

Regional Affordable Rental Housing Program

STUDENT POLICY

PURPOSE

The Regional Affordable Rental Housing Program (RARHP) supports the creation and preservation of affordable housing that serves extremely low, very low, low and moderate-income households within the City of Boulder. The Program focuses its efforts at the lower end of the income spectrum, targeting the following populations:

- Households with children;
- Households with working members who earn a low or moderate wage;
- Non-student Households; and
- Special population groups including disabled, homeless, and elderly.

The RARHP Student Policy (Student Policy) prohibits the use of the Program to create or preserve dormitories or other student housing. The Student Policy was designed in consideration of the restrictions on student participation as detailed in the Section 8 Housing Choice Voucher (24 CFR 5.612), the LIHTC Full Time Student Rule (IRC Sec. 42(i)(3)(D), IRC §141(c)(4), IRC §170(b)(1)(A)(ii), Treasury Regulation §1.151-3(b)) and the 2013 HOME Final Rule (24 CFR 5.612).

POLICY

The Student Policy excludes certain students from occupying a city supported permanently affordable rental housing unit. A permanently affordable rental housing unit is defined as a unit created or preserved using RARHP subsidy(ies), resulting from RARHP regulatory requirements (e. g., annexation, Inclusionary Housing), and/or maintains any RARHP restrictions.

A student is defined as an individual 18 years of age or older who is enrolled in an institution of higher education during the calendar year. It is the city's intention that permanently affordable rental housing units' support residents working towards self-sufficiency and through life transitions. Students that meet one or more of the following exception criteria may be determined eligible for occupancy upon submission of a Student Exception Request (Exhibit A) and required supporting documentation. Please note that households occupying HOME designated units are not eligible for exceptions 7 through 9 as outlined below.

1. The student is 24 years of age and older, or
2. The student is a veteran of the U.S. military, or
3. The student is a person with disabilities, or
4. The student has a dependent child(ren), or
5. The student is living with a parent who is determined to be eligible.
6. The student is married, or
7. The student receives assistance under Title IV of the Social Security Act, also known as Temporary Assistance to Needy Families (TANF).
8. The student is enrolled in a job training program receiving assistance under the Workforce Investment Act (formerly known as the Job Training Partnership Act) or under a similar federal, state, or local program.

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9. The student was previously under the care and placement responsibility of the State agency responsible for administering a plan under title IV of the Social Security Act (i.e., Foster Care).

REVIEW PROCESS & DETERMINATION OF ELIGIBILITY

An Exception Request must be completed by all household members 18 years of age and older enrolled in an institution of higher education prior to lease-up and annually upon lease renewal. Student eligibility is determined on an individual basis, regardless of full-time, part-time enrollment or employment status or household composition.

All students enrolled in an institution of higher education **must** submit a Student Exception Request and supplemental documentation which supports eligibility for exception to Property Management staff for their review to make a determination of eligibility. All Student Exception Requests and supplemental documentation **must** be maintained in the tenant file and made available to compliance staff upon request for monitoring purposes.

INTERPRETATION AND APPLICATION

Questions regarding the interpretation and application of this policy should be directed to the City of Boulder compliance staff

EXCEPTIONS/CHANGES

This policy supersedes all previous policies covering the same or similar topics. Any exceptions to this policy may only be granted by the Director of Housing and Human Services, City Manager, or their designee. This policy may be reviewed and changed at any time.

EFFECTIVE DATE: 9/1/2024