

Section 8 Housing Choice Voucher Program Landlord/Owner Guide

Responsibilities of the Housing Authority, Owner and Assisted Families:

The HCVP depends on a cooperative relationship between the housing authority, assisted family and owner or property manager. The program is designed to maintain the regular owner and tenant relationship. Our main purpose is to subsidize families' rents; all other aspects of the lease agreement must be resolved between the landlord and the tenant. The following summarizes the responsibilities of each party.

The Housing Authority:

- Reviews all applicants to determine families' eligibility for the program.
- Explain the rules of the program to families and property owners/managers.
- Issue vouchers to families.
- Inspect the assisted units for compliance with housing quality standards.
- Approve the unit, owner and lease.
- Make housing assistance payments to the owner in a timely manner.
- Re-examine the family's income and composition annually and adjust the rent and process changes in rent portions when income of family composition changes.
- Ensure owners and families comply with the program rules.
- Provide prompt, professional service to owners and tenant families.

The Owner/Landlord/Manager:

- Thoroughly screen and interview families who apply.
- Maintain the property by making necessary repairs in a timely manner.
- Collect application fees, security deposits and tenant's monthly rent portion.
- Manages the property and enforces the lease.
- Comply with the terms of the Housing Assistance Payment Contract and HUD Tenancy addendum.
- Comply with all fair housing laws, including non-discrimination and reasonable accommodation
- Notify the housing authority if a tenant vacates the unit and return the housing assistance payments received after a family vacates a unit.
- Notify the housing authority of any owner change immediately so payment to the new landlord will not be delayed.

The Tenant/Program Participant/Family:

- Provide the housing authority with complete and accurate information pertaining to the family income and composition.
- Report changes in income and family composition that happens throughout the year.
- Locate a suitable unit and pay security deposit and application fee to the owner.
- Attend scheduled appointments and return documents on time.
- Maintains the property and repairs and damages beyond normal wear and tear.
- Comply with the terms of the lease.
- Pay their portion of rent on time to the owner.
- Comply with all family obligations under the Housing Choice Voucher Program.

The Housing Quality Standards (HQS) Inspection

Housing quality standards (HQS) inspections ensure that your unit is safe and sanitary. An initial HQS inspection is required before assistance can be provided. After that, the unit will be subject to annual inspections to continue in the program. Complaint and quality control inspections may be performed between annual inspections. A HQS inspector will contact the owner by phone to schedule the inspection.

If a unit fails the initial inspection, all failed items must be corrected prior to subsidy being paid on the unit. If it fails an annual inspection, failed items must be corrected for the subsidy to continue. The owner or property manager is required to repair items within 30 days or less as specified in the inspection report. However, if the failed item is considered life-threatening, federal law requires the repair to be made within 24 hours. Additional time may be granted in cases where extensive repairs are needed. If a unit fails the initial inspection more than once, MHA will not inspect the unit again for that tenant.

While it is generally your responsibility to maintain an assisted unit to HUD standards, the tenant is responsible for damages the tenant causes. You may require the tenant to repair or pay for the repair of items the tenant has damaged. You would give the tenant written notice, explaining which items they are to repair and when, with a copy provided to the Housing Authority. If tenants fail to repair damages they caused in 14 to 30 days, their Housing Choice vouchers may be terminated.

If items that failed inspection are not repaired in the required time, the Housing Authority may begin withholding housing assistance payments. The tenant cannot be held responsible for the Housing Authority's portion of the rent. When the repairs have been made and the unit passes the final HQS inspection, the Housing Authority will resume housing assistance payments, prorated from the date of the inspection.

RENT REASONABLENESS

The requested rent amount must be reasonable as compared to other similar unassisted units. The Housing Authority must approve all rents requested before a contract or lease is executed.

HQS Checklist for Landlords

Each unit rented under the Housing Choice Voucher Program must pass a Housing Quality Standards (HQS) inspection. Units sometimes fail housing inspections because landlords and tenants are not familiar with HQS requirements and/or have not assessed the condition of the unit prior to the scheduled inspection. For these reasons, the Housing Authority encourages you to conduct pre-inspections prior to the scheduled inspection. If the most commonly failed items are corrected before the inspection, the unit will have a much better chance of passing the inspection the first time. All utilities must be connected before an inspection can be conducted. The checklist below is a tool for

owners to prepare their unit for an HQS inspection. The items on this checklist must be working or completed prior to the HQS inspection.

Bathroom

- The bathroom must be located in a separate room and have a flush toilet.
- The unit must have a fixed basin with a sink trap and hot and cold running water.
- The unit must have a shower or bathtub with hot and cold running water.
- The toilet facilities must utilize an approvable public or private disposal system, including a locally approvable septic system.

Kitchen

- The unit must have a cooking stove or range and refrigerator of appropriate size for the unit (i.e., family) all in proper operating condition. Stoves, ovens, and ranges must be in working condition with all control knobs and handles. Pilots must light when burners and oven are turned on. The refrigerator gasket must be intact, fit snugly, and have no cracks. The kickplate must be secured properly.
- The unit must have a kitchen sink in proper operating condition with a sink trap and hot and cold running water, which drains into an approvable public or private wastewater system.
- The unit must provide space for the storage, preparation, and serving of food.
- There must be facilities and services for the sanitary disposal of food waste and refuse, including temporary storage facilities where necessary (i.e., garbage containers).

Space and Security

- The unit must have a minimum of a living room, kitchen area, and bathroom.
- The unit must contain at least one sleeping or living/sleeping room for each two persons.
- The unit's windows, which are accessible from the outside (*less than 6 feet off the ground*), such as basement, first-floor, and fire escape windows, must be lockable (e.g., window units with sash pins or sash locks, and combination windows with latches). Security bars are allowed. However, if they are installed on bedroom windows and/or exit doors they must be designed to allow emergency egress.
- Vertically opening windows must stay up and open without the use of props.
- Windows designed to open should be in working condition.
- Windowpanes must not be broken or cracked.
- The unit's exterior doors (i.e., those that allow access to or from the unit) must lock properly, and be compliant with current local Property Code requirements regarding security devices for residential tenancies. Striker plate must align with lock and all hardware must be securely attached. If gaps allow for air infiltration, weather-stripping should be applied.

Thermal Environment (Heating and Cooling System)

- ❑ The unit must contain a safe heating system (and safe cooling system, where present), which is in proper operating condition and can provide adequate heat (and cooling, if applicable), either directly or indirectly, to each room used for living in order to assure a healthy living environment appropriate to the climate.
- ❑ Hot water heaters must have a pressure relief valve and discharge line that extends to within 6 inches of the floor or to the outside. Discharge tubing must be galvanized steel, copper or CPVC piping, not PVC. There should be no exposed wires. Flammable materials should not be stored near the hot water heater. Gas water heaters must be properly vented.
- ❑ The unit must not contain any unvented room heaters, which burn gas, oil, or kerosene. A working radiator would be acceptable.

Illumination and Electricity

- ❑ There must be at least one window in the living room and in each sleeping room.
- ❑ The kitchen area and the bathroom must have a permanent ceiling or wall type light fixture in working condition.
- ❑ The kitchen area must also have at least one electrical outlet in operating condition.
- ❑ The living room and each bedroom must have at least two electrical outlets in operating condition. Permanently installed overhead or wall-mounted light fixtures may count as one of the required electrical outlets.
- ❑ All other rooms used for living require a means of natural or artificial illumination such as a light fixture, a wall outlet to serve a lamp, a window in the room, or adequate light from an adjacent room.
- ❑ Each electrical outlet must be permanently installed in the baseboard, wall, or floor. No extension cords may be used for outlets.
- ❑ Table or floor lamps, ceiling lamps plugged into a socket, or an extension cord plugged into another plug cannot be counted as an outlet for HQS purposes.
- ❑ Electrical hazards of any kind, either inside or outside the unit would receive a fail rating.

Structure and Materials

- ❑ Interior ceilings, walls, and floors must not have any serious defects such as severe bulging or leaning, large holes, loose surface materials, severe buckling, missing parts, or other serious damage.
- ❑ The floors must also not have any major movement under walking stress, or tripping hazards presented by the permanent floor coverings.
- ❑ The roof must be structurally sound and weather tight.
- ❑ The exterior wall structure and surfaces must not have any serious defects such as serious leaning, buckling, sagging, large holes, unfastened and falling components, or defects that would result in air infiltration or vermin infestation.
- ❑ The condition and equipment of interior and exterior stairways, halls, porches, walkways, etc. must not present a danger of tripping and falling. Examples of

dangerous conditions include, but are not limited to, broken or missing steps and loose boards.

- Stairways with four or more steps must have a handrail that is securely supported and runs the length of the stairway.
- Railings are required for decks, porches or steps that are more than 30 inches from the ground.
- Elevators must be working, safe, and compliant with locally enforced codes.
- Manufactured homes must be securely anchored by tie down devices, which distribute and transfer the loads imposed by the unit to appropriate ground anchors so as to resist wind overturning and sliding.

Interior Air Quality

- The unit must be free from dangerous levels of air pollution from carbon monoxide, sewer gas, fuel gas, dust, and other harmful pollutants.
- The unit must have adequate air circulation.
- Bathrooms must have a window that opens properly or a permanently installed exhaust fan.
- Any room used for sleeping must have at least one window that opens properly, if the window was so designed.

Water Supply

- An approvable public or private water supply must serve the unit, which is sanitary and free from contamination.

Lead-Based Paint

- A dwelling unit constructed before 1978 that is occupied by a family that includes a child under the age of six years must include a visual inspection for defective paint surfaces. Defective paint surface is defined as a surface on which the paint is cracking, scaling, chipping, peeling or loose. If defective paint surfaces are found, such surfaces must be treated in accordance with state and EPA requirements.

Access

- The unit must have direct access for the tenant to enter and exit, without the unauthorized use of other private properties.
- The building must provide an alternate means of exit in case of fire (such as fire stairs or exit through windows, with the use of a ladder if windows are above the second floor).
- Entry/exits must not be "blocked" by debris, stored items, non-working locks, or doors that have been nailed shut or otherwise obstructed.

Site and Neighborhood

- The site and neighborhood must be reasonably free of serious conditions, which would endanger the health and safety of residents.

Infestation

- The unit and its equipment must be free of serious vermin and rodent infestation.

Smoke Detectors

- The unit must have at least one battery operated or hardwired smoke detector that is in proper operating condition on each level of the unit, including basements but excluding crawl spaces and unfinished attics. Detectors must be installed in accordance with and meet the requirements of the National Fire Protection Association Standard (NFPA) 74 or its successors (currently NFPA 720). If any hearing-impaired person occupies the unit, smoke detectors must have an alarm system designed for hearing-impaired persons as specified by NFPA 74 (or its successors). In new construction, there must be a smoke detector in each room used for sleeping, and those must be arranged so that the operation of any detector will cause all other detectors to alarm.

Utilities

- All landlord provided appliances must be in place at the time of the inspection.
- All utilities (water, electricity, and gas where applicable) should be on at the time of the inspection.
- All gas appliances with manual pilot light must have pilots lit at the time of the inspection.

Occupancy

- Unit to be inspected must be either vacant or occupied by the Section 8 client applying for that unit.