

The Family Handbook

A GUIDE TO THE SECTION 8

HOUSING CHOICE VOUCHER PROGRAM



CHAPTER 1 INTRODUCTION

This handbook has been prepared for you as a guide to participation in the Section 8 Housing Choice Voucher program.

It is designed to provide you with accurate information about how the program works. Please take the time to read it carefully. It will help you to find a suitable place to live, and to remain in good standing with your landlord and the Housing Agency.

Keep in a safe place

After reading the handbook, make sure you save it with your important papers so that you can refer to it as needed. If you have any questions, contact your Public Housing Agency Representative.

Housing Agency Service Commitment

As a public service agency, it is the Bloomington Housing Authority's (BHA) goal to provide excellent service to the families in the community. The BHA will make every effort to inform you of program rules, and to advise you of how these rules affect you. Since federal regulations are not always easy to understand, it is very important to ask questions if you are not sure of something.

Do not hesitate to contact a BHA representative if you have a question or problem that pertains to one of the housing programs.

Getting in touch with you

In order to complete tasks, it will be necessary for the BHA to contact you at different times. When they contact you for an appointment, it will be either by first class mail or by telephone, and they will always advise you well in advance of your appointment. Please make arrangements in advance to attend all appointments on time. Your cooperation is essential to their ability to serve you.

Partners in providing good service

In the back of this handbook you will find a form that you may use to provide feedback or comments to the BHA, a Customer Service Evaluation (Form H at the back of this handbook). You may submit the Customer Service Evaluation form at any time during your participation in the program.

“Tell Me How It Works”

You are encouraged to ask any questions you may have about the program. If you would rather put your question(s) in writing, use the form “Tell Me How It Works” (Form C at the back of this handbook). Please feel free to submit questions at any time during your participation in the program.

Request for Accommodation

Persons with disabilities may request a reasonable accommodation in order to fully utilize this housing program and any related services. The BHA will make all reasonable efforts to be flexible in assisting persons with disabilities to participate in the program successfully. Request for accommodations will be verified to ensure that the accommodation is reasonable. Examples of reasonable accommodations are as follows:

- home visits if your disability prevents you from coming to the BHA offices
- TDD or TDY devices
- accessible format for BHA correspondence
- the use of an advocate or interpreter
- if the family includes a person with a disability, the family may request a current listing of accessible units known to the BHA that may be available.

CHAPTER 2 GENERAL PROGRAM INFORMATION

Explanation of the Section 8 Housing Choice Voucher Program

The U.S. Department of Housing & Urban Development (HUD) determines the rules and regulations for the Section 8 Housing Choice Voucher Program. The purpose of the Section 8 Housing Choice Voucher program is to provide rental assistance to eligible low-income families.

In accordance with the “1998 Act” and effective October 1, 1999, the Section 8 Housing Choice Voucher program is the result of the completion of the merger of the Certificate and Voucher programs into one single new market-driven program. The new program is designed to make the tenant-based rental assistance program successful at helping low-income families obtain affordable housing and increase housing choice for low-income families.

New Choice Voucher

The maximum amount that the BHA will pay is an amount equal to the payment standard minus 30% of the family’s adjusted monthly income.

The payment standard:

- is established by the BHA
- is based on the cost of housing and utilities for your area
- depends on the family composition and the bedroom size of the unit. For example, the payment standard is higher for families requiring 3-bedroom units than for families requiring 1-bedroom units.

Who Pays What in the Voucher Program?

Rent

HA portion of rent equals Payment Standard minus 30% of Family’s Adjusted Income.	If the total rent is equal to Payment Standard, Tenant rent equals 30% of Adjusted Income.	If total rent is more than Payment Standard, Tenant must pay difference.
---	--	--

Responsibilities Within the Section 8 Program

The Section 8 program is a three-way partnership between the Bloomington Housing Authority (BHA), the family (you), and the owner or landlord of the housing unit.

The Housing Agency’s Job

In order for the program to work, the BHA must do the following:

- review all applications to determine whether an applicant is eligible for the program.
- explain all the rules of the program to all of the families who qualify.
- issue a voucher and, if necessary, assist the family in finding a place to live.
- approve the unit, the owner and the tenant.
- make housing assistance payments to the owner in a timely manner.
- ensure that both the family and the unit continue to qualify under the program.
- ensure that the owners and families comply with the program rules.
- provide families and owner with prompt, professional service.

The Family’s Job

In order for the program to work, the family must do the following:

- provide the BHA with complete and accurate information.
- make your best effort to find a place to live that is suitable for your family and qualifies for the program.
- cooperate in attending all appointments scheduled by the BHA.

- take responsibility for the care of your housing unit.
- comply with the terms of your lease with the owner.
- comply with the Family Obligations of your Voucher, as explained in this booklet.

The Owner's Job

In order for the program to work, the owner must:

- screen families who apply to determine if they will be good renters. The BHA can supply you with current and previous address and landlord information. The BHA may also provide additional information pertaining to a tenant's performance as a renter.
- comply with fair housing laws and not discriminate against any family.
- maintain the housing unit by making necessary repairs in a timely manner.
- comply with the terms of the Housing Assistance Payment Contract with the Housing Agency.
- collect the rent due by the family and otherwise enforce the lease.

CHAPTER 3 STEPS TO ASSISTANCE

After a family has been selected from the waiting list, several steps must be completed before a family can receive rental assistance.

Step 1-BHA determines family's final eligibility.

Family is selected from waiting list and income and household composition is reviewed for final eligibility and any applicable screening.

Step 2-Voucher issued.

When a family is determined to be eligible for the program and funding is available, the Housing Agency (BHA) issues them a Voucher of Family Participation. The family receives the Voucher at the tenant briefing.

Step 3-Family decides where to live.

A family must locate a housing unit that meets the program rules; it can be where they live now or a totally different unit. The BHA can help in some ways, but the primary responsibility for finding a suitable unit to rent is the families. A family has 60 days to locate a suitable unit. Depending on BHA policy, the BHA may extend the search period for another 60 days.

Step 4-Owner approves family.

Although a family is determined by the BHA to be eligible for the program, the owner must approve the family as a suitable renter. The BHA knows that the owner has approved the family when a request for Approval of Tenancy form is submitted.

Step 5-BHA approves tenancy and unit.

After a family finds a suitable housing unit and the owner approves the family, the Housing Agency needs to determine if the unit qualifies for the Section 8 program. This includes a Housing Quality Standards inspection.

Step 6-Contract and lease signed.

If the lease and unit are satisfactory, the BHA will enter into a contract with the owner, and the family will enter into a lease with the owner.

Step 7-Housing Assistance Payments (HAP) made.

After the HAP contract and lease are signed, the BHA makes the initial HAP payment and continues to make monthly payments to the owner as long as the family continues to meet eligibility criteria and the housing unit qualifies under the program.

Step 1: BHA Determines Final Eligibility

Annual Income

Annual Income is defined as the anticipated total annual income from **all** sources. Although some types of income are not counted, the family is responsible for reporting all sources of income for the household. The BHA is responsible for

reporting all sources of income for the household. The BHA is responsible for applying the HUD rules and deciding what needs to be counted in the Annual Income calculation. This is the first step toward determining the amount of rental assistance the family receives.

	EXAMPLES OF INCOME	
Employment	Net income of a business	Social Security
Public Assistance	SSI	TANF
Unemployment	Worker's Compensation	Disability
Pensions	Annuities	Alimony
Relocation Payments	Interest from Assets	Military Pay
Child Support	Regular contributions/Gifts	Net income from Real/Personal Property

Determine Adjusted Income

After determining the total annual income for the household, the BHA makes any necessary adjustments to the annual income in accordance with HUD regulations. If the family qualifies, there are five (5) possible deductions and allowances. HUD-approved deductions and allowable expenses are subtracted from the Annual Income to get the family's Adjusted Annual Income.

Deductions and HUD Allowable Expenses

- **Dependents**
A \$480.00 household deduction is made for all minors under the age of 18, and for family members 18 and over who are full-time students or a person with a disability, other than the head or spouse.
- **Elderly/Disability Allowance**
A \$400.00 household deduction is made for families whose head, spouse, or sole member is 62 or over, or is a person with a disability.
- **Allowable Medical Expenses**
For an elderly family or disabled family, medical expenses for all family members that are greater than 3% of the Annual Income will be deducted.
- **Allowable Disability Assistance Expenses**
Disability assistance expenses that exceed 30% of the Annual Income will be deducted if they permit a family member to work.
- **Allowable Childcare Expenses**
Reasonable childcare expenses, for family members 12 years old and younger, will be deducted if they enable a family member to work, attend school or seek employment.

Example

Household Income/Composition:

Head of Household works, earns \$12,000 per year. 1 child (4 years old). Childcare is \$75 per week, times 52 weeks=\$3900.

Annual Income-	\$12,000.
Dependant Deduction	- 480.
Childcare Deduction	<u>3,900.</u>
Adjusted Annual Income	\$ 7,620.

Other HUD Terms to Know

Adjusted Monthly Income

Since there are twelve months in a year, the Adjusted Monthly Income is the Adjusted Annual Income divided by 12.

Total Tenant Payment (TTP)

After calculating the Adjusted Monthly Income, the BHA determines the Total Tenant Payment (TTP) for the family. The TTP in the Voucher program is 30% of the family's Adjusted Monthly Income. This includes the amount the tenant pays toward the rent to the owner and the BHA's Utility Allowance for the unit. Depending in what rent the owner charges and whether utilities are included, the TTP may or may not represent 30% of the family's Adjusted Monthly Income.

Utility Allowance

A Utility Allowance is the BHA's estimate of the average monthly utility bills for an energy conscious household. If all utilities are included in the rent, there is no Utility Allowance. The Utility Allowance will vary by unit size and type of utilities.

- ✓ Note: In your Briefing Packet is a "Utility Allowance Schedule", so that you can determine the Utility Allowance for the unit you want to rent

Utility Reimbursement Payments

In the Voucher program, very low-income households may receive a utility reimbursement check from the BHA when the family's TTP is lower than the Utility Allowance.

Payment Standard

A "Payment Standard" is used to calculate the monthly housing assistance payment for a family. The BHA must adopt a Payment Standard Schedule for each Fair Market Rent Area in the BHA jurisdiction, based on HUD's published FMRs for each market in the United States. The BHA establishes Payment Standard amounts for each unit size. The Payment Standard is the maximum monthly subsidy payment. The Payment Standard for a family is the **lower** of: the Payment Standard amount for the family unit size; or the Payment Standard amount for the size of the dwelling unit rented by the family.

Housing Assistance Payments (HAP)

In the Voucher program, the BHA's payment to the owner is the lower of: the Payment Standard minus TTP; or the gross rent minus the TTP. Gross rent includes the rent to the owner plus any allowance for tenant-paid utilities.

Calculation of Subsidy and Family Share

The family share is calculated by subtracting the amount of the housing assistance payment from the gross rent.

EXAMPLE

Adjusted Monthly Income	743	Payment Standard	620
Multiply by	x <u>.30</u>	Minus 30% Adj. Mo. Income	- <u>223</u>
30% of Adj. Monthly Income	223	Maximum Housing Assistance	397

In this example, the payment standard is \$620. The maximum amount that the Housing Agency will pay to the owner is \$397. The amount that the family will pay depends upon the total rent for the unit.

Scenario #1

Gross Rent	500
Total Tenant Payment	-223
Housing Assistance Payment	277

Scenario #2

Gross Rent	600
Total Tenant Payment	-223
Housing Assistance Payment	377

In Scenario #1 the BHA will pay \$100 less per month to the owner than in Scenario #2, even though the family's income is the same in both cases. **The difference in the rent payment is because the unit in Scenario #2 had a higher rent to Owner.**

Let's examine how the total amount of the rent for the unit (Rent to Owner) can affect the amount of the family's rent payment to the owner.

Payment Standard	620	Rent to Owner	700
Total Tenant Payment	-223	Housing Assistance Payment	-397
Housing Assistance Payment	397	Family Rent to Owner	303

The family must pay the difference between the maximum housing assistance payment and the rent to owner.

Maximum Rent at Initial Occupancy

At the time a family initially receives the tenant-based assistance for occupancy of a dwelling unit, the family share may not exceed 40% of the family's monthly adjusted income. The family share is the gross rent minus the housing assistance payment. The family may ask the BHA to assist the family in negotiating a lower rent to owner.

Step 2: BHA Issues a Voucher

Tenant Briefing

All applicants are required to attend a Briefing. The purpose of the Briefing is to:

- issue your Voucher of Participation
- provide you with all of the information you need in order to be successful in your search for suitable housing and to maintain good standing while you are on the program.

Briefing Packet

The Briefing Packet contains materials to explain how the program works. It includes:

- A Voucher
- Rules regarding the term of your voucher
- Explanation of how to request an extension of Voucher term
- How your Housing Assistance Payment (HAP) was determined
- Information about maximum rents (fair market rents and payment standards) and utility allowances
- A Request for Approval of Tenancy form
- What the family should consider when selecting a unit
- HUD-required Lease Addendum
- Fair Housing Discrimination Complaint form
- Lead-based Paint information
- HUD booklet "A Good Place to Live"
- Information about Portability
- A list of landlords who may be willing to lease units under the program
- Information regarding housing opportunities in areas of low poverty.

The Rental Voucher

Size of Voucher

Your voucher indicates the number of bedrooms for which your family is eligible. This unit size is based on HUD guidelines and the BHA's written policy.

How the BHA determines your unit size

HUD requires that the BHA establish Subsidy Standards. These standards are used to determine the appropriate number of bedrooms for families of different size and different compositions. **The subsidy standards take into consideration factors such as the total number of persons in the family, the age, and sex of persons, and the relationship of persons.** These standards help us to make the best use of funds HUD provides for housing costs, and to avoid overcrowding. The unit size for which you have been approved is indicated on your voucher.

Expiration of Vouchers

Your voucher is effective for 60 days. It is important that you do not delay your housing search. If your voucher expires before you find suitable housing, you will probably have to reapply. Keep track of all the units you look at during the search period. A Record of Search for Housing form has been included in the back of this handbook (Form C).

Extension of Vouchers

Depending on the BHA's written policies, your voucher may be extended beyond 60 days. Your Briefing Packet includes a notice as to whether your voucher can be extended.

**YOU HAVE 60 DAYS TO FIND A PLACE!
START NOW!!**

Step 3: Family Decides Where to Live

Leasing In-place

You may be eligible to receive assistance at your present unit if the unit qualifies. The unit must:

- be the appropriate size for your family.
- pass a housing quality standards inspection.
- have a reasonable rent.

Moving to Another Unit

If you decide to look for another place to live, the procedures are the same whether you are:

- locating and leasing a unit when you are first approved to participate in the program or,
- moving from one unit to another with continued assistance after you are on the program.

This section can be used as reference anytime you are planning to move to another unit and receive assistance.

To continue assistance at your new place

Your BHA representative will explain the BHA policies and procedures for moving from your unit with continued assistance.

You must give notice

If you want to move from one assisted unit to another and continue to receive housing assistance, you must give the owner and the BHA proper written notice according to the lease and the BHA policy.

Where can you look?

You may search for suitable housing anywhere within the jurisdiction of the Housing Agency. The areas where you may seek housing will be explained to you by your housing representative.

Deciding where you want to live

There are many factors to consider as you search for suitable housing, so try to select a place that meets your family's needs. Here are some suggestions:

Schools

If you have school-aged children, you will want to consider the various school districts that are available, as well as the distance from the housing unit to the school.

Safety

When you search for housing, consider the neighborhood and its surroundings. Try to avoid high crime areas.

Work

Consider the distance between your workplace and the location of the housing unit.

Childcare

Consider the availability of childcare in the area of the housing unit. If you work, what is the distance between the housing unit, the childcare provider and your work location.

Public Transportation

If you do not have a vehicle, is there access to public transportation in the area of the housing unit?

Premises and Neighborhood

- Is there a place for children to play outside safely?
- Is the unit in a high crime area?
- What is the general condition of the neighborhood?
- Are you close to medical services? Fire Department?
- Is there a church nearby?
- Is there adequate parking for you and your guests?
- Is the area/building well lit at night?

Confronting Housing Discrimination

More often than many of us realize, people are denied housing for reasons other than poor rental histories or bad credit. Under federal law, it is illegal to deny housing to anyone on the basis of race, color, religion, sex, national origin, familial status and/or disability. If you believe that you have been discriminated against, contact your BHA representative.

The BHA will assist you in completing the Housing Discrimination Complaint (HUD Form 903) and provide you with a list of agencies that investigates housing discrimination complaints in your community. A copy of HUD Form 903 is also included in your Briefing Packet.

Families in High-Poverty Areas

If you live in a high-poverty area, you may want to consider searching for a housing unit in another area. There are many possible advantages to your family, such as improved employment and education opportunities. Your BHA representative will explain the area where you are eligible to seek housing.

Portability

One of the great features of the tenant-based assistance programs is that your assistance “moves” with you. You can use your assistance to move not only across town but also to move anywhere in the United States within the jurisdiction of a HA with a tenant-based assistance program. The HUD term for the ability to move outside your Housing Agency’s jurisdiction with rental assistance is portability. The BHA may limit moves under portability, so contact your BHA representative if you wish to exercise portability. You will be advised of any restrictions and procedures that may apply to you.

Facts about portability you should know

- The HA where you want to move may have different rules, policies and deadlines.
- There may be a different payment standard.
- The new HA may have different utility allowances that may affect the amount you pay rent.
- A different amount voucher may be issued to you.
- When you are first issued a voucher, you are always subject to the income limits of the HA where you want to live.

Portability and FSS

If you are participating in a Family Self Sufficiency (FSS) program, make sure that you discuss moving with your case manager. If you cannot fulfill your FSS obligations in the new location, your FSS contract may be terminated, and you may lose your escrow balance, if you have one.

Tips to Locate Suitable Housing

Property managers and owners advertise rental properties in different ways. Here are some ideas on where to start.

- Check the classified section of all local newspapers.
- Ask friends and neighbors.
- Drive through neighborhoods where you may want to live and look for yard signs.
- Check bulletin boards in Laundromats and supermarkets.
- Check with real estate offices or rental agencies. Rental agencies sometimes charge a fee.
- Check your briefing packet for a list of property owners.

What should you look for in a unit?

In order for the unit to be approved, it must meet the following requirements:

- The rent for the unit must be reasonable for the type, size and condition of the unit.
- The unit must pass a Housing Quality Standards Inspection.
- The owner must be willing to enter into a contract with the Housing Agency and comply with the program rules.

Evaluating a Unit

- What are the costs of utilities? Is the unit energy efficient?
- Are tenant-paid utilities separately metered?
- Is the unit free from serious drafts?
- Is the building secure? Do all windows lock safely? Do the entrance doors have secure locks?
- Is there evidence that the unit has not been well maintained?
- Is the heating source adequate for the size of the unit?
- Is there enough room for your furniture?
- Does the landlord provide pest control?
- Is the unit clean and ready to move in?
- Are the refrigerators and stoves large enough for your family size?

- Is garbage pick-up available?
- Are there restrictions on pets?
- Is there sufficient parking and storage?
- Are there sufficient amenities and facilities for your family?

Be prepared when you apply for a rental unit!

When you make an appointment with a prospective owner or landlord, be prepared to ask and answer questions and to make a positive first impression. The landlord will be trying to evaluate you as a renter. At the same time, you will be evaluating both the unit and the landlord.

Go early for your appointment and look around the neighborhood. Try to get a babysitter when meeting with owner. Even the best-behaved children can become impatient. Do not risk being judged by how you discipline or do not discipline your children.

When calling owners in response to ads, don't prematurely ask, "Do you take Section 8?" Try to get an appointment to see the unit so that the owner has an opportunity to meet you first.

References

Be prepared to furnish information about your rental history. Try to get reference from previous landlords, if possible. If you are currently renting a unit, make sure that it is in good condition, so that your present landlord will provide a good reference. **Remember, your current and prior landlord's name and address will be furnished to your prospective landlord.** If you have no rental history, bring references from responsible persons who know you such as employers or persons you have done business with.

Language Barriers

If the landlord speaks English and English is not your first language, or you are not comfortable discussing business matters in English, take a translator to the appointment with you. Make sure the translator will make a positive first impression, also. Do not take young children to translate.

Security Deposit

When you attend your briefing, a BHA representative will explain how much security deposit you may expect to pay. When you begin to search, make sure that you have made plans in advance to have the money available for the security deposit and the deposit for utilities, if applicable.

Housing Program Documents

When you are searching for a housing unit, make sure that you have the housing program documents with you. Review the information that was provided to you at the Briefing so that you can answer questions the owner may have about the Section 8 Program.

Landlord

When you meet the owner or landlord, ask questions.

- Does the owner live nearby?
- Is there a person to call for normal wear and tear repairs or maintenance?
- Does the owner seem interested in maintaining the condition and appearance of the property?
- What are the office hours for management and maintenance problems?
- Have the other tenants lived there a long time?
- Does the owner have a "zero tolerance" policy for drugs and violence by tenants?
- Try to find out from the police Community Relations office how often they have been called to the premises or immediate area.

Step 4: Owner Approves Family

Owner's Right to Inquire

As a voucher holder, you may select from a variety of housing units and neighborhoods. The BHA can assist you in locating a unit by providing an owner referral list; however, you must still be approved by the owner.

Most property owners and managers will ask you to complete an application and will check on your rental history and credit. Owners can deny you a rental unit if you have a previous history of not fulfilling your obligations under a lease.

Submitting a Request for Approval of Tenancy

When you find a housing unit that you want to rent, the owner must complete a Request for Tenancy Approval (RFTA) form also known as a Request for Lease Approval), and it must be submitted to the BHA. The RFTA is included in your Briefing Packet.

When the BHA receives your Request for Tenancy Approval form, they will review it to determine if the unit is the correct size and the proposed rent is approved. The owner must submit his/her own lease, and the BHA will review it to make sure it contains the correct language required by HUD.

If the Request for Tenancy Approval form and proposed lease are in order, the BHA will make an appointment to inspect the housing unit.

Remember: Unless you are granted an extension, your voucher will expire in 60 days from the date you receive it. You need to turn in a Request for Tenancy Approval form to the BHA before your Voucher expires.

Step 5: BHA Approves Tenancy and Unit

On receipt and review of the Request for Tenancy Approval form, the Landlord must schedule the Housing Quality Inspection. It is in your best interest to be present at the inspection so that you can see what repairs, if any, are required. You may call your BHA representative or landlord to find out the date and time the inspection is to take place.

If the unit passes the initial inspection and the rent is reasonable, the BHA will prepare the necessary paperwork and your assistance will begin. If the unit does not pass the initial inspection, the owner will be given a reasonable time period to correct any items that failed.

However, rental assistance cannot begin until the repair items are completed and approved by the BHA inspector. If there are major repairs to be made, or if the owner seems reluctant to make the repairs, you may want to consider looking for another unit. The BHA will provide you with another Request for Tenancy Approval form.

It is a good idea to be present and to be involved in the process. If you and the BHA work together, the chances are quite good that you will be successful in finding a suitable place to live.

Step 6: Contract and Lease Signed

If the lease and unit are satisfactory, the BHA will enter into a contract with the owner, and you will sign a lease agreement with the owner.

Step 7: Housing Assistance Payment to Owner

The BHA will begin making payments to the owner after the unit has been approved and the Housing Assistance Contract has been signed. The BHA will mail the payment to the owner on or about the first of each month. The BHA will continue to make payments as long as:

- the unit meets Housing Quality Standards.
- you are eligible for assistance.
- you reside in the unit.
- the owner is in compliance with the contract.

If the BHA fails to make timely payments to the owner, the BHA may be obligated to pay a late fee. (State/Local law).

CONGRATULATIONS!



You are a Section 8 Voucher Program Participant!

CHAPTER 4 TIPS FOR MOVING

Be prepared before you move

- notify important companies and people about your change of address
 - your doctor
 - your bank
 - your child's school
 - your creditors
 - your insurance company
 - your employer
 - newspapers and magazines
 - your post office
- list important new telephone numbers
- decide what goes with you, what stays and what to give away. Hold a yard sale.
- call friends and relatives; let them know when and where you are moving
- make sure you have enough help on moving day
- collect all important papers and keep them handy
- order a telephone book for your new area
- find out how much advance notice is needed for utilities and basic services
- find out where a branch of your bank is located
- check school schedules and enrollment requirements
- get your newspaper transferred
- call the Department of Motor Vehicles to change your driver's license
- find out about voter registration
- call train or bus companies for local scheduled at your new location

Move-out Checklist

Whenever you are renting and wanting to move to another unit, make sure that you leave on good terms with the owner. Before you move, you must make sure that the unit is in good condition and that your rent is paid.

- repair any item damaged by you, your family or visitors.
- make sure that the walls and doors are clean
- replace any broken or missing curtain rods
- clean the entire unit
- remove all of your possessions from the unit
- have your utilities turned off
- return all your keys to the landlord and get a dated receipt for the keys

Chapter 5 PARTICIPATING SUCCESSFULLY IN THE SECTION 8 PROGRAM

Successful participation in the Section 8 program requires that the family fulfill certain obligations to the BHA and other obligations to the owner.

Family Obligations to the BHA

Families who participate in the Section 8 Housing Choice Voucher Program are required to comply with certain "Family Obligations". These Family Obligations are required by HUD regulations and are listed on the Voucher. By signing your Voucher, you acknowledge your responsibilities and obligations for participating in the program. The list of Family Obligations is as follows:

- **Supplying required information**
The family must supply any information that the BHA or HUD determines is necessary for administration of the program, and to certify or re-certify a family. This includes evidence of citizenship or eligible immigration status. It also includes information about family income and household members.

- **Disclosing and verifying Social Security numbers**
The family must disclose and verify Social Security numbers and must sign and submit consent forms for obtaining information.
- **True and complete information**
Any information provided by the family must be true and complete.
- **Comply with Housing Quality Standards (HQS)**
The family is responsible for meeting certain HQS requirements. (See page for Family Obligations to the Owner).
- **Allowing the BHA to inspect the unit**
The family must allow the BHA to inspect the unit at reasonable times and after reasonable notice.
- **Violation of the lease**
The family may not commit any serious or repeated violation of the lease.
- **Family notice of move or lease termination**
The family must notify the BHA and the owner before the family moves out of the unit, or terminates the lease on notice to the owner.
- **Owner eviction notice**
The family must promptly give the BHA a copy of any owner eviction notice.
- **Use and occupancy of the unit**
The family must use the assisted unit for residence by the family and as the family's only residence.
- **Approval of family members**
Members of the family must be approved by the BHA. The family must promptly inform the BHA of birth, adoption or court-awarded custody of a child. The family must request BHA approval to add any other family members as an occupant of the unit.
- **Family member moves**
The family must promptly notify the BHA if a family member no longer resides in the unit.
- **Foster children**
A foster child or live-in aide may reside in the unit with approval of the BHA.
- **Profit-making activities**
Family members may engage in legal profit-making activities in the unit, according to the lease terms, but only if such activities are incidental to the primary use of the unit as the family's residence.
- **Sub-leasing**
The family must not sub-lease or sub-let the unit.
- **Assigning or transferring**
The family must not assign the lease or transfer the unit.
- **Absence from the unit**
The family must supply any information or certification requested by the BHA to verify that the family is living in the unit, or relating to family absences. The family must promptly notify the BHA of absence from the unit.
- **Interest or ownership**
The family must not own or have any interest in the unit.
- **Fraud or other program violations**
The members of the family must not commit fraud, bribery or any other corrupt or criminal act in connection with the program.
- **Crime by family members**
The members of the family may not engage in drug-related criminal activity or violent criminal activity.
- **Other housing assistance**
An assisted family, or members of the family, may not receive Section 8 assistance while receiving another housing subsidy for the same unit.
- **Relatives as owner**
The family must not receive assistance while residing in a unit owned by a parent, child, grandparent, sister, brother or any member of the family, unless the BHA 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.
- **Alcohol or substance abuse**
The family must not engage in illegal use of a controlled substance or abuse alcohol that threatens the health and safety or right to peaceful enjoyment of the premises by other residents.

Family Obligations to the Owner

The family obligations to the owner are contained in the lease agreement.

Please read it carefully!

Families are obligated to:

- ✓ pay rent on time
- ✓ take care of the housing unit

Generally, the owner is required to make repairs and provide routine maintenance. However, if a housing unit fails to meet Housing Quality Standards because of the following items, it is the responsibility of the family.

- ✓ The family is required to provide utilities (such as electricity, gas or water) that are not furnished by the owner. If this happens, you will be given a brief period of time to get the utilities in service. If you are responsible to provide utilities, make certain that they remain in service and that they are in your name.
- ✓ The family is responsible for providing and maintaining any appliance that the owner does not furnish, such as a stove or refrigerator.
- ✓ The family is responsible for damages to the unit or premises (beyond normal wear and tear) that are caused by any family member or guest.

If the unit does not meet Housing Quality Standards for these reasons and the deficiencies are not corrected within the time period set by the BHA, the BHA will discontinue assistance payments to the owner. Also, your participation in the Section 8 Voucher Program may be terminated.

If you are not sure of a lease requirement, ask the owner!!

Importance of family rent payments to owner

When you sign a lease with an owner, you are obligated to pay your share of the rent in the first of each month in accordance with your lease. If you fail to pay your rent, you will be subject to eviction by the owner. Serious and repeated violations of the lease may also result in the termination of housing assistance.

Remember: the lease that you sign is a legal contract, and both parties must comply with their obligations.

Payment changes

When a change in your income occurs, contact your BHA representative immediately for further instructions. A BHA representative may set up a meeting with you so the changes can be verified. With an income change, your payment and the BHA's payment to the owner may change. Both you and the owner will be given a written notice before any change goes into effect.

Side payments

It is illegal for you to make additional payments to the owner to cover a rent amount that is higher than the BHA rent limit, and it is illegal for the owner to charge such side payments. All separate agreements between the owner and family must be approved by the BHA.

Annual requirements

HUD requires that all families re-certify at least annually. You will receive a letter from the BHA advising you when you are due to be re-certified. Depending on the BHA's re-certification procedures, an appointment may be scheduled to review your household income and composition. Housing Authority's with jurisdictions covering a large geographic area sometimes permit re-certification paperwork to be completed through the mail. When you receive your re-certification letter, make the necessary arrangements to either attend your scheduled meeting or complete the re-certification paperwork and mail it back to the BHA on time.

The BHA is also required to inspect your housing unit at least annually. You will be notified by letter or at the time you are in the office for your re-certification appointment of the date and time of the inspection. It is your responsibility to make sure that an adult is there to allow the inspector to enter the premises. Again, we are counting on your cooperation so there will not be any interruptions in your housing assistance.

- ✓ be on time for your re-certification appointment.
- ✓ return re-certification paperwork on time.

- ✓ prepare for the inspection.
- ✓ make sure someone is at home for the inspection.

Requirements between annual re-certifications

- ✓ When a family member moves out of your unit, you must report it to the BHA immediately and call to make an appointment.
- ✓ If you are considering having someone move into your unit, you must first notify the BHA, all family/household members must be approved by the BHA, and you must get approval from the landlord. Call to make an appointment.
- ✓ If there is a change in your household income or composition, you need to report these changes in accordance with the BHA rules presented to you at the Briefing.

Zero assistance

If your family has an increase in income that causes your share of the rent to equal or exceed the amount of the total rent, the housing assistance payment from the BHA to the landlord will be reduced to zero. However, if your family remains in the unit, the housing assistance contract with the owner will remain in effect for 180 calendar days from the date that the change should go into effect.

During this 180-day period, your family is still considered to be on the program, although assistance payments are not being made. If you have a reduction of income and become eligible for assistance during this period, the BHA will resume payments to the owner based on the new amount of the family's income.

Program integrity

The Department of HUD determines the amount of funding that is available for rental assistance in each community. It is important to ensure that the funds are used to assist only those families who are eligible. The reason the Housing Authority's have a waiting list is that there is not enough funding to assist all of the families who apply.

The BHA assumes that the information provided by families is complete and accurate, but occasionally we find that it is not.

MAKING FALSE STATEMENTS AND PROVIDING FALSE INFORMATION ARE SERIOUS VIOLATIONS OF PROGRAM RULES AS WELL AS VIOLATIONS OF STATE AND FEDERAL CRIMINAL LAWS.

Please be aware that if families provide false information of documents:

- they will be subject to denial or termination of assistance.
- they will be required to repay any amounts that were paid by the BHA.
- if it is determined that the actions were intentional, the family may be subject to criminal penalties under State or Federal law.

If you are not sure about the rules or procedures, please contact your BHA representative to get the correct information. No one should be evicted or lose their assistance unnecessarily. If you are aware of someone who is violating program rules, please contact your BHA representative. You can use the Fraud and Program Abuse Reporting form (Form F) in the last part of this handbook.

The most common program violations

Most families who are selected for the program comply with the rules, but occasionally some do not. It is always unpleasant when someone violates the rules and penalties are required. To prevent families from embarrassment and hardship, the program rules need to be thoroughly understood. The most common violations are listed below.

- **Unauthorized household members**
The persons you list on your application for housing assistance are the *only* persons who may reside in your housing unit. If you permit anyone who has not been approved by the BHA to reside in your unit, it is a violation of your Family Obligation and it could result in the loss of your housing assistance. Contact your BHA representative before you allow someone to move into your unit. You may also use the Request for Addition to Household form (Form E) in the last part of this handbook.
- **Under-reporting income**
When you are interviewed by the BHA, you will be asked to report all income received by everyone in your household. If a family withholds income, it causes the BHA to pay more money to the owner than the law

requires. This is also a violation of a Family Obligation. In these cases the family is required to repay the money; in addition, it could result in the loss of assistance or in some cases, criminal penalties.

- **Sub-leasing the unit**

When the BHA approves a unit for your family, it is for your family *only*. It is illegal for any family on the program to lease all or part of their unit to anyone.

- **Not reporting changes**

At the Briefing, the BHA representative explains the procedures for reporting changed in household members and income according to BHA policy. Failure to report changes could result in repayment of money and /or loss of assistance.

YOU MUST LET US KNOW IF YOU GET A JOB!

- **Not providing information or documents**

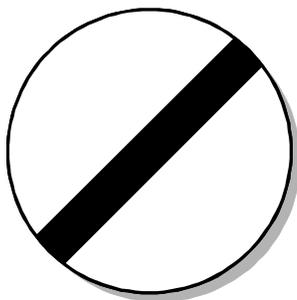
When the BHA requests that you furnish additional information or documents, it is because it is a program requirement. If you do not furnish the information or documents requested, your application cannot be verified. This applies every time you are due for re-certification.



FRAUD

**WHEN EVERYONE PLAYS BY
THE RULES, WE CAN HELP
MORE FAMILIES.**

BE HONEST!



ABUSE

Hearings

It is important to the BHA that families are provided all rights and protections under the law and HUD regulations. It is suggested that you seek an explanation from a BHA representative before you request a hearing. It may be a misunderstanding that can be resolved easily.

A participant family may request a hearing to consider whether the following BHA decisions or determinations pertaining to the family are in accordance with the law, HUD regulations and BHA policies.

- determination of the family's annual or adjusted income used to compute the housing assistance payment
- determination of the appropriate utility allowance from the BHA's utility allowance schedule
- determination of the family unit size under the BHA subsidy standards and whether an exception will be granted
- decision to terminate housing assistance because of the family's action or failure to act, including absence from the assisted unit for longer than the maximum period permitted

If a family does request a hearing, one will be scheduled promptly and the family will be notified in writing of the date, time and location of the hearing. Families may bring legal counsel, witnesses and evidence to the hearing.

Upon request, the family may also obtain copies of any documents or evidence upon which the BHA's action or inaction is based, prior to the hearing and the family's expense. The family will also be required to provide to the BHA, prior to the hearing, copies of any documents and evidence it plans to use at the hearing.

Denial or termination of assistance

A family's housing assistance may be denied or terminated if:

- the family violates a Family Obligation under the Voucher Program.
- any member of the family has ever been evicted from Public Housing
- a Housing Authority has ever terminated assistance under the pre-merger Certificate or Voucher Program for any family member
- any family member commits fraud, bribery or any other corrupt act in connection with any federal housing program
- any family member commits drug-related criminal activity or violent criminal activity
- any family member is illegally using a controlled substance
- any family member's abuse of alcohol interferes with the health, safety or right to peaceful enjoyment of the premises by other residents.
- the family currently owes rent or other money to the BHA or to another Housing Authority in connection with Section 8 or any housing assistance program under the 1937 Housing Act.
- the family has not reimbursed the BHA for money paid to an owner under a HAP contract for rent, damages to the unit or any other money owed by the family under the lease
- the family breaches an agreement with the BHA to pay money owed to a Housing Authority or money paid to an owner by a Housing Authority
- the family has engaged in or threatened abusive or violent behavior toward BHA personnel.

Mandatory permanent ineligibility & termination

The BHA must permanently deny eligibility or terminate the assistance of any person convicted of manufacturing or producing methamphetamine, commonly referred to as "speed".

Withdrawals

Occasionally, families who have been certified eligible to participate in the Section 8 Voucher program decline initial program participation or choose to withdraw from the program after receiving assistance for a while. It can be for a number of reasons, i.e., just got called back to work after a long lay-off, planning to get married and will now have more income or better yet, just won the state lottery! Since it can take many years to have your name re-selected from the waiting list, it is a good idea to discuss your plans with your BHA representative before you decide to withdraw. Depending on your income, your family may still be eligible for some rental assistance. Keep in mind that if you withdraw from participating in the program, you will have to re-apply if you happen to need assistance again in the future. If you decide not to withdraw, please notify the BHA by phone or come to the office. An appointment may be necessary.

A final note

Information and cooperation are two key ingredients in achieving decent, safe and affordable housing. With this handbook and the help of your BHA representative, you are sure to be among those in the winner's circle.

CHAPTER 6 GLOSSARY OF SECTION 8 HOUSING TERMS

Admission: The effective date of the first HAP contract for a family (first day of initial lease term), the point at which a family becomes a participant.

Annual income: The anticipated total annual income of an eligible family from all sources for the 12-month period following the date of determination of income.

Annual Adjustment Factor: (AAF) The factor (provided by HUD) that determines the maximum amount of rent increase in the certificate program.

Adjusted Income: Annual income less allowable HUD deductions and expenses.

Applicant: A family that has applied for admission to the program, but is not yet a participant in the program.

As-Paid States: States where the welfare agencies adjust the shelter and utility component of the welfare grant in accordance with actual housing costs.

Certificate of Family Participation: A Certificate issued by the HA under the Section 8 Rental Assistance Program that authorizes a family to search for housing. It states the terms and conditions for program participation.

Child Care Expenses: Amounts paid by the family for the care of minors under 13 years of age where such care is necessary to enable a family member to be employed or for an adult to further his/her education.

Contract Rent: The amount of rent the HA authorizes an owner to collect for a unit occupied by a family receiving assistance. The rent may be paid by the tenant, the HA or both.

Dependent: A member of the family (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a disabled person or is a full-time student 18 years or older.

Displaced Person: A person displaced by governmental action or a person whose dwelling has been extensively damaged or destroyed as a result of disaster declared or otherwise formally recognized pursuant to Federal Disaster Relief laws.

Drug-Related Criminal Activity: Drug trafficking, illegal use or possession for personal use of a controlled substance as defines in Section 102 of the Controlled Substances Act.

Elderly Family and Disabled Family: A family whose head or spouse, or whose sole member, is at least 62

years of age or a disabled person. It may include two or more elderly, disabled persons living together or one or more such persons living with another person who is determined to be essential to his/her care and well-being.

Exception Rent: In the certificate program, an initial rent in excess of the published FMR. Exception rents must be approved by the HA, and is used in determining the initial contract rent.

Excess Medical Expenses: Any medical expenses incurred by an elderly or disabled family in excess of 3% of the annual income that are not reimbursable from any other source.

Fair Market Rent: The rent limit published in the Federal Register for Section 8 Rental Assistance, which includes utilities (except telephone) and ranges and refrigerators. It is used as a standard to obtain privately owned, existing, decent, safe and sanitary rental suitable amenities. Separate FMRs are established for units of varying sizes (number of bedrooms) and types. In the voucher program it is used as a cap for the Payment Standard.

Family Self Sufficiency Program (FSS): A program developed by the HA to promote the self sufficiency of assisted families, including the provision of supportive services.

Foster Child Care Payment: Payment to eligible households by state, local or private agencies appointed to the State to administer the care of foster children.

Full-Time Student: A person who is carrying a subject load that is considered full time for day students under the standards and practices of the educational institution attended. This includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.

Gross Rent: The sum of the Contract Rent and utility allowance. If there are no tenant paid utilities, the Contract Rent equals the Gross Rent.

Head of Household: The person who assumes legal and financial responsibility for the household and is listed on the application as head.

Housing Agency (HA)/Public Housing Agency: Any state, county, municipality or other governmental entity or public body that is authorized to engage in or assist in the development or operation of housing for low-income families.

Housing Assistance Payment: The amount the HA pays the owner for a unit occupied by a Section 8 tenant. It is the contract rent for the unit minus the tenant rent.

Housing Assistance Payment Contract: A written contract between the HA and the owner for the purpose of providing housing assistance payments to the owner on behalf of an eligible family. It defines the owners and HA responsibilities.

Housing Quality Standards: The HUD minimum quality standards for housing assisted under the Section 8 program.

HUD: The Department of Housing and Urban Development or its designee.

Imputed Asset: An asset disposed of for less than Fair Market Value during two years preceding certification or re-certification.

Imputed Income: The HUD passbook rate times the total cash value of assets when assets exceed \$5,000.

Landlord: Either the legal owner of the property or the owner's representative or managing agent as designated by the owner.

Lease: A written agreement between an owner and an eligible family for the leasing of a housing unit.

Low Income Family: A family whose annual income does not exceed 80% of the median income for the area as determined by HUD.

Medical Expenses: Total medical expenses anticipated during the period for which annual income is computed and are not covered by insurance. (Only elderly families apply).

Minor: A member of the family who is under 18 years of age. (Excluding foster children)

Monthly Adjusted Income: One-twelfth of the annual income after allowances.

Monthly Income: One-twelfth of the annual income.

Net Family Assets: The value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds and other forms of capital investment.

Owner: Any person or entity with the legal right to lease or sublease a unit to a participant.

Participant: A family that has been admitted to the HA program and is currently assisted in the program.

Payment Standard: In the voucher program, an amount used by the HA to calculate the housing assistance payment for a family. Each payment standard amount is based on the fair market rent. The HA adopts a payment standard for each bedroom size and for each FMR rent area in the HA jurisdiction.

Persons with Disabilities: The definition of a person with disabilities includes someone who:

- 1) has a disability as defined in Section 223 of the Social Security Act.
- 2) has a physical, mental or emotional impairment that:
 - a) is expected to be of long-continued and indefinite duration,
 - b) substantially impedes hi/her ability to live independently and
 - c) is of such a nature that ability to live independently could be improved by more suitable living conditions.
- 3) has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act.

Portability: Renting a dwelling unit with Section 8 assistance outside the jurisdiction of the initial HA.

Premises: The building or complex in which the dwelling unit is located including common areas and grounds.

Re-certification: Sometimes called re-examination. The process of securing documentation of total family income used to determine the rent the tenant will pay for the next 12 months if no interim changes are reported by the family.

Reasonable Rent (Rent Reasonableness): A rent to the owner that is not more than either:

- 1) the rent charged for comparable units in the private unassisted market, or
- 2) the rent charged by the owner for a comparable assisted or unassisted unit in the building or premises.

Remaining Member of Tenant Family: Person left in assisted housing who may or may not normally qualify for assistance on own circumstances.

Rent to Owner: The monthly rent payable to the owner under the lease. Rent to the owner includes payment for any services, maintenance and utilities to be provided by the owner in accordance with the lease.

Security Deposit: A dollar amount that can be collected from the family by the owner to be used for amounts owed under the lease according to State/local laws.

Single Person: A person living alone or intending to live alone.

Subsidy Standards: Standards established by an HA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

Tenant: The person or persons who executes the lease as lessee of the dwelling unit.

Tenant Rent: The amount payable monthly by the family as rent to the owner.

Total Tenant Payment: The total amount the HUD rent formula requires the tenant to pay toward rent and utilities.

Unit/Housing Unit: Residential space for the private use of a family. The size of a unit based on the number of bedrooms contained within the unit.

Utility Allowance: The Has estimate of the average monthly utility bills for an energy-conscious household. If all utilities are included in the rent, there is no utility allowance. The utility allowance will vary by unit size and type of utilities.

Utility Reimbursement: In the certificate program, the amount, if any, by which any utility allowance for family-paid utilities or other housing services exceeds the total tenant payment.

Very Low Income Family: A low income family whose annual income does not exceed 50% of the median income for the area.

Violent Criminal Activity: Any illegal criminal activity that has one of its elements the use, attempted use or threatened use of physical force against the person or property of another.

Voucher (Rental Voucher): A document issued by an HA to a family selected for admission to the voucher program. The voucher describes the program and the procedures for HA approval of a unit selected by the family.

FORM A: BRIEFING EVALUATION

As a part of our commitment to provide you with the best service possible, we would like you to complete this evaluation form. Please complete it after your briefing and return it at your convenience.

The Briefing

Please rate each question by circling a number from one to five. 1 is the lowest rating and 5 is the highest rating.

RATING

- | | |
|---|-----------|
| 1) The information provided at the briefing was explained thoroughly. | 1 2 3 4 5 |
| 2) The material provided to me was helpful. | 1 2 3 4 5 |
| 3) The speaker was helpful to my understanding of the material. | 1 2 3 4 5 |
| 4) The material was easy to understand. | 1 2 3 4 5 |
| 5) How would you rate the overall presentation? | 1 2 3 4 5 |

Please comment as appropriate below:

1) One thing that could have improved the briefing is _____

2) What I liked best about the briefing was _____

3) One thing I didn't understand was _____

Thank you for your time and cooperation. If you want to write more than will fit here, please continue on the other side.

FORM D: NOTIFICATION OF FAMILY MEMBER MOVE-OUT

Instruction: Please complete this form and submit it to your HA representative immediately in the event that any family member(s) move out of your housing unit.

Date _____

Head of Household _____

Address _____ Apt. No. _____

City _____ State _____ Zip Code _____

Telephone _____

Please answer the following questions:

Name of family member who moved:

Date that the family member moved:

What is the address this person is moving to?

What is the telephone number of the place this person is moving to?

FORM E: REQUEST FOR ADDITION TO HOUSEHOLD

Instruction: It is a Family Obligation that the HA must approve additional family members of the household before they can move into the unit. Please complete this form and submit it to your HA representative before permitting anyone to move into your housing unit.

Date _____

Head of Household _____

Address _____ Apt. No. _____

City _____ State _____ Zip Code _____

Telephone _____

I would like to request approval for the following person to move into my household.

Name of person _____

Address _____ Apt. No. _____

City _____ State _____ Zip Code _____

Telephone _____ How long at this address? _____

Relationship _____

Date of Birth _____ Social Security Number _____

Source and amount of all income received by this person:

FORM F: FRAUD AND PROGRAM ABUSE REPORTING FORM

Instruction: The Department of HUD and the HA are seriously concerned about Fraud and Abuse in the various housing assistance programs. Please complete this form if you become aware of any violation of program rules by any person. You may furnish your name, but you are not required to.

I would like to bring the following information to the attention of the HA:

Please answer the following questions:

- How long has this situation been going on?

- Is there anyone other than you who can verify this information?

Yes No

Is yes, who? _____

- What other facts would help us verify this information?

Name (optional) _____

Telephone _____

Date _____

NOTICE OF INTENT TO WITHDRAW

This is to inform you that I wish to withdraw from the Section 8 Voucher program.

Head of Household _____

Address _____

City _____ State _____ Zip Code _____

Telephone _____

Effective Date of Voluntary Withdrawal _____

Please print your name, sign and date below:

Name(Print)

Signature

Date of Signature

FORM H: CUSTOMER SERVICE EVALUATION

Instruction: This customer service evaluation may be completed after your first annual re-certification on the program or at any time while you are on the program and wish to provide feedback to the HA.

1. When I come into the Housing Agency with a question, a problem or for an appointment, I receive good service. Yes No

Explain _____

2. When I telephone the Housing Agency, people are friendly. Yes No

Explain _____

3. When I leave a telephone message for a staff person, they always return my call in a reasonable amount of time. Yes No

Explain _____

4. The Housing Agency could improve its service. Yes No

Explain _____

5. Rate the overall service of the Housing Agency:

Poor Below Average Average Above Average Superior

Comments: _____
