



Special Attention of:

Directors of HUD Regional and Field
Offices of Public Housing;
Agencies that Administer the Housing
Choice Voucher (HCV) Program

Notice PIH 2025-08

Issued: April 9, 2025

Expires: This notice remains in effect until
amended, superseded, or rescinded.

Cross References: Notice PIH 2023-04.

Subject: Statutory and Regulatory Waivers for Family Unification Program (FUP) and Foster Youth to Independence (FYI) Vouchers

1. Purpose

Pursuant to the Consolidated Appropriations Act, 2024 (Public Law 118-42), this notice establishes both mandatory and optional waivers, and alternative requirements for the Family Unification Program (FUP) and Foster Youth to Independence (FYI) vouchers.

2. Background

The Consolidated Appropriations Act, 2024 (Public Law 118-42) (“2024 Act”) authorized the Department of Housing and Urban Development (HUD) to establish waivers and alternative requirements for FUP and FYI vouchers that are necessary for the effective delivery and administration of funds. Per section 243 of the 2024 Act, HUD may waive or specify alternative requirements for Section 8(o)(6)(A) of the United States Housing Act of 1937 (1937 Act) (42 U.S.C. 1437f(o)(6)(A)) and regulatory provisions related to the administration of waiting lists, local preferences, and the initial term and extensions of tenant-based vouchers. Additionally, HUD may also waive or specify alternative requirements for Section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)(2)) regarding the timing of referral of youth¹ leaving foster care. HUD is not permitted to waive requirements related to tenant rights and protections, rent setting, fair housing, nondiscrimination, labor standards, and the environment.

FUP vouchers are special purpose vouchers for the following two populations:

- a.** Families for whom the lack of adequate housing is a primary factor in:

¹ Throughout this notice, the term youth refers to young adults (including pregnant and parenting youth) who are age-eligible for FUPY or FYI.

- i. The imminent placement of the family’s child or children in out-of-home care, or
 - ii. The delay in the discharge of the child or children to the family from out-of-home care.
- b. Youth who have attained at least 18 years and not more than 24 years of age (i.e., have not reached their 25th birthday) and who have left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act, and are homeless or are at risk of becoming homeless at age 16 or older.

FUP vouchers issued to families are known as FUPF, while FUP vouchers issued to youth are known as FUPY. FYI was created in 2019 to provide additional resources and assistance for otherwise FUP-eligible youth. As a result, FUPY and FYI vouchers serve the same youth population identified above in Section 2.b. FUPF, FUPY and FYI are also special program codes used when reporting on line 2n of the Family Report (Form HUD-50058).

FUP and FYI vouchers are subject to the requirements in Section 8(x) of the 1937 Act and Title 24 Code of Federal Regulations (CFR) 982, 983 (as applicable) for Project-based voucher (PBV) units and the Fostering Stable Housing Opportunities (FSHO) Amendments Federal Register (FR) Notice except as provided in this notice and any subsequent notice issued by HUD.²

Public Housing Agencies (PHAs) administer the FUP and FYI programs in partnership with Public Child Welfare Agencies (PCWAs). The PCWA certifies that a family or youth meets the eligibility requirements in Section 8(x) of the 1937 Act and refers the family or youth to the PHA. The PHA receives the referral and determines whether the family or youth meets HCV program eligibility requirements. The PHA conducts all other processes relating to voucher issuance and administration. Referrals may also be received from other agencies such as the Continuum of Care (CoC), or a State, local, educational, philanthropic, or faith-based organization. In cases where the referral comes from a third-party partner, the PCWA and PHA will still be responsible for determining eligibility as outlined above, including the PCWA’s written certification that the youth is eligible.

The alternative requirements and optional waivers described below are intended to provide programmatic flexibilities to help FUP and FYI voucher holders lease up and maintain stable housing. These flexibilities will increase opportunities for FUP and FYI voucher holders to secure a decent and safe unit by reducing barriers and challenges

² FUP and FYI vouchers can be project-based under section 8(o)(13) of the 1937 Act. If these vouchers are project-based, the requirements in 24 CFR part 983 apply, except to the extent that PBV requirements are modified by the waivers or alternative requirements in this notice or any subsequent notice issued by HUD.

when searching for a unit. More importantly, they will help FUPY and FYI-eligible youth lease a unit before reaching their 25th birthday and aging out of eligibility for the program.

3. Applicability

The waivers and alternative requirements listed below are applicable to all PHAs awarded FUP and FYI vouchers and PHAs that administer FUP and/or FYI vouchers through a portability billing arrangement.

Moving to Work (MTW) agencies may not apply any flexibilities that are inconsistent with the alternative requirements described in Section 6 below.

4. Effective Date

This notice is effective upon publication.

5. Compliance Date

PHAs must adopt the mandatory alternative requirements described in Section 6 within 120 days from publication of this notice.

6. Mandatory Program Policies. This section describes the mandatory waivers and alternative requirements that HUD is establishing for FUP and FYI vouchers. A summary of the mandatory waivers and alternative requirements is included in Attachment I at the end of this notice.

- a. Timing of Referral of Youth Leaving Foster Care.** HUD is waiving Section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)(2)), which allows in part, for otherwise eligible youth to be referred if they will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act. HUD is establishing an alternative requirement to ensure otherwise eligible youth to be referred when leaving foster care within 180 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act. This alternative requirement will allow more time for the youth to find housing with a FUPY or FYI voucher and prevent the youth from entering into homelessness.

HUD recognizes that a longer referral timeframe may increase the likelihood that a youth lease a unit prior to their exit from foster care. A FUPY or FYI youth may lease a unit prior to officially leaving foster care in order to ensure a smooth transition from foster care to independence, as long as all requirements of the FUP and FYI programs and HCV program are met. Please note that while a youth may be referred for a FUPY or FYI voucher before reaching the age of 18, the PHA must not enter into a HAP contract on behalf of the youth until the youth reaches the age of 18. Further, the FUP and FYI programs are subject to the prohibition of a family

receiving “any other duplicative federal, State, or local housing subsidy, as determined by HUD” so any arrangements made to help the youth secure a unit and avoid any lapse in housing must be consistent with that requirement (24 CFR 982.352(c)(12)) and state law regarding the provision of foster care.

- b. Initial Search Term.** HUD is waiving 24 CFR 982.303(a) and 24 CFR 982 subpart H, which requires an initial search term of at least 60 days which also applies to a participant’s request to move to a new unit. HUD is establishing an alternative requirement that the initial search term for FUP and FYI vouchers must be at least 120 days from the date the voucher is issued. The initial 120-day term also applies when a family or youth chooses to move to a new unit with continued assistance inside or outside the PHA’s jurisdiction. Many FUP and FYI applicants face challenges in their housing search. On average, national voucher median search times indicate that FUP and FYI applicants take longer to lease than other HCV applicants. The lack of available affordable housing coupled with the challenges in finding units and navigating the leasing process, especially for youth, experiencing or at risk of homelessness, may require applicants to need additional time to search for a suitable unit. Families may also experience additional delays due to finding a location that is close to schools, transportation, services, and other family factors.

When issuing a FUP and/or FYI voucher to a family which includes an individual with disabilities, PHAs also must include a current listing of available accessible units known to the PHA, and if necessary, otherwise assist the family in locating an available accessible dwelling unit (24 CFR 8.28(a)(3)). In HUD’s past FUP and FYI Notices of Funding Availability/Opportunity (NOFA/NOFO), HUD stressed the importance of housing search assistance for families and youth, as applicable, in the form of landlord introductions, neighborhood tours and unit viewings, as best practices to help youth and families quickly find housing that will meet their needs.

- c. Extensions of Term.** HUD is waiving 24 CFR 982.303(b)(1), which at its discretion, the PHA may grant a family one or more extensions of the initial voucher term in accordance with PHA policy as described in the PHA Administrative Plan. Any extension of the term is granted by PHA notice to the family. HUD is establishing an alternative requirement for the process of requesting search extensions. Given the challenges FUP and FYI applicants may face in securing a unit, applicants should be provided with flexible extension policies. PHAs must adopt an extension policy for FUP and FYI applicants that includes the following: 1) each extension must be for a minimum of 90 days, 2) the PHA must approve the first extension request, regardless of how the request is made (written or oral) or when it is made, as long as the request is made on or before the term expiration date and is consistent with applicable requirements; subsequent requests should be processed in accordance with the PHA’s administrative plan; and 3) the PHA must, on at least one occasion after voucher issuance, notify the applicant prior to the initial term expiration, to remind them of about the term expiration date and the process for requesting an extension of the initial term, and to inquire if the applicant is in need of assistance with their housing search.

The PHA's administrative plan must describe its policies for granting extensions of the initial 120-day term (24 CFR 982.303(b)(1)) and provide clear instructions to the family and/or youth on the procedures for requesting an extension. Median days from issuance to lease up for both FUP and FYI is longer than for other HCV families. As discussed above in Section 6(b), multiple circumstances may contribute to the barriers that FUP and FYI applicants experience in successfully leasing.

PHAs are encouraged to remind FUP and FYI applicants of the housing search assistance that is available to them as set forth in their partnership agreements (Memoranda of Understanding (MOUs) and letters of intent (LOIs)) with the PCWA and, as applicable, other third-party entities. PHAs should be aware that the applicant may require more than the minimum required initial extension to successfully lease up and must grant additional extensions, if requested, in accordance with the PHA's administrative plan.

As part of its search extension policy, PHAs may not restrict a first extension approval to certain circumstances or require documentation from applicants. For all extension requests, written or oral request is sufficient. Note that this alternative requirement also applies to current FUP and FYI participants who choose to move to a new unit with continued assistance inside or outside the PHA's jurisdiction, in accordance with 24 CFR 982 subpart H.

While HUD is establishing an alternative requirement to 24 CFR 982.303(b)(1), HUD reminds PHAs that if a family or youth with a disability requires additional time to search for their unit, 24 CFR 982.303(b)(2) requires PHAs to provide an extension as a reasonable accommodation and PHAs must provide this information during the family briefing (24 CFR 982.301(a)).

d. Residency Preference. HUD is waiving Section 8(o)(6)(A) of the 1937 Act and 24 CFR 982.207(b)(1), which establishes a residency preference for admission of persons who reside in a specified geographic area. HUD is establishing an alternative requirement under which a PHA cannot apply a residency preference to FUP or FYI applicants. FUP and FYI vouchers are intended to facilitate access to housing for individuals with a lack of adequate housing or at risk of or experiencing homelessness, including but not limited to those who are transitioning from foster care, a residency preference may prevent an otherwise eligible applicant from accessing FUP or FYI vouchers.

7. Discretionary Program Policies. This section describes the optional waivers that HUD is establishing for FUP and FYI vouchers to better assist FUP and FYI participants. PHAs may choose, but are not required, to adopt any of the optional waivers set forth below. PHAs that choose to adopt any of the following optional waivers must describe those policies in their administrative plan (24 CFR 982.54(d)(1)). A summary of the optional waivers is included in Attachment I at the end of this notice.

a. Waiting Lists. HCV regulations require PHAs to use a single waiting list for

admission to its Section 8 tenant-based assistance program. Accordingly, PHAs select FUP and FYI applicants from their HCV waiting list (24 CFR 982.204(f)). The PHA, upon receipt of a referral(s) from the PCWA of an eligible family or youth, must compare the name(s) with families and youth already on the PHA's HCV waiting list. Any family or youth on the PHA's HCV waiting list that matches with the PCWA's referral must be assisted in order of their position on the waiting list in accordance with PHA admission policies. Any family or youth certified by the PCWA as eligible and not on the HCV waiting list must be placed on the waiting list (pending HCV eligibility determination).

To enable PHAs to more effectively allocate FUP and FYI vouchers, HUD is waiving 24 CFR 982.204(f) and establishing an optional waiver to allow PHAs to maintain a separate waiting list for FUP and FYI vouchers. If a PHA chooses to establish a separate FUP and FYI waiting list, it must also place all FUP and FYI applicants on its regular HCV waiting list to the separate FUP and FYI waiting list in accordance with their respective position on the regular HCV waiting list. A PHA should be able to identify all of the FUP and FYI applicants on its regular HCV waiting list, since the PHA must receive a referral³ and/or certification of eligible FUP or FYI status from the PCWA for each applicant. However, the PHA is encouraged to reach out to its partnering PCWA to verify that its list of FUP and FYI applicants is complete and accurate in accordance with their records. FUP and FYI applicants will not lose their position on the general HCV waiting list even though they will now also be placed on the separate FUP/FYI waiting list.

PHAs must establish their own policies regarding whether to remove the applicant from the general HCV waiting list upon being issued a FUP/FYI voucher. PHAs should inform a youth, before choosing to receive a FUP or FYI voucher, of the time-limited nature of the voucher assistance and whether the youth will be able to remain on the general HCV waiting list. For example, due to the time-limited nature of FUP/FYI assistance, PHAs may wish to keep the FYI or FUP youth on the general HCV waiting list upon being issued a FUP/FYI voucher, in accordance with their own Administrative Plan. This enables a youth with a FYI voucher to remain on the general waiting list and be selected for a regular HCV upon expiration of the 36-month limit or the expiration of the maximum extension of assistance that the youth is entitled to in accordance with the [Fostering Stable Housing Opportunities \(FSHO\) amendments](#).

i. Notification of Separate FUP/FYI Waiting List

If a PHA chooses to create a separate FUP and FYI waiting list, the PHA must ensure that all families on its HCV waiting list are informed of the separate

³ A referral may also come from agencies other than the PCWA. In cases where a referral comes from another organization in the community, the PCWA must certify that the youth meets the eligibility requirements under the notice, unless the PCWA has vested another organization with this authority.

FUP and FYI waiting list and also have an opportunity to be placed on the list should the partnering PCWA certify to their eligibility for these special purpose vouchers. PHAs must also inform individuals on the HCV waiting list of the separate FUP and FYI waiting list by either posting the information to their website or providing public notice in their communities.

PHAs must ensure effective communication of notice is provided by taking a combination of actions, which may include:

- ensuring outreach to organizations serving youth, families, and other service organizations so there is widespread awareness of the availability of a separate waiting list and how to access this resource;
- providing information on social media sites; and
- other communication methods.

While the PHA will already know about FUP or FYI-eligible families because of the required certification/referral process, this notice will ensure that if there are any other applicants on the general HCV waiting list that would also qualify, that they are made aware of and have an opportunity to be placed onto the separate waiting list. When providing notice, the PHA must describe the eligibility criteria for FUP and FYI vouchers and describe the actions an individual should take to be added to the FUP and FYI waiting list. The PHA notice should also make clear to applicants that if they decide to be included on the FUP and FYI waiting list, they will not lose their position on the HCV waiting list.

PHAs must allow sufficient time for the communication of notice described above before issuing vouchers from the separate FUP and FYI waiting list. In the interim, PHAs may continue to use their HCV waitlist for issuing FUP and FYI vouchers.

ii. FUP/FYI Waiting List Selection

If a PHA chooses to create a separate FUP and FYI waiting list, PHAs may use date and time of application in selecting an applicant from the FUP and FYI waiting list among applicants with the same preference status in accordance with the PHA's administrative plan. Alternatively, a drawing or other random choice technique may be used, when determination of the date and time cannot be established between applicants with the same preferences, that both qualify to be selected next from the waiting list. For PHAs that rely on the date and time of application in determining the order in which an applicant is selected from the FUP and FYI waiting list, HUD is waiving 982.207(c)(1) and establishing as an alternative requirement that the application date and time of the applicant's prior HCV application must be used for those FUP and FYI applicants that are already on the HCV waiting list. For example, if the PHA uses the date of application to determine the

order of selection for applicants who qualify for the same FUP and FYI waiting list local preference, the date used to determine an applicant's place on the waiting list compared to other applicants who qualify for that preference is the date of their application for the HCV program. However, the order in which an applicant may be reached on the FUP and FYI waiting list compared to the regular HCV waiting list may be different depending on the local preferences the PHA establishes for the FUP and FYI waiting list.

Selection from the separate FUP and FYI waiting list will be in accordance with local nondiscriminatory preferences that the PHA establishes for FUP and FYI applicants. This may result in the selection of an applicant from the FUP and FYI waiting list who was not previously on the HCV waiting list ahead of those who were on the HCV waiting list based on the applicant's eligibility for a FUP and FYI waiting list preference.

b. Local Preferences. While PHAs may establish local preferences based on local housing needs and priorities (24 CFR 982.207(a)), HCV regulations do not permit PHAs to establish separate preferences for FUP and FYI applicants. Preferences apply to all applicants on the waiting list. HUD is waiving 24 CFR 982.207(a)(1) and establishing an optional waiver permitting PHAs to establish separate preferences for FUP and FYI applicants. PHAs must ensure that their system of local preferences and processes for accepting referrals from partners does not violate nondiscrimination requirements under any applicable federal civil rights law, including but not limited to, the Fair Housing Act, Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, Americans with Disabilities Act, and the Age Discrimination Act.

8. Existing FYI Non-Competitive Requirements. As a reminder, PHAs must continue to follow the requirements in the FYI Non-Competitive Notices. PHAs which have been awarded non-competitive FYI vouchers may wish to consider these requirements on selections and admissions when considering whether to implement discretionary program policy flexibilities related to waiting list administration.

The 2024 Act and prior appropriations acts⁴ specified that FYI vouchers allocated through the non-competitive process must be used to assist eligible youth who have been identified and on whose behalf the assistance was requested. The FYI non-competitive notices⁵ required that a PHA must have received a referral of an eligible youth from the partnering PCWA before it could request an FYI voucher and that it must identify the eligible youth by code, alias, initials, or full name in its request to HUD.

The intent of the FYI non-competitive process is to make FYI vouchers available to

⁴ The Further Consolidated Appropriations Act, 2020 (Pub. L. 116-94), the Consolidated Appropriations Act, 2021 (Pub. L. 116-260), the Consolidated Appropriations Act, 2022 (Pub. L. 117-103), and the Consolidated Appropriations Act, 2023 (Pub. L. 117-328).

⁵ Notices PIH 2020-28, PIH 2021-26, and PIH 2023-04.

eligible youth on an on-demand basis. Therefore, the eligible youth on whose behalf the FYI voucher was requested must be selected from the waiting list for that specific voucher. This requirement only applies to the initial issuance of an FYI voucher allocated through the non-competitive process. The FYI voucher must be issued to another eligible youth upon turnover, including in instances where the youth on whose behalf the voucher was requested does not lease with the FYI voucher.

- 9. Reasonable Accommodations and Effective Communication.** As a reminder, PHAs administering FUP and/or FYI vouchers and landlords receiving FUP and/or FYI vouchers may need to provide various reasonable accommodations for individuals with disabilities to ensure program access. HUD also reminds PHAs that all materials, notices, and communication to families regarding the use of the waiver authorities must be provided in a manner that is effective for persons with disabilities. This includes, but is not limited to, the notice regarding the expiration date and extension request process.

- 10. Limited English Proficiency.** As a reminder, PHAs must take reasonable steps to ensure meaningful access to their programs and activities to Limited English Proficient (LEP) individuals. As an aid to recipients, HUD published Final Guidance to Federal Financial Assistance Recipients: Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (LEP Guidance) in the Federal Register on January 22, 2007 (72 FR 2732). LEP guidance and information is available here: <https://www.federalregister.gov/documents/2007/01/22/07-217/final-guidance-to-federal-financial-assistance-recipients-regarding-title-vi-prohibition-against>.

- 11. Information Contact.** Inquiries about this notice should be directed to FUPVouchers@hud.gov with subject field entitled “Flexibilities Notice.”

- 12. Paperwork Reduction Act.** The information collection requirements contained in this notice have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C 3520). In accordance with the PRA, HUD may not conduct or sponsor, and a person is not required to respond to a collection of information unless the collection displays a currently valid OMB control number. The active information collections contained in this notice have been approved under the PRA OMB Control Number 2577-0169.



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Public and Indian Housing



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

Notice PIH 2025-XX
Issued: XX, 2025
Attachment I

FUP and FYI Vouchers Mandatory Alternative Requirements and Optional Waivers

Item	Statutory or Regulatory	Brief Summary	Mandatory Use	Alternative Policy
Waiting Lists	24 CFR 982.204(f)	Waives the requirement that PHAs maintain one HCV waiting list.	No	PHAs may establish a waiting list separate from their HCV waiting list for FUP and FYI vouchers. Section 7.a.
Waiting Lists	24 CFR 982.207(c)(1)	Waives the requirement that date and time of application, if used by the PHA, applies only to the HCV waiting list.	No, unless establishing a separate waiting list	For PHAs that opt to establish a separate FUP and FYI waiting list and rely on the date and time of application method, they must rely on the date and time of application for their FUP and FYI waiting list as well. Section 7.a. ii.
Preferences	24 CFR 982.207(a)	Waives the requirement that PHAs maintain one set of HCV preferences.	No	PHAs may establish separate preferences for FUP and FYI vouchers applicants. Section 7.b.
Preferences	Section 8(o)(6)(A) of the United States Housing Act of 1937; 24 CFR 982.207(b)	Waives the ability for PHAs to establish a residency preference for FUP and FYI vouchers applicants.	Yes	A PHA may not apply any residency preference to FUP and FYI vouchers applicants. Section 6.d.
Initial Search Term	24 CFR 982.303(a)	Waives the ability for PHAs to use a minimum initial search term of 60 days for FUP and FYI vouchers applicants.	Yes	A PHA must provide a minimum initial search term of 120 days for FUP and FYI vouchers applicants. Section 6.b.
Term Extensions	24 CFR 982.303(b)(1)	Waives the ability for PHAs to grant first	Yes	PHAs must adopt an extension policy that includes the following features: 1) each extension must be

Item	Statutory or Regulatory	Brief Summary	Mandatory Use	Alternative Policy
		extensions at its discretion.		for a minimum of 90 days, 2) the PHA must approve the first extension request, regardless of how the request is made or when it is made (written or oral), as long as the request is made on or before the term expiration date and is consistent with applicable requirements; subsequent requests should be processed in accordance with the PHA's administrative plan; and 3) the PHA must, on at least one occasion after voucher issuance, notify the applicant prior to the initial term expiration to remind them of the term expiration date, the process for requesting an extension, and to inquire if the applicant is in need of assistance with their housing search. Section 6.c.
Referral Timeline	Section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)(2))	Waives the ability for PHAs to establish a timing of referral of youth leaving foster care from 90 days to at least 180 days.	Yes	PHAs must adopt a referral policy to accept referrals of youth, otherwise eligible for FUP and FYI vouchers, that are leaving foster care with 180 days in accordance with a transition plan described in section 475(5)(H) of the Social Security Act. Section 6.a.