

# INFORMATION FOR LANDLORDS



## **SECTION 8 AND THE HOUSING CHOICE VOUCHER**

The **Section 8 Housing Choice Voucher Program** is a form of federal rent subsidy, which assists eligible low-income households with monthly rental payments to ensure that the resident has a safe, decent, and sanitary place to live. The Orange County Housing Authority (OCHA) administers the Housing Choice Voucher Program that is funded by the Housing and Urban Development Department (HUD). OCHA is a division of the County of Orange Housing and Community Services Department (H&CS). OCHA currently assists over 10,000 households throughout the County with the participation of over 3,600 landlords. The OCHA Section 8 Program operates in 31 cities and the unincorporated areas of Orange County. Anaheim, Garden Grove, and Santa Ana operate their own programs.

Eligible senior citizens, disabled persons, and families receive a **Housing Choice Voucher** that allows participating households (tenants) to rent housing that meets their needs. The family may choose any type dwelling unit as long as it meets certain requirements for rent limits, rent reasonableness, and Housing Quality Standards (HQS). The landlord retains private property rights including management, tenant selection, and maintenance. HUD determines the rules and regulations for the Section 8 Housing Choice Voucher Program.



## RENTS AND RENT REASONABLENESS

**Rents are negotiated between the landlord and the tenant.** The rent portions are based on the HUD Voucher Payment Standard and the tenant's income. The tenant will pay the landlord thirty percent (30%) of their monthly adjusted income and the Housing Authority pays the landlord the difference between the Contract Rent and the tenant's portion. The tenant's portion cannot exceed forty (40%) percent of their monthly adjusted income. Landlords may not charge the family in excess of the family's portion of rent nor should the rent for a Section 8 unit be higher than other rents in the complex.

**HUD requires that Section 8 rents be "reasonable".**

The HUD defined Payment Standards determine maximum subsidy but NOT reasonable rent. Each housing unit proposed for contract is rated relative to its location, size, type, age, condition, and amenities to ensure that the federal government does not pay more than the unit is worth in the private market.



## HOW TO PARTICIPATE

Once you select a tenant with a Housing Choice Voucher, completely fill out and sign a **Request for Tenancy Approval (RTA)** supplied by the tenant. Return the RTA to the OCHA office.

The **Field Representative will** contact you to **conduct a move-in inspection**. The lease and contract will become effective the day after the inspection passes Housing Quality Standards (HQS) or the date agreed upon by the owner and tenant. If tenant and landlord are both present at the inspection, both rental agreement and contract documents may be completed at that time.

The **Security Deposit** will be paid by the tenant. The amount should not exceed what is charged in the private market or what is paid by unassisted tenants.

**Lead-Based Paint Regulations** that became effective September 15, 2000 require OCHA inspectors to conduct a visual assessment for deteriorated paint in dwelling units built before 1978 and occupied by families with children less than 6 years of age. OCHA encourages owners and managers of rental properties to conduct an inspection of the property prior to our inspection. If the unit meets the above criteria and/or you have questions, please contact our office at 714-480-2866. For more information, you may also call 1-800 424-LEAD for guidelines or visit [www.hud.gov/offices/lead](http://www.hud.gov/offices/lead).



**LANDLORDS WILL NEED TO PROVIDE PHOTOCOPIES OF THE FOLLOWING INFORMATION FOR PROOF OF OWNERSHIP:**

- Recorded Grant Deed for the property
- Current Property Tax Bill for the property
- Copy of property Owner's Social Security Card

**OR**

Employer's ID Assignment from Internal Revenue Service or State (if applicable), also known as Federal ID Number

**OR**

a copy of the letter from the Social Security Administration that shows your social security number.

Payment cannot be issued until OCHA receives all verification of ownership.



## BENEFITS FOR THE LANDLORD

Guaranteed monthly housing assistance payments are sent directly to your account through direct deposit on the first of each month.

Rent is protected from the tenant's loss of income if promptly reported.

Free advertising of vacancies can be listed with OCHA for free by calling the Owner Hotline at (714) 480-2866 or by faxing unit information to (714) 480-2822.

Inspections are conducted at move-in, annually, or by special request. Field Representatives can alert you to potential problems so that your property will be maintained and retain its value.

As a participating landlord in the Section 8 Housing Assistance Program you are providing an eligible U.S. citizen with a stable living environment, maintaining your property, and benefiting the community.

Any landlord may participate although there are restrictions on renting to relatives. Affordable housing can be a good neighbor!



## RESPONSIBILITIES OF THE OWNER/LANDLORD

- Comply with Fair Housing laws and equal opportunity requirements.
- Comply with terms of the Housing Assistance Payments Contract (Form HUD-52641).
- Screen families for suitability as renters; at the owner's request if the applicant is a current tenant, OCHA will supply the name and phone number of last 2 landlords.
- Ensure the unit continues to meet HQS requirements.
- Cooperate with the tenant by responding promptly to request for needed repairs.
- Notify OCHA of any program violations.
- Provide a 60-day in advance notice in writing to tenant and OCHA of rent increase. Rent increase starts on the first of the month.
- Provide own Lease and Lease Amendment.
- Notify OCHA in writing if the tenant violates the rental agreement and is evicted by sending copies of notices served to the tenant. Housing Assistance Payment (HAP) will continue as long as the tenant remains in the unit or until a court decision is reached.
- Enforce the rental agreement; collect the rent due and any security deposit or charges for damages to unit by the family.
- Refund the deposit within 21 days or provide tenant with an accounting of charges when the tenant vacates.
- Notify OCHA in writing of any address or telephone number change.

- Notify OCHA in writing of changes ownership (selling property) or agents.
- RESPONSIBILITIES OF THE ORANGE COUNTY HOUSING AUTHORITY**

- Verify and review family composition and income to determine eligibility.
- Issue a Voucher to the family.
- Explain the rules of the program to the family and owner/landlord.
- Perform HQS inspection to ensure unit meets minimum standards (initially, annually, and special).
- Sign contract with owner/landlord on behalf of the family. A rental agreement will also be required to be signed by the tenant and landlord.
- Make housing assistance payments to the owner/landlord in a timely manner, as soon as all required documents are received.
- Ensure owner/landlord and families continue to comply with program rules.
- Provide owners with at least a 30-day notice if the tenant violates housing program requirements (such as unreported income or unreported people in the household), and is terminated from the program.
- Provide family and owner/landlord with prompt, courteous, accurate and professional service.



## RESPONSIBILITIES OF THE FAMILY

- Provide OCHA with complete accurate information.
- Comply with the Family Obligations listed on the Voucher.
- Cooperate in attending all appointments scheduled by OCHA.
- Locate a unit that is suitable for the family, meets HQS requirements, and meets rent reasonableness criteria (as determined by OCHA when compared to similar unassisted units in the immediate vicinity).
- Keep the unit safe and sanitary.
- Pay only the portion of the rent calculated by the Field Rep.
- Comply with the terms of the rental agreement with owner/landlord.
- Notify OCHA of any changes in income or family composition in writing within 15 days of the change.
- Provide OCHA and landlord a 30-day notice to move in writing as required.
- Cooperate with the owner/landlord by informing him/her of any necessary repairs in writing.
- Notify OCHA of any known program violation.