



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

www.tdhca.state.tx.us

Section 811 Project Rental Assistance Program Referral Agent Frequently Asked Questions: Applications and Occupancy

Purpose and Target Audience

The purpose of this Frequently Asked Questions document is to support individuals making referrals and supporting participants in the Section 811 Project Rental Assistance (PRA) Program. The target audience of this document are Section 811 Referral Agents who have completed the required training for the program and are eligible to make referrals to the program.

Properties and Leasing

Q 1: How much will an 811 PRA tenant pay in rent?

A: If an applicant has income, they should expect to pay approximately 30% of their monthly income towards rent and utilities, and the same amount for a security deposit. If an applicant does not have income, they will not pay rent (the subsidy covers all of the rent), and the security deposit will likely be \$50. While program qualification is determined by a household's gross income, the tenant's portion of rent is determined by adjusted income. For more information see HUD Handbook 4350.3 Section 5-9:

<https://www.hud.gov/sites/documents/43503hsg.pdf#page=348>.

Q 2: A property rejected an applicant I am assisting. What should I do?

A: Each property will have their own unique credit, criminal and rental history screening criteria, which can be found through each property's website, linked by property under the Participating Property Map, which is found here: <https://www.google.com/maps/d/viewer?mid=18vJ4L7GO437QFA8PuTSteDpZOKD2URsB&ll=29.881055699999983%2C-97.708008299999999&z=8>.

It is important that applicants and Referral Agents carefully review the language of the rejection letter, specifically the reason for the rejection and the requirements of how to appeal the rejection.

Here is some information from the Texas Section 811 PRA Participant Selection Plan (<https://www.tdhca.texas.gov/sites/default/files/section-811-pra/docs/ProgSelectionPlan.pdf>) regarding possible Referral Agent and/or the applicant avenues for response to a property rejection:





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"Owners of Participating Eligible Multifamily Properties are required by law to respond to requests for reasonable accommodations in all aspects of their operations to assist persons with disabilities in accessing and retaining housing. Reasonable accommodation requests can include requests relating to a property's screening policies. For instance, some Applicants may have criminal records, poor tenancy histories and/or poor credit histories that owners will determine to be ineligible for those reasons. However, a reasonable accommodation could be warranted if the Applicant can demonstrate that:

1. Their history is disability related; and
2. The situation/behavior is not likely to recur if the accommodation is made.

It should be noted that each property is responsible for its own reasonable accommodation process."

As an alternative or in addition to a reasonable accommodation, applicants also have 14 days to appeal a property rejection. The appeal should be communicated as soon as possible directly to the property.

Q 3: What is the process for a participating tenant to transfer to a different property?

A: An 811 PRA tenant cannot transfer from one participating property to another and carry their assistance with them.

Once an applicant moves into an 811 PRA property, they are immediately removed from all other 811 PRA property waitlists. Since Section 811 PRA is project-based, the benefit cannot travel the way that a voucher could. This means there is no way to 'transfer' to another property, though they would not be barred from re-applying to the 811 program after initial move-in. This means starting the process all over with a new application time stamp. A tenant submitting an application after their initial move-in will be fully rescreened and must remain fully program-eligible.





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Q 4: Can an applicant bring their pet to live with them in an assisted unit?

A: Each participating property will have their own pet policy. Pets are allowed at each property owner's discretion. The policies can be found on each property's webpage, linked from the property map here: <https://www.google.com/maps/d/viewer?mid=18vJ4L7GO437QFA8PuTSteDpZOKD2URsB&ll=29.881055699999983%2C-97.708008299999999&z=8>.

Q 5: Does making a car payment each month qualify as a discount or deduction from rent, even if the car is used to take family members to doctor appointments?

A: No. Car payments are not eligible deductions. HUD allows for five possible deductions that may be subtracted from annual income based on allowable family expenses and family characteristics. For more information on this topic, see HUD Handbook 4350.3 REV-1, 5-9 here: <https://www.hud.gov/sites/documents/43503hsg.pdf#page=348>.

Application Submission

Q 6: Can I submit an 811 PRA application through email, mail or fax?

A: No. Because of the detailed program eligibility requirements, because the applications contain secure information, and because it is difficult to log received dates and times through email, our policies state that Section 811 Project Rental Assistance Application Packets must be uploaded to the '*New Applications*' Folder on TDHCA's secure server (<https://s811-files.tdhca.state.tx.us/>) by a certified referral agent.

Q 7: Can applicants submit an 811 PRA application on their own?

A: No. 811 PRA applications can only be submitted to TDHCA by a certified Referral Agent.

Q 8: Will incomplete Application Packets be accepted?

A: No. Incomplete Application Packets will be rejected.





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Q 9: Will an Application Packet be accepted if it does not include the Verification of Disability?

A: No. The Form HUD-90102, Verification of Disability must be completed by an appropriate source of information, which includes, but is not limited to a licensed clinician, physician, psychologist, clinical social worker, other licensed health care professional, or the Veterans Administration (HUD has previously used the term “medical professional”).

Q 10: Can I assume an application is received and pending based on their application being on TDHCA’s secure server (<https://s811-files.tdhca.state.tx.us/>)?

A: Yes, if it has been uploaded to the ‘!New Applications’ Folder. Section 811 staff will notify the Referral Agent via email if the application is deemed to be incomplete or ineligible.

Q 11: Can I get an update on how long until an applicant comes up on the waitlist?

A: No. Section 811 staff cannot estimate wait times. Section 811 staff can only confirm that an applicant is on the waiting list and whether or not the application is complete.

It is important, however, to inform Section 811 staff of any changes to your or an applicant’s contact information.

Q 12: How do I update an applicant’s information?

A: If a waiting application needs an update, please upload the complete (updated) application to the ‘!Application Updates’ Folder on TDHCA’s secure server (<https://s811-files.tdhca.state.tx.us/>).

Q 13: Who signs the [Outside Service Area Referral Form](#) at the Point of Contact for an applicant who has selected properties outside of our service area?

A: Generally, the Local Mental Health Authority (LMHA), Local Behavioral Health Authority (LBHA), or Local Intellectual and Developmental Disability Association (LIDDA), for the area where the applicant is applying, serves as the Point of Contact for the OSAR form.



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Program Eligibility

Q 14: Can I submit an application to the program for someone who is 62 years of age or above?

A: No. An applicant must be under the age of 62 at the time they apply to the program and when they get housed. If an applicant ages out of the program while on the waiting list, they will be rejected from the program. Applicants will not lose their housing if they become over age after they move in to an assisted unit.

Q 15: Are there income limits for the program?

A: Yes. If an applicant is over income, they will be rejected by the program. The income limits are found on the TDHCA webpage here: <https://www.huduser.gov/portal/datasets/il.html>

Q 16: Who qualifies as a live-in aide?

A: HUD has established specific guidance for owners of participating properties when considering the eligibility of a tenant to have a live-in aide.

Please reference the HUD 4350.3, Chapter 3, page 3-8:
<https://www.hud.gov/sites/documents/43503hsgh.pdf#page=129>

Q 17: Can an adult child move in with an 811 PRA tenant?

A: There are very limited situations where an adult child could move into an 811 PRA unit, see below:

"An adult child is not eligible to move into a Section 202 PRAC or Section 811 PRAC after initial occupancy unless they are performing the functions of a live-in aide and are eligible to be classified as a live-in aide for eligibility purposes. (See Paragraph 7-4.E.):" <https://www.hud.gov/sites/documents/43503hsgh.pdf#page=472>



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Q 18: Can an 811 PRA tenant add another household member after moving in?

A: Yes, if:

1. the new household member meets all property-level screening criteria,
2. adding the household member would not put the household above the applicable occupancy standards for their unit size, and
3. the new household member is not disqualified by the adult child limitations outlined in question 17, above.

Important note: 811 PRA tenants should work with property management *before* moving in an additional household member to avoid a lease violation, which can put their housing at risk.

Waitlist Closure

Q 19: If a property's waitlist closes and an applicant is already waiting for that property, does the applicant's status change?

A: No, their status will remain waiting as long as their application was received before the time of waitlist closure.

Q 20: If the waitlist is closing in my service area but I have a client who wants to select properties in a service area where the waitlist is still open, can I submit an 811 PRA application for that client?

A: Yes, but the application would need to include the Outside Service Area Referral form to be considered complete. Find that form here:

<https://www.tdhca.texas.gov/sites/default/files/section-811-pra/docs/OutsideServiceArea-Ref.pdf>.

Q 21: How do I know which properties and unit sizes have open waitlists?

A: The Property Options Form is updated monthly to reflect the properties and unit sizes with open waitlists. The current Property Options Form must be used when applying or updating an application. The Property Options Form is available on the Section 811 Service Providers webpage here: <https://www.tdhca.texas.gov/service-providers>

