

## **Questions Frequently Asked by Landlords**

### **What is the Section 8 Program?**

The Section 8 Program is a federally funded rent subsidy for low and moderately low-income families. The Easton Housing Authority (EHA) administers the Section 8 rental assistance program called the Housing Choice Voucher Program, through its affiliation with the Taunton Housing Authority.

### **What is the Housing Choice Voucher Program?**

The Housing Choice Voucher Program requires that each family pay at least 30 % of their adjusted gross income but no higher than 40 % toward their rent and utilities for the first year in this program. However, after the first year a family can pay above the 40 % of their adjusted gross income.

### **Who can participate in the Program?**

Families must apply to the Housing Authority and receive a voucher in order to participate in the Section 8 Housing Choice Voucher Program. They can apply online through MASS NAHRO, the oversight agency for the Centralized Waiting List. The participants' income must be below the level set by the federal government under the direction of Housing and Urban Development (HUD) for the community. EHA will also check their criminal history for drug and/or violent criminal activity.

### **Who selects the units leased under the Program?**

The families themselves select the apartment they wish to live in. They are free to move anywhere in the country after living for the first year of their voucher in MA. No owner is required to rent to a particular family and no family is required to live in a particular unit. All owners are required to observe Federal, State and local laws and Fair Housing as they would with any tenant.

### **What units are acceptable to the Program?**

All apartments that are decent, safe and in sanitary condition after a housing authority inspection and that have rents within the program guidelines as published by HUD are eligible.

### **How are rents determined?**

HUD publishes the Fair Market Rents (FMR's) each year. The FMR's are based on bedroom sizes and reflect the community. EHA must approve the actual rent based on the size of the family, location of the unit, amenities provided by the landlord as well as the rents for non-subsidized units in the area. A landlord cannot charge a Section 8 family more than they would a non-subsidized family.

### **How does a landlord participate in the Program?**

If a participating family wants to rent an apartment, both the owner and the family must complete and sign a Request for Tenancy Approval package.

### **Can a landlord screen a tenant?**

Yes, and EHA encourages that they do so in the same way you screen your non-subsidized tenants. The housing authority only verifies the family's eligibility for the Section 8 program. We do not screen them for suitability. A prospective landlord should always check the tenant's references.

### **If the apartment does not pass the inspection, is the owner still obligated to the tenant?**

No. If the owner cannot make necessary repairs after the housing authority inspects the unit, they should tell the tenant as soon as possible so the family can look for another apartment. The owner should also notify housing authority.

### **What do you look for in an inspection? How often is there an inspection?**

The apartment must meet the minimum requirements. The inspector used the Massachusetts State Sanitary Code, Chapter II; HUD's Housing Quality Standards and any local codes. Inspections are done annually.

### **Is the housing authority responsible for the tenant's share of the rent or the security deposit?**

No. The housing authority and the tenant will each pay a share totaling the agreed upon contract rent that appears on the lease for as long as the tenant is an active voucher holder, the unit passes inspection and there is an active housing assistant payment (HAP) contract.

### **Can a tenant work and still be on the program?**

Yes. Section 8 is for low and moderate-income families, many tenants work.

### **Does the housing authority pay the landlord directly?**

Yes. The housing authority pays their portion of the rent directly to the landlord and the tenant pays their portion directly to the landlord.

### **Do I have to sign a lease?**

Yes. HUD requires a lease between the tenant and the owner and a contract between the owner and the housing authority. If a landlord has a lease with a non-subsidized tenant, they must use the same lease for the Section 8 tenant.

**If the tenant turns out to be a bad tenant, what is the recourse?**

You will enforce the terms of your lease and have the same rights with a Section 8 tenant as you do with any other tenant

**Who is responsible to maintain the apartment?**

The landlord is always responsible for the general maintenance of the unit. However, the tenant is responsible for any tenant caused damage.

**Can I request an increase in the rent?**

Yes. Each year when the tenant comes up for renewal, the landlord may request a rental increase at least 60 days in advance of renewal.

**Can the owner evict the tenant?**

Yes. You have the same rights as you do with a non-subsidized tenant and can evict any tenant who violates the lease agreement in accordance with the terms of the lease.

**What happens if the tenant loses their job?**

The tenant reports the change to the housing authority and their rent will be adjusted accordingly. The housing authority will pay a greater portion of the contract total rent for the apartment to make the landlord whole.

**Are other people allowed to move in with the family?**

No. The only ones allowed to live in the unit are the ones that were initially approved by the housing authority. If the family wishes to add any additional person(s) into the unit they must first contact the housing authority and the housing authority must receive permission from the owner allowing adding any additional person(s) to the lease.

**Is the Section 8 Program a good program for a landlord to be involved in?**

We think so! and so do approximately 500 other landlords. Most of them will request a new Section 8 tenant when a family moves from their apartment.

If you have any questions, please feel free to contact Kim Leonard at the Taunton Housing Authority at 508-880-3318 ext. 217

