



Commonwealth of Massachusetts  
**EXECUTIVE OFFICE OF HOUSING &  
LIVABLE COMMUNITIES**

Maura T. Healey, Governor ♦ Kimberley Driscoll, Lieutenant Governor ♦ Edward M. Augustus Jr., Secretary

To: Regional Administering Agencies  
From: Kristin Haas, Assistant Director, Policy & Implementation, Division of Rental Assistance  
Date: July 14, 2023  
Re: Final Guidance for HCV Security Deposit Program

---

Effective September 1, 2023 (unless otherwise instructed by EOHLC), eligible households in the Executive Office of Housing and Livable Communities' (EOHLC, f/k/a DHCD) Housing Choice Voucher program and certain other voucher programs will be eligible for one-time security deposit assistance.

### **Voucher Eligibility**

Security deposit assistance will be available to both new admissions and existing participants with the following types of subsidies:

- Housing Choice Voucher (including Project-Based, if applicable)
- Mainstream
- FUP
- VASH
- EHV
- Stability Vouchers
- YTTSP and YTTSP College Track
- Family Economic Stability (FES) (Metro Housing| Boston only)
- Other special voucher/subsidy as directed by EOHLC

For households enrolled in special voucher programs (e.g., EHV, Stability Vouchers) that may include funding to cover security deposits, that funding should be utilized when possible instead of utilizing the HCV Security Deposit Program.

### **Tenant Eligibility**

So long as a tenant is **in good standing with the RAA** and eligible to move to a new unit, the tenant is eligible for one-time security deposit assistance.

## Unit Eligibility

A household may only receive security deposit assistance when they are moving into a **new unit**. The new unit must first be approved by the RAA, and the new property owner must request a security deposit on the Request for Tenancy Approval (RFTA) form (see more on the process below). No security deposits may be requested after the tenant has moved in.

## Cap on Assistance

A household may only receive security deposit assistance through this program **one time** during their participation in the voucher program. Furthermore, as per the Massachusetts Security Deposit Law, M.G.L. c.186 sec. 15B, the security deposit cannot exceed one month's approved contract rent for the unit.

## Duplicate Security Deposit Payments

The RAA, the tenant, and the property owner all bear some responsibility for avoiding duplicate security deposit payments (meaning more than one party making payment for the same security deposit).

RAA staff should communicate with the tenant prior to lease-up to determine how the tenant would like to cover the security deposit. For example, does the tenant prefer to a) pay the security deposit themselves, b) have it covered by the HCV Security Deposit Program, or c) have it covered by some other assistance program like RAFT? The tenant is expected to disclose whether they have applied for funding through another assistance program (e.g., RAFT) and is expected to withdraw their request for other funding if their preference is for the HCV Security Deposit Program to cover the deposit. If the property owner does receive two or more payments for the same security deposit, they are expected to repay the duplicative payment(s) to the appropriate party/parties. This expectation will be explained in the "Security Deposit Program Overview for Tenants and Property Owners" document, which will be included in briefing/relocation packets.

## Transfers

In situations where the tenant is leasing up in a different RAA's region, the receiving RAA will be responsible for paying the security deposit.

## Returning the Security Deposit Upon Move-Out

After the household moves out of the unit where a security deposit was paid through this program, the property owner will return any security deposit funds directly to the participant in accordance with M.G.L. c.186 sec. 15B. These returned funds are for the participant's own use. The participant *may* apply the funds to a future security deposit but there is no requirement to do so.

## Security Deposit Request and Payment Process

Property owners seeking a security deposit for a new unit should do so by filling in the "Security Deposit Amt." box on the Request for Tenancy Approval (RFTA) form. Property owners cannot request security deposits after the tenant's lease start date.

**Request for Tenancy Approval**

Housing Choice Voucher Program

**U.S Department of Housing and  
Urban Development**

Office of Public and Indian Housing

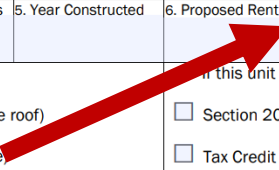
OMB Approval No. 2577-0169

exp. 7/31/2022

The public reporting burden for this information collection is estimated to be 30 minutes, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The Department of Housing and Urban Development (HUD) is authorized to collect the information on this form by Section 8 of the U.S. Housing Act (42 U.S.C. 1437f). Form is only valid if it includes an OMB Control Number. HUD is committed to protecting the privacy of individuals' information stored electronically or in paper form, in accordance with federal privacy laws, guidance, and best practices. HUD expects its third-party business partners, including Public Housing Authorities, who collect, use maintain, or disseminate HUD information to protect the privacy of that information in accordance with applicable law.

When the participant selects a unit, the owner of the unit completes this form to provide the PHA with information about the unit. The information is used to determine if the unit is eligible for rental assistance. HUD will not disclose this information except when required by law for civil, criminal, or regulatory investigations and prosecutions.

1. Name of Public Housing Agency (PHA)			2. Address of Unit (street address, unit #, city, state, zip code)		
3. Requested Lease Start Date	4. Number of Bedrooms	5. Year Constructed	6. Proposed Rent	7. Security Deposit Amt	8. Date Unit Available for Inspection
9. Structure Type					
<input type="checkbox"/> Single Family Detached (one family under one roof)			<input type="checkbox"/> Section 202 <input type="checkbox"/> Section 221(d)(3)(BMIR)		
<input type="checkbox"/> Semi-Detached (duplex, attached on one side)			<input type="checkbox"/> Tax Credit <input type="checkbox"/> HOME		
<input type="checkbox"/> Rowhouse/Townhouse (attached on two sides)			<input type="checkbox"/> Section 236 (insured or uninsured)		
<input type="checkbox"/> Low-rise apartment building (4 stories or fewer)			<input type="checkbox"/> Section 515 Rural Development		



The RAA will then inspect and review the unit for approval per standard regulations and policies.

Once the unit and contract rent have been approved, the RAA will:

1. Verify that the requested security deposit amount does not exceed one month's approved contract rent. (If the requested security deposit amount is too high, the RAA must reduce the security deposit to equal one month's approved contract rent.)
2. Add the approved security deposit amount to the tenant rent share letter for new lease-ups (which both the tenant and property owner receive a copy of).
3. Initiate payment of the security deposit.

For ease of administration, it is recommended that the security deposit payment be issued at the same time as the first month's HAP payment; however, if the property owner requests that the security deposit be paid sooner and the RAA is able to do so, that is allowable. The security deposit payment should not be issued after the first month's HAP payment, unless there are extenuating circumstances. The payment should be made to the property owner in the same manner as the first month's HAP unless otherwise specified.

Security deposit payments must be recorded in Tenmast. Further guidance about processing security deposit payments in Tenmast will be provided separately.