

5753 DCHA TERMINATION OF ASSISTANCE

- 5753.1 DCHA may terminate program assistance for the Participant for any grounds authorized in accordance with HUD requirements.
- 5753.2 Upon notification that the Project Owner has instituted a legal action to gain possession of the dwelling unit, DCHA shall determine if the Participant has committed serious or repeated violations of the lease. If DCHA determines that a Participant has committed serious or repeated violations of the lease, DCHA shall issue a determination to terminate assistance. DCHA shall stay enforcement of the determination to terminate assistance until the court eviction process concludes.
- 5753.3 Pursuant to 24 CFR § 983.258, Housing Assistance Payments shall continue until the Tenant Rent of a new admission to a RAD Covered Project equals the rent to the owner. The cessation of housing assistance payments at such point will not affect the family's other rights under its lease, nor will such cessation preclude the resumption of payments as a result of later changes in income, rents, or other relevant circumstances if such changes occur within one hundred eighty (180) days following the date of the last housing assistance payment by the PHA. After the 180-day period, the unit shall be removed from the HAP contract pursuant to 24 CFR § 983.211.
- 5753.4 In any case where DCHA decides to terminate assistance to the Participant, DCHA shall give the Participant a thirty (30) day written termination notice which states:
- (a) The reasons for the termination;
 - (b) The effective date of the termination;
 - (c) The Participant's right to request an informal hearing; and
 - (d) The Family's responsibility to enter into a new unassisted lease and pay the full rent to the Project Owner if they remain in the unit.

SOURCE: Final Rulemaking at 64 DCR 12956 (December 22, 2017); as amended by Final Rulemaking published at 66 DCR 6831 (June 7, 2019).