

## **1937      HOUSING PROVIDER REPAYMENT OF UNAUTHORIZED ASSISTANCE**

1937.1    Housing providers shall accurately report the following:

- (a)        The date of move-in;
- (b)        The date of move-out;
- (c)        The contract rent; and
- (d)        The utilities paid by the tenant in order to calculate tenant assistance payments.

1937.2    If DCHA determines that a housing provider has incorrectly reported information affecting the level of tenant assistance, it shall calculate the correct level of assistance and take the following action as appropriate:

- (a)        Assistance payment decreases shall be effective retroactively; and
- (b)        Assistance payment increases shall be effective the first day of the month following a thirty (30) calendar day written notice.

1937.3    If the recalculation of level of assistance affects the tenant rent payment the following action shall be taken as appropriate:

- (a)        Tenant rent decreases shall be effective retroactively; and
- (b)        Tenant rent increases shall be effective on the first of the month following a thirty (30) calendar day written notice.

1937.4    If the tenant rent is decreased retroactively, the housing provider shall credit or refund the tenant overpayment within thirty (30) calendar days.

1937.5    If the Assistance Payment is decreased retroactively, DCHA shall deduct the overpayment from future assistance payments to the housing provider. If the housing provider is no longer participating in the program, DCHA shall bill the provider. Repayment to DCHA shall be a condition of future participation in the program.

SOURCE: Notice of Final Rulemaking published at 33 DCR 4396, 4430 (July 25, 1986).