

LANDLORD INFORMATION GUIDE

HOUSING CHOICE VOUCHER PROGRAM

SECTION 8 RENTAL ASSISTANCE



Prospective Owners in the Housing Choice Voucher Program

Thank you for your interest in the Housing Choice Voucher Program administered by the Henry County Housing Authority. Owners, committed to providing a variety of safe, sanitary, accessible, decent and affordable rental housing, have been key to our program's success. We certainly hope that your interest is followed by a commitment to become a participating property owner.

The Henry County Housing Authority and Housing Choice Voucher staff works hard to ensure efficient program operation for tenants and owners. Housing Choice Voucher families are assisted by well-trained staff which includes Housing Specialists, HQS Certified Inspectors and Staff Assistants.

Again, we thank you for your interest in our Housing Choice Voucher Program. We hope that you find this Owner's Guide helpful and we encourage you to join us in providing quality rental assistance to the citizens of the City of Henry County.

What is the Housing Choice Voucher Program / Section 8?

How the Program Helps Owners

1. Allows owners/landlords to fill vacancies with qualified applicants screened by the landlord.
2. Permits the owner/landlord to collect a market rate security deposit from the tenant. The Housing Choice Voucher Program is a federally funded program that provides housing assistance to eligible low-income families. The program enables families to obtain safe, decent, and sanitary housing by subsidizing a portion of each tenant's monthly rent, based upon their income. The subsidy is paid directly and promptly to the property owner and managers. Single family dwellings, apartment buildings, and townhouses/condominiums are eligible housing units. Paperwork is minimal and the owner retains normal management rights and responsibilities including tenant selection, rent collection, property maintenance and lease termination.
3. Guarantees payment of assisted portions of the rent under the terms and conditions of the Housing Assistance Payments (HAP) contracts.
4. Owners/Landlords use their own lease.

Housing Choice Voucher

The Voucher is the tenant's identification as a participant in the Housing Choice Voucher. The Voucher is valid for sixty (60) days after the date of issuance. Before the 60-day expiration, a Request for Tenancy Approval form must be executed by the tenant and landlord and returned to the Housing Authority of Henry County (HAHC).

Note: A signed Request for Tenancy Approval indicates the landlord's intention of renting her/his premises to the tenant. After receiving a signed Request for Tenancy Approval form, the HAHC will schedule an inspection of the rental unit.

Eligible Housing

Any type of legal rental housing may be leased under the Housing Choice Voucher Program. The program requires that units meet standards for safe, sanitary, and decent housing as defined in the Housing Quality Standard (HQS) portion of this guide. These standards ensure the dwelling has the following:

- Adequate living space
- Adequate facilities and services
- Adequate light and ventilation

- Freedom from any condition which endangers the health and safety of the occupants.

In addition, the rent must be reasonable, the unit suitable for the family, and the tenant satisfactory to the owner/manager.

The unit will be inspected by you, the tenant and the HAHC. Some repairs may be necessary for the unit to meet program standards. If you agree to make these repairs, the lease can be signed upon their completion and satisfactory inspection by the HAHC.

Note: The Housing Authority of Henry County maintains a list through which owners can market their properties to prospective tenants. Housing Choice Voucher holders are encouraged to review the list as part of their search for rental housing. Complete and return the Available Unit Form at the end of this guide if you want your property to be listed. Properties will remain on the list only for sixty days.

If the unit does not pass inspection, you will be informed of the deficiencies and given a time period for making the corrections. You may correct the deficient items or choose not to participate in the program.

Tenant Screening

The Housing Authority of Henry County does not make any representation to you about a Family's expected behavior as a tenant, or the family's suitability for tenancy. *It is the owner's responsibility to screen the family and the owner determines whether to select the family as a tenant.*

To help you in this screening process the HAHC may provide the family's current address and the name and address of the family's current and prior landlord, if known. You may screen families on the basis of their tenancy histories. You may also consider a family's background with respect to such factors as:

- Payment of rent and utility bills
- Caring for the unit and premises
- Respecting the rights of others to the peaceful enjoyment of their housing
- Drug-related criminal activity or other criminal activity that is a threat to the life and safety of others.
- Compliance with other essential conditions of tenancy

Leasing the Unit

2. If a landlord has at least one unassisted tenancy, he/she must use the same form of lease for the Housing Choice Voucher tenancy.

3. The Program also requires that landlord and tenant execute HUD's lease addendum.

4. The lease must be for a term of not less than one (1) year.

1. Under the Housing Voucher Program, the landlord may not charge a rent higher than the rent that is determined reasonableness for the area and the unit type. The tenant must pay at least 30 percent but no more than 40 percent of their income.

Once the lease is approved, HAHC will sign a Housing Assistance Payment (HAP) Contract with the landlord to cover the difference between the contract rent for the unit and that portion of the rent being paid by the family. The term of the contract between HAHC and the landlord will be the same as the term of the lease between tenant and landlord. The portion of rent paid by the tenant will vary with her/ his income.

The HAP Contract

The Housing Assistance Payments Contract is a legal agreement between you and the HAHC. It outlines your rights and responsibilities as a participant in the Housing Choice Voucher Program. The term of the HAP Contract is the same as the lease, at least one (1) year.

Rent Subsidy Payments

Direct monthly rent payments will be mailed to you after the lease, lease addendum and the HAP Contract been executed and approved. The amount of the payment covers the difference between the family's share of the rent to you and the approved contract rent.

Program Violation by the Tenant

Any violations of the lease or program guidelines by the landlord may subject the landlord to termination of the HAP Contract, Lease, and Lease Addendum.

Termination of Tenancy

In accordance with applicable Federal, State, and Local Law, the tenant lease may be terminated "without cause" at the end of the initial term and the end of any term extension.

Note: If the lease provides for an automatic indefinite extension after the initial term, the owner may only terminate the tenancy after the initial term for cause.

Please be prepared to discuss any concerns that you may have about this continued tenancy. Should you request a rent increase, consideration will be based on:

1. A rent reasonableness survey done by HAHC
2. Annual inspection report done by the HAHC

Rent Increases

Requests for Rent Increase should be in writing and received by the Housing Authority at least 60 days prior to the Lease Expiration Date. It should be addressed to the Housing Authority and bear the Tenant's signature of approval. The request is checked by the Inspector to be sure that it is rent reasonable and a letter is sent if the request is denied.

Offer of a New Lease

The owner may offer the family a new lease, for a term beginning at any time after the initial term. The owner must give the tenant written notice of the offer, with a copy of the HAHC, at least sixty (60) calendar days before the proposed beginning date of the new lease term. If the family fails to accept the offer of a new lease or a lease revision, the owner has grounds to terminate the tenancy for "**other good cause**". If you should decide to offer a new lease, the HAHC will automatically prepare a new HAP Contract and all the new provisions of the Contract will apply.

Non-Discrimination in Housing

In the selection of tenant and provision of services, federal law states that an owner may not discriminate against any person because of race, color, religion, sex, disability, familial status, or national origin. Additionally, state and local statutes may prohibit discrimination on broader grounds (i.e., age, marital status). Program participants are instructed to report all cases of discrimination to the HAHC and to the local Human Rights Commission.

Outreach to Owners

The HAHC is always seeking opportunities for increase quality housing for Housing Choice Voucher families, in all areas of our jurisdiction. You are encouraged to list any units that you may have for rent by calling the HAHC. We will forward the listing to all eligible families. There is no charge for this service. The HAHC is particularly interested in units located in areas of Low poverty. Please be aware that the HAHC will not allow any owner who has committed fraud, bribery, or other corrupt or criminal acts to participate in the program.

Other Housing Choice Voucher Other Requirements

INTERNAL REVENUE SERVICE REQUIREMENTS

Property owners are required to fill out an Internal Revenue Service Form W-9. Annually, the Internal Revenue Service (IRS) mails the Housing Authority a backup withholding notice. This is our notification of an incorrect name and taxpayer identification number. The IRS encloses a list of our payees whose tax identification numbers are either missing or do not match their records. Upon receiving the IRS notification, the Housing Authority will mail two notices, (First B Notice and Section B Notice) and a W-9 form to the property owner. Failure of the property owner to respond to the Housing Authority's request by a specific date will result in withholding a percentage of the owner's housing assistance payment and submitting it to the IRS. When the property owner submits documentation to the Housing Authority that the tax identification information has been corrected, the Housing Authority will stop backup withholding.

Changes to any previously submitted Landlord Information must be provided in writing, e.g. change of address, change of agent, etc.