

Learning from a Crisis: Strategies to Increase Flexibility in Housing Choice Voucher Implementation

Sarah Gallagher
Sophie Siebach-Glover
Alayna Calabro
Victoria Bourret
Andrew Aurand
National Low Income Housing Coalition

Abstract

The U.S. Department of Treasury Emergency Rental Assistance (ERA) program was a national effort of unprecedented scale to help renters in crisis during the COVID-19 pandemic. ERA allowed program flexibilities not typically found in federal housing assistance programs, including direct-to-tenant assistance, self-attestation for certain eligibility criteria, categorical eligibility, fact-specific proxy, and housing stability services. Treasury provided regular guidance on these flexibilities to help grantees ensure that funds reached households with the greatest needs in time to prevent evictions.

Preliminary data suggest that grantees with direct-to-tenant payments, categorical eligibility, and fact-specific proxy served a slightly greater share of low-income renter households in their jurisdiction compared with grantees that did not. Housing stability services were positively associated with households successfully moving through the application process and receiving funds.

The Housing Choice Voucher (HCV) program currently assists over two million households. However, renters face challenges in both accessing and using HCVs due to scarcity of resources, burdensome requirements, uninterested landlords, and racial discrimination. Learning from and incorporating flexibilities from pandemic-era initiatives, such as ERA, the Emergency Housing Voucher program, and waivers authorized under the Coronavirus Aid, Relief, and Economic Security Act, into the HCV program could allow public housing agencies to address these challenges, improving access to and utilization of the program.

Introduction

The U.S. Department of the Treasury (Treasury) Emergency Rental Assistance (ERA) program, a national effort of unprecedented scale, distributed critically needed emergency rent and utility assistance to millions of renter households at risk of losing their homes during the COVID-19 pandemic. Congress appropriated \$46.5 billion for ERA, including \$25 billion through the Consolidated Appropriations Act of 2021 (ERA1) and \$21.6 billion through the American Rescue Plan Act of 2021 (ERA2). ERA provided financial assistance for the payment of rent, rental arrears, utility costs and arrears, other housing costs, housing stability services, and, as applicable through ERA2, other affordable rental housing and eviction prevention activities. During the pandemic, ERA programs provided more than 10 million payments to households (Treasury, 2024).

ERA introduced several flexibilities not typically found in housing assistance programs to ensure that funds reached households with the greatest needs in time to prevent evictions. Treasury regularly released guidance clarifying how grantees could use program flexibilities and encouraging grantees to incorporate them into ERA programs. Treasury's ERA guidance resulted in real-time changes and improvements to ERA programs. Previously published studies and preliminary data indicate that (1) grantees utilized program flexibilities when allowed by Treasury, (2) the share of programs that used flexibilities increased over time, and (3) select program flexibilities were positively associated with the pace of ERA spending and the share of low-income renters that applied for and received assistance. Given the positive impact of ERA, expanding the use of program flexibilities could improve other housing programs, particularly the Housing Choice Voucher (HCV) program.

The HCV program successfully assists more than two million renter households. However, applicants and public housing agencies (PHAs) face challenges, including scarcity of resources, burdensome documentation requirements, uninterested landlords, and racial discrimination. Only 61 percent of initial voucher recipients use their vouchers within 180 days, indicating that too many households fail to successfully lease an apartment (Ellen, O'Regan, and Strochak, 2021). Although PHAs can simply give the voucher to another household, failures to lease up cause further stress for families in need of assistance and delays in voucher utilization. Meanwhile, the income recertifications of existing voucher holders consume significant administrative time (Turnham et al., 2015).

This article examines how lessons learned from pandemic-era programs' implementation of flexibilities can be applied to address challenges in the HCV program. The authors draw upon early research and present new analysis of the utilization and impact of ERA flexibilities—including direct-to-tenant assistance, self-attestation, categorical eligibility, fact-specific proxy, and housing stability services. The article also discusses how Coronavirus Aid, Relief, and Economic Security (CARES) Act-funded programs and the EHV program incorporated various flexibilities and reviews federal statutes and regulations governing the HCV program to explore whether and how said flexibilities could be incorporated into the HCV program.

Historical Challenges in the Housing Choice Voucher Program Impacting Access and Success Rates

The HCV program is the nation's largest rental assistance program, currently assisting more than two million households. However, renters face challenges in accessing and using HCVs due to scarcity of resources, burdensome documentation requirements that strain renters and PHAs, uninterested landlords, and racial discrimination. The burdens renters face are not equally distributed.

Households with fewer resources—including people with criminal histories, older adults, and Black households—often experience the lowest success rates (Aiken, Ellen, and Reina, 2023).

Scarcity of Resources

The HCV program is woefully underfunded. The last national survey of PHAs in 2016 found that more than half of HCV programs were closed to new applicants, and the median wait time for households on HCV waitlists was 18 months. Twenty-five percent of voucher-administering PHAs had waiting times of 3 years or more (Aurand et al., 2016). Overall, only one in four eligible families receives any type of housing assistance such as HCVs or public housing (Center on Budget and Policy Priorities, 2022). Given the significant underfunding relative to demand, nearly 98 percent of budget authority was utilized at the end of August 2023 (HUD, 2023d), masking challenges that a significant share of households experience in utilizing their voucher. Research suggests that only 61 percent of new voucher recipients use their voucher within 180 days, putting them at risk of losing their assistance (Ellen et al., 2021).

Despite low household-level success rates, PHAs have limited resources for improving them. Budget utilization remains high because the demand for vouchers far exceeds the supply. When voucher recipients fail to use their vouchers and return them to the PHA, other households on the waitlist receive the assistance.

In addition, the administrative fee structure can pose a challenge for PHAs funding housing-related services. In the HCV program, PHAs' administrative fees are determined based on the number of units leased.¹ PHAs receive higher administrative fees when they have more vouchers under lease. However, many of the tasks required to run HCV programs, including housing navigation services, occur before clients lease up, and the costs of these tasks are not covered directly (McCabe, 2022). No compensation is provided for efforts to overcome tenants' barriers to securing a housing unit—such as improved search assistance and stronger mobility counseling—if they do not result in a tenant signing a lease (McCabe, 2022).

Burdensome Documentation Requirements

Assembling required HCV documents is a cumbersome aspect of the voucher application process. Burdensome administrative and documentation requirements related to income eligibility and proof of residency prevent households from successfully completing the application process and maintaining their place on a waitlist. Applicants must regularly update their address and contact information to remain on a PHA waitlist—a task that can be particularly difficult for applicants

¹ In accordance with Section 8(q) of the “United States Housing Act of 1937” and related appropriations law.

facing housing instability and experiencing homelessness (Aiken, Ellen, and Reina, 2023). Administrative burden—the time and energy spent accessing public benefits—impacts individuals unequally and leads to disproportionate underutilization of public benefits by the communities who need them most (Executive Office of the President, 2021).

Case managers, PHAs, and people with lived experience have cited HCV documentation requirements as one of the most challenging steps in accessing a voucher (Khadduri et al., 2022). In a 2022 study, PHA interviewees noted the vast amount of paperwork required for tenants to prove income and residency to qualify for a voucher (McCabe, 2022). In addition, a series of administrative tasks are required. Households attend an initial intake meeting and provide documentation proving income, citizenship status, and residency. Complex, multistep processes decrease the likelihood that eligible households complete the certification process and receive assistance. One agency noted that failure to provide paperwork was among the most common reasons households did not receive vouchers (McCabe, 2022). Language, technology, time, and transportation barriers exacerbate the challenges faced by households in meeting these burdensome requirements and successfully navigating the process.

Uninterested Landlords and Discrimination

The HCV program requires what Aiken, Ellen, and Reina (2023) coined as “double take-up”—the need for both tenant and landlord participation in which tenants apply and qualify for the program and landlords receive rental assistance payments directly from the PHA on behalf of tenants. Uninterested landlords can be a significant barrier to household-level success rates. A U.S. Department of Housing and Urban Development (HUD)-funded study of voucher discrimination found that voucher holders were rejected in 78 percent of tests in the Fort Worth, Texas metropolitan area, 76 percent of tests in Los Angeles, California, and 67 percent of tests in Philadelphia, Pennsylvania (Cunningham et al., 2018). Other landlord research in Baltimore, Maryland; Cleveland, Ohio; and Dallas, Texas, found that between 21 and 45 percent of landlords thought voucher holders were worse tenants than other renters (Garboden et al., 2018). Landlords unwilling to accept HCVs cited issues with inspections, lack of support from PHA staff during landlord-tenant conflicts, paperwork, and bureaucracy.

At least 18 states and more than 100 localities have source-of-income (SOI) discrimination laws prohibiting landlord discrimination against voucher holders (Poverty and Race Research Action Council, 2023). A 2018 study of landlord acceptance of HCVs by the Urban Institute found that states with SOI laws had lower landlord denial rates (less than 31 percent) than states without SOI laws (67 percent or higher) (Cunningham et al., 2018). Even in jurisdictions with SOI laws, discrimination persists because enforcement is generally weak, and laws do not cover all voucher holders (Tighe, Hatch, and Mead, 2017).

Emergency Rental Assistance: Strategies to Increase Access and Success Rates

The COVID-19 pandemic caused families across the country to fall behind on their rent. By the end of 2020, renters had accrued an estimated \$50 billion in rent and utility arrears. Nearly one in five renter households reported being behind on rent, and one in six reported that eviction was very likely within 2 months (Leibenluft, 2023). Overwhelmingly, low-income tenants and people of color disproportionately bore the economic brunt of the pandemic.

The \$46.5 billion ERA program provided financial assistance to households with the greatest need to prevent evictions. ERA incorporated flexibilities not typically found in housing assistance programs to increase access to aid and accelerate spending. Direct-to-tenant assistance, self-attestation, categorical eligibility, fact-specific proxies, and housing stability services sought to ensure that ERA reached the lowest-income and most marginalized households. These flexibilities helped to overcome burdensome documentation requirements, landlord refusal to participate, discrimination, and household barriers such as language, technology, and transportation.

Throughout 2021, Treasury released regular guidance and other resources to encourage state and local programs to use these flexibilities in their program design and expedite the distribution of ERA. In addition to program guidance, Treasury's website-published *Promising Practices for ERA Programs* addressed critical programmatic topics—including outreach, methods for simplifying application processes, the use of fact-specific proxies, and strategies for promoting housing stability—and supported grantees with technical assistance as they worked to implement flexibilities (Treasury 2021b).

Direct-to-tenant assistance (DTA), or payments made to the renter rather than to the landlord, was an important ERA program innovation. Treasury guidance, released on May 7, 2021, explicitly allowed ERA1 payments to be made to renters in cases in which landlords or utility providers refused to participate in the program. This guidance further established that ERA2 program administrators were required to allow tenants to apply directly for assistance, regardless of landlord participation, and that administrators did not need to seek the cooperation of a landlord prior to making a DTA payment (Treasury, 2021a).

Self-attestation was the most common way state and local ERA programs sought to reduce documentation barriers. Treasury guidance provided explicit permission for ERA grantees to rely on written attestation as an alternative to traditional source documentation for every aspect of a household's eligibility for ERA, including COVID-19 hardship, the risk of homelessness or housing instability, income, and amount of rental arrears (Calabro, 2022). Grantees did not necessarily adopt self-attestation for all eligibility criteria.

Treasury guidance allowed for several other solutions for reducing documentation burdens, including income-eligibility determination based on categorical eligibility and fact-specific proxy. **Categorical eligibility** deems a household eligible for assistance if it has been verified as low-income by another local, state, or federal program, such as the Supplemental Nutrition Assistance Program (SNAP), the Temporary Assistance for Needy Families (TANF) program, the Special

Supplemental Nutrition Program for Women, Infants, and Children, or Medicaid. Treasury added **fact-specific proxy** to its guidance in May 2021 as another method for verifying income eligibility by allowing a program to use other facts to infer a household's income-eligibility, such as the median income of the household's census tract (Siebach-Glover, Foley, and Aurand, 2022).

Treasury allowed up to 10 percent of ERA1 and ERA2 funds to be used for **housing stability services**. Allowable uses included outreach, application support, housing counseling, case management related to housing stability, eviction prevention and diversion, and relocation and rehousing assistance (Treasury, 2023a). Housing stability services can both support households during the application and housing search process and help increase success rates, particularly for households with multiple barriers to housing as well as help break the cycle of housing instability (Treasury, 2023a).

Published research about the Treasury ERA program, data from the National Low Income Housing Coalition's (NLIHC) Treasury ERA Database, and preliminary Treasury ERA1 administrative data allow for the examination of how grantees utilized allowed flexibilities and whether flexibilities are positively associated with ERA program performance.

Uptake of Program Flexibilities

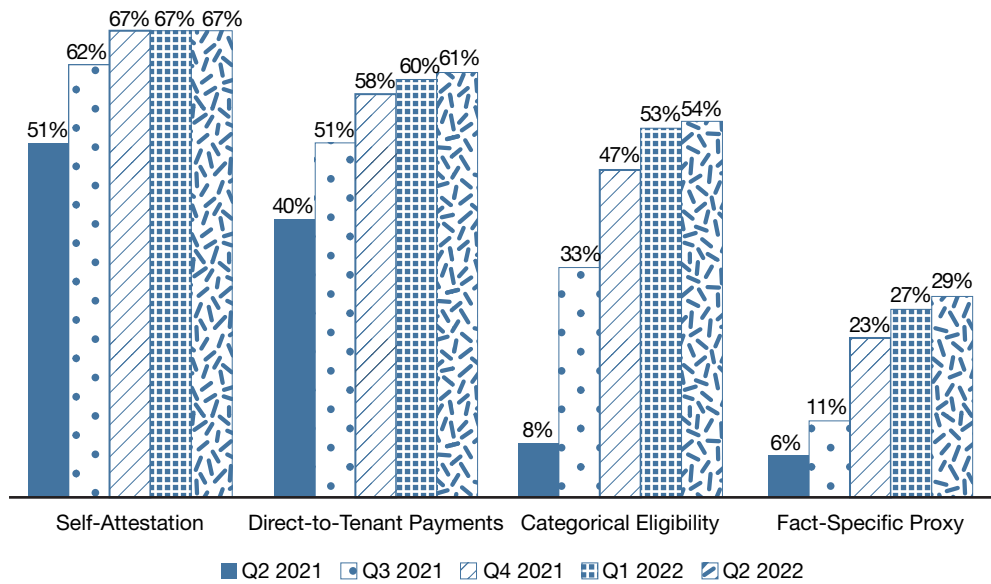
NLIHC tracked the features of more than 500 Treasury ERA programs, including nearly 400 non-Tribal programs, using programs' public-facing documents (NLIHC, 2023). An increasing share of grantees incorporated flexibilities into their programs as Treasury released updated guidance (exhibit 1). Aiken, Ellen, and Reina (2023) show that as Treasury released new and more flexible guidance in the spring of 2021, programs revised their documentation requirements, usually to require fewer documents. The authors note that, although some administrators desired these flexibilities from the start, they had been frustrated by federal guidelines perceived as "compliance-heavy," suggesting that when provided with full and clear guidance, administrators are eager to implement new ways to deliver assistance.

By the second quarter of 2022, 91 percent of grantees had implemented at least one flexibility. Sixty-seven percent of grantees had implemented self-attestation for at least one eligibility criterion, 61 percent had implemented payments directly to tenants in at least some situations, more than 50 percent had implemented categorical eligibility, and 29 percent had implemented fact-specific proxy.

More grantees may have utilized these flexibilities than those represented here. A national survey of program administrators conducted in 2021 found a significantly higher share of surveyed programs utilizing self-attestation (81 percent, N=99) and categorical eligibility (71 percent). Programs did not always make information regarding flexibilities clear in their public-facing documents (Aiken et al., 2022).

Exhibit 1

Share of Grantees Utilizing Flexibilities in ERA1 Program by Quarter, 2021–22



Note: N=398.

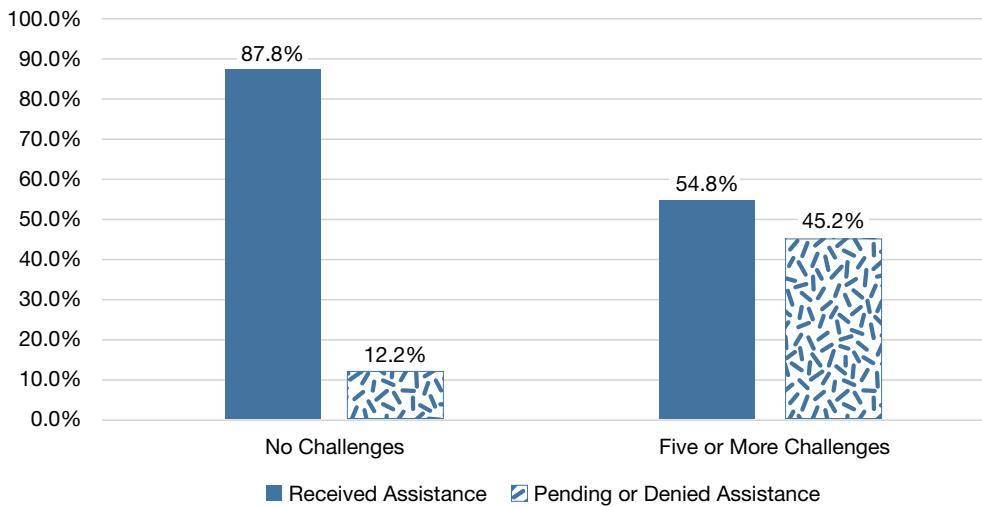
Sources: NLIHC COVID-19 Emergency Rental Assistance Database; Treasury administrative data

Impact of Program Flexibilities

ERA program performance can be measured in a variety of ways, including the number of payments, the pace of spending, and the share of renters who receive assistance. Previous research finds applicants to some programs reporting largely straightforward application processes and applicants to other programs reporting more frequent challenges. Challenges include trouble with completing the application, including not knowing whom to call for help (22.6 percent), and applications that were confusing (14.7 percent), too long (9.8 percent), and hard to locate (8.1 percent) (Gallagher et al., 2023). Tenants also faced trouble engaging their landlord in the application process (17.1 percent), providing required documentation (14.1 percent), and accessing the application portal due to limited internet access (6.2 percent) or because they needed disability-related accommodations that were not provided (1.5 percent). Tenants who faced more challenges during the application process were less likely to receive funding (exhibit 2). When asked how the process could be improved, tenants suggested linking applications to other administrative databases to streamline paperwork and help determine eligibility, and landlords cited a need for less paperwork and more resources to assist tenants with the application process (Gallagher et. al. 2023).

Exhibit 2

Impact of Application Challenges on ERA Funding Status



Source: Adapted from Gallagher et al. (2023)

In a 2021 assessment of ERA spending, programs that allowed for DTA spent a higher share of their ERA1 allocation by the end of July 2021 than those that did not (exhibit 3). Also, programs that allowed for any self-attestation (especially income self-attestation) and categorical eligibility spent a higher average share of their ERA1 allocation by the end of September 2021 than programs that did not. A survey of more than 10,000 ERA applicants indicated that approximately one in seven ERA applicants faced challenges in providing income documentation (Gallagher et al., 2023). Programs could have increased their pace of spending by allowing alternative means of determining eligibility.

Exhibit 3

Share of ERA1 Allocation Spent by September 30, 2021

	Any Self-Attestation (%)	Income Self-Attestation (%)	Categorical Eligibility (%)	Fact-Specific Proxy (%)	Direct-to-Tenant (DTA) Assistance (%)
Allows Feature	45.7	46.9	46.8	44.2	33.0
Does Not Allow Feature	41.8	42.4	42.5	43.7	27.7

Note: For DTA, the table shows the share of ERA1 spent by July 30, 2021.

Source: Adapted from Aiken et al. (2021)

ERA recipient data from the first quarter of 2021 through the fourth quarter of 2022 suggest that grantees that implemented self-attestation, direct-to-tenant payments, categorical eligibility, and fact-specific proxy served a slightly greater share of low-income renter households in their

jurisdiction compared to grantees that did not (exhibit 4).² These flexibilities appear to have been particularly impactful for households with incomes below 30 percent of area median income (AMI). Grantees that implemented these flexibilities served between 2 and 3 percentage points more of the households with incomes below 30 percent of AMI.

Exhibit 4

Share of Low-Income Population That Received ERA1, by Flexibility

	Implemented Flexibility (%)	Did Not Implement Flexibility (%)
Self-attestation	N = 241	N = 111
Overall	7	5
Below 30% AMI	9	6
30–50% AMI	3	2
50–80% AMI	1	1
Self-attestation, income	N = 173	N = 179
Overall	7	5
Below 30% AMI	9	7
30–50% AMI	3	2
50–80% AMI	1	1
Direct-to-tenant payments	N = 233	N = 119
Overall	7	5
Below 30% AMI	9	6
30–50% AMI	3	1
50–80% AMI	1	1
Categorical eligibility	N = 202	N = 150
Overall	7	5
Below 30% AMI	9	7
30–50% AMI	3	2
50%–80% AMI	1	1
Fact-specific proxy	N = 109	N = 243
Overall	7	6
Below 30% AMI	9	7
30–50% AMI	3	2
50–80% AMI	2	1

Notes: Self-attestation is for at least one eligibility criterion, such as income or COVID-19-related hardship. Self-attestation, Income is specific to income, non-traditional income, or loss of income. Grantees with no or questionable recipient data were excluded.

Sources: NLIHC COVID-19 Emergency Rental Assistance Database (2021–22); Treasury administrative data; Comprehensive Housing Affordability Strategy 5-year estimates (2016–20).

² HUD Comprehensive Housing Affordability Strategy data provided the number of low-income renter households by jurisdiction. NLIHC’s Treasury ERA Database and Treasury administrative data were used to determine grantees’ coverage area. In most instances, the authors assumed grantees covered the entire population within their administrative boundaries and grantees that pooled their resources for merged programs reported households served within their specific jurisdiction. Some state grantees did not serve counties and cities that received their own ERA allocation, but state their coverage evolved as local entitlement jurisdictions ran out of funds. For that reason, only two states reported no ERA payments to residents in local entitlement jurisdictions. For those two states, the authors removed the entitlement jurisdictions from the state low-income population count.

The provision of housing stability services in ERA was positively associated with households successfully moving through the application process and receiving funds. These services were provided by grantees and through partnerships with local, culturally competent, community-based organizations already working on housing stability issues. Survey results found that those who received help and guidance during the ERA application process—such as help understanding the application process, gathering required documents, or uploading documents online—had significantly higher approval rates. Eighty-six percent of respondents who received help were approved for or received funds, compared with 79.9 percent of respondents who received no help. Respondents who did not receive help were more likely to have been denied ERA (Gallagher et al., 2023).

Recommendations on Embedding Program Flexibilities into the HCV Program

Program flexibilities, coupled with direct and clear guidance, increased the overall impact of ERA success in reaching the low-income households it was meant to assist. In the HCV program, 75 percent of all new and turnover vouchers must serve extremely low-income households earning less than 30 percent of the AMI or the federal poverty guideline, whichever is higher (24 CFR § 982.201). This section recommends ways the HCV program could better serve these households by incorporating flexibilities like those allowed in ERA and discusses lessons learned through EHV programs and CARES Act waivers.

Specifically, Congress should increase funding for the HCV program, enact legislation allowing direct-to-tenant assistance in the HCV program, and fund housing stability services. Second, PHAs should use both self-attestation and the safe harbor categorical eligibility provision and explore the use of fact-specific proxy. Finally, given the importance of guidance in promoting successful use of flexibilities in the ERA program, HUD should issue clear and regular guidance supporting PHAs in utilizing program flexibilities already allowed by the agency.

Congress Should Expand Funding for the HCV Program

ERA was funded at an unprecedented level intended to meet the needs of all renters at risk of eviction. However, the same has not been done for the HCV program, despite the persistent and growing housing crisis. Congress can best improve the HCV program by addressing the insufficient funding that prevents the program from serving all eligible households. Congress should expand rental assistance to be universally available to all households in need. Universal rental assistance would enable PHAs to assist all income-eligible households rather than ration vouchers through waiting lists that create additional burdens for both PHAs and tenants. Even with increased resources, however, tenants would still face challenges benefiting from a universal voucher program without other reforms.

Congress Should Enact Legislation Allowing Direct-to-Tenant Assistance in the HCV Program

DTA was associated with higher spending rates and the share of low-income renters able to access assistance. Adding a DTA component to the HCV program, through congressional authorization, could address challenges related to uninterested landlords and administrative burdens created through the “double take-up” aspect of the program. DTA could support households by reducing source-of-income discrimination if landlords realize a reduction in administrative burden. Aspects to consider in designing DTA through the HCV program include calculating, documenting, and monitoring assistance, housing quality inspections, and potential tax and benefit implications (Joice, O’Regan, and Ellen, 2024).

Current laws and regulations governing the HCV program require that housing subsidies are paid directly to the landlord by the PHA on behalf of the participating household (McCabe and Shroyer, 2023). However, the precursor to the HCV program, the Experimental Housing Allowance Program (EHAP), provided housing allowance payments directly to tenants. This method of payment was successful and resulted in reduced housing cost burdens for participating households (EHAP, 1976). Early evaluation found that a key element of EHAP’s administrative successes, including prompt workload processing, program integrity, and client and community satisfaction, was the limited nature of administrative functions, possible because of direct assistance to tenants. Researchers warned that providing funding to landlords directly would require outreach, negotiation of agreements, enforcement of contract terms, and a new recordkeeping system with substantial cost and unknown benefits (Kingsley, Kirby, and Rizer, 1982). Despite these concerns and the success of the housing allowance payments, the HCV program statute enacted by Congress did not allow direct payments to tenants.

In acknowledgement of the success of pandemic-era programs that provided assistance directly to tenants, such as ERA, economic impact payments, and the expanded child tax credit, HUD has begun engaging stakeholders in a Direct Rental Assistance pilot program. If the pilot generates positive results, Congress should authorize and provide additional funding for direct tenant assistance in the HCV program.

PHAs Should Utilize Self-Attestation to Ease Documentation Requirements

HCV applicants must provide and participate in efforts to verify eligibility information required by HUD and the PHA (42 U.S.C. § 3544; 24 CFR § 982.551(b)). Although income verification is a key component of determining both eligibility and rent payments, HUD should consider further regulatory changes to streamline the screening process and enable more households to self-attest for certain eligibility criteria. PHAs incorporating self-attestation into their HCV programs could address key barriers preventing eligible households from accessing needed rental assistance, particularly for people experiencing homelessness. Allowing applicants to self-attest to program eligibility criteria and collecting necessary documentation after admission could also expedite the leasing process, helping individuals and families move into housing more quickly.

HUD is authorized and has experience utilizing self-attestation through the Housing Opportunity Through Modernization Act (HOTMA; P.L. 114-201), the CARES Act (P.L. 116-136), and the American Rescue Plan Act (ARPA; P.L. 117-2). Congress passed and President Obama signed into law HOTMA in 2016, making numerous changes affecting the HCV program. HUD issued HOTMA implementation guidance in September 2023 reminding PHAs that they may accept self-certification of income if the applicant reports zero income or if other third-party verification techniques are unavailable (HUD, 2023a). Moreover, PHAs are required to utilize HUD's Enterprise Income Verification (EIV) system to verify applicants' income. Using self-attestation coupled with EIV verification could significantly lower documentation requirements for applicant households.

Acknowledging that applicants, particularly people experiencing homelessness, face barriers in meeting its Social Security Number (SSN) requirements, HUD changed acceptable documentation for providing a SSN. PHAs may accept self-certification of an applicant's SSN and a third-party document, such as a bank statement, utility bill, or benefit letter with the applicant's name printed on it (HUD, 2023a). HUD should ensure that PHAs are aware of existing flexibilities that ease documentation requirements for households seeking assistance.

During the COVID-19 pandemic, HUD exercised the broad authority provided through the CARES Act and ARPA, via EHV, to adjust program practices and provide PHAs with flexibility to address pressing housing needs. These flexibilities included waiving the third-party income verification requirements, allowing PHAs to accept self-attestation as the highest form of income verification for admission, and relaxing documentation requirements at admission for SSN, date of birth, and disability status. Individuals had to provide the required documentation within 90 days of admission to continue receiving assistance (HUD, 2021a, 2021b). These pandemic-era waivers allowed PHAs to streamline the process for issuing vouchers and likely helped decrease voucher lease-up time (Khadduri et al., 2022). Many communities attribute their success in quickly leasing EHV—vouchers targeted to people facing high barriers to stable housing—to these flexibilities and waivers, including the state of Michigan; King County, Washington; Fairfax County, Virginia; and Los Angeles County (HUD, 2023b).

In addition, HUD approved requests by the Housing Authority of the City of Los Angeles and Los Angeles County Development Authority to modify HCV program admission requirements to accelerate efforts to move people experiencing homelessness into housing. The resulting waivers allow the housing authorities to issue vouchers to people experiencing homelessness and verify their income via independent, third-party sources within 60 days (HUD, 2023c). HUD also approved waivers allowing unhoused Angelenos to self-certify their SSN, date of birth, and disability status (City of Los Angeles, 2023). Allowing individuals to self-attest that they meet HCV eligibility criteria removes one of the most significant roadblocks faced by voucher holders in utilizing their voucher.

PHAs Should Allow the Use of Categorical Eligibility in the HCV Program

Congress and federal agencies have taken steps to streamline eligibility rules of federal assistance programs, including through categorical eligibility. Programs that have adopted categorical eligibility include SNAP and the Low-Income Home Energy Assistance Program, among others. Categorical

eligibility policies have been shown to facilitate access to federal assistance programs and reduce administrative costs (GAO, 2017). Expedited eligibility for SNAP dates to 1971 and was enacted to simplify administration of the SNAP program, facilitate program access for eligible households, and improve coordination among federal benefit programs (Aussenberg and Falk, 2022).

A “Safe Harbor” provision within HOTMA allows PHAs to use income determinations from certain means-tested federal assistance programs for an alternate income determination (24 C.F.R. § 5.609(c)(3)). In the final rule, HUD added to the list of means-tested programs that PHAs can rely on for income determination, including TANF, Medicaid, SNAP, the Low-Income Housing Tax Credit, HOME Investment Partnerships Program, and other programs for which HUD establishes a memorandum of understanding (88 C.F.R. § 9600). Unfortunately, PHAs are not required to take advantage of this flexibility.

Using income determinations from other forms of assistance would expedite the admissions process and reduce the administrative burden on applicants and PHAs. HUD should ensure that PHAs are aware of the HOTMA Safe Harbor provision and encourage—or require—that PHAs incorporate this flexibility into their policies.

Congress Should Fund Housing Stability Services

Housing stability services provided through the ERA and EHV programs demonstrated positive results for tenants in successfully navigating the application process and receiving and utilizing assistance. ERA’s housing stability services, such as outreach, application support, and housing navigation, were positively associated with helping households successfully move through the application process and receive funds. The EHV program’s supplemental funding assisted fund strategies to help voucher holders quickly identify housing and persuade landlords to accept vouchers. Participating PHAs received an additional \$3,500 per voucher to provide housing navigation services, such as creating landlord outreach teams, hiring brokers to find available housing units, and providing landlord incentives (HUD, 2022). Because of its ability to help tenants with multiple barriers to housing find and obtain units, researchers recommend that flexible service funding be incorporated into the HCV program to serve a wider range of tenants (Economy, Finnigan, and Espinoza, 2023). PHAs need funding to support renters with the greatest needs by offering application assistance, improved search assistance, stronger mobility counseling, landlord incentives, extended search periods, and other services that could assist tenants (McCabe, 2022).

Congress should fund housing stability services as a line item in the Transportation, Housing and Urban Development appropriations bill, which would be obligated to PHAs through currently allowed competitive processes.³ Funding housing stability services distinct from administrative fees determined by voucher utilization (i.e., successful lease ups) could provide PHAs flexibility to provide services that help higher-need households access and utilize HCVs. Consistent and predictable services funding also allows PHAs to partner with community-based organizations working directly with households, an effective strategy used in ERA (NLIHC, 2022).

³ 24 CFR Part 791 Subpart D (up to date as of February 29, 2024) Allocation of Budget Authority for Housing Assistance. Office of Secretary, Housing Assistance Programs and Public and Indian Housing Programs, Department of Housing and Urban Development. <https://www.ecfr.gov/current/title-24/part-791/subpart-D>.

HUD Should Support PHAs in Utilizing Allowable Flexibilities Through Regular and Clear Guidance

Over time, more ERA programs incorporated program flexibilities as Treasury released guidance and provided resources and support. Ultimately, PHAs decide how they will incorporate allowable flexibilities into their programs. Lack of incentive, unclear or limited guidance, and established ways of administering the program can prevent PHAs from exploring ways to improve the HCV program. HUD should issue clear guidance on existing flexibilities related to self-certification of income and categorical eligibility, provide answers to frequently asked questions, spotlight innovative programs, and provide tools to support embedding flexibility within the HCV program. For example, guidance could provide sample forms to support implementation of self-attestation, strategies to access and utilize administrative data for categorical eligibility, and innovative program models that provide rental assistance payments directly to tenants.

Potential Challenges

Although PHAs currently have the authority to use self-attestation and categorical eligibility, challenges exist, particularly when it comes to rent determination. Using HUD's EIV system to verify an applicant's income for rent determination based on the household's past year's income could mitigate this challenge. In addition, units that are subsidized with an HCV must undergo an inspection and meet housing quality standards. If Congress authorizes direct rental assistance to tenants, policies must be put in place to provide landlords confidence that tenants can afford rent and to ensure housing quality for tenants receiving direct assistance (Joice, O'Regan, and Ellen, 2024).

Prior analysis observed that fact-specific proxy was associated with decreased application processing times, increased fund disbursement, and increased application accessibility (Siebach-Glover, Foley, and Aurand, 2022). Although using fact-specific proxy may decrease administrative burden, increase program efficiency, and enhance equity, concerns related to rent determination exist. More work should be done to understand the feasibility of integrating fact-specific proxy into the HCV program. Having multiple proxies and tools for determining program eligibility may increase PHAs' ability to reach households in need of assistance.

Conclusion

The ERA program helped prevent millions of evictions during the pandemic (Treasury, 2023b). The use of program flexibilities (such as DTA, self-attestation, and categorical eligibility) and housing stability services to reduce barriers tenants face when applying for and receiving assistance were key to this success. ERA provides important lessons and evidence on ways to make HCVs more accessible to the lowest-income and most marginalized renters. Although challenges exist in integrating flexibilities into the HCV program, policymakers and administrators should apply these lessons to the HCV program to the greatest extent possible.

Authors

Sarah Gallagher is vice president of state and local innovation with the National Low Income Housing Coalition. At the time of writing, Sophie Siebach-Glover was a research analyst with the National Low Income Housing Coalition. Alayna Calabro is a senior policy analyst with the National Low Income Housing Coalition. Victoria Bourret is a project manager with the National Low Income Housing Coalition. Andrew Aurand is senior vice president for research with the National Low Income Housing Coalition.

References

Aiken, Claudia, Isabel Harner, Vincent Reina, Andrew Aurand, and Rebecca Yae. 2021. *Treasury Emergency Rental Assistance Programs in 2021: Preliminary Analysis of Program Features and Spending Performance*. Philadelphia, PA: The Housing Initiative at Penn. https://nlihc.org/sites/default/files/HIP_NLIHC_Brief_121621.pdf.

———. 2022. *Emergency Rental Assistance (ERA) During the Pandemic: Implications for the Design of Permanent ERA Programs*. Philadelphia, PA: The Housing Initiatives at Penn. https://nlihc.org/sites/default/files/HIP_NLIHC_2022_3-10_FINAL.pdf.

Aiken, Claudia, Ingrid Gould Ellen, and Vincent Reina. 2023. “Administrative Burdens in Emergency Rental Assistance Programs,” *RSF: The Russell Sage Foundation Journal of the Social Sciences* 9 (5): 100–121.

Aurand, Andrew, Dan Emmanuel, Diane Yentel, Ellen Errico, Zoe Chapin, Gar Meng Leong, and Kate Rodrigues. 2016. *The Long Wait for a Home*. Washington, DC: National Low Income Housing Coalition. https://nlihc.org/sites/default/files/HousingSpotlight_6-1.pdf.

Aussenberg, Randy A., and Gene Falk. 2022. *The Supplemental Nutrition Assistance Program (SNAP): Categorical Eligibility*. Congressional Research Service. <https://sgp.fas.org/crs/misc/R42054.pdf>.

Calabro, Alayna. 2022. “Treasury Emergency Rental Assistance Program,” *NLIHC Advocates’ Guide 2022: A Primer on Federal Affordable Housing & Community Development Programs & Policies*. https://nlihc.org/sites/default/files/2022-03/2022AG_09-06_Treasurey-ERA.pdf.

Center on Budget and Policy Priorities. 2022. “Policy Basics: Federal Rental Assistance.” [https://www.cbpp.org/research/policy-basics-federaBudget%20and%20Policy%20Priorities%20\(cbpporg\)](https://www.cbpp.org/research/policy-basics-federaBudget%20and%20Policy%20Priorities%20(cbpporg))

City of Los Angeles. 2023. “Mayor Bass Secures Critical Permanent Housing Agreement with Federal Housing Department to Cut Red Tape and Bring More Angelenos Inside, and Faster.” Press release. Los Angeles, CA: City of Los Angeles. <https://mayor.lacity.gov/news/mayor-bass-secures-critical-permanent-housing-agreement-federal-housing-department-cut-red>.

Cunningham, Mary, Martha Galvez, Claudia Aranda, Rob Santos, Doug Wissoker, Alysse Oneto, Rob Pitingolo, and James Crawford. 2018. *A Pilot Study of Landlord Acceptance of Housing Choice Vouchers*. Washington, DC: U.S. Department of Housing and Urban Development. <https://www.huduser.gov/portal/portal/sites/default/files/pdf/Landlord-Acceptance-of-Housing-Choice-Vouchers.pdf>.

Economy, Christi, Ryan Finnigan, and Marisa Espinoza. 2023. "Using Emergency Housing Vouchers to Address Homelessness." University of California, Berkeley, Terner Center for Housing Innovation, March 7. <https://ternercenter.berkeley.edu/blog/emergency-housing-vouchers-lessons/>.

Ellen, Ingrid Gould, Katherine O'Regan, and Sarah Stochak. 2021. *Using HUD Administrative Data to Estimate Success Rates and Search Durations for New Voucher Recipients*. Washington, DC: U.S. Department of Housing and Urban Development. https://www.huduser.gov/portal/portal/sites/default/files/pdf/Voucher-Success_Rates.pdf.

Executive Office of the President, Office of Management and Budget. 2021. *Study to Identify Methods to Assess Equity: Report to the President*. Washington, DC: Office of Management and Budget. https://www.whitehouse.gov/wp-content/uploads/2021/08/OMB-Report-on-E013985-Implementation_508-Compliant-Secure-v1.1.pdf.

Experimental Housing Allowance Program (EHAP). 1976. *Housing Allowances: The 1976 Report to Congress*. Washington, DC: U.S. Department of Housing and Urban Development, Office of Policy Development and Research. <https://www.huduser.gov/portal/sites/default/files/pdf/Housing-Allowances-1976-Report-to-Congress.pdf>.

Gallagher, Sarah, Sophie Siebach-Glover, Andrew Aurand, Victoria Bourret, Cypress Marrs, Rebecca Yae, Claudia Aiken, et al. 2023. *Beyond Housing Stability: Understanding Tenant and Landlord Experiences and the Impact of Emergency Rental Assistance*. Washington, DC: National Low Income Housing Coalition.

Garboden, Philip M.E., Eva Rosen, Stefanie DeLuca, and Kathryn Edin. 2018. "Taking Stock: What Drives Landlord Participation in the Housing Choice Voucher Program," *Housing Policy Debate* 28 (6): 979–1003.

Joice, Paul, Katherine O'Regan, and Ingrid Gould Ellen. 2024. "Direct Rental Assistance: Returning to the Roots of Housing Allowances," *SSRN Electronic Journal*.

Khadduri, Jill, Nichole Fiore, Samuel Dastrup, Lauren Dunton, Keely J. Stater, and Haisheng Yang. 2022. *Using Tenant-Based Housing Vouchers to Help End Homelessness in Los Angeles, 2016–2020*. Rockville, MD: Abt Associates. https://www.abtassociates.com/files/insights/reports/2022/Abt_Voucher%20Report_FINAL_7.8.22.pdf.

Kingsley, G. Thomas, Sheila Nataraj Kirby, and W. Eugene Rizer. 1982. *Housing Allowance Program Administration: Findings From the Supply Experiment*. Santa Monica, CA: Rand Corporation. <https://www.huduser.gov/portal/sites/default/files/pdf/Housing-Allowance-Program-Administration-Findings.pdf>.

Leibenluft, Jacob. 2023. "Emergency Rental Assistance: Supporting Renting Families, Driving Lasting Reform." Washington, DC: U.S. Department of the Treasury. <https://home.treasury.gov/news/featured-stories/emergency-rental-assistance-supporting-renting-families-driving-lasting-reform>.

McCabe, Brian. 2022. "Ready to Rent: Administrative Decisions and Poverty Governance in the Housing Choice Voucher Program," *American Sociological Review* 88 (1): 86–113.

McCabe, Brian, and Aaron Shroyer. 2023. "Creating a Direct Rental Assistance Demonstration." Washington, DC: U.S. Department of Housing and Urban Development. <https://www.huduser.gov/portal/pdredge/pdr-edge-frm-asst-sec-090523.html>.

National Low Income Housing Coalition (NLIHC). 2022. *Emergency Rental Assistance: A Blueprint for a Permanent Program*. Washington, DC: NLIHC. <https://nlihc.org/sites/default/files/2022-ERA-Blueprint.pdf>.

———. 2023. "NLIHC COVID-19 Emergency Rental Assistance Database." Washington, DC: NLIHC. <https://docs.google.com/spreadsheets/d/1hLfybfo9NydIptQu5wghUpKXecimh3gaoqT7LUlJGc8/edit#gid=2071264019>.

Poverty and Race Research Action Council. 2023. *Appendix B: State, Local, and Federal Laws Barring Source-of-Income Discrimination*. Washington, DC: Poverty and Race Research Action Council. <https://www.prrac.org/pdf/AppendixB.pdf>.

Siebach-Glover, Sophie, Emma Foley, and Andrew Aurand. 2022. *Implementing Fact-Specific Proxy in ERA Programs: Key Considerations and Lessons Learned*. Washington, DC: National Low Income Housing Coalition. <https://nlihc.org/sites/default/files/Fact-Specific-Proxy-Report.pdf>.

Tighe, J.R., M.E. Hatch, J. Mead. 2017. "Source of Income Discrimination and Fair Housing Policy," *Journal of Planning Literature* 32 (1): 3–15.

Turnham, Jennifer, Meryl Finkel, Larry Buron, Melissa Vandawalker, Bulbul Kaul, Kevin Hathaway, and Chris Kubacki. 2015. *Housing Choice Voucher Program: Administrative Fee Study*. Washington, DC: U.S. Department of Housing and Urban Development. <https://www.huduser.gov/portal/publications/pdf/AdminFeeStudy2015ExecSummary.pdf>.

U.S. Department of Housing and Urban Development (HUD). 2021a. *Notice PIH 2021-14 (HA)*. <https://www.hud.gov/sites/dfiles/PIH/documents/PIH2021-14.pdf>.

———. 2021b. *Notice PIH-15 (HA): Emergency Housing Vouchers – Operating Requirements*. <https://www.hud.gov/sites/dfiles/PIH/documents/PIH2021-15.pdf>.

———. 2022. *Emergency Housing Vouchers: A How-To Guide for Public Housing Agencies*. <https://files.hudexchange.info/resources/documents/Emergency-Housing-Vouchers-How-To-Guide-For-Public-Housing-Agencies.pdf>.

———. 2023a. *Notice PIH 2023-27: Implementation Guidance: Sections 102 and 104 of the Housing Opportunity Through Modernization Act of 2016*. <https://www.hud.gov/sites/dfiles/OCHCO/documents/2023-27pihn.pdf>.

———. 2023b. “Emergency Housing Voucher Success Stories.” <https://www.hudexchange.info/programs/public-housing/ehv/success-stories/>.

———. 2023c, August 18. “HUD Approves Changes to Housing Choice Voucher Program to Accelerate Homelessness Solutions in Los Angeles.” Press release. Washington, DC: HUD. https://www.hud.gov/press/press_releases_media_advisories/HUD_No_23_175.

———. 2023d. “Housing Choice Voucher Program Dashboard.” Washington, DC: HUD. https://www.hud.gov/program_offices/public_indian_housing/dashboards.

U.S. Department of the Treasury (Treasury). 2021a. “Emergency Rental Assistance Fact Sheet.” https://home.treasury.gov/system/files/136/FACT_SHEET-Emergency-Rental-Assistance-Program_May2021.pdf.

———. 2021b. “Promising Practices for ERA Programs” <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program/promising-practices>. Accessed 2023.

———. 2023a. “Building Housing Stability Infrastructure.” <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program/promising-practices/housing-stability>.

———. 2023b. “Emergency Rental Assistance. Keeping Families in Their Homes.” <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program>.

U.S. Government Accountability Office (GAO). 2017. *Federal Low-Income Programs: Eligibility and Benefits Differ for Selected Programs Due to Complex and Varied Rules*. Washington, DC: GAO. <https://www.gao.gov/assets/690/685641.pdf>.