

Proposed 2025 HCV Administrative Plan Revisions - NSPIRE

Chapter, Page, Section	Current 2024 ADMIN PLAN Language	Proposed Language	Reason for Change (Cite regulation, if applicable)
Chapter 8, 8-II.F.	<p>Reinspections [24 CFR 982.405(i)]</p> <p>When a PHA must verify correction of a deficiency, the PHA may use verification methods other than another on-site inspection. The PHA may establish different verification methods for initial and non-initial inspections or for different deficiencies. Upon either an inspection for initial occupancy or a reinspection, the PHA may accept photographic evidence or other reliable evidence from the owner to verify that a deficiency has been corrected.</p> <p><u>HACP Policy</u></p> <p>The HACP will conduct a re-inspection immediately following the end of the corrective period, or any HACP approved extension.</p> <p>The family and owner will be given reasonable notice of the reinspection appointment. If the deficiencies have not been corrected by the time of the reinspection, the HACP will send a notice of abatement to the owner, or in the case of family caused violations, a notice of termination to the family, in accordance with HACP policies. If the HACP is unable to gain entry to the unit in order to conduct the scheduled re-inspection, the HACP will consider the family to have violated its obligation to make the unit available for inspection. This may result in termination of the family’s assistance in accordance with Chapter 12.</p> <p>The HACP will not accept self-certification of HQS repairs.</p>	<p>Reinspections [24 CFR 982.405(i)]</p> <p>When a PHA must verify correction of a deficiency, the PHA may use verification methods other than another on-site inspection.</p> <p><u>HACP Policy</u></p> <p>The HACP will conduct a reinspection promptly after the corrective period or any HACP-approved extension has ended. The HACP will provide reasonable advance notice of the reinspection appointment to both the family and the owner.</p> <p>If the deficiencies have not been corrected by the reinspection date, the HACP will issue the appropriate notice to both the family and owner. For owner-caused deficiencies, a notice of abatement will be sent to both parties in accordance with HACP policies., For family-caused deficiencies, a notice of termination will be sent to both parties, in accordance with Chapter 12.</p> <p>Likewise, if the HACP is unable to gain entry to the unit to conduct the scheduled reinspection, the family will be considered in violation of its obligation to make the unit available for inspection. This violation may result in termination of the family’s assistance. If assistance is terminated, a notice of termination will be provided to both the family and owner in accordance with Chapter 12.</p>	NSPIRE
Chapter 8, 8-II.G.	HAP Contract Termination	HAP Contract Termination	Removing the RFTA resubmission requirement

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	<p>The PHA must decide how long any abatement period will continue before the HAP contract will be terminated. The PHA should not terminate the contract until the family finds another unit, provided the family does so in a reasonable time [HCV GB p. 10-29] and must give the owner reasonable notice of the termination. The PHA will issue a voucher to permit the family to move to another unit as described in Chapter 10.</p> <p><u>HACP Policy</u></p> <p>The maximum length of time HAP contract may be abated is one hundred eighty (180) calendar days. The unit must be resubmitted to the HACP via a Request for Tenancy Approval after this period to begin the Initial HQS Inspection process (outlined in Section 8-II.B.). However, if the owner completes corrections and notifies the HACP before the termination date of the HAP contract, the HACP may rescind the termination notice if (1) the family still resides in the unit and wishes to remain in the unit and (2) the unit passes inspection.</p>	<p>The PHA must decide how long any abatement period will continue before the HAP contract will be terminated. If the unit does not meet housing quality standards within ninety (90) days (or a reasonable longer period established by the PHA), the PHA will terminate the HAP contract for the unit and the family will have to move to receive continued assistance. In this case, the PHA must issue the family its voucher to move at least thirty (30) days prior to the termination of the HAP contract.</p> <p><u>HACP Policy</u></p> <p>The maximum length of time that HAP may be abated is one hundred and eighty (180) days. However, if the owner completes corrections and notifies the HACP before the termination date of the HAP contract, the HACP may rescind the termination notice if (1) the family still resides in the unit and wishes to remain in the unit and (2) the unit passes inspection. For HACP policies on family moves when units are in abatement, including offering public housing, and termination of HAP contract when a family moves due to deficiencies, see Section 10-I.B.</p>	
Chapter 17, 17-III.D.	N/A - New language	<p><u>Initial Inspection: Existing Housing [24 CFR 983.103(c)]</u></p> <p>The PHA must inspect and determine that all of the proposed PBV units fully comply with housing quality standards before entering into the HAP contract, unless the PHA has adopted a policy to enter into a HAP contract for units that fail the initial inspection as a result of only non-life-threatening conditions (NLT option), or if the unit passed an alternative inspection, or both. The PHA must establish in its administrative plan the amount of time that may elapse between the initial inspection of existing housing and execution of a HAP contract for that unit.</p> <p><u>HACP Policy</u></p> <p>The HAP contract for existing housing must be executed within ninety (90) calendar days of the unit passing the initial inspection.</p>	HOTMA HCV & PBV Final Rule

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		<p>The HACP handles failed PBV initial inspections as follows:</p> <p><i>Failure Due to Non-Life Threatening (NLT) Deficiencies</i></p> <p>The HACP has adopted the NLT option for the PBV program. If a unit fails the initial inspection with only NLT deficiencies, the HACP may proceed with executing the HAP contract. However, the HACP will not make any housing assistance payments for the unit until all NLT deficiencies have been corrected and the unit passes a reinspection.</p> <p><i>Failure Due to Life-Threatening Deficiencies</i></p> <p>If a unit fails the initial inspection due to any life-threatening deficiency, the HACP will not execute a HAP contract, per federal regulations. The owner must correct all deficiencies and submit a Request for Lease Approval (RFLA) to schedule another initial inspection. A HAP contract will only be executed after the unit passes this subsequent inspection.</p> <p><i>Multiple Inspection Failures</i></p> <p>If a PBV unit fails the initial inspection multiple times, the HACP reserves the right, at its sole discretion, to require the owner to amend the HAP contract to remove the unit or substitute it with a compliant unit if available. For more information on HAP contract amendments, see section 17-V.C.</p>	
Chapter 17, 17-V.C.	<p>Remedies for HQS Violations [24 CFR 983.207(b)]</p> <p>The PHA may not make any HAP payment to the owner for a contract unit during any period in which the unit does not comply with HQS. If the PHA determines that a contract does not comply with HQS, the PHA may exercise any of its remedies under the HAP contract, for any or all of the contract units. Available remedies include termination of housing assistance payments, abatement or reduction of housing</p>	<p>Remedies for HQS Violations [24 CFR 983.208]</p> <p><i>The following is applicable to HAP contracts executed or renewed June 5, 2024, or earlier:</i></p> <p>The PHA may not make any HAP payment to the owner for a contract unit during any period in which the unit does not comply with housing quality standards. If the PHA determines that a contract does not comply with housing quality standards, the PHA may exercise any of its remedies under the HAP contract for any or all of the contract units. Available remedies include termination of housing assistance payments,</p>	<p>HOTMA HCV & PBV Final Rule</p>

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	<p>assistance payments, reduction of contract units, and termination of the HAP contract.</p> <p><u>HACP Policy</u></p> <p>The HACP will abate and terminate PBV HAP contracts for non-compliance with HQS in accordance with the policies used in the tenant-based voucher program. These policies are contained in Section 8-II.G., Enforcing Owner Compliance.</p>	<p>abatement or reduction of housing assistance payments, reduction of contract units, and termination of the HAP contract.</p> <p><u>HACP POLICY</u></p> <p>The HACP will make all HAP abatements effective the first of the month following the expiration of the HACP-specified correction period (including any extension).</p> <p>The HACP will abate payments only for those contract units that do not meet housing quality standards.</p> <p>The HACP will inspect abated units within five (5) business days of the owner’s notification that the work has been completed. Payment will resume effective on the day the unit passes inspection.</p> <p>During any abatement period, the family continues to be responsible for its share of the rent.</p> <p><i>The following is applicable to HAP contracts executed or renewed on June 6, 2024, or later. However, the PHA and owner may agree to apply this section to a HAP contract executed before June 6, 2024, prior to extension. For all other HAP contracts, 24 CFR 983.208 as in effect on June 5, 2024, remains applicable.</i></p> <p>HAP Abatement [24 CFR 983.208(d)(2)]</p> <p>The PHA must abate the HAP, including amounts that have been withheld, if the owner fails to make the repairs within the applicable cure period. The PHA may choose to abate payments for all units covered by the HAP contract due to a contract unit’s noncompliance with the housing quality standards, even if some of the contract units continue to meet housing quality standards. If the PHA abates the HAP for a unit, the PHA must notify the family and the owner that it is abating payments and, if the unit does not meet housing quality standards within 60 days (or a reasonable longer period established by the PHA), the PHA will either terminate the HAP contract or remove the unit with deficiencies from the HAP contract, and any family residing in a unit that does</p>	
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		<p>not comply with housing quality standards will have to move if the family wishes to receive continued assistance.</p> <p>The owner may not terminate the tenancy of any family due to the withholding or abatement of assistance.</p> <p><u>HACP Policy</u></p> <p>The HACP will make all HAP abatements effective the first of the month following the expiration of the HACP-specified correction period (including any extension).</p> <p>The HACP will abate payments only for those contract units that do not meet housing quality standards.</p> <p>The HACP will inspect abated units within five (5) business days of the owner’s notification that the work has been completed. Payment will resume effective on the day the unit passes inspection.</p> <p>During any abatement period, the family continues to be responsible for its share of the rent.</p> <p>If a unit remains in an abated state for sixty (60) calendar days after the HAP abatement effective date, the HACP will, at its discretion, take one (1) of the following actions in accordance with 24 CFR 983.208:</p> <ul style="list-style-type: none">• Terminate the HAP contract for the unit; or• Remove the specific unit with deficiencies from the HAP contract, while the contract may remain active for other compliant units. If available, the owner may amend the HAP contract to substitute other similar, compliant units. <p>Regardless of the action taken against the contract, the HACP will notify the family and owner that the unit is no longer eligible for assistance and that the family must move</p>	
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		to a different, compliant unit if they wish to receive continued assistance. The HACP will follow the PBV moving policies in Section 17-VII.C.	
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