HOUSING AUTHORITY OF THE COUNTY OF GREENE



A TENANTS GUIDE TO THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

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EQUAL HOUSING OPPORTUNITY

YOUR GUIDE TO THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

WHO PARTICIPATES IN THE HOUSING CHOICE VOICHER PROGRAM?

THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM ASSISTS LOW-INCOME HOUSEHOLDS. THE LOCAL PUBLIC HOUSING AGENCY SELECTS FAMILIES FROM A WAITING LIST WHO MEET THE INCOME AND ELIGIBILITY REQUIREMENTS. A PARTICIPATING FAMILY MAY CHOOSE TO REMAIN IN ITS CURRENT UNIT OR MOVE TO ANOTHER.

HOW IS RENTAL ASSISTANCE PROVIDED?

THE HOUSING AUTHORITY CALCULATES THE AMOUNT OF ASSISTANCE EACH FAMILY RECEIVES. THE HOUSING AUTHORITY HAS ESTABLISHED A PAYMENT STANDARD FOR THE BEDROOM SIZE REQUIRED BY EACH FAMILY. THE LEVEL OF ASSISTANCE IS BASED ON THE FAMILY BEDROOM SIZE REQUIRED, TOTAL FAMILY HOUSEHOLD INCOME, AND AMOUNT OF RENT CHARGED BY THE LANDLORD. NORMALLY, A FAMILY WILL PAY 30% OF TEHIR ADJUSTED MONTHLY NCOME FOR REND AND UTILITIES, HOWEVER, DEPENDING ON THE AMOUNT OF RENT CHARGED FOR THE UNIT SELECTED BY THE FAMILY, THE AMOUNT THE FAMILY PAYS COULD BE AS HIGH AS 40% OF THE ADJUSTED MONTLY INCOME. THE REMAINDER OF THE RENT TO OWNER WILL BE PAID BY THE HOUSING AUTHORITY.

WHAT ARE THE TENANT'S RENT REPONSIBILITIES?

THE TENANT MUST PAY ALL RENT AND UTILITIES THAT ARE NOT COVERED BY THE HOUSING ASSISTANCE PAYMENT CONTRACT. BECAUSE THE FAMILY IS RECEIVING ASSISTANCE, THE RENT BURDEN IS REDUCED AND THE FAMILY SHOULD BE ABLE TO PAY ITS RENT MORE EASILY AND ON TIME.

THE TENANT IS REQUIRED TO VERIFY DATE OF BIRTH AND SOCIAL SECURITY NUMBERS FOR ALL FAMILY MEMBERS LISTED ON THE LEASE

THE TENANT IS REQUIRED TO REPORT AND VERIFY AND VERIFY ANY AND ALL HOUSEHOLD INCOME TO THE HOUSING AUTHORITY.

THE THENANT IS REQUIRED TO REPORT ANY CHANGES IN HOUSHOULD INCOME TO THE HOUSING AUTHORITY WITHIN TEN (10) DAYS OF THE CHANGE.

THE TENANT IS REQUIRED TO REPORT ANY AND ALL ADDITION OR DELETIONS IN FAMILY MEMBERS TO THE HOUSING AUTHORITY WITHIN TEN (10) DAYS OF THE CHANGE. ANY ADDITIONS TO THE FAMILY MUST HAVE PRIOR WRITTEN APPROVAL FROM THE LANDLORD, EXCEPT FOR BIRTHS.

AT LEAST ONCE EACH YEAR THE TENANT WILL BE REQUIRED TO VERIFY ALL HOUSEHOLD INCOME AS WELL AS FAMILY MEMBERS. ADDITIONALLY, THE TENANT WILL BE REQUIRED TO ALLOW A HOUSING AUTHORITY REPRESENTATIVE TO COMPLETE AN INSPECTION OF THE RENTAL UNIT.

THE TENANT MUST ABIDE BY THE SIGNED LEASE, AS WELL AS; REQUIREMENTS SET FORTH BY THIS OFFICE TO CONTINUE RECEIVING RENTAL ASSISTANCE THROUGH THE HOUSING CHOICE VOUCHER PROGRAM.

ARE THERE RENT LIMITS IN THE HOUSING CHOICE VOICHER PROGRAM?

YES, THERE ARE RENT LIMITS, AND THE OWNER IS EXPECTED TO CHARGE A REASONABLE MARKET RENT FOR THE UNIT BASED UPON ITS SIZE, LOCATION, AND AMENTITIES. THE AMOUNT OF RENT TO BE CHARGED, PLUS THE UTILITY ALLOWANCE, MUST BE REASONABLE AND COMPARABLE WITH SIMILAR RENTAL UNITS IN THE AREA. THE AMOUNT OF RENT CHARGED DOES NOT NECESSARILY HAVE TO BE EQUAL TO OR LESS THAN THE HOUSING PAYMENT STANDARD FOR THE VOUCHER SIZE THE TENANT HAS BEEN ISSUED.

WILL I HAVE TO PAY A SECURITY DEPOSIT?

THE OWNER MAY COLLECT A SECURITY DEPOSIT FROM THE TENANT. HOWEVER, THE PHA MAY PROHIBIT 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.

WHAT MUST I DO WHEN I FIND A PLACE TO RENT?

WHEN YOU LOCATE A PLACE TO LEASE, THE FOLLOWING FORMS MUST BE SUBMITTED TO THE HOUSING AUTHORITY:

1. **A COPY OF THE PROPOSED LEASE**
2. **A COMPLETED AND SIGNED "REQUEST FOR LEASE APPROVAL" FORM. THIS FORM IS PROVIDD BY THE HOUSING AUTHORITY.**

AFTER THE TENANT SUBMITS THESE DOCUMENTS, AN AGENCY REPRESENTATIVE WILL INSPECT THE UNIT. IF THERE ARE ANY PROBLEMS, THE LANDLORD WILL BE GIVEN AMPLE TIME TO CORRECT THE PROBLEMS. THE HOUSING AUTHORITY WILL NOTIFY YOU AND THE LANDLORD AS TO WHETHER OR NOT THE UNIT AND THE LEASE MEET PROGRAM REQUIREMENTS.

RE-CERTIFICATION, UNIT INSPECTIONS, & CONTRACT RENEWALS

EACH YEAR THE HOUSING AUTHORITY RE-EVALUAES THE FOLLOWING:

***TENANT INCOME, FAMILY COMPOSITION, AND ON-GOING LIABILITY**
***CONDITION OF THE PROPERTY AND LEVEL OF MAINTENANCE**
***WILLINGNESS OF BOTH PARTIES TO CONTINUE IN THE PROGRAM**

TERMINATION OF THE LEASE

IF THE TENANT BECOMES INELIGIBLE FOR ASSISTANCE, THE HOUSING AGENCY WILL CANCEL THE HOUSING ASSISTANCE PAYMENT CONTRACT IT HAS WITH THE LANDLORD AND THE HOUSING AUTHORITY WILL NOT PAY ANY FURTHER HOUSING ASSISTANCE PAYMENTS.

THE OWNER MAY TERMINATE THE LEASE UNILATERALLY ONLY IF THE TENANT VIOLATES THE LEASE, OR FOR OTHER GOOD CAUSE. THE OWNER AND THE TENANT CAN, HOWEVER, MUTUALLY DECIDE TO TERMINATE THE LEASE AT ANY TIME.

IF THE OWNER DECIDES TO SELL THE PROPERTY, THE OWNER MUST CONTACT THE HOUSING AUTHORITY PRIOR TO THE SALE. THE CONTRACT AND LEASE TERMINATE UPON SALE OF THE PROPERTY. HOWEVER, THE HOUSING AUTHORITY AND THE NEW OWNER MAY TRANSFER THE SECTION 8 CONTRACT TO PROVIDE UNINTERRUPTED RENTAL ASSISTANCE FOR THE FAMILY.

IF THE TENANT VACATES THE UNIT IN VIOLATION OF THE LEASE THE LANDLORD MAY RETAIN THE HOUSING ASSISTANCE PAYMENT OF THE MONTH IN WHICH THE TENANT MOVED, AND THE LANDLORD MAY ALSO KEEP THE SECURITY DEPOSIT FOR ANY UNPAID RENT AND DAMAGES CAUSED BY THE TENANT. THE LANDLORD MUST GIVE AN ITEMIZED LIST OF ALL CHARGES THAT ARE SUBTRACTED FROM THE SECURITY DEPOSIT. IF THERE IS ANY UNUSED BALANCE OF SECURITY DEPOSIT, THE OWNER MUST REFUND IT TO THE TENANT. IF THE SECURITY DEPOSIT COLLECTED IS INSUFFICIENT TO COVER THE CLAIMS, THE OWNER MUST DEAL DIRECTLY WITH THE TENANT TO NEGOTIATE AND COLLECT THE AMOUNT DUE. STATE AND LOCAL LAWS SHALL GOVERN THE RIGHTS AND RESPONSIBILITIES OF OWNER AND TENANTS REGARDING SECURITY DEPOSITS.

SUBSIDY STANDARDS

THE FOLLOWING SUBSIDY STANDARDS SHALL DETERMINE THE NUMBER OF BEDROOMS REQUIRED TO ACCOMMODATE EACH FAMILY WITHOUT OVERCROWDEING OR OVER HOUSING.

NUMBER OF BEDROOMS	NUMBER OF PERSONS	
# OF REQUIRED BEDROOMS	MINIMUM	MAXIMUM
1	1	2
2	2	4
3	3	6
4	4	8
5	5	10

UTILITY ALLOWANCE

IF YOU ARE REQUIRED TO PAY ANY UTILITIES (PHONE, INTERNET, AND CABLE EXCLUDED) AT THE UNIT YOU CHOOSE TO RENT, YOU WILL BE GIVEN A UTILITY ALLOWANCE. THE HOUSING AUTHORITY UPDATES THE UTILITY ALLOWANCE YEARLY. THE AMOUNT OF THE MONTHLY UTILITY ALLOWANCE FOR THE UTILITIES THAT YOU WILL BE REQUIRED TO PAY WILL BE DEDUCTED FROM THE TOTAL TENANT PAYMENT. EXAMPLE: IF YOUR TOTAL TENANT PAYMENT IS $250.00 AND YOUR UTILITY ALLOWANCE IS $150.00, THE MONTHLY RENT THAT YOU MUST PAY TO THE LANDLORD IS $100.00.

INFORMAL REVIEW FOR APPLICANTS

1. NOTICE TO APPLICANT – THE PHA WILL GIVE AN APPLICANT PROMPT NOTICE OF A DECISION DENYING ASSISTANCE TO THE APPLICANT. THE NOTICE WILL CONTAIN A BRIEF STATEMENT OF THE REASON(S) FOR THE PHA'S DECISION. THE NOTICE WILL ALSO STATE THAT THE APPLICANT MAY REQUEST AN INFORMAL REVIEW OF THE DECISION AND THE NOTICE WILL DESCRIBE HOW TO OBTAIN THE INFORMAL REVIEW.

2. INFORMAL REVIEW PROCESS – THE PHA WILL GIVE AN APPLICNT AN OPPORTUNITY FOR AN INFORMAL REVIEW OF THE PHA'S DECISION OF ASSISTANCE DENIAL. THE PHA REVIEW PROCEDURES WILL BE AS FOLLOWS:

A. THE REVIEW WILL BE CONDUCTED BY A PERSON DESIGNATED BY THE PHA, OTHER THAN THE PERSON WHO MADE OR APPROVED THE DECISION UNDER REVIEW OR A SUBORDINATE OF THIS PERSON.

B. THE APPLICANT WILL BE GIVEN AN OPPORTUNITY TO PRESENT WRITTEN OR ORAL OBJECTIONS TO THE PHA'S DECISION.

C. THE PHA WILL NOTIFY THE APPLICANT OF THE FINAL DECISION AFTER THE INFORMAL REVIEW, INCLUDING A BRIEF STATEMENT OF THE REASONS FOR THE FINAL DECISION.

3. WHEN AN INFORMAL REVIEW IS NOT REQUIRED – THE PHA IS NOT REQUIRED TO PROVIDE AN APPLICANT AN OPPORTUNITY FOR AN INFORMAL REVIEW FOR ANY OF THE FOLLOWING:

A. DISCRETIONARY ADMINISTRATIVE DETERMINATIONS BY THE PHA.

B. GENERAL POLICY ISSUES OR CLASS GRIEVANCES.

C. A DETERMINATION OF THE FAMILY UNIT SIZE UNDER THE PHA SUBSIDY STANDARDS.

D. A PHA DETERMINATION NOT TO APPROVE AN EXTENSION OR SUSPENSION OF A VOUCHER TERM.

E. A PHA DETERMINATION NOT TO GRANT APPROVAL TO LEASE A UNIT UNDER THE PROGRAM OR TO APPROVE A PROPOSED LEASE

F. PHA DETERMINES THAT A UNIT SELECTED BY THE APPLICANT IS NOT IN COMPLIENCE WITH HQS.

G. PHA DETERMINES THAT THE UNIT IS NOT IN ACCORDANCE WITH HQS DUE TO FAMILY SIZE OR COMPOSITION.

ELIGIBILITY OF SECTION 8 EXISTING PARTICIPANT FOR REQUESTING AN INFORMAL HEARING

1. WHEN A HEARING IS REQUIRED

A. THE PHA MUST GIVE A PARTICIPANT FAMILY AN OPPORTUNITY FOR AN INFORMAL HEARING TO CONSIDER WHETHER THE FOLLOWING PHA DECISIONS RELATING TO THE INDIVIDUAL CIRCUMSTANCES OF A PARTICIPANT FAMILY ARE IN ACCORDANCE WITH THE LAW, HUD REGULATIONS, AND PHA POLICIES:

I. PHA'S DETERMINATION OF THE FAMILY'S ANNUAL OR ADJUSTED INCOME, AND THE USE OF SUCH INCOME TO COMPUTE THE HOUSING ASSISTANCE PAYMENT.

II. PHA'S DETERMINATION OF THE APPROPRIATE UTILITY ALLOWANCE (IF ANY)

III. PHA'S DETERMINATION OF THE FAMILY UNIT SIZE UNDER THE PHA SUBSIDY STANDARDS.

IV. PHA'S DETERMINATION THAT A CERTIFICATE PROGRAM FAMILY IS RESIDING IN A UNIT WITH A LARGER NUMBER OF BEDROOMS THAN APPROPRIATE FOR THE FAMILY UNIT SIZE UNDER PHA SUBSIDY STANDARDS, OR THE PHA DETERMINATION TO DENY THE FAMILY'S REQUEST FOR AN EXCEPTION FROM THE STANDARDS.

V. PHA'S DETERMINATION TO TERMINATE ASSISTANCE FOR A PARTICIPANT FAMILY BECAUSE OF THE FAMILY'S ACTION OR FAILURE TO ACT.

VI. PHA'S DETERMINATION TO TERMINATE ASSISTANCE BECAUSE THE PARTICIPANT FAMILY HAS BEEN ABSENT FROM THE ASSISTED UNIT FOR LONGER THAN THE MAXIMUM PERIOD PERMITTED UNDER PHA POLICIES AND HUD RULES.

B. IN THE CASES DESCRIBED IN PARAGRAPH IV, V, AND VI ABOVE, THE PHA MUST GIVE THE OPPORTUNITY FOR AN INFORMAL HEARING BEFORE THE PHA TERMINATES HOUSING ASSISTANCE PAYMENTS FOR THE FAMILY UNDER AN OUTSTANDING HAP CONTRACT.