

Thank you!

For
Participating in our
Program

Office of Housing & Comm. Development
Sarasota County Housing Choice
Voucher Program (HCV)

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A Guide for Landlords

Section 8 Voucher Program



**Office of Housing & Community
Development**

Section 8 Program

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Revised: July 2007

Overview

"Tips" for Interested Section 8 Landlords:

If you are a landlord and are interested in the Section 8 Voucher Program you may wish to consider some of the following:

- } When you advertise your house or apartment for rent, you should indicate that you are willing to accept Section 8 families.
- } You should contact the local HUD office that operates the Section 8 Program in your community and ask to be included on a listing of landlords with available units.
- } Keep in mind that a PHA cannot "steer" a family to a particular unit or landlord, they can inform the family of all available housing resources in the community.
- } Keep informed of program opportunities and/or updates. The U.S. Department of Housing and Urban Development has a web site entitled "Homes and Communities". The URL address is: <http://www.hud.gov>.

The Office of Housing & Community Development Section 8 Program (hereinafter referred to as OHCD) administers a Section 8 Voucher Program (also referred to as HCV). This program helps low and very-low-income families rent safe and decent housing on the private market rather than subsidizing the construction and operation of low-income housing projects.

Families are responsible for finding their own housing and paying a portion of their income towards rent. Section 8 Assistance makes up the difference between their contribution and the actual cost of the unit, bridging the gap between the costs of modest, privately owned housing and the amount that the family can afford to pay.

More than 2,500 state and local housing authorities administer the Section 8 Program nationwide. These programs operate under the general oversight and common program rules required by Federal law and regulations. The national scope of the program ensures that all tenant-based rental assistance programs across the country help families in the same way. However, the programs' decentralized administrative structures enable local housing directors to adapt operating practices to meet local needs.

Program participants (voucher holders) operate like other renters in the private market. Owners of apartments and houses for rent accept them as they would any other tenants seeking housing. Owners are not obligated to rent to families and individuals receiving rental assistance.

Like other tenants, voucher holders must meet landlords screening criteria, pay their rent on time and abide by the terms of the lease.

Tenant-based assistance, then, offers low-income families the freedom to choose moderately priced, private market rental housing, just like middle-class families and individuals. Program participants from all racial and ethnic groups are equally successful at finding and renting quality housing.

The integration of lower-income families into middle-income neighborhoods offers families an opportunity for upward social and economic mobility. Research shows that the children of families who move into mixed-income communities are more likely to complete high school, attend college and find jobs that pay more than the minimum wage. You, as a Section 8 landlord are helping to become part of the solution.

This "Guide for Landlords" is designed to assist you with information regarding the Section 8 Voucher Program. If you have any questions that are not answered in this booklet, the housing staffs name and telephone numbers are listed on the back cover. Feel free to call and we will be glad to assist you whenever possible.

Thank you for participating in our program! We look forward to a successful relationship.

- } Committing fraud
- } Unauthorized persons living in the unit (Landlords must be notified of visitors)
- } Other violating of landlord rules and regulations as provided in writing to family prior to move-in.

Housing Quality Standard (HQS) Inspection:

A rental unit must pass a Housing Quality Standard (HQS) inspection by the OHCD's Inspector within fifteen (15) days of agreement to lease. This inspection will be performed by the OHCD's Inspector at a minimum annually before lease renewal. Each unit is required to have the following:

- } Bedroom adequate for family size
- } Kitchen area with stove and refrigerator
- } Heat
- } Bathroom with tub or shower
- } Window locks on all windows and screens
- } Locks on all sliding glass doors
- } Smoke detectors

THE FAMILY CANNOT MOVE INTO A UNIT UNTIL IT HAS PASSED AN INSPECTION BY THE OHCD INSPECTOR.

- } Commit any fraud, bribery, or criminal acts in connection with the program.
- } Participate in any illegal drug or violent criminal activities.
- } Sublease, sublet the unit, or assign the lease.
- } Receive another form of housing assistance for the unit.
- } Damage the unit and premises.
- } Engage in threatening, abusive, or violent behavior toward any OHCD personnel and/or representative including landlord and/or landlord's representative.

Termination of Dwelling Lease Agreement:

A landlord has the right to terminate any Dwelling Lease Agreement for the following reasons:

- } A family engages in drug-related criminal activity or violent criminal activity.
- } If an incident has occurred in or on the premises of an assisted unit and there was an arrest of either the head of household, a member of the family's household, or a guest of the family. Police reports are required documentation.
- } Non-payment of rent

Rent Reasonable Guidelines:

Program rules stipulate that housing units for which assistance payments are made must rent at prices comparable to other, unassisted private market units in similar locations and with similar size and amenities.

OHCD will not approve a lease until OHCD determines that the initial rent to owner is a reasonable rent. HUD rules and regulations require each housing agency to follow a Housing Payment Standard guide. Housing Payment Standards are to be within a 90-110 % range of the Fair market value (FMR). Fair Market Rents are published annually by HUD and geographically categorized.

Each housing agency is required to make a determination and certify that every rent approved for its local Section 8 Program is reasonable. This means that the rent does not exceed a rental amount that would be charged for a comparable unit in similar location in the private, unassisted market. For the Section 8 Program, the rent also may not exceed the HUD-published Fair Market Rent (FMR) even when the rent asked by the owner accurately reflects the value of the housing.

To determine rent reasonableness and thus assure the program assists the maximum number of families, a housing agency needs complete and accurate and up-to-date information on the housing stock in the community including: location, size and type of housing unit, quality of the unit; amenities and facilities; management and maintenance services and gross rent.

OHCD has the right to re-determine rent reasonableness whenever an owner requests a regular or special contract rent adjustment or rent increase. OHCD must also re-determine rent reasonableness if:

- } There is a five percent decrease in the published FMR in effect 60 days before the contract anniversary (for the unit size rented by the family) as compared with the FMR in effect one year before the contract anniversary; and
- } If directed by HUD, and
- } Based on a need identified by the OHCD auditing system.

At all times during the assisted tenancy, the rent-to-owner may not exceed the reasonable rent as most recently determined or, re-determined by OHCD.

OHCD will determine and document on a case-by-case basis that the approved rent:

- } Is reasonable in comparison to rent for other comparable, unassisted units in the market, and
- } Does not exceed rents currently charged by the same owner for an equivalent assisted or unassisted unit in the same building or complex.

In this case, the housing agency, landlord and tenant must enter into a HAP contract. The landlord and tenant must also enter into a new lease agreement with HUD for a one-year term and attach the HUD Tenancy Addendum to lease.

Upon acceptance of the family, the landlord will fill out the required forms and give back to the tenant. It is the head of household's responsibility to provide the landlord with OHCD Landlord Information Packet. The tenant will bring these papers to the OHCD Section 8 Voucher Program Office then you will be contacted to arrange an inspection of the unit.

Other participant responsibilities may include, but are not limited to:

- } Provide written notice to the Housing Agency and the landlord sixty (60) days prior to lease end date of intent not to renew lease.
- } Use the unit as the only residence for all household members.
- } Provide immediate written notification of the birth, adoption, or court ordered custody of a child to the housing agency and landlord.
- } Notify the landlord or any visitors staying in the unit.
- } Receive the Housing Agency and landlord's written approval before adding any other household members to the unit.

- } Furnishing all information required under the Housing Assistance Payment (HAP) Contract,
- } Collecting the following from each Section 8 Voucher Program family, the following:
 - Any security deposit charged
 - The family's portion of the monthly rent
 - Any charges for damages caused by family
- } Paying for any utilities agreed upon in the Dwelling Lease Agreement (if applicable)

Program Participants Responsibilities:

After an applicant has been approved for assistance, he/she will meet with their counselor and given a rental amount they **MUST STAY AT/OR BELOW**. They will then be given a Section 8 Voucher Program orientation package containing the following:

- } Housing list of participating landlords.
- } Landlord packet which includes:
 - W-9 Income Tax Form
 - Request for Tenancy Approval
 - Housing Assistance Payments Contract
 - OHCD Guide for Landlords booklet.

The Section 8 family then proceeds to seek housing within a specified time period. If they are already renting and do not wish to move, they may stay (if the rental amount is at/or under their determined amount).

OHCD performs market analysis surveys periodically from newspapers, realtors, professional associations, inquiries of owners, market surveys, and other sources where applicable. The market areas for rent reasonableness are indicated by zip code and census tracts within OHCD jurisdiction.

The reasonableness of the rent requested by the owner will be determined by considering at a minimum, the following:

- } Location (the primary factor)
- } Type
- } Unit Size (Determined by number of bedrooms)
- } Utilities provided (or not provided) by the owner, and
- } Amenities

Security Deposits:

Renting a unit in the private market usually required up-front payment of a security deposit, as well as the first and often the last month's rent. Coming up with this cash, in addition to moving expenses, utility deposits, and daily living expenses sometimes seems impossible. Landlords are now permitted to set the security deposit Section 8 tenants pay equal to what is typically required in the local market, usually one month's rent. Housing agencies do not provide any assistance with deposits.

The Section 8 Voucher Program is designed to assist families with a “portion” of the rental payment in accordance with total family income. The Housing agency’s portion of the rent is called the HAP payment, or Housing Authority Payment. Our portion of the rental payment (HAP) is mailed before the last day of each month. Landlords can expect payment within the first three days of each month, except when the first of the month is a legal holiday.

OHCD Responsibilities:

OHCD is responsible for administering a successful, non-discriminatory program in accordance with the U.S. Department of Housing & Urban Development’s rules and regulations. OHCD will take the appropriate action to ensure program integrity.

Before an applicant is approved for our program, he/she is interviewed and information is verified. Some program criteria are: Employment verification, work history, police checks (including out-of-state police checks if not living in Florida for the past 5 year), proof of marital status and family composition, Alien status (if applicable), reference checks, etc.

Landlord Responsibilities:

Although OHCD approves Section 8 families, **landlords are responsible for screening their prospective residents.** The Housing Authority is not allowed to screen assisted families as to their suitability as tenants.

The landlord and/or his representative must keep OHCD informed if the family fails to uphold their responsibility. A copy of all correspondence between the family and landlord is **required** to be faxed or sent via. U.S. Mail to OHCD.

If the family starts to “get behind” in their rent payments, **OHCD must be notified IMMEDIATELY.** We will assist you all we can in determining if the family needs additional assistance in paying the rent.

When a landlord waits too long, the families’ financial obligations become insurmountable and eviction is almost unavoidable. A landlord can, if they so choose, enter into a repayment agreement with the family to repay back rent. If eviction process has begun, OHCD must be informed immediately in writing.

In all situations, the landlord and OHCD should work together. Landlords have the right to treat Section 8 Program families just as they would any other renter. OHCD is available to assist in any situation and to facilitate a solution that is both helpful and professional to both the family and the landlord.

Other landlord responsibilities may include, but are not limited to:

- } Performing all management and rental function, including resident screening
- } Maintaining the unit in accordance with HUD’s Housing Quality Standards (HQS)
- } Complying with Equal Opportunity requirements and all Fair-Housing laws applicable to the property.