

FREQUENTLY ASKED QUESTIONS

HOUSING CHOICE VOUCHER (HCV) PORTABILITY PROCESS: PORT OUT OF NEW YORK CITY

1. *What is Portability?*

Portability is the ability to move with your Section 8 Housing Choice Voucher to housing located outside of the five boroughs of New York City (to port out), or to move to NYC with your voucher from a voucher program administered outside the city (to port in). In order to port, you must have a Housing Choice Voucher and be moving to and from a jurisdiction in the country that administers a Section 8 Housing Choice Voucher program.

For FAQs regarding porting into New York City, click here:

<https://www.nyc.gov/assets/hpd/downloads/pdfs/services/port-in-faq-english.pdf>.

2. *Who is eligible to port out of New York City?*

HPD Housing Choice Voucher holders who are in compliance with HPD's Section 8 rules and their obligations are eligible to port out of NYC as funding allows and if the following conditions are met.

Voucher holders who have not yet leased an apartment in NYC are eligible to port out of NYC if they meet the eligibility criteria of the Public Housing Agency (PHA) in the jurisdiction where they wish to move — this is referred to as the “receiving PHA.” You must also request to port out at least 30 days before your voucher expires.

Existing participants who are currently leasing a unit in NYC and receiving rental assistance through HPD's Section 8 program are eligible to port out of NYC if they meet the receiving PHA's eligibility criteria, are in good standing with HPD, and if, among other things:

- They have not violated any Section 8 program obligation and HPD is not in the process of terminating their subsidy;
- They do not owe HPD money (regardless of whether there is a repayment agreement);
- They have lived in their unit for at least 12 months;
- HPD has not issued a move voucher within the past 12 months;
- They have completed an annual recertification within the past 12 months;
- They are current with the tenant portion of rent and do not owe the landlord money;
- Their lease has expired or the current landlord signs a General Release form allowing them to move before the end of the lease term; and
- The landlord has not brought an eviction proceeding or served a notice to vacate, and a court has not issued a judgment or other legal determination allowing the landlord to evict the participant.

For more on eligibility and things to consider when porting out please read “**Chapter 15: Portability**” in our Briefing Book, located on our website:

<https://www1.nyc.gov/site/hpd/services-and-information/about-section-8.page>.

Voucher holders and participants in the Section 8 Moderate Rehabilitation (MOD Rehab) or Continuum of Care (SRO MOD and Shelter Plus Care) programs are not able to port out of NYC.

3. *How do I begin the port out process?*

You must complete a Port Out Request Form, which is available on HPD's website:

<https://www1.nyc.gov/site/hpd/services-and-information/section-8-forms.page>. You may also request a form by calling 917-286-4300. ***On the port request form, you must indicate the PHA with jurisdiction over the area you are looking to move to. You can search for PHAs through Hud's PHA contact list page at***

https://www.hud.gov/program_offices/public_indian_housing/pha/contacts. You may also refer to www.affordablehousing.com which has PHA information. Please list the chosen agency's contact information below.

You must submit your completed form to HPD:

- Online through HPD's Document Upload Portal: <https://a806-asap.nyc.gov/HPDPortal/#/login>
- By email: Portability@hpd.nyc.gov
- By fax to: 212-863-7103
- In person at: Client Services
100 Gold Street, Room 1-O
New York, NY 10038

Once you have submitted the Port Out Request form, HPD will conduct a review to determine if you are eligible to port out and will contact you.

4. How do I know when I can start to look for a new apartment outside NYC?

Once HPD has notified you that you are eligible to port out, you will need to receive a briefing and HPD will issue you a voucher. HPD will then send your portability paperwork to the receiving PHA and will provide a copy to you.

Once HPD submits the paperwork to the receiving PHA, you must schedule an appointment with the receiving PHA. The receiving PHA will brief you on its program and issue you a voucher and rental package to begin your housing search in that jurisdiction.

You must contact your receiving PHA for additional information because HPD will no longer be administering your voucher.

Please note that the receiving PHA may conduct its own criminal background check and follow its own eligibility and program standards which will govern your housing search in that jurisdiction.

5. Will my voucher size remain the same?

The voucher size, or the number of bedrooms you are entitled to rent with your voucher, will depend on the receiving PHA's subsidy standards. Subsidy standards may differ among PHAs and your voucher size can change depending on the subsidy standards of the receiving PHA. In addition, the receiving PHA's payment standards and the utility allowance might be different.

If you need a reasonable accommodation for a larger voucher size due to a disability or medical condition, you will have to submit your request directly to the receiving PHA.

6. Do I continue to pay rent to my current landlord while I am searching for new housing in another location?

Yes, until you complete the port out process and move into an assisted apartment in the jurisdiction of the receiving PHA, you must continue to pay your rent in NYC and comply with HPD's program rules and regulations.

7. For how long is my portability voucher valid and can I request an extension?

The term of your portability voucher will depend on the receiving PHA's policies. Once the receiving PHA approves your port application, it will issue you a portability voucher. You should contact the receiving PHA with any questions about the term of your portability voucher.

If you need an extension, you must request one from the receiving PHA. Portability voucher extensions are subject to approval by both HPD and the receiving PHA. If the receiving PHA is willing to extend the portability voucher, their staff will contact HPD and HPD will determine whether or not you will receive an extension of your portability voucher.

8. I am an HPD voucher holder who has not yet received rental assistance. What happens if my portability voucher expires before I can find an apartment outside NYC? Can I return

to NYC and search for an apartment here?

Yes, but only if the receiving PHA refers you back to HPD and if you locate an apartment in NYC before the term on your original, HPD-issued voucher has expired. If you need an extension of your original, HPD-issued voucher or a reasonable accommodation, you may contact HPD. You can find the Request for a Reasonable Accommodation here: <https://www1.nyc.gov/site/hpd/services-and-information/section-8-forms.page>.

If the term of your original, HPD-issued voucher has expired, you will no longer be able to use the voucher to receive rental assistance from HPD.

9. I am a current participant in HPD's Section 8 program and am currently receiving rental assistance. What happens if my portability voucher expires before I can find an apartment outside NYC? Can I remain in HPD's Section 8 program?

Yes, you may stay in NYC and maintain your assistance if you are in compliance with HPD program rules and your obligations. You will not be eligible for a move voucher to transfer to another apartment within NYC for another 12 months.

10. What does a PHA "absorbing" a participant mean?

If you have ported to another jurisdiction, the receiving PHA has an option to either bill HPD for your monthly rental assistance and associated administration fees or "absorb" you into its program and use its own funds. In either case you will be required to comply with the receiving PHA's program rules. If your receiving PHA absorbs you into its program, you will no longer be associated with HPD.

11. If I decide to port out, can I still participate in the Family Self-Sufficiency Program (FSS)?

Yes, but only if you are a current FSS participant and your receiving PHA has an FSS program that can accommodate new applicants. If your receiving PHA does not have an FSS Program or cannot admit you to its program, you will lose any escrow that you have earned. You should contact your receiving PHA to see if it is able to admit you to its FSS Program.

For more information about how your port out may impact your FSS status, please contact HPD's FSS Unit by calling 917-283-4300 or by sending an email to FSS@hpd.nyc.gov.

12. If I decide to port out, can I still participate in the Veterans Administration Supportive Housing (VASH) Special Purpose Voucher?

Yes, but only if the VA confirms that case management services are available in the jurisdiction the family is looking to move to. If there is not, the VA may make the determination that you are discharged from the service requirement. If that determination is made, you may be issued a regular HCV to port out to a jurisdiction without VASH.

For more information about how your port out may impact your VASH status, please contact your Veterans Administration representative.

DO NOT MOVE UNLESS HPD GIVES YOU WRITTEN AUTHORIZATION. FAILURE TO FOLLOW SECTION 8 RULES AND REGULATIONS MAY RESULT IN THE TERMINATION OF YOUR SECTION 8 RENTAL SUBSIDY.