THE FAMILY HANDBOOK

A Guide to the Housing Choice Voucher Program

HOUSING CHOICE VOUCHER RENTAL ASSISTANCE PROCESS

1. Submit Preliminary Application

All mail from BCHA will be sent to the address on the application. You will receive a letter informing you of the expected length of the waiting list. All adult members of the household will need to pass a background check before continuing to Step #2.

2. Pulling From the Waiting List

When your name reaches the top of the waiting list, you will receive a Tenant Information Form (TIF) in the mail. Once received by BCHA, you will be scheduled for an Initial Appointment with your Specialist and all adult household members.

3. Initial Appointment

This appointment will determine the household's eligibility for the HCV Program. Original social security cards, birth certificates, and immigration documents will need to be seen. Your Briefing appointment will be scheduled here.

4. Group Briefing Appointment

Your Voucher will be issued at this appointment. Program policies and procedures will be reviewed and a Briefing packet will be distributed for you to review at home. Once you receive your Voucher, you should begin searching for housing.

5. Search for Housing

Once housing has been found, your landlord must complete Request for Tenancy Approval (RTA). This needs to be submitted to your Specialist before your Voucher expiration date.

6. Unit Must Pass and Meet:

- ✓ 40% Rule
- ✓ Housing Quality Standards Inspection
- ✓ Rent Reasonable

7. Lease and Contract

All documents must be submitted and approved. Lease dates must coincide with Housing Assistance Payment (HAP) Contract. HAP Contract must be signed by landlord.

8. Housing Assistance Payments Begin

Notification of payments will be sent to you and your landlord. Payments are sent directly to your landlord. You are responsible for full rent and utilities until you receive an authorization letter from your Specialist.

9. Annually

An Annual Review will be conducted to re-verify household composition, income, and eligibility. Your unit will be re-inspected and must meet Housing Quality Standards and Rent Reasonable.

Brown County Housing Authority

HOUSING CHOICE VOUCHER PROGRAM
Family Handbook

The Housing Choice Voucher (HCV) Program is designed to provide people with a limited income a chance to pay an amount they can afford for their housing needs while living in a private housing unit of their choice. The program is operated by the Brown County Housing Authority but is a federally funded Housing and Urban Development (HUD) program. This booklet will serve as a reference guide to inform you of various aspects of the program.

Basic Program Information

Under the HCV program, BCHA will pay a portion of your rent directly to your landlord. You may choose to live in any unit that is safe, clean, and within our payment standards. You and the landlord must also be willing to participate in the program and enter the required agreements.

A Client Services Specialist (CSS) will determine the portion of rent you will pay based on your income, deductions, housing expenses, and persons living in the household. The difference between the rent and the amount that you pay is called the Housing Assistance Payment (HAP) and is paid directly to the landlord. Housing subsidized by other federal programs may not qualify.

You may be able to receive assistance if you move outside of Brown County. You must discuss any possible move with your CSS *before* you move.

Processing The Housing Assistance Payment (HAP)

- Income is documented and tenant must be income eligible.
- You must find your own housing unit. It must pass an inspection and be rent reasonable.
- The lease with your landlord is signed. The lease is between the adult members of your household and your landlord. Make sure your landlord participates in the HCV Program.
- You landlord must sign a contract with BCHA. Remember that you are responsible for your rent and utility costs until you are leased up and your landlord has received their first HAP payment.
- The payments are effective the first day of the month following a passed inspection. For example, if the unit passes in January, the payments are authorized to start February 1st. Payments could be delayed due to paperwork not being completed prior to the effective date.

Looking For A Housing Unit

Once you have been issued a Voucher which confirms that your household is eligible to participate in the HCV Program, you will have 60 days to find housing. If you intend to stay at your current unit, confirm with your landlord that they accept the HCV Program and then proceed with completing a Request for Tenancy Approval (RTA). Whether or not you plan to move, keep these things in mind to make sure the unit falls within the program guidelines:

- Is the unit large enough for your family by HUD standards? (one living room, kitchen area, bathroom, one bedroom or living-bedroom combination for every two people)
- Is the unit's rent reasonable?
- Does the unit need only minor repairs or no repairs?
- Is the unit affordable for your household's income? Remember: you will be required to pay 30% of your household's adjusted income. However, you cannot pay more than 40% of your adjusted income.

If you decide to move, the best place to look for rental listings is in the newspapers. Listings can also be found on public notice boards at BCHA, on the internet, in rental magazines, laundromats, grocery stores, churches, and at other similar neighborhood service centers. There is a "Places to Rent" guide available in the lobby at BCHA.

Be sure to use telephone conversations effectively. Don't be afraid to ask questions about rent, location, the parking situation, number of rooms, whether the washer, dryer, and air conditioner are included, and which utilities you will be responsible for paying. If you are satisfied with the basic aspects of the unit, then make an appointment to meet with the landlord and see the unit. Try to see the unit during the day, but visiting during the evening hours may give you an idea of the neighborhood the unit is in.

What To Look For In A Housing Unit

The HCV Program covers various types of housing: apartment units, duplexes, single-family home, and mobile homes. The Voucher is transferable between units provided you follow the program rules and regulations.

According to program guidelines, your unit must be in decent, safe, and sanitary condition. This means that you must have a kitchen area, living room, private and enclosed bathroom, shower/tub, hot and cold running water, adequate heat, ventilation, and an adequate number of rooms to accommodate your household. The number of bedrooms required is based on age, sex, and relationship of the occupants of the unit. A living room is required, but may be counted as a living/sleeping room. Your Voucher will state the number of bedrooms you are eligible for. If you would like to go above or below this number, ask your CSS at your initial appointment.

While trying to establish if a unit will meet the basic needs outlined above, be sure to thoroughly check everything: turn the lights on, flush the toilet, turn on the water and make sure it gets hot, walk all the way through every room, check for closet space, make sure there is a window in every room, check for proper ventilation in the bathroom, check for a heat source in every room. It may also be helpful to ask yourself what you do not like about your current unit and be sure to check for those nuisances in your new unit.

Before you make a final choice, check on the neighborhood services. Where and when do the buses run? How far is the nearest school? Is the unit close to where you work? Is there a grocery store, drug store, laundromat, library, and playground nearby? Most of all, be sure that you like the unit and that is has the space you need.

Dealing With The Landlord

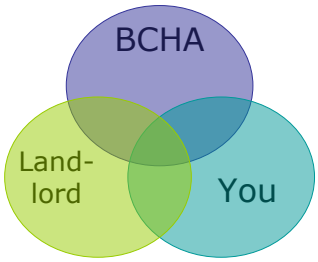
When you have decided on a unit, ask the landlord how much the rent is. **It is important that you do this *before* you mention the HCV Program**. After you have heard the rent amount, explain that you are participating in the HCV Program and give the landlord the materials to fill out. If the landlord has questions about the program, please direct them to BCHA. The landlord is NOT required to participate. If the landlord does agree to participate, you must take the following steps:

- The RTA form must be completed by both you and your landlord. This includes the yellow coversheet, lead based paint disclosure, and W9 form.
- Advise your landlord that BCHA will inspect the unit to ensure that it meets Housing Quality Standards (HQS) and that rent is reasonable. The inspection will not be scheduled until the RTA is returned to your CSS.
- Once the unit passes inspection, your CSS will request a copy of the new lease (see below) and have a contract signed by your landlord. Once this is received, the payment to your landlord will be sent directly to them.

Signing The Lease

The lease is an agreement between you and your landlord. You must pay the rent for the term of the lease as long as the landlord meets their obligations to you. If you have questions about the unit and what repairs and maintenance the landlord will provide, you should ask them before you sign.

The initial term of the lease is for one year and the dates on the lease must match the dates on the contract. The landlord must use their own 12-month Wisconsin lease. BCHA will provide you and your landlord with a lease addendum to attach to the lease which contains provisions required by HUD. While BCHA is in a contract with both you and your landlord, you are also still held accountable to the lease and all included regulations you sign with your landlord. Therefore, the relationship is equally accountable to one another:



Completing The HAP Contract

The HAP contract is between your landlord and BCHA. The contract lists the rights and responsibilities of both parties. Your CSS will provide this contract to your landlord. The contract must be signed and returned with an updated lease within 30 days of the term of the lease. Once this is received, your payments will start. Your landlord can still collect the full amount of the rent until they receive their first payment from BCHA. BCHA has no authority or responsibility for collection of rent owed before an applicant begins the HCV Program.

Your Share Of The Rent

In the HCV Program, you and BCHA each pay a portion of the gross housing expenses. The gross housing expenses are the total amount of rent charged by your landlord plus the allowance for any utilities that you pay on your own. Your portion of the gross rent is determined by your income, family size, and income deductions. You pay 30% of your adjusted income. BCHA pays the rest of the housing expenses. However, if your housing expenses are more than your Voucher Payment Standard (VPS), you also pay the cost of anything over and above the VPS in addition to 30% of your adjusted income. If you have no income at all, you cannot go over the VPS. Keep in mind that in every circumstance your portion of the payment cannot exceed 40% of your adjusted income. There must be income left for food and other necessities.

The Housing Assistance Payment (HAP)

BCHA signs a HAP contract with your landlord guaranteeing to pay the landlord the program's share of the rent for the duration of the lease as long as the family occupies the unit and remains eligible for the program. The HCV Program always pays its share directly to the landlord. The landlord must collect the tenant's portion of the rent.

Ongoing Requirements Of The Program

The program will re-examine your income and family circumstances each year to determine whether your portion of the rent should change. In between regular examinations, you must notify your CSS of any changes in income. Recertifications are also processed when a client moves or a household member moves in or out of the assisted unit. If your portion of the rent changes due to a reexamination, BCHA will promptly notify both you and your landlord. Tenants with zero income will be contacted by BCHA for an interview.

Landlord/Tenant Responsibilities

Once you have signed the lease, your responsibilities as a tenant are essentially the same as if you were not participating in the HCV Program. You must pay your rent directly to the landlord each and every month. If you are required to pay for utilities, you must also make those payments. You must also keep the unit in good condition and abide by the terms of the lease. The landlord is responsible for managing and maintaining the property, collecting the rent, performing all required maintenance, and keeping the terms of both the lease and the HAP contract.

Moves and Terminations

The HCV Program moves with you as long as you continue to meet the program requirements. It does not stay with the unit you are in. You are responsible for giving BCHA, as well as your landlord, written notice before you move. It's advised to give BCHA two(2) to three(3) months notice before moving from a unit to avoid a delay in payments. You must provide BCHA with a copy of any move notice given to the landlord. Failure to notify BCHA and your landlord in writing before moving is a breach of family obligations under the HCV Program and may result in termination. Moving during the first year of the lease is allowed only if the landlord agrees in writing to release the family from the lease.

Assisted families are limited to two(2) moves in two(2) years and three(3) moves in three(3) years. Any family moving more often may be terminated from the program. Under the HAP contract, a landlord may not evict a family unless the eviction complies with the contract requirements and Wisconsin state law. The landlord must provide the family with a written notice of the proposed eviction and also provide BCHA with a copy. The family is also required to give BCHA a

copy of any landlord eviction notices (promptly is defined as five(5) calendar days of service of the eviction notice to the tenant).

If there is a change in persons in your household and your voucher size needs to be changed, this will be done at the annual review. It does not necessarily mean that you must move.

Program Termination

The family will receive specific notice of the reason for a proposed termination and the opportunity for a hearing prior to termination. Program termination may occur for the following reasons:

- If there is suspicion or evidence that a family member has engaged in drug related criminal activity or forceful and violent behavior. The family member does not have to have been arrested or convicted prior to termination of assistance. A tenant who has engaged in drug related or forceful/violent activity within the last five(5) years might still be eligible for the HCV Program if they show proof of completion of a drug or anger rehabilitation program.
- If the family currently owes money to BCHA or any other housing authority in connection with the HCV Program or Public Housing, or the family breaches an agreement to repay such amounts to that housing authority.
- If the family has engaged in or threatened abuse or violent behavior toward housing authority or BCHA personnel.

Use And Occupancy Of The Housing Unit/Other Participant Obligations

When the unit is approved and the HAP contract is executed, the family must follow the rules listed below in order to continue participating in the HVC Program.

The Family MUST:

- Supply any information that BCHA or HUD determines to be necessary including evidence of US citizenship or eligible immigration status and updated information for use in reexaminations.
- Disclose and verify original social security numbers, then sign and submit consent forms for obtaining information.
- Supply any information requested by BCHA to verify that the family is living in the unit or information concerning family absence for the unit.
- Notify BCHA in writing within 10 business days when the family is away from unit for 30 days or more.
- Allow BCHA to inspect the unit at a reasonable time and after reasonable notice.
- Notify BCHA and the landlord in writing before moving out of the unit or terminating your lease.
- The unit must be the family's only residence.
- Notify BCHA in writing within 10 business days of the birth, adoption, or court-ordered placement of a child.

- Complete household change form if someone will be added or removed from the household. Wait for approval from BCHA before moving someone new into the household.
- Give BCHA a copy of any landlord eviction notices.
- Pay your utility bills and provide and maintain any appliances you are responsible for under the lease.
- If a HQS breach caused by the family is life-threatening, the defect must be corrected within 24 hours. For other family-caused defects, the family must correct the defect within 30 calendar days or within an BCHA-approved extension period.
- Members of the household may engage in legal profit-making activities in the unit, but only if such activities are incidental to primary use of the unit for residence by the members of the household.

The Family MUST NOT:

- Be absent from the unit for more than 180 consecutive days for any reason.
- Commit any criminal activity or engage in illegal use of a controlled substance or abuse of alcohol that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity.
- Own or have any interest in the unit (other than in a cooperative, or the landlord of a manufactured home leasing a manufactured home space).
- Commit any serious or repeated violation of the lease.
- Commit fraud, bribery, or any other corrupt or criminal act in connection with the program.
- Participate in illegal drugs or forceful and violent behavior or activity.
- Sublease or sublet the unit or assign the lease or transfer the unit.
- Receive assistance while receiving another housing subsidy for the same unit or a different unit under any other federal, state, or local housing assistance program.
- Damage the unit or premises (other than normal wear and tear) or permit any guest to damage the unit or premises. **You are responsible for your guests' and visitors' behavior and activities.**
- Receive housing assistance while residing in a unit owned by your immediate family unless BCHA has determined (and has notified the landlord and the family of such determination) that approving rental of the unit, not withstand such relationship, would provide reasonable accommodation for a family member who is a person with a disability.

Complaints

If you are unable to resolve a problem with your landlord regarding the condition of a unit, call your CSS. Your CSS will determine if BCHA should do a special inspection. BCHA can terminate a HAP contract with a landlord whose unit no longer meets the HQS if the landlord refuses to repair deficiencies. However, this

is done as a last resort and we will try to work with you and your landlord to bring the unit back up to standards.

If the landlord asks you to pay anything in excess of your share of the rent or requires you to perform other services in exchange for or in place of part or all of your rent payments, notify your CSS at once. This is not allowed under the HAP contract.

Fraud

The program has the right to terminate housing assistance payments when it finds misreporting by participating families. Several documents used by the program to determine eligibility clearly state this warning. Do not make false statements or give false information!

Section 1001 of Title 18 of the US Code makes it a criminal offense to make willful false statements or misrepresentations to any department or agency of the US as to matters within its jurisdiction.

A family participating in the program is legally required to provide full and accurate disclosure of its income, assets, and family composition. If you have questions about what is considered within these areas, ask your CSS. The program also prohibits making illegal side payments to the landlord.

The US Department of Housing and Urban Development (HUD) places a high priority on preventing fraud. If you application or recertification form contains false or incomplete information, you may be:

- Evicted from your unit
- Required to repay all overpaid rental assistance you received
- Fined up to $10,000
- Imprisoned for up to five(5) years
- Prohibited from receiving future assistance