



Guidance for Successful Implementation of Rental Assistance Demonstration (RAD) Choice-Mobility

August 2020

This guidance highlights recommended practices for public housing agencies (PHAs) and project owners participating in the First Component of the Rental Assistance Demonstration (RAD) to help ensure successful implementation of the “Choice-Mobility” option. Choice mobility rights provide residents with the option to obtain a Housing Choice Voucher (HCV) from their PHA after a defined period of occupancy, empowering them to move to affordable rental properties of their own selection. All tenants in RAD properties should be aware of their housing mobility rights and of their options in a range of neighborhoods (including highly-resourced areas). The Choice-Mobility provision is a central feature of the RAD program, and one with significant potential to expand a family’s residential choices and life opportunities.

As described in the [RAD Notice](#)¹, under the First Component of RAD, PHAs convert assistance of a public housing property to two forms of Section 8 Housing Assistance Payment (HAP) Contracts: project-based vouchers (PBVs) or project-based rental assistance (PBRA)². RAD tenants living in properties that have converted to PBV have the right to Choice-Mobility at any time after 12 months of occupancy. RAD tenants living in PBRA conversions have the right to Choice-Mobility after the later of (a) 24 months from date of execution of the HAP Contract or (b) 24 months after the move-in date. For conversions to PBV, PHAs may not be required to provide more than three-quarters of its turnover voucher inventory in any single year to residents of RAD covered projects (see RAD Notice section 1.6.D.8). For PBRA conversions, PHAs may not be required to provide more than one-third of their turnover voucher inventory to residents of RAD properties. PHAs may also limit Choice-Mobility moves to 15 percent of assisted units in a RAD project, also for PBRA conversions (see RAD Notice section 1.7.C.5).

I. PHA development of Choice-Mobility plans:

We strongly recommend that PHAs develop comprehensive plans laying out how they will implement Choice-Mobility long before any residents of RAD converted properties (i.e. covered projects) become eligible to exercise their Choice-Mobility rights. Choice-Mobility plans are beneficial for a number of reasons: they notify residents of their rights, they clarify the Choice-

¹ See p.19.

² Choice-Mobility rights under the Second Component of RAD pertain only to owners of Mod Rehab projects to PBRA, as described on p.170-71 of the RAD Notice.

Mobility process for the resident and remove uncertainty about how it works, and they organize the process internally for those implementing it at the PHA.

Policies and Procedures: Effective Choice-Mobility plans will encompass both the PHA's Choice-Mobility policies and procedures.

- *Policies* reflect the basic language regarding Choice-Mobility that a PHA often incorporates into their section 8 administrative plan or MTW (Moving to Work) plan. This language is often a general statement of the resident's right to Choice-Mobility.
- *Procedures* walk tenants step-by-step through the process of getting a Choice-Mobility tenant-based voucher from beginning to end. Topics covered may include: 1) clear description of the process to apply for a Choice-Mobility voucher; 2) the PHA's waitlist procedures (including but not limited to: what notifications the PHA will provide to the resident, resident actions that can result in removal from the waitlist, the extent to which there are separate waitlists for regular HCVs and RAD Choice-Mobility, and priority rankings on these waitlists); 3) obligations once a RAD resident receives Choice-Mobility voucher; and 4) what RAD residents should take into consideration when transitioning to the tenant-based rental assistance³. We recommend that procedures also be in writing and be laid out in detail in the Choice-Mobility plan.

Moreover, we recommend that section 8 administrative plans and MTW plans include a statement of the right to Choice-Mobility as well as at least a summary of the procedures detailed in the Choice-Mobility plan.

Accessibility: To fulfill their obligations under Title VI of the Civil Rights Act and to reach as many tenants as possible, PHAs are strongly urged to carefully consider ways to best make Choice-Mobility plans (as well as any other communication with RAD tenants concerning Choice-Mobility) accessible to persons with limited English proficiency (LEP). Additionally, in accordance with 24 CFR §8.6, we strongly urge PHAs to examine what steps they can take to effectively communicate information about Choice-Mobility plans (and other aspects of Choice-Mobility) to persons with disabilities.

Turnover voucher management: When developing a Choice-Mobility plan, it is highly recommended that PHAs carefully consider how they will issue vouchers in a way that achieves balance between RAD Choice-Mobility and their regular HCV program. This will involve determining whether and how to effectively implement a turnover voucher cap⁴, which permits PHAs to limit the number of turnover vouchers they provide to residents of RAD covered projects. PHAs must give automatic priority for available turnover vouchers to residents of RAD developments⁵ before serving the regular HCV waitlist, except for special purpose vouchers that are restricted in eligibility. At a minimum, PHAs are urged to devise clear procedures for how they will achieve such prioritization and how they will allocate turnover vouchers to different

³ Such considerations might include information on how to remain current on monies owed to the RAD property, providing notice about intent to vacate, turning in keys, and moving expenses.

⁴ The turnover voucher caps under the RAD Notice only apply to requests for Choice-Mobility vouchers.

⁵ Priority is also afforded to non-RAD PBV tenants, per the PBV "Right to Move" provision.

programs. All such procedures regarding priorities, waitlists, and caps should be communicated clearly to RAD tenants.

Project owners: PHAs are responsible for the implementation of Choice-Mobility. However, in conversions to PBRA, project owners may manage some elements of the Choice-Mobility process. Therefore, it is strongly recommended that PHAs develop protocols (and include them in their Choice-Mobility plans) that clearly detail the specific responsibilities that will be assumed by both project owners and PHAs in the implementation of Choice-Mobility rights. We recommend that these protocols also specify what kind of monitoring mechanisms the PHA will implement to ensure that project owners are fulfilling their agreed-to Choice-Mobility responsibilities. Additionally, we strongly urge PHAs to develop procedures to train project owners to fulfill their responsibilities.

No additional screening for Choice-Mobility vouchers: As part of its tenant protection provisions, the RAD Notice prohibits the exclusion of households from occupancy at RAD covered projects at conversion based on rescreening, income eligibility, or income targeting. Similarly, we recommend that PHAs avoid subjecting RAD tenants applying for Choice-Mobility vouchers to any additional screening requirements in order to receive a tenant-based voucher. The potential for Choice-Mobility should be available to as many residents as possible.

Vacating RAD units: We advise PHAs to avoid requiring tenants to vacate their RAD unit before a lease has been entered into using a tenant-based voucher. Furthermore, PHAs are encouraged to notify tenants of their right to remain in their RAD unit if the tenant fails to secure a rental unit using a tenant-based voucher.

II. Notifying RAD residents of their Choice-Mobility rights:

Successful implementation of the Choice-Mobility provision requires that PHAs provide RAD tenants clear and easy-to-understand information on their mobility rights. However, there is evidence that many RAD tenants are unaware of Choice-Mobility. HUD's June 2019 [RAD Evaluation report](#) finds that close to 50 percent of tenants reported that they were not informed about the option to receive a Housing Choice Voucher (HCV) under Choice-Mobility.⁶

Making meaningful information – including the PHA's comprehensive Choice-Mobility plan – available to residents well before they are eligible to move with a Choice-Mobility voucher will help ensure that they have adequate time to learn about different neighborhoods, search for new housing, and prepare for a move.

To ensure that RAD residents are fully aware of and understand their mobility rights, we advise PHAs to provide clear information on Choice-Mobility, including the comprehensive Choice-Mobility plan, to RAD tenants at multiple points in the RAD process. Choice-Mobility

⁶ Dennis Stout, Frankie Clogston, Alexander Thackeray, Jennifer Stoloff, Brad Anthony, Econometrica Inc., Christopher Hayes, Urban Institute. *Evaluation of HUD's Rental Assistance Demonstration (RAD): Final Report*. Washington, DC: U.S. Department of Housing and Urban Development, 2019, p. 128. <https://www.huduser.gov/portal/publications/RAD-Evaluation-Final-Report.html>

information can be provided to public housing tenants even before the PHA has applied to convert a property to RAD, and then again after the RAD conversion closes. Ideally, residents should also be informed about Choice-Mobility when they sign a lease for a RAD unit, during their income re-certification, and at regular resident meetings at RAD properties.

There are many ways to tell residents about Choice-Mobility. First, PHAs can distribute their comprehensive Choice-Mobility plan to RAD residents. Second, posters, flyers, and FAQs may also be used to provide written information in an easy-to-understand manner. Third, property managers and/or other PHA staff can meet with RAD residents to explain information in person. In addition, RAD residents can learn about their Choice-Mobility rights from presentations during resident meetings (or at other times) at the RAD property. Written information on Choice-Mobility can also be provided at such meetings. Finally, keeping track of when RAD residents are eligible for Choice-Mobility will help make Choice-Mobility more effective. When a resident is approaching eligibility, it is highly recommended that PHAs remind tenants about the Choice-Mobility option so that they have enough time to start the moving process.⁷

Furthermore, we advise PHAs to make clear in their comprehensive Choice-Mobility plans that RAD tenants may request and accept a voucher at *any* point after the fulfillment of their one or two year residency requirement. It is important to make it explicit that tenants are eligible for Choice-Mobility on an ongoing basis so that families can time moves to better fit their evolving circumstances, such as a need to move closer to a job or because of a change in family composition.

III. Maximizing the Effectiveness of Choice Mobility

When combined with robust mobility counseling, landlord recruitment, and favorable HCV policies, residents can use tenant-based vouchers to move to new areas and have improved access to opportunities. Research finds that living in lower-poverty neighborhoods has important benefits for families.⁸ A recent study shows that moving to lower-poverty neighborhoods when young can increase children's earnings in adulthood.⁹ Choice-Mobility can be a powerful tool to help residents and to affirmatively further fair housing. There are several actions that PHAs can take to make the most of the Choice-Mobility option, especially in terms of helping individuals

⁷ For instance, the PHA (or property owner) can tell people when they are eligible, and what to expect. For example, they could write something such as: "You are eligible to request a choice-mobility voucher any time after [DATE]. Once you request a voucher, it usually takes between X to Y weeks before you are issued a voucher, depending on the number of vouchers available. After you are issued a voucher, you generally need between [ESTIMATED TIME PERIOD] to find an apartment, or you will surrender the voucher and continue to live in your unit. Because this time period is fairly short, if you are considering requesting a choice-mobility voucher, we suggest that you spend some time thinking about the neighborhoods you might be interested in moving to before you make the request for a voucher."

⁸ For a synthesis of some of this research, see Barbara Sard, Douglas Rice, Alison Bell, and Alicia Mazzara, "Federal Policy Changes Can Help More Families with Housing Vouchers Live in Higher-Opportunity Areas," Center on Budget and Policy Priorities, September 4, 2018, <https://www.cbpp.org/research/housing/federal-policy-changes-can-help-more-families-with-housing-vouchers-live-in-higher>.

⁹ Raj Chetty, Nathaniel Hendren, and Lawrence Katz, "The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Experiment," *American Economic Review* 106, No. 4, 2016, pp. 855–902.

and families reach neighborhoods of lower poverty and higher opportunity.¹⁰ Together, these steps can help Choice-Mobility be a powerful tool for improving housing choice and access to opportunity for families across the country.

First, PHAs are strongly encouraged to consider adopting exception payment standards based on small area fair market rents (SAFMRs) in selected high opportunity areas, which they are permitted to do even if they don't operate in one of the 24 metro areas where SAFMRs are required.¹¹ Using SAFMRs will help families with vouchers move to a wider range of neighborhoods, including some that would otherwise be out of reach.

Additionally, PHAs can conduct landlord outreach to help ensure that apartment listings include units in areas of opportunity, as required by the 2015 HUD Portability rule.¹²

We also strongly urge that PHAs take steps to ensure that RAD residents understand the benefits of moving to lower poverty areas, consistent with the Portability rule. More broadly, PHAs should actively consider providing search counseling and other support to help residents find and rent a unit in the neighborhood of their choice. This counseling can take various forms. For example, search counseling may consist of workshops on topics such as tenant rights and responsibilities, credit education, and budgeting. Additionally, search counseling can include one-on-one sessions with counselors to help residents plan for a move and learn how to successfully find a unit that best meets their needs. Tours of different neighborhoods and units may also be provided as part of counseling efforts.

The success of Choice-Mobility is also dependent on whether families can actually use tenant-based vouchers. While a tenant-based voucher can help many families, it does not guarantee that they will be able to find a unit on the open market. Some families may not be able to find an affordable unit that meets their needs or may need a longer search period. Source of income discrimination is also a major barrier for residents to overcome as some landlords may refuse to accept any voucher holders. To address this, PHAs can support local laws that prohibit source of income discrimination in order to help voucher holders secure housing in the rental market.¹³

¹⁰ See also the [December 2015 RAD newsletter](#) for further strategies.

¹¹ SAFMRs may be adopted in selected zip codes as exception payment standards pursuant to 24 CFR §982.503(b)(1)(iii); alternatively, PHAs may adopt SAFMRs for their entire area of operation.

¹² <https://www.hud.gov/sites/documents/PORTABILITYRULE.PDF>

¹³ For guidance on drafting SOI ordinances, see [Crafting a Strong and Effective Source of Income Discrimination Law](#) (PRRAC 2020).