

XVIII. FAMILY BREAK-UP

A. CDC DISCRETION

1. The CDC has discretion to determine which members of an assisted family continue to receive assistance in the program if the family breaks up.
2. The decision to determine who continues to receive the assistance will be made by the Housing Program Manager.

B. CRITERIA

The factors to be considered in making this decision may include:

1. Whether the assistance should remain with family members remaining in the original assisted unit;
2. The interest of minor children or of ill, elderly, or disabled family members;
3. Whether family members are forced to leave the unit as a result of actual or threatened physical violence against family members by a spouse or other member of the household; or
4. Other factors specified by the CDC.

C. COURT ORDERS

If a court determines the disposition of property between members of the assisted family in a divorce or separation under a settlement or judicial decree, the CDC is bound by the court's determination of which family members continue to receive assistance in the program.

D. REMAINING MEMBER OF TENANT FAMILY

1. The Housing Choice Voucher office may provide assistance to an individual left in an assisted housing unit who may or may not otherwise qualify for assistance under their own circumstances.
2. A single adult (whether elderly or non-elderly, displaced or non-disabled, children in residence/household or no children present) may become the head of household.
3. A live-in aide will not be considered a remaining member of the resident family by definition.

4. A minor child(ren) will not be allowed to retain status of remaining family member(s) unless:
 - a. The court has awarded emancipated minor status to the minor; or
 - b. An income eligible court appointed or legal guardian moves into the unit with the minor child(ren).

5. If both parents must leave the household and the Department of Social Services and/or the Juvenile Court has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the Housing Choice Voucher office will treat that adult as a visitor for sixty (60) days.
 - a. After that period, the Housing Choice Voucher office will determine whether court awarded custody or legal guardianship has been granted to the caretaker.
 - b. If so, the assistance will be transferred to the caretaker.

