



Department of
Housing Preservation
& Development

DEPARTMENT OF HOUSING
PRESERVATION AND
DEVELOPMENT

Emergency Housing Voucher Briefing Supplement

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NYC Dept. of Housing Preservation Development’s Emergency Housing Voucher Briefing Supplement

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Welcome!

This booklet is designed to provide you with information on how the Emergency Housing Voucher (EHV) Program works and your rights and responsibilities as a participant in the program. **The Emergency Housing Voucher Program is a type of Section 8 Housing Choice Voucher** and program documents will make a reference to the Section 8 Housing Choice Voucher program. This Supplement provides details about EHV specifically in addition to information that is in the Section 8 Housing Choice Voucher Briefing Book.

We encourage you to contact HPD if you have questions or if you need assistance.

- Find forms at [Section 8 Forms - HPD \(nyc.gov\)](https://www.nyc.gov/hpd-section-8-contact), find more information and contact information online at: [nyc.gov/hpd-section-8-contact](https://www.nyc.gov/hpd-section-8-contact)
- In person visits are by appointment only. To request an appointment, clients may call (917) 286-4300 and select the option to request an appointment. Applicants may email DTRInitials@hpd.nyc.gov

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Translation and Interpretation Services

- If you speak a language other than English or are hearing-impaired, there are resources available to help you understand the information in this booklet. Call Client Services at: 917-286-4300.
- Español: Si usted habla una lengua con excepción de inglés o es audiencia deteriorada, hay recursos disponibles para asistirle en entender la información en este librete. Servicios del cliente llame al: 917-286-4300.
- Русский язык: Если вы говорите язык за исключением английской языка или будете поврежденным слухом, то будут имеющиеся ресурсы помочь вам в понимать информацию в этом буклете. Обслуживания клиента звонка на: 917-286-4300.
- Kreyòl: Si ou pale yon lang ki pa lang Angle oswa si ou genyen pwoblèm pou tande, genyen resous ki disponib pou ede ou konprann enfòmasyon ki nan tiliv sa a. Rele Sèvis Kliyantèl la nan nimewo: 917-286-4300.
- 中國人：如果您讲语言除英语之外或听力损伤，有资源可利用协助您在了解信息在这本小册子。电话客户服务在：917-286-4300.
- 한국어: 귀하께서 영어 이외의 다른 언어를 구사하시거나 청각 장애인인 경우, 본 안내 책자를 이해하시도록 도와드릴 수 있습니다. 고객센터 전화 917-286-4300 번으로 문의하십시오.

About the NYC Department of Housing Preservation Development's (HPD) Emergency Housing Voucher (EHV) Program

- The EHV Program was funded by Congress in 2021 through the American Rescue Plan and provides assistance to those who are:
 - homeless or
 - at-risk of homelessness,
 - previously homeless and at risk of becoming homeless again, or
 - fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking.
- The NYC Continuum of Care (NYC CoC) and their provider agencies, determine who is eligible for a referral for EHV assistance and make that referral to HPD & the New York City Housing Authority (NYCHA).
- EHV provides rent assistance in the form of a voucher (paid directly to the landlord/owner) to eligible households based on their income and household size.
- In NYC, HPD and NYCHA run the EHV program.
- The EHV Program basically works like the Section 8/Housing Choice Voucher rental assistance program, except for having different admissions criteria as well as providing housing navigation and other services (described below, "HPD's Responsibilities").
 - For example, Public Housing Agencies (PHA) like HPD and NYCHA may not deny an applicant at admission if a family has been evicted from federally assisted housing in the last five years, or if a family owes rent or other amounts to the PHA or another PHA in connection with Housing Choice Voucher Section 8 or public assistance housing. For more information on waivers and alternative requirements for the EHV program, please see HUD's [EHV Waiver and Alternative Requirements: Summary Table \(PDF, 149 KB\)](#)

For more information on the EHV program, please see [HUD Notice PIH 2021-15, EHV Operating Requirements and EHV Program \(nyc.gov\)](#) and [New York City's Continuum of Care EHV webpage](#).

HPD's Section 8 Housing Choice Voucher (HCV) Administrative Plan includes HPD's policies for carrying out the EHV and Section 8 HCV Program in a manner consistent with HUD regulations, local goals, and HPD's Agency Plan. Appendix A of

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the Administrative Plan will lay out the ways in which EHV is different than the Section 8 HCV program. All participants in the program must comply with HPD's policies as stated in the Administrative Plan. You may request a copy of the current Administrative Plan at 100 Gold Street, NY, NY 10038. The most recent Administrative Plan is also online at: <https://www1.nyc.gov/site/hpd/services-and-information/about-section-8.page>. All issues not addressed in HPD's Administrative Plan are governed by other HUD regulations, notices, memos, and state and local law.

Responsibilities of HPD, the Family, and the Owner

HPD's Responsibilities

- **In administering the EHV Program, HPD must:**
 - Explain rules and regulations of the EHV Program.
 - Issue vouchers and pay Housing Assistance Payment (HAP) to the owner on behalf of the household.
 - Monitor that all units in the EHV Program meet [Housing Quality Standards](#) (HQS) by conducting inspections.
 - Conduct an annual review of the family's income and composition information to determine continued eligibility.
 - Conduct a rent reasonableness evaluation to ensure the proposed contract rent is reasonable compared with units with the same number of bedrooms and features in the area.
 - Provide housing search assistance and other EHV services in order to help the household find housing under the EHV program.
 - Pay a broker's fee (15% of annual rent) if a licensed broker provides assistance in finding housing, and a one-time payment or security deposit of one month to the owner for eligible households.

The Family's* Responsibilities

*Family means one or more people who live together

The family's responsibilities are laid out on the Voucher the head of household receives and are also described in this section.

- **It is the family's responsibility to:**
 - Find an available unit to rent within the timeframe provided on the voucher. As an EHV voucher holder, you are eligible to receive housing search assistance.
 - The owner of the rental unit cannot be an immediate family member unless a reasonable accommodation is approved by HPD.
 - Note: Federal nondiscrimination laws require housing providers to grant requests for reasonable accommodations and modifications in housing, programs, and activities. For [more information](#) visit: [Reasonable Accommodations and Modifications | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](https://www.hud.gov/program_offices/fair_housing_equal_opp/reasonable_accommodations_and_modifications) website: https://www.hud.gov/program_offices/fair_housing_equal_opp/reasonable_accommodations_and_modifications
 - **A Request for Reasonable Accommodation form can be found on HPD's website:** <https://www1.nyc.gov/site/hpd/services-and-information/section-8-forms.page>
 - Sign a lease agreement with the owner once the unit passes inspection and you receive a move-in letter.
 - Comply with lease terms for the duration of the lease.
 - Submit complete, accurate, and timely information and documentation to HPD when requested.

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- Comply with the annual review of family income and composition information (for example, marriages, births, adoptions, deaths, etc.) and in general provide updated income and family composition information when changes occur.
 - This helps HPD determine the tenant’s ongoing eligibility for the EHV program
- Comply with requests for additional information.
- Cooperate with HPD for all inspections at least biennially (every other year) and more frequently if necessary.
- **More information on Family Responsibilities can be found starting on p. 52 of [HPD’s Section 8 Briefing Book](#)**

Owner/Landlord Responsibilities

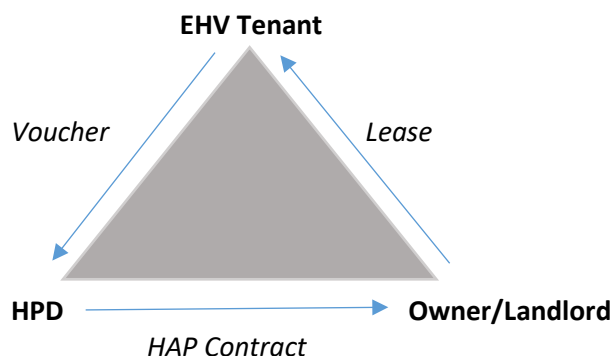
The property owner’s responsibilities are laid out on the Housing Assistance Payment Contact and are also described in this section.

- **It is the responsibility of the owner to:**
 - Sign and comply with the Housing Assistance Payment (HAP) contract and local housing laws to include landlord-tenant and Fair Housing.
 - Screen the family before executing the lease in accordance with local anti-discrimination laws.
 - Maintain the dwelling unit in accordance with HQS
 - Collect family’s share of the rent and not request additional rent that exceeds HPD approved rent.
 - Follow the federal laws which prohibit discrimination against an individual or family.
 - **Note:** Landlords must accept EHV rental assistance payments once they agree to lease to you and are approved by HPD. Nearly all rentals in NYC, including apartments located in co-op and condo buildings, are covered under the NYC Human Rights Law or the state law prohibiting source of income discrimination.
 - Contact HPD when there is an unauthorized family move or a deceased tenant.
- **More information on Owner Responsibilities can be found starting on p. 55 of HPD’s Section 8 Briefing Book**

Partnership between Tenant, HPD, and Owner

- The document between the tenant and HPD is the **EHV/Housing Choice Voucher**.
- The tenant must follow all family obligations, rules and regulations to remain enrolled in the program.
- The document between HPD and the owner is the **Housing Assistance Payment (HAP) contract**.
- The owner must also cooperate with the rules and regulations of the program to continue to receive payments.
- And last, the document between the owner and the tenant is the **lease agreement**, which is a contract between the tenant and the owner.

Partnership between Tenant, HPD, and Owner



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What is an Emergency Housing Voucher?

- The Emergency Housing Voucher (also called the Housing Choice Voucher) is the document that lets owners know that a family has rent assistance and allows you to search for an eligible unit to rent under the EHV Program.
- The document indicates: the number of bedrooms the family is entitled to; the issue date; the expiration date; and a family’s responsibilities under the program.
- The initial term of the voucher is 120 days plus a 60-day extension gives each family a total of 180 days to find a unit. The voucher is valid for **180** days after the issuance date.
- HPD may extend this timeframe for good cause, such as a reasonable accommodation.
 - **A Request for Reasonable Accommodation form can be found on [HPD’s website: https://www1.nyc.gov/site/hpd/services-and-information/section-8-forms.page](https://www1.nyc.gov/site/hpd/services-and-information/section-8-forms.page)**
- If a reasonable accommodation is granted, the voucher will be extended 60 days.
 - **Note:** If you are a voucher holder moving in (called “porting in”) from another Public Housing Authority (PHA), your voucher expiration date will automatically be extended 30 days from the initial voucher expiration date.

The Emergency Housing Voucher

Voucher Housing Choice Voucher Program OMB No. 2577-0169 (exp. 04/30/2018)		U.S. Department of Housing and Urban Development Office of Public and Indian Housing	
Public Reporting Burden for this collection of information is estimated to average 0.05 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number. Assurances of confidentiality are not provided under this collection. This collection of information is authorized under Section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f). The information is used to authorize a family to look for an eligible unit and specifies the size of the unit. The information also sets forth the family’s obligations under the Housing Choice Voucher Program.			
Privacy Act Statement. The Department of Housing and Urban Development (HUD) is authorized to collect the information required on this form by Section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f). Collection of family members’ names is mandatory. The information is used to authorize a family to look for an eligible unit and specifies the size of the unit. The information also sets forth the family’s obligations under the Housing Choice Voucher Program. HUD may disclose this information to Federal, State and local agencies when relevant to civil, criminal, or regulatory investigations and prosecutions. It will not be otherwise disclosed or released outside of HUD, except as permitted or required by law. Failure to provide any of the information may result in delay or rejection of family voucher issuance.			
Please read entire document before completing form Fill in all blanks below. Type or print clearly.		Voucher Number	
1. Insert unit size in number of bedrooms. (This is the number of bedrooms for which the Family qualifies, and is used in determining the amount of assistance to be paid on behalf of the Family to the owner.)		1. Unit Size	
2. Date Voucher Issued (mm/dd/yyyy) Insert actual date the Voucher is issued to the Family.		2. Issue Date (mm/dd/yyyy)	
3. Date Voucher Expires (mm/dd/yyyy) Insert date sixty days after date Voucher is issued. (See Section 6 of this form.)		3. Expiration Date (mm/dd/yyyy)	
4. Date Extension Expires (if applicable) (mm/dd/yyyy) (See Section 6. of this form)		4. Date Extension Expires (mm/dd/yyyy)	
5. Name of Family Representative		6. Signature of Family Representative	Date Signed (mm/dd/yyyy)

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EHV Housing Search Assistance

- Once you receive an EHV, you must find an apartment to rent and submit a completed landlord package to HPD before the expiration of your voucher.
- You will be offered housing navigation services. The person providing housing navigation services can be a Housing Navigator, an employee of a community-based organization, your existing caseworker or a City staff person. The person helping you will be called the Navigator.
- The City of New York is working to recruit property owners to rent to voucher holders. Your Navigator will be able to schedule you for apartment viewings.
- The Navigator will initiate contact with you, help you identify and prepare for apartment viewings, and offer regular check-ins and support for a successful housing search and lease-up process.
- There are also a variety of additional housing search resources available to you:
 - HPD's [Housing Search Resources page](https://www1.nyc.gov/site/hpd/services-and-information/section-8-housing-search-resources.page): <https://www1.nyc.gov/site/hpd/services-and-information/section-8-housing-search-resources.page>
 - www.AffordableHousing.com: Some owners interested in participating in the Section 8 rental subsidy programs register available apartments through this website. Voucher holders are encouraged to check these listings often.
 - NYC Housing Connect is an online application system for affordable housing lottery opportunities in New York City. It can be found at nyc.gov/housingconnect. Please note that housing lotteries are extremely competitive and take time. While you apply for lotteries and wait for updates, you must also seek other opportunities to use EHV.
 - HPD's [Apartment Hunting Tips page](https://www1.nyc.gov/site/hpd/services-and-information/apartment-hunting-tips.page): <https://www1.nyc.gov/site/hpd/services-and-information/apartment-hunting-tips.page>
- Your Housing Choices
 - Voucher holders have the option of living in a neighborhood that best fits your needs. To make this more possible, your EHV Voucher can pay for more expensive units in competitive areas. These are called Exception Payment Standard (EPS) areas. The maximum rental assistance HPD can pay is higher in EPS areas than in other areas. You can find out more about how much rent your voucher can cover at www.nyc.gov/hpd-payment-standards
 - First time EHV voucher holders have the option to lease-up in their current unit, provided the unit meets HQS standards, and the rent is reasonable and within the established payment standard.

Housing Search Timeline & Voucher Expiration

- Reminder: The initial term of the voucher is 120 days plus a 60-day automatic extension = 180 days.
- A voucher holder therefore has 180 days to search for a housing unit before the voucher expires.
- A voucher holder may request an extension of the voucher term.
 - HPD will grant extensions if needed as a Reasonable Accommodation to make the program accessible to and usable by a person with disabilities.
 - **A Request for Reasonable Accommodation form can be found on HPD's website:** <https://www1.nyc.gov/site/hpd/services-and-information/section-8-forms.page>
 - An HPD employee at the level of Director or higher (or their designee) must approve these extensions.
- During the initial or extended term of the voucher, the family is required to submit a Landlord Package with a signed **Request for Tenancy Approval form** (Form HUD-52517).

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- HPD will suspend the voucher term (i.e., “stop the clock”) from when the applicant provides a Landlord Package until the time that HPD approves or denies the request. If the request is denied, the applicant will be issued a voucher with the number of days left on the original voucher at the time of the Landlord Package submission.
- If a voucher has expired, the family may be eligible to re-apply if they continue to be eligible based on the NYC Continuum of Care priorities.
 - If determined eligible by a referring agency and if the family reapplies, they will be placed on the waiting list.
- HPD is not required to notify a family that their voucher has expired.
- **More detailed information on leasing can be found starting on p. 39 of [HPD's Section 8 Briefing Book: https://www1.nyc.gov/assets/hpd/downloads/pdfs/services/section-8-briefing-book-abridged.pdf](https://www1.nyc.gov/assets/hpd/downloads/pdfs/services/section-8-briefing-book-abridged.pdf)**

Next Steps: Submitting the Landlord Package

- Once you have found a unit that you would like to rent, before your voucher expires and before you sign the lease, you must submit the following documents to HPD before HPD can approve the unit (Note: a landlord, case worker, Housing Navigator, or other party may submit the documents on the household's behalf):
 - Completed Landlord Package, including the Request for Tenancy Approval (RFTA)
 - Copy of the proposed lease
- HPD will provide you with a Landlord Package with the executed voucher via email.
- Once you have located a unit, you and the owner must complete the Landlord Package and submit it to HPD.
- The Landlord Package includes both HPD and HUD-required forms that collect the basic information about the rental unit, including the unit address, number of bedrooms, structure type, year constructed, utilities included in the rent, and the requested beginning date of the lease.
- For apartments subject to rent stabilization, owners must certify the most recent rent charged for the unit and provide an explanation for any difference between the prior rent and the proposed rent.
- Owners must certify that they are not the parent, child, grandparent, grandchild, sister, or brother of any member of your family, unless HPD has approved a reasonable accommodation for the family.
- Owners must certify that the unit, common areas, and exterior are free of lead-based paint hazards and complete a Lead-Based Paint Disclosure form, signed by tenant and owner/agent
- **Both you and the owner must sign the Request for Tenancy Approval (RFTA) and the Lead Disclosure forms in the Landlord Package.**
- You may not submit more than one Landlord Package at a time.
- After the Landlord Package is determined complete, HPD will make arrangements to conduct an inspection of the unit.

Inspections/Housing Quality Standards (HQS)

- To ensure that your unit is clean and safe to live in and meets basic Housing Quality Standards, it must pass inspection before your HAP contract can be signed and then at least once every other year during the term of the contract.
- The Department of Housing and Urban Development (HUD) established Housing Quality Standards (HQS) to define the minimum criteria for safe housing.
- HQS standards require that every EHV unit have heat, hot and cold water, and an operable window in each living room and bedroom. In addition, all units must have a private bathroom and a fully-equipped kitchen.
 - **Exceptions:** A private bathroom and kitchen is not required if a participant is residing in a Single Room Occupancy (SRO) unit. All SROs may not have a private bathroom and kitchen for residents.
- **For more information on inspections and HQS, see [HPD's Section 8 Briefing Book](#) starting on page 45.**

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Calculating Rent

- After the voucher holder submits a completed Landlord Package and the unit has passed a HQS inspection (see Chapter 8 HQS Inspections in [HPD's Section 8 Briefing Book](#)), HPD will calculate your Total Tenant Payment (TTP).
- The TTP is the minimum amount that you must pay towards rent regardless of the unit that you select.
- Your TTP is the higher of:
 - 30% of your monthly adjusted income
 - 10% of your monthly gross income
 - HPD's minimum rent payment (\$50).
 - Exceptions to the minimum rent payment may be granted under certain circumstances due to financial hardship. You can request an exemption by calling 917-286-4300 or sending an email to DTRIncomedecrease@hpd.nyc.gov
 - Welfare Rent, if applicable
 - When public assistance is paying the tenant share of rent, the welfare rent is paid directly to the owner by the Department of Social Services (DSS) and the subsidy pays the difference up to the contract rent.
- **An example rent calculation can be found on page 98 of [HPD's Section 8 Briefing Book](#)**

Payment Standards and the "40% Rule" Ensuring Affordability for New Rentals

The payment standard is the maximum assistance HPD will provide for a unit based on the bedroom size and what utilities are included. The value may vary by zip code. You are permitted to rent an apartment that exceeds the payment standard as long as it is affordable.

- The 40 % rule ensures the new rental unit is affordable:
 - If you find a unit that has a rent above the payment standard, your share of the rent will be 30% of the adjusted gross income plus any amount that exceeds the payment standard
 - HPD will not approve your EHV rental if your share of the rent is over 40% of your gross adjusted income.
 - HUD rules do not allow voucher holders to pay more than 40% of their gross income towards rent at initial lease-up.
- **More information on income and rent can be found starting on page 24 of [HPD's Section 8 Briefing Book](#)**

Signing a Lease

- The owner will provide you with a lease, which must be submitted to HPD before you sign it.
- Your lease must contain:
 - Name of owner and tenant
 - Address of the unit rented (including the unit number)
 - Term (length of time) for the initial lease and provisions for renewal
 - Amount of monthly rent to owner
 - Specifications as to which utilities and appliances will be supplied by the owner and which will be supplied by the family
- For new tenancies, the lease must begin on either the 1st or the 15th of the month.

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- Your lease must comply with state and local law and include the HUD-required Tenancy Addendum as an attachment.
 - The Tenancy Addendum includes requirements the owner must follow when leasing a unit to a EHV voucher holder.
 - The terms of the Tenancy Addendum prevail if there is an inconsistency between the Tenancy Addendum and the lease itself.
- Be sure to review your lease carefully. It is a legally binding document.
- You should consider whether you can get out of the lease if an emergency or unforeseen circumstance arises, and whether there is a penalty or fee if you need to do this.
- Do not sign a separate agreement for services, appliances, and other items or amenities outside those that are provided under the lease, unless the agreement is in writing and approved by HPD.

Please refer to [HPD's Section 8 Briefing Book](#) for information on changes in the lease and lease Renewal starting on page 43.

Housing Assistance Payment (HAP) Contract

- After your rent and lease are approved and the unit passes inspection, HPD will execute a HAP contract with the owner.
- The HAP contract describes in detail program requirements that affect the owner and the owner's roles and responsibilities in the HCV Program.
- After you sign a lease and the owner and HPD have executed the HAP contract, you will receive a Rent Breakdown letter.
 - The lease that you signed states the full contract rent for your unit. Your Rent Breakdown letter will specify the dollar amount that you are required to pay to the owner each month.
- After your unit passes HQS inspection, HPD will do a final document review of your case before you lease up.
- The effective date of your HAP contract will be at least two weeks after the review, on the next 1st or 15th of the month.
- The HAP contract must be signed within 60 days of issuance by HPD.
- No payments will be made until the HAP contract is signed and returned to HPD with a signed lease.
- If a signed HAP contract is not returned to HPD within the 60-day term, the HAP contract will be voided by HPD.
- If the HAP contract is voided, you and the owner will be notified that if you intend to live there, a new contract may be requested with a prospective subsidy effective date. If you do not intend to live there, you must come in to receive additional time on a voucher to search for another unit.

Moving In

- If you do not already reside in the apartment, DO NOT MOVE INTO THE UNIT UNTIL HPD GIVES YOU APPROVAL.
- HPD will mail (paper and email) you notice of move in approval documents.
- At the same time, the HAP contracts will be mailed to the owner to be executed and returned to HPD along with a signed lease.
- Once you receive this notice from HPD, you should contact the owner about signing the lease and receiving the keys.
- You may move in once your lease takes effect and you are provided access by the owner.

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Annual Requirements for EHV Participants

- The EHV Program requires you to fulfill certain obligations if you want to continue to receive rental assistance. One of these obligations is completing an annual recertification. About once a year, HPD will reexamine your income and family composition in order to determine whether you remain eligible to participate in the program and to calculate your family's share of the rent and the HAP payment to be made on behalf of your family.

More detailed information on annual recertification can be found in Chapter 11 (starting on page 59) of [HPD's Section 8 Briefing Book](#)

To remain in good standing with the EHV program, an EHV participant must:

- Provide true and complete information to HPD.
- Comply with program requirements, including completing your annual recertification on time, allowing access to your unit for HQS inspections, and if necessary, allowing access to the owner for repairs.
- Not allow unauthorized persons to reside in your unit.
- Not sublease the unit or a room in the unit.
- Report ALL household income and assets.
- Not vacate the unit without first notifying HPD.
- Obtain permission from both HPD and your owner when adding new members to your household.
 - Exceptions include birth, adoptions, court awarded custody
 - **Note:** HPD performs sex offender registry checks on all new household members sixteen years of age and older.

Portability: Moving Outside of the NYC Area

- Moving outside the New York City area is called **portability**.
- **EHV participants may choose to use their voucher outside of New York City immediately after receiving it.**
- Voucher holders have the opportunity to live anywhere in the U.S., Puerto Rico, or the U.S. Virgin Islands as long as there is a Housing Choice Voucher (HCV) Program administered in that area.
- You must initiate the portability process by informing HPD that you want to move outside of New York City.
- Once you have decided to move, you must provide the following information to HPD regarding the housing authority (PHA) where you wish to move:
 - ✓ Name of the housing authority
 - ✓ Address of the housing authority
 - ✓ Contact person
 - ✓ Phone number
 - ✓ Fax number
 - ✓ Email address
- HPD will prepare the paperwork to be sent to the PHA in the jurisdiction where you wish to move.
- Once HPD has sent your portability package to the new housing authority ("receiving PHA"), you must contact the receiving PHA and set up a time to meet with the portability staff to begin their process.
- When you arrive at the receiving PHA, you will receive a voucher and briefing to enable you to search in its jurisdiction, if you have met all of its requirements.
- The receiving PHA may conduct its own criminal background screening and income review.

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- The receiving PHA's voucher size policy, payment standards, reasonable accommodation and voucher extension policies govern your housing search in their jurisdiction.

Things to Keep in Mind when Porting

- The advantages of portability allow families the flexibility to relocate with assistance for a new job/school, to be near family members, etc. However, you should familiarize yourself with your potential location before deciding to move there. You must comply with the rules and regulations of the receiving PHA, which may differ from HPD's.
- Portability procedures in the new jurisdiction could be different from HPD's.
- It is important to seek information and pay close attention to requirements at both PHAs.
- The housing search assistance services offered by the receiving PHA may be different than the housing search assistance services offered by HPD to EHV voucher holders.

Policies Applicable under Portability

- Once you port out, the receiving Public Housing Authority (PHA) sets the standards for the program.
- The receiving PHA will set and manage:
 - The income limit applicable to the family
 - Voucher extensions available for searchers
 - Voucher Payment Standards
 - Suspension of voucher term after submission of request for tenancy approval
 - Policies and procedures related to tenancy
 - Immigration and Naturalization Service (INS) verification of citizenship or requests for criminal background checks, where applicable
 - Executing the first lease under the voucher
 - Subsidy standards

Please refer to [HPD's Section 8 Briefing Book](#) for more information on portability starting on page 78.

Fair Housing

- Housing Discrimination is Against the Law
 - HPD will not deny any family or individual the equal opportunity to apply for or receive assistance under the EHV Program on the basis of race, color, sex, religion, creed, national or ethnic origin, familial or marital status, handicap or disability, actual or perceived sexual orientation, gender identity, prior record of arrest or conviction, or status as a victim of domestic violence.
 - The Fair Housing Act declares a national policy of fair housing throughout the United States. The law makes illegal any discrimination in the sale, lease or rental of housing, or making housing otherwise unavailable, because of race, color, religion, actual or perceived sexual orientation, gender identity, marital status, handicap, familial status, or national origin.
 - You may call the U.S. Department of Housing and Urban Development's Housing Discrimination Hotline at: 1-800-669-9777
 - New York State Human Rights Law and the New York City Human Rights Law prohibit owners of most buildings from discriminating against tenants or applicants for housing based upon source of income, which includes your Section 8 voucher.

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- If you believe that you have been the victim of income-based housing discrimination in the City of New York because you have a Section 8 voucher, you may file a complaint with the Law Enforcement Bureau of the City's Commission on Human Rights (CCHR).
- For more information on filing a complaint, call the Human Rights Commission at 718-722-3131 or Call 311 or visit <https://www1.nyc.gov/site/cchr/help/i-need-help.page> You may also report discrimination to the NYS Attorney General's Office at: <https://ag.ny.gov/source-income-discrimination-form>

Lease Agreements

Your lease is a contract between you and your property owner. It contains the terms and conditions of the rental. Terms of the lease cannot be changed while it is in effect unless both parties agree in writing. Property owners must provide you with a written receipt when you pay rent in cash, a money order, a cashier's check, or in any form other than a personal check. If you pay rent by personal check, you may request a rent receipt from your property owner. The receipt must include date, payment amount, period for which rent was paid, and apartment number. The property owner must sign the receipt. All leases require tenants to give a security deposit -- usually one month's rent. In most cases with EHV vouchers, the NYC Human Resources Administration (HRA) gives your property owner a voucher for the security deposit, and in some cases the amount is paid by NYCHA or HPD. If you renew your lease at a higher rent, the owner can collect additional money from you in order to bring the security deposit up to the new monthly rent.

Tenant Rights in New York City

In New York City, you have many rights relating to the safety and quality of your housing. You should expect to live in safe, well-maintained buildings that are free from vermin, leaks, and hazardous conditions. Laws protect you from harassment and discrimination. You have responsibilities to your building owners and other tenants -- including not damaging the building and responding to annual owner inquiries related to window guards, lead-based paint, and to maintain smoke and carbon monoxide detectors. Property owners and property managers must ensure that common areas and individual apartments in their buildings are safe and well maintained in compliance with the Housing Maintenance Code (HMC) and Multiple Dwelling Law (MDL).

In addition, property owners who receive a monthly EHV subsidy on your behalf must also follow federal Housing Quality Standards (HQS) and EHV program requirements, including periodic public space and unit inspections and the prompt repair of any cited HQS violations. Learn more about housing quality and safety issues by visiting <https://www1.nyc.gov/site/hpd/services-and-information/housing-quality-and-safety.page>

Staying in Your Apartment Safely

You may have several options to pursue if physical conditions in a building are not safe or in good repair. Tenants in privately owned buildings with maintenance problems should first notify the building owner or manager. If verbal notification does not result in a resolution to the problem, tenants may wish to send written notification through certified mail, with a return receipt requested. Keeping these records is important if the owner does not take any action to address the issue(s).

In addition, you may file complaints with the City by calling **311**, using **311ONLINE** or **311Mobile**. HPD will try to contact your building's managing agent to tell them that a complaint has been filed and that a violation may be issued if the condition is not corrected immediately. HPD will also try to call you back to see if the condition was corrected. If you say that the condition was corrected, HPD will close the complaint.

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As an EHV participant, you also have the option of requesting a complaint or special inspection from HPD if your property owner is not making repairs. HPD will send out an inspector to conduct an HQS inspection. Tenants in privately-owned buildings who have apartment maintenance problems or who have been harassed by the property owner may initiate legal action in Housing Court. This action is referred to as a Tenant Action or HP Action. A tenant can request an inspection by HPD when filing an action. Copies of your correspondence with the owner can be important in Housing Court. There is a fee to file that will be waived if a tenant cannot afford it.

Harassment

Harassment is any act or omission by or on behalf of an owner that causes or is intended to cause a tenant to surrender or waive any rights in relation to the occupancy of their unit. It is illegal for building owners to force tenants to leave their apartments or surrender their rights. If you are a tenant in a rental unit in the city who is being harassed by your property owner, you can get information and help. If you believe that the owner of your building is withholding essential services or not making repairs to force you to move out of your apartment, contact HPD’s Anti-Harassment Unit (AHU) by calling **311**.

New Tenant Protection Laws

Changes to New York State rent laws make it harder for property owners to evict any tenant. In addition, the new rent laws strengthened protections for New Yorkers living in rent-controlled or rent stabilized apartments. The New York State Division of Housing and Community Renewal (DHCR) enforces these laws. DHCR is the State’s affordable housing agency, with a mission to build, preserve, and protect affordable housing and increase home ownership throughout New York State.

Rent Stabilization

In some cases, your apartment might be rent stabilized, meaning you might have certain specific legal rights, including the right to a lease renewal at the end of your lease term and succession rights for qualifying family members. To learn whether your apartment is rent stabilized, you can request a rent registration history from DHCR at <https://portal.hcr.ny.gov/app/ask> or by calling **718-739-6400**. You can call the City’s Tenant Helpline by dialing **311** and saying, “Tenant Helpline.”

Eviction & Legal Help

Some property owners may try to end a lease even though they it is not legal for them to do so. It is critical to know your rights around evictions. The only legal way to evict a non-paying tenant is through a nonpayment eviction proceeding in court. Property owners must notify the tenant that rent is late, what the balance is, and that, if rent is not paid, the tenant will be evicted. As of August 2017, you have the right to legal representation in Housing Court. To learn more about your rights, visit nyc.gov/tenantprotection or call **311** and say “Tenant Helpline.”

The City’s Office of Civil Justice (OCJ), a unit of the Human Resources Administration (HRA), provides a range of free legal services to New Yorkers in need. If you are facing eviction, if you need help with an immigration matter, if you are a worker facing wage theft or other workplace violations, or if you are facing other legal challenges, you may have access to free legal assistance through OCJ.

OCJ legal services are free, and you do not have to be an existing HRA client to apply.

Legal services are available regardless of immigration status.

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To learn more about your rights and legal services available to you, visit nyc.gov/tenant-protection or call **311** and say "Tenant Helpline."

Policies Related to Persons with Disabilities

If your household includes a person with disabilities, HPD will make efforts to assist you and to provide you with a reasonable accommodation upon request:

- HPD will grant accommodations that assist applicants comply with program requirements such as phone briefings, additional support in completing documents, and additional time to complete required forms. Accommodations may be requested by contacting HPD. If necessary, HPD will initiate an interactive process to determine if and how the requestor's needs can be reasonably accommodated.
- To request to modify or waive program policies or procedures such as those listed below, you must complete a formal request. The forms used to request the accommodation depends on the request and can all be found on [HPD's website](https://www1.nyc.gov/site/hpd/services-and-information/section-8-forms.page): <https://www1.nyc.gov/site/hpd/services-and-information/section-8-forms.page>
 - Complete the **Request for Reasonable Accommodation form** (requires certification from a licensed medical professional)
 - requests to change subsidy standard (voucher size),
 - requests to stay in place for over-housed participants,
 - requests for reinstatement,
 - requests to rent an assisted unit from a relative,
 - request for extension after 180 days of voucher term
 - requests for extension to correct a tenant-caused Housing Quality Standards failure,
 - Complete the **Emergency Move Request form**
 - requests to move prior to a 12-month period of occupancy
 - emergency moves
 - Complete the **Request for Voucher Extension form**
 - ➢ requests for extended time on your voucher, so that you can locate housing that meets your needs,
- You may also request an accommodation on the HCV application and on other HPD documents, or you may contact HPD at any time to request an accommodation. Contact information can be found at the end of this document.
- To be granted a reasonable accommodation, you must show a relationship between the requested accommodation and the disability, unless the relationship is obvious to HPD staff

Violence Against Women Act

- The Violence Against Women Act (VAWA) is a federal law that was passed to protect victims of domestic violence, dating violence, sexual assault and stalking.
- If you are an applicant who is or has been the victim of domestic violence, dating violence, sexual assault or stalking, you cannot be denied Section 8 program assistance or admission if you otherwise qualify for assistance or admission.
- You may not be evicted, nor may your assistance be terminated, based on an incident or incidents of actual or threatened domestic violence, dating violence, sexual assault or stalking where you are the victim.

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- HPD will provide you with a Notice of Occupancy Rights under VAWA so that you can better understand your rights under VAWA and a Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking and Alternate Documentation form for you to complete.
- If you are a participant who is or has been the victim of domestic violence, dating violence, sexual assault or stalking, and you need VAWA accommodation from HPD, you may access the form on HPD's Website at: <https://www1.nyc.gov/site/hpd/services-and-information/section-8-forms.page> and submit it:
 - Email DTR_VAWA@hpd.nyc.gov.
 - Or make an appointment to during our office hours by calling 917-286-4300 Monday to Friday from 9AM to 4PM.
 - Call Client Services at 917-286-4300 with questions. VAWA protections and accommodations vary depending on subsidy type, so please tell the staff member you have an Emergency Housing Voucher (EHV).
 - You can also visit HPD's website to read the Notice of Occupancy Rights under VAWA and/or download a VAWA Accommodation Package: [nyc.gov/hpd-section-8-tenants](https://www1.nyc.gov/site/hpd/section-8-tenants). You can submit the package to HPD using the contact information above.

Housing Resources

NYC Housing Resource Portal

The City has many resources to help you get, afford, and keep housing. Visit [nyc.gov/housing](https://www1.nyc.gov/site/hpd/housing) to find information about rental aid, avoiding eviction, learning about your rights, and other tenant concerns.

NYC Tenant Resource Portal (Website)

The goal of this portal is to provide one place for tenants who are facing eviction. The portal provides an eviction prevention tool designed by the Mayor's Office to Protect Tenants (MOPT) and the Mayor's Public Engagement Unit's (PEU) Tenant Support Unit (TSU) to help renters navigate public and private resources that can stabilize their housing situation. A tenant seeking help will be taken through a series of questions and directed to the most useful resources based on their responses. MOPT and PEU have included resources from multiple city agencies, Legal Service Providers, and Community Based Organizations. For more information, visit [nyc.gov/tenantresourceportal](https://www1.nyc.gov/site/hpd/tenantresourceportal) or call **311** and saying "Tenant Helpline."

Homelessness Prevention

The Homebase program provides New Yorkers experiencing housing instability with various homeless prevention services and aftercare services to families and individuals exiting NYC DHS shelter and going to permanent housing. You may be eligible for Homebase services if you are at imminent risk of entering the New York City shelter system, are low-income, or want to remain stably housed in your community. Visit [nyc.gov/homebase](https://www1.nyc.gov/site/hpd/homebase) or call **311** for more information.

ACCESS NYC and ACCESS HRA

ACCESS NYC provides a mobile-friendly front door for New Yorkers to screen for benefit and program eligibility, learn how to apply, gather required documents, and find local help. Visit [nyc.gov/accessnyc](https://www1.nyc.gov/site/hpd/accessnyc).

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ACCESS NYC [Am I eligible?](#) [Programs](#) [Find help](#) [Search](#)

Find help in NYC with food, money, housing, work and more on ACCESS NYC.

What am I eligible for?

There are over 30 programs you or your family may be eligible for regardless of immigration status and even if you're already receiving benefits or have a job.

[Am I eligible?](#)

Apply now for benefits.

Apply directly for SNAP, Cash Assistance and Medicaid renewal. Apply for all 3 at the same time through the Cash Assistance application. Log into your HRA account.

[Go to ACCESS HRA ▶](#)

Check potential eligibility for over 30 benefits in 10 easy steps.

Get information for over 40 city, state, and federal benefits and services. Details include how a program works, how to qualify, what documents are needed, options for how to apply (online, phone, mail, in person), and how to receive help.

Search for a nearby service center, filter for relevant benefit categories, and get directions.

For more information on resources and help available, please see the EHV Resource Guide, posted here: <https://www1.nyc.gov/assets/nycococ/downloads/pdf/ehv-resource-guide.pdf>

For information on topics not already referenced here, please reference [HPD's Section 8 Briefing Book](#)

Contacting HPD

We encourage you to contact HPD if you have questions or if you need assistance.

- Find forms at [Section 8 Forms - HPD \(nyc.gov\)](#), find more information and contact information online at: [nyc.gov/hpd-section-8-contact](https://www1.nyc.gov/hpd-section-8-contact)
- In person visits are by appointment only. To request an appointment, clients may call (917) 286-4300 and select the option to request an appointment. Applicants may email DTRInitials@hpd.nyc.gov