

Summary of Revisions to FY 2025 - 2026 Administrative Plan

Indicates policy has been added

~~Indicates policy has been removed~~

Reasonable Accommodations Responses

Reason for Change to 2.2.E Approval/Denial of a Requested Accommodation [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations Under the Fair Housing Act, Notice PIH 2010-26]

This section update may impact current program participants and applicants. The language has been revised to allow the 504 Coordinator to respond to participants within 30 calendar days after they submit a Reasonable Accommodation request instead of the previous 10 business days. This policy update puts residents first by allowing additional time to provide missing or incomplete documentation to fulfill reasonable accommodation requirements.

2.2.E Approval/Denial of a Requested Accommodation [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations Under the Fair Housing Act, Notice PIH 2010-26]

- (1) Opportunity Home must approve a request for an accommodation if the following three conditions are met:
 - (a) The request was made by or on behalf of a person with a disability.
 - (b) There is a disability-related need for the accommodation.
 - (c) The requested accommodation is reasonable, meaning it would not impose:

- (3) After a request for an accommodation is presented, Opportunity Home will respond in writing within ~~10 business days~~ 30 calendar days.

Informal Hearings for Expired Vouchers

Reason for the Change to 16.4.C Informal Hearings for Participants [24 CFR 982.555]

Changes to section 16.4.C may impact current participants. The updated language removes the requirement that Opportunity Home provides the option for an informal hearing for expired vouchers. Residents sent to terminations for expired vouchers will not have the option to request an informal hearing review, allowing staff to focus on informal hearings for required circumstances.

16.4.C Informal Hearings for Participants [24 CFR 982.555]

- (b) Circumstances for which an informal hearing is not required are as follows:
 - (i) Discretionary administrative determinations by Opportunity Home
 - (ii) General policy issues or class grievances
 - (iii) Establishment of Opportunity Home's schedule of utility allowances for families in the program
 - (iv) An Opportunity Home determination not to approve an extension or suspension of a voucher term
 - (v) An Opportunity Home determination not to approve a unit or tenancy
 - (vi) An Opportunity Home determination that a unit selected by the applicant is not in compliance with the HQS
 - (vii) An Opportunity Home determination that the unit is not in accordance with HQS because of family size
 - (viii) A determination by Opportunity Home to exercise or not to exercise any right or remedy against an owner under a HAP contract

(c) Opportunity Home will only offer participants the opportunity for an informal hearing when required by regulations. :

- ~~(i) required by regulations, or~~
- ~~(ii) Opportunity Home makes a determination to terminate a family's housing assistance due to an expired voucher/lease.~~

Informal Hearing Responses

Reason for the Addition of 16.4.C Informal Hearings for Participants [24 CFR 982.555]

The change to section 16.4.C(6)(i)(v) may affect current program participants. The updated language allows the Informal Hearing Officer to provide a written decision to the family no later than 15 business days after the informal hearing takes place. This is an extension of 5 business days beyond the previous policy, which required a decision within 10 business days. The 15 business-day policy would align with other public housing agencies and is the recommended standard by housing organizations.

16.4.C Informal Hearings for Participants [24 CFR 982.555]

(i) *Hearing Officer's Decision [24 CFR 982.555(e)(6)]*

- (i) The person who conducts the hearing must issue a written decision, stating briefly the reasons for the decision.
- (ii) Factual determinations relating to the individual circumstances of the family must be based on a preponderance of evidence presented at the hearing.
- (iii) A copy of the hearing decision must be furnished promptly to the family.

- (v) The hearing officer will issue a written decision to the family and Opportunity Home no later than 15 business days ~~10 business days~~ after the hearing. The report will contain the following information:

Exception Overlay

Reason for the Change to 9.1.H Changes in Lease or Rent [24 CFR 982.308]

Section 9.1.H has been updated to remove the exception overlay provision of MTW activity FY2019-1 - Local Implementation of SAFMR; updates to the payment standards have made this activity no longer necessary.

9.1.H Changes in Lease or Rent [24 CFR 982.308]

~~(6) Financial Hardship for Exception Overlay~~

~~(a) Opportunity Home will cap the increase of a household's tenant portion at 10 percent if the following apply:~~

- ~~(i) The household is currently under contract for a unit located in the exception overlay;~~
- ~~(ii) The landlord requests for an increase in rent after the first contract year and the rent is determined to be reasonable;~~
- ~~(iii) The household's new tenant portion increases by more than 10 percent from the current tenant portion, and~~
- ~~(iv) The new increase is not a result of a change in household circumstances.~~

~~See Section 6.3.C for Opportunity Home's policy on applying payment standards during requests for rental increase.~~

Family Obligations

Reason for the Change to 5.1.C Family Obligations

The update to section 5.1.C may impact current program participants. The language below has been updated to include that "Guests" of a household must not engage in violent or drug-related criminal activity that threatens the health, safety, or right to peaceful enjoyment of other residents.

5.1.C Family Obligations

(w) **Do Not Engage in Criminal Activity Related to Drugs or Violence, or That Is Threatening to Your Neighbors**

The members of the household may not engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety, or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.

(i) Opportunity Home may terminate a family's assistance if any household member or guest has violated the family's obligation not to engage in any drug-related criminal activity, violent criminal activity, or other criminal activity that threatens the health, safety, or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.

College & University Homeless Assistance Programs

Reason for the Change to 19.2 College & University Homeless Assistance Programs

The update to section 19.2.D of the College & University Homeless Assistance Program policy may affect current program participants. The language has been updated to note that in cases of extended assistance, the assistance must end 6 months after the participant's graduation.

19.2 College & University Homeless Assistance Programs

19.2.D Termination

Opportunity Home may terminate assistance to a program participant who violates program requirements or conditions of occupancy in accordance with Chapter 12 of this Administrative Plan.

Opportunity Home may terminate assistance upon completion of the degree or certificate program.

Opportunity Home will assess if there is a need for continued assistance and will consider a preference for the HCV waitlist. If a need for

continued assistance is determined. Opportunity Home will end assistance 6 months after the participant's graduation.

Removal from the Waitlist

Reason for the Change to 4.2.F Updating the Waiting List

The update to Section 4.2.F may affect applicants and current program participants. The updated language would allow Opportunity Home to remove participants currently receiving assistance from the waiting list. Removing participants who already have a voucher from the waitlist would allow Opportunity Home to prioritize applicants waiting for assistance.

4.2.F Updating the Waiting List [24 CFR 982.204 (c)]

- (1) HUD requires Opportunity Home to establish policies to use when removing applicant names from the waiting list.

- (2) **Purging the Waiting List**

(g) Under any of the following conditions, applicants will be removed from the waiting list:

(i) The family is currently receiving assistance through a Housing Choice Voucher.

(ii) The family is currently receiving assistance through a program that is not time-limited, with the exception of a Project-Based Voucher.

Local Residency Preference

Reason for the Change to 4.3.C Selection Method

This change may affect potential applicants. Section 4.3.C now includes language to establish a local residency preference for the San Antonio area and removes the Local

Non-Traditional (LNT) Referral Program preference. The local residency preference would allow Opportunity Home to prioritize the housing needs of local San Antonio residents.

4.3.C Selection Method

- (1) Opportunity Home must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that Opportunity Home will use [982.202(d)].
- (2) **Local Preferences [24 CFR 982.207; HCV p. 4-16]**
 - (a) Opportunity Home is permitted to establish local preferences, and to give priority to serving families that meet those criteria.
 - (b) HUD specifically authorizes and places restrictions on certain types of local preferences.
 - (c) HUD also permits Opportunity Home to establish other local preferences, at its discretion.
 - (d) Any local preferences established must be consistent with Opportunity Home’s plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

(f) **Waiting List Preferences**

Opportunity Home’s waiting list preferences are defined below and shall be assigned points as indicated. Opportunity Home will accept applications from preference applicants even when the waiting list may otherwise be closed. Applicants who qualify for a preference will not be required to complete the online registration but will be placed directly on the waiting list in order of total combined preference points.

- ~~(viii) **Local Non-Traditional (LNT) Referral Program (40 Points)** – Residents referred by Opportunity Home or a partner agency will receive a voucher for Local Non-Traditional communities.~~
- (viii) **San Antonio Residency Preference (25 Points)** – Families must reside in, work in, or be hired to work in San Antonio and/or surrounding municipalities.

Reexaminations for Moves

Reason for the Change to 11.1.C Scheduling Annual Reexaminations

The update to Section 11.1.C may affect current program participants. The new language notes that Opportunity Home may use a previous Reexamination or documentation to process a family move.

11.1.C Scheduling Annual Reexaminations

- (1) Opportunity Home must establish a policy to ensure that the annual reexamination for each family is completed within a 12-month period, and may require reexaminations more frequently [HCV GB p. 12-1].
 - (a) Opportunity Home will begin the annual reexamination process at least 120 days in advance of its scheduled effective date.
 - (b) Generally, Opportunity Home will schedule annual reexamination effective dates to coincide with the family's anniversary date. Anniversary date is defined as 12 months from the effective date of the family's last annual reexamination or, during a family's first year in the program, from the effective date of the family's initial examination (admission).
 - (c) If the family moves to a new unit, Opportunity Home will perform a new annual reexamination, unless a reexamination has been conducted within the last 120 days. Opportunity Home may use a previous reexamination or documents to process the move.
 - (d) Opportunity Home also may schedule an annual reexamination for completion prior to the anniversary date for administrative purposes.

Moving to Work SEMAP Exemption

Reason for the Change to 16.7.D SEMAP Exemption for Moving to Work Demonstration Sites

Section 16.7.D has been updated to clarify that Opportunity Home, as a Moving to Work (MTW) agency, has elected not to be scored by the U.S. Department of Housing and Urban Developments (HUD) Section Eight Management Assessment Program (SEMAP) rating system. Instead, Opportunity Home may use a variation of the HUD indicators to measure performance.

16.7.D SEMAP Exemption for Moving to Work Demonstration Sites [PIH Notice 2005-33]

- (1) PHAs in the Moving to Work (MTW) demonstration must submit a SEMAP certification form and certify to their performance on all SEMAP indicators unless their MTW Agreement specifically states that they are exempt from reporting on all or selected SEMAP indicators.
- (2) Section II(G) of Opportunity Home's Amended and Restated MTW Agreement, effective June 25, 2009, states the following:
 - (a) HUD will not score the Agency under HUD's Public Housing Assessment System (PHAS) or HUD's Section Eight Management Assessment Program (SEMAP), or their successor systems, unless the Agency elects to be scored. If the Agency elects to be scored, the agency will continue to be scored for the duration of the demonstration.
- (3) Opportunity Home elects not to be scored by HUD's SEMAP rating system.
- (4) Opportunity Home ~~will~~ may continue to use ~~the HUD's indicators and/or~~ some variation of HUD's indicators to measure Opportunity Home's performance in key areas of the assisted housing programs.

Mainstream Voucher Program

Reason for the Addition of Section 19.6 Mainstream Voucher Program

The new section 19.6 may impact applicants and current program participants. The section includes the regulations and policies for the administration of the Mainstream Voucher Program, including required regulatory changes detailed in Notice PIH 2024-30, which outlines changes regarding voucher terms and extensions.

19.6 Mainstream Voucher Program

19.6.A Program Overview [Notice PIH 2020-01 and Notice PIH 2024-30]

- (1) Mainstream vouchers assist non-elderly persons with disabilities and their families (particularly those transitioning out of institutions or at serious risk of institutionalization) in the form of either project-based or tenant-based voucher assistance.
- (2) The Mainstream voucher program, was originally authorized under the National Affordable Housing Act of 1990. Mainstream vouchers operated separately from the regular HCV program until the passage of the Frank Melville Supportive Housing Investment Act of 2010.
- (3) Funding for Mainstream voucher renewals and administrative fees was first made available in 2012. In 2017 and 2019, incremental vouchers were made available for the first time since the Melville Act (in addition to renewals and administrative fees), and PHAs were invited to apply for a competitive award of Mainstream vouchers under the FY17 and FY19 NOFAs. In 2020, Notice PIH 2020-22 provided an opportunity for any PHA administering an HCV program to apply for Mainstream vouchers noncompetitively, while Notice PIH 2020-09 authorized an increase in Mainstream voucher units and budget authority for those PHAs already awarded Mainstream vouchers under the FY17 and FY19 NOFAs.
- (4) Funding and reporting for Mainstream vouchers is separate from the HCV program. Funds for Mainstream vouchers may be recaptured and reallocated if Opportunity Home does not comply with all program requirements or fails to maintain a utilization rate of 80 percent for the Mainstream vouchers.
- (5) The Consolidated Appropriations Act, 2024 (Public Law 118-42) authorized HUD to establish waivers and alternative requirements for Mainstream Vouchers related to the administration of waiting lists, local



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preferences, and the initial term and extensions of tenant-based vouchers. HUD is not permitted to waive requirements related to tenant rights and protections, rent setting, fair housing, nondiscrimination, labor standards, and the environment. Prior to this, Mainstream vouchers followed the same program requirements as standard vouchers.

19.6.B Eligible Population [Notice PIH 2020-01 and Notice PIH 2020-22]

- (1) All Mainstream vouchers must be used to serve non-elderly persons with disabilities and their families, defined as any family that includes a person with disabilities who is at least 18 years old and not yet 62 years old as of the effective date of the initial HAP contract. The eligible disabled household member does not need to be the head of household.
- (2) The definition of person with disabilities for purposes of Mainstream vouchers is the statutory definition under section 3(b)(3)(E) of the 1937 Act, which is the same as is used for allowances and deductions in the HCV program.
- (3) Existing families receiving Mainstream vouchers, where the eligible family member is now 62 or older, will not “age out” of the program as long as the family was eligible on the day it was first assisted under a HAP contract.
- (4) Opportunity Home may not implement eligibility screening criteria for Mainstream vouchers that differ from the regular HCV program.

19.6.C Partnership and Supportive Services [Notice PIH 2020-01]

- (1) Opportunity Home is encouraged but not required to establish formal and informal partnerships with a variety of organizations that assist persons with disabilities to help ensure eligible participants find and maintain stable housing.

(a) Opportunity Home will implement a Mainstream program in partnership with The Center for Health Care Services (CHCS) and Alamo Area Council of Governments (AACOG).

19.6.D Waitlist Administration [Notice PIH 2024-30]

- (1) For Mainstream vouchers, HUD has waived 24 CFR 982.204(f), which requires one waitlist for the HCV program and allows Opportunity Home the discretion to operate a separate Mainstream voucher waitlist from the general HCV waitlist. This is optional.
- (2) If Opportunity Home chooses to create a separate Mainstream waitlist, the PHA must notify families on the HCV waitlist of the separate Mainstream waitlist and provide an opportunity for families on the HCV list to be placed on the Mainstream list.
- (3) If Opportunity Home does not pursue the optional waiver to maintain a separate Mainstream waitlist, Opportunity Home must still ensure program access for individuals with disabilities.

(a) Opportunity Home will not establish a separate waitlist for the Mainstream program.

19.6.E Preferences [Notice PIH 2024-30]

- (1) While Opportunity Home may establish local preferences based on local housing needs and priorities in accordance with 24 CFR 982.207(a), HCV regulations do not permit Opportunity Home to establish separate preferences for Mainstream voucher applicants. HUD waived 24 CFR 982.207(a)(1) and allows Opportunity Home to establish separate preferences for Mainstream voucher applicants. However, Opportunity Home may not apply a residency preference to Mainstream voucher applicants.
- (2) PHAs with outstanding Olmstead-related litigation or enforcement activities, as well as those undertaking affirmative Olmstead planning and implementation efforts, who wish to establish preferences that target individuals with specific disabilities must request HUD approval. The process for requesting approval for a remedial preference targeting individuals with specific disabilities is outlined in Notice PIH 2012-31.
- (3) Regardless of whether Opportunity Home chooses to adopt separate Mainstream voucher preferences, if Opportunity Home claimed points for a preference in a NOFO application for Mainstream vouchers, Opportunity Home must adopt a preference for at least one of the targeted groups identified in the NOFO. Opportunity Home may choose

to apply NOFO preferences to the entire HCV waitlist or only to the Mainstream voucher applicants as a separate Mainstream voucher preference.

- (4) Opportunity Home may use either date and time of application or a drawing or other random choice technique in selecting families from the Mainstream waiting list among applicants with the same preference status in accordance with the PHA's administrative plan.

19.6.F Voucher Issuance [Notice PIH 2024-30]

(1) **Initial Search Term**

- (a) For Mainstream vouchers, HUD waived 24 CFR 982.303(a), which requires an initial search term of at least 60 days, and established an alternative requirement that the initial search term for a Mainstream voucher be at least 120 days. Opportunity Home is permitted to establish local preferences, and to give priority to serving families that meet those criteria.
- (b) The initial 120-day term also applies when a family chooses to move to a new unit with continued assistance inside or outside the Opportunity Home's jurisdiction.
- (c) When issuing a Mainstream voucher, Opportunity Home must also provide a current listing of available, accessible units known to Opportunity Home and, if necessary, otherwise assist the family in identifying an accessible unit.

(i) The initial voucher term for all Mainstream vouchers, including those issued when a family wishes to exercise portability, will be 120 days.

(2) **Voucher Extension**

- (a) Opportunity Home's Administrative Plan must describe Opportunity Home's policies for granting extensions to the initial 120-day voucher term and provide clear instructions to families on the procedures for requesting an extension. If a family requires additional time, Opportunity Home is required to provide an extension as a reasonable accommodation.
- (b) Opportunity Home must adopt an extension policy for Mainstream vouchers that includes the following:



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- (i) Each extension must be for a minimum of 90 days;
- (ii) Opportunity Home must approve the first extension request, regardless of how the request is made (written or verbal) or when it is made, as long as the request is made on or before the expiration date of the voucher and is consistent with applicable requirements (subsequent requests should be processed in accordance with the Opportunity Home's Administrative Plan); and
- (iii) Opportunity Home must, on at least one occasion after voucher issuance, notify the family prior to the expiration of the initial term to remind them of the expiration date, the process for requesting an extension, and to inquire if the family is in need of assistance with their housing search.
- (c) As part of its search extension policy, Opportunity Home may not restrict a first extension approval to certain circumstances or require documentation from applicants. For all extension requests, a written or verbal request is sufficient.
- (d) In providing notice to families of the expiration date and extension request process, Opportunity Home must ensure effective communication with persons with disabilities, including those with vision, hearing, speech, intellectual or other developmental disabilities, or any other communication-related disabilities.
- (e) Opportunity Home must approve all extensions made as a reasonable accommodation, and Opportunity Home must provide this information during the family briefing.

- (i) At least 30 days prior to the expiration of the initial term of the voucher, Opportunity Home will contact the family to remind them of the expiration date of their voucher, the process for requesting an extension, and to inquire if the family needs assistance with their housing search.
- (ii) Depending on the family's preferred method of communication, Opportunity Home may contact the family via telephone, text message, email, or other accessible communication method.

- (iii) Opportunity Home will ensure effective communication with persons with disabilities, including those with vision, hearing, speech, intellectual or other developmental disabilities, or any other communication-related disabilities.
- (iv) Families may request an extension, either orally or in writing, at any time prior to the expiration of the family's voucher. All requests for extensions will automatically be granted without the requirement for the family to provide documentation.
- (iv) The initial extension period will be for 90 days. If the family requires additional extensions beyond 90 days, the family may request additional extensions, either orally or in writing, at any time prior to the expiration of the extended voucher term. All subsequent extensions will also be for a period of 90 days and will not require the family to meet certain circumstances or provide documentation.

19.6.G Portability [Notice PIH 2020-01 and Mainstream Voucher Basics Webinar, 10/15/20]

- (1) Mainstream voucher participants are eligible for portability under standard portability rules and all Opportunity Home policies regarding portability in Chapter 10.
- (2) The following special considerations for Mainstream vouchers apply under portability:
 - (a) If the receiving PHA chooses to bill the initial PHA, then the voucher will remain a Mainstream voucher.
 - (b) If the receiving PHA chooses to absorb the voucher, the voucher will be considered a regular voucher, or a Mainstream voucher if the receiving PHA has a Mainstream voucher available, and the Mainstream voucher at the initial PHA will be freed up to lease to another Mainstream-eligible family.
- (3) The participant may receive a regular voucher if the receiving PHA does not have a Mainstream voucher available.

19.6.H Project-Basing Mainstream Vouchers [FY19 Mainstream Voucher NOFA Q&A]

- (1) Opportunity Home may project-base Mainstream vouchers in accordance with all applicable PBV regulations and Opportunity Home policies in Chapter 18.
- (2) Opportunity Home is responsible for ensuring that, in addition to complying with project-based voucher program requirements, the project complies with all applicable federal nondiscrimination and civil rights statutes and requirements. This includes, but is not limited to, Section 504 of the Rehabilitation Act (Section 504), Titles II or III of the Americans with Disabilities (ADA), and the Fair Housing Act and their implementing regulations at 24 CFR Part 8; 28 CFR Parts 35 and 36; and 24 CFR Part 100.
- (3) Mainstream vouchers are subject to the PBV program percentage limitation discussed in Chapter 18.

Early Engagement Program

Reason for the Addition of Section 4.3.E Early Engagement Program

The new section 4.3.E may impact program applicants. The new section includes the policy for the Early Engagement Program, which will require applicants selected from the waitlist to attend an Opportunity Home-sponsored briefing before or after determining eligibility for participation.

4.3.E Early Engagement Program

All applicants selected from the waiting list, with the exception of elderly and disabled applicants must attend an Opportunity Home-sponsored Early Engagement Program (EEP) briefing before or after they are determined eligible for participation. Generally, applicants are required to attend the EEP briefing prior to voucher issuance. However, Opportunity Home may waive this requirement and issue a voucher to an applicant before they have attended the EEP briefing, if doing so would remove a barrier for the family in quickly securing and/or leasing a suitable unit. Failure to attend a required EEP briefing may be cause for denial.