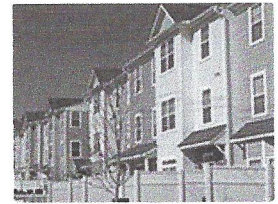


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Building an Effective Infrastructure

Module 6.7: Portability of FSS Participation

Portability for Housing Choice Voucher Holders

Under [portability](#) ([more info](#)), families in the Housing Choice Voucher (HCV) program can use their voucher and continue to receive housing assistance anywhere in the country where a PHA is administering a tenant-based HCV program.

How Portability in the HCV Program Works – The Initial and Receiving PHAs

HCV participants are generally required to remain in a PHA's jurisdiction for at least 12 months before porting out to another jurisdiction with their voucher.

The PHA that initially issues the voucher to the family is the **initial PHA**.

The PHA that administers the HCV program in the jurisdiction to which the participant is moving is the **receiving PHA**.

The receiving PHA determines whether the PHA will absorb the family into their own HCV program or whether they will bill the initial PHA on behalf of the family.

More information about portability can be found in [PIH Notice 2016-09](#) and the portability section of HUD's website.



Portability of FSS Participation

In many (but not all) circumstances, **HCV FSS participants** who port out of their jurisdiction can continue to participate in the FSS program and maintain their escrowed funds.

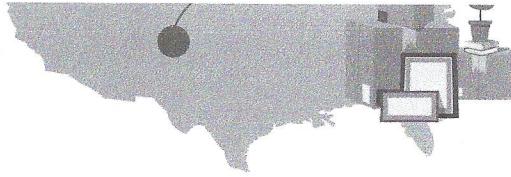
Porting FSS families either:

- Join the receiving PHA's FSS program (if available), or
- Continue participating in the initial PHA's FSS program

FSS participants are generally required to remain in a PHA's jurisdiction for 12 months after signing a Contract of Participation before the PHA allows a family to port out to another jurisdiction and continue participating in FSS. PHAs may allow a move within this 12-month period, per the policies in their FSS Action Plan. Beyond this 12-month timeframe, PHAs cannot restrict FSS participants from moving under portability if they are otherwise eligible to move under their standard HCV policies.

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FSS participants who port do not get any additional time to complete their Individual Training and Services Plan (ITSP) goals. The baseline information (i.e., the initial annual income, family rent, and earned income information) of the original Contract of Participation also transfers to the new Contract.

Section 6 of [PIH Notice 2016-08](#) describes the implications of portability for participants in the FSS program.

Determination of the Receiving PHA

If the FSS participant moves to a jurisdiction where a PHA is administering an FSS program, the receiving PHA may decide whether to admit the FSS participant into their FSS program.

Receiving PHAs determine:

- Whether or not to absorb the HCV for the porting family or bill the initial PHA on behalf of the family
- Whether or not to administer the FSS program for the porting family

If the receiving PHA does not administer an FSS program and chooses to bill the initial PHA, the receiving PHA may permit the family to continue to participate in the FSS program of the initial PHA.

HUD allows this as long as the participant can demonstrate that he or she will be able to fulfill the ITSP goals and the initial PHA agrees to continue supporting the family's participation in FSS.

Which agency administers the **Contract of Participation** and the **Escrow Account** on behalf of the FSS participant depends on several factors.

When Porting FSS Participation is Not Possible

In some cases, continuing participating in FSS will not be possible for participants who port to out to other jurisdictions.

If the receiving PHA does not administer an FSS program and chooses to absorb the HCV for the porting family, the family cannot continue to participate in the FSS program of the initial PHA.

Even if the receiving PHA continues to bill the original PHA rather than absorbing the family, an FSS participant may not be able to continue participating in FSS if the original PHA is unwilling to continue administering the FSS contract outside of its jurisdiction.

Forfeiture of FSS Escrow Account

If participants cannot continue participation in the FSS program, they may be required to forfeit the amount for debt in their escrow account.

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Waiver requirements are specified in Section 6.A of [PIH Notice 2016-08](#) and general waiver procedures are in [PIH Notice 2013-20](#).

Consider Revising ITSP Goals

FSS coordinators may wish to revisit the participant's ITSP goals to determine if they could be modified to allow earlier graduation and receipt of accrued escrow funds without needing a waiver.

Educate FSS Participants

FSS coordinators should fully explain how portability affects FSS participation and the participant's escrow account prior to a participant making a portability move.

FSS Addendums for Portability

Section 4 of [PIH Notice 2016-08](#) provides guidance on when FSS Addendum reports are required for participants who move under portability provisions.

The type of FSS Addendum submission (entrance, exit, or progress) will depend on upon whether the family will continue to participate in the FSS program after moving and if yes, whether the initial PHA or receiving PHA will administer the FSS program for the family.

If a porting family continues to participate in the initial PHA's FSS program and the receiving PHA bills the initial PHA for Housing Assistance Payment, or HAP costs, the receiving PHA must submit the FSS Addendum on behalf of the family. In these circumstances, the initial PHA must provide addendum information on the family to the receiving PHA on a timely basis.

Additional information about FSS reporting for portability is described in [Module 6.6, Exceptions to the Minimum Program Size for Mandatory Programs](#).

Moving From One Multifamily FSS Program to Another

As described in [H-Notice 2016-08](#) (Section IV-F), FSS participants in multifamily properties may be able to transfer their participation from one multifamily property to another.

If the new multifamily property operates an FSS program:

- The FSS participant may continue their participation in FSS.
- The Contract of Participation and escrow balance.
- Both owners must report the transfer in their next quarterly report to HUD.

If the new multifamily or non-multifamily property does not have an FSS program:

- The FSS participant cannot continue their participation in FSS.
- The owner may modify the goals under the Contract of Participation and report that the family has successfully completed the Contract if
 - the Head of Household has maintained suitable employment, and
 - all family members have been independent from welfare assistance for at least one year.

If the self-sufficiency conditions are met, the current balance in the escrow account may be

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Other Participant Transfers Out of the FSS Program

FSS Head of Household moves out of unit but other FSS participants remain in unit

If the Head of Household moves out of the unit and the remaining household members are FSS participants and want to continue to participate in the FSS program, then the PHA or owner can simply designate a new Head of Household.

Please complete this quiz to complete the training. To take the quiz, use the arrow keys or click the correct answer choice. If you answer incorrectly, you will be able to try again until you select the correct response. Scores will not be recorded.

1. Under what circumstances will an FSS participant who ports to another jurisdiction not be allowed to continue participation in the FSS program?



A - If the receiving PHA has an FSS program and absorbs the porting family.

B - If the receiving PHA does not have an FSS program and absorbs the HCV of the porting family.

Correct!

Under these circumstances, an FSS participant will not be able to continue to participate in the FSS program of the initial PHA.

C - If the receiving PHA does not have an FSS program and bills the initial PHA on behalf of the porting family.

Congratulations!

Congratulations! You have completed all of the FSS training modules! To get credit for taking the training, go to the [FSS training page](#) and follow the instructions to add the training to your learner transcript.



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