

and “part 813”, and inserting in their place the phrase “subpart F of 24 CFR part 5”, effective Apr. 15, 1999.

§ 984.306 Section 8 residency and portability requirements.

(a) *Relocating FSS family.* For purposes of this section, the term “relocating FSS family” refers to an FSS family that moves from the jurisdiction of an HA at least 12 months after signing its contract of participation.

(b) *Initial occupancy.* A family participating in the Section 8 FSS program must lease an assisted unit, for a minimum period of 12 months after the effective date of the contract of participation, in the jurisdiction of the HA which selected the family for the FSS program. Thereafter, the FSS family may move outside the jurisdiction of the initial HA consistent with the regulations of 24 CFR part 982.

(c) *Portability: relocation but continued participation in the FSS program of the initial HA—(1) General.* A relocating FSS family may continue in the FSS program of the initial HA if the family demonstrates to the satisfaction of the initial HA that, notwithstanding the move, the relocating FSS family will be able to fulfill its responsibilities under the initial or modified contract of participation at its new place of residence. (For example, the FSS family may be able to commute to the supportive services specified in the contract of participation, or the family may move to obtain employment as specified in the contract.)

(2) *Single contract of participation.* If the relocating family remains in the FSS program of the initial HA, there will only be one contract of participation, which shall be the contract executed by the initial HA.

(d) *Portability: relocation and participation in the FSS program of the receiving HA—(1) General.* A relocating FSS family may participate in the FSS program of the receiving HA, if the receiving HA allows the family to participate in its program. An HA is not obligated to enroll a relocating FSS family in its FSS program.

(2) *Two contracts of participation.* If the receiving HA allows the relocating FSS family to participate in its FSS program, the receiving HA will enter into a new contract of participation

with the FSS family for the term on the remaining contract with the initial HA. The initial HA will terminate its contract of participation with the family.

(e) *Single FSS account.* Regardless of whether the relocating FSS family remains in the FSS program of the initial HA or is enrolled in the FSS program of the receiving HA, there will be a single FSS account which will be maintained by the initial HA. When an FSS family will be absorbed by the receiving HA, the initial HA will transfer the family’s FSS account to the receiving HA.

(f) *FSS program termination; loss of FSS account; and termination of Section 8 assistance.* (1) If an FSS family that relocates to another jurisdiction, as provided under this section, is unable to fulfill its obligations under the contract of participation, or any modifications thereto, the HA, which is party to the contract of participation, may:

(i) Terminate the FSS family from the FSS program and the family’s FSS account will be forfeited; and

(ii) Terminate the FSS family’s Section 8 assistance on the ground that the family failed to meet its obligations under the contract of participation.

(2) In the event of forfeiture of the family’s FSS account, the funds in the family’s FSS account will revert to the HA maintaining the FSS account for the family.

Subpart D—Reporting

§ 984.401 Reporting.

Each HA that carries out an FSS program under this part shall submit to HUD, in the form prescribed by HUD, a report regarding its FSS program. The report shall include the following information:

(a) A description of the activities carried out under the program;

(b) A description of the effectiveness of the program in assisting families to achieve economic independence and self-sufficiency;

(c) A description of the effectiveness of the program in coordinating resources of communities to assist families to achieve economic independence and self-sufficiency; and