

## Asheville Housing MTW Activity No. 2024-2 – Work Requirement

Asheville Housing will implement a Work Requirement for eligible households, mandating a minimum of 15 hours per week per household. This will not apply to elderly/disabled households, households in which the sole eligible adult is pregnant or the primary caretaker to at least one child under 13 years of age, households receiving assistance under a Special-Purpose Voucher, or households enrolled in the Stepped and Tiered Rent Demonstration. This waiver will increase self-sufficiency by creating a minimum threshold for employment to a notable percentage of families receiving assistance, as well as offering additional employment-seeking resources to households both subject and not subject to the requirement.

### Additional Policy Provisions:

- a. **Exemptions.** The Work Requirement will not apply to households for which one or more of the following applies:
  - i. Head of Household qualifies as Elderly or Disabled under HUD's current definitions.
  - ii. Head of Household is the primary caretaker for a child or children under the age of 13, and there are no other potentially eligible adults in the household. Adults who are classified as full-time students will not be considered eligible.
  - iii. Head of Household is pregnant.
  - iv. Special-Purpose Voucher Household (including HUD-VASH, Emergency Housing Vouchers, Mainstream, Non-Elderly Disabled, Enhanced Vouchers, and Homeownership).
  - v. Households currently participating in the STRD Study.

If a household previously covered under one of these exemption requirements has a change in circumstance such that they no longer qualify for exemption, the Work Requirement will subsequently apply and the household's Action Period will begin on the first of the month after the change is verified (or in line with the effective date of the 50058 Action if change occurs in the course of triennial reexamination, Unit Transfer, etc.). Similarly, if a household's circumstances change such that one of these exemptions would apply, the Work Requirement will immediately be suspended.

- b. **New Admissions.** New admissions to the program will be required to verify compliance or exemption with the Work Requirement at time of completing the full application, and will be subsequently screened to confirm that compliance/exemption is still in effect at time of unit offer. Should the household be found in non-compliance at either stage, they will be placed back on the waitlist. Those completing the pre-application will be asked to self-report their current employment status (as well as if any of the exemption parameters apply), however lack of employment or exemption will not prevent their entry onto the waitlist. Upon completion of the pre-application, the household will be informed of their

status under the Work Requirement and what will be needed for compliance/exemption verification when they are eventually selected from the waitlist.

- c. Action Periods.** Upon entering non-compliance status with the Work Requirement (defined as a non-exempt household in which a cumulative minimum of 15 hours per week of work, or a sufficient substitute as defined in section (d) below), the household will enter an Action Period of three calendar months, beginning the first of the month following confirmation of the status.

During the Action Period, the household will continue to receive subsidy while they attempt to regain minimum employment or an acceptable substitute. They may also complete Unit Transfers, receive Utility Assistance, request Reasonable Accommodations, and generally utilize all voucher privileges as usual during this time.

The Action Period may be extended an additional three months if the household enrolls the Family Self-Sufficiency Program or to receive assistance from Resident Support Services prior to the expiration of the initial Action Period. If the household enrolls early in the period, or if they are already actively enrolled in FSS, the six-month period will be granted from the outset. Households may also utilize a different supportive service, such as the VA, County, or a similarly resourced local agency, and may request to have this agency counted under the condition that they can provide written verification of active enrollment and participation, and as subject to Director Approval.

An additional three-month extension may be available if the tenant continues to demonstrate consistent and diligent effort to obtain employment or a suitable substitute and have just not been successful. This would need to be requested in writing, be accompanied by written verification from the supportive services representative working with the household attesting to their continued efforts, and subject to Director Approval.

- d. Substitutions for Employment.** A minimum of nine credit-hours (or equivalent if using a non-credit-based institution) at an accredited university, community college, technical college, or active enrollment in a jobs training or high school equivalency program may serve as an acceptable substitution for the minimum employment threshold. This must be renewed on an annual basis and will apply only to Head of Household or their spouse.

Households that are self-employed and properly report income from their active business will also be considered in compliance without attestation of specific hours worked.

- e. Non-compliance.** As a consequence for non-compliance, defined firstly as failing to report minimum employment or an acceptable substitution, or signing up for FSS or an equivalent service to obtain an extension before the end of the initial Action Period; secondly as failing to report minimum employment or an acceptable substitution, or request an additional extension after sufficiently verifying active engagement with

supportive services during that extended Action Period; and thirdly, as failing to report minimum employment or an acceptable substitution by the end of the additionally extended Action Period, the household's voucher assistance will be terminated.

- f. Implementation.** In order to meet the Safe-Harbor requirement of six months of notice prior to the sanction policy for non-compliance, implementation will take place no earlier than June 1, 2024 assuming a program-wide communication mail-out to all assisted households during the month of December 2023. This will also prevent the possibility of cross-communication for New Admission households into the program who may potentially be eligible for the STRD Study but would have the Work Requirement apply to if not under certain circumstances.

During the month of April 2024 (or roughly 60-90 days prior to the implementation date), non-exempt households currently listed as working fewer than 15 hours per week will receive a follow-up notice informing them that Asheville Housing's records show them as currently in non-compliance with the new Work Requirement, and listing available options before their initial Action Period is scheduled to begin on June 1<sup>st</sup>.

- g. Supportive Services.** Asheville Housing will aid all assisted households seeking employment or an acceptable substitute via Resident Supportive Services and the Family Self-Sufficiency program. These services will be available to all households regardless of whether they are in compliance, not in compliance, or exempt from the Work Requirement altogether.

Services will include but not be limited to: screening and addressing current barriers to employment, access to computers and internet on-site to assist in applications, resume and cover-letter writing, interview strategies, networking, and agency referrals. Asheville Housing will also provide on-site services at some of our developments for households needing childcare assistance in order to work or seek work.

Households may also pursue supportive services from other local agencies or providers. In order for these services to qualify for the extension of the Action Period for households in non-compliance status, the household will need to provide written verification from the provider confirming active enrollment and participation. This verification will be submitted to one of the Directors of the Housing Choice Voucher Program, and only qualify if approved. Participation with another provider will not preclude the household from also utilizing assistance provided by Resident Support Services or FSS.

*Statutory Objective(s):* Self Sufficiency

*Cost Implications:* Increased expenditures

*Applies to:* New admissions and currently assisted households; all family types; tenant-based voucher families only.

*Safe Harbor Waiver Required?* No

*Impact Analysis or Hardship Policy Required?* Yes

## **Hardship Policy – Work Requirement**

**Action Periods.** As a matter of course, households found in non-compliance with the Work Requirement will be given a three-month Action Period in which to regain employment, procure an acceptable substitute, or otherwise demonstrate a circumstance qualifying the household for an exemption. An additional three-month extension will be offered should the household sign up for assistance with Resident Supportive Services, the Family Self-Sufficiency program, or another agency (verification and Director approval required for the lattermost option to qualify).

In the event that at the conclusion of this six-month Action Period, the household has still been unable to secure adequate employment to meet the minimum threshold for compliance, the household may apply for an additional three-month extension. This request will need to be submitted in writing and be accompanied by a written statement from a representative of the program or agency with which the household has been working attesting to the consistent efforts over the Action Period to secure said minimum employment. Supplemental documentation, such as copies of submitted applications or additional statements from other providers, may also be submitted. Further extensions of the Action Period will be granted at the discretion of the Directors of the Housing Choice Voucher Program only after these minimum requirements have been met.

**Pending Disability.** For those seeking a determination in disability status, Asheville Housing will apply a temporary suspension of the Work Requirement pending the determination. Upon successful verification that the household has applied for disability benefits, the work requirement will be suspended for a period of either twelve months, or the time until the households next scheduled reexamination (whichever is shorter). Upon expiration of the suspension, the household will be required to either provide updated documentation showing that disability status is still pending, verification that a new application has been submitted and is pending, or proof of employment meeting minimum requirements or an acceptable substitute. In the former two cases, a new suspension will be put into place. Inability to do so will result in the commencement of the Action Period.

For cases where a household demonstrates a clear pattern of repeatedly gaining and losing employment or applying and reapplying for disability benefits despite repeated rejections for not meeting disability criteria, in such a manner to be judged as manipulating the hardship policy and Action Periods to artificially minimize rent responsibility for the household, extensions to the Action Period may be withheld at the discretion of the Housing Support Specialist assigned to the Household. Such withholdings may be appealed to the Directors of the Housing Choice Voucher Program in writing within 10 days of receipt of notification from the Specialist. Notifications will include instructions on how to file said appeals.

**Appeals.** In the event that a household's assistance is terminated for failure to comply with the Work Requirement, the household may appeal the termination using the procedures already in place for terminations of assistance. The household will need to request in writing a hearing with

the Directors of the Housing Choice Voucher Program within ten days of receipt of the termination notice. A hearing will then be scheduled within two weeks of the request submission. Following the hearing, a decision will be made by the Directors as to whether the termination will be upheld or overturned. If upheld, the voucher will remain terminated and the household will be required to re-apply to receive assistance in the future.

If overturned, the household will remain on the program. If at the decision point, the household is still not in compliance with the Work Requirement, a new three-month Action Period will commence on the first of the month following the decision.