

## 16-IV.A. OVERVIEW

PHAs are required to include in the administrative plan, policies concerning repayment by a family of amounts owed to the PHA [24 CFR 982.54]. This part describes the PHA's policies for recovery of monies that have been overpaid on behalf of families, or to owners.

### THA Policy

When an action or inaction of an owner or participant results in the overpayment of housing assistance, the THA holds the owner or participant liable to return any overpayments to the THA.

The THA will enter into HAP repayment agreements in accordance with the policies contained in this part as a means to recover overpayments. ~~Note: THA will not enter into a repayment agreement with a tenant for past due rent owed on their currently leased unit, unless court-ordered. THA may enter into a~~ THA may enter into a HAP repayment agreement for any debt owed by a former tenant or a tenant of a previously leased unit.

When an owner or participant refuses to repay monies owed to the THA, the THA will utilize other available collection alternatives including, but not limited to, the following:

- Collection agencies
- Small claims court
- Civil law suit
- State income tax set-off program

## 16-IV.B. REPAYMENT POLICY

### **Family Debts to the THA**

#### THA Policy

Any amount due to the THA by a participant must be repaid by the family. Once a HAP repayment agreement offer is sent, the household will have 60 days to either

1. agree to the terms and pay the deposit, or
2. pay the debt in full.

If the family refuses to repay the debt, enter into a repayment agreement, or breaches a repayment agreement, the THA will terminate the assistance upon notification to the family and pursue other modes of collection.

[Administrative Plan policies regarding repayment agreements apply only to the repayment of excess subsidy \(HAP\). Policies governing repayment agreements for unpaid rent and other tenancy-related charges are addressed in THA's Property Management Policies.](#)