

be consistent with requirements governing federal preference and the singles preference, as described in 24 CFR part 5.

(2) In its system for applying the preferences described in 24 CFR part 5, the following provisions apply:

(i) The HA may limit the number of applicants that may qualify for any ranking preference or local preference.

(ii) The local preference limit only applies to admission of an applicant from the HA waiting list. A special admission is not counted against the local preference limit.

(iii) The local preference limit does not apply when an applicant is received in an HA program under portability procedures. The admission of a portability family by a receiving HA does not count against the receiving HA local preference limit. The admission of such a family (not qualified for federal preference) counts against the local preference limit of the initial HA.

(c) The HA may give preference for admission of families that include a person with disabilities. However, the HA may not give preference for admission of persons with a specific disability.

(d) The method for selecting applicants from preference categories must leave a clear audit trail that can be used to verify that each applicant has been selected in accordance with the method specified in the administrative plan.

[61 FR 9048, Mar. 6, 1996, as amended at 63 FR 23860, Apr. 30, 1998]

Subpart F [Reserved]

Subpart G—Leasing a Unit

SOURCE: 60 FR 34695, July 3, 1995, unless otherwise noted.

§ 982.301 Information when family is selected.

(a) *HA briefing of family.* (1) When the HA selects a family to participate in a tenant-based program, the HA must give the family an oral briefing. The briefing must include information on the following subjects:

(i) A description of how the program works;

(ii) Family and owner responsibilities; and

(iii) Where the family may lease a unit, including renting a dwelling unit inside or outside the HA jurisdiction.

(2) For a family that qualifies to lease a unit outside the HA jurisdiction under portability procedures, the briefing must include an explanation of how portability works. The HA may not discourage the family from choosing to live anywhere in the HA jurisdiction, or outside the HA jurisdiction under portability procedures.

(3) If the family is currently living in a high poverty census tract in the HA's jurisdiction, the briefing must also explain the advantages of moving to an area that does not have a high concentration of poor families.

(4) In briefing a family that includes any disabled person, the HA must take appropriate steps to ensure effective communication in accordance with 24 CFR 8.6.

(b) *Information packet.* When a family is selected to participate in the program, the HA must give the family a packet that includes information on the following subjects:

(1) The term of the certificate or voucher, and HA policy on any extensions or suspensions of the term. If the HA allows extensions, the packet must explain how the family can request an extension;

(2)(i) How the HA determines the housing assistance payment for a family;

(ii) For the certificate program, information on fair market rents and the HA utility allowance schedule;

(iii) For the voucher program, information on the payment standard and the HA utility allowance schedule;

(3) How the HA determines the maximum rent for an assisted unit;

(4) Where the family may lease a unit. For a family that qualifies to lease a unit outside the HA jurisdiction under portability procedures, the information packet must include an explanation of how portability works;

(5) The HUD-required "lease addendum". The lease addendum is the language that must be included in the lease;

(6) The form of request for lease approval, and an explanation of how to request HA approval to lease a unit;

(7) A statement of the HA policy on providing information about a family to prospective owners;

(8) HA subsidy standards, including when the HA will consider granting exceptions to the standards;

(9) The HUD brochure on how to select a unit;

(10) The HUD-required lead-based paint (LBP) brochure;

(11) Information on federal, State and local equal opportunity laws, and a copy of the housing discrimination complaint form;

(12) A list of landlords or other parties known to the HA who may be willing to lease a unit to the family, or help the family find a unit;

(13) Notice that if the family includes a disabled person, the family may request a current listing of accessible units known to the HA that may be available;

(14) Family obligations under the program;

(15) The grounds on which the HA may terminate assistance for a participant family because of family action or failure to act; and

(16) HA informal hearing procedures. This information must describe when the HA is required to give a participant family the opportunity for an informal hearing, and how to request a hearing.

(Approved by the Office of Management and Budget under control number 2577-0169)

[60 FR 34695, July 3, 1995, as amended at 60 FR 45661, Sept. 1, 1995; 61 FR 27163, May 30, 1996]

§ 982.302 Issuance of certificate or voucher; Requesting HA approval to lease a unit.

(a) When an applicant family is selected, or when a participant family wants to move to a new unit with continued tenant-based assistance (see § 982.314), the HA issues a certificate or voucher to the family. The family may search for a unit.

(b) If the family finds a unit, and the owner is willing to lease the unit under the program, the family may request HA approval to lease the unit. The HA has the discretion to permit a family

to submit more than one request at a time.

(c) The family must submit to the HA a request for lease approval and a copy of the proposed lease. Both documents must be submitted during the term of the certificate or voucher.

(d) The HA specifies the procedure for requesting approval to lease a unit. The family must submit the request for lease approval in the form and manner required by the HA.

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[60 FR 34695, July 3, 1995, as amended at 60 FR 45661, Sept. 1, 1995; 63 FR 23860, Apr. 30, 1998]

§ 982.303 Term of certificate or voucher.

(a) *Initial term.* The initial term of a certificate or voucher must be at least 60 calendar days. The initial term must be stated on the certificate or voucher.

(b) *Extensions of term.* (1) At its discretion the HA may grant a family one or more extensions of the initial term in accordance with HA policy as described in the HA administrative plan. Except as provided in paragraph (b)(2)(ii) of this section, the initial term plus any extensions may not exceed a total period of 120 calendar days from the beginning of the initial term. Any extension of the term is granted by HA notice to the family.

(2) If the family needs and requests an extension of the initial certificate or voucher term as a reasonable accommodation, in accordance with 24 CFR part 8, to make the program accessible to and usable by a family member with a disability:

(i) The HA must extend the term of the certificate or voucher up to 120 days from the beginning of the initial term;

(ii) The HUD field office may approve an additional extension of the term.

(c) *Suspension of term.* The HA policy may or may not provide for suspension of the initial or any extended term of the certificate or voucher. At its discretion, and in accordance with HA policy as described in the HA administrative plan, the HA may grant a family a suspension of the certificate or