June 4, 2024

The Honorable Patty Murray, Chair
Senate Appropriations Committee

The Honorable Brian Schatz, Chair
Senate Appropriations Subcommittee on Transportation, Housing, Development and Related Agencies

The Honorable Susan Collins, Vice Chair
Senate Appropriations Committee

The Honorable Cindy Hyde-Smith, Ranking Member
Senate Appropriations Subcommittee on Transportation, Housing, Development and Related Agencies

Re: Provisions in the 2025 Appropriations Act to support choice and mobility in the Housing Choice Voucher program

Dear Chairwoman Murray, Vice Chairwoman Collins, Chairman Schatz, and Ranking Member Hyde-Smith:

The undersigned housing and civil rights organizations, write to urge the Appropriations Committee to include two key reforms that will help more families successfully use their Housing Choice Vouchers (HCV) and access lower poverty neighborhoods.1 Today, a large number of voucher families with children are concentrated in high poverty neighborhoods,2 and are prevented from accessing communities of their choice by multiple barriers, including the requirement of an initial security deposit to rent, lack of information and housing search assistance, and reluctance by many property owners to accept Section 8 payments.

To address these concerns, first, we propose a small adjustment to language concerning the permissible use of voucher funds (Housing Assistance Payments, or HAP funds). Second, we urge the committee to renew funding (initially appropriated for FY 22) to support housing mobility services.

**Flexibility in the use of HAP funds**

Currently, HUD permits HAP funds to be used only for monthly rent payments after a tenancy is approved and the unit has passed a housing quality inspection. This restrictive view of “housing assistance” is no longer serving the voucher program or its families. We recommend a limited expansion of this definition to allow capped amounts for security and utility deposits and apartment holding fees (payments of up to one month’s rent to hold the unit during the typical delay period while the housing authority goes through the inspection process). This minor change would provide more effective assistance while retaining the important underlying

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requirement that funds be used only for direct housing assistance. The following bill language
could be inserted in the sections of the appropriations bill covering voucher renewals and new
voucher increments:

Provided further, That notwithstanding any other law, public housing agencies may use
current and prior year housing assistance funds for standard security and utility deposits
and for fees to hold an available apartment during the inspection and approval process, up
to a maximum of one month’s rent for each type of expenditure.

This type of HAP flexibility is consistent with President Biden’s FY 2025 legislative and
program proposal for HUD. The President’s budget calls for a demonstration program to test the
effectiveness of HAP flexibility in improving HCV utilization in a select number of regions.3 We
support this demonstration program proposal, but urge the Committee to implement this option
more broadly than the limited number of metropolitan areas suggested in the Budget, and to
specify that capped apartment holding fees are permissible uses of HAP funds.

This limited HAP flexibility would ensure the majority of HAP funds continue to go toward the
voucher subsidy while giving public housing agencies and voucher holders the ability, where
needed, to address barriers to voucher utilization and to improve choice and access to areas of
opportunity for their families. Public Housing Authorities (PHA) could also use their HAP
reserves without reducing the number of vouchers leased by the agency. In future years,
payments for security deposits and holding fees would be considered as leasing-related costs
eligible for renewal under the formula. The future cost of this new flexibility would be minimal.
PHAs are likely to choose to exercise this option mainly to maintain utilization in tightening
markets or to restore the number of vouchers leased to pre-pandemic levels. PHAs would also be
able to limit this flexibility to address barriers to leasing in high opportunity neighborhoods if
they chose. Any added costs would apply to only a small share of vouchers: those newly issued
(voucher turnover rates nationally are approximately 8%) or when existing voucher families
move.

Mobility Services funding

In addition to the request for HAP flexibility, we urge the subcommittee to once again include
$25 million in funding for mobility program services that was appropriated in FY 2022. This
funding opportunity attracted 46 PHA applicants in 2023, but only 7 PHAs could be
accommodated with the funding available. Mobility services help voucher holders exercise
greater choice in where they live so they can truly thrive. Mobility services funds would support
PHAs in providing counseling and housing search assistance to help families use their vouchers
to secure quality housing in high-opportunity communities, connect families with vouchers with
landlords, and provide continued support to HCV families after they move. We urge the
Subcommittee to renew this funding commitment, so more PHAs can offer real housing choice
to their families.

3 The President’s budget proposal potentially includes an even wider range of potential uses of HAP funds to expand
utilization and choice – similar to the activities service fees permitted in the Emergency Housing Vouchers program
(Notice PIH 2023-23, p. 2) or in the Creating Moves to Opportunity demonstration in Seattle and King County,
https://opportunityinsights.org/paper/cmto/.
Low-income renters with HUD assistance face challenges in a highly competitive market, and these proposed changes are needed to give families a better chance to use their voucher more effectively in a neighborhood of their choice.

We would welcome the opportunity to meet to discuss this proposal in more detail.

Sincerely,

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