

9116 FAMILY MOVES

9116.1 Family moves for participants (Control and Study Group) who are in the MTW Rent Reform Demonstration shall be governed by this chapter only.

9116.2 DCHA shall not approve requests to move a Family more than once in a twelve (12) month period unless one of the following exceptions applies:

- (a) A victim or Family seeks to move under the protections enumerated in the VAWA;
- (b) DCHA terminates the HAP contract with the owner;
- (c) The move is necessary to grant a request for a reasonable accommodation;
- (d) A transfer voucher is granted as part of a hardship waiver; or
- (e) DCHA has determined, in its sole discretion that one or more of the following emergency situations apply:
 - (1) There is a credible threat of domestic violence or need for witness protection in connection with the Household that may be mitigated by a move;
 - (2) There are serious unresolved Housing Quality Standard landlord violations in the Participant Household's existing leased unit;
 - (3) Other emergency factors acceptable to DCHA have been identified by the Participant Household.

9116.3 Families may only request a Voucher transfer briefing if the Family:

- (a) Has lived in their unit for at least a year;
- (b) Has not been terminated or is not currently being recommended for termination;
- (c) Is in good standing with the lease in the current unit (no outstanding rent or tenant-responsible utility bills); and
- (d) Does not have any current tenant-caused HQs violations in their existing unit.

9116.4 If the request is timely and granted, a Family shall receive no more than two (2)

District of Columbia Municipal Regulations

transfer vouchers and two (2) transfer briefings between every triennial recertification.

9116.5 Notwithstanding Subsections 9116.2, 9116.3 and 9116.4, Families shall be issued an emergency transfer voucher if one (1) or more of the following conditions apply:

- (a) The Family has demonstrated a need based on the protections for victims of intrafamily violence as explained in Section 4907 of Title 14;
- (b) DCHA has terminated the HAP contract with the Family's landlord;
- (c) The Owner has initiated eviction proceedings against the Family;
- (d) Emergency Transfer was granted after request from the Office of the Attorney General or the United States Attorney's Office as a matter of safety;
- (e) If DCHA determines the family voucher size is too large, and the Family is not within the first year of tenancy; or
- (f) The family has been granted a transfer voucher as part of a hardship waiver.

9116.6 Transfer Vouchers.

- (a) For a Family that qualifies for a move under this section, the Participant Household shall be offered a Transfer Voucher to search for another unit.
- (b) The Transfer Voucher shall expire at the earlier of 180 days from the date of its issuance, or the date DCHA has terminated the Housing Assistance Contract on the Family existing unit with notice to the Household,
- (c) Any denial or refusal to issue a Transfer Voucher shall be issued in writing and state the reasons for such denial, including the specific nature of any denial due to any violation of Family Obligations or failure to be in good standing.

9116.7 Processing the Move. After issuance of a Transfer Voucher, if the Family locates a dwelling unit it wishes to lease, it shall be processed by DCHA as a new lease-up, including the following:

- (a) Provision of a lease-up packet when the Transfer Voucher is issued;

District of Columbia Municipal Regulations

- (b) Inspection of the new unit for compliance with HQS; and
- (c) Approval of the lease-up lease package, including the lease and the lease terms including the gross rent and the contract rent subject to a rent reasonableness determination.

9116.8 Failure to Relocate. After a Transfer Voucher is issued, if the Family does not locate a new dwelling unit to move to:

- (a) The Family may continue on where it is currently leasing, provided that:
 - (1) The Family has not yet given notice to terminate their lease to the owner; or
 - (2) The Family has delivered to the owner a notice rescinding the earlier termination notice with a copy of such notice simultaneously delivered to DCHA; and
 - (3) The HAP Contract has not otherwise been terminated by DCHA.
- (b) The Family is not required to provide new lease-up or other documents to DCHA and the owner shall continue to receive Housing Assistance Payments as if the Participant had never requested the Transfer Voucher.
- (c) The Family's prior Total Tenant Payment continues in effect.

9116.9 Future Moves. If a Family decides to move at a future date while the Transfer Voucher is still in effect, or upon obtaining another Transfer Voucher, the Family is required to:

- (a) Give the Owner notice as provided under the lease or otherwise by mutual consent with the Owner permitting termination of the existing lease; or
- (b) If the Transfer Voucher has expired, the Family is required to request a Transfer Voucher under the conditions identified in Subsection 9116.3.

SOURCE: Final Rulemaking published at 61 DCR 9596 (September 19, 2014); as amended by Final Rulemaking published at 61 DCR 12037 (November 21, 2014).