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DEFINITIONS

Achieving Your Best Life Rewards Program (AYBL) – a DCHA established and administered Public Housing homeownership program designed to promote self-sufficiency and homeownership by assisting program participants in benefitting from supportive services. Participants reside at DCHA identified properties—known as Rewards Properties—while preparing for homeownership.

Adjusted Unearned Income—For purposes of the AYBL program, adjusted Unearned income is Unearned Income less deductions as defined in Adjusted Income at 14 DCMR § 6099.1.

AYBL Applicant Family -- a Public Housing family living in conventional public housing or in a mixed finance development unit which is subsidized with Annual Contributions Contract assistance, or is currently in the selection pool, and who has submitted a completed application, including all required documents, for consideration to become an AYBL Family.

AYBL Families Eligible for HCVP/HOAP Participation - a household of one (1) or more persons that meets the following minimum requirements:

- (a) As a threshold determination for participation in the AYBL HCV/HOAP, a Family shall have met the AYBL participation requirements under the Contract of Participation and ITSP.
- (b) Lease compliant.
- (c) A Family that meets the threshold determination shall then meet the following eligibility requirements:
 - (1) Employment. The household shall provide proof of employment such that:
 - (A) One (1) or more of the adult household members who shall be a borrower or co-borrower at the commencement of receiving HOAP assistance, is currently employed on a Full-Time Basis; and
 - (B) At least one (1) borrower shall have been employed for at least two (2) continuous years preceding the beginning of HOAP Subsidy.
 - (2) Minimum Income.

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- (A) The household shall demonstrate that gross annual income of the borrower and/or co-borrower is equal to at least one hundred twenty-seven percent (127%) of the minimum income eligibility requirement established for AYBL participation or such other minimum percentage as may be established by DCHA from time to time. Elderly and Disabled Families may, in addition to any earned income, include unearned income from SSI, SSDI, pensions, etc.
 - (B) Except in the case of Elderly or Disabled Families, income shall come from sources other than governmental assistance programs such as Temporary Assistance for Needy Families.
- (3) Applicants for the HCV/HOAP shall be enrolled in the AYBL program.
- (4) Good Standing. The household shall be in Good Standing as follows:
 - (A) The household shall have disclosed and satisfied all prior debts to DCHA or any other federally funded housing program.
 - (B) The household shall not have committed fraud in connection with the Public Housing program or any other federally funded housing program.
 - (C) The household shall not have defaulted, or be in default, on any mortgage securing debt to purchase a home under any prior HCV/HOAP participation.
- (d) If a household purchases or takes title to a home before receiving approval to participate in the HCV/HOAP, the household shall be determined ineligible.
- (e) The employment requirement does not apply to an Elderly or Disabled Family.

AYBL Family - a Public Housing family in which the DCHA AYBL approved Lessee(s) has executed a Contract of Participation and an Individual Training and Service Plan(s) (ITSP).

AYBL Home Visit Inspection – an inspection using Uniform Physical Condition Standards (UPCS) and DCHA Housekeeping standards that is performed on the public housing unit where the resident resides when the AYBL

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application is submitted to DCHA. AYBL applicant families are given at least forty-eight (48) hours' notice of DCHA's intent to enter the unit.

AYBL Lease Addendum – an addendum to the Public Dwelling Lease that outlines responsibilities and legal obligations specific to AYBL participation.

AYBL Participant – a Lessee(s) (Head of Household and spouse, domestic partner or co-head, if applicable) who has signed an AYBL Contract of Participation and an ITSP and a dwelling unit lease agreement at a Rewards Property.

AYBL Site-based Transfer Waiting List - a transfer waiting list of Public Housing households that have been determined eligible for participation in the AYBL program. Each AYBL site will have transfer waiting list(s). AYBL transfer waiting lists will be organized by unit type and bedroom size. Families will be placed on an AYBL transfer waiting list in order based on application numbers determined by a lottery. As AYBL units become available, eligible families requiring the unit features (including bedroom size) will be referred from that site transfer waiting list.

AYBL Tenant Rent – rent calculated for an AYBL Family is the amount of rent payable to DCHA under the dwelling lease. For the purposes of the AYBL program only, AYBL Tenant Rent will be calculated as thirty percent (30%) of the AYBL participant(s) adjusted Unearned Income and the total income of any other non-AYBL participant(s) in the household, if any. For each AYBL family with non-AYBL participant members, a minimum rent of one hundred dollars (\$100) will be charged. In the event that the amount calculated for an AYBL family that does not include non-AYBL participant members is less than zero dollars (\$0), the AYBL Tenant Rent charged will be zero dollars (\$0).

AYBL Program Application – an application that DCHA provides to a Public Housing family for consideration for admission to the AYBL program which may require additional supporting documents and information to be provided by each AYBL Applicant Family.

Certificate of Completion – a Certificate of Completion shall be issued upon:

- (a) Successful completion of the home ownership and housing counseling sessions;
- (b) Verification that the AYBL Family has an acceptable credit report; and
- (c) Verification that the AYBL Family has sufficient assets to make at least a one percent (1%) down payment investment from personal resources.

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Contract of Participation (COP) – a contract entered into between the Lessee(s) of an AYBL Family, and DCHA that sets forth the terms and conditions governing participation in the AYBL program. The Contract of Participation includes the Individual Training and Service Plans (ITSPs) completed by the participating household members. An ITSP(s) is attached to and incorporated into the Contract of Participation. The effective date of the Contract of Participation is the first (1st) day of the month following the month in which the AYBL Lessee and DCHA entered into the Contract of Participation.

DCHA - the District of Columbia Housing Authority (DCHA) or any successor agency, thereto.

Disabled Person- a person who is under a disability as defined in § 233 of the Social Security Act (42 U.S.C. § 423) or in § 102 of the Developmental Disabilities Services Facilities Construction Amendments of 1970, (42 U.S.C. §§ 6001, *et seq.*). Section 233 of the Social Security Act defines disability as follows:

- (a) Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve (12) months; or
- (b) In the case of an individual who has attained the age of fifty-five (55) and is blind (within the meaning of “blindness” as defined in 416(i)(1) of this title), inability by reason of such blindness to engage insubstantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he or she has previously engaged with some regularity and over a substantial period of time.

Disabled Family - a household whose head, spouse or sole member is a person with a disability(ies).

Earned Income – The Earned Income of the Lessee(s) who will be the borrower/co-borrower shall be considered for determining AYBL program eligibility and AYBL HCVP/HOAP eligibility. For purposes of the AYBL program, Earned Income includes the following:

- (a) The full amount of employment income before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses and other compensation for personal services;
- (b) The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be

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used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in the Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;

- (c) Social security payments received by the Lessee(s) who are elderly/disabled with the exception of children and widows/widowers receiving Social Security benefits on behalf of someone else; and
- (d) All regular pay, special pay and allowances of a member of the Armed Forces (whether or not living in the dwelling) who is head of the family, spouse, or other person whose dependents are residing in the unit.

Elderly Family - a household whose head, spouse or sole member is at least sixty-two (62) years of age.

Elderly Person – a person who is at least sixty-two (62) years of age.

Eligible AYBL Family – a family that currently resides at a DCHA Public Housing who meets the AYBL program income and eligibility requirements set forth in section 9806 of this chapter.

Full-time Employment - working at least thirty (30) hours per week.

Head of Household – the person(s) who signs the Public Housing lease. The Head of Household is also considered the Lessee.

HCVP/HOAP - the Housing Choice Voucher Program/Homeownership Assistance Program (HCVP/HOAP) that is operated by the District of Columbia Housing Authority (DCHA). For the purposes of this chapter only, “HCVP/HOAP” and “HOAP” are used interchangeably.

HOAP Applicant Family - an eligible HCVP/HOAP Family that has been issued a Certificate of Completion and is in the process of obtaining a Preliminary Certificate of Assistance; Mortgage Pre-approval; Home Search Authorization; Final Certificate of Assistance.

HOAP Subsidy or HCVP/HOAP Assistance - homeownership subsidy assistance for payment to a mortgage lender on behalf of a Participating Family as provided through the Housing Choice Voucher program in the amount as determined pursuant to 14 DCMR § 9212.2.

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Homeownership Preparation Housing – under the AYBL program, is a Reward Property.

Individual Training and Services Plan (ITSP) - a written plan that is prepared by DCHA in consultation with each approved AYBL participant.

(a) The ITSP sets forth:

- (1) The supportive services to be identified for the family member;
- (2) The activities to be completed by that family member; and
- (3) The agreed upon completion dates for the services and activities

(b) Each ITSP must be signed by DCHA and the participating family member(s), and is attached to, and incorporated as part of the Contract of Participation.

Lessee – The individual(s) that sign(s) the Lease with DCHA.

Lottery – the approach utilized to determine the placement of an eligible AYBL Applicant on the AYBL Site-based Transfer Waiting List. Eligible applications will be assigned a number. At a public lottery overseen by a third party, random numbers will be selected to determine which applicants will be selected for placement on AYBL Site-based Transfer Waiting Lists.

Maintenance Escrow - the amount of money paid by the AYBL Family into an escrow account to be utilized for the maintenance of the AYBL Rewards Property unit while the AYBL family is in the program. The maintenance escrow is designed to prepare AYBL Families for the responsibilities related to paying for home repairs. The maintenance escrow is equal to two percent (2%) of the household Earned Income. At the end of AYBL program participation, any monies not spent toward the AYBL Family's unit maintenance will be transferred to DCHA to fund necessary property maintenance.

Maintenance Escrow Payment – the amount paid into a maintenance escrow account by AYBL Families. The payment shall equal two percent (2%) of each AYBL participant(s) Earned Income.

Notice of Non-Compliance –notice of any breach of the Contract of Participation or AYBL Lease Addendum.

Notice of Termination of Program Participation – notice of termination from the AYBL Program.

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Preliminary Certificate of Assistance – preliminary homeownership voucher issued by DCHA that reflects the amount of voucher assistance the AYBL Family would receive. The Preliminary Certificate of Assistance is utilized by the AYBL Family to present to a potential lender(s) as part of the AYBL Family's application for mortgage pre-approval.

Returning Family – lesses(s) who were required to relocate from their unit due to the initial designation of the property as a Rewards Property and the associated modernization.

Required Transfer – transfer from Rewards Property to a conventional Public Housing Unit due to termination from the AYBL Rewards Program. Failure of the AYBL Family to transfer to a conventional Public Housing unit may result in a lease enforcement action. All relocation costs are the responsibility of the AYBL family.

Rewards Property - DCHA Public Housing properties that have undergone comprehensive modernization and unit feature additions with specified units that serve as homeownership preparation housing for AYBL families. Residence in these newly renovated properties is part of an incentive to encourage families to achieve self-sufficiency. AYBL Families reside in these units for the lifetime of their Contract of Participation. These properties are selected for participation in AYBL at the sole discretion of DCHA. Not all DCHA Public Housing developments that undergo comprehensive modernization and unit feature additions will become Rewards Properties.

Savings Escrow - the amount of money paid by the AYBL participant into an escrow account to be utilized by AYBL participating family member(s), upon approval by DCHA, in fulfillment of the AYBL Family's homeownership goal. The savings escrow is equal to twenty-eight percent (28%) of the AYBL Lessee's(s) Earned Income.

Savings Escrow Payment – The amount AYBL Families shall pay into a savings escrow account. The payment shall be equal to twenty-eight (28%) of the AYBL Lessee's(s) Earned Income.

Self-Sufficiency - for a family or family member to be considered self-sufficient, the family must not be receiving any public assistance or any Federal, State or local rent/homeownership subsidies.

Standard Rent – rent calculated for non-AYBL Public Housing residents in accordance with 14 DCMR § 6200.

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Subsidiary Ledger - DCHA will maintain a Subsidiary Ledger which at a minimum will contain all ABYL participants and their respective escrow balances. A Subsidiary Ledger is a sub-set of DCHA's General Ledger and contains supporting data for a General Ledger balance. The Subsidiary Ledger will be updated whenever there is a change to program participant data.

Supportive Services - services that will assist an AYBL Family member under an ITSP move toward self-sufficiency. These services may include:

- (a) *Child care*—child care of a type that provides sufficient hours of operation and serves an appropriate range of ages;
- (b) *Transportation*—transportation necessary to enable a participating family to receive available services, or to commute to their places of employment;
- (c) *Education*—remedial education; education for completion of secondary or post-secondary schooling;
- (d) *Employment*—job training, preparation, and counseling; job development and placement; and follow-up assistance after job placement and completion of the Contract of Participation;
- (e) *Personal welfare*—substance/alcohol abuse treatment and associated counseling;
- (f) *Household skills and management*—training in homemaking and parenting skills; household management and money management;
- (g) *Counseling*—counseling in the areas of:
 - (1) The responsibilities of homeownership; and
 - (2) Opportunities available for affordable rental and homeownership in the private housing market, including information on individual rights under the Fair Housing Act; and money management; and
- (h) *Other services*—any other services and resources, including case management and/or reasonable accommodations for individuals with disabilities, that DCHA may determine to be appropriate for assisting AYBL Families to achieve homeownership.

Unearned Income - For purposes of the AYBL program, Unearned Income includes the following:

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- (a) The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts;
- (b) Payments in lieu of earnings such as unemployment and disability compensation, worker's compensation and severance pay;
- (c) Public (Welfare) assistance. If the public assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the public assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as unearned income shall consist of the following:
 - (1) The amount of allowance or grant exclusive of the amount specifically designated for shelter or utilities; and
 - (2) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated shall be the amount resulting from one application of the percentage;
- (d) Periodic and determinable allowances and regular contributions or gifts received from persons not residing in the dwelling;
- (e) Any earned income tax credit to the extent it exceeds income tax liability;
- (f) Social Security benefits received by children and widowers on behalf of someone else; and
- (g) Alimony and child support payments.

SOURCE: Final Rulemaking published at 58 DCR 2460, 2473 (March 18, 2011); as amended by Final Rulemaking published at 58 DCR 4346, 4348 (May 20, 2011); as amended by Final Rulemaking published at 61 DCR 1467 (February 21, 2014).