

4903 APPLICABILITY OF THE ADMINISTRATIVE PLAN

4903.1 This Plan, comprising chapters 49 through 59 of this title of the DCMR:

- (a) Outlines how DCHA shall implement the requirements found in the applicable federal laws, regulations, and notices, as well as the requirements of the District of Columbia Code related to HCVP; and
- (b) Establishes policies for items which are not covered under other chapters of the DCMR or Federal regulations for the following programs directly funded by HUD and administered by DCHA's HCVP office:
 - (1) Tenant-Based Vouchers;
 - (2) Project-Based Vouchers;
 - (3) Enhanced Vouchers;
 - (4) Family Unification Program Vouchers;
 - (5) Veterans Affairs Supportive Housing (VASH) Vouchers;
 - (6) Mainstream and Non-Elderly Disabled Vouchers;
 - (7) Homeownership Vouchers;
 - (8) Portable Vouchers;
 - (9) Set-asides for Special Needs Populations as determined by the Board of Commissioners; and
 - (10) Moderate Rehabilitation Program.

4903.2 There are certain issues that may not be addressed in the Plan related to HCVP applicants and participants where DCHA turns to guidance provided by the HUD Housing Choice Voucher Guidebook, Federal regulations, HUD Memos and Notices, and guidelines or other applicable law.

4903.3 This Administrative Plan was adopted by a resolution of DCHA Board of Commissioners on June 13, 2012.

4903.4 This Plan replaces any Plans before it with the exception of chapters 2D and 17A.2 through 17A.4 of the preceding Administrative Plan.

4903.5 The Board of Commissioners shall approve any changes to the Plan.

- 4903.6 The Administrative Plan incorporates by reference portions of title 14 of the DCMR, as follows:
- (a) Chapter 61– Admissions and Recertifications;
 - (b) Chapter 74 – Reasonable Accommodation Policies and Procedures;
 - (c) Chapter 83 – Rent and Housing Assistance Payments;
 - (d) Chapter 85 – Housing Choice Voucher Program: Participant Moves;
 - (e) Chapter 89 – Informal Hearing Procedures for Applicants and Participants of the Housing Choice Voucher and Moderate Rehabilitation Program;
 - (f) Chapter 92 – Housing Choice Voucher/Home Ownership Assistance Program (HCV/HOAP); and
 - (g)
 - (h) Chapter 93 – Partnership Program for Affordable Housing.
- 4903.7 To the extent that other chapters of title 14 of the DCMR regulate areas relating to the HCVP, the Administrative Plan shall control unless otherwise indicated by the Administrative Plan.
- 4903.8 If other chapters of title 14 of the DCMR regulate areas that apply to HCVP where the Administrative Plan is silent, those regulations shall control.
- 4903.9 Pursuant to D.C. Official Code § 6-227(c) (2008 Repl.), this Administrative Plan applies to locally funded programs except to the extent that:
- (a) Such program has unique rules and procedures for its administration; and
 - (b) The Administrative Plan is inconsistent with any of the unique rules and procedures or applicable local or federal regulations.

SOURCE: Final Rulemaking published at 59 DCR 7856, 7858 (June 29, 2012).