

5207 LIVE-IN AIDES GUIDELINES FOR PARTICIPANTS

- 5207.1 DCHA shall approve a live-in aide if needed as a reasonable accommodation, in accordance with chapters 49 and 74 of this title of the DCMR, to make the unit and Program accessible to and usable by a Family member who is elderly, near-elderly, or who has disabilities.
- 5207.2 DCHA must approve any person that the Family identifies as a live-in aide. A Family's request for a live-in aide shall be made in writing, and a specific person shall be identified as the requested live-in aide.
- 5207.3 If the Family member requesting a live-in aide is unable to submit the request in writing, DCHA shall assist with preparing the request. Family members who make an oral request for a live-in aide shall be instructed that the request must be written and that HCVP staff will assist in reducing the request to writing.
- 5207.4 The Family and live-in aide shall be required to submit a certification stating that the live-in aide is:
- (a) Not obligated for the financial support of the Family member(s) needing the care; and
 - (b) Would not be living in the unit except to provide the necessary supportive services.
- 5207.5 Verification shall be required from a reliable, knowledgeable professional, such as a doctor, social worker, or case worker, stating that the live-in aide would provide necessary support services for an elderly, near-elderly, or disabled Family member so that the unit and the Program are accessible to the family member.
- 5207.6 The person identified by the Family as the desired live-in aide shall be required to submit to a criminal background screening prior to DCHA's final determination.
- 5207.7 DCHA shall not approve a live-in aide or may withdraw such approval if:
- (a) The person is a current member of the assisted Family;
 - (b) The Family fails to identify a specific person they wish to designate as a live-in aide;
 - (c) The person is an occasional, intermittent, or rotating care giver;
 - (d) The person is a caregiver who only spends the night;
 - (e) The person has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program;

- (f) The person has committed any drug-related criminal activity or violent criminal activity; or
- (g) The person currently owes rent or other amounts to DCHA or to another PHA in connection with Section 8 or Public Housing assistance under the United States Housing Act of 1937, 42 U.S.C. § 1437 (1976).

- 5207.8 Once DCHA receives a request for a live-in aide, including all required documentation related to the request, DCHA shall notify the Family of its decision in writing within thirty (30) days.
- 5207.9 If a Family's request for a live-in aide is denied, the notice shall inform the Family of the reason for the denial and of the right to an informal hearing pursuant to chapter 89 of this title of the DCMR.
- 5207.10 An applicant or participant Family shall have the opportunity to receive an informal review when DCHA denies the appointment of a specific person as a live-in aide through the Client Placement Division.
- 5207.11 Once the live-in aide has been approved, if DCHA has reason to believe that circumstances have changed such the need for the live-in aide no longer exists, DCHA may require the Family to submit a new written request, subject to DCHA verification.
- 5207.12 The live-in aide shall not be considered a remaining Family member, shall not be entitled to the Voucher, and shall not have any rights under chapter 89 of this title of the DCMR.

SOURCE: Final Rulemaking published at 59 DCR 7875, 7880 (June 29, 2012).