

8300 PAYMENT STANDARD AMOUNT

8300.1 Fair Market Rents. HUD publishes annually the fair market rents for each market area in the United States.

- (a) DCHA uses the fair market rent published by HUD annually for the Washington, D.C. Metropolitan Statistical Area.
- (b) The Fair Market Rent (FMR) is set by HUD for the District at the 50th percentile rent to provide a broad range of housing opportunities throughout the District in order to assist in achieving deconcentration objectives.
- (c) In the event HUD sets or reduces the fair market rents applicable to DCHA to less than fair markets rents at the 50 percentile rent as provided in § 8300.1 (b) above, and such reduction in the fair market rents at the 50th percentile rents will either result in a decrease in the range of housing opportunities throughout the District and an increase in concentration of poverty among participants receiving rental assistance in the Housing Choice Voucher Program, or will hinder DCHA's efforts to deconcentrate poverty among participants receiving rental assistance in the Housing Choice Voucher Program, DCHA may submit to the DCHA Board of Commissioners a written justification for maintaining a payment standard based on fair market rents at the 50th percentile rents as provided in § 8300.1(b) above.
- (d) If DCHA submits a written justification for maintaining a payment standard based on fair market rents at the 50th percentile rents as identified in § 8300.1(c) above, DCHA shall submit a resolution for adoption by the DCHA Board of Commissioners, of a payment standard schedule based on fair market rents set at the 50th percentile fair market rents in accordance with Subsection 8300.3 below.

8300.2 Payment Standard.

- (a) The Payment Standard is the percentage of the Fair Market Rents, as set by HUD, used to calculate the maximum housing assistance payments available at any given time.
- (b) Under HUD's rules, the Commission may set the Payment Standard for each size of unit at any level between 90 percent and 110 percent of the Fair Market Rent, or up to 120 percent as permitted under § 8300.2(d) below.

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- (c) Within the basic range for Payment Standards as specified in § 8300.2(b) above, a separate payment standard may be set for a designated part of the FMR area or for a particular size of units.
- (d) Exception Payment Standards between 110 percent and 120 percent may be approved by the HUD Field Office for an exception area for all size units, or all units of particular sizes in an exception area.
- (e) The Payment Standard is up to one hundred seventy-five percent (175%) of the Fair Market Rents for all size units in all areas of the District of Columbia. Any change to the Payment Standard shall be implemented by regulatory action of the Commission and shall apply to all vouchers issued after the date of the adoption of any regulation modifying the Payment Standard.

8300.3 Payment Standard Schedule After publication by HUD of the Fair Market Rents, DCHA annually adopts, by resolution of the Board of Commissioners, the Payment Standard Schedule for the upcoming year for each unit size using the Payment Standard as identified in § 8300.2(e) above.

8300.4 HUD Discretion. Payment Standard Schedules are subject to review by HUD and HUD, at its discretion, may modify payment standard amounts for any unit size on the DCHA Payment Standard Schedule.

SOURCE: Emergency and Proposed Rulemaking published at 52 DCR 577 (January 21, 2005)[EXPIRED]; as amended by Emergency and Proposed Rulemaking published at 52 DCR 5094 (May 27, 2005) [EXPIRED]; as amended by Final Rulemaking published at 52 DCR 8631 (September 23, 2005); as amended by Emergency and Proposed Rulemaking published at 52 DCR 10198 (November 18, 2005) [EXPIRED]; as amended by Final Rulemaking published at 53 DCR 1162 (February 17, 2006); as amended by Final Rulemaking published at 56 DCR 3117 (April 24, 2009); as amended by Final Rulemaking published at 62 DCR 6681 (May 22, 2015); as amended by Final Rulemaking published at 64 DCR 4054 (April 28, 2017).