

HARDSHIP POLICY

MTW Activity 1.a. Tiered Rent Policy and 3.b. Alternative Reexamination Schedule

As a Moving to Work (MTW) agency, the PHA has a written policy for determining when a requirement or provision of an MTW activity constitutes a financial or other hardship for the family. MTW regulations allows for the PHA to use a single hardship policy, as applicable, for multiple MTW waivers according to the Final Operations Notice Part VI: Appendix II, Hardship Policy. This hardship policy is applicable to MTW Activity 1.a. Tiered Rent Policy and 3.b. Alternative Reexamination Schedule for HCV Households.

PHA Policy

The PHA will review its hardship policy(s) with residents during its intake and recertification processes. The resident must sign and submit consent forms for obtaining information requested by the PHA necessary to consider if a resident qualifies for a hardship exemption.

The PHA will determine if a resident qualifies for a hardship exemption under the following circumstances:

1. At the time of a potential termination of assistance that is due to an MTW activity
2. When a resident request a hardship exemption from a required MTW activity

The PHA will suspend the activity for the household, beginning the next month after the request, until the PHA has determined if the request is warranted. The PHA shall make determination of whether a financial or other hardship exists within thirty (30) days after the family's request.

Exemption Period

If the PHA determines that a financial or other hardship exists, the family will receive exemption from the MTW activity as stated below. The MTW activity will resume after expiration of the exemption period.

1. 210 days for loss of benefits such as, but not limited to, Social Security (SS), SS Disability, SSI, Workman's Compensation, and other income as determined in 24 CFR 5.609(b) and (c) (4)(7)(8).
2. 180 days for temporary reduction of benefits such as, but not limited to, Social Security (SS), SS Disability, SSI, Workman's Compensation, and other income as determined in 24 CFR 5.609(b) and (c) (4)(7)(8).
3. 150 days for loss of income due to death by head, spouse, or co-head
4. 120 days for loss or reduction of employment or earnings for any reason
5. 90 days for increased expenses
6. 60 days for break in employment, new employment, or approval of benefit income
7. 30 days for all other circumstances

If the family is fails to meet the hardship standard, the PHA will resume the MTW activity and collect any retroactive rent, if applicable, through a reasonable repayment agreement.

Hardship Standard

The PHA will determine what constitutes financial hardship. A family may request a hardship for the following circumstances. The family must experience a decrease in income because of changed circumstances:

1. Loss or reduction of employment
2. Loss of income due to death of the head, spouse, or co-head
3. Reduction in or loss of earnings or other benefit income
4. Awaiting approval for benefit income
5. The family has experienced an increase of 10% or more of the monthly gross income in expenses: medical costs, childcare, transportation, education, or housing cost.
6. Such other situations and factors as determined by the agency to be appropriate, such as eviction, termination of utilities, or wage garnishment.

Grievance Procedure

A family may request for second level review of denied hardship requests. The family must submit a request must be in writing within 30 days the of the PHA written notice. Hardship request may be denied for the following reasons:

1. Failure to provide verification for loss or reduction of benefit income
2. Failure to provide verification for eligibility of benefit income
3. Failure to provide verification of increased expenses
4. Family is not subject to eviction, utility shut off, or wage garnishment
5. Failure to submit verification for decrease or loss of employment
8. Failure to provide supporting documentation related to loss of income due to death by head, spouse, or co-head