

LEHIGH COUNTY HOUSING AUTHORITY

Housing Choice Voucher Program

Information for Landlords and Apartment Owners

The Section 8 Housing Choice Voucher Program is a three-way partnership among the Public Housing Agency (PHA), the tenant, and the owner or landlord of the housing unit (you).

What is the Housing Choice Voucher Program?

The Housing Choice Voucher Program is funded by the United States Department of Housing and Urban Development (HUD) and administered locally by the Lehigh County Housing Authority (LCHA). It provides subsidies to low income persons to rent moderately priced private housing which is decent, safe and sanitary and which falls within the guidelines established by HUD.

Many low-income families in your community rely on owners like you who are willing to participate in the program. In most communities, there is a shortage of decent and affordable housing. The subsidy that comes with the Section 8 Program helps families to rent in many different neighborhoods. Participant families include elderly persons, persons with disabilities, and working families who do not earn enough to keep pace with rising rental housing costs.

When a family is determined to be eligible for the program and funding is available, the Public Housing Agency (PHA) issues the family a Housing Choice Voucher. The family receives the Voucher at the tenant briefing. They then begin looking for a unit. You should use the same diligence in screening a potential Section 8 tenant as you would any other tenant. Tenant selection must not be based upon race, color, age, religion, sex, familial status, disability, or any other discriminatory factors. The PHA does not screen families for their suitability as renters. That is the job of the owner.

How is the program implemented?

Under this program the tenant is issued a Housing Choice Voucher. The tenant may not pay more than 40% of their adjusted monthly income toward the rent and utilities. The tenant portion of the rent is paid directly to the landlord. The portion of the rent provided by the Housing Authority is also paid directly to the landlord.

Although there are no HUD "ceilings" on the rents charged in the Voucher Program, rents must still be reasonable and comparable to those charged for similar unassisted units. The PHA bases the determination of reasonableness and comparability on the unit inspection report and rental market information.

Can a private owner or landlord participate in this program?

This program is designed to use already existing privately owned and operated rental units in the area. Essentially, the program provides a rental supplement to qualified persons who rent privately owned units. Private owners and landlords can participate in the program by making their units available to persons receiving this subsidy. The Housing Authority will advise tenants at the time they are selected for the program of landlords who have indicated a willingness to participate in the program. However, tenants are free to rent any apartment that meets the requirements of the program. Therefore, it is possible that a landlord may be contacted by one of their present tenants asking them to participate in this program.

How do landlords or owners become involved in this program?

A landlord or owner who wishes to participate in this program and have a unit potentially available to persons qualified for the program should contact the Section 8 Department of the Lehigh County Housing Authority or complete a Notice of Available unit form.

What are the steps in the process?

1. Landlord contacts PHA or completes Notice of Available Unit Form.
2. Housing Authority explains program to landlord.
3. Apartment information is placed on list of available units and distributed to eligible tenants.
4. Tenant contacts landlord stating interest in renting unit.
5. Landlord screens tenant, views issued voucher and if acceptable completes Request for Tenancy Approval form with the tenant.
6. Notification will come from the inspector of the date and time of the unit inspection. Unit is inspected to see if it meets Housing Quality Standards. At the time of the inspection, the unit should be "move-in" ready. If the unit does not pass inspection, a reasonable time will be given to make the required repairs and the PHA will reinspect the unit.
7. If unit does pass the HQS Inspections, then determination is made on whether the unit qualifies for the program (rent levels are within HUD guidelines) by performing a computerized Rent Reasonableness Test.
8. If the unit meets all requirements and tenancy can be approved, Leases/Contracts are drawn up by Housing Authority and signed by tenant and landlord (see Contract Addendum).
It is the policy of Lehigh County Housing Authority to only do leases effective the first or fifteenth of any given month.
At this time if the landlord is not a prior landlord with an issued owner #, Landlord will receive a W-9 form for completion and Direct deposit option form for completion.
9. Tenant occupies unit. Normal landlord-tenant relationship begins.
10. Monthly payments are made to the landlord by the tenant and the Housing Authority after tenant and landlord have signed their leases/contracts.
11. Periodically rents and utility allowances will be reviewed and revised by the Housing Authority. Units are reinspected on an annual or biennial basis.

What if the landlord has a problem with a tenant?

If the landlord has a problem with a tenant due to a lease violation, or must evict a tenant, the landlord must pursue the matter the same as he would with any other tenant who is not on rental assistance (i.e. file with a magistrate for eviction). It is advised that any correspondence sent to tenants should be copied to the Housing Authority.

What are the lease terms?

The lease term is one year and then can be renewed annually. The tenant may not move during the first year except with written permission from the landlord. The HUD Tenancy Addendum (Part C) takes precedence over any other lease.

If the landlord wishes to terminate the lease, LCHA requests that a 60-day written notice be given to the tenant with a copy sent to LCHA (see Section 2b of HAP Contract).

The tenant is required to give the landlord 30-day written notice with a copy sent to LCHA if they wish to terminate the lease after their first year is complete.

If the PHA terminates program assistance to a family, the HAP Contract for the family terminates automatically. The PHA will always provide the owner with advance written notice of termination of assistance. Rental assistance can be terminated if a family fails to fulfill its obligations under the program or if it seriously or repeatedly violates the lease.

The landlord may request an increase in the monthly rent annually on the contract anniversary date. This request must be submitted to LCHA and the tenant 60 days in advance and must be approved by LCHA prior to implementation. The landlord may collect a security deposit equal to one month's rent which is the tenant's responsibility.

Participation in the Housing Choice Voucher Program

Under the Housing Choice Voucher Program, a portion of the total rent for an apartment unit is paid by the Housing Authority. The remainder of the rent is paid by the tenant based upon their income. Although the landlord is responsible for normal maintenance and services that they ordinarily would provide to a rental unit, there are no additional responsibilities which must be performed as a consequence of participating in the program.

None of the standard procedures used by the landlord in maintaining their units are affected by the program, except those which would be in violation of federal laws regarding discrimination in housing.

Basically, all that is required for the landlord is to sign a contract with the Housing Authority specifying that they will receive part of their monthly rent from LCHA. Also, the landlord must certify annually that all municipal utility bills are paid in full and that the rent for the assisted unit does not exceed the rent charged for comparable unassisted units in the premises.

Can there be changes in Payments/Abatement of Payments?

Yes. The PHA will provide advance written notice to the family and to the owner if the family's portion of the rent changes. On occasion, a family fails to cooperate in the recertification process and, as a result, loses its rental assistance. The PHA will notify the owner if the family's rental assistance is being terminated. The PHA will not make a housing assistance payment to the owner for any month after the month when the family moves out.

Also according to the HAP Contract, the owner is responsible for ensuring that the unit meets Housing Quality Standards during the entire term of the HAP Contract. At any time it is determined that the unit does not meet Housing Quality Standards, the PHA will notify the owner in writing and provide a reasonable time for repairs. If the repairs are not made within that time, the PHA is required to abate payments. Although the family will still be responsible for its share of the rent if the PHA abates payments, the wise owner will monitor the condition of the unit and make repairs promptly.

Is discrimination allowed?

NO! The Lehigh County Housing Authority is dedicated to the principle of Equal Opportunity. Neither the Owner nor the LCHA shall, in the selection or approval of families, in the provision of services, or in any other manner, discriminate against any person on the grounds of race, color, creed, religion, sex, or national origin. No person shall be automatically excluded from participation in, or be denied the benefits of, the Housing Assistance Payments Program because of membership in a class such as unmarried mothers, recipients of public assistance, etc. This policy is in compliance with Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, and Executive Order 11063.

An owner cannot discriminate against a disabled family and should be aware of his or her obligation to make reasonable modifications to a rental unit for a disabled family at the family's expense. Such modifications are required in the private rental market by the Fair Housing Act.

Notify the PHA if you have, or know of an owner who has, units accessible to persons with disabilities.

Program Integrity

Most owners who participate in the Housing Choice Voucher Program comply with the program rules and the terms of the HAP Contract, but occasionally some do not. It is always unpleasant when an owner violates the rules and becomes subject to administrative or other, more severe sanctions. The PHA's goal is to prevent any embarrassment or expense that may result from owner violations by making sure that the program rules are understood.

Common owner violations include failing to maintain a unit, accepting payments for a vacant unit, and demanding or accepting side payments. A landlord requesting additional monies to be paid on the side not approved by the PHA will be considered participating in FRAUD! This can be reported to the HUD Office of Inspector General Hotline at 1-800-347-3735.

More information on this program can be obtained from:

**MAILING ADDRESS: LEHIGH COUNTY HOUSING AUTHORITY
SECTION 8 DEPARTMENT
333 RIDGE STREET
EMMAUS, PA 18049
PHONE: 610-433-2312; FAX: 610-966-6398**

THE SECTION 8 OFFICE IS PHYSICALLY LOCATED AT:

**120 NORTH THIRD STREET
REAR OF BUILDING
EMMAUS, PA 18049**