

# Use of Housing Choice Vouchers for Relocation Under HUD's Rental Assistance Demonstration

PHAs participating in HUD's Rental Assistance Demonstration (RAD) may use Housing Choice Vouchers (HCVs) for the temporary relocation or voluntary permanent relocation of public housing residents affected by RAD conversions.

## Right to Return under RAD

Any resident who may need to be temporarily relocated to facilitate rehabilitation or construction has a right to return to an assisted unit at the Covered Project once rehabilitation or construction is completed. A PHA may use HCV assistance for the temporary relocation of such a resident.

Permanent involuntary displacement of residents may not occur as a result of a project's conversion of assistance under RAD. A PHA may however offer HCV assistance to a resident who consents in writing to voluntary permanent relocation in lieu of exercising the right to return under RAD.

## General Requirements for HCV Issuance

Families that will be issued HCV assistance for either temporary relocation or voluntary permanent relocation under RAD are not considered "special admissions" to the HCV program. This means that such families must be admitted to the HCV program from the PHA's waiting list. It also means that HUD will not award any additional funds for such HCV assistance; PHAs must fund these vouchers out of their HCV program funds.

A PHA that wishes to issue HCV assistance to public housing residents affected by RAD conversions must include a selection preference for such families in its Administrative Plan. If the adoption of such a preference constitutes a significant amendment to the PHA's Plan, then the PHA must publish its amended PHA Plan for comment.

Once the PHA's revised Administrative Plan has been adopted, the PHA may employ the preference to select the families from its waiting list.

If the PHA's waiting list is closed, then the PHA may open its waiting list, on a limited basis, to families residing in public housing properties undergoing conversion under RAD (24 CFR 982.206(b)(1)). In this case, the PHA's public notice that the waiting list has been opened must state clearly that only such families may apply.

## Requirements Specific to Temporary Relocation

Where HCV assistance will be provided to a resident, but the resident plans to return to the property:

- 1) The family is not considered a “displaced person” under the Uniform Relocation Act (URA).
- 2) If the family is unable to use the voucher, the PHA must provide the family with another form of temporary housing.
- 3) The PHA must not rescind the voucher when the Covered Project is ready for occupancy. The family may choose either to remain in the HCV program indefinitely or to relinquish the voucher voluntarily. If the family chooses to remain in the HCV program indefinitely, then the family shall be considered to have consented to voluntary permanent relocation. The PHA is advised to obtain such consent in writing (see below).

## Requirements Specific to Voluntary Permanent Relocation

Where a resident has consented to voluntary permanent relocation and HCV assistance will be provided as an “alternative housing option”<sup>1</sup>:

- 1) The PHA must secure from the resident written consent to permanent voluntary relocation in lieu of exercising the right to return under RAD. HUD encourages PHAs to list a secondary alternative housing option in the event a family is unable to use the voucher.
- 2) The family is considered a “displaced person” under the URA.
- 3) The PHA must provide reasonable relocation advisory services to the family, including any necessary assistance to help the family successfully relocate.<sup>2</sup>
- 4) If the family share of the rent under the HCV program is higher than it was under the public housing program, then rental assistance payments under the URA are required.
- 5) If a family has not successfully secured a unit during the initial voucher term and any extensions of such term, as granted by the PHA, then the PHA must offer another alternative housing option for the family.<sup>3</sup>

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<sup>1</sup> See section 6.10(B) of the [RAD Relocation Notice](#).

<sup>2</sup> See Section 6.6(B) of the [RAD Relocation Notice](#).

<sup>3</sup> See Per Section 6.10(D) of the [RAD Relocation Notice](#).