

CHAPTER 3. ELIGIBILITY FOR ASSISTANCE

3.1. ELIGIBILITY FACTORS FOR HOUSING VOUCHER ASSISTANCE 24 CFR 982.201

There are five eligibility requirements for admission to the HCV program. The applicant must: (1) qualify as a family; (2) have an income within the income limits; (3) meet citizenship/eligible immigration criteria; (4) provide documentation of Social Security numbers; and (5) sign consent authorization documents. In addition to the eligibility criteria, families must also meet RHE screening criteria, including criminal background checks of all adults to be admitted to the voucher program.

3.1.a. Family Status

The applicant must qualify as a family.

3.1.a.i. Family

A family, includes but is not limited to:

- (1) Two or more persons sharing residency whose income and resources are available to meet the family's needs and who are related by blood, marriage, operation of the law, or have a history as a family unit.
- (2) A family with or without children (including children temporarily absent from the home due to placement in foster care).
- (3) An elderly family, a near-elderly family, a disabled family, a single person, or a pregnant woman.
- (4) The remaining member of a tenant family.
- (5) The head of household must be the adult member of the household who is designated by the family as the head, is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease under the state and local laws of the city of Rockville, Maryland.
- (6) Children subject to a joint custody agreement will be allowed to be claimed as a dependent only by the household where the child spends 50% or more of his or her time. Verification of the address where the child resides the majority of the time may be through home address reported on school records or other documentation that is deemed conclusive by RHE.
- (7) Unborn children and children whose custody is being obtained through the foster care process or who are temporarily absent due to temporary foster care placement are considered family members for purposes of determining

bedroom size, but are not considered family members for determining income limits.

3.1.a.ii. Family Documentation

The family must provide the following documentation as part of the eligibility process:

- (1) All adult members (18 years & older) must provide a valid government-issued ID.
- (2) All adult members (18 years & older) must complete the HUD Debts Owed form.
- (3) Certification of birth.
- (4) Social security card.
- (5) Veterans may provide a copy of their DD-214, which will be used for verification of birth and social security number.
- (6) If you have a valid REAL ID, a Maryland driver's license with a star on the top right, this may be used for verification of your date of birth.
- (7) A declaration of citizenship form must be completed for each family member.
- (8) All other documents and items noted in the admission or recertification packet or otherwise requested by RHE staff.

3.1.a.iii. Live-In Aide

A family may include a live-in aide.

A live-in aide is a person who lives with an elderly person or a person with disabilities when RHE has verified that a live-in aide is essential to the care and well-being of the elderly or disabled family member.

A live-in aide must be a person who:

- (1) Would not be living in the unit except to provide the necessary supportive services.
- (2) Is not obligated for the financial support of the elderly or disabled family member.

Only 1 bedroom will be allocated for a live-in aide. No more than 2 persons may reside in the bedroom allocated to the live-in aide bedroom. RHE may request income verification documentation from the live-in-aide to validate the availability of the live-in -aid to perform the live-in-aide function.

RHE will conduct a criminal background check on any person proposed to be a live-in aide and may refuse to approve or withdraw approval of a specific live-in aide who:

- (1) Has committed drug-related criminal or violent criminal activity.
- (2) Has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.
- (3) Owes rent or other amounts to RHE or to another PHA in connection with the HCV or public housing programs.
- (4) Is found to be living in another federally subsidized unit.

3.1.b. Income Limits

3.1.b.i. Extremely Low-Income Limit

Generally, a family must be a very low-income family to be eligible for HCV assistance. Seventy-five percent of all new program participants must have a gross income of no more than 50% of the Area Median Income (AMI), including in any port-in vouchers that are absorbed.

3.1.b.ii. Continuously Assisted

A low-income family may be eligible for HCV assistance if the family has been continuously assisted under the 1937 Housing Act. A family is continuously assisted if the family is already a receiving family under any 1937 Housing Act program when the family is admitted to the HCV program. Any interruption between assistance under one of these programs and admission to the HCV program will be considered to break the continuity of assistance under the 1937 Housing Act.

3.1.b.iii. Other Eligible Low-Income Families

A low-income family may be eligible for assistance if the family is:

- (1) A non-purchasing household residing in a HOPE 1 or HOPE 2 project.
- (2) A non-purchasing household residing in a HUD assisted multifamily project subject to a resident home ownership program under 24 CFR 982.201.
- (3) A non-purchasing household displaced as a result of the prepayment of a

mortgage or voluntary termination of a mortgage insurance contract.

- (4) A family residing in a HUD-owned multifamily project when HUD sells, forecloses, or demolishes the project.

3.1.c. Social Security Numbers (SSN)
24 CFR 5.216

Verification of Social Security numbers must be provided for all family members. PIH Notice 2016-05 modifies the regulation as it applies to program applicants (as differentiated from program participants). The change creates a 90-day period during which an applicant family may become a program participant, even if the family lacks the documentation necessary to verify the Social Security Number (SSN) of a family member under the age of 6 years. An extension of one additional 90-day period must be granted if RHE determines that, in its discretion, the applicant's failure to comply was due to circumstances that could not have reasonably been foreseen and were outside of the control of the applicant.

For example, an applicant may be able to demonstrate a timely submission of a request for a SSN, in which case processing time would be the cause of the delay. If the applicant family does not produce the required documentation within the authorized time period, RHE must impose appropriate penalties, in accordance with 24 CFR 5.218 or the most recent applicable HUD PIH Notice.

In terms of offering a grace period and an extension, if merited, a PHA will implement this provision just as it currently implements the provision for program participants. Specifically, an applicant family with a child under the age of 6 years may become a participant family, even if the SSN for the child has not been verified at the time of admission. If the SSN has still not been verified at the end of the initial 90-day period, then the PHA must determine whether a 90-day extension is merited. If it is not merited, then the PHA must follow the provisions of 24 CFR 5.218. If a 90-day extension is merited, then the PHA must either verify the SSN for the child by the end of the 90-day extension period or follow the provisions of 24 CFR 5.218.

3.1.d. Citizenship/Eligibility Status
24 CFR Part 5, Subpart E

To receive assistance, a family member must be a U.S. citizen or eligible immigrant. Assistance is prohibited to non-immigrant students and their families.

All household members must sign a declaration claiming status as a U.S. citizen, an eligible non-citizen, or stating a preference not to claim eligibility. Declarations for children must be signed by parents or guardians.

U.S. citizens must provide verification of citizenship, which may be a U.S. birth certificate, a U.S. passport, or a certificate of naturalization.

Non-citizens who are 62 years of age or older and claim to have eligible immigration status must

provide a signed declaration of eligible immigration status and proof of age.

Other non-citizens claiming eligible immigration status must provide documentation of their immigration status. Staff will verify the immigration status of every non-citizen claiming eligibility through the U.S. Citizenship and Immigration Services (USCIS).

Mixed families with eligible and ineligible members will be eligible to receive prorated assistance.

RHE will inform all applicants at the time an application is submitted that housing assistance is available only to US citizens and eligible immigrants and provide information on the types of evidence that will be required.

For all denials of voucher assistance on the basis of ineligible immigration status, the informal review provisions apply. 24 CFR 5.514

3.1.e Criminal Background

24 CFR 982.307

Applicants with a history of drug-related or violent criminal activity may not be eligible for assistance. RHE conducts a criminal background check on all adult household members including live-in aides and individuals added to a household after initial occupancy and may deny admission based on the factors described under the Denial of Assistance in Chapter 5.

The fact that an applicant or tenant was arrested for a disqualifying offense shall not be treated or regarded as proof that the applicant or tenant engaged in disqualifying criminal activity. The arrest may, however, trigger an investigation to determine whether the applicant or tenant actually engaged in disqualifying criminal activity. As part of its investigation, RHE may obtain the police report associated with the arrest and consider the reported circumstances of the arrest. RHE may also consider any statements made by witnesses, the applicant, or tenant not included in the police report; whether criminal charges were filed; whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal; and any other evidence relevant to determining whether or not the applicant or tenant engaged in disqualifying activity.

3.2. ELIGIBILITY OF STUDENTS

The eligibility of students not living with their parents or guardians may be determined based on the income of the student’s parents. (See Chapter 4, paragraph 4.1.h.)

**3.3. ELIGIBILITY OF NEW HOUSEHOLD MEMBERS
(Initial and Continued Occupancy)**

RHE will approve a child added to a household through birth, foster care custody or court-awarded custody. Any request to add an adult household member that will increase the voucher size will only be considered for the additions of elderly parents or grandparents. For all other

requests to add adult household members will be considered if the request does not over crowd the unit and does not require an increase the voucher size. This must be requested as a reasonable accommodation. The new family member must be determined eligible on the basis of RHE's standard screening procedures. Any new member receiving assistance must be a citizen or eligible immigrant, provide a social security card and, if an adult, sign consent forms and provide other required information.

Before approving any new adult household member, RHE will conduct a criminal background check, verify the individual's citizenship or immigration status, and income. Additionally, RHE will run the HUD debts owed report, the HUD existing tenant report, and the HUD multiple subsidy report for all new household members added. The individual will be required to provide documentation of his or her social security number and sign the release of information documents required to complete the verification process. In addition, the family must document the owner's agreement to the household addition.

RHE reserves the right to deny any additions of former adult household members back to the household.

RHE MTW Activity 21 – Work Requirement

Fiscal Year Introduced: 2026

Fiscal Year Approved by HUD: Pending

RHE will implement a mandatory work requirement for all non-elderly and non-disabled individuals between the ages of 18 and 62. These individuals must work a minimum of 15 hours per week. This activity is applicable to all newly admitted and currently assisted workable families.

Eligible individuals will meet with RHE staff or one of its partner organizations to determine the best course of action, on an individual basis, to meet this activity's ultimate goal of self-sufficiency. RHE, at its discretion, will allow acceptable substitutes for employment, such as education, job training, or rehabilitation to fulfill this requirement.

Residents and participants shall be given notice six months in advance of the sanction policy for non-compliance.

The following individuals will be exempt from this activity: individuals that are exempt from the Community Service Requirement, elderly and/or disabled individuals, individuals aged 18 years and younger, live-in aides, individuals that are the primary caretaker for a child under 6 years of age, and women who are pregnant.

Work requirements shall not be applied to exclude, or have the effect of excluding, the admission into housing or participation in supportive services by persons with disabilities or elderly individuals, or families that include persons with disabilities or elderly individuals.

RHE MTW Activity 20 – Term Limited Assistance

Fiscal Year Introduced: 2026

Fiscal Year Approved by HUD: Pending

All workable families will be subject to a time-limited housing term of nine (9) years beginning at the resident or participant's next triennial recertification. Households requiring additional time to exit the programs may apply for a one (1) year extension. Extension requests will be granted by RHE, at its discretion, following the completion of a household's nine-year term limit. This activity is applicable to all newly admitted and currently assisted workable families.

The one-year extension can be applied for and granted a maximum of one (1) time. The absolute household term-limit is ten years commencing at the resident or participant's next triennial recertification. Households that reach ten years of tenancy originating at the resident or participant's next triennial recertification, regardless of consecutiveness, with RHE are unable to reapply for the public housing or Housing Choice Voucher programs.

RHE or one of its partner organizations will offer supportive services or service referrals to prepare families for the termination of assistance.