

# St. Joseph County Housing Authority Briefing Packet

## HCV Program Overview – What You Need To Know

- Calculating Subsidy
- Determining Voucher Size
- Family Obligations
- Denial or Termination of Assistance
- Voucher Issuance
- Housing Selection
- How to find a Unit
- Security Deposits
- Portability
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### **Briefing Packet Contents (left side)**

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- Family Responsibilities
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- Declaration of Citizenship
- EIV brochure
- HUD Release of Information 9886
- Authorization of Release of Information
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- Utility Reimbursement Agreement
- RTA, HQ, and Lease Agreement
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### **Briefing Packet Contents (right side)**

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### **Housing Choice Voucher**

The Housing Choice Voucher program offers assistance in paying families rent and utilities. Families participating select their own housing within the boundaries of the map enclosed. SJCHA jurisdiction is the rural parts of Saint Joseph County – outside the city limits of South Bend and Mishawaka and inside Saint Joseph County. South Bend or Mishawaka addresses must contain 5 digits to be considered within the SJCHA jurisdiction. Housing choices may include houses, duplexes, apartments, or mobile homes. The choice belongs to the family seeking housing. Families with special needs that require assistance in searching for accessible units need to contact the SJCHA office.

Families need to search for housing within the Fair Market Rent or Payment Standard of the Bedroom size unit they qualify for. Each area has different Fair Market Rents and Payment Standards, as well as different occupancy standards. Families wishing to relocate may contact SJCHA for information regarding the Housing Authority in the location they wish to relocate to, whether it is in-state or out of state. Families exercise portability for employment, medical treatments and other matters. A family must be on the Housing Choice Voucher program for 12 months before they are eligible for portability.

### **Family Obligations**

- The family must supply any information that SJCHA determines to be necessary including submission of required evidence of citizenship or eligible immigration status.
- The family must supply any information requested by SJCHA or HUD for use in a regularly scheduled re-examination or interim reexamination of family income and composition.

**Re-examination-** SJCHA is required to conduct an annual re-examination for each Family income and composition at least once a year.

**Interim-** Families are required to report changes in income, or family composition within 30 days of the change in writing.

- The family must disclose and verify social security numbers and sign and submit consent forms for obtaining information.
- Any information supplied by the family must be true and complete.
- The family is responsible for any Housing Quality Standards (HQS) breach by the family caused by failure to pay tenant-provided utilities or appliances, or damages to the dwelling unit or premises beyond normal wear and tear caused by any member of the household or guest.
- Families for required to respond to a request by SJCHA or notify SJCHA of a change in income, family composition or assets and extended absences from the subsidized unit within 30 days of the change in writing.

The family obligations and grounds for termination of assistance are detailed under the “**Family Responsibilities**” that is signed at the time of the briefing.

## **Determining Family Voucher Size (Number of Bedrooms)**

Voucher Size	Maximum # of Persons in Household
0 Bedroom	1
1 Bedroom	2
2 Bedrooms	4
3 Bedrooms	6
4 Bedrooms	8
5 Bedrooms	10
6 Bedrooms	12

Bedroom size will also be determined using the following guidelines:

- Persons of the opposite sex (other than spouses, and children under age 6) will be allocated separate bedrooms.
- Adults and children will not be required to share a bedroom.
- Family members of different generations will not be required to share a bedroom.
- Foster adults and children will be allocated separate bedroom from family members
- Live-in aides will be allocated a separate bedroom (no additional bedrooms will be provided for the attendant's family).

SJCHA may grant exceptions to this rule if SJCHA determines that the exception is justified by the age, sex, health, handicap, or relationship of family members or other personal circumstances. The family must request any exception to the subsidy standards in writing. The request must explain the need or justification and must include documentation. SJCHA will notify the family of its determination within 10 business days of receiving the family's request. If denied, the notice will inform the family of their right to request an informal hearing.

## **Calculating Subsidy**

**Total Tenant Payment (TTP)** is the minimum amount a family will have to pay for rent and utilities. This figure is 30 percent of monthly adjusted income. Monthly adjusted income is the gross income minus deductions for medical expenses and other allowable deductions under HUD rules (similar to income tax deductions).

**Maximum initial rent burden** is the maximum amount the family is allowed to pay for rent and utilities at initial leasing of a unit under the voucher program. If rent for the unit exceeds the SJCHA payment standard, then this figure cannot exceed 40 percent of the families monthly adjusted income.

**Maximum Subsidy** is the amount SJCHA will pay the owner on the family's behalf. This figure is obtained by subtracting the TTP from the payment standard.

Each family will receive at their voucher issuance interview their **maximum and minimum TTP** to assist them in searching for a unit.

### **Voucher Issuance:**

The initial voucher term to search and find housing will be 90 calendar days. The dates are on the voucher the family receives. The family must submit a Request for Lease Approval and be approved for tenancy within the 90 days, unless SJCHA approves an extension.

Voucher extensions may be granted in **30 day increments** from the expiration date listed on the voucher, but only if the client requests the extension in writing. If the client has not made an attempt to contact the SJCHA, the Voucher will be terminated after **ninety days**. Within that period, the SJCHA expects the client to find an acceptable unit and submit a Request for Tenancy Approval.

**The PHA will automatically approve one 30-day extension upon written request from the family.**

**The PHA will approve additional extensions only in the following circumstances:**

**It is necessary due to reasons beyond the family's control, as determined by the PHA.**

**Following is a list of extenuating circumstances that the PHA may consider in making its decision. The presence of these circumstances does not guarantee that an extension will be granted:**

- Circumstances have prevented the family from looking (i.e. hospital stay).
- Disabled person, or family with similar special housing needs, is having difficulty and needs extra time.
- A unit has been found but is being repaired. The SJCHA may grant the extension if the owner gives written assurance that the repairs will be completed and that the unit will be rented to the applicant.
- A unit has been found but is occupied by another family. The SJCHA may grant an extension if the owner gives written assurance that the unit will be vacant (and in acceptable condition to rent to the applicant). The owner must provide a statement that he/she is not evicting the current tenant.
- Family has submitted requests for tenancy approval and have been denied by the PHA
- Whether family size or special circumstances make it difficult to find a suitable unit

**Any request for an additional extension must include the reason(s) an additional extension is necessary. The PHA may require the family to provide documentation to support the request or obtain verification from a qualified third party.**

All requests for extensions to the voucher term must be made in writing using the Voucher Extension form and submitted to the SJCHA prior to the expiration date of the voucher (or extended term of the voucher).

The SJCHA will decide whether to approve or deny an extension request within 10 business days of the date the request is received, and will immediately provide the family written notice of its decision.

**Denial or Termination of Assistance:**

A family can be denied assistance after completing an application if it is determined by SJCHA that the family is over-income, owes outstanding rent or damages from living in an assisted unit previously, committed a felony involving drugs or violence within the past five years, or by giving false statement on the application.

A family can be terminated from the Housing Choice Voucher Program for not fulfilling Family responsibilities as outlined and signed by the family during the briefing session.

The Housing Voucher Program is a partnership between a property owner, family and SJCHA families within our community.

If SJCHA has made a decision effecting your circumstances or assistance status, you may request a meeting or informal hearing to review the decision.

**Move in Packet**

Each family will receive a **map of the area** in which they can search for housing and utilize their voucher assistance. A **“Request for Tenant Approval”** is included for the family and property owner to fill out and return to the HA at the voucher issuance interview. The rent calculation will be based on the information provided on the Request for Lease Approval that includes who will pay for each utility and the amount being charged for rent. That information will be compared to the fair market rent for the voucher subsidy size and the TTP and subsidy will be calculated to see if it qualifies.

If the unit falls within 40% of the TTP, the unit will be inspected for Housing Quality Standards. Assistance cannot start until the unit passes inspection and the family moves in. If the family moves in prior to the unit passing inspection, the family will be responsible for the total rent until the unit passes inspection and the contract date is determined.

Units must be inspected for minimum housing standards. Chipping paint on the exterior or interior is not allowed, as there may be lead paint hazards. Gas appliances cannot be located in sleeping rooms or bathrooms. All sleeping rooms must have an openable window to the exterior. The unit must be able to maintain 70 degrees, have basic amenities such as hot and cold water, sewage disposal system and cooking appliances.

A lease will be signed within 60 days of the unit receiving housing choice voucher assistance by the family, property owner and SJCHA. The unit cannot be owned by a family member unless the voucher holder is determined through verifications to WHA/GHA of the family being disabled.

## **How to Find a Unit**

### **Where to look:**

1. Check the classified section of local newspapers under Houses for Rent or Lease and Apartments for Rent of lease.
2. Check bulletin boards in Laundromats, supermarkets, credit unions, etc.
3. Look for yard signs in the area where you want to live offering “House for Rent”.
4. Check with friends of neighbors.
5. Check with Real Estate offices or rental agencies.
6. Use the “**Landlord Listing**” in your Briefing packet.

### **Questions to ask Prospective Landlords:**

1. The name, address, and phone number of the owner or his agent.
2. The full address of the home.
3. The number of bedrooms in the home.
4. The amount of rent being asked.
5. If any, utilities are included in the rent. Do they supply the garbage service, water, sewage?
6. Any special restrictions the landlord has, such as not pets, no children, or no smoking.

### **Make an Appointment:**

If the housing might be what you are looking for, ask for an appointment to see the unit. Be sure to keep the appointment and be on time. You may want to arrive early to look around the neighborhood. Document your visit on the **Housing Search Progress Report** included in your packet.

### **Negotiating the Lease:**

If you find a unit you like and the rent, including utilities is under the Fair Market Rent ceiling, contact a representative from the Saint Joseph County Housing Authority. Once you have turned in the Request for Lease Approval, SJCHA will make an appointment with the landlord to further explain the program, answer any questions, and complete a housing inspection. If the housing unit is approved, an appointment will be made at the SJCHA office for you and the landlord to sign the lease and contract on the unit.

### **Security Deposits:**

The cost of the security deposit is not covered under the housing choice voucher program. The family is responsible for paying the security deposit to the owner. A normal security deposit is the cost of one month rent or lower. Some owners will allow the family to pay the security deposit in installments over the term of the lease.

The purpose of the security deposit is when a family moves out of a unit, the owner may use the security deposit and any accrued interest as reimbursement for any unpaid rent payable by the family, and damages to the unit or for other amounts the family owes under the lease. If the security deposit is not enough to cover expenses that the family owes, the owner may seek to collect the balance from the family. If the family owes outstanding expenses to a property owner, the family is not eligible to receive voucher

assistance on another unit until the dept is paid in full or have entered into a payment agreement with that property owner.

A copy of the **Tenancy Addendum Section 8 Tenant-Based Assistance Housing Choice Voucher Program** from the lease is attached. This document outlines family responsibilities, owner responsibilities and SJCHA responsibilities.

### **Complaints & Appeals Procedure:**

#### **Meeting:**

A meeting can be requested prior to or instead of an informal hearing. It is less formal than an informal hearing. If a matter cannot be resolved within the context of a meeting, then an informal hearing can be requested.

#### **Informal Hearing:**

All requests for meetings, informal reviews, or informal hearings must be made in writing to the SJCHA within 10 days of the date of the SJCHA written notification of the decision.

An informal hearing procedure may be requested for decisions related to:

1. A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment.
2. A determination of the appropriate utility allowance (if any) for the tenant paid utilities from the SJCHA utility allowance.
3. A determination of the family unit size under SJCHA subsidy standards.
4. A determination to terminate assistance for a participant family because of the family's action or failure to act. (982.552)
5. A determination to terminate assistance because the participant family has been absent from the assisted unit for longer than the maximum period permitted under SJCHA policy and HUD rules. (180 days)

In the above cases, SJCHA will give the opportunity for an informal hearing before SJCHA terminates housing assistance payments for the family.

#### **Procedures and Decision:**

1. The deadline for a family to request an informal hearing will be 10 days from the date of the notice to the family.
2. SJCHA will provide written notice of the date and time of the hearing to the family.
3. SJCHA and the family will both be given the right to "discovery". Each party must have the opportunity to copy any documents the other party has that is relevant to the hearing. Both parties are prohibited from using documents that have not been made available to the other party.
4. At its own expense, the family may be represented by a lawyer or other representative.
5. The Hearing may be conducted by any person or person designated by SJCHA.
6. Both parties will be given an opportunity to present evidence and witnesses, and to question witnesses.
7. The person conducting the hearing will issue a written decision within 10 days of the hearing.

If you have any questions regarding the informal hearing procedures for current program participants, please contact SJCHA.