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Policy Recommendations

Rent Assistance Termination Policy

Date:
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- Tierra Salmón and Rachel Langford for facilitating the Policy Work Group. Their commitment to holding an inclusive process and centering the voices of people most impacted by this policy and Black and brown people was essential in producing the recommendations in this report.
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- The Rent Assistance Department, especially Dena Ford-Avery, Ian Slingerland, and Jimmy Rattanasouk, for providing guidance, feedback, and support around understanding the complexities of this policy.
- Brian Rutzen for his data wizardry in categorizing all program exits, pulling, and cleaning all of the data to help us understand demographic disparities.
- The Executive Team at Home Forward for supporting this work and being willing to do things differently.

Definitions

Involuntary termination: This is a term used to describe a program exit or termination that is not initiated by the participant household. This category includes all exits except for “voluntary exits”.

Participant: A household that has a tenant or project voucher.

Project based voucher (PBVs): Project-based vouchers are long term rent assistance attached to a specific unit. Project-based vouchers (PBVs) are a component of a public housing agency’s (PHA’s) Housing Choice Voucher (HCV) program.

Program exit/Program termination: These terms are used interchangeably, and it means when Home Forward staff terminates a participant’s voucher.

Tenant based voucher (TBVs): Tenant-based vouchers are long term rent assistance that are portable and are connected to the household, not the unit.

Voluntary termination: This is a term used to describe a program exit or termination that is initiated by the household. This category of exits includes only “voluntary exits”.

Introduction

Rent Assistance Termination Policy

Home Forward's Rent Assistance Department Implements the Rent Assistance Termination Policy which is outlined in Chapter 12 of Home Forward's Administrative Plan ([link](#)). The policy outlines the reasons that Home Forward will propose termination of a household's rent assistance. Some of the reasons Home Forward proposes termination are mandatory (federal regulation) and some are voluntary.

This Report

The purpose of this Report is to summarize the Rent Assistance Termination Policy Work Group's, evaluation of and recommended changes to Home Forward's Rent Assistance Termination Policy for the purpose of advancing racial equity by promoting housing stability and reducing racial disparities in program terminations.

The report includes an analysis of terminations during a period of over two years (January 2018 to April 2020) with a focus on racial disparities by termination type.

The report is organized by termination reason. Under each termination reason that Home Forward may propose termination for in our current policy, there will be:

1. A summary of the current policy for that termination reason;
2. Evaluation (quantitative and qualitative);
3. The Policy Work Group's recommended changes.

Policy Recommendations

Each Policy recommendation includes six sections:

1. **HUD requirement:** This section includes the work groups recommendation to change HUD regulations. Home Forward could advocate to Congress or HUD to make the changes in rule or statute which would impact all Public Housing Authorities. As a Moving to Work Agency, Home Forward could also pursue waiving certain regulations for Home Forward specifically using our Moving to Work Authority.
2. **Home Forward Policy:** This section includes recommended changes that Home Forward has the authority to make, with Board approval, within the current legal and regulatory framework. In other words, we would not need authority from HUD or Congress to make these changes.
3. **Advocacy:** This section includes recommendations for external advocacy Home Forward should participate in to address structural or systemic issues that impact whether someone is terminated for a certain reason.

4. **Policy Parking Lot:** This section includes other Home Forward policies that the Policy Work Group recommends Home Forward review with a racial equity framework because they impact or intersect with the termination reason.
5. **Consensus:** This section includes information about whether the recommendation was a “consensus” recommendation or a “non-consensus” recommendation. For consensus recommendations, everyone in the work group agreed to move the recommendation forward. For “non-consensus” recommendations, one or more members of the work group did not support moving some or all of the recommendation forward. In “non-consensus” cases, this section will explain whether there was lack of consensus about some or all of the recommendation, and what the different positions were about the recommendation.
6. **Why:** This section includes the primary rational or values that informed the work group’s recommendation.

The Rent Assistance Termination Policy Work Group

The Rent Assistance Termination Policy Work Group (Policy Work Group) is a diverse group of people who have valuable perspectives on and experience with Home Forward’s policies and programs. Home Forward made the opportunity available to all Home Forward staff and to residents and participants involved in the Resident Advisory Council (RAC) or Action Council. Policy Work Group members applied to participate and there was intention in building a work group of people with lived experience of Home Forward’s policies and programs, experience implementing the policy, and it was a priority that the participants in the work group were majority Black and brown.

The final membership of the work group included 4 Home Forward staff, 3 Home Forward residents/participants and 3 facilitators. Home Forward staff worked in the Property Management, Development and Community Revitalization, Rent Assistance, and Asset Management Departments.

The Work Group met between July 2020 and July 2021 to evaluate the Rent Assistance Termination Policy with a racial equity framework and make recommended changes with the goal of advancing racial equity. Specifically, the work group members and facilitators worked to center Blackness and decenter whiteness throughout the work group process. The work group received 2 anti-Black racism trainings during our work to learn how to center Blackness and decenter whiteness in developing policy recommendations.

Project Objectives

The Policy Work Group had two primary objectives:

1. Evaluate the Rent Assistance Termination Policy with a racial equity framework and develop recommendations for how to change this policy in an effort to reduce racial disparities and advance racial equity.
2. Use learnings from our work group process to inform Home Forward's policy evaluation, development, and change work across the agency. The reflections on this process will inform Home Forward's "Policy on Developing and Evaluating Policies" to ensure that all major policy initiatives are equitable and inclusive in their process and that the policies themselves advance racial equity.

Data Analysis

The Policy Work Group considered two kinds of data during the evaluation of this policy: quantitative data about the number of program terminations by race/ethnicity and the lived experience of work group members who have direct or indirect experience with this policy.

The quantitative data included terminations for tenant and project-based voucher holders between January 1, 2018 and April 30, 2020. The data does not perfectly line up with the different reasons that a household could be terminated from the program so for some termination reasons, it was not possible to assess the total number of terminations for that reason nor whether there were any racial or demographic disparities for that termination reason. The policy work groups recommendations include improving data quality so Home Forward can more accurately track termination by termination reason.

The data analysis did not perform statistical tests and do not signify statistically significant differences.

Current Policy (Status Quo)

Policy Overview

This is a high-level overview of the current Rent Assistance Termination policy. More detail will be provided about the parameters of each termination reason under that specific section in the report.

The Rent Assistance Termination policy is broken into three parts:

1. The reasons that Home Forward staff must or may propose termination of the participants rent assistance;
2. The process that Home Forward uses to evaluate decisions on whether to terminate assistance after a proposal has been made, including alternatives Home Forward could offer to termination; and
3. Grounds that owners may terminate a participants tenancy (e.g., a private landlord evicting a voucher participant).

The policy work group's recommendations are focused on Part 1: the reasons for termination and Part 2: the alternatives to termination for specific reasons. A future work group should review the approach to termination of assistance and the reasons an "owner" may terminate a tenancy.

Termination Reasons

There are two general categories of termination reasons: HUD mandated and voluntary. Generally, for HUD mandated reasons, Home Forward is either required to terminate assistance in certain cases or to have a policy about terminating assistance for certain reasons. Voluntary reasons are those that Home Forward may terminate assistance for, meaning we have the power to change these reasons more immediately than HUD mandated termination reasons. However, this report includes recommended changes to both HUD mandated reasons and voluntary reasons.

Termination reasons include:

1. **Zero Housing assistance payment (HAP):** This termination reason is mandated by HUD. As a household's income increases, the amount that Home Forward is paying towards their housing costs decrease until it eventually reaches \$0 which is called "Zero Housing Assistance Payment (HAP)". In this case, Home Forward must terminate the household's assistance 180 days after we make our last payment.
2. **Household Choice:** Household's may request to have their assistance terminated at any time.
3. **Eviction:** HUD requires that housing authorities have a policy to terminate assistance if a household is evicted for a "serious" violation of the lease.
4. **Paperwork/Consent forms:** Home Forward is required by HUD to regularly certify the eligibility of household' for the voucher program. This process is referred to as "re-examination" or "re-

certification". To complete this process, Home Forward needs written authorization or "consent" from the household to collect the information. If a household does not provide their consent, Home Forward cannot complete the re-certification process and if Home Forward cannot confirm the eligibility of the household, we must terminate the household's assistance.

5. **Death of Sole Household member:** Home Forward terminates assistance if the sole member of a household dies.
6. **Drug and Alcohol Use:** HUD requires Home Forward to have a policy to terminate assistance if any household member is engaging in illegal use of a drug or a pattern of illegal drug or alcohol abuse that impacts the health, safety, or right to peaceful enjoyment of the premises by other residents.
7. **Criminal Activity:** HUD requires Home Forward to have a policy to terminate assistance if a household member has engaged in drug related or violent criminal activity.
8. **Absence from Unit:** HUD requires Home Forward to terminate assistance if all household members have been absent from the unit for a period of more than 180 consecutive days. Home Forward's policy is that we propose termination if all household members have been absent for 60 consecutive unless they meet an exception.
9. **Other reasons (voluntary):**
 - a. Household has violated "family obligations" under the program;
 - b. Household owes money to Home Forward or has breached terms of a repayment agreement with Home Forward;
 - c. Household member has engaged in or threatened violent or abusive behavior toward Home Forward staff;
 - d. Home Forward does not have sufficient funding.

Rent Assistance Participant Demographics

This data reflects program participation from January 1, 2018 to April 30, 2020 and each demographic category is mutually exclusive which means the same group of people is represented under each demographic group. This data does not show intersectionality across demographic characteristics which we hope to do for future policy analyses. Further, Home Forward data only includes the demographic characteristics of the head of household, so this data does not reflect the demographic information of the entire household.

Overall Program Demographics (Tenant and Project Based Voucher Programs)

Race: Of the 12,865 tenant-based voucher participants during the study period, 57% have a head of household who is white, 31% have a head of household who is Black, 4% have head of household who is Asian, 4% have head of household who is two or more races, 3% have a head of household who is Indigenous or Native American, and 1% have a head of household who is Hawaiian/Pacific Islander.

Table 1. Overall Voucher Participants (Race)

Race Alone	Count	Percent
Asian	498	4%
Black	4,032	31%
Hawaiian/Pacific Islander	104	1%
Native American	345	3%
White	7,395	57%
Two or More Races	491	4%
Grand Total	12,865	100%

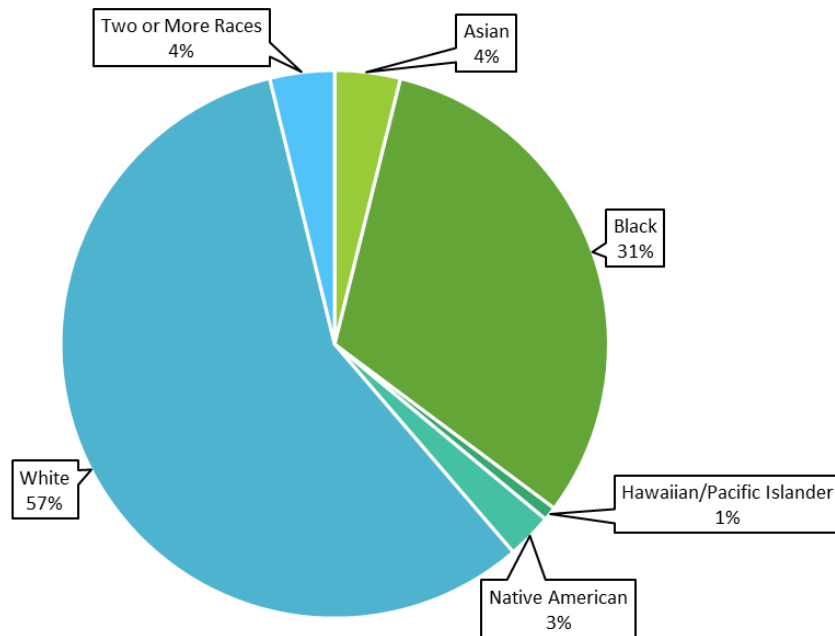
Ethnicity: Of the 12,865 tenant-based voucher participants during the study period, 91% were non-Hispanic and 9% were Hispanic/Latinx.

Table 2. Overall Voucher Participants (Ethnicity)

Ethnicity	Count	Percent
Non-Hispanic/Non-Latinx	11,734	91%
Hispanic/Latinx	1,131	9%
Grand Total	12,865	100%

Chart 1. Overall Voucher Participants (Race)

Share of Overall Voucher Participants by Race
Jan 2018 to April 2020



Gender identity: Of the 12,865 tenant-based voucher participants during the study period, 64% identified as female, 36% as male, and 0.1% as non-binary.

Table 3. Overall Voucher Participants (Gender Identity)

Gender	Count	Percent
Female	8,183	64%
Male	4,672	36%
Non-Binary	10	0.1%
Grand Total	12,865	100%

Disability Status: Of the 12,865 tenant-based voucher participants during the study period, 53% reported having a disability and 47% did not report having a disability.

Table 4. Overall Voucher Participants (Disability Status)

Disabled Member(s)	Count	Percent
Disability	6,797	53%
Without disability	6,068	47%
Grand Total	12,865	100%

Households with children: Of the 12,865 tenant-based voucher participants during the study period, 68% did not have children in the household, and 32% had children in the household.

Children	Count	Percent
With Children	4,120	32%
No Children	8,745	68%
Grand Total	12,865	100%

Tenant Based Voucher Participant Demographics

Race: Of the 7,762 tenant-based voucher participants during the study period, 52% have a head of household who is white, 36% have a head of household who is Black, 5% have a head of household who is Asian, 4% have a head of household who is of two or more races, 2% have a head of household who is Indigenous or Native American, and 1% have a head of household who is Hawaiian/Pacific Islander.

Table 6. Tenant Based Voucher Participants (Race)

Race Alone	Count	Percent
Asian	378	5%
Black	2,817	36%
Hawaiian/Pacific Islander	56	1%
Native American	164	2%
White	4,050	52%
Two or More Races	297	4%
Grand Total	7,762	100%

Source: This reflects program participant data from January 1, 2018 to April 30, 2020

Ethnicity: Of the 7,762 tenant-based voucher participants during the study period, 93% were non-Hispanic and 7% were Hispanic/Latinx.

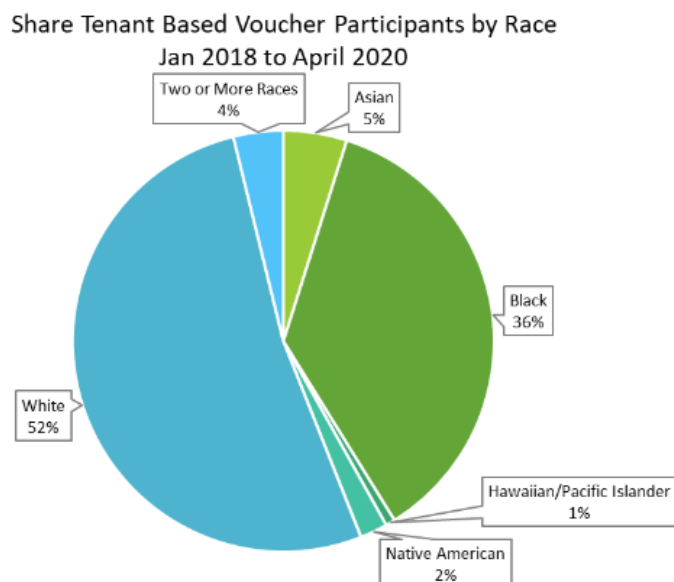
Table 7. Tenant Based Voucher Participants (Ethnicity)

Ethnicity	Count	Percent
Non-Hispanic/Non-Latinx	7,225	93%
Hispanic/Latinx	537	7%
Grand Total	7,762	100%

Gender identity: Of the 7,762 tenant-based voucher participants during the study period, 70% identified as female, 30% as male, and 0.1% as non-binary.

Gender	Count	Percent
Female	5,405	70%
Male	2,353	30%
Non-Binary	4	0.1%
Grand Total	7,762	100%

Chart 2. Share of Tenant Based Voucher Participants (Race)



Source: Home Forward. This reflects program participant data from January 1, 2018 to April 30, 2020.

Table 8. Tenant Based Voucher Participants Disability Status)

Disability Status	Count	Percent
With disability	4,068	52%
Without disability	3,694	48%
Grand Total	7,762	100%

Households with children: Of the 7,762 tenant-based voucher participants during the study period, 65% did not have children in the household, and 35% had children in the household.

Table 9. Tenant Based Voucher Participants (Children)

Children	Count	Percent
With Children	2,755	35%
No Children	5,007	65%
Grand Total	7,762	100%

Project Based Voucher Participant Demographics

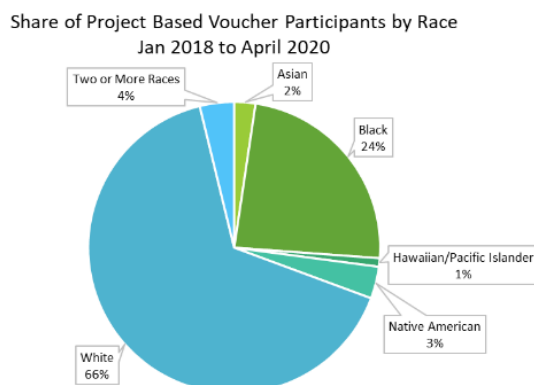
Race: Of the 5,103 tenant-based voucher participants during the study period, 66% have a head of household who is white, 24% have a head of household who is Black, 4% have head of household who is two or more races, 4% have a head of household who is Indigenous or Native American, and 1% have a head of household who is Hawaiian/Pacific Islander

Table 10. Project Based Voucher Participants (Race)

Race Alone	Count	Percent
Asian	120	2%
Black	1,215	24%
Hawaiian/Pacific Islander	48	1%
Native American	181	4%
White	3,345	66%
Two or More Races	194	4%
Grand Total	5,103	100%

Source: Home Forward. This reflects program participant data from January 1, 2018 to April 30, 2020

Chart 3. Share of Project Based Voucher Participants (Race)



Source: Home Forward. This reflects program participant data from January 1, 2018 to April 30, 2020.

Ethnicity: Of the 5,103 tenant-based voucher participants during the study period, 88% were non-Hispanic and 12% were Hispanic/Latinx.

Table 11. Project Based Voucher Participants (Ethnicity)

Ethnicity	Count	Percent
Non-Hispanic/Non-Latinx	4,509	88%
Hispanic/Non-Latinx	594	12%
Grand Total	5,103	100%

Gender identity: Of the 5,103 tenant-based voucher participants during the study period, 54% identified as female, 45% as male, and 0.1% as non-binary.

Table 12. Project Based Voucher Participants (Gender Identity)

Gender	Count	Percent
Female	2,778	54%
Male	2,319	45%
Non-Binary	6	0.1%
Grand Total	5,103	100%

Table 13. Project Based Voucher Participants (Disability Status)

Disabled Member(s)	Count	Percent
With disability	2,729	53%
Without disability	2,374	47%
Grand Total	5,103	100%

Table 14. Project Based Voucher Participants (Children)

Children	Count	Percent
Has Children	1,365	27%
No Children	3,738	73%
Grand Total	5,103	100%

Terminations – Data Overview

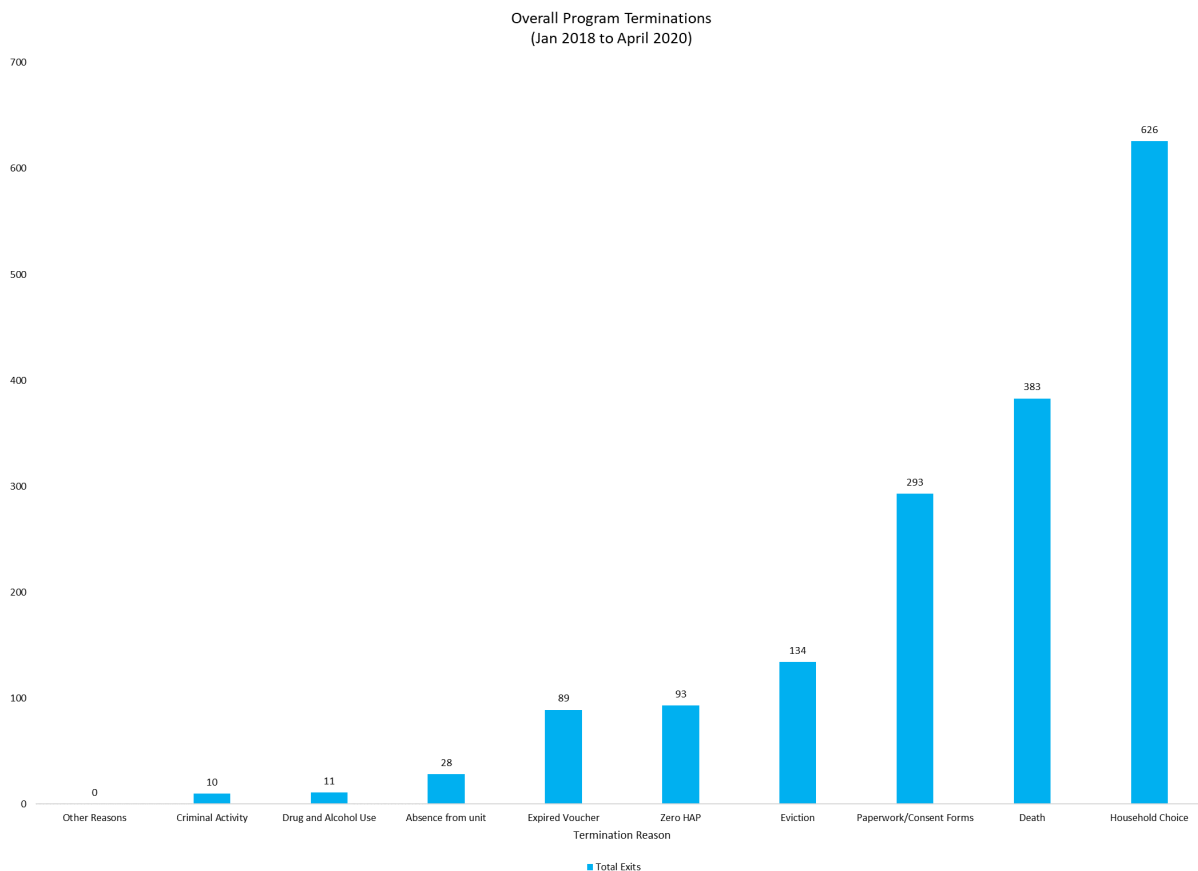
About the data

The data analyzed for this project and presented throughout this document represents exits from the voucher program (project based and tenant-based vouchers) between January 1, 2018 and April 30, 2020. This is a period of two years and three-months, so the data below does not represent annual termination figures. The data will be presented as “compiled” or “overall” if it includes exits from the tenant based and project-based voucher programs.

Overall Program Terminations (termination type)

There were a total of 1,667 program terminations across the study period. As shown in chart 4. below, the top five largest drivers of terminations were: household choice (38%), death (23%), consent forms (18%), eviction (8%) and zero HAP (6%).

Chart 4. Overall Program Terminations by Termination Type

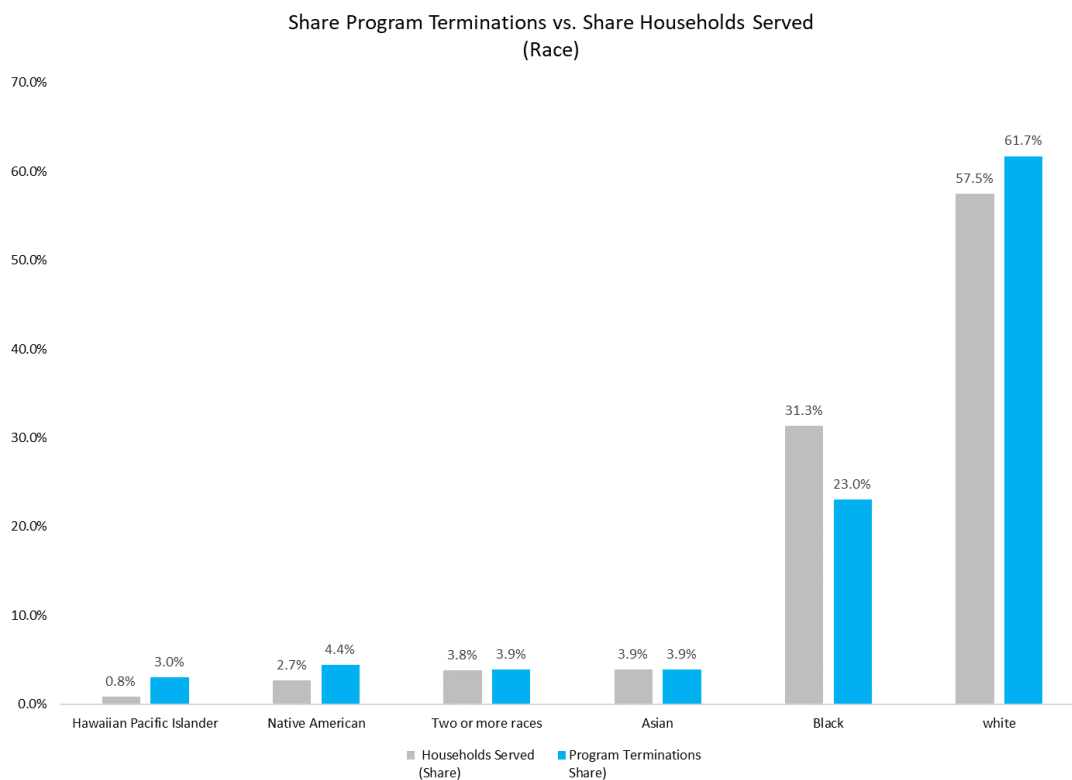


Note: Data was from the period of January 2018 and April 2020 and includes terminations in the project and tenant based voucher programs.

Racial Disparities in Overall Program Terminations

In analyzing racial disparities, we compare share of households served to share of program terminations to identify the gap between these numbers. For example, Asian households are 4% of total households served and also represent 4% of total program terminations so for Asian households, there is not a racial disparity present in program terminations. However, Native American households are 3% of total households served by Home Forward but are 4% of total program terminations, meaning that there is a racial disparity for Native American households who are overrepresented in program terminations by almost 2% compared to the share of households serve who are native American. Chart 6. Presents the same information in a different way by showing the racial disparity itself. In Chart 6, a negative percentage is an “underrepresentation” and a positive percentage means an “overrepresentation.” Given that not all program terminations are “negative”, this data is limited in what it can tell us and explorations of racial disparities within exit types will be more meaningful. For example, the highest termination reason in Chart 4 above is “household choice”.

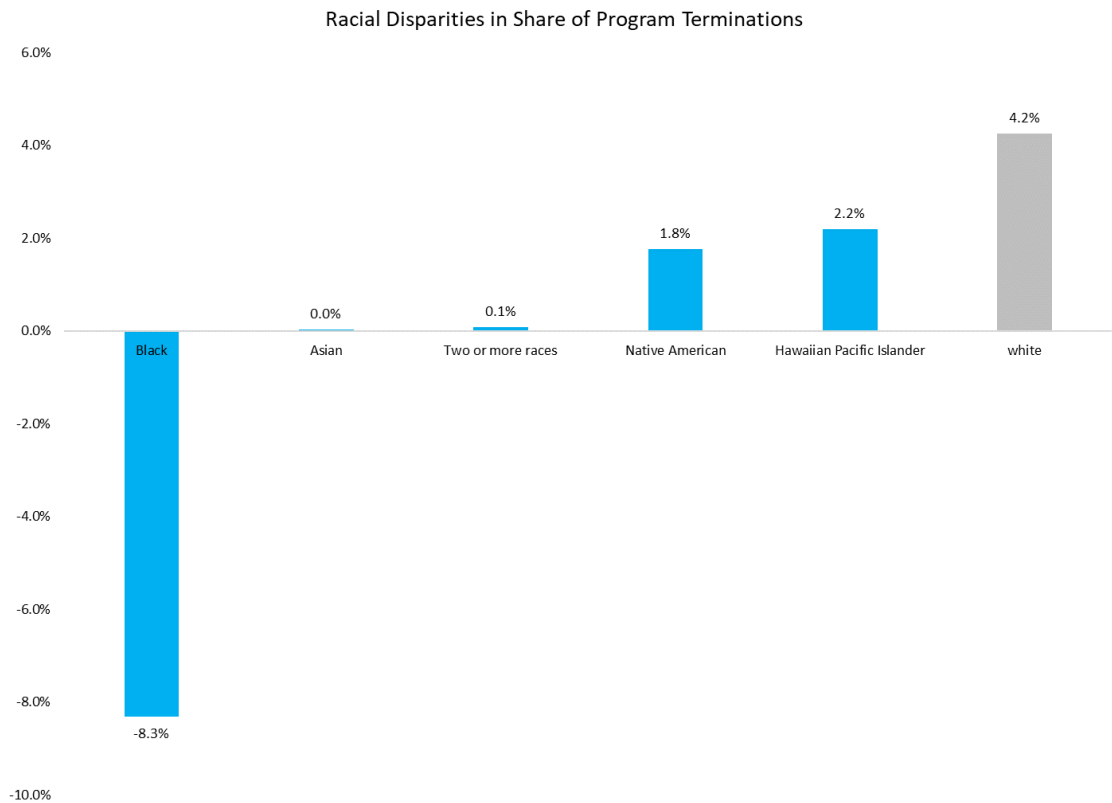
Chart 5. Share of Program Terminations by Share of Households Served (by race)



Note: Data was from the period of January 2018 and April 2020 and includes terminations in the project and tenant based voucher programs.

Again, at this high level of examining the data, what we can interpret from information about racial disparities is limited because this data represents both “positive” and “negative” termination types. However, Black households are underrepresented in termination data by about 8%, and households of two or mor races, Native American households, Hawaiian Pacific Islander households, and white households are overrepresented.

Chart 6. Racial Disparities in Share of Program Terminations (by race)

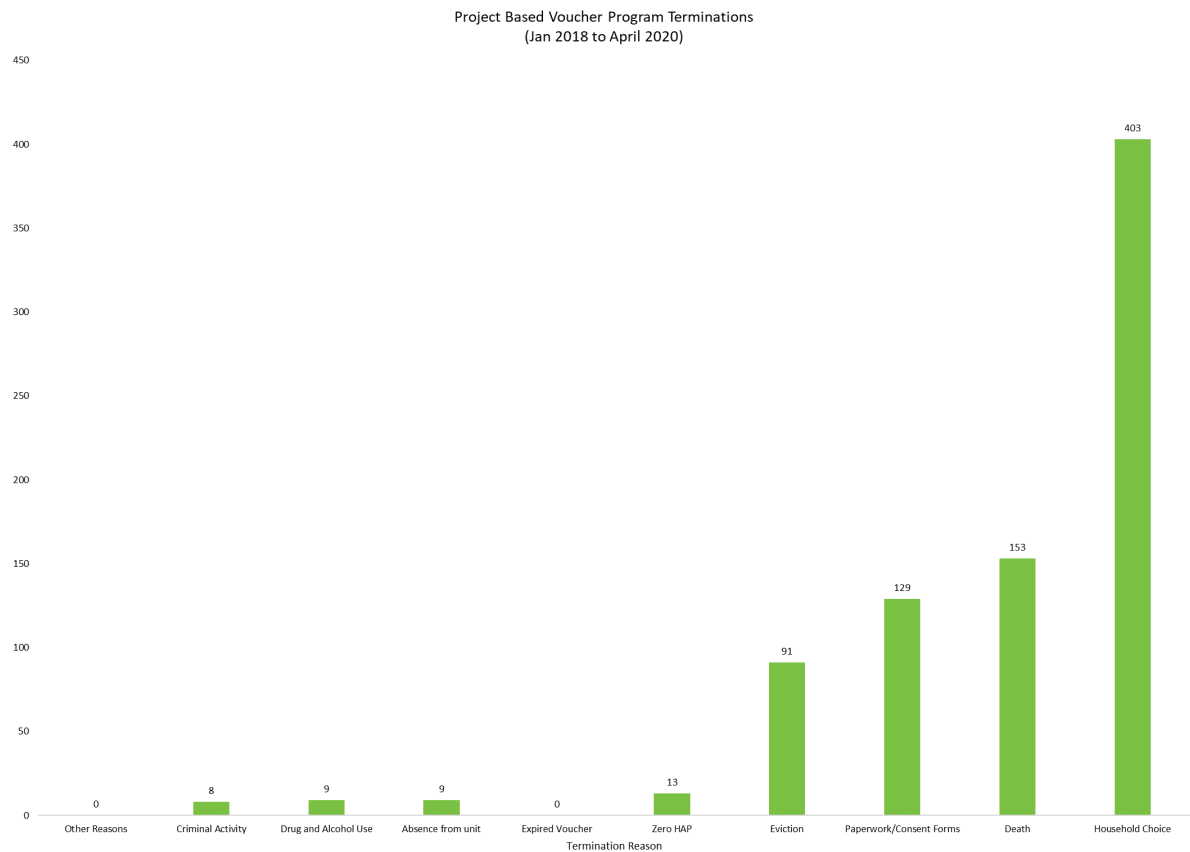


Note: Data was from the period of January 2018 and April 2020 and includes terminations in the project and tenant based voucher programs.

Project Based Voucher Terminations (termination type)

There were a total of 815 program terminations in the project based voucher program during the study period. As shown in chart 7. below, the top five largest drivers of terminations in the project based voucher program were: household choice (49%), death (19%), paperwork/consent forms (16%), eviction (11%) and zero HAP (6%).

Chart 7. Project Based Voucher Terminations by Termination Type

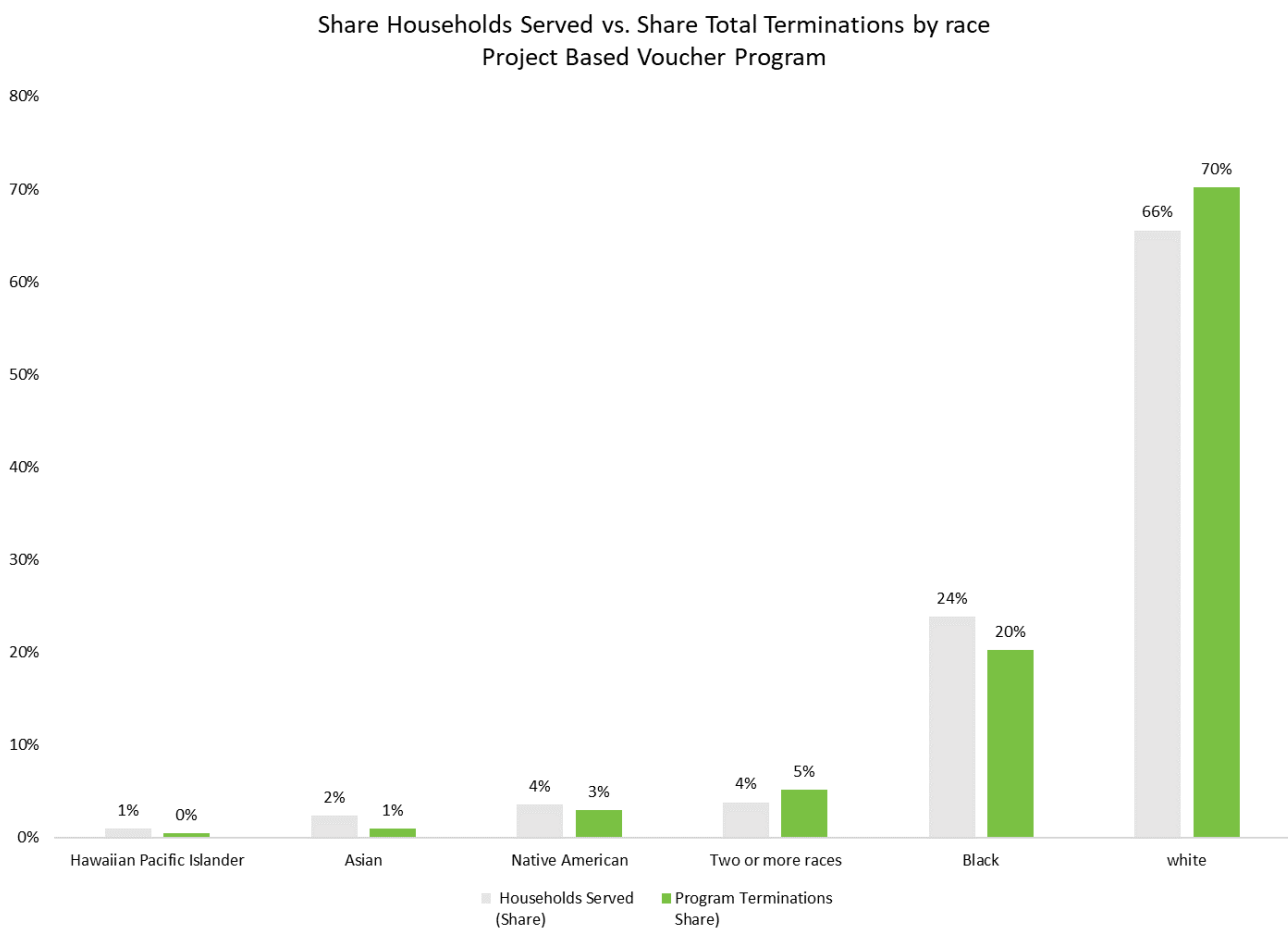


Note: Data was from the period of January 2018 and April 2020 and includes terminations in the project based voucher program.

Racial Disparities in Project Based Voucher Terminations

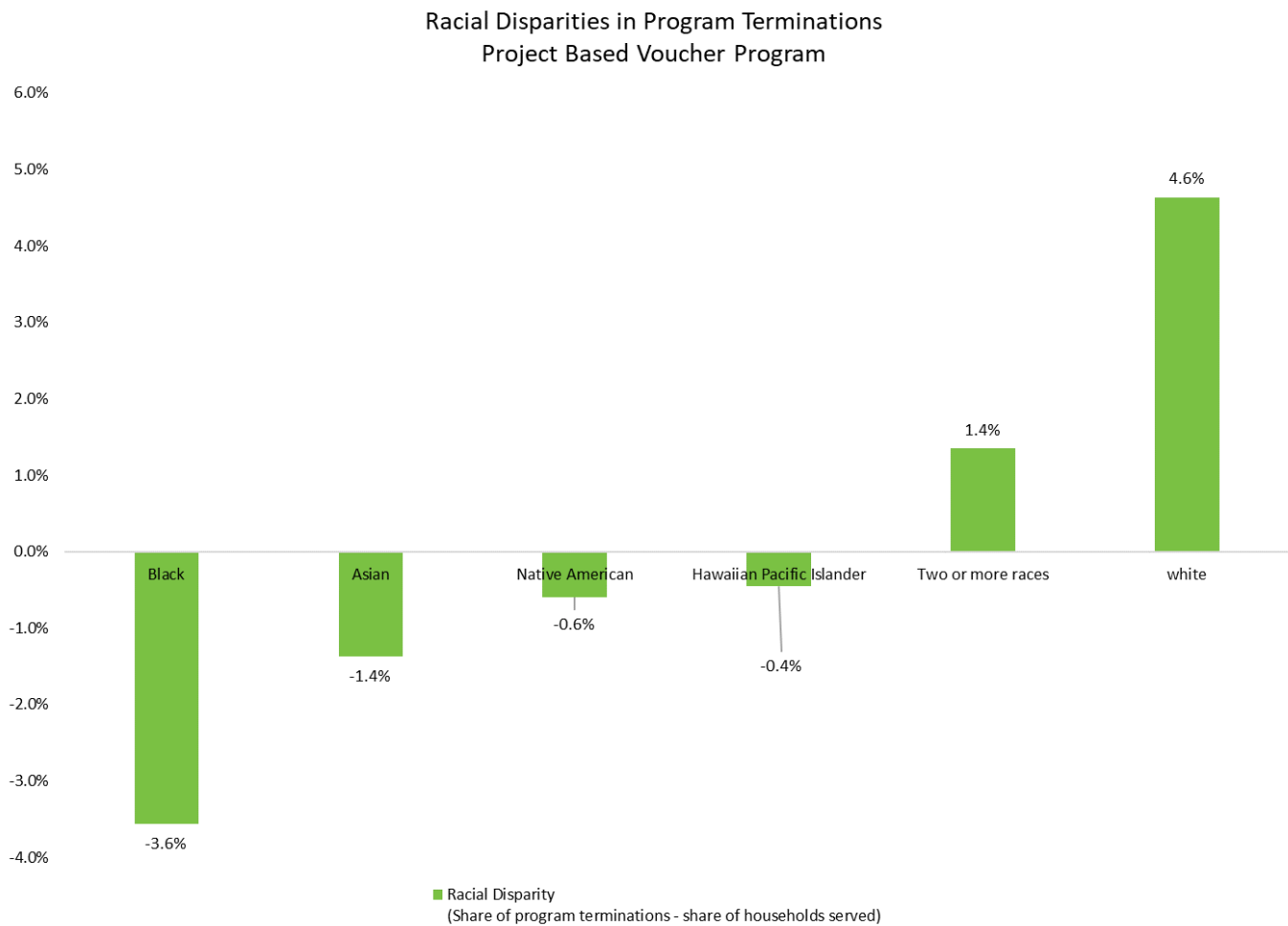
Given that not all program terminations are “negative”, this data is limited in what it can tell us and explorations of racial disparities within exit types will be more meaningful. However, Chart 9 shows an overrepresentation of white households (4.6%) and households of two or more races (1.4%) in program terminations within the project-based voucher program. Households that are underrepresented in program terminations compared the share of households served include: Hawaiian Pacific Islander households (-0.4%), Native American households (-0.6%), Asian households (-1.4%) and Black households (-3.6%).

Chart 8. Share of Project Based Voucher Program Terminations by Share of Households Served (by race)



Note: Data was from the period of January 2018 and April 2020 and includes terminations in the project based voucher program.

Chart 9. Racial Disparities in Share of Project Based Voucher Terminations (by race)

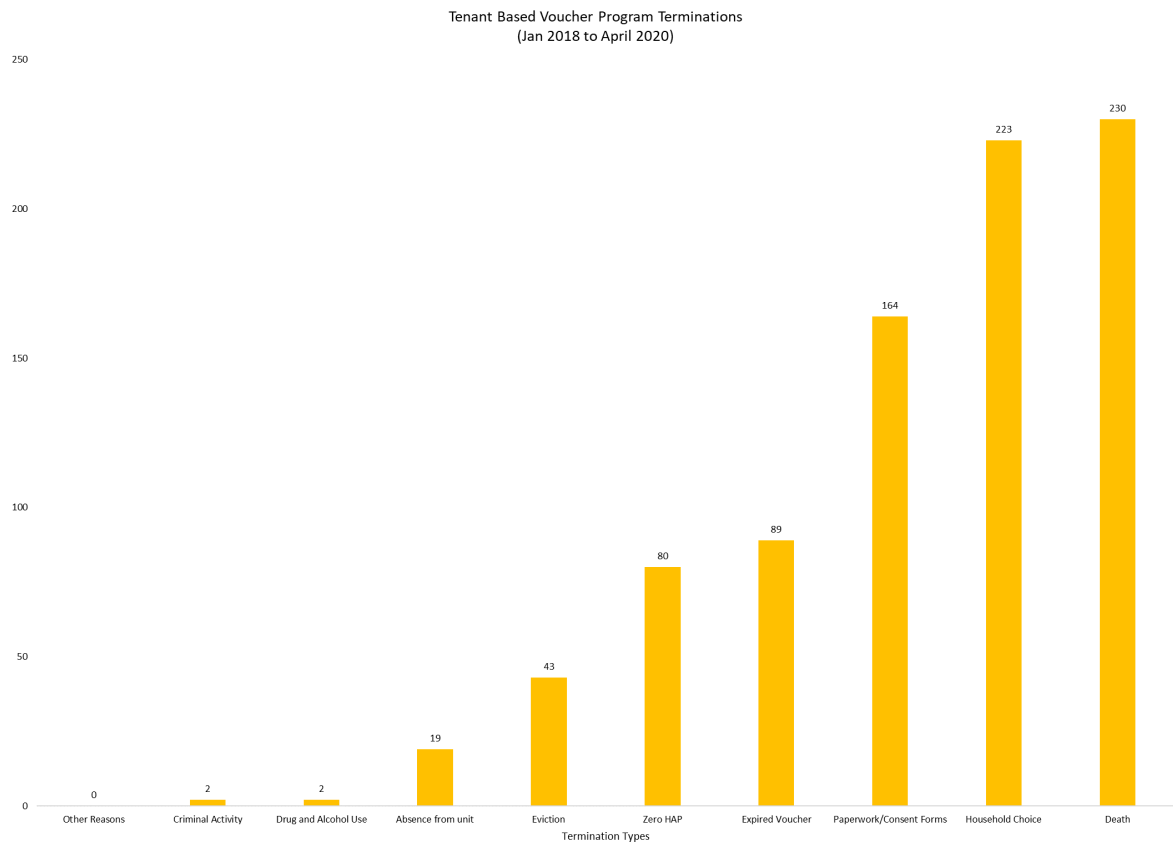


Note: Data was from the period of January 2018 and April 2020 and includes terminations in the project based voucher program.

Tenant Based Voucher Terminations (termination type)

There were a total of 852 program terminations in the tenant based voucher program during the study period. As shown in chart 11. below, the top five largest drivers of terminations in the tenant based voucher program were: death (27%), household choice (26%), paperwork/consent forms (19%), eviction (5%) and absence from unit (2%).

Chart 10. Project Based Voucher Terminations by Termination Type

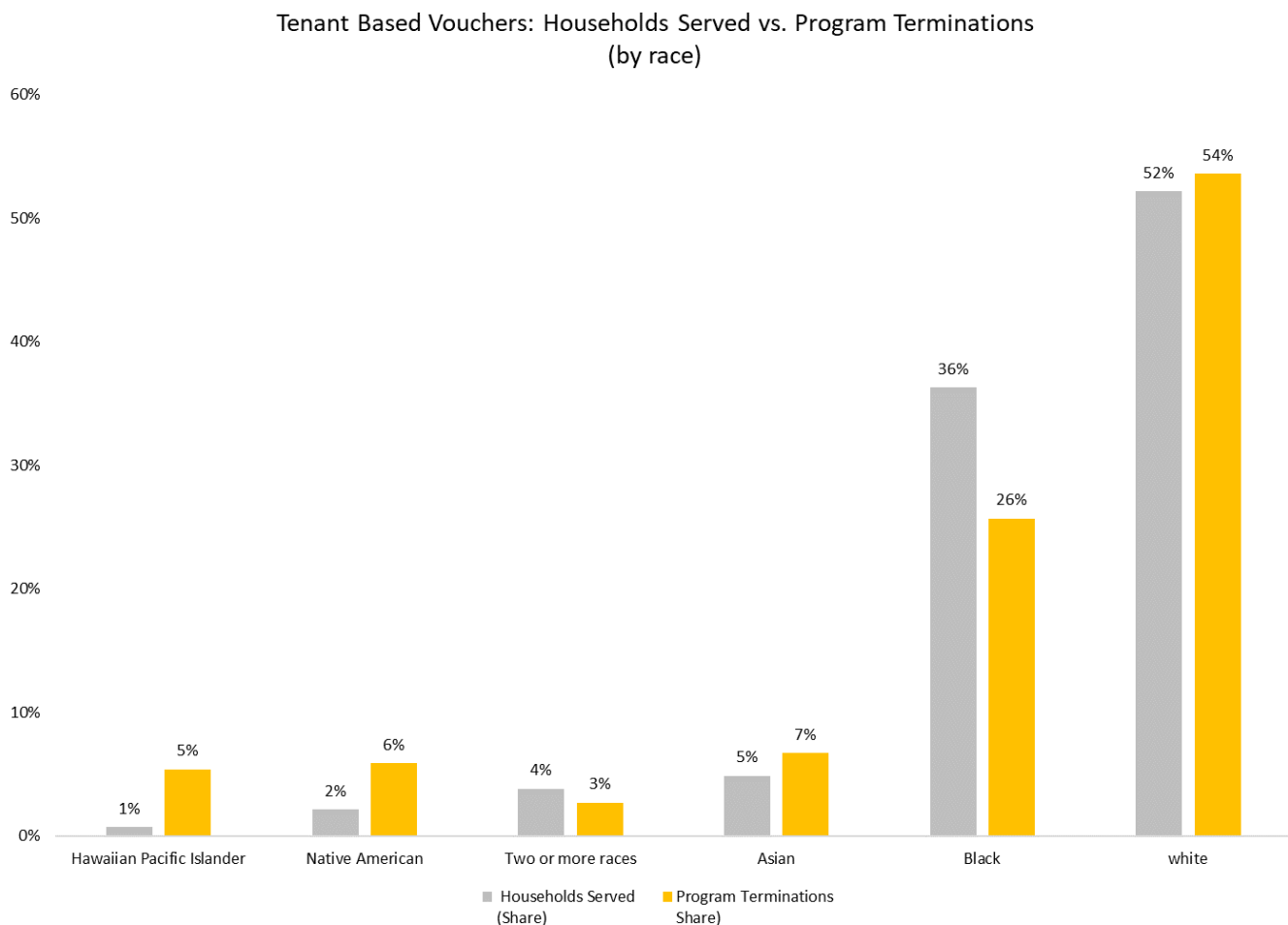


Note: Data was from the period of January 2018 and April 2020 and includes terminations in the tenant-based voucher program.

Racial Disparities in Tenant Based Voucher Terminations

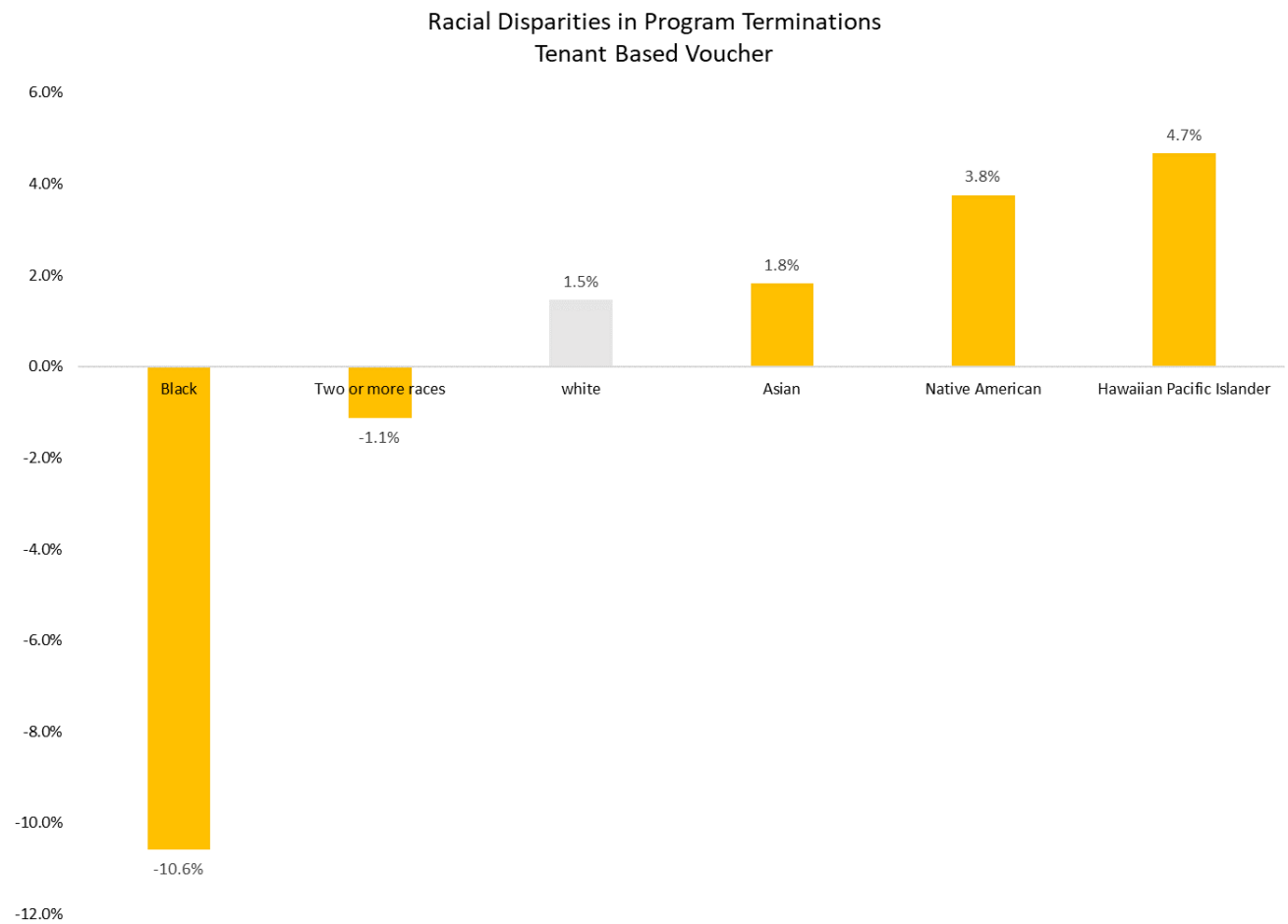
Given that not all program terminations are “negative”, this data is limited in what it can tell us and explorations of racial disparities within exit types will be more meaningful. However, Chart 12 shows an overrepresentation of Hawaiian Pacific Islander households (4.7%), Native American households (3.8%), and Asian households (1.5%) in program terminations within the tenant-based voucher program. Households that are underrepresented in program terminations compared the share of households served include: households of two or more races (-1.1%) and Black households (-10.6%).

Chart 11. Share of Project Based Voucher Program Terminations by Share of Households Served (by race)



Note: Data was from the period of January 2018 and April 2020 and includes terminations in the tenant-based voucher program.

Chart 12. Racial Disparities in Share of Project Based Voucher Terminations (by race)



Note: Data was from the period of January 2018 and April 2020 and includes terminations in the tenant-based voucher program.

Termination Reasons: Evaluation & Recommendations

Voluntary/Household Choice

Current Policy

HUD Requirements: None

Home Forward Policy:

It is Home Forward's policy that a household can terminate their assistance at any time.

Home Forward prefers that the request to terminate assistance be made in writing and signed by the head of household, and spouse or cohead if applicable. If a household does not provide a written signed notification, Home Forward will accept a verbal notification from the head of household, spouse, or cohead. Home Forward will then send a confirmation notice to the family and the owner within 15 business days of the family's request.

Evaluation

Summary of Quantitative Findings

The quantitative data Home Forward has related to this termination reason is poor and does not accurately reflect terminations that were solely initiated by the household. Home Forward staff will sometimes code a termination as "voluntary" in the project-based voucher context if a household moves after receiving a lease termination notice. The rationale for this is to prevent a household from having an eviction on their record which would be a rental barrier for that household. However, Home Forward could improve how staff code this data to ensure we are accurately estimating households requesting termination of their assistance as opposed to capturing households that are exiting as a result of lease enforcement. It was also discussed that staff sometimes code an exit as "voluntary" when the household does not complete their paperwork/consent forms. Due to the inconsistency in coding, this data does not accurately reflect truly voluntary terminations.

During the study period, "household choice" was the highest reason for termination out of 10 termination reasons. During the study period, there were 626 program terminations, representing 38% of all program terminations, coded as "voluntary" terminations: 403 project-based voucher holders and 223 tenant-based voucher holders.

Given the potential for "voluntary" terminations in the project-based voucher context to include lease enforcement related terminations, the disparities in this data should be considered by subsidy type.

Tenant-based voucher holders

The following demographic groups with a tenant-based voucher were overrepresented in “voluntary” terminations compared to their share of the total population served:

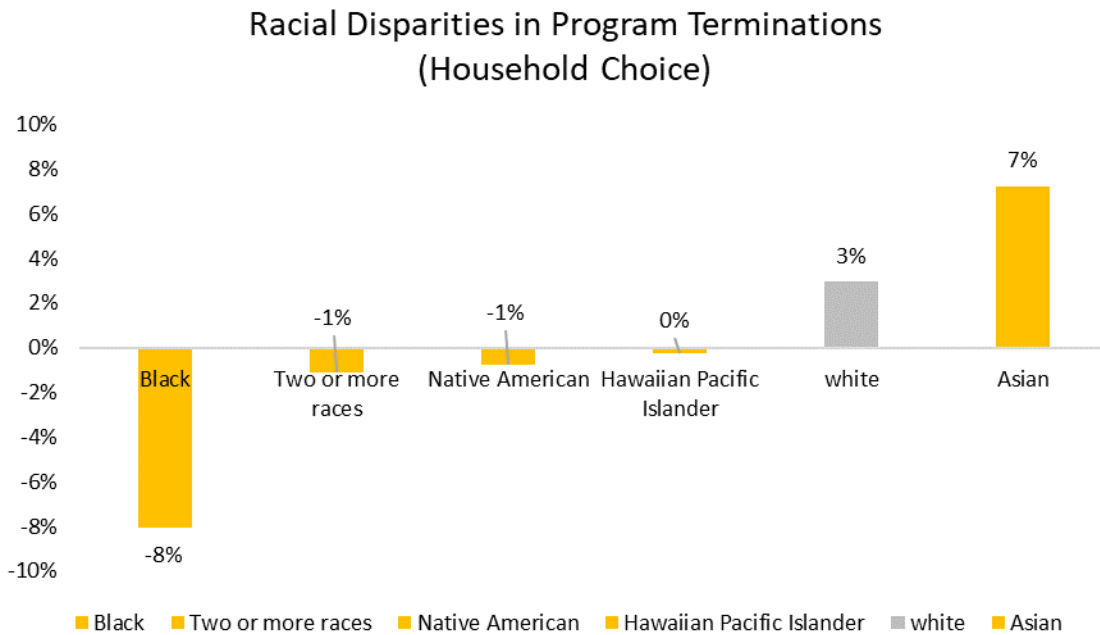
Table 21. Overrepresentation in “voluntary” terminations – tenant-based voucher holders

Demographic Category	Demographic Characteristic	Share of population served	Number of terminations (Voluntary)	Share of exits (Voluntary)	Disparity (Share of voluntary exits – share of households served)
Race	Asian	4.9%	27	12.1%	7.2%
Race	white	52.2%	123	55.2%	3.0%
Ethnicity	Non-Hispanic	93.1%	208	93.3%	0.2%
Gender identity	Male	30.3%	74	33.2%	2.9%
Disability Status	No Disability	47.6%	122	54.7%	7.1%
Familial Status	Children	35.5%	85	38.1%	2.6%

Table 22. Racial disparities in program terminations due to “household choice” – tenant based voucher holders

Race	Population Served (Total)	Population Served (Share)	Number of terminations	Share of exits	Disparity (Share of exits due to absence from unit – share of households served)
Asian	378	4.9%	27	12.1%	7.2%
Native American	164	2.1%	3	1.3%	-0.8%
Black	2817	36.3%	63	28.3%	-8.0%
white	4,050	52.2%	123	55.2%	3.0%
Hawaiian Pacific Islander	56	0.7%	1	0.4%	-0.3%
Two or more races	297	3.8%	6	2.7%	-1.1%
Total	7762	100.0%	223	100.0%	0.0%

Chart 17. Racial disparity in tenant-based voucher program termination due to “household choice”



Project-based voucher holders

The following demographic groups with a project-based voucher were overrepresented in “voluntary” terminations compared to their share of the total population served:

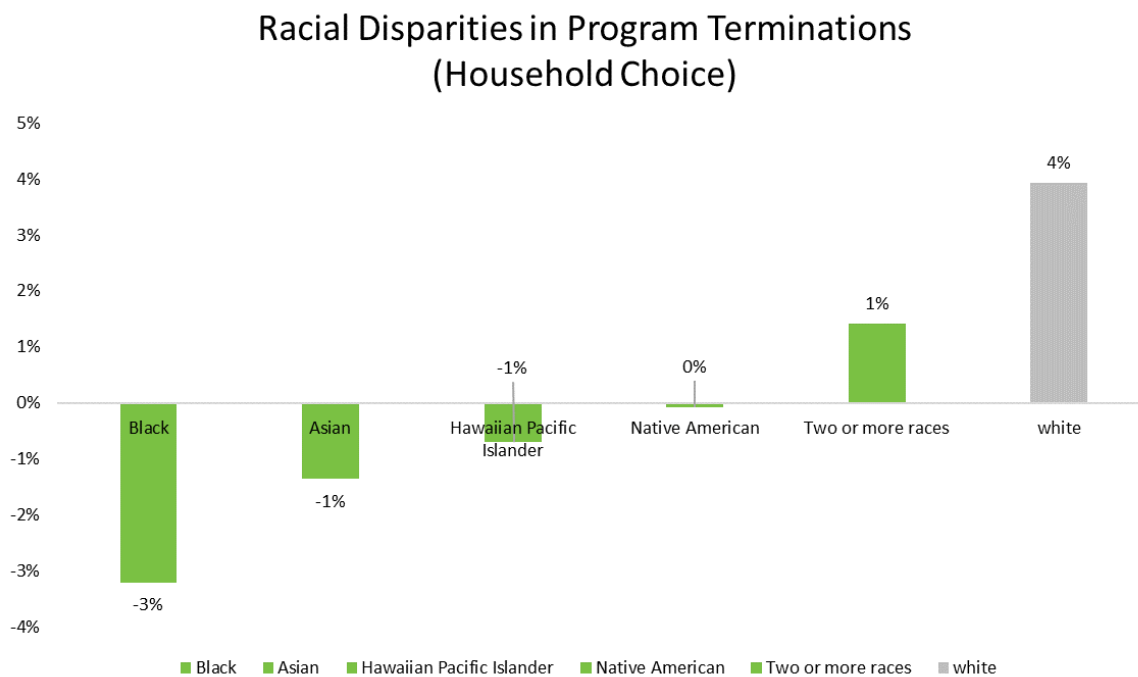
Table 23. Overrepresentation in “voluntary” terminations – project-based voucher holders

Demographic Category	Demographic Characteristic	Share of population served	Number of terminations (Voluntary)	Share of exits (Voluntary)	Disparity (Share of voluntary exits – share of households served)
Race	Two or more races	3.8%	21	5.2%	1.4%
Race	white	65.5%	280	69.5%	3.9%
Ethnicity	Hispanic/Latinx	11.6%	50	12.4%	0.8%
Gender identity	Female	54.4%	230	57.1%	2.6%
Disability Status	No Disability	46.5%	209	51.9%	5.3%
Familial Status	Children	26.7%	130	32.3%	5.5%

Table 24. Racial disparities in program terminations due to “household choice” – project based voucher holders

Race	Population Served (Total)	Population Served (Share)	Number of terminations	Share of exits	Disparity (Share of exits due to absence from unit – share of households served)
Asian	120	2%	4	1%	-1.4%
Native American	181	4%	14	3%	-0.1%
Black	1215	24%	83	21%	-3.2%
white	3,345	66%	280	69%	3.9%
Hawaiian Pacific Islander	48	1%	1	0%	-0.7%
Two or more races	194	4%	21	5%	1.4%
Total	5103	100%	403	100%	0.0%

Chart 18. Racial disparities in project-based voucher program termination due to “household choice”



Summary of Work Group Discussion

The work group discussed the importance of household's having the choice to terminate their assistance at any time, for any reason.

Most of the discussion about this termination reason, the work group discussed the need to improve coding for this termination reason to ensure we are accurately estimating the number of terminations that are truly voluntary as opposed to termination reasons that are really the result of lease enforcement or some other reason. The work group discussed that having this clarity is important

Policy Recommendations

HUD Requirements: Not applicable

Home Forward Policy: No change

Home Forward Practice:

1. Do not consider it a "household choice" or "voluntary" exit if someone is leaving for any reason other than their affirmative request to terminate.
2. Ensure that we have a code/drop down for each termination reason. Properly code that the exit is due to "threat of eviction".

Advocacy: None

Policy Parking Lot:

1. Evaluate voucher eligibility criteria related to eviction history with a racial equity framework. Staff said that they will code lease enforcement related exits from a project based voucher unit as voluntary is to avoid the household being labeled as "evicted" because this would be a barrier to accessing housing or rent assistance in the future, including Home Forward housing. Specifically, we have eligibility criteria related to a household being evicted from federally assisted housing in the past 5 years. We should reconsider this criteria if it creates a barrier we are actively trying to work around in other program areas.
2. Evaluate Home Forward's resident screening criteria related to past eviction with racial equity framework.

Consensus: Yes

Why: The primary values that informed this recommendation were: autonomy, transparency, and accountability. Households have the autonomy to decide when they no longer want assistance. Home Forward needs to be transparent about the impact of our programs so we can be accountable to the public and people we serve about how our programs

Death of Sole Household Member

Current Policy

HUD Requirements:

In PIH Notice 2010-19, HUD requires that housing authorities not make subsidy overpayments on behalf of deceased single member households.

Home Forward Policy:

In compliance with HUD PIH Notice 2010-19, Home Forward's policy is to immediately terminate program assistance for deceased single member households.¹

Evaluation

Summary of Quantitative Findings

During the study period, death was the second highest program termination reason overall. There were 383 program terminations as a result of death of the sole household member: 153 project-based voucher holders and 230 tenant-based voucher holders. There were demographic disparities for this termination reason that were consistent across the combined data (both tenant-based and project-based vouchers), the tenant-based voucher data alone, and the project-based voucher data alone. Across all of these categories, the following demographic groups were disproportionately terminated as a result of death of the sole household member compared to their share of the total population served: white households, non-hispanic households, male headed households, households with a disability, and households without children. For this program termination reason, we focused on overrepresentation because "death" is not a voluntary or "positive" exit.

¹ Home Forward's Administrative Plan, Chapter 12, "Death of Sole Household Member", 2020, pg 12-6.

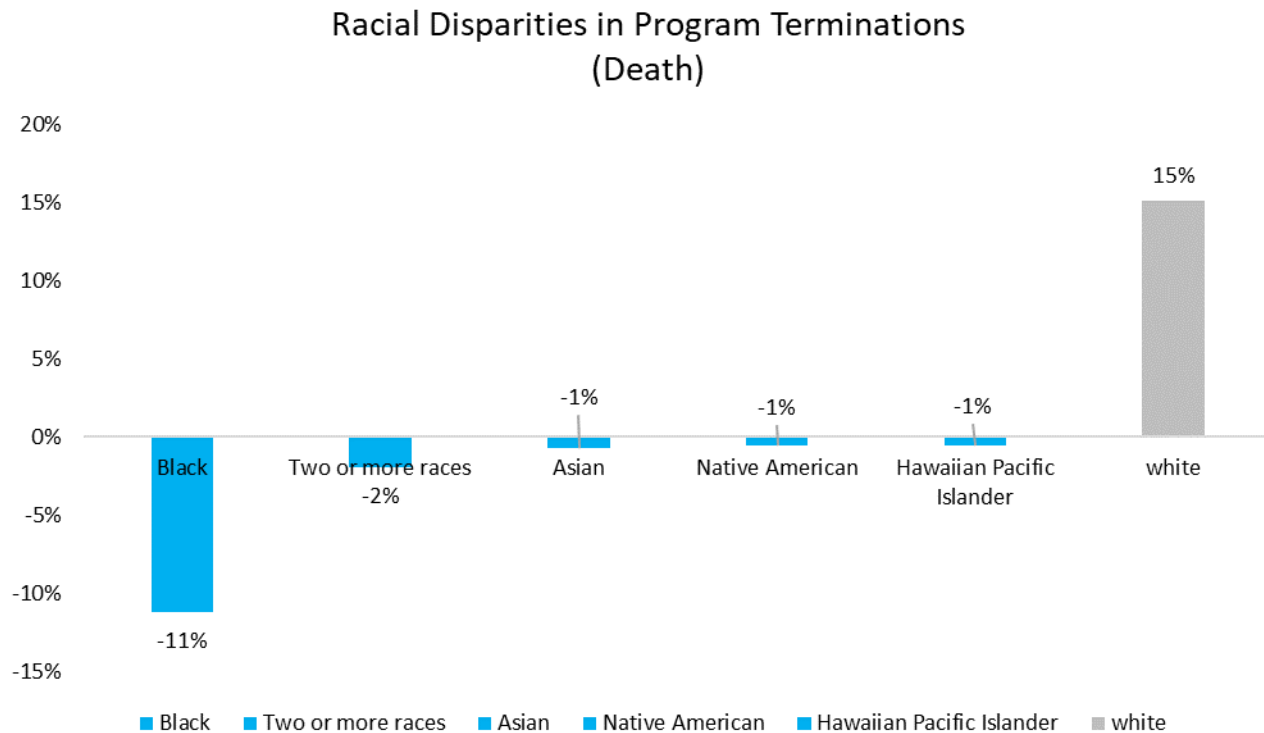
Table 15. Overrepresentation in termination due to death (all demographic characteristics)

Demographic Category	Demographic Characteristic	Share of population served	Number of terminations (Death)	Share of exits (Death related)	Disparity (Share of exits due to death – share of households served)
Race	White	57%	278	73%	15.1%
Ethnicity	Non-Hispanic	91.2%	368	96.1%	4.9%
Gender identity	Male	36.3%	210	54.8%	18.5%
Disability Status	With disability	52.8%	303	79.1%	26.3%
Familial Status	No Children	68.0%	374	97.7%	29.7%

Table 16. Racial Disparities in Program Terminations (Death)

Race	Total Households Served	Share of Households Served	Exit (Death)	Share of Exits (Death Related)	Disparity (Share of exits due to death - share of households served)
Asian	498	4%	12	3%	-0.7%
Native American	345	3%	8	2%	-0.6%
Black	4032	31%	77	20%	-11.2%
white	7,395	57%	278	73%	15.1%
Hawaiian Pacific Islander	104	1%	1	0%	-0.5%
Two or more races	491	4%	7	2%	-2.0%
Grand Total	12865	100%	383	100%	0.0%

Chart 14. Racial disparity in program termination due to death



Summary of Work Group Discussion

Although the work group agreed that it makes sense to terminate a household's assistance if the sole member of the household dies, we discussed the circumstance where the household member has a live-in care giver who is impacted by the loss of housing assistance. Although Home Forward does have a policy to add a household member, there are restrictions on who can be added. In care giving situations, staff shared that a household may choose to have the person stay with them as a caregiver as opposed to adding them to the household because this way, their income won't be counted towards the household's income which determines their rent calculation. A Home Forward staff person shared a specific story where the sole household member was a father whose son came to live with him as a live-in care giver. The son moved states and quit his job to take care of his father. When the father died, the son continued to live in the home. In accordance with our policy, Home Forward terminated assistance for the household upon learning of the death of the father which resulted in the son facing eviction and owing Home Forward for overpaid rent. At this point, the son was out of work, facing eviction, grieving the death of his father, and owed money to Home Forward.

Policy Recommendations

HUD Requirements: No recommended change

Home Forward Policy: No recommended change. Continue to terminate assistance if sole household member dies.

Advocacy: None

Policy Parking Lot: The policy work group recommended that Home Forward evaluate the following policies in response to the discussion about termination of assistance due to death of sole household member:

1. Add Household Member Policy
2. Live in care giver policy

The items in the policy parking lot are intended to foster discussion about potential ways to: (1) remove barriers for income eligible care givers to be added to the household to provide housing stability for them in the case the ill sole household member dies, (2) provide a humane transition period for live in care givers who may need time to find housing after the sole household member dies.

Consensus: Yes

Why: Terminating assistance in the case a sole household member dies is reasonable.

Paperwork/Consent forms

Current Policy

HUD Requirements:

(3) The PHA must deny admission to the program for an applicant, or terminate program assistance for a participant, if any member of the family fails to sign and submit consent forms for obtaining information in accordance with part 5, subparts B and F of this title.²

Home Forward Policy:

Home Forward proposes termination if a household does not complete the paperwork/consent forms necessary to recertify the household's program eligibility, as required by HUD.

Same as HUD requirement

Home Forward Practice:

Although the process is not detailed in Home Forward's administrative plan, Home Forward begins reaching out to participants 120 days prior to their re-certification, which includes the required paperwork/consent forms, are due. Home Forward staff reach out a minimum of two times and if they do not hear anything from the household, they will propose termination.

Evaluation

Summary of Quantitative Findings

During the study period, 293 households had their assistance terminated as a result of not completing their re-certification and completing their paperwork/consent forms which is the third highest reason for program terminations. There were 164 households in the tenant based voucher program and 129 households in the project based voucher program whose assistance was terminated due to not completing their paperwork.

The following demographic groups were overrepresented in terminations as a result of not completing or returning paperwork/consent forms:

² 24 CFR 982.552 (3)

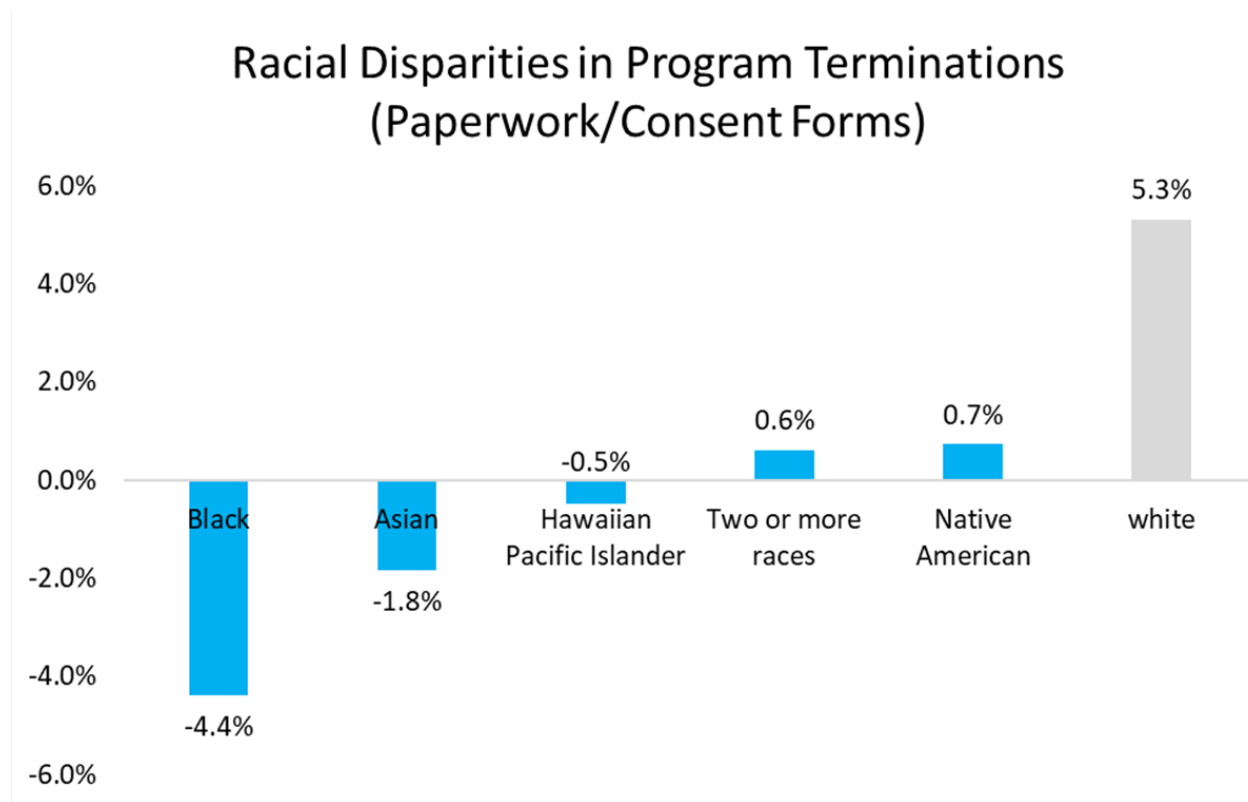
Table 27. Overrepresentation in termination due to paperwork/consent forms (by demographic characteristic)

Demographic Category	Demographic Characteristic	Share of population served	Number of terminations (Paperwork/consent forms)	Share of exits (Paperwork/consent forms)	Disparity (Share of consent form exits – share of households served)
Race	Native American	2.7%	10	3%	0.7%
Race	Two or more races	3.8%	13	4%	0.6%
Race	white	57.5%	184	63%	5.3%
Ethnicity	Non Hispanic	91.2%	272	93%	1.6%
Gender identity	Male	36.3%	137	47%	10.4%
Disability Status	No Disability	47.2%	143	49%	1.6%
Familial Status	No Children	68.0%	217	74%	6.1%

Table 28. Racial disparities in program terminations due to paperwork/consent forms

Race	Population Served (Total)	Population Served (Share)	Number of terminations	Share of exits	Disparity (Share of exits due to absence from unit – share of households served)
Asian	498	4%	6	2%	-1.8%
Native American	345	3%	10	3%	0.7%
Black	4032	31%	79	27%	-4.4%
white	7,395	57%	184	63%	5.3%
Hawaiian Pacific Islander	104	1%	1	0%	-0.5%
Two or more races	491	4%	13	4%	0.6%
Grand Total	12865	100%	293	100%	0.0%

Chart 20. Racial disparities in program termination due to “paperwork/consent forms”



Summary of Work Group Discussion

The work group discussed a desire to align the minimum outreach strategy in the Rent Assistance Department with the Property Management Department’s minimum outreach practices. The property management department reaches out a minimum of three times using different methods for communication.

The work group discussed that if Home Forward makes it possible to process recertifications online, we should consider allowing auto-population of previous recertification information to reduce burden of completing the forms for residents and participants. We discussed that some fields should not auto-populate because it’s important the information is accurate, and we need verification. The group discussed that if this is a possibility, there should be a participant focused work group to inform how this should work.

The work group discussed reinstating assistance after termination for not completing paperwork/consent forms in extenuating circumstances. Staff provided an example of doing this once in the past for extenuating circumstances. In terms of how long to provide households prior to reinstating, the work group discussed needing to align any extensions with other reporting requirements/expiration dates.

Policy Recommendations

HUD Requirements: None

Home Forward Policy:

1. Outline the minimum outreach requirements in the Administrative Plan:
 - a. Staff must reach out a minimum of three times if a voucher holder has not completed paperwork.
 - b. Reach out using multiple (at least two) methods: written, phone call, voice mail, text and make it clear to participants what the deadline for completion of the paperwork is.
2. Allow person whose assistance has been terminated due to failure to complete paperwork/consent forms an opportunity to reinstate assistance after termination for extenuating circumstances if their termination occurred in the past 180 days.

Home Forward Practice: None

Advocacy: None

Policy Parking Lot:

1. Home Forward should consider adding capacity to allow staff (designated participant support staff) to offer to help enter the information online with the tenant.
2. Home Forward should try and allow recertification information to auto-populate information from previous re-certification so tenant only needs to update areas that have changed (e.g., tax software). If Home Forward has this ability, there should a participant centered work group to determine how this information is populated.

Consensus: Yes

Why: Flexibility, compassion: people have a lot on their plates and we need to reduce barriers and provide support. Mutual accountability (staff need to complete certification for HUD

Eviction

Current Policy

HUD Requirements:

(2) The PHA must terminate program assistance for a family evicted from housing assisted under the program for serious violation of the lease.³

Home Forward Policy⁴:

Home Forward's policy is to terminate a household's assistance if they are evicted. Home Forward may terminate a household's assistance if they move after receiving a termination notice for a serious or repeated violations of the lease.

A family will be considered evicted if the family moves after a legal eviction order has been issued, whether or not physical enforcement of the order was necessary.

If a family moves after the owner has given the family an eviction notice for serious or repeated lease violations but before a legal eviction order has been issued, termination of assistance is not mandatory. In such cases the PHA will determine whether the family has committed serious or repeated violations of the lease based on available evidence and may terminate assistance or take any of the alternative measures described in

Section 12-11.C. In making its decision, the PHA will consider the factors described in Sections 12-11.D and 12-II.E. Upon consideration of such factors, the PHA may, on a case-by-case basis, choose not to terminate assistance.

Serious and repeated lease violations will include, but not be limited to, nonpayment of rent, disturbance of neighbors, destruction of property, or living or housekeeping habits that cause damage to the unit or premises and criminal activity. Generally, the criterion to be used will be whether or not the reason for the eviction was the fault of the tenant or guests.

³ 24 CFR 982.552(b)(2)

⁴ Home Forward Administrative Plan, Pg 12-3, Date Accessed: September 21, 2021.

Evaluation

Summary of Quantitative Findings

During the study period, 134 households had their assistance terminated as a result of eviction which is the fourth highest reason for program terminations, representing 8% of all program terminations. There were 43 households in the tenant based voucher program and 91 households in the project based voucher program whose assistance was terminated due to not completing their paperwork.

The following demographic groups were overrepresented in terminations as a result of eviction:

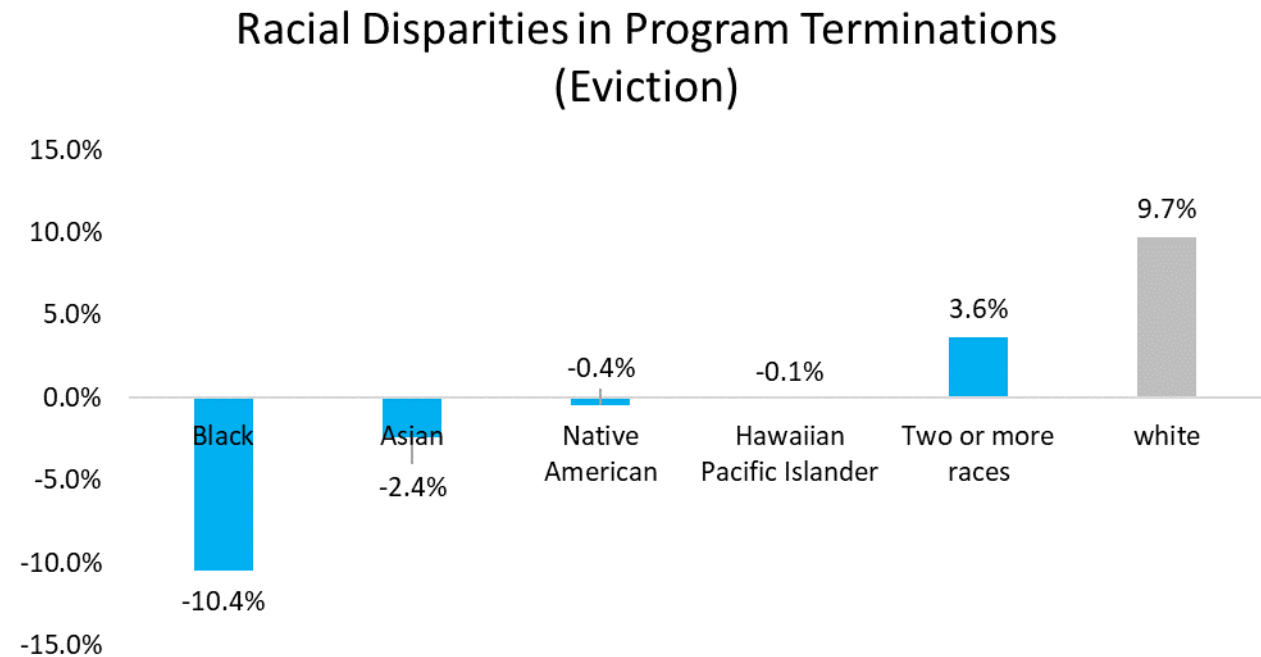
Table 29. Overrepresentation in termination due to evictions (by demographic characteristic)

Demographic Category	Demographic Characteristic	Share of population served	Number of terminations (Eviction)	Share of exits (Eviction)	Disparity (Share of eviction exits – share of households served)
Race	white	57.5%	90	67%	9.7%
Race	Two or more races	3.8%	10	7%	3.6%
Ethnicity	Non Hispanic	91.2%	125	93.3%	2.1%
Gender identity	Male	36.3%	62	46.3%	10%
Disability Status	Disability	47.2%	75	56%	3.1%
Familial Status	No Children	68.0%	105	78.4%	10.4%

Table 30. Racial disparities in program terminations due to eviction

Race	Population Served (Total)	Population Served (Share)	Number of terminations	Share of exits	Disparity (Share of exits due to absence from unit – share of households served)
Asian	498	4%	2	1%	-2.4%
Native American	345	3%	3	2%	-0.4%
Black	4032	31%	28	21%	-10.4%
white	7,395	57.5%	90	67%	9.7%
Hawaiian Pacific Islander	104	1%	1	1%	-0.1%
Two or more races	491	4%	10	7%	3.6%
Grand Total	12865	100%	134	100%	0.0%

Chart 20. Racial disparities in program termination due to eviction



Summary of Work Group Discussion

The work group discussed that eviction is largely a landlord tenant issue and that eviction by itself it a negative housing outcome for a voucher participant. Having your rent assistance terminated in addition to being evicted creates multiple housing barriers at once which negatively impacts housing stability. The work group discussed that if we reduce the circumstances under which we terminate someone’s assistance due to eviction, we may see an increase in program terminations for expired vouchers. This is because a participant who is evicted may have difficulty finding another place to use their voucher unless they can demonstrate that they have sufficiently addressed the rental barrier that led to the eviction. That said, the work group discussed wanting people to have a chance to use their voucher elsewhere prior to being terminated from the program.

Policy Recommendations

HUD Requirements:

The work group could not reach consensus on this but a majority of work group participants supported **Recommendation #2**:

1. Recommend that HUD not require PHAs to terminate assistance for eviction due to “serious violation of the lease”
2. **Recommend that HUD define “serious” to align with Oregon’s legal definition of “extreme or outrageous acts” that warrant a 24-lease termination notice.**

Consensus: No

The primary supporting reason for recommendation #1 above was to promote housing stability by not adding additional rental barriers for a participant who is experience eviction.

The supporting reason for recommendation #2 instead above was that the work group largely agreed that if someone committed an act that resulting in a 24-hour eviction that is reasonable cause to terminate assistance. If HUD prevented housing authorities from considering serious violations of the lease, PHAs may be more likely to rely on criminal history in making termination decisions and eviction history is a more relevant indicator of how someone may be as a tenant than criminal history. The group also discussed that recommendation #2 would prevent housing authorities from terminating assistance for lease violations like nonpayment of rent which is not a “serious violation” and further penalizes people who are shelter burdened and struggle to pay their rent, even with a voucher.

Home Forward Policy:

1. Define “serious lease violation” as: eviction for a 24-hour notice (extreme or egregious act) as defined in Oregon Statute, except do not consider 24-hour notice evictions related to⁵:
 - a. Prostitution;
 - b. Manufacture of cannaboid extract;
 - c. The tenant intentionally provided substantial false information on the application for the tenancy within the past year;
 - d. Drug possession.
2. Remove consideration of lease violations that do not result in an eviction judgment for a “serious” violation of the lease as outlined above. This includes removing “repeated violation of lease” as a reason to propose termination of a household as this is not a HUD requirement.

⁵ This list of exclusions align with our new legal fees policy related to not charging legal fees except in extreme cases, including eviction for 24-notice, but excluding the 24-notice reasons listed above as well.

Consensus: Consensus on items #1 (a) – (d), and #2. There was not consensus on whether, within the definition of “extreme or egregious act”, we should only consider intentional property damage if the damage was not caused as the result of a mental health issue. Ultimately, the majority of work group members agreed that we should consider intentional property damage and a judge could decide whether to grant a resident a reasonable accommodation for a mental health issue. That’s not something Home Forward would have adequate information to be able to determine.

Advocacy:

- Advocate for additional resources to be able to provide more housing stability supports for voucher holders, including referrals to supports and services as needed.

Policy Parking Lot:

- Home Forward should consider creating a resource list for voucher holders

Zero “Housing Assistance Payment” (0 HAP)

Current Policy

HUD Requirements: HUD requires public housing authorities to automatically terminate assistance 180 days after the last payment to the owner.

The HAP contract terminates automatically 180 calendar days after the last housing assistance payment to the owner (24 CFR 982.455).

Home Forward Policy:

In alignment with HUD’s requirement, Home Forward automatically terminates a households assistance 180 days after the last payment to the owner. However, if a household reports a change in income within the 180 day period, Home Forward can complete a re-certification that could result in resuming HAP payments to the owner.

As a family's income increases, the amount of housing assistance payment decreases. If the amount of assistance provided by the PHA is reduced to zero, the family's assistance terminates automatically 180 days after the last HAP payment.

PHA Policy

If a participating family receiving zero assistance experiences a change in circumstances that would result in a HAP payment to the owner, the family must notify the PHA of the change and request an interim reexamination before the expiration of the 180-day period. (Admin Plan, pg 12-2).

Evaluation

Summary of Quantitative Findings

During the study period, 93 households had their assistance terminated as a result of 0 HAP which is the fifth highest reason for program terminations, representing 6% of all program terminations. There were 80 households in the tenant-based voucher program and 13 households in the project based voucher program whose assistance was terminated due to 0 HAP.

The following demographic groups were overrepresented in terminations as a result of 0 HAP:

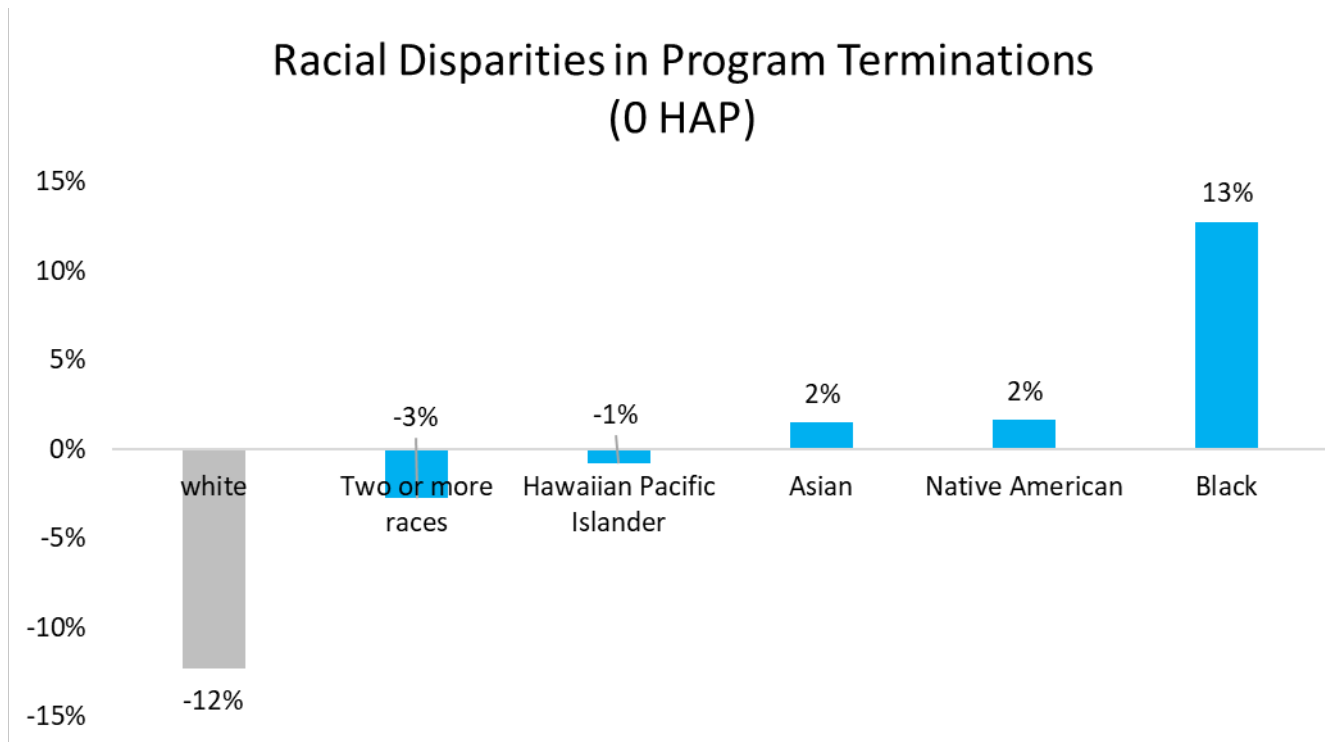
Table 31. Overrepresentation in termination due to 0 HAP (by demographic characteristic)

Demographic Category	Demographic Characteristic	Share of population served	Number of terminations (0 HAP)	Share of exits (0 HAP)	Disparity (Share of eviction 0 HAP – share of households served)
Race	Asian	3.87%	5	5%	1.51%
Race	Native American	2.68%	4	4%	1.62%
Race	Black	31.34%	41	44.09%	12.75%
Disability Status	No Disability	47.17%	67	72.04%	25%
Familial Status	Children	32.02%	44	47%	15.29%
Gender Identity	Female	64%	60	65%	0.9%

Table 32. Racial disparities in program terminations due to 0 HAP

Race	Total Households Served	Share of Households Served	Exit (Zero HAP)	Share of Exits (Zero HAP)	Disparity (Share of exits due to Zero HAP - share of households served)
Asian	498	4%	5	5%	1.5%
Native American	345	3%	4	4%	1.6%
Black	4032	31%	41	44%	12.7%
white	7,395	57%	42	45%	-12.3%
Hawaiian Pacific Islander	104	1%	0	0%	-0.8%
Two or more races	491	4%	1	1%	-2.7%
Grand Total	12865	100%	93	100%	0.0%

Chart 21. Racial disparities in program termination due to 0 HAP



Summary of Work Group Discussion

The work group discussed that, contrary to conventional wisdom, a household's assistance being terminated due to 0 HAP is not necessarily a "positive" termination. Further, reaching 0 HAP does not meet that a household no longer needs assistance. There is a common assumption that a household is paying 31.5% of their income towards their rent when they reach 0 HAP but that's not necessarily true. If a household is renting a unit with the contract rent above the payment standard, they are paying more than 31.5% of their rent towards their housing costs. Reaching 0 HAP is a function of different program requirements resulting in Home Forward no longer paying the owner – it is not a reflection of a household being able to afford their rent. The work group also discussed that white households are the most underrepresented in this termination reason and Black households are the most overrepresented. Home Forward knows from analysis of shelter burden that Black households are also more likely to experience shelter burden when they have a voucher. The work group discussed whether Black households exiting at 0 HAP were similarly likely to be shelter burdened at 0 HAP. If this is the case, Black households exiting due to zero HAP with a likely higher than average shelter burden would mean they are more likely to be vulnerable to housing instability after exit with a change in income or a increase in rent.

The work group spent a lot of time discussing how arbitrary the federal definition of "affordable" is. We discussed that 31.5% of income may not be affordable, especially for extremely low-income

households. In discussing our recommendation, we discussed the importance of providing households with more of a glide path as opposed to a sharp benefits cliff, especially if they are experiencing shelter burden at the time of exit because those households are most vulnerable to housing instability and homelessness if they experience a loss of income or rent increase. More time at 0 HAP would be ideal for all households and we discussed the balance between ideal service for all households and the tradeoff of serving fewer households. Structural changes to the federal voucher program are needed, including providing universal vouchers so local providers like Home Forward don't need to make the impossible choice between serving a household more effectively to support their long-term housing stability and serving another household without a voucher who can't afford their housing.

Policy Recommendations

HUD Requirements:

Ask for a waiver of 24 CFR 982.455 in Home Forward's annual Moving to Work Plan so Home Forward can have more flexibility in determining when to terminate a household's assistance after they have reached 0 HAP.

Non-consensus: Although the majority of work group members supported this recommendation, there was some opposition. Some members of the work group supported maintaining the status quo. The primary reason provided for maintaining the status quo is because many families have been on the wait list for rent assistance for a long time and the longer households stay at 0 HAP, the fewer vouchers available for people who qualify for deeper assistance.

Home Forward Policy:

Under current regulations, no change.

If HUD allows Home Forward to provide more than 180 days at 0 HAP, Home Forward should allow households that are shelter burdened at 0 HAP (paying more than 40% of their income towards their housing costs) 365 days at 0 HAP instead of 180 days.

Non-consensus: Same reason as above.

Home Forward Practice:

Prior to terminating assistance for 0 HAP, Home Forward should make sure the most recently updated payment standard has been applied to the household to ensure that they would still be 0 HAP even after the updated payment standard is applied.

Consensus decision.

Advocacy:*Consensus Items*

1. Universal Rent Assistance: Home Forward should advocate for universal rent assistance so all households who need it can access it (Local, State, Federal)
2. Increase the value of the voucher to reduce shelter burden. This could be accomplished a number of different ways, including:
 - a. Increase payment standards to meet the market
 - b. Get rid of payment standards and only use rent reasonableness
3. Rent Stabilization: reduce the current statewide limit on annual rent increases
4. Progressive rent setting:
 - a. Advocate that Congress revisit the federal definition of “affordable” as 30% of income towards housing and lower it.
 - b. Advocate for more voucher resources so PHAs can set progressive rent structures (lower percentage of income towards housing required for lower income households) without reducing the number of households they can serve.

Non-Consensus

1. Consider net pay instead of gross pay when determining tenant portion of the rent.
 - a. Support: This would provide a more accurate estimate of what household’s actually take home in their pay.
 - b. Oppose: This would be administratively burdensome and we should pursue other strategies to make the tenant portion of the rent more affordable.

Policy Parking Lot:

1. Regularly increase payment standards at Home Forward with the intention of reducing shelter burden
2. Review Home Forward’s Voucher Expiration policy (Section 5-II.E. VOUCHER TERM AND EXTENSIONS of the Administrative plan) with a racial equity framework. This section deals with how long Home Forward gives a household to lease up with their voucher and under what circumstances they will grant an extension.
3. Provide households with barriers to leasing up with their voucher Housing Navigation supports.
4. Explore establishing an internal emergency rent assistance fund for voucher holders, including households who have had their voucher terminated due to 0 HAP within the past 5 years to prevent nonpayment of rent evictions and promote housing stability. Although there is emergency rent assistance in the community, voucher holders may already be in direct

contact with their rent assistance services coordinator and the ability to provide direct assistance to voucher holders might reduce barriers to accessing emergency rent assistance.

5. Provide equitable access to asset building programs (e.g., GOALs) for people with a port voucher.
6. Home Forward staff should explore the impact of RAD conversions on 0 HAP and housing stability for residents of converted buildings.

Why: Promoting housing stability with realistic programming.

Absence from Unit

Current Policy

HUD Requirements:

The Department of Housing and Urban Development (HUD) requires that a public housing authority terminate a household's assistance if the family has been absent from their unit for more than 180 consecutive calendar days.

The family may be absent from the unit for brief periods. For longer absences, the PHA administrative plan establishes the PHA policy on how long the family may be absent from the assisted unit. However, the family may not be absent from the unit for a period of more than 180 consecutive calendar days in any circumstance, or for any reason. At its discretion, the PHA may allow absence for a lesser period in accordance with PHA policy.⁶

Home Forward Policy:

Home Forward will send a household a notice of termination⁷ if a family is absent from the unit for more than 60 consecutive calendar days.

The only exception to this policy is if the sole member of the household is confined to a nursing home, a hospital, or any inpatient treatment (if determined to be medically necessary) for a period of more than 60 consecutive calendar days. In this case, Home Forward will request verification from a responsible medical professional. If the responsible medical professional provides a determination that the person will be confined for a total of more than 180 consecutive calendar days, Home Forward will send a notice of termination in compliance with HUD requirements that a household may not, for any reason, be absent from their unit for more than 180 consecutive calendar days (24 CFR 982.312).

⁶ 24 CFR 982.312, "Absence from Unit" <https://www.law.cornell.edu/cfr/text/24/982.312>

⁷ See Section 12. II F of Home Forward's Administrative Plan.

Evaluation

Summary of Quantitative Findings

During the study period, absence from unit was the seventh highest reason for termination out of 10 termination reasons. There were 28 program terminations, representing 2% of all program terminations, as a result of a household being absent from the unit: 9 project-based voucher holders and 19 tenant-based voucher holders.

Black, Asian, and Hawaiian Pacific Islander households were overrepresented in terminations as a result of absence from unit in all three categories: overall, tenant-based voucher holders only and project voucher holders only. There were other demographic disparities due to absence from unit that were also consistent across all three categories (combined, tenant-based voucher holders only and project-based voucher holders only). The following demographic groups were disproportionately terminated as a result of absence from unit compared to their share of the total population served:

Table 17. Overrepresentation in termination due to absence from unit (by demographic characteristic)

Demographic Category	Demographic Characteristic	Share of population served	Number of terminations (Absence from Unit)	Share of exits (Absence from Unit)	Disparity (Share of exits due to absence from unit – share of households served)
Race	Asian	4%	2	7%	3%
Race	Black	31%	10	36%	5%
Race	Hawaiian Pacific Islander	1%	1	4%	3%
Ethnicity	Non-Hispanic	91.2%	27	96.4%	5.2%
Gender identity	Male	36.3%	15	53.6%	17.3%
Disability Status	Without disability	47.2%	14	50%	2.8%
Familial Status	No Children	68.0%	24	85.7%	17.7%

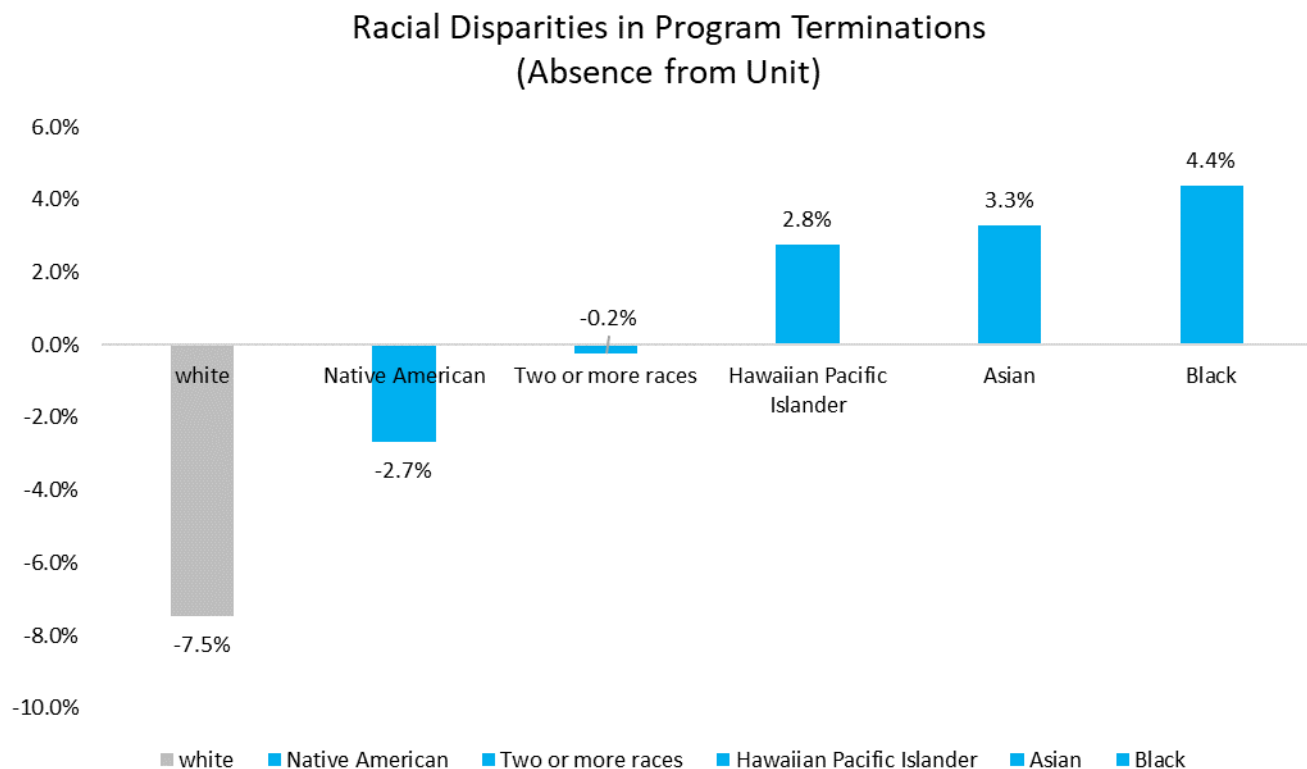
In the tenant-based voucher holder category alone, households with two or more races were also overrepresented in termination due to absence from unit.

In the project-based voucher hold category alone, white households with a disability were overrepresented in terminations due to absence from unit.

Table 18. Racial disparities in program terminations due to Absence from Unit

Race	Population Served (Total)	Population Served (Share)	Number of terminations	Share of exits	Disparity (Share of exits due to absence from unit – share of households served)
Asian	498	4%	2	7%	3.3%
Native American	345	3%	0	0%	-2.7%
Black	4032	31%	10	36%	4.4%
white	7,395	57%	14	50%	-7.5%
Hawaiian Pacific Islander	104	1%	1	4%	2.8%
Two or more races	491	4%	1	4%	-0.2%
Total	12865	100%	28	100%	0.0%

Chart 15. Racial disparity in program termination due to Absence from Unit



Summary of Work Group Discussion

The policy work group discussed many other compelling reasons that a single household member or family might be absent from the unit that Home Forward should include in our list of exceptions. Specifically, the work group discussed wanting to provide more flexibility for households in four areas:

1. Households with family living outside of the United States to allow for visits. Given the challenges to travelling abroad (expense and time), once a family is able to make the trip, they may need to spend more than 60 days to spend time with family.
2. Households who are traveling to care for a family member who needs support. The work group discussed making this a broad definition of “family” and “care” to provide the most flexibility and support to households. For example, a family member could need to travel and care for children of a family member who has been hospitalized or incarcerated for more than 60 days.
3. Households who have travelled away from home and are unable to travel back home due to a national, state, or local emergency that makes it unsafe to travel (e.g., natural disaster or COVID-19 public health emergency).
4. Household will be incarcerated between 60 to 180 days for a crime Home Forward would not propose termination for (see criminal activity).

In addition, the work group discussed the need for more flexibility in Home Forward’s policies for adding and removing household members to reduce terminations for this reason.

Policy Recommendations

HUD Requirements: Home Forward should request Moving to Work Authority to allow households to be absent from the unit for up to 9 months if:

1. They are incarcerated for drug possession related charges and will participate in rehabilitation or treatment services upon exit;
2. They are participating in residential treatment for substance abuse.

Home Forward Policy:

In addition to providing more time (>60 days) for people receiving care in a nursing home, hospital, or any inpatient treatment for a period, Home Forward should also allow people to be absent for up to 180 days if:

1. They are visiting family outside of the United States;
2. They are caring for a family member (use family medical leave definition);

3. They are unable to travel for health and safety reasons in response to a local, state, or federal disaster or emergency (e.g., COVID-19).
4. The sole member household is incarcerated for a crime Home Forward would not propose program termination for and will be absent from their unit for less than 180 days (see Criminal activity)⁸

Advocacy: None

Policy Parking Lot: None

Consensus: No. The work group reached consensus on all of the recommendations except for how long a household could be absent as a result of incarceration for “other criminal history”. There was an alternative recommendation that households could be absent somewhere between 60 and 180 days, but it shouldn’t be 180 days.

Why: There are many reasons a household may need to be absent from their unit for more than 60 days and Home Forward’s policy should be flexible to support the unique circumstances households are facing that require absence. Flexibility and compassion were key values informing this recommendation.

⁸ The work group recommended that Home Forward only propose program termination for the following felony convictions: manufacture of drugs in federally assisted housing, identity theft, fraud or other criminal act related to their eligibility for federal housing assistance. We would propose termination if the person was convicted of a felony violent person to person crime of felony drug distribution and was incarcerated as a result for a period of more than 60 days.

Drug and Alcohol Use

Current Policy

HUD Requirements:

The Department of Housing and Urban Development (HUD) requires Home Forward to have a policy that allows for termination of assistance if a household is using illegal drugs or abusing alcohol.

“(1) Terminating assistance for drug criminals.

(i) The PHA must establish standards that allow the PHA to terminate assistance for a family under the program if the PHA determines that:

(A) Any household member is currently engaged in any illegal use of a drug; or

(B) A pattern of illegal use of a drug by any household member interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.

(3) Terminating assistance for alcohol abusers. The PHA must establish standards that allow termination of assistance for a family if the PHA determines that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.”⁹

Home Forward Policy:

Definitions:

1. “Other person under the tenant’s control”: a person that, although not staying as a guest in the unit, is, or was at the time of the activity in question, on the premises because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate (legal) commercial purposes is not under the tenant's control.
2. “Currently engaged in”: any use of illegal drugs during the previous six months.

Home Forward will terminate a family's assistance if any household member, guest, or any other person on the property under the tenant's control is currently engaged in any illegal use of a drug, or has a pattern of alcohol abuse or illegal drug use that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. Home Forward will allow continued assistance for current participants who are medical marijuana users, as defined by the state law.

⁹ 24 CFR 982.553

Home Forward will consider all credible evidence, including but not limited to, any record of arrests, convictions, or eviction of household members related to the use of illegal drugs or abuse of alcohol. In making its decision to terminate assistance, Home Forward will consider alternatives as described in Section 12-11.C of the Administrative Plan, and other factors described in Sections 12-11.D and 12-11.E. Upon consideration of such alternatives and factors, the PHA may, on a case-by-case basis, choose not to terminate assistance.

Evaluation

Summary of Quantitative Findings

During the study period, absence from unit was the eight highest reason for termination out of 10 termination reasons. During the study period, there were 11 program terminations, representing 1% of all program terminations, as a result of drug and alcohol use: 9 project-based voucher holders and 2 tenant-based voucher holders.

Native American, white, and households with two or more races were overrepresented in terminations as a result of drug and alcohol use in all three categories: overall, tenant-based voucher holders only and project voucher holders only. There were other demographic disparities due to drug and alcohol use that were also consistent across all three categories (combined, tenant-based voucher holders only and project-based voucher holders only): male, no children, hispanic/latinx, without disability. The following demographic groups were disproportionately terminated as a result of drug and alcohol compared to their share of the total population served:

Table 19. Overrepresentation in termination due to drug and alcohol use (by demographic characteristic)

Demographic Category	Demographic Characteristic	Share of population served	Number of terminations (Absence from Unit)	Share of exits (Absence from Unit)	Disparity (Share of exits due to absence from unit – share of households served)
Race	Native American	3%	1	9%	6%
Race	Two or more races	4%	2	18%	14%
Race	white	57%	7	64%	6.2%
Ethnicity	Hispanic/latinx	8.8%	2	18.2%	9.4%
Gender identity	Male	36.3%	7	63.6%	27.3%
Disability Status	Without disability	47.2%	7	63.6%	16.5%
Familial Status	No Children	68.0%	9	81.8%	13.8%

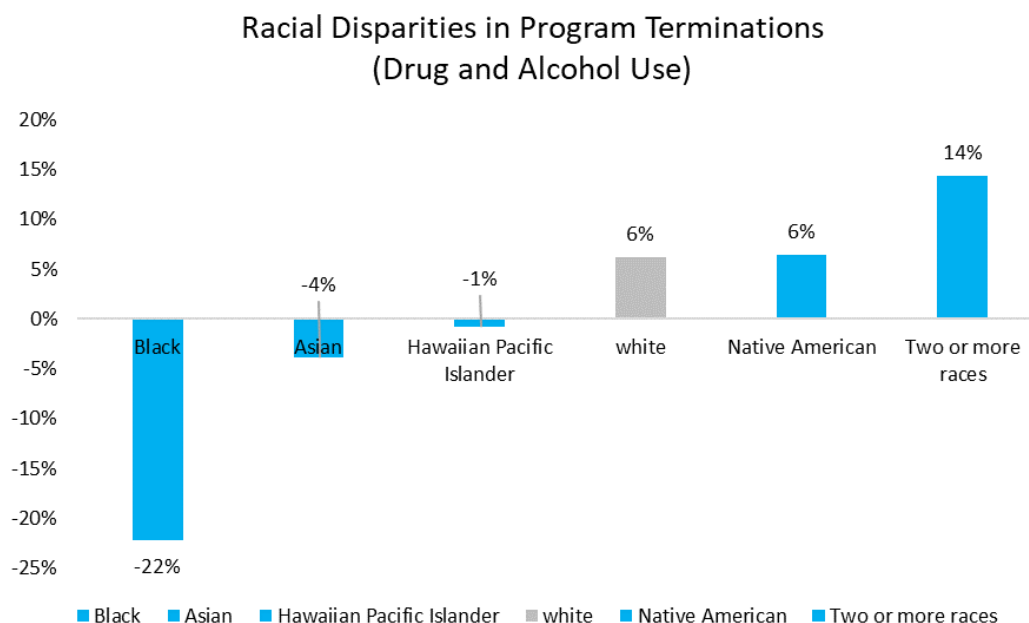
In the tenant-based voucher holder category alone, female headed households, households with children, and households with a disability were overrepresented in terminations due to drug and alcohol use.

In the project-based voucher hold category alone, there were no additional disparities that differed from the combined category.

Table 20. Racial disparities in program terminations due to Drug and Alcohol Use

Race	Population Served (Total)	Population Served (Share)	Number of terminations	Share of exits	Disparity (Share of exits due to absence from unit – share of households served)
Asian	498	4%	0	0%	-3.9%
Native American	345	3%	1	9%	6.4%
Black	4032	31%	1	9%	-22.2%
white	7,395	57%	7	64%	6.2%
Hawaiian Pacific Islander	104	1%	0	0%	-0.8%
Two or more races	491	4%	2	18%	14.4%
Total	12865	100%	11	100%	0.0%

Chart 16. Racial disparity in program termination due to Drug and Alcohol Use



Summary of Work Group Discussion

The policy work group spent a significant amount of time discussing this reason for termination. First and foremost, the group discussed that drug and alcohol abuse and addiction are fundamentally health issues and people should not be punished for having a health challenge.

The work group discussed the approach Home Forward takes with staff struggling with drug and alcohol abuse challenges and believed that approach should be consistent with how Home Forward approaches residents with drug and alcohol abuse challenges. Home Forward provides staff with support related to drug and alcohol abuse challenges and focuses on any behaviors associated with drug and alcohol use impacting performance in terms of progressive discipline as opposed to the drug and alcohol abuse itself. The work group discussed having compassion for people struggling and living with addiction and agreed that offering support is more effective than penalizing and criminalizing these health issues. The PWG also discussed that HUD requiring PHAs to penalize households with a substance use disorder may be a violation of the Americans with Disabilities Act.

The PWG discussed that a service and support driven approach to people with drug and alcohol abuse challenges was recently supported by the general public in Multnomah County, where there was overwhelming support for Measure 110 in the 2020 election. The measure decriminalized possession of small amounts of drugs and expanded treatment services.

Home Forward staff also shared that we usually don't terminate for drug and alcohol use alone, we only terminate a household's assistance if there are co-occurring challenges that negatively impact the community (e.g., criminal activity, eviction). Technically, Home Forward's current practice is not to terminate assistance for drug and alcohol use alone. The group discussed that other termination reasons (eviction and criminal activity) could cover the concerning behavior people are worried may happen if a household member is struggling with addiction.

The work group also discussed that if someone has a severe enough addiction challenge that there are co-occurring behaviors impacting the community, they may end up getting evicted. If they are evicted, they may have a difficult time being able to find another home with their voucher unless they can demonstrate to the landlord that they have accessed or are accessing treatment services.

Policy Recommendations

HUD Requirements:

- Home Forward should advocate that HUD remove the requirement that public housing authorities have a policy to terminate assistance for drug and alcohol use or abuse.
- Home Forward should request waiver of 24 CFR 982.553 using our Moving to Work Authority and not consider drug or alcohol use.

Home Forward Policy:

In alignment with current practice, Home Forward should not consider drug and alcohol use alone in deciding whether to propose termination. In compliance with current federal requirements that Home Forward have a policy to terminate assistance for drug or alcohol use or abuse, Home Forward's policy should be that Home Forward may terminate assistance if a household member's drug and alcohol use or abuse results in:

1. Felony conviction for drug possession that results in absence from unit for more than 180 days [see recommendation for "criminal activity – drug and alcohol use"].
2. Eviction for "outrageous acts" related to manufacture or distribution of drugs (not including possession) [see recommendation for "eviction"].

Advocacy: Home Forward should advocate for:

- HUD to change the CFR so PHAs are not required to terminate for drug or alcohol use.
- More wrap around services to support people with substance use disorders, including drug and alcohol treatment and recovery services.

Policy Parking Lot: The policy work group recommended that Home Forward evaluate the following policies in response to the discussion about termination of assistance due to drug and alcohol use:

1. Remove household member policy: The PWG discussed households being impacted by the foster care system. If a parent loses custody of their child, their household size changes and their voucher may be adjusted resulting in them having one less bedroom. This becomes a barrier for them getting their child back because having housing for child is a criteria for being able to regain custody.
2. Voucher expiration: The PWG discussed needing to revisit our policies about how long a household has to use their voucher before it expires. We discussed that households with drug and alcohol abuse challenges who are evicted have a rental barrier and may need more time to successful use their voucher.

3. Eviction for Drug and Alcohol Use Policy: Home Forward should offer services and supports, if possible, for households with drug and alcohol abuse challenges prior to lease enforcement for co-occurring behaviors. Lease enforcement should be trauma informed.
4. Statement of family obligations: Home Forward's statement of family obligations currently prohibits households from using or abusing drugs or alcohol. This is not in alignment with a housing first approach. Home Forward should review our statement of family obligations.

Consensus: Yes

Why: Drug and alcohol abuse/addiction is a health issue. People can be held accountable for behaviors that impact others and shouldn't be "held accountable" for having an illness.

Criminal Activity – All Categories

There are many different categories of criminal activity and associated policies depending on the type of criminal activity, but Home Forward codes all terminations due to criminal activity the same way. Therefore, we aren't able to differentiate between terminations for different types of criminal activity.

Evaluation

Summary of Quantitative Findings

During the study period, terminations due to criminal history was the ninth out of 10 termination reasons. During the study period, there were 10 program terminations, representing less than 1% of program terminations, as a result of criminal activity: 8 project-based voucher holders and 2 tenant-based voucher holders.

White households were overrepresented in terminations as a result of criminal activity. Non-hispanic households, male headed households, households without a disability, and households without children were also disproportionately terminated due to criminal activity.

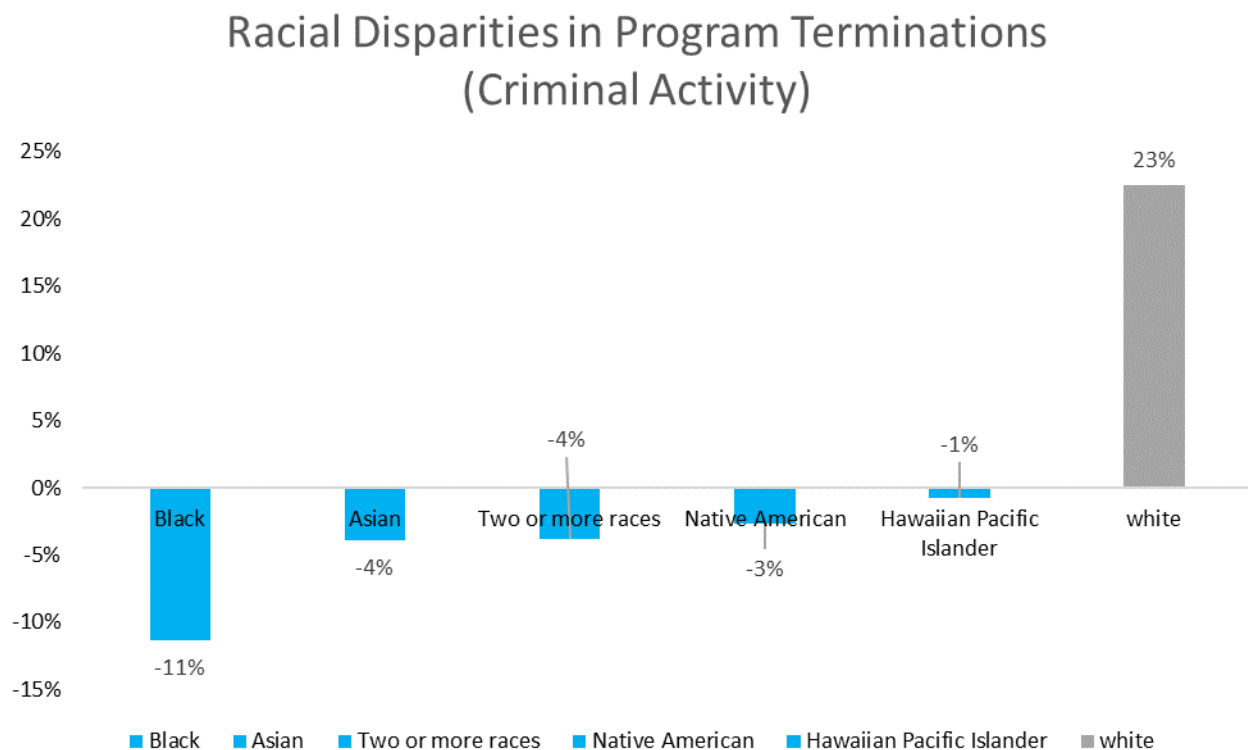
Table 25. Overrepresentation in termination due to criminal activity (by demographic characteristic)

Demographic Category	Demographic Characteristic	Share of population served	Number of terminations (Voluntary)	Share of exits (Criminal Activity)	Disparity (Share of exits due to criminal activity – share of households served)
Race	white	57.5%	8	80%	22.5%
Ethnicity	Non Hispanic	91.2%	10	100%	8.8%
Gender identity	Male	36.3%	5	50%	13.7%
Disability Status	No Disability	47.2%	7	70%	22.8%
Familial Status	No Children	68.0%	7	70%	2.0%

Table 26. Racial disparities in program terminations due to criminal activity

Race	Population Served (Total)	Population Served (Share)	Number of terminations	Share of exits	Disparity (Share of exits due to absence from unit – share of households served)
Asian	498	4%	0	0%	-3.9%
Native American	345	3%	0	0%	-2.7%
Black	4032	31%	2	20%	-11.3%
white	7,395	57%	8	80%	22.5%
Hawaiian Pacific Islander	104	1%	0	0%	-0.8%
Two or more races	491	4%	0	0%	-3.8%
Total	12865	100%	10	100%	0.0%

Chart 19. Racial disparities in program termination due to “criminal activity”



Summary of Work Group Discussion

Although the work group discussed each criminal history category on its own, the work group discussed the way systemic racism in the criminal justice system disproportionately harms Black and brown people. Despite similar rates of criminal activity across all racial groups, Black and brown people are disproportionately impacted by every level of the criminal justice system: arrests, conviction, incarceration, etc. Further, we discussed that criminal activity does not necessarily translate to negatively impacting the health and safety of the community the tenant is living in.

Policy Recommendations

Policy recommendations in this category are summarized under each specific criminal history reason below with more detail. Overall, the Policy Work Group recommends:

HUD Requirements:

Home Forward should advocate that HUD make the following rule changes:

1. **Mandatory termination manufacture of meth in federally assisted housing:** Reexamine the lifetime ban and consider case-by-case exceptions if an individual has completed treatment and has not used nor manufactured meth for a long time.
2. **Mandatory termination lifetime registered sex offenders:** No change
3. **Criminal Activity:** Advocate the HUD amend 24 CFR 982.553 (c) to not allow public housing authorities to terminate assistance for a crime based on arrest, preponderance of the evidence, or misdemeanor convictions.

Home Forward Policy:

General

1. Home Forward will not propose program terminations for:
 - a. Arrests,
 - b. Misdemeanor convictions,
 - c. Felony convictions for drug possession¹⁰.
2. Home Forward may propose program termination if:
 1. An individual has been convicted of the following categories of felony crimes and will be absent from the unit due to incarceration for more than 60 days:
 - a. Felony violent person to person crimes;
 - b. Felony drug distribution
 2. An individual has been convicted of felony¹¹:
 - a. Manufacture of drugs in federally assisted housing,
 - b. Identity theft,
 - c. Fraud or other criminal act related to their eligibility for federal housing assistance.

Policy Parking Lot: Evaluate criminal screening criteria for voucher eligibility

¹⁰ This does not align with our new criminal screening criteria for prospective residents of Home Forward properties. We do consider felony possession for schedule I and schedule II drugs.

¹¹ This is the one area where we have a conflict with our criminal screening criteria. We don't consider fraud or identity theft when deciding whether someone can be a tenant.

Criminal History – Manufacture of Meth

Current Policy

HUD Requirements:

“The PHA must immediately terminate assistance for a family under the program if the PHA determines that any member of the household has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.”¹²

Home Forward Policy:

Same as HUD requirement

Evaluation

Summary of Quantitative Findings

See data under “Criminal History – All Categories” above.

Summary of Work Group Discussion

The work group struggled to reach consensus on this recommendation and discussed it for a long time. Generally, the work group was struggling to balance holding compassion for an individual who may be manufacturing meth for addiction or economic reasons and the serious harm that could be caused if someone cooked meth in a building with other people.

The work group discussed that the definition of manufacturing meth also includes having the materials to cook meth without necessarily completing the process in the federally assisted unit. The group discussed how someone could be actually manufacturing offsite, but if they have the materials in their housing, they could still get this lifetime ban.

The work group discussed whether a lifetime ban is justified and whether it is possible for people who have manufactured a drug as dangerous as meth in publicly owned building to no longer be a risk to the community they live in.

¹² 24 CFR 982.553(b)(ii)

Policy Recommendations

HUD Requirements: Advocate that HUD reexamine the lifetime ban and consider case-by-case exceptions if an individual has completed treatment and has not used nor manufactured meth for a long time.

Home Forward Policy: No change.

If HUD allows case by case exceptions for people who have manufactured meth in federally assisted housing, revisit our policy. Any policy change should balance a desire to provide stable and affordable housing to all people and the need to maintain the health and safety of all the people we serve.

Advocacy: None

Policy Parking Lot: None

Consensus: Yes, although the group almost did not reach consensus on this recommendation.

Why: Compassion for individuals who have an addiction. Accountability to everyone Home Forward serves - manufacturing meth is a volatile process that can result in harmful explosions and seriously endanger other residents in a community and the home itself.

Criminal History – Lifetime Registered Sex Offender

Current Policy

HUD Requirements:

(2) Prohibiting admission of other criminals - (i) Mandatory prohibition. The PHA must establish standards that prohibit admission to the program if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. In this screening of applicants, the PHA must perform criminal history background checks necessary to determine whether any household member is subject to a lifetime sex offender registration requirement in the State where the housing is located and in other States where the household members are known to have resided.¹³

In addition to not allowing admission of lifetime registered sex offenders, in HUD PIH Notice 2012-82, HUD required that the PHA offer the family the opportunity to remove the ineligible family member from the household. If family chooses not to remove household member, PHA must terminate assistance of household.

Home Forward Policy:

Home Forward will terminate a household's assistance if they are a lifetime registered sex offender. As in all cases, Home Forward will offer an alternative (to remove the offending household member) if there are other household members who would like to stay in the program.

Evaluation

Summary of Quantitative Findings

See data under "Criminal History – All Categories" above.

Summary of Work Group Discussion

The work group expressed agreement that people should have their assistance terminated if they are lifetime registered sex offenders. The group discussed that Oregon requires registration for almost all sex crimes and an individual would only be removed from the lifetime registration list through a legal process if an individual has petitioned for relief under the lifetime registration requirement.

The work group discussed that due to systemic racism, innocent Black and brown men have been accused of sex crimes they did not commit and the State should ensure justice in these cases.

¹³ 24 CFR 982.553 (a)(2)

The work group discussed a concern that certain sex crimes could criminalize people for experiencing homelessness and discussed that the State needs to find a housing solution for people on the lifetime registration list.

Policy Recommendations

HUD Requirements: No change

Home Forward Policy: No change

Advocacy: Home Forward should advocate that the State do the following:

1. Re-examine the list of sex crimes that require someone in Oregon to register for a lifetime to ensure that none of the crimes that criminalize people experiencing homelessness (e.g., urinating outside).
2. Re-examine the list of sex crimes that require someone in Oregon to register for a lifetime to ensure that nonpredatory/person to person harm do not have the lifetime registration requirement.
3. State needs to provide housing for people who are sex offenders.

Policy Parking Lot: None

Consensus: Yes

Why: Health and safety of current residents. Commitment to anti-racism in the criminal justice system and advocating for access to housing as a human right for everyone.

Criminal History – Drug Related Criminal Activity

Current Policy

HUD Requirements:

(i) The PHA must establish standards that allow the PHA to terminate assistance for a family under the program if the PHA determines that:

(A) Any household member is currently engaged in any illegal use of a drug; or

(B) A pattern of illegal use of a drug by any household member interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.

(iii) The PHA must establish standards that allow the PHA to terminate assistance under the program for a family if the PHA determines that any family member has violated the family's obligation under § 982.551 not to engage in any drug-related criminal activity.¹⁴

Home Forward Policy:

Definitions

Drug: “A controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802).”

Drug-related criminal activity: “the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug.”

Home Forward will terminate a family's assistance if any household member has violated the family's obligation not to engage in any drug-related or violent criminal activity during participation in the HCV program. This applies to any member of the household, a guest, or any other person on the property under the tenant's control.

Home Forward will consider all credible evidence, including but not limited to, any record of arrests and/or convictions of household members related to drug-related criminal activity, and any eviction or notice to evict based on drug-related criminal activity.

In making its decision to terminate assistance, Home Forward will consider alternatives as described in Section 12-11.C of the Administrative Plan and other factors described in Sections 12-11.D and 12-11.E. Upon consideration of such alternatives and factors, Home Forward may, on a case-by-case basis, choose not to terminate assistance.

¹⁴ 24 CFR 982.553

Evaluation

Summary of Quantitative Findings

See data under “Criminal History – All Categories” above.

Summary of Work Group Discussion

The work group discussed the war on drugs and disproportionate rates of law enforcement impact on Black and brown people as a result of the war on drugs. The work group discussed that if a household committed drug related crime that impacted their neighbors that did not rise to the level of requiring incarceration, they would still likely be evicted. In this case, they would have to find a way to use their voucher with an eviction for drug related activity. Although the household might not be able to find a place to use their voucher under this circumstance, not terminating their assistance gives them a chance to try and demonstrate that they are addressing the rental barrier and finding another place to live.

Policy Recommendations

HUD Requirements: Home Forward should advocate to HUD only allow terminations for felony convictions. They should not allow preponderance of the evidence. that they extend the 180-day limit for absence from unit to 9 months for folks who are:

1. Incarcerated for drug possession related charges and will participate in rehabilitation or treatment services upon exit;
2. Participating in residential treatment for substance abuse.

Home Forward Policy:

General

1. Home Forward will not propose program terminations for:
 - a. Arrests,
 - b. Misdemeanor convictions,
 - c. Felony convictions for drug possession¹⁵.
2. Home Forward may propose program termination if an individual has been:
 - a. Convicted of a felony for manufacturing drugs in federally assisted housing;

¹⁵ This does not align with our new criminal screening criteria for prospective residents of Home Forward properties. We do consider felony possession for schedule I and schedule II drugs.

- b. Convicted of a felony for drug distribution and will be absent from the unit due to incarceration for more than 60 days¹⁶

Advocacy: Support investments in substance abuse treatment programs.

¹⁶ In Oregon, possible sentences for delivery and possession with intent to deliver varies by drug schedule. Potential sentence for felony conviction for distribution and possession with intent to distribute are typically longer than one year. It is unlikely someone would be convicted of felony level distribution charges and be incarcerated for less than 60 days.

Policy Parking Lot:

1. Live in caregiver policy (If a single household member is incarcerated or is in residential treatment, if they are able to find someone to care of their home or dependents while they away, their assistance would not be terminated).
2. Add household member (the event that an adult household member is incarcerated, allow an adult household member to be added to care for dependents).

Consensus: Yes

Why: Compassion for individuals struggling with addiction or who engaged in drug related criminal activity for economic reasons.

Criminal History – Violent Criminal Activity

Current Policy

HUD Requirements:

(2) Terminating assistance for other criminals. The PHA must establish standards that allow the PHA to terminate assistance under the program for a family if the PHA determines that any household member has violated the family's obligation under § 982.551 not to engage in violent criminal activity.¹⁷

Home Forward Policy:

Definitions

Violent criminal activity: “any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.”

Home Forward will terminate a family's assistance if any household member has violated the family's obligation not to engage in any violent criminal activity during participation in the HCV program. This applies to any member of the household, a guest, or any other person on the property under the tenant's control.

The PHA will consider all credible evidence, including but not limited to, any record of arrests and/or convictions of household members related to violent criminal activity, and any eviction or notice to evict based on violent criminal activity.

In making its decision to terminate assistance, Home Forward will consider alternatives as described in Section 12-11.C and other factors described in Sections 12-11.D and 12-11.E. Upon consideration of such alternatives and factors, Home Forward may, on a case-by-case basis, choose not to terminate assistance.

¹⁷ 24 CFR 982.553

Evaluation

Summary of Quantitative Findings

See data under “Criminal History – All Categories” above.

Summary of Work Group Discussion

The work group discussed that if a household committed a violent crime that impacted their neighbors that did not rise to the level of requiring incarceration, they would still likely be evicted. In this case, they would have to find a way to use their voucher with an eviction for violent behavior. Although the household might not be able to find a place to use their voucher under this circumstance, not terminating their assistance gives them a chance to try and demonstrate that they are addressing the rental barrier and finding another place to live.

Policy Recommendations

HUD Requirements: None

Home Forward Policy:

Home Forward should only terminate assistance if a household member is convicted of a felony violent crime and will be absent from the unit for more than 60 days due to incarceration.

Home Forward should not consider evictions related to violent behavior in the absence of criminal conviction because the only way to determine whether a violent crime occurred is if there is a conviction for the crime (arrests and eviction notices are not convictions).

Advocacy: None

Policy Parking Lot: None

Consensus: Yes

Criminal History – Other Criminal Activity

Current Policy

HUD Requirements:

(c) Evidence of criminal activity. The PHA may terminate assistance for criminal activity by a household member as authorized in this section if the PHA determines, based on a preponderance of the evidence, that the household member has engaged in the activity, regardless of whether the household member has been arrested or convicted for such activity.¹⁸

Home Forward Policy:

Home Forward will terminate a household's assistance if any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.

Home Forward will terminate a household's assistance if any adult household member has been convicted of the crime of identity theft while assisted.

Evaluation

Summary of Quantitative Findings

See data under "Criminal History – All Categories" above.

Summary of Work Group Discussion

The work group discussed that households should not have their assistance terminated if they have not been convicted of a crime. In other words, HUD's allowance of consideration of a preponderance of the evidence and arrests is not fair. The Supreme Court has ruled on arrests not being sufficient information to prove guilt of an individual – it's not fair for public housing authorities to have more power in determining guilt than the justice system.

The work group also discussed how it is reasonable to terminate a household's assistance if they have been convicted of fraud or another crime related to the eligibility for housing assistance. The group also discussed, given the detrimental impact of identity theft, a household should also have their assistance terminated for an identity theft conviction.

The work group discussed the benefit of providing more flexibility for household's who are being incarcerated for less than 180 days. Instead of terminating their assistance after 60 days, if we provided more time, they could have a place to return when leaving an institution. This is currently a

¹⁸ 24 CFR 982.553 (c)

practice at the Bud Clark Commons – giving people up to 180 days to be absent so this change would align with current practice in the property management department. We know that people who exit institutions are at a high risk of experiencing homelessness and not having their assistance terminated could offer a home for people to return to after incarceration.

Policy Recommendations

HUD Requirements: Advocate that HUD amend 24 CFR 982.553(c) to not allow PHAs to terminate assistance for a crime based on anything but a felony conviction (no consideration of arrests, preponderance of the evidence, or misdemeanor charges).

Home Forward Policy:

1. Align termination of assistance for “other criminal activity” with our absence from unit policy. If a single member household is convicted of a felony and will be incarcerated/absent from the less than 180 days, we should not terminate their assistance. If absent for more than 180 days, we are required to terminate their assistance.
2. Continue to terminate assistance if an individual is convicted of felony identity theft while assisted.
3. Continue to terminate assistance if an individual has been convicted of fraud or other criminal act related to their eligibility for federal housing assistance.

Advocacy: None

Policy Parking Lot: None

Consensus: No. The work group came to consensus on everything in the recommendation except how long a household could be absent from the unit as a result of incarceration for “other criminal history” prior to terminating their assistance. The additional perspective was that the household should be able to be absent for more than 60 days but less than 180 days.

Other – Threat of Violence Against PHA Staff

Current Policy

HUD Requirements: None. HUD allows PHAs to terminate assistance for certain reasons.

(1) Grounds for denial or termination of assistance. The PHA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following grounds:

....

(ix) If the family has engaged in or threatened abusive or violent behavior toward PHA personnel. (24 CFR 982.552(ix)).

Home Forward Policy:

The PHA will terminate a family's assistance if:

A family member has engaged in or threatened violent or abusive behavior toward PHA personnel.

Abusive or violent behavior towards PHA personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

Threatening refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

Evaluation

Summary of Quantitative Findings

There were no program terminations for this reason during the study period.

Summary of Work Group Discussion

The work group discussed that many of the people we serve struggle with severe and persistent illness and other mental health challenges. Further, Black, Indigenous, and people of color we serve have navigated a violent white supremacist society and Home Forward as a white dominant organization. The people we serve have experience trauma, including trauma caused by Home Forward. Staff need to be supported to provide trauma informed services and trained in de-escalating conflict.

The work group also discussed that it is essential that staff are physically safe and mentally and emotionally supported. It is important to prevent violence and threats of violence by addressing participant behaviors that are warning signs of a potential future threat of violence (verbal harassment). It is also important to respond in cases of actual threats of violence or violence itself. The work group discussed that Home Forward should be able to propose termination related to threats of or actual violence but we discussed amending the policy to differentiate between behaviors that could lead to a threat of violence and the threat of or actual violence. If a participant is engaging in behaviors that aren't an immediate threat to health and safety (verbal harassment), we should not propose termination but we should respond with different alternatives (e.g., written warning, mediation). However, if a participant commits an act of violence or there is an immediate threat that they will commit an act of violence (e.g., brandishing a weapon), staff should propose program termination.

Policy Recommendations

HUD Requirements: None

Home Forward Policy:

Home Forward should maintain the ability to propose termination for a threat of violence against PHA staff.

However, Home Forward should change its policy to differentiate between situations where violence has occurred and there is an immediate threat versus a threat not being immediate (verbal harassment).

If violence has occurred or there is an immediate threat, staff may propose termination immediately. Examples of violence or immediate threats of violence include: physically assaulting staff, brandishing a weapon, serious property damage linked to the threat of violence, verbal threat of imminent violence like: "I plan to hurt you tomorrow."

If the threat of violence is not immediate (e.g., verbal harassment), staff should pursue other alternatives to address the unwanted behavior prior to proposing termination. Examples of alternative measures include but are not limited to: mediation, written warning, service referral. In these cases, termination should be proposed as a only after other alternative measures have been attempted and the unwanted behavior has escalated.

Consensus: *Non-consensus.*

- Support: we should differentiate between non-immediate threats. Someone should not have assistance terminated for verbal harassment, although there should be follow up.

- Opposition: We need more clear definitions of violence, immediate threat of violence, and not immediate threat of violence.

Why: Compassion for the people we serve and compassion for staff who deserve to be safe from harm.

Other – Debt and Repayment Agreement Default

Current Policy

HUD Requirements: No requirement. HUD allows PHAs to terminate assistance for this reason.

(1) Grounds for denial or termination of assistance. The PHA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following grounds:

....

(v) If the family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.

(vi) If the family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.

(vii) If the family breaches an agreement with the PHA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA. (The PHA, at its discretion, may offer a family the opportunity to enter an agreement to pay amounts owed to a PHA or amounts paid to an owner by a PHA. The PHA may prescribe the terms of the agreement.) (24 CFR 982.552 (c)(1)(v)-(vii).

Home Forward Policy:

The PHA will terminate a family's assistance if:

...

The family currently owes rent or other amounts to any PHA. Amounts owed are subject to the local statute of limitations unless owed under a judgment.

The family has not reimbursed any PHA for amounts the PHA paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.

The family has breached the terms of a repayment agreement entered into with the PHA.
(pg 12-8)

Repayment of Family Debts

PHA Policy

If a family owes amounts to the PHA, as a condition of continued assistance, the PHA will require the family to repay the full amount or to enter into a repayment agreement within 10

business days of receiving notice from the PHA of the amount owed. See Chapter 16 for policies on repayment agreements.

If a family has breached the terms of a repayment agreement entered into with the PHA, as a condition of continued assistance, the PHA will require the family to repay the full amount of the debt within 10 business days of receiving notice from the PHA of the amount owed. If the family fails to repay the full amount of the debt before the deadline specified in the notice, the PHA will propose to terminate the family's assistance. See Chapter 16 for policies on repayment agreements. (pg. 12-11).

Evaluation

Summary of Quantitative Findings

There were no program terminations for this reason during the study period.

Summary of Work Group Discussion

The work group discussed that our mission is about providing people with housing. We know that the people we serve are experiencing poverty and when people earning low incomes accrue a debt, it is very difficult to access resources necessary to pay it when they are already struggling to afford their basic needs (food, rent, health care, childcare costs).

We discussed that Home Forward must provide more flexible repayment agreements for households to increase the likelihood that they are able to make their payments and maintain their housing stability. We also discussed that sometimes emergencies come up and a household may not be able to afford any monthly payment towards their debt and we may want to consider waiving their debt to support their housing stability. We discussed wanting to set people up for success if/when they leave Home Forward housing and a private landlord would not waive debt. The work group discussed how we would need new resources to support this kind of effort and would need to structure it in a way to promote housing stability without creating unrealistic expectations about our availability of resources.

The work group also discussed Home Forward's COVID arrears repayment agreement policy which was created in collaboration with Home Forward residents who have rent arrears as a result of the pandemic. The group discussed wanting to align repayment agreement policies across the portfolio and most work group members agreed that we should apply the same COVID repayment agreement policy for debts owed to Home Forward by voucher participants.

Policy Recommendations

HUD Requirements: None

Home Forward Policy:

Maintain Home Forward's ability to terminate a household's assistance for defaulting on a repayment agreement or for outstanding debt. Remove Home Forward's ability to terminate assistance if the household owes another PHA money. This is an eligibility issue.

However, we should change our policy related to repayment of family debts as follows:

Consensus items:

1. Give household's at least 30 calendar days to work out repayment agreement with Home Forward instead of 10 days.
2. Provide affordable repayment agreement options (see non-consensus below)
3. The repayment agreement will allow "2 skips" in a 12-month period. If a participant misses a payment and a skip is used, the length of the repayment agreement will automatically increase by the number of skips.
4. If a participant misses a payment after two skips have already been applied in a 12-month period, Home Forward will reach out and offer to renegotiate the agreement prior to proposing termination.

Non-consensus item:

The work group members did not reach consensus on the type of affordable repayment agreement we should pursue but the majority of work group members supported Option 1

- **Option 1:** Monthly repayment agreement amount can be anywhere between \$10 and 10% of the participants income.
- **Option 2.** There should be a limit of 5 years to repay debt that should determine the minimum monthly repayment agreement amount, and the household can choose between that and 10% of their income. For example, if someone owes \$5,000, their minimum monthly payment amount would be \$83/month to ensure they paid it back within 5 years.

Home Forward Practice:

There was not consensus about what Home Forward should do if a household defaults on their repayment agreement or does not agree to a repayment agreement and does not pay their debt in full within 30 days prior to proposing program termination. The majority of work group members supported Option 2, and there was some support for Option 1 and Option 3.

If a participant has not agreed to a repayment agreement or repaid their debt within 30 calendar days, or if a participant agreed but used both skips, defaulted and did not respond to minimum outreach, Home Forward should consider the following before proposing program termination:

- Option 1. If funds are available, Home Forward should consider waiving the participants debt. Home Forward may not waive debt more than once in a five-year period and a committee should review, on a case by case basis, whether to waive debt.
- **Option 2.** Home Forward should provide the household with the option to defer their debt for 12-months. Households can reapply to defer their debt in perpetuity.
- Option 3. Home Forward should waive a households debt if possible (no more than once in a 5 year period). If funds are not available to waive debt, Home Forward should allow the household to defer paying their debt for 6 months, when they would need to enter into a repayment agreement.

Advocacy:

- More emergency rent assistance

Policy Parking Lot: None

Consensus: Non-consensus

Why: Balancing housing stability and Home Forward's ability to maintain financial stability to support our mission.

Other – Violate Family Obligations

Current Policy

HUD Requirements: None. HUD allows PHAs to terminate assistance for this reason.

(1) Grounds for denial or termination of assistance. The PHA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following grounds:

.....

(i) If the family violates any family obligations under the program (see § 982.551). See § 982.553 concerning denial or termination of assistance for crime by family members.

Home Forward Policy:

The PHA will terminate a family's assistance if:

The family has failed to comply with any family obligations under the program. See Exhibit 12-1 for a listing of family obligations and related PHA policies. (pg 12-18)

Evaluation

Summary of Quantitative Findings

There were no program terminations for this reason during the study period.

Summary of Work Group Discussion

The work group discussed that the Family Obligations span across departments and impact property management and rent assistance. Home Forward should parking lot the entire conversation and review the Statement of Family Obligations with an Equity framework.

Policy Recommendations

HUD Requirements: None

Home Forward Policy: After a work group reviews the Statement of Family Obligations with an equity framework, the rent assistance termination policy should be updated to only terminate assistance for serious violations of the Statement of Family obligations.

Policy Parking Lot: Statement of Family Obligations.

Consensus: Yes

Appendix A. Policy Parking Lot Items

Policies to Evaluate with Racial Equity Framework

1. Voucher program eligibility criteria related to evictions and criminal history
2. Home Forward's screening criteria related to evictions for Home Forward residents
3. Eviction for drug and alcohol use (home forward owned properties)
4. Add Household Member Policy
5. Live in Care Giver Policy
6. Voucher extension/Expired Voucher Policy
7. Remove household member policy
8. Statement of Family Obligations
9. Access to GOALs program (port voucher holder eligibility)
10. Impact of RAD conversions on 0 HAP and housing stability for residents of converted buildings.

Capacity Related Needs

1. Support participants in completing their re-certifications
2. Provide households with barriers to leasing up with their voucher Housing Navigation supports.
3. Explore establishing an internal emergency rent assistance fund for voucher holders, including households who have had their voucher terminated due to 0 HAP within the past 5 years to prevent nonpayment of rent evictions and promote housing stability.

Rent Assistance Operations

1. Regularly increase payment standards at Home Forward with the intention of reducing shelter burden

Other

1. Participant centered work group to decide which recertification fields to auto populate using last recertification data to make it easier to complete.

Appendix B. Recommended Advocacy Agenda

Congress

1. Universal rent assistance
2. Revisit and lower the federal definition of “affordable” as 30% of income towards housing.
3. Emergency rent assistance

HUD

Rule Changes

- Define “serious violation of lease” more narrowly so public housing authorities are not terminating assistance of household’s evicted for reasons that are not health and safety related like nonpayment of rent. (24 CFR 982.552(b)(2)).
- Remove the requirement that public housing authorities have a policy to terminate assistance for drug and alcohol use or abuse (24 CFR 982.552)
- Reexamine the lifetime ban for individuals who have manufactured meth in federally assisted housing and consider case-by-case exceptions if an individual has completed treatment and has not used nor manufactured meth for a long time. (24 CFR 982.553(b)(ii))
- Do not allow PHAs to terminate assistance for a crime based on anything but a felony conviction (no consideration of arrests, preponderance of the evidence, or misdemeanor charges) 24 CFR 982.553(c).

Resource Related

- Increase the value of the voucher to reduce shelter burden. This could be accomplished a number of different ways with increased voucher funding, including:
 - Increase payment standards to meet the market
 - Get rid of payment standards and only use rent reasonableness
- Progressive rent setting:
 - Advocate for more voucher resources so PHAs can set progressive rent structures (lower percentage of income towards housing required for lower income households) without reducing the number of households they can serve.

State

- Rent Stabilization: reduce the current statewide limit on annual rent increases
- Re-examine the list of sex crimes that require someone in Oregon to register for a lifetime to ensure that none of the crimes that criminalize people experiencing homelessness (e.g., urinating outside).

- Re-examine the list of sex crimes that require someone in Oregon to register for a lifetime to ensure that nonpredatory/person to person harm do not have the lifetime registration requirement.
- State needs to provide housing for people who are sex offenders.

General Investments (Local, State, Federal)

- Advocate for flexible “housing stability support” resources for voucher holders, including:
 - Record expungement,
 - Housing Navigation, etc.
- Long-term Rent Assistance
- Advocate for more wrap around services to support people with substance use disorders, including drug and alcohol treatment and recovery services.
- More emergency rent assistance

Appendix C. Home Forward Decisions on Recommendations

Summary: Home Forward accepted most of the work groups recommendations as drafted. Where Home Forward made a different decision, the decision was in alignment with the intent of the recommendation but made the change easier to implement. In one case, Home Forward's decision went further than the work group recommendation in terms of benefiting voucher participants (e.g., eviction recommendation).

Approved

✓ Voluntary/Household Choice

Home Forward will terminate assistance if a household requests to do so. Home Forward will change our coding practices to ensure we are correctly coding terminations for this reason.

✓ Death of Sole Household Member

Home Forward will terminate assistance if a sole household member has died.

✓ Consent Forms/Paperwork

Home Forward will conduct outreach to participants including: beginning outreach 120 days prior to the paperwork due date, reaching out a minimum of three times using at least two different methods of communication. Staff will also allow a household to reinstate their assistance if it was terminated for this reason within 180 days for extenuating circumstances (e.g., hospitalization).

✓ Absence from Unit

Home Forward will ask for Moving to Work authority to allow households to be absent from the unit for more than 180 days in certain cases including: participating in residential treatment for drug and alcohol abuse or incarceration for drug possession if the household is participating in treatment post release. Staff should expand the existing reasons households can be absent between 60 to 180 days to include if the household is: visiting family outside of the United States, caring for a family member, unable to travel for health and safety reasons in response to a local, state, or federal disaster or emergency (e.g., COVID), or if they are going to be incarcerated and absent from their unit as a result of a crime Home Forward would not propose program termination for.

✓ **Drug and Alcohol Use**

Home Forward will ask for Moving to Work authority to not consider drug and alcohol use. In the meantime, Home Forward should only propose termination if the household has been convicted of a felony possession that results in them being absent from the unit for more than 180 days.

✓ **Criminal Activity – Manufacture of Methamphetamine**

Home Forward will continue to terminate assistance for manufacture of methamphetamine in federally assisted housing. Home Forward will advocate that the federal government allow exceptions to this lifetime ban in certain cases.

✓ **Criminal Activity – Lifetime Registered Sex Offender**

Home Forward will continue to terminate assistance if someone is required to register on the lifetime registered sex offender list. Home Forward should advocate that the State of Oregon revisit its lifetime registration list to ensure they are not criminalizing people experiencing homelessness.

✓ **Criminal Activity – Violent and Drug Related**

Home Forward will only terminate assistance if someone is convicted of a felony violent or drug related crime (excluding possession) and will be incarcerated for more than 60 days. Home Forward should advocate that the federal government not allow public housing authorities to terminate assistance for arrests or any other standard other than a conviction.

✓ **Criminal Activity – Other**

The only “other” crimes Home Forward will consider are felony convictions for identity theft or a criminal act in connection with the individual’s federal housing assistance.

✓ **Threat of Violence Against Home Forward staff**

Home Forward will continue to terminate assistance for threats of or actual violence towards PHA staff but Home Forward will clarify that we will terminate assistance if violence has happened but we may terminate assistance for threats of violence if we are able to find other solutions with the participant while keeping staff safe.

✓ Violate Family Obligations

Home Forward will have a participant centered work group focused on reviewing and updating the Statement of Family Obligations.

Approved (technical change)

✓ Zero HAP

Home Forward will ask for Moving to Work Authority to give each household 365 days after our last housing assistance payment on their behalf prior to terminating assistance instead of 180 days.

Change from work group recommendation: The work group recommended 365 for households that are shelter burdened at 0 HAP and to reduce administrative burden, Home Forward decided to ask for permission to give everyone 365 days.

Updated (substantive change)

✓ Eviction

Home Forward will ask for Moving to Work Authority to not have to terminate assistance if a household has been evicted. In the meantime, Home Forward will implement the work group's recommendation to remove consideration of "repeated lease violations" and narrow the definition of "serious" eviction to only include evictions as the result of a 24-hour notice for certain reasons.¹⁹

Change from work group recommendation: The work group recommended that Home Forward narrow the definition of eviction and remove repeated violation of the lease but still consider evictions.

¹⁹ Any 24-hour notice except for prostitution, manufacture of a cannaboid extract, drug possession, Prostitution; the tenant intentionally provided substantial false information on the application for the tenancy within the past year.

✓ Debt or Default on Repayment Agreements

Home Forward will provide 30 calendar days to pay debt or enter into a repayment agreement instead of 10. Home Forward will offer more affordable repayment agreements: a household can choose any monthly payment amount as long as the agreement is no longer than seven years. Home Forward will allow households to automatically miss two payments in a 12-month period (length of agreement will extend one month with each skip). After the second missed payment, Home Forward will reach out and offer to renegotiate the agreement with the participant to a more affordable amount. If the participant does not respond, Home Forward will automatically reduce the monthly payment to the minimum (amount required to pay off debt within 7 years).

Change from work group recommendation: The work group did not come to consensus on this recommendation but did support 30 days to negotiate an agreement, more affordable options, and the ability to do two skips. Non-consensus items that were discussed but are not included in the decision are: ability to defer every 6 months, ability to waive debt, \$10 monthly minimum and 10% of income maximum.