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PHA CIRCULAR

February 28, 1992

ATTENTION: ALL PUBLIC HOUSING AGENCIES

No 92-8

SUBJECT: Effect of Foster Care Children in Determining
Family Composition and Size: Section 574
of the Cranston-Gonzalez National Affordable
Housing Act

Applies to:
LIPH
Section 8

It has recently come to our attention that some PHAs may not be aware of the provisions of Section 574 of the Cranston-Gonzalez National Affordable Housing Act regarding the effect of children placed in foster care when determining family composition and family size. The purpose of this Circular is to highlight this provision of the Act and to ensure that PHAs in the State of Washington are administering assisted programs in compliance with Section 574.

Section 574 of the Cranston-Gonzalez National Affordable Housing Act states:

The temporary absence of a child from the home due to placement in foster care shall not be considered in considering family composition and family size.

In the Public Housing and the Section 8 programs, PHAs routinely make determinations regarding the bedroom size of the unit, the size of the Certificate, or the size of the Voucher, for which a family qualifies. These determinations are based on "Occupancy Standards" established by a PHA. Such standards outline a minimum and maximum number of family members necessary to qualify for a given bedroom size.

Essentially, Section 574 directs PHAs to disregard the temporary absence of a child from the home due to placement of that child in foster care, when making determinations on family size, family composition, and the bedroom size of the unit, Certificate, or Voucher for which the family qualifies. When making such determinations for a given family, based on the PHA's Occupancy Standards, the PHA should include the child (or children) temporarily absent in foster care as family member(s).

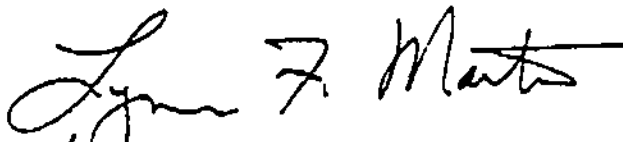
In the Public Housing program, HUD issued a revision to Handbook 7465.1, The Public Housing Occupancy Handbook: Admissions, which clarified this point. This revision (Change-1 to the Handbook) was issued to all PHAs in the nation on February 12, 1991. The revision amended Paragraph 5-1.a.(6) of the Handbook, which now reads:

For the purpose of determining unit size, PHAs are required to include, as members of the household, all children anticipated to reside in a dwelling unit...The PHA should also include children who are temporarily absent from the home due to placement in foster care when considering family composition and family size.

To our knowledge, similar revisions have not yet been made to HUD Handbook 7420.7, The Section 8 Existing Administrative Handbook.

In summary, when making determinations regarding family size and composition, and appropriate unit size, for families in the Public Housing program, or in the Section 8 programs, please ensure that the provisions of Section 574 are followed. Children who are temporarily absent from the family due to placement in foster care should be counted as members of the household.

Sincerely



Harold E. Saether
for Director, Office of Public Housing