

8303 FAMILY SHARE OF RENT

- 8303.1 Family Share of Payment. The family share of the gross rent stated in the lease is calculated by subtracting the amount of the monthly housing assistance payment from the gross rent. The family must pay the difference between the maximum housing assistance payment and the gross rent (if determined to be reasonable) due to the Owner.
- 8303.2 Limits on DCHA Payments. DCHA may not use housing assistance payments, or any other program funds, including administrative fee reserves, to pay any part of the family share.
- 8303.3 Maximum Family Share of Rent. DCHA may only approve a tenancy for a unit if:
- (a) For the initial occupancy period (usually one year), if the gross rent, as determined to be reasonable by DCHA, does not result in the maximum Family Share exceeding 40% of the household's adjusted monthly income;
 - (b) After initial occupancy, there is no limit (other than rent reasonableness determinations) on the gross rent and percent of adjusted monthly income that a participating household may elect to pay as the Family Share.
- 8303.4 Other Fees and Charges. Leases or separate agreements providing for additional fees and charges are subject to the following requirements:
- (a) Additional fees and charges will NOT be approved if:
 - (i) The cost of meals or supportive services is included in the rent to the Owner, with such costs being included in the calculation of reasonable rent;
 - (ii) Non-payment of such charges is grounds for termination of the lease;
 - (iii) Inclusion of any extra fees or charges are for items that are customarily included in rent in the District of Columbia;
 - (iv) Fees or charges are included for items provided at no additional cost to unsubsidized tenants in the premises.
 - (b) DCHA is not liable for unpaid charges for any additional items whether set forth in the lease or covered by separate agreements;
 - (c) If the tenant and owner have come to an agreement on the amount of charges for a specific item that is not prohibited under (a) above, and so long as those charges are reasonable and not a substitute for higher rent,

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they will be allowed. Costs for seasonal items can be spread out over 12 months.

(d) Copies of all separate agreements must be provided to DCHA.

8303.5 Negotiating Rent. Negotiations over the gross rent to the Owner are conducted between the Owner and the Household DCHA may assist the Household in the negotiations at the request of the Household.

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).