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Transitory Rental Assistance Program

Sec. 17b-811a-1. Definitions

As used in sections 17b-811a-1 to 17b-811a-8, inclusive, of the Regulations of Connecticut State Agencies:

(1) “Adjusted gross income” means the gross income of all adults residing in the dwelling unit less allowable deductions in accordance with section 17b-811a-6 of the Regulations of Connecticut State Agencies;

(2) “Agent” means any entity designated by the department to operate the transitory rental assistance program;

(3) “Commissioner” means the Commissioner of the Department of Social Services;

(4) “Contract rent” means the total monthly rent payable to the owner for the dwelling unit. The contract rent is the sum of the tenant contribution plus the transitory rental assistance payment to the owner;

(5) “Department” means the state of Connecticut Department of Social Services;

(6) “Dependent” means a member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is disabled or is a full-time student 18 years of age or older;

(7) “Dwelling unit” means any house or building, including a mobile manufactured home in a mobile manufactured home park as defined in section 21-64 of the Connecticut General Statutes, or portion thereof, which is occupied, is designed to be occupied or is rented, leased or hired out to be occupied, as a home or residence of one or more persons;

(8) “Eligible family” means a family which meets the eligibility requirements set forth at 17b-811a-3 of the Regulations of Connecticut State Agencies;

(9) “Eligible housing” means privately owned rental housing located in any municipality in the state, which meets federal housing quality standards as cited in 24 CFR 982.401, and local and state health, housing, building and safety codes;

(10) “Gross rent” means the sum of the contract rent and any allowance for utilities established by the commissioner;

(11) “Income” means gross income (from whatever sources derived);

(12) “Owner” means any person(s) or entity having the legal right to lease or sublease housing and includes an owner’s designated representative;

(13) “Request for tenancy approval” means the document submitted by the eligible family to the department or its agent requesting approval of a dwelling unit for tenancy by the family;

(14) “TFA” means the temporary family assistance program established under section 17b-112 of the Connecticut General Statutes;

(15) “TFA payment standard” means the monthly amount of cash assistance received by a family with no income that is collecting TFA subject to the twenty-one month time limit;

(16) “Tenant contribution” means the amount payable monthly by the family as rent to the owner; and

(17) “Transitory rental assistance certificate” means the document issued by the department or its agent that defines the terms, conditions and eligibility requirements for participation in the transitory rental assistance program.

(Adopted effective March 9, 2006)

Sec. 17b-811a-2. Program administration and description

(a) Subject to the availability of funds, the commissioner shall implement and administer a transitory rental assistance program for families that meet the eligibil-

ity requirements of section 17b-811a-3 of the Regulations of Connecticut State Agencies.

(b) An eligible family, whether or not it has received a transitional rental assistance certificate, shall not receive assistance under this program if funds are not available.

(c) The department may administer the transitional rental assistance program directly or it may designate one or more agents to administer the program. If an agent is designated to administer the program, the department shall enter into a contract with that agent. Such agent shall be required by contract to keep records in accordance with applicable state requirements.

(d) The commissioner may provide, on a one-time basis, up to twelve consecutive months of transitional rental assistance.

(e) The department or its agent shall make transitional rental assistance payments directly to an owner on behalf of an eligible family. No payment shall be made until (1) a lease has been executed by the family and the owner; (2) tenancy has been approved by the department or its agent; (3) the dwelling unit has passed a housing quality standard inspection; and (4) the department or its agent and the owner have entered into and executed a transitional rental assistance contract. An eligible family shall make a monthly tenant contribution directly to the owner pursuant to an executed lease. The amount of the tenant contribution shall be determined in accordance with section 17b-811a-6 of the Regulations of Connecticut State Agencies.

(f) The commissioner shall develop a schedule of maximum allowable rent. Except as provided in section 17b-811a-6 (c) of the Regulations of Connecticut State Agencies, the department or its agent shall not grant a request for tenancy approval if it determines that the proposed rent under the lease is greater than the amount allowed pursuant to the schedule of maximum allowable rent. In developing the schedule, the commissioner shall consider the cost of rent in the different municipalities in which rental property is located; the type of housing (e.g., single family, apartment building); and the number of, and size of, bedrooms in the dwelling unit. The maximum allowable rent shall include a utility allowance that the commissioner shall develop. Said utility allowance shall include an allowance for all utilities paid by the eligible family except telephone service. The department or its agent shall use the utility allowance when determining the tenant contribution pursuant to section 17b-811a-6 of the Regulations of Connecticut State Agencies.

(g) Administrative responsibilities for the transitional rental assistance program shall include family selection, family and landlord briefings, family and landlord outreach, family mobility counseling, promotion of housing choice and encouragement of racial and economic integration, dwelling unit inspection for compliance with housing and health codes, income and rent verifications, maintenance of records and other responsibilities as required by the commissioner.

(h) Participation by a landlord and by the department or its agent in the transitional rental assistance program shall require compliance with all applicable federal and state fair housing law, rules and regulations.

(i) In accordance with section 17b-811a-3(a) of the Regulations of Connecticut State Agencies, a family may be eligible for transitional rental assistance if an adult member is employed at the time the family leaves the TFA program and either; (1) has income which exceeds the TFA payment standard or (2) is employed for a minimum of 12 hours per week. The commissioner may determine at any time, in his discretion, that funding limitations require a priority to be established

for allocating limited transitional assistance benefits. In such an eventuality, families with income that exceeds the TFA payment standard shall be afforded priority over families with an adult member who is employed for a minimum of 12 hours per week.

(Adopted effective March 9, 2006; amended June 1, 2010)

Sec. 17b-811a-3. Eligibility requirements

(a) A family shall be eligible for transitional rental assistance if an adult member is employed at the time the family leaves the TFA program and either: (1) has income which exceeds the TFA payment standard or (2) is employed for a minimum of twelve hours per week. A family whose income does not exceed fifty percent of the median family income for the area of the state in which such family lives shall be eligible as determined by the commissioner. A family that has left the TFA program may submit an application for transitional rental assistance not more than six months after leaving TFA. Transitional rental assistance benefits shall not be provided before the first day of the month following the month during which the family's TFA benefits end.

(b) To maintain eligibility for transitional rental assistance, a family shall:

(1) supply information that is accurate and complete to the department or its agent;

(2) comply with the provisions of the transitional rental assistance certificate;

(3) supply information that the department or its agent requests to determine the household composition and the income of any household member;

(4) provide social security numbers of household members and provide social security cards for verification;

(5) sign and submit consent forms that allow the department or its agent to obtain relevant information about household members;

(6) supply any information that the department or its agent requests concerning whether the family is living in the dwelling unit or information related to a family's absence from the unit;

(7) promptly notify the department or its agent in writing when the family is away from the dwelling unit for four or more continuous weeks;

(8) allow the department or its agent to inspect the dwelling unit at reasonable times and after reasonable notice;

(9) notify the department or its agent and the owner in writing before moving out of the dwelling unit or terminating or amending a lease;

(10) pay utility bills and supply appliances that the owner is not required to pay for or supply under the terms of the lease;

(11) give the department or its agent a copy of any eviction notice it receives; and

(12) use the dwelling unit as its sole residence.

(c) To maintain eligibility for transitional rental assistance, a family (including each household member) shall not:

(1) own or have any interest in the dwelling unit; however, a family shall not be ineligible for assistance if it has an ownership interest in a cooperative, or if it owns a manufactured home for which it leases a manufactured home space;

(2) commit any serious or repeated violation of the lease;

(3) commit fraud, bribery or any other corrupt or criminal act in connection with the transitional rental assistance program;

(4) participate in any illegal drug or violent criminal activity in the dwelling unit or on the premises on which the dwelling unit is located;

(5) sublease or rent the dwelling unit to another party, assign or transfer the lease of the dwelling unit to another party;

(6) receive transitional rental assistance while receiving another housing subsidy for the same dwelling unit or a different dwelling unit under any other state, federal or local housing assistance program;

(7) willfully damage the dwelling unit or premises or cause serious or repeated damage to the dwelling unit or premises through negligence or permit any guest to willfully damage the dwelling unit or premises or permit any guest to cause serious or repeated damage to the dwelling unit or premises through negligence; or

(8) receive TFA.

(d) If the department or its agent determines that a family or household member receiving transitional rental assistance has violated any subdivision of subsections (b) or (c) of this section, it may terminate the family's participation in the transitional rental assistance program.

(Adopted effective March 9, 2006)

Sec. 17b-811a-4. Family referral, application and selection process

(a) Any family approaching the end of the twenty-one month time limit on TFA is scheduled to have an interview conducted under section 17b-112 (f) of the Connecticut General Statutes during month twenty for the purpose of being informed of services that may continue to be available to them. Any family in a six month extension of TFA after the twenty-one month time limit is scheduled to have an interview conducted under section 17b-112 (f) of the Connecticut General Statutes during month five for the aforementioned purpose.

(b) A transitional rental assistance certification and referral form shall be issued to any family that is determined to be potentially eligible, or appears at the time of the interview conducted pursuant to section 17b-811a-4(a) of the Regulations of Connecticut State Agencies to be potentially eligible, for participation in the transitional rental assistance program by way of meeting initial eligibility criteria. Other families leaving TFA may also apply for transitional rental assistance. For any such family that appears eligible, the department shall assist the family in filling out an application form. This application form shall include, but not be limited to, information on family size and composition and the amount and sources of all current income for all family members who will reside in the dwelling unit which the family will occupy. The department or its agent shall obtain verification of the family's income prior to that family's receipt of transitional rental assistance.

(c) The department or its agent shall accept an application for transitional rental assistance from a family provided it is received by the department or its agent no later than six months from the date the family has been discontinued from TFA.

(d) If an application for transitional rental assistance from a family that appears to meet initial eligibility criteria is substantially completed, as determined by the department or its agent, the department or its agent shall accept the application and place the family in the pool for selection of transitional rental assistance program participants.

(e) If an application for transitional rental assistance is not substantially completed, the department or its agent shall notify the applicant in writing or telephonically of the information that is needed to complete the application. After such notification, the applicant shall respond to the department or its agent not later than twenty business days after the date on which the applicant was notified. If the applicant fails to respond, the department or its agent shall deem said application to have been withdrawn and the department or its agent shall notify the applicant in writing no later than five business days after said application has been deemed withdrawn. The applicant may request, in accordance with section 17b-811a-8 of

the Regulations of Connecticut State Agencies, that the department or its agent review its determination that an application has been withdrawn. The department or its agent shall not provide transitional rental assistance payments before a family's application is completed.

(f) If the department or its agent denies an application for transitional rental assistance, it shall notify the applicant in writing of the reasons for the denial no later than five business days after the denial. The applicant may request the department or its agent to review the denial in accordance with section 17b-811a-8 of the Regulations of Connecticut State Agencies.

(g) The department or its agent shall, on a monthly basis and dependent on the amount of funds available and the number of referrals made, conduct a lottery to select a pre-determined number of families to participate in the program. Families not selected shall remain in the pool for a period not to exceed six months. Selected families shall be issued a transitional rental assistance certificate. Such certificate allows a family to locate a dwelling unit and submit a request for tenancy approval to the department or its agent. Neither the department nor its agent shall approve tenancy for a family that is not in receipt of a valid certificate. The department or its agent shall not provide transitional rental assistance unless tenancy has been approved in accordance with section 17b-811a-5 of the Regulations of Connecticut State Agencies.

(h) A transitional rental assistance certificate shall be valid for sixty calendar days. The first day of the sixty days shall begin on the calendar day following the day that the department or its agent issued the certificate. The department or its agent may extend the certificate's validity, in one or more increments, by up to sixty additional days. The department or its agent may extend the certificate's validity for more than one-hundred-twenty total days if it determines that good cause existed for the family's failure to locate a dwelling unit or submit a request for tenancy approval.

(i) No day shall count toward the sixty-day or subsequent limit if the department or its agent is in receipt of a submission by a certificate holder of a request for tenancy approval. If tenancy is not approved the department shall give the family prompt notice by mail or telephonically. The first calendar day following the day of department notification of its non-approval shall be the first day on which the sixty-day or subsequent limit shall resume.

(Adopted effective March 9, 2006)

Sec. 17b-811a-5. Approval of tenancy and payment of benefits

(a) The department shall develop a "request for tenancy approval" form and shall provide each applicant for transitional rental assistance with five copies of the form at the time the applicant receives his or her transitional rental assistance certificate. In addition to any other information required by the commissioner, the form shall include: (1) a statement that the applicant requests approval of tenancy; (2) a statement indicating that the owner agrees to rent the dwelling unit to the applicant; and (3) a place for the signatures of the owner and the applicant.

(b) When an eligible family has located an available rental dwelling unit and the owner is willing to rent the dwelling unit to the family, the family shall submit to the department or its agent a request for tenancy approval that is signed by the applicant and the owner, along with the proposed lease. The lease that the family submits to the department or its agent shall be for a term of twelve consecutive months and for the rental of a dwelling unit that qualifies as eligible housing as defined in section 17b-811a-1(9) of the Regulations of Connecticut State Agencies.

(c) Prior to approving tenancy, the department or its agent shall inspect the dwelling unit for compliance with the standards as cited in 24 CFR 982.401, and local and state health housing, building and safety codes. If there are defects that require correction, the department or its agent shall advise the owner of the work required to be done. If defects are claimed to be corrected, the dwelling unit shall be re-inspected and tenancy approved before a contract is executed.

(d) The department or its agent shall not approve tenancy if the owner of the dwelling unit resides in the available rental dwelling unit.

(e) An eligible family may submit a request for tenancy approval for the dwelling unit that it already occupies if the unit qualifies as eligible housing as defined in section 17b-811a-1(9) of the Regulations of Connecticut State Agencies.

(f) If the department or its agent grants a request for tenancy approval, the department or its agent shall notify the owner and the family of its approval of tenancy no later than five business days after approval. The department or its agent shall provide the owner with: (1) two copies of a transitional rental assistance contract, which shall be a written and binding agreement between the department or its agent and the owner that contains the terms and conditions under which the owner shall rent the dwelling unit to an eligible family and under which the department or its agent shall make monthly transitional rental assistance payments directly to the owner on behalf of the eligible family in a specified amount; and (2) a copy of the lease between the eligible family and the owner, which has been approved by the department and specifies any and all of the terms and conditions under which the owner shall rent to the eligible family and specifies the contract rent. The owner shall execute both contracts and return them to the department or its agent along with a copy of the executed lease between the owner and the eligible family. The department or its agent shall execute the transitional rental assistance contracts and provide the owner and the eligible family with one copy each.

(g) The department or its agent shall provide transitional rental assistance payments to the owner in accordance with the rental assistance contract for the dwelling unit under the lease. These payments shall cover the difference between the contract rent and the tenant contribution. However, the amount may not exceed the maximum allowable rent established by the commissioner pursuant to section 17b-811a-2 of the Regulations of Connecticut State Agencies, except as provided in 17b-811a-6 of the Regulations of Connecticut State Agencies.

(Adopted effective March 9, 2006)

Sec. 17b-811a-6. Computation of assistance amount

(a) The amount of monthly transitional rental assistance that the department or its agent provides on behalf of an eligible family shall be the difference between the tenant contribution and the contract rent.

(b) The tenant contribution shall be ten percent of the family's monthly income or forty percent of the family's monthly adjusted gross income less a utility allowance, whichever is greater. A family's monthly adjusted gross income shall be reduced by the following deductions, up to maximum amounts that the commissioner establishes:

(1) a deduction for dependents;

(2) childcare costs paid by and not reimbursed to, or on behalf of, the certificate holder which enable one or more adults in the family to work, to attend school or to actively seek employment;

(3) unreimbursed medical expenses which exceed three percent of the family's annual income;

(4) allowable disability assistance expenses deducted for attendant care or an auxiliary apparatus for person(s) with disabilities if needed to enable the individual or an adult family member to work, when these are paid by, and not reimbursed to or on behalf of, the transitional rental assistance certificate holder; and

(5) any other deduction that the commissioner may establish.

(c) Notwithstanding section 17b-811a-4 of the Regulations of Connecticut State Agencies, the gross rent for the unit shall not exceed the maximum allowable rent, as determined by the commissioner, unless the transitional rental assistance certificate holder decides to remain in his or her current dwelling unit and the owner agrees to participate in the transitional rental assistance program. If the transitional rental assistance certificate holder decides to remain in his or her current dwelling unit, the new contract rent shall not exceed the rent paid by the tenant holding the transitional rental assistance certificate prior to the beginning of the transitional rental assistance contract term.

(d) An eligible family that receives transitional rental assistance may, during the term of said family's lease, request that the department or its agent conduct a re-determination of its contribution to the gross rent because of changes in its income or household composition.

(Adopted effective March 9, 2006)

Sec. 17b-811a-7. Reporting requirements and audits

(a) Any agent designated by the department to administer this program shall submit monthly financial and program reports to the department in accordance with the terms specified in its contractual agreement with the department.

(b) An entity that has been designated as an agent of the department to administer this program shall be subject to an audit of all books and records related to this program. Audits shall be performed by independent public accountants registered to practice in the state of Connecticut or by qualified department personnel. All audits shall be in accordance with procedures and timetables established by the department.

(Adopted effective March 9, 2006)

Sec. 17b-811a-8. Appeals

(a) The department or its agent shall give transitional rental assistance program applicants prompt written notice of a decision denying assistance to an applicant, and shall give families participating in the program prompt written notice of a decision changing the terms of, or denying continued assistance to, a participant. This notice shall contain a brief statement of the reason(s) for the decision, shall state that the applicant or family participating in the program may request an informal conference to review the decision and shall describe how to obtain such an informal conference.

(b) A written request for an informal conference shall be made to the department's agent where the program is locally administered or, if there is no such agent, to the department. The request shall be postmarked no later than seven days after the date of the notice of the decision from the administering agent or the department. The department's agent, if in receipt of such a request, shall forward a copy to the department's Housing Services Unit.

(c) The department or its agent shall continue to provide rental assistance as provided in the transitional rental assistance contract to those families who have requested an informal conference to review a decision changing the terms of, or discontinuing, their assistance until a report has been issued following such conference, provided: (1) the request for the informal conference is received or postmarked

no later than seven days after the date of notice from the department or its agent; (2) the program has sufficient funds to provide such assistance and; (3) the decision under review is not one that affects all program applicants or families participating in the program equally. Under no circumstances shall more than twelve months of benefits be provided under this subsection.

(d) The department or its agent shall schedule an informal conference no later than thirty days from the receipt of the request and shall inform the applicant or family participating in the program of the conference by written notice. The notice of informal conference shall include the date, time and place for the conference; a reference to the particular sections of the statutes and regulations involved; and a short and plain statement of the matters asserted. The informal conference shall be conducted by any person or persons designated by the department or its agent, other than a person who recommended or approved the decision under review or a subordinate of such person.

(e) In lieu of holding an informal conference, the department or its agent may take one of the following actions:

(1) Acceptance of a withdrawal of the request by the person who made it. This action shall be voluntary and may be made at any time before the informal conference by a written statement of withdrawal addressed to the department or its agent;

(2) dismissal of the request by the department or its agent. This action shall be taken if:

(A) The applicant or family participating in the program who has requested the informal conference fails to appear at the designated time and place for the conference; or

(B) the issue is resolved prior to the informal conference.

(f) Not later than thirty days from the date of the informal conference, the department or its agent shall issue a written report of its findings, which may modify the decision that was reviewed by the conference. Factual determinations relating to the individual circumstances of the applicant or family participating in the program who requested the informal conference shall be based on information presented at the informal conference. A copy of the report shall be provided promptly to the applicant or family participating in the program who requested the informal conference and shall include copies of any documents presented at the informal conference.

(g) If, following an informal conference and report, the decision is unchanged, the department shall provide a desk review of the report, upon written request of the applicant or family participating in the program, to ensure compliance with an agent's contractual obligation. The applicant or family participating in the program shall request said desk review not later than ten days after the decision has been rendered. No new information which could have been presented at the informal conference shall be used by the department for the purposes of such desk review. Requests shall be sent to:

Commissioner, Department of Social Services
25 Sigourney Street
Hartford, CT 06106
Attn: Housing Services Unit

(Adopted effective March 9, 2006)