

State-Required Decontrol Period

Overview

Virginia Housing’s Extended Use Agreement (EUA) Section 6. outlines the Extended Use Period/Term of the Agreement.

Section 6.D. outlines a requirement to protect **existing low-income tenants** from rent increases above the applicable maximum allowable rent and eviction, other than for good cause, for an additional three-year period, known as a Decontrol Period.

Rent increases are permitted within the maximum allowable limits. The protections do not apply to new move-ins or vacant units once the Decontrol Period begins.

EUA Decontrol Period Requirements

For a period of three (3) years after the Termination Date, or the expiration date of the Extended Use Agreement (EUA) program period,

- a) there shall be no eviction or termination of tenancy (other than for good cause) of an existing tenant of any low-income unit; and*
- b) the gross rent for all low-income units shall not be increased in excess of the maximum rent limits under Section 42.*

EUA tenant protections apply to all existing tenants with a signed lease prior to the start of the three-year Decontrol Period (tenant protection period).

End of EUA Program Period	Start of State Required Three-Year Tenant Protection Period for Existing Tenants	Expiration of Three-Year EUA Term for Existing Tenant Protections
12/31/2024	1/1/2025 The EUA tenant protections for gross rent do not extend to new leases for new move-ins	12/31/2027

Decontrol Period - Compliance Monitoring Requirement Changes

At the start of the Decontrol Period, the site is no longer required to review utility allowance estimates applied to the unit rent. The most recent utility allowance estimate may be applied throughout the Decontrol Period.

Virginia Housing will continue to monitor existing tenants, their unit conditions, and rent. Regular updates of unit rent must be entered in the online Tenant Portal.

Three-Year Decontrol Period Continued Compliance

The site will not incur compliance monitoring fees during the three-year Decontrol Period, and income verification and documentation are not required for existing tenant files or new move-in tenants in vacant units.

The property is required to complete the following activities for continued compliance:

1. **Before** the start of the three-year Decontrol Period, the property must send a written notification to all existing tenants describing the protections on unit rent and the lease, confirming the utility allowance estimate applied to the rent calculation, and notifying them of the date the protections expire for the site.
 - a. The EUA tenant protections will not apply to new move-ins; however, monitoring of the EUA tenant protections continues for all existing tenants.
2. By January 31 of the first year of the Decontrol Period, submit a current site Rent Roll with all existing tenants to your property's assigned Compliance Officer.
3. **Monthly**, continue to update the tenant record with occupancy and tenant rent information in the online Tenant Portal.
4. **Complete and return the Decontrol Period Owner's Certification annually**, certifying adherence to the Decontrol Period protections for existing tenants.
5. Notify Virginia Housing if the site is sold or if existing tenants would be displaced for any reason during the three-year Decontrol Period.

NOTE: If the site has Virginia Housing financing, all loan agreement requirements must be maintained until the loan agreement ends.