

9806 AYBL PROGRAM ELIGIBILITY DETERMINATION

- 9806.1 Only AYBL Applicant families who are determined eligible and successful in being selected in the appropriate lottery will be placed on an AYBL Site-based Transfer Waiting List(s) for which the family has chosen to be listed.
- 9806.2 AYBL Family will be selected without regard to race, color, religion, sex, handicap, familial status, or national origin.
- 9806.3 The DCHA shall consider an AYBL Applicant Family eligible for participation in the AYBL program if the AYBL Applicant Family meets the following criteria:
- (a) Is a current resident in a DCHA subsidized conventional public housing unit, in a mixed finance unit subsidized by an Annual Contributions Contract, or is currently in the selection pool;
 - (b) Can demonstrate at least one (1) year of timely rental payment history with DCHA or in the private market;
 - (c) Bedroom size requirement meets the unit composition of the Reward Property and established DCHA Occupancy Standards of this chapter;
 - (d) Income eligible: minimum earned income of the potential borrower/co-borrower or renter of no less than thirty-two thousand dollars (\$32,000) from employment or in the case where the potential borrower/co-borrower or renter is elderly and/or disabled certain unearned income (for example, SSI, SSDI, pension payments, etc.) may be counted toward the thirty-two thousand dollars (\$32,000) minimum. DCHA may from time to time change the minimum income eligibility requirement.
 - (e) The family may not include any person who has held an ownership interest in a residence during the three (3) years prior to commencement in AYBL, except as follows:
 - (1) Equitable interest in a property under the terms of a lease-purchase agreement prior to exercise of the purchase option;
 - (2) An individual who is now single, but had previously owned a home with his or her former spouse even within the three (3) year period;
 - (3) A household in which a family member is a person with a disability, if homeownership assistance is needed as a reasonable accommodation; and
 - (4) A family that owns or is acquiring shares in a cooperative.

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- (f) Be a DCHA resident in Good Standing:
- (1) Timely completion of periodic and interim recertifications;
 - (2) No instances of unreported income;
 - (3) No current debt owed (*i.e.*, rent, excess utility charges, maintenance charges, etc.) to DCHA, federally funded housing program, and any court or in-house repayment agreements must be paid off prior to application to the AYBL program;
 - (4) No more than four (4) late rental payments, in either public housing or the private market, within the twelve (12) months prior to approval of an AYBL application provided that the payment is received within the month that the rent is charged. For other charges (*i.e.*, excess utility charges, maintenance charges, etc.) payment must have been made within thirty (30) days of the date of the charge;
 - (5) Passed scheduled DCHA inspections that were conducted in the unit within the past twelve (12) months from the date of AYBL application submission;
 - (6) No legal actions for non-curable violations of the lease within the last five (5) years at the time of AYBL application submission;
 - (7) No repeated breaches of other terms of the Lease by the Lessee(s) or any household member identified in the Public Housing dwelling lease;
 - (8) Pass a separate DCHA AYBL Home Visit inspection;
 - (9) Pass a criminal background check that will be conducted on all household members who are eighteen (18) years of age or older pursuant to [14 DCMR § 6109](#).

9806.4 At the time a unit offer is made, the family must continue to be in compliance with the eligibility requirements of the program and the qualifying bedroom size based on their current family composition. If the family is determined not to require the bedroom size for which they were initially placed on the waiting list, the family will be placed at the bottom of the waiting list for the appropriate bedroom size if such a bedroom size exists at the property. If the family is determined to be ineligible, they will be removed from the waiting list.

- (a) While on an AYBL Site-based Transfer Waiting List, applicants will be

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responsible for reporting any changes to income and household composition to DCHA;

- (b) When an AYBL Family has been on an AYBL Site-based Transfer Waiting List for more than one (1) year prior to a unit coming available at a Rewards Property, DCHA will update the screening information to determine if the family is still eligible before assigning the family an available unit;
- (c) If the family is determined to be no longer eligible for the AYBL program, DCHA will notify the family in writing. The notification will include the reason for the ineligibility determination.

9806.5 The AYBL Family will be required to execute a Contract of Participation and the ITSP form within fourteen (14) calendar days of notification of availability of a Rewards Property unit.

9806.6 Once the Contract of Participation has been executed, the AYBL Family must execute the Dwelling Lease and move into the Rewards Property unit, within ten (10) calendar days of a Rewards Property unit becoming available. The AYBL Family is responsible for relocation costs.

SOURCE: Final Rulemaking published at 58 DCR 2460, 2461 (March 18, 2011); as amended by Final Rulemaking published at 61 DCR 1467 (February 21, 2014); as amended by Final Rulemaking published at 63 DCR 13165 (November 18, 2016).