

TIME FRAMES AND CORRECTIONS OF HQS FAIL ITEMS

The owner and participant will be given time to correct the failed items cited on the inspection report. If the failed item endangers the family's health or safety (see emergency item list below), the owner and participant will be given 24 hours to correct the violations. For less serious failures, the owner and participant will be given up to 30 days to correct the failed item.

If the owner fails to correct the required repairs after proper notification has been given, the Conway Housing Authority will abate payment and terminate assistance for the family in accordance with the Housing Assistance Payments (HAP) Contract.

If the participant fails to correct their required repairs after proper notification has been given, the Conway Housing Authority will terminate assistance for the family in accordance with the Section 8 Administrative Plan.

TIME FRAMES FOR CORRECTIONS:

1. Emergency repair items must be abated within 24 hours.
2. Repair of refrigerators, range and oven, or a major plumbing fixture supplied by the owner must be abated within 72 hours.
3. Non-emergency items must be completed within 10 days of the initial inspection.
4. For major repairs, the owner will have up to 30 days to complete.

EXTENSIONS:

At the sole discretion of the Conway Housing Authority, extensions of up to 30 days may be granted to permit an owner to complete repairs if the owner has made a good faith effort to initiate repairs. If repairs are not completed within 60 days after the initial inspection date, the Conway Housing Authority will abate the rent and cancel the HAP contract for owner noncompliance. Appropriate extensions will be granted if a severe weather condition exists for such items as exterior painting and outside concrete work for porches, steps, and sidewalks.

EMERGENCY FAIL ITEMS

The following items are to be considered examples of emergency items that need to be corrected within 24 hours:

- a. Smoke alarm does not work.
- b. No hot or cold water
- c. No electricity, electrical outlet smoking or sparking, or exposed electrical wires which could result in shock or fire
- d. Inability to maintain adequate heat
- e. Major plumbing leak
- f. Natural gas leak
- g. Broken lock(s) on first floor doors or windows
- h. Broken windows that unduly allow weather elements into the unit
- i. Unusable toilet when only one toilet is present in the unit
- j. Security risks such as broken doors or windows that would allow intrusion
- k. Other conditions which pose an immediate threat to health or safety

ABATEMENT

When a unit fails to meet HQS and the owner has been given an opportunity to correct the deficiencies, but has failed to do so within the required timeframe, the rent for the dwelling unit will be abated.

The initial abatement period will not exceed 7 days. If the corrections of deficiencies are not made within the 7-day time frame, the abatement will continue until the HAP contract is terminated. When the deficiencies are corrected, the Conway Housing Authority will end the abatement the day the unit passes inspection. Rent will resume the following day and be paid the first day of the next month.

For tenant caused HQS deficiencies, the owner will not be held accountable and the rent will not be abated. The tenant is held to the same standard and timeframes for correction of deficiencies as owners. If repairs are not completed by the deadline, the Conway Housing Authority will send a notice of termination to both the tenant and the owner. The tenant will be given the opportunity to request an informal hearing.

SMOKE DETECTORS

Inoperable smoke detectors are a serious health threat and Federal law requires this Agency to treat this as an emergency (24 hours) fail item.

If the smoke detector is not operating properly, this agency will contact the owner by phone and request the owner to repair the smoke detector within 24 hours. The Conway Housing Authority will re-inspect the unit the following day.

If the Conway Housing Authority determines that the family has purposely disconnected the smoke detector (by removing batteries or other means), the family will be required to repair the smoke detector within 24 hours and this agency will re-inspect the unit the following day.

The Conway Housing Authority will issue a written warning to any family determined to have purposely disconnected the unit's smoke detector. Warning will state that deliberate disconnection of the unit's smoke detector is a health and fire hazard and is considered a violation of the Housing Quality Standards.

TWO FREQUENTLY MISUNDERSTOOD REGULATIONS:

Smoke Alarms:

Owners are responsible for providing and replacing old batteries for battery powered units. Tenants will be instructed not to tamper with smoke detectors or remove batteries.

Vermin Infestation:

The owner is responsible for the cost of pest control for vermin infestation even if caused by the family's living habits. However, if such infestation is serious and repeated, it may be considered a lease violation and the owner may evict for serious or repeated violation of the lease. The Conway Housing Authority may terminate a family's assistance on that basis.

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