

8302 HOUSING ASSISTANCE PAYMENTS FOR ASSISTED HOUSEHOLDS

8302.1 Applicable Payment Standard. The Payment Standard, except in the case of enhanced vouchers, for each Household is the LOWER of:

- (a) The payment standard for the household unit size and composition as set under Section 8300.2 above; OR
- (b) The payment standard amount for the size of the dwelling unit rented by the household.

8302.2 Amount of Monthly Housing Assistance Payment. DHCA shall pay a Monthly Housing Assistance Payment to the Owner on behalf of a participating Household that is equal to the payment standard for the Household as determined under 8302.1 above, minus the Total Tenant Payment notwithstanding the amount of the gross rent and the household's Family Share as determined under 8303 below.

8302.3 Decreases in Payment Standards During the HAP Contract. If the amount of the Payment Standard Schedule for the Unit Size decreases during the term of a HAP contract, DCHA shall determine the Total Tenant Payment and Monthly Housing Assistance Payment for the household as follows:

- (a) At the second annual reexamination of the Household following the effective date of the decrease in the Payment Standard Schedule amount, DCHA shall redetermine the Total Tenant Payment as provided under 8302.1 above, using the lower Payment Standard.
- (b) DCHA shall determine whether the Monthly Housing Assistance Payment amount using the prior (higher) Payment Standard, or the monthly Housing assistance Payment amount using the decreased Payment Standard provides a lower or higher amount than the prior monthly Housing Assistance Amount (a higher amount being possible due to changes in household or unit size during the preceding examination period as required under 8302.5 below).
- (c) If the Monthly Housing Assistance Amount is increased before the implementation of the decrease, then the provisions governing increases in Section 8302.4 below shall apply.

8302.4 Increases in Payment Standards during the HAP Contract. If the amount on the Payment Standard Schedule for the Unit Size increases during the term of a HAP contract, then:

- (a) The increased Payment Standard shall be used, as provided under 8302.1 above, to calculate the Monthly Housing Assistance Payment; and

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- (b) The increase shall go in to effect as of the first annual reexamination on or after the effective date of the increase in the Payment Standard.

8302.5 Changes in Family Size and Moves. Notwithstanding the provisions in §§ 8302.2 and 8302.3 above.

- (a) The Payment Standard in effect at the time there is any increase or decrease in household size during the HAP contract term shall be used to determine the Total Tenant Payment and monthly Housing Assistance Payment for the household beginning at the first annual reexamination following the change in household size;
- (b) If a family moves to a new unit, the Payment Standard in effect at the time of the move shall be used to determine the amount of the Total Tenant Payment and the monthly housing assistance payment; and the new lease shall be approved in accordance with § 8301.1 above.

SOURCE: Emergency and Proposed Rulemaking published at 52 DCR 577 (January 21, 2005) [EXPIRED]; as amended by Emergency and Proposed Rulemaking published at 52 DCR 5094 (May 27, 2005) [EXPIRED]; as amended by Final Rulemaking published at 52 DCR 8631 (September 23, 2005).