect eligible youth at-risk of or experiencing homelessness to housing and related supports. This notice calls for public housing agencies (PHAs), public child welfare agencies (PCWAs)¹, and

¹ **Public Child Welfare Agency (PCWA)** means the agency that is responsible under applicable State law for determining that a child is at imminent risk of placement in out-of-home care or that a child in out-of-home care under the supervision of the public agency may be returned to his or her family, or that a youth is at least 18 years and not more than 24 years of age and left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless at age 16 or older.

continuums of care (CoCs)² to work together to determine the most appropriate intervention for each young person.

*Home Together: The Federal Strategic Plan to Prevent and End Homelessness*³ calls for federal, state, and local partners to work together to end homelessness in America. This includes ending homelessness among unaccompanied youth and other young adults. Young adults aging out of foster care, or with histories of involvement with foster care, are at a high risk of homelessness. It is estimated that between approximately 20,000-25,000 youth age out of foster care every year. Of those, approximately 25 percent experience homelessness within four years of aging out, and an even higher percentage will experience some form of precarious housing.

The FUP is presently administered by 280 PHAs, or about 13 percent of all PHAs that administer the HCV program. Competitive demand for limited FUP resources means this form of assistance is not available in all communities. Further, having two eligible categories for assistance under one program (FUP-eligible families and FUP-eligible youth) results in two populations competing for the same resource. At present, this results in FUP-eligible families comprising approximately 95 percent of current FUP participants, with FUP-eligible youth making up the remaining five percent. As a result, the vast number of young people, who are otherwise eligible for FUP, do not have access to this resource. Barriers to access are compounded if the community in which eligible youth reside does not have a PHA administering FUP.

To address these issues, this notice makes available TPVs to FUP-eligible youth in communities that do not administer FUP.

The funds made available through this notice for FYI TPVs are separate from the \$20 million for FUP special purpose vouchers (FUP SPVs) included in the 2019 Appropriations Act for FUP. The \$20 million for FUP SPVs will be awarded through a FUP Notice of Funding Availability (NOFA) later in CY 2019.

3. **Funding.** Subject to the following conditions, HUD will accept PHA requests for FYI TPVs under this notice on a rolling basis:
 - A. **Funding remains available.** Funding under this notice is dependent on the availability of appropriations. HUD will monitor the demand for TPVs for all categories of actions funded out of the TPV account. As needed, HUD may issue

² **Continuum of Care (CoC)** – the group organized to carry out the responsibilities required under 24 CFR Part 578 and that is composed of representatives of organizations, including nonprofit homeless providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons to the extent these groups are represented within the geographic area and are available to participate.

³ To learn more about *Home Together: The Federal Strategic Plan to Prevent and End Homelessness*, visit: <https://www.usich.gov/home-together/>.

guidance that describes how it will manage available TPV resources, including prioritizing the circumstances or conditions warranting TPV issuance. Such guidance may place constraints on FYI TPVs provided under this notice, which may affect the timing of when such vouchers may be made available, limiting the number of FYI TPVs provided under this notice in a given fiscal year, or temporarily suspending making FYI TPVs available for this purpose until TPV resources are determined to be sufficient to meet the demand for TPV actions.

- B. **Notice remains in effect.** Until HUD rescinds or suspends this notice, it remains in effect.
 - C. **HUD continues to have authority to make TPVs available for this purpose.** Until Congress enacts language prohibiting the use of TPVs or directs that such TPVs be used in a manner that is inconsistent with this Notice, HUD continues to have authority to make TPVs available for this purpose.
4. **PHA Eligibility Requirements.** A PHA requesting assistance under this notice must meet all of the eligibility requirements described below.
- A. **PHA currently administers the Housing Choice Voucher (HCV) Program.** The PHA must have an existing ACC with HUD for HCVs. A contract administrator that does not have an ACC with HUD for HCVs but constitutes a PHA under 24 CFR 982.4 by reason of its administering HCVs on behalf of another PHA, is not eligible to submit an application under this notice.
 - B. **PHA does not currently administer the FUP.** PHAs that administer the FUP, awarded any year, are not eligible to administer assistance under this notice.
 - C. **Partnership with a PCWA.** The PHA must have a partnership with a PCWA. This partnership must assist the PHA in using assistance under this notice.
 - D. **Accept FUP-eligible youth referral.** The PHA must accept referrals of youth certified by the PCWA as eligible for assistance under this notice. A request for assistance may not be made until the PHA has received a referral of a FUP-eligible youth from the partnering PCWA.
 - E. **Determine eligibility.** The PHA must determine if youth referred by the PCWA are eligible for HCV assistance.
 - F. **Administrative plan update.** The PHA must amend the administrative plan in accordance with applicable program regulations and requirements, if needed.
5. **PCWA Roles and Responsibilities.** The partnering PCWA must meet the following requirements.

- A. **Identify FUP-eligible Youth.** The PCWA must have a system for identifying FUP-eligible youth within the agency’s caseload and review referrals from the PHA and CoC.
 - B. **System of Prioritization.** Given the limited nature of this resource, the PCWA must have a system of prioritization for FUP-eligible youth.
 - C. **Written Certification.** The PCWA must provide written certification to the PHA that a youth is FUP-eligible.
 - D. **Supportive Services.** The PCWA must provide or secure a commitment for the provision of required supportive services.
- 6. Required Supportive Services.** Eligibility to receive funding under this notice to administer FYI TPVs requires that the PCWA provide or secure a commitment of supportive services for participating youth to assist the youth in achieving self-sufficiency. The services listed in (A) through (E) below must be provided for a period of 36 months to FUP-eligible youth receiving rental assistance through this notice. A FUP-eligible youth cannot be required to participate in these services as condition of receipt of the voucher.
- A. Basic life skills information/counseling on money management, use of credit, housekeeping, proper nutrition/meal preparation; and access to health care (e.g., doctors, medication, and mental and behavioral health services).
 - B. Counseling on compliance with rental lease requirements and with HCV program participant requirements, including assistance/referrals for assistance on security deposits, utility hook-up fees, and utility deposits.
 - C. Providing such assurances to owners of rental property as are reasonable and necessary to assist a FUP-eligible youth to rent a unit with a voucher.
 - D. Job preparation and attainment counseling (where to look/how to apply, dress, grooming, and relationships with supervisory personnel, etc.).
 - E. Educational and career advancement counseling regarding attainment of general equivalency diploma (GED); attendance/financing of education at a technical school, trade school or college; including successful work ethic and attitude models.

The provision of supportive services is not an eligible use of funding under this notice.

- 7. Youth Eligibility.** The population eligible to be assisted with funding under this notice are youth certified by a PCWA as meeting the following conditions:

1. Has attained at least 18 years and not more than 24 years of age;
2. Left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act at age 16 or older; and
3. Is homeless⁴ or is at risk of becoming homeless⁵.

Eligibility is not limited to single persons. For example, pregnant and/or parenting youth are eligible to receive assistance under this notice assuming they otherwise meet eligibility requirements.

8. Partnership Agreement. PHAs applying for assistance under this notice must enter into a partnership agreement with a PCWA. HUD strongly encourages adding the CoC, or a CoC recipient it designates, to the partnership. The partnership agreement may take the form of a Memorandum of Understanding (MOU) or letters of intent between the parties. At a minimum, the partnership agreement must clearly address the following:

- A. **Define FUP-eligible youth.** Define youth eligible to receive assistance under this notice using the criteria in Section 7 of this notice.
- B. **Supportive Services.** List the supportive services to be provided to FUP-eligible youth receiving rental assistance through this notice. All of the services identified in Section 6 of this notice must be provided. These services must be provided for a period of 36 months. The organization(s) to provide these services must be identified.
- C. **Address PHA responsibilities.** The following PHA responsibilities must be identified:
 - a. PHA must accept referrals of youth certified by the PCWA as eligible for assistance under this notice.
 - b. PHA must determine if youth referred by the PCWA are eligible for HCV assistance.
 - c. PHA must amend the administrative plan in accordance with applicable program regulations and requirements, if needed.

⁴ **Homeless** refers to the population included in the definition of this term at 24 CFR 578.3.

⁵ **At Risk of Becoming Homeless** means the population defined as “At Risk of Homelessness” at 24 CFR 576.2.

- D. **Address PCWA responsibilities.** The following PCWA responsibilities must be identified:
- a. PCWA must have a system for identifying FUP-eligible youth within the agency's caseload and review referrals from the PHA and CoC.
 - b. PCWA must have a system for prioritization of referrals to ensure that youth are prioritized for a FYI TPV based upon level of need and appropriateness of the intervention.
 - c. PCWA must provide written certification to the PHA that a youth is FUP-eligible.
 - d. PCWA must provide or secure a commitment for the provision of required supportive services.
- E. **Address CoC Responsibilities.** Where the CoC, or a CoC recipient it designates, will be party to the partnership agreement, the following CoC responsibilities must be identified:
- a. Integrate the prioritization and referral process for FUP-eligible youth into the CoC's coordinated entry process.
 - b. Identify services, if any, to be provided using CoC program funds to youth who qualify for CoC program assistance.
 - c. Make referrals of FUP-eligible youth to the PCWA.
9. **Role of the CoC.** HUD strongly encourages participation of the CoC. The CoC plays a critical role in identifying FUP-eligible youth in the community at risk of or experiencing homelessness that are no longer part of the child welfare system. Through the CoCs coordinated entry process, referrals of FUP-eligible youth are able to be made based on prioritization of need and appropriateness of the intervention. Further, CoC recipients may provide supportive services using CoC program funds to youth who qualify for CoC program assistance.
10. **Triggering Event.** The triggering event for eligibility under this notice is the receipt of a referral by the PHA from the PCWA certifying to the eligibility of a youth.
11. **Minimum and Maximum Request.** There is no minimum request size. A PHA request may be as small as one voucher. Given the limited nature of this resource, each PHA is limited to a maximum award of **25** vouchers under this notice in a fiscal year. PHAs that have not reached the maximum annual cap may submit more than one application under this notice. An application for TPVs under this notice may not occur until the PHA has received a referral of a FUP-eligible youth by the partnering PCWA.

Applying for funds under this notice does not exclude PHAs from pursuing funding under a future FUP NOFA, assuming all eligibility requirements of the NOFA are otherwise met.

12. **Value of Voucher.** The value of the FYI TPV is dependent on the Per Unit Cost (PUC) identified by HUD for the PHA.
13. **Prioritization.** Given the limited nature of these FYI TPVs, the PCWA is encouraged to consider how they are prioritizing youth for referrals. The intent of prioritization should be to ensure that youth are prioritized for housing resources and related services based upon level of need and appropriateness of the intervention. For youth still involved in the child welfare system, the permanency goals of the young person should be taken into account.
14. **Voluntary Participation.** PHAs are not required to request and/or administer assistance under this notice. Further, PHAs may choose to request less than the maximum number of FYI TPVs available to them in a given year.
15. **Application Process.** An application that does not meet all eligibility requirements will be deemed ineligible and will not receive FYI TPVs under this notice.
 - A. **Content of the Application.** A PHA who wishes to request TPVs under this notice must email the Office of Housing Voucher Programs (OHVP) at FYITPV@hud.gov. The subject line of the email should have the following format [*PHA Code_Request for FYI TPV*]. The email must come from the Executive Director, Chief Executive Officer, or individual of equivalent position of the PHA.
 - a. **Body of Email.** The body of the email must include all of the following information:
 1. PHA Name and PHA Code.
 2. Statement that the PHA is requesting vouchers under this notice.
 3. Statement that the PHA does not administer FUP.
 4. Name of partnering PCWA responsible for making eligibility determinations and referrals to the PHA.
 5. Name of the partnering CoC, as applicable.
 6. Name of entity(ies) providing the required supportive services.
 7. Certification that the PHA has entered into a partnership agreement with the PCWA, and CoC (as applicable).
 8. Indicate the number of vouchers being requested, identifying the eligible youth by name.
 9. Contact information should HUD need to follow-up.

- b. **Form HUD-52515.** The email must include the attachment of a completed form HUD-52515. All required fields unless otherwise noted in the following instructions must be completed:
 - 1. *Area(s) From Which Family to Be Assisted Will be Drawn* - Leave blank.
 - 2. *Proposed Assisted Dwelling Units* - Do not complete the full chart by bedroom size. Instead, in the final column "Total Dwelling Units" enter the number of vouchers requested as included in the need for housing assistance.
 - 3. *Average Monthly Adjusted Income* – Leave blank.
 - 4. *Need for Housing Assistance* – Provide the number of FUP-eligible youth as determined by the PCWA that have been identified for referral to the PHA should the PHA receive funding under this notice.

B. **Processing of Applications.** Before a PHA's request for assistance may be approved, the following steps must occur.

- a. **Eligibility Review.** The PHA's request for assistance will be reviewed to verify that:

- 1. All of the required information identified above has been submitted;
- 2. The PHA is eligible to administer HCVs; and
- 3. The PHA does not administer FUP.

- b. **Eligibility Determination.** After review of the application, HUD will:

- 1. Advise the PHA to modify its request to meet the requirements of this notice;
- 2. Deny any request that fails to meet the requirements of this notice and notify the PHA by email of the denial; or
- 3. Determine that the request meets the requirements of this notice.

C. **Funding Process.** Requests determined to meet the requirements of this notice will be referred to the Financial Management Division (FMD) and Financial Management Center (FMC) for further processing.

The funding process is intended to result in issuance of an amended ACC to the PHA to administer the FYI TPV(s) within 60 business days.

16. Additional Program Requirements. The following notice-specific program requirements apply:

- A. **Turnover.** These vouchers “sunset” when the youth leaves the program. This means that the PHA cannot reissue the HCV assistance issued under this notice when the youth exits the HCV program. When the youth exits the HCV program, HUD will reduce the PHA’s HCV assistance to account for the removal of the FYI TPV assistance from the PHA’s HCV baseline inventory.
 - B. **Youth Failure to Use Voucher.** Should a youth fail to use the voucher, the PHA must notify HUD, and HUD will reduce the PHA’s HCV assistance to account for the removal of the FYI TPV assistance from the PHA’s HCV baseline inventory.
 - C. **Project-Basing.** As a result of these vouchers “sunsetting” when the youth leaves the program, PHAs are prohibited from project-basing the assistance provided under this notice.
 - D. **Reporting.** PHAs must maintain a special program code for FYI TPV participants in line 2n of the Family Report (form HUD-50058) or line 2p of the MTW Family Report (form HUD-50058), as applicable. The special program code is “FYITPV.” PHAs must also properly record the date the PHA issues the voucher to the youth, the date of admittance to the program, and expiration of said voucher in line 2a.
 - E. **Waiting List Administration.** If HUD awards a PHA funding under this notice, the funding is targeted to a specific person. As a result, the PHA must use the assistance for that person. The PHA may admit the youth that is not on the PHA waiting list, or without considering the family’s waiting list position. The PHA must maintain records showing the family was admitted with HUD-targeted assistance.
 - F. **Length of Assistance.** As required by statute, a FYI TPV may only be used to provide housing assistance for youth for a maximum of 36 months.
 - G. **Administrative Plan.** The PHA administrative plan must be amended in accordance with applicable program regulations and requirements, if needed.
17. **Paperwork Reduction Act.** The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). The OMB control numbers are 2577-0169, 2502-0204, and 2502-0086. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.
18. **Further Information.** Questions concerning the policies described in this notice may be directed to the Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, FYI TPV mailbox at FYITPV@hud.gov.

/s/

R. Hunter Kurtz, Assistant Secretary
for Public and Indian Housing