

5812 PROHIBITED ACTIONS

5812.1 A participant in the HCVP shall not knowingly:

- (a) Make a false statement, either oral or written, to DCHA;
- (b) Commit fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program;
- (c) Make payments to the Owner in excess of amounts authorized by DCHA for rent, security deposit, and additional services;
- (d) Offer bribes or illegal gratuities to DCHA Board of Commissioners, employees, contractors, or other DCHA representatives;
- (e) Offer payments or other incentives to the Owner or a third party as an inducement for the third party to make false or misleading statements to DCHA on the Family's behalf;
- (f) Use a false name or the use of falsified, forged, or altered documents;
- (g) Misreport Family information or circumstances (such as income, Family composition);
- (h) Omit facts that were obviously known by a Family member (such as, not reporting employment income); or
- (i) Permit program abuse by an adult Family member.

5812.2 In the case of program abuse caused by a Family member DCHA may, at its discretion, impose any of the following remedies:

- (a) Require the Family to repay excess subsidy amounts paid by DCHA, as described earlier in this section;
- (a) Require, as a condition of receiving or continuing assistance, that a culpable Family member not reside in the unit;
- (b) Deny or terminate the Family's assistance;
- (c) Refer the Family for state or federal criminal prosecution; or
- (d) Require participation in the Good Neighbor Program.

5812.3 An Owner participating in the HCV program shall not knowingly:

District of Columbia Municipal Regulations

- (a) Make any false statement to DCHA; or
- (a) Commit fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program including:
 - (1) Charging the Family rent above or below the amount specified by DCHA;
 - (2) Charging a security deposit other than that specified in the Family's lease or greater than one (1) month's rent;
 - (3) Charging the Family for services that are provided to unassisted tenants at no extra charge;
 - (4) Knowingly accepting housing assistance payments for any month(s) after the Family has vacated the unit or the sole-Family member is deceased;
 - (5) Knowingly accepting incorrect or excess housing assistance payments;
 - (6) Offering bribes or illegal gratuities to DCHA Board of Commissioners, employees, contractors, or other DCHA representatives;
 - (7) Offering payments or other incentives to an HCV Family as an inducement for the Family to make false or misleading statements to DCHA; or
 - (8) Residing in the unit with an assisted Family.

5812.4 When DCHA determines that the Owner has committed program abuse, DCHA may take any of the following actions:

- (a) Require the Owner to repay excess housing assistance payments, as discussed earlier in this section and in accordance with the policies in the administrative plan and DCMR;
- (b) Terminate the HAP contract;
- (c) Bar the Owner from future participation in any DCHA programs; or
- (d) Refer the case to state or federal officials for criminal prosecution.

SOURCE: Final Rulemaking published at 59 DCR 7942 (June 29, 2012).