

Columbia County Housing Authority
Section 8 Rental Assistance Program
Tenant Briefing Guide
Website: www.columbiacountyhousing.com

Introduction

In 1974 Congress authorized the Section 8 Rental Housing Assistance Program which offered a new way of providing subsidized housing. Instead of constructing buildings that have to be managed and maintained, Congress decided to allow families the flexibility of choosing a unit as long as the unit met HUD requirements. These requirements will be explained further in this handbook.

The concept of Housing Choice Voucher Program is that the Housing Authority subsidizes the rental cost by applying a fixed formula, and the family pays the difference between that subsidy and the amount of rent to owner. There are limitations on how much the family can pay. These limitations will be explained further in this handbook.

The family will sign a lease agreement, which governs tenancy with the landlord, just as they would in the private rental market. The landlord will be required to sign a Housing Assistance Payment Contract with the Housing Authority, which spells out the requirements the owner has to follow.

Terms of the Housing Choice Voucher

Read your voucher (HUD 52646) thoroughly and carefully. Your voucher is issued for 120 days.

Payment Standards

A payment standard is an amount established by the Housing Authority based on HUD's published Fair Market Rents for each market area and for unit size. The unit size means number of bedrooms in the unit.

The payment standard does not necessarily equal Rent to Owner.

The payment standard is the lower of:

- ✓ The payment standard for the voucher size listed on the Housing Choice Voucher; or
- ✓ The payment standard for the size of the unit rented by the family.

Total Tenant Payment

The total tenant payment is the greater of:

- 30% of the family's monthly income (before taxes) after HUD regulated deductions.
- 10% of monthly gross income (before taxes with no deductions).
- Any minimum rent under Federal Law. CCHA has a minimum rent of \$50.00

In most cases, Total Tenant Payment (TTP) is 30% of the family's monthly –adjusted income. Adjusted income means your gross income minus the HUD allowable deductions.

Rent Reasonableness

The Housing Authority will verify that rents are reasonable compared to similar unassisted in the area. Only apartments with rents that meet this test are eligible for the program.

Maximum Allowable Rent

The rent for a unit may be higher than the payment standard and still be considered reasonable. However the total tenant payment for a unit cannot exceed 40% or more of the tenants adjusted gross income.

Choosing Where to Lease

You may stay where you are or move.

Before this agency provides rental assistance, your landlord must agree to participate in the Program and your unit must pass an inspection. The inspector will verify that the unit meets the Housing Quality Standards (HQS) outlined in the booklet A Good Place to Live. If repairs are needed in order for the unit to pass inspection, your landlord must be allowed access to the unit to make any required repairs.

The HUD HQS inspection requirements may be different than local or state laws or codes.

When choosing a unit, consider the following:

- ✓ Unit condition
- ✓ Cost of tenant-paid utilities
- ✓ Rent reasonableness
- ✓ Proximity to work and available transportation

Limitations

- ✓ You may not pay more than 40% of your monthly adjusted income as a total family contribution (your share of the rent plus utility allowance).
- ✓ You may not rent a unit that is owned or controlled by the parent, grandparent, child, grandchild, or sibling of any member of your family, unless the Housing Authority has

determined that approving the unit would provide reasonable accommodation for a family member who is a person with disabilities.

Portability

Portability is one of the features of the Housing Choice Voucher Program that enables you to use your Section 8 assistance in other cities or states outside of Columbia County. Portability was created to give you the freedom to choose which areas would best suit the needs of your family. You may exercise your right to portability if:

- ✓ The jurisdiction you want to move has a Housing Authority that administers the Section 8 Housing Choice Voucher and
- ✓ You meet the income limits of the Housing Authority you are moving to.

How to request Portability:

- ✓ Contact the Housing Authority you intend to move to inquire about the housing situation, listing of available units, payment standards for your voucher size, and income limits for your family.

Finding A Unit

- ✓ Check the local newspapers for listings of houses or apartments to rent.
- ✓ Look for "for rent" signs
- ✓ Ask your friends. They may know of a unit.
- ✓ Social Media

Having knowledge of the Section 8 program and the ability to clearly articulate how the program works will be the most important tool you need when you approach a landlord. This will help put the landlord at ease, if he/she has never dealt with the program before. As a potential tenant, you should remember that there are often many families competing for the rental of one unit. Think from the landlords' point of view: why would he/she want to rent to you rather than someone else (whether on Section 8 assistance or unassisted)?

Many landlords will conduct a credit check that usually includes credit and eviction history. If you have poor credit or been evicted, be upfront with the landlord. There are landlords who are willing to give families a second chance.

Submitting a Request for Tenancy Approval (RTA)

In order for the Housing Authority to begin the process for approving the lease for your unit, we require the following:

- ✓ A completed and signed Request for Tenancy Approval (a two-sided HUD form)
- ✓ A copy of the proposed lease (do not sign a lease until the unit is approved by the Housing Authority)

Upon receipt of the paperwork, the Housing Authority will contact you and the landlord to schedule a move-in inspection within 14 working days.

Subsidy Standards

The PHA will assign one bedroom for each two persons within the household, except in the following circumstances:

Persons of the opposite sex (other than spouses, and children under age 5) will be allocated separate bedrooms.

Live-in aides will be allocated a separate bedroom.

Single person families will be allocated one bedroom.

The PHA will reference the following chart in determining the appropriate voucher size for a family:

Voucher Size	Persons in Household (Minimum – Maximum)
1 Bedroom	1-2
2 Bedrooms	2-4
3 Bedrooms	3-6
4 Bedrooms	4-8
5 Bedrooms	6-10

Exceptions

The PHA will consider granting an exception for any of the reasons specified in the regulation: the age, sex, health, handicap, or relationship of family members or other personal circumstances.

The family must request an exception to the subsidy standards in writing. The request must explain the need or justification for a larger family unit size, and must include appropriate documentation. Requests based on health-related reasons must be verified by a knowledgeable professional source (e.g., doctor or health professional), unless the disability and the disability-related request for accommodation is readily apparent or otherwise known. The family’s continued need for an additional bedroom due to special medical equipment must be re-verified at annual reexamination.

The PHA will notify the family of its determination within 10 business days of receiving the family’s request. If a participant family’s request is denied, the notice will inform the family of their right to request an informal hearing.

Inspecting the Unit

The Housing Authority is required by HUD to conduct a Housing Quality Standards (HQS) inspection prior to the beginning of a lease. The Housing Authority staff will inspect both the interior and exterior of the building to ensure that the unit is in decent, safe, and sanitary condition. **All utility services must be operable at the time of inspection.**

If the unit fails the initial inspection, the landlord will be informed of the failed items and be given time to make repairs. You may not move in until the unit passes inspection. If you are already living in the unit, the new lease and assistance will not start until the unit passes inspection.

Although the Housing Authority will make every attempt to negotiate rent with the landlord, there are limitations with the Section 8 program and we must comply with HUD's requirements. **DO NOT** enter into a "side agreement" with the landlord to pay any amount above and beyond what is stated on the lease agreement. Violation of this rule is cause for termination to your housing assistance.

Lead Based Paint Information

A copy of the brochure entitled "Protect Your Family from Lead in Your Home" is included in the briefing packet. Please read this brochure about the health hazards of lead-based paint. This is especially important if you have children under the age of six and find a unit to rent which was built before 1978.

Equal Housing Opportunity Laws

There are Federal, State, and Local laws that apply to the prohibition of discrimination under certain circumstances when renting a unit. It is illegal to deny housing to any individual based on Race, religion, national origin, immigration status, sex, presence of children, marital status, sexual orientation or disability. **FAIR HOUSING, IT'S YOUR RIGHT.**

Families with Disabilities

If your family includes a person with disabilities you may request a list of available accessible units known to the Housing Authority.

Keeping Your Assistance

When the family's unit is approved, and the HAP contract is executed, the family must follow the rules listed below in order to continue participating in the housing choice voucher program. You have signed a Statement of Family Obligations. Failure to comply will result in termination of your Section 8 assistance.

The family must:

1. Supply any information that the PHA or HUD determines to be necessary including evidence of citizenship or eligible immigration status, and information for use in a regularly scheduled reexamination or interim reexamination of family income and composition.
2. Disclose and verify social security numbers and sign and submit consent forms for obtaining information.
3. Supply any information requested by the PHA to verify that the family is living in the unit or information related to family absence from the unit.
4. Promptly notify the PHA in writing when the family is away from the unit for an extended period of time in accordance with PHA policies.
5. Allow the PHA to inspect the unit at reasonable times and after reasonable notice.
6. Notify the PHA and the owner in writing before moving out of the unit or terminating the lease.
7. Use the assisted unit for residence by the family. The unit must be the family's only residence.
8. Promptly notify the PHA in writing of the birth, adoption, or court-awarded custody of a child.
9. Request PHA written approval to add any other family member as an occupant of the unit.
10. Promptly notify the PHA in writing if any family member no longer lives in the unit. Give the PHA a copy of any owner eviction notice.
11. Pay utility bills and provide and maintain any appliances that the owner is not required to provide under the lease.

Any information the family supplies must be true and complete.

The family (including each family member) must not:

1. Own or have any interest in the unit (other than in a cooperative, or the owner of a manufactured home leasing a manufactured home space).
2. Commit any serious or repeated violation of the lease.
3. Commit fraud, bribery or any other corrupt or criminal act in connection with the program.
4. Engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.
5. Sublease or let the unit or assign the lease or transfer the unit.
6. Receive housing choice voucher program housing assistance while receiving another housing subsidy, for the same unit or a different unit under any other Federal, State or local housing assistance program.
7. Damage the unit or premises (other than damage from ordinary wear and tear) or permit any guest to damage the unit or premises.
8. Receive housing choice voucher program housing assistance while residing in a unit owned by a parent, child, grandparent, grandchild, sister or brother of any member of the family, unless the PHA has determined (and has notified the owner and the family

of such determination) that approving rental of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities.

9. Engage in abuse of alcohol in a way that threatens the health, safety or right to peaceful enjoyment of the other residents and persons residing in the immediate vicinity of the premises

Drug- related criminal activity is the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use of a controlled substance. Drug-related criminal activity means on or off the premises, not just on or near the premises.

Violent criminal activity includes any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against a person or property and is being engaged in by any family member.

Please note that assistance can be terminated if a preponderance of evidence indicates that a family member has engaged in the drug related or violent criminal activity, whether or not an arrest or conviction is made.

How to Request an Informal Hearing

In the case of denial and termination of assistance, the Housing Authority must give the family an opportunity for an informal hearing before the Housing Authority terminates the Housing Assistance Payment (HAP) contract. The Housing Authority will simultaneously provide notice of the contract termination to the landlord so that it coincides with the termination of assistance.

The family must request an informal hearing in writing before the deadline stated in the notice. The notice will state to whom the hearing request should be addressed.

Annual Recertification

Each year the Housing Authority will conduct an annual recertification to determine your continued eligibility. In addition, the unit will be inspected at least annually to ensure its continued compliance with the Housing Quality Standards. It is important that you report any needed repairs to your landlord in a timely manner.

Change in Income and Family Size

You are required to report changes in your income or family size in writing to the Housing Authority. We will determine if an adjustment in your rent portion is necessary and will send you an interview appointment if needed.

Guests

You are permitted to have guests at your assisted unit under the following conditions:

- Guests are allowed by your lease.
- You have notified the Housing Authority when a guest is going to stay for more than 3 consecutive days.
- A guest is only allowed to stay for 14 consecutive days and a total of 30 cumulative days in any 12-month period.

Fraud

Withholding or providing false information to the Housing Authority is considered fraud. Included with this packet is form "HUD-1141 (12/2005)". You are required to sign an affidavit that you have read and understand the information contained in this form.