# Housing Choice Voucher Program

Housing Authority of Washington County Landlord Orientation

# Agenda

- What is the Housing Choice Voucher Program (HCV)?
- Roles of each participant
- Required paperwork
- Inspections
- Maryland landlord laws

# The Housing Choice Voucher (HCV) Program was designed to:

- Improve living conditions for low-income families
- Promote housing choice
- Provide safe and affordable housing
- Integrate lower income and minority families

# Three Way Partnership Landlord Housing Authority Tenant

# Benefits of participating in HCV program

- Consistent Rent Payment by the Government
- Consistent Tenant Base
- Pre-Screened Tenants Tenants are screened for violence, drug activity and sex offender registry
- Increased rents—Once a year, landlords are allowed to reassess rent payments they receive from tenants, meaning they can charge their HCV tenants higher rental fees.

# Landlord/Owner responsibilities

- Tenant screening
- Maintain the unit (we will discuss further)
- Comply with the Housing Assistance Payment (HAP) contract
- Enforce the lease
- Follow state and federal landlord laws

# Tenant Responsibilities

- Comply with the lease and HUD lease addendum
- Pay rent and utilities on time
- Take care of the unit
- Provide housing authority with any change in income and/or family composition
- Notify the landlord and housing authority with an intent to move
- Refrain from criminal activity

# Housing Authority Obligations

- Determine eligibility income and background checks
- Issue the voucher
- Determine families portion of the rent
- Inspect the unit at least annually
- Enforce program compliance of owners and families
- Pay the Housing Assistance Payment on behalf of the family
- Monitor program performance and compliance with Federal, State, and Local laws

# How owners participate in the HCV program

- Screen applicants
- Complete the Request for Tenancy Approval
- Complete the W-9 form
- Complete Direct Deposit form
- Sign the Non-Relative Disclosure form

# How owners participate in the HCV program Continued

• Ensure the property is ready to be inspected.

Provide the Maryland Lead Paint Certification if required

- Provide a copy of the signed lease to the HCV office
- Provide a copy of the Deed
- Attend Landlord Orientation when scheduled
- Review, sign and return the Housing Assistance Payment contract
- Strongly suggest attending all unit inspections

### HCV Process

HCV applicants are screened and approved

### A voucher is issued

#### ↓ The applicant finds a place and gives landlord paperwork to complete

#### $\downarrow$

Landlord completes RFTA, W-9, Non Relative Discloser, Direct Deposit, Lead Paint Certification, provides a copy of the Deed and gives to Housing Authority prior to the tenant moving into the unit

## HCV Process (continued)

#### Housing Authority determines if unit meets payment standards If so, Inspection is scheduled

#### If inspection passed, then a copy of lease must be provided

### $\downarrow$

Move in dates and payments are always the first of the month (If someone moves in before the first of the month, the tenant is responsible for the rent)

### $\downarrow$

Housing assistance payments calculated and provided to landlord and tenant

Landlord must sign and return the Housing Assistant Payment (HAP) Contract

# Required Documents

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# Request for Tenancy Approval

Request for T Housing Choice			and Urb	partment of Hou oan Developmen f Public and India	t	OMB A	pproval No. 257 (exp. 05/3	
Public reporting burden f existing data sources, ga or sponsor, and a perso Eligible families submit t of 1937 (42 U.S.C. 1437f statutory requirements. confidentiality.	athering and maintaining n is not required to resp his information to the Pu ). The PHA uses the info	the data neede ond to, a collect blic Housing Au ormation to def	ed, and comple tion of inform uthority (PHA) termine if the f	eting and reviewing ation unless that co when applying for l amily is eligible, if th	the collection of inform llection displays a vali housing assistance un he unit is eligible, and i	ation. This a d OMB control der Section 8 d f the lease com	gency may not number. of the U.S. Hous plies with progr	conduct sing Act ram and
1. Name of Public Housing .	Agency (PHA)			2. Address of Unit	(street address, apartmer	t number, city, S	tate & zip code)	
3. Requested Beginning Da	te of Lease 4. Number of	Bedrooms 5. Ye	ar Constructed	6. Proposed Rent	7. Security Deposit An	it. 8. Date Ur	it Available for In	spection
9. Type of House/Apartmer Single Family De		ached / Row (Towr	House 🔲	Manufactured Ho	ome Garden / (Four storie		Elevator / Hig (Five stories of	
	Section 221(d)(3			236 (Insured or no	ninsured)	Section 515 F	Rural Develop	ment
<ol> <li>Utilities and Appliances</li> <li>The owner shall provide or by a "T". Unless otherwise</li> </ol>						and appliances	indicated below	
Item	Specify fuel type					Provided by	Paid by	
Heating	Natural gas	Bottle gas	Oil	Electric	Coal or Other			
Cooking	Natural gas	Bottle gas	Oil	Electric	Coal or Other			
Water Heating	Natural gas	Bottle gas	Oi	Electric	Coal or Other			
Other Electric								
Water								
Sewer								

to the housing choice voucher tenant is not more than the rent charged for other unassisted comparable units. **Owners of projects with more than 4** units must complete the following section for most recently leased comparable unassisted units within the premises.

	Address and unit number	Date Rented	Rental Amount
1.			
_			
2.			
3.			
з.			

b. The owner (including a principal or other interested party) is not the 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 leasing of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities.

Lead-based paint disclosure requirements do not apply because this property was built on or after January 1, 1978.

The unit, common areas servicing the unit, and exterior painted surfaces associated with such unit or common areas have been found to be lead-based paint free by a lead-based paint inspector certified under the Federal certification program or under a tederally accredited State certification program.

A completed statement is attached containing disclosure of known information on lead-based paint and/or lead-based paint hazards in the unit, common areas or exterior painted surfaces, including a statement that the owner has provided the lead hazard information pamphlet to the family.

13. The PHA has not screened the family's behavior or suitability for tenancy. Such screening is the owner's own responsibility.

14. The owner's lease must include word-for-word all provisions of the HUD tenancy addendum.

15. The PHA will arrange for inspection of the unit and will notify the owner and family as to whether or not the unit will be approved.

Print or Type Name of Owner/Owner Representative ***		Print or Type Name of Hou	usehold Head	
Signature		Signature (Household Hea	id)	
Business Address		Present Address of Family	r (street address, apartment no., c	ity, State, & zip code)
Telephone Number	Date (mm/dd/yyyy)	Telephone Number		Date (mm/dd/yyyy)
For section 9, please mark the appropriate checkbox for your unit based on the following guidelines:	** Owners of projects with m complete section 12a of th		*** Please fill out the following your housing assistance pay	
ingle Family residence - check Single Family Detached.	Section 12a of the RTA allow	s the owner to certify that	Print or type name of property of	owner, if different from party
Duplex - circle Semi-Detached.	the rent charged to the Section	n 8 tenant is not more than	authorized to execute lease:	

### Rent Determination

- Owner requests rent amount
- Rent reasonableness determination made by comparing assisted unit to other similar units in the area.
- Rent amount is compared against payment standard (established by HUD based on fair market rents for the area)
- For more information visit: https://www.huduser.gov/portal/datasets/fmr.html

## Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

All rental properties built before 1978 will be required to participate in the Maryland Lead Poisoning Program by January 1, 2015. Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

The Lead Paint Addendum applies to units before 1950 or between 1950-78 (until Dec. 31, 2014). All rental properties built before 1978 will be required to participate in the Maryland Lead Poisoning Program by January 1, 2015.

#### Maryland Disclosure Requiremen

Lead-Based Paint Disclosure Requirements: The Maryland Lead Poisoning Prevention Program (the Program) requires the owner of residential real property to deliver to tenant, before a lease is entered into and every two (2) years thereafter, a copy of a "Notice of Tenant's Rights, Lead Poisoning Prevention" as published by the Maryland Department of the Environment (the Notice), the EPA brochure entitled "Protect Your Family Lead in Your Home" (the EPA pamphlet), and a copy of the verified inspection Certificate from the Maryland Department of the Environment (the Certificate).

Tenant has acknowledged Tenant's receipt of the Notice, the EPA Pamphlet and the Certificate prior to the execution of this Lease. In the event Tenant shall continue to occupy the leased premises for two (2) years or longer, Landlord or Landlord's agent will provide Tenant with the Notice, the EPA Pamphlet, and the Certificate within two (2) years from the date of occupancy and every (2) years thereafter as required by the Program.

The Notice, the EPA Pamphlet, and the Certificate will be delivered to Tenant either by: 1. Certified mail, return receipt requested: 2. By hand delivery: or 3. By such other verifiable method as approved by the Maryland Department of the Environment.

Tenant is required by law to acknowledge the receipt of Notice, the EPA Pamphlet and the Certificate when delivered by Landlord or Landlord's agent. In the event Tenant shall fail to acknowledge, by Tenant's signature, the receipt of the Notice, the EPA Pamphlet and the Certificate, such failure shall constitute a breach of a materials term of this lease and Landlord shall be entitled to terminate this lease and pursue available legal remedies, including eviction, for Tenant's breach as provided in this lease.

Address of property: \_\_\_\_\_

Certification of Accuracy: The following parties have reviewed the information above and certify, to the best of their knowledge, that the information provided by the signatory is true and accurate.

Lessor or Lessor's Agent (Owner-Landlord)	Date
Lessee (Tenant/Tenant's over age 18)	Date
Lessee (Tenant/Tenant's over age 18)	Date
	R-WCV REVISED DOCUMENTS/Appliant and Wait Latilitive in Pad Revised November 5, 2017

# W-9

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### Non- Relative certifications

A parent, child, grandparent, grandchild, sister, brother or any other member of the family cannot lease your rental unit.

#### **NON-RELATIVE CERTIFICATIONS**

NOTE: On May 18, 1998, the U.S. Department of Housing and Urban Development published in the Federal Register a new regulation prohibiting a Housing Authority from approving a unit for lease if the owner is the parent, child, grandparent, sister, or brother of any member of the family of the Section 8 Voucher or Certificate holder that is seeking to rent the unit. The new policy applies to new admissions and to moves with continued assistance, and requires a signed certification by both the owner and the prospective tenant.

**Owner Certification:** 

I hereby certify that I nor any member of my family is a parent, child, grandparent, grandchild, sister, brother or any other member of the family seeking to lease my rental unit.

Printed Name

Signature Date

Tenant Certification:

I hereby certify that I nor any member of my family is a parent, child, grandparent, grandchild, sister, brother or any other member of the family seeking to lease my rental unit.

Printed Name:

Signature

Date

This form <u>must be completed and returned</u> to the Housing Authority of Washington County with the Request for Lease Approval

## Direct deposit form

While Direct Deposit is not mandatory, we do encourage that landlords sign up. It helps guarantee a faster payment.



#### To: Section 8 Landlords Subject: Direct Deposit payment method

The Housing Authority of Washington County offers the Direct Deposit option for Section 8 rental assistance payments to landlords. After several years in use, this method has proven to be very successful. This is now mandatory for all landlords. Direct Deposit of the money we owe you has the advantages of being TIMELY and SECURE. With Direct Deposit the full rental assistance will be paid into your bank account on the 1st business day of each month. Direct Deposit also allows you the flexibility of having the deposit go to either your checking or savings account. The Direct Deposit process is more efficient, helping us curtail administrative costs in the Section 8 program.

Please complete the authorization agreement at the bottom of the page and return to the Housing Authority offices at 319 East Antietam Street, 2nd Floor, or mail to HAWC 319 E. Antietam St., 2<sup>nd</sup> Floor, Hagerstown, MD 21740. Unsigned or incomplete agreements will be returned. You will receive printed rent checks until your Direct Deposit authorization is received. The ABA# is imprinted on the bottom of checks between two colons. On business checks the first set of numbers is the check number, followed by the ABA number and then your account number. On personal checks the ABA# is the first set of numbers. If you are unsure of the depository's information, please contact them directly.

#### Section 8 Direct Deposit Authorization

I hereby authorize the Housing Authority of Washington County to (1) initiate credit entries (deposits) to my account number indicated below at the depository named below and (2) to initiate, if necessary, debit entries or adjustments for any credit error.
Bank Name:\_\_\_\_\_\_
Transit/Routing ABA# Account Number

Type of Account (check one only)	Checking []	Savings [ ]
Landlord Name – Please Print		Date
Landlord Signature		Fax number or Email address
Tenant		_

R:\HCV REVISED DOCUMENTS\Applicant and Wait List\Move In Packet

### Housing Assistance Payment Contract (HAP)

• The HAP Contract is the contract between the Housing Authority and the landlord. <u>*Please review this contract carefully before signing.</u>*</u>

#### Housing Assistance Payments Contract (HAP Contract) Section 8 Tenant-Based Assistance Housing Choice Voucher Program

U.S. Department of Housing and Urban Development Office of Public and Indian Housing OMB Approval 2577-0169 (Exp. 04/30/2018)

Privacy Act Statement. The Department of Housing and Urban Development (HUD) is authorized to collect the information required on this form by Section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437). Collection of family members' names and unit address, and owner's name and payment address is mandatory. The information is used to provide Section 8 fenant-based assistance under the Housing Choice Voucher program in the form of housing assistance payments. The information also specifies what utilities and appliances are to be supplied by the owner, and what utilities and appliances are to be supplied by the lenant. HUD may disclose this information to Federal, State and local agencies when relevant to civil, criminal, or regulatory investigations and prosecutions. It will not be otherwise disclosed or released outside of HUD, except as permitted or required by law. Failure to provide any of the information may result in delay or rejection of family or owner participation in the program.

#### Instructions for use of HAP Contract

This form of Housing Assistance Payments Contract (HAP contract) is used to provide Section 8 tenant-based assistance under the housing choice voucher program (voucher program) of the U.S. Department of Housing and Urban Development (HUD). The main regulation for this program is 24 Code of Federal Regulations Part 982.

The local voucher program is administered by a public housing agency (PHA). The HAP contract is an agreement between the PHA and the owner of a unit occupied by an assisted family. The HAP contract has three parts:

Part A Contract information (fill-ins). See section by section instructions. Part B Body of contract Part C Tenancy addendum

#### Use of this form

Use of this HAP contract is required by HUD. Modification of the HAP contract is not permitted. The HAP contract must be word-forword in the form prescribed by HUD. However, the PHA may choose to add the following:

Language that prohibits the owner from collecting a security deposit in excess of private market practice, or in excess of amounts charged by the owner to unassisted tenants. Such a prohibition must be added to Part A of the HAP contract. However, this form may not be used for the following special housing types: (1) manufactured home space retail by a family that owns the manufactured home and leases only the space; (2) cooperative housing; and (3) the homeownership option under Section 8(y) of the United States Housing Act of 1937 (42 U.S.C. 1437f(v)).

#### How to fill in Part A Section by Section Instructions

Section 2: **Tenant** Enter full name of tenant.

Section 3. Contract Unit Enter address of unit, including apartment number, if any.

#### Section 4. Household Members

Enter full names of all PHA-approved household members. Specify if any such person is a live-in aide, which is a person approved by the PHA to reside in the unit to provide supportive services for a family member who is a person with disabilities.

Section 5. **Initial Lease Term** Enter first date and last date of initial lease term

The initial lease term must be for at least one year. However, the PHA may approve a shorter initial lease term if the PHA determines that:

# Housing Quality Standards (Inspections)

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# **HCV** Inspections

- HCV Inspections are focused on safety issues and as a result are often more lenient than the Washington County inspections.
- Landlords are encouraged to attend ALL inspections specifically to observe the inspection, learn about their property and any issues, and observe the condition of the property after the tenant has taken occupancy.

# Housing Quality Standard Inspections (HQS)

All inspections are focused on safety

- Initial Must be completed before a potential tenant can move in.
- Annual Completed every year
- Complaint conducted when there is a complaint, originating from a participant, landlord, or other concerned party.
- Emergency Conducted when life threatening conditions, such as lack of security, major plumbing leaks, natural gas leak or fumes, inoperable smoke detectors, etc.
- Quality control HUD requires that a sample of units be re-inspected by a supervisor to ensure HQS standards are being enforced.
- Note We do not do move out inspections

# HQS

### Every unit approved under HCVP must have at least a:

- Living room
- Kitchen
- Bathroom
- Sleeping areas must have a window and two electrical outlets or one outlet and overhead light
- There must be one bedroom for every two participant members
- There must be smoke detectors on every level of the unit accessible to the tenant
- Please see handout for more specific information

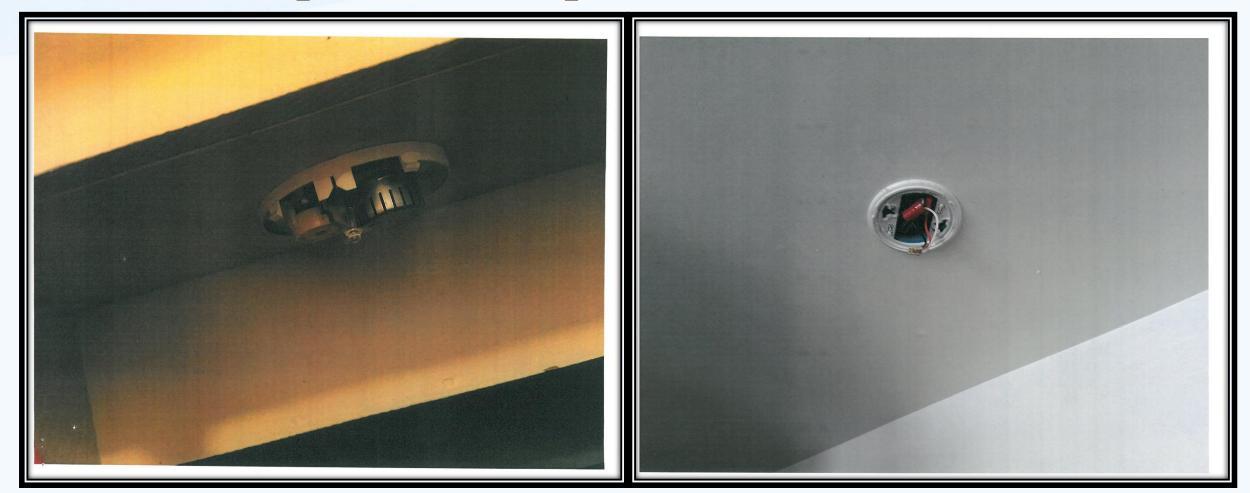
# Inspection failures

There are two kinds of failures – Emergency and Regular

- Regular Landlords will have 30 days to repair non-emergency failures. After the 30 day follow-up inspection if items are not repaired, then the housing authority can abate subsidy payments until the repairs are made.
- Emergency Items that are considered life threatening are to be repaired within 24 hours. If not repaired, then subsidy payments will be abated (stopped with no refund ) and the tenant may be required to vacate the premises.
- The initial inspection and follow up after a failed inspection are conducted free of charge. However, if the inspector determines that there are items previously listed as failed on the initial inspection that have not been corrected, <u>there will be a \$75 charge for each inspection thereafter</u>.
- <u>In order to avoid failures and fees, please make sure the unit is in compliance BEFORE</u> <u>the inspection occurs.</u>

# Smoke Detectors

- If a smoke detector is not functional or missing the result will be a FAILED inspection.
- Both you and your tenant will be notified both by phone and in writing of a 24 hour failure due to smoke detector.
- You have 24-Hours to complete the repair work for a re-inspection.
- Every time you are in your unit; check smoke detector(s).
- Having functioning smoke detectors will protect your tenant and your property.



Non-Functioning Smoke Detector

Missing Smoke Detector

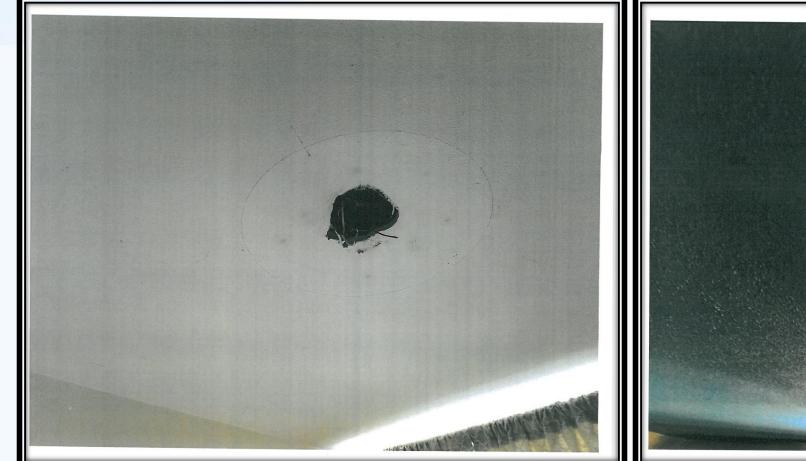
# Electrical Issues

Any electrical issues are a serious matter; a fire could harm tenants and destroy units.

- Missing burners
- Fixtures hanging by wires only
- Exposed bare wires
- Missing cover plates

### Electrical Issues continued

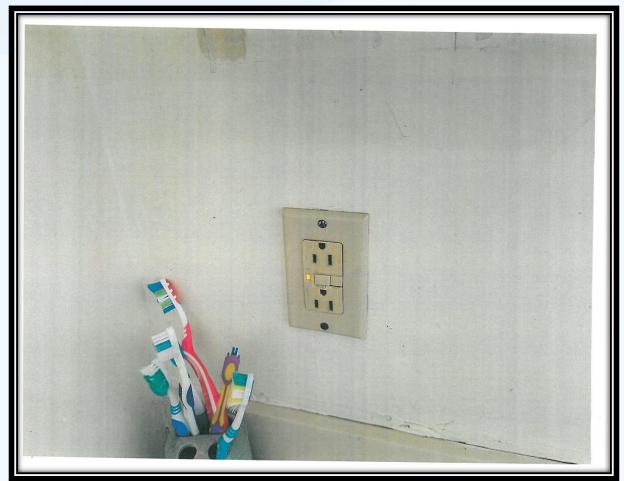
- GFI's need installed if within six (6) feet of any water source
- Depending on the severity of the electrical issue would result in a FAILED inspection.
- Could be a 24-Hour OR 30 days to complete the repair work for a re-inspection.



Missing Lighting Fixtures; Exposed Wires Hanging



Missing Lighting Fixtures; Exposed Wires Hanging



Working GFI needs to be installed if within six (6) feet from any water source.



#### Missing Face/Cover Plate



Secure and ensure that Electric Baseboard Heaters are in working order



Make sure lighting fixtures are securely installed properly



Missing Lighting Fixture; Exposed Wires

# Floor to Ceiling...

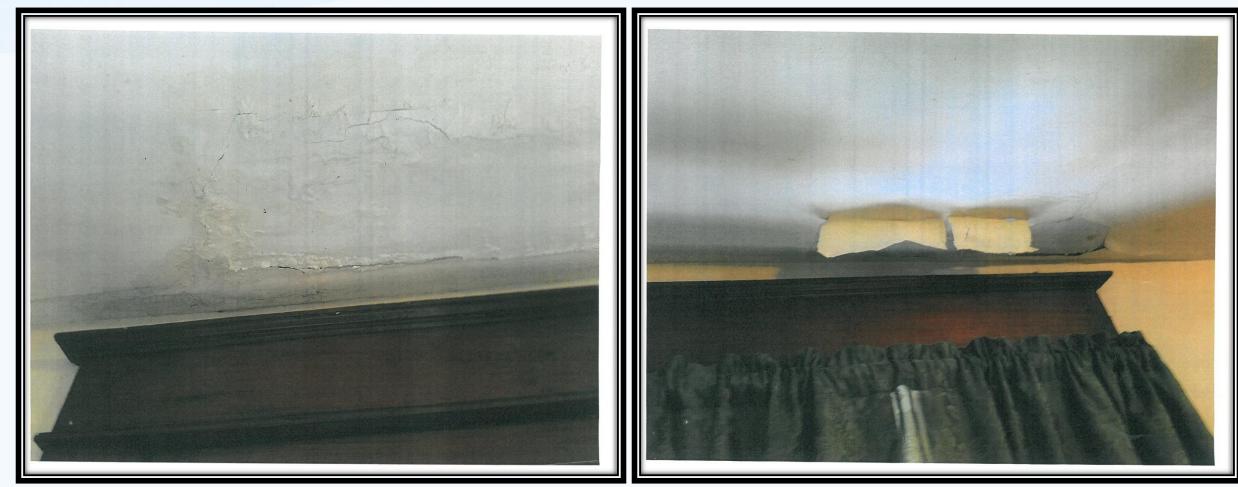
- These issues are not life threating but would result in a FAILED inspection.
- You have 30 days to complete the repair work for a re-inspection.



Damaged window sill



#### Vinyl flooring damaged



#### Bubbling and cracked paint

Peeling paint



Hole in the ceiling



Cracks developing



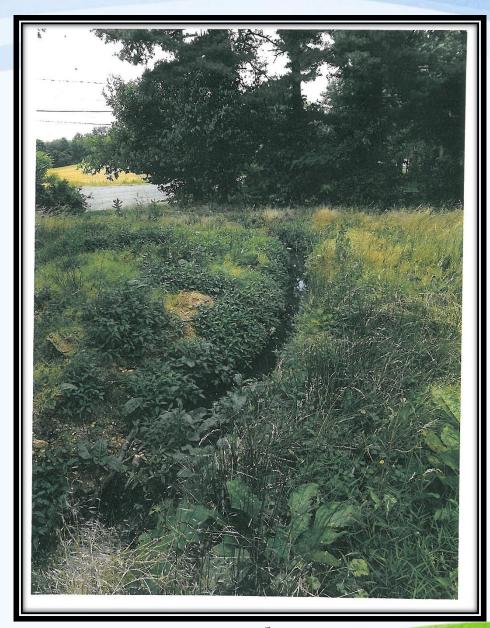
Missing door knob and damage

### Septic Issues

- These issues are not life threating but would result in a FAILED inspection.
- You have 30 days to complete the repair work for a re-inspection.



Septic tank issues



### Septic tank issues

### Perimeter/Exterior Maintenance Issues

- These issues are not life threating but would result in a FAILED inspection.
- You have 30 days to complete the repair work for a re-inspection.



### Vinyl siding peeling away

Vinyl siding peeling away





#### Missing bottom window pane

FIRE HAZARD Vines blocking an emergency exit

# Laws to remember...

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### Violence Against Women Act

- Any incident of actual or threatened domestic violence, dating violence, or stalking will not be construed as serious or repeated violations of the lease for termination of the assistance, tenancy, or occupancy rights of such a victim. Please note males can also be victims.
- Criminal activity directly relating to abuse, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of domestic violence, dating violence, or stalking.

## Violence Against Women Act

• A PHA, owner or manager may "bifurcate" a lease, or otherwise remove a household member from a lease, without regard to whether a household member is a signatory to the lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others.

### Other laws/rules to consider

- Security Deposits must be placed in an interest bearing account with the tenants name within 30 days of receiving funds
- No more than 2 months rent can be charged for a security deposit
- All communication with the tenant should be in writing
- You cannot discriminate based on race, religion, national origin, familial status, disability, or sex.
- Do not take cash from your tenant without providing a receipt.

### Other Best Practices

- Do not accept cash as payment
- Provide bills when charging tenants for utilities
- Have a move in check list and pictures of any damages that is signed by the tenant
- Instructions for turning off water & power, emergency info taped to hot water heater
- Landlords can terminate the lease and the family will risk losing assistance

## Tenant/Landlord Hotline

- As the landlord, you are the one responsible for enforcing your lease. That includes non-payment, destruction of property, etc. However, please keep us informed of any issues as we can withdraw their voucher for continued violations
- If there are disputes, we recommend you contact the tenant/landlord hotline. 888-743-0023

## HAWC HCV Staff

- Jennifer Drake HCV Manager 301-791-3168 X225 jdrake@hawcmd.org
  - Completes all Move In Packets and coordinates the Waitlist, oversees HCV Program
- Shannon Webb HCV HQS Inspector 301-791-3168 X301 swebb@hawcmd. Org
  - Conducts all HQS inspections
- Mark McMunn HCV Verification Specialist 301-791-3168 X224 mmcmunn@hawcmd.org
  - Processes all annual and interim recertification's
- Mark Gugliemini HCV Verification 301-791-3168 X204 mgugliemini@hawcmd.org
  - Completes all data entry for annual and interim recertification's
- Shelly Crate Administrative Support 301-791-3168 X206 scrate@hawcmd.org
  - Processes all applications. Serves as front line



We look forward to partnering with you to help meet the housing needs in our community.