

NOTICE OF PORTABILITY

MOVING OUT OF STATE OR OUTSIDE THDA'S JURISDICTION

What is Portability?

Portability (port) is the process by which a family obtains a voucher from one Public Housing Agency (PHA) and uses it to lease a unit in the jurisdiction of another PHA.

Within the limitations of the regulations, a participating family or an applicant family that has been issued a voucher has the right to use a Housing Choice Voucher (HCV) to lease a unit anywhere in the United States providing that the unit is located within the jurisdiction of a PHA administering a HCV Program.

How do I know if I am eligible for Portability?

To be eligible to request portability, a household must meet either:

1. Have had legal residence in the jurisdiction of the THDA at the time household applied to the Program; OR
2. Have been a participant of the Program under the THDA's jurisdiction for one year.

***PLEASE NOTE:** If you are a current participant and meet one of the above criteria, but are currently under lease, you are not eligible to move until the day after your lease expires. However, you can request a Mutual Agreement of Lease Termination from your Owner if you are otherwise eligible.*

If I am eligible to port my voucher, where can I use my Housing Choice Voucher?

Participants with a Housing Choice Voucher have the right to lease an eligible unit anywhere in the United States with a governing voucher program. Also, an applicant receiving a new voucher, who lived in THDA's jurisdiction when he/she applied for rental assistance, has the statutory right to move under these same conditions.

What should I consider if I plan to move outside of THDA's jurisdiction (port)?

- The new PHA's occupancy standards may change the bedroom size of your voucher.
- An applicant family must be income eligible for admission in the area where the family initially leases a unit. If the initial lease up will be in the Receiving PHA's area, the applicable income limits will be the Receiving PHA's Very-Low Income Limit.
- The new PHA's payment standard is applicable.
- The Family may only use their voucher to lease a unit in an area where the Family is income eligible at admission to the Receiving PHA's program.
- **HUD requires the THDA to notify you that although Portability is a positive tool for increasing housing choice for participants of the HCV Program, it may also negatively affect your eligibility for the Program. The receiving PHA may rescreen your family for an eligibility determination in accordance with their Administrative Plan and such differences in local rules, subsidy standards, and payment standards may make you ineligible for further assistance.**

How do I port my voucher?

Contact your local THDA field office if you want to move out of the area. The THDA will assist you in completing a *Request for Portability* and provide you with important information. All requests to relocate or port must be made in writing to the THDA. If the participant decides to move to another location, they must inform the THDA of the area to which they wish to relocate. The THDA will determine whether the housing agency in the new area administers a voucher program. The THDA will notify the housing agency in that area to determine the proper procedures and will provide information and guidance to the participant to expedite the process.

Once I submit my request to port, what's next?

- The THDA will contact the public housing authority and inform them that you wish to “port in” to their jurisdiction and confirm whether they are receiving portability vouchers.
- Next, your request to port-out must be approved by both the THDA and the above housing authority and the THDA will inform you whether or not your request has been granted.
- If you are eligible to port your voucher, the THDA will send you a Notice of Intent to Vacate to give your landlord and the THDA a full 30-day, written notice of your intent to vacate your current unit, unless your lease specifies another timeframe (ex. 60-days). **This form does not serve as notice to your landlord or the THDA.**
- Once your Notice of Intent to Vacate is received and your portability is processed, then the THDA will contact you to inform you that your portability voucher has been sent to your requested PHA.
- You are responsible for paying your portion of the rent to the current Owner through the end date of your Notice of Intent to Vacate or Mutual Agreement of Lease Termination.
- You must not violate any Program or lease obligations or the THDA will contact the above PHA and notify them that you are no longer eligible to port. This includes, but is not limited to, assuring that you leave your current unit in good standing, you do not owe a debt to the current Owner for any unpaid rent, and you do not leave the unit with any damages beyond normal wear and tear. Further, if the Owner receives a judgment against you for a serious lease violation, you may be terminated from the Program.
- If you change your mind about moving after you have given a Notice of Intent to Vacate or submitted a Mutual Agreement of Lease Termination, you must contact the Owner to request to remain in the unit. The unit may have already been leased to another family. If the Owner is willing to allow you to remain, you must send the THDA a Notice of Rescission of Lease Termination before the lease termination is effective and it must be signed by you and the Owner. The THDA will then resume payments under the former lease and HAP Contract. If the THDA has already processed payments for the next month when you rescind your Notice to Vacate, the THDA is not responsible for late fees charged by the Owner. It takes at least a week to process a Rescission.