

COLORADO SPRINGS HOUSING AUTHORITY LANDLORD INSPECTION HANDBOOK

SECTION 8 LANDLORD HANDBOOK

Welcome to the Section 8 Housing Choice Voucher (HCV) program. The following information has been put together by the Colorado Springs Housing Authority Inspectors to help you better understand the rules and regulations involved with the Section 8 program. We hope you will find it helpful and we encourage you to read the information and refer to it throughout your time on the program whenever you have questions.

We recommend that the landlord and tenant complete a move-in checklist report on **their** own to prevent future damage disputes. A copy of that move-in report should be kept by the tenant and the landlord to refer to upon move-out.

The Inspection Process

Housing Quality Standards (HQS) play an important role in the administration of the Section 8 Housing Assistance Program. The HQS inspection is required before assistance can be appropriated. The basic purpose of the inspection is to insure that the unit meets all the minimum inspection standards set by HUD. If the unit fails the initial inspection, all failed items must be corrected and the unit must pass a re-inspection by the Housing Inspector prior to the subsidy being paid on the unit.

- **Why does a unit fail?**

Units sometimes fail housing inspections because landlords and tenants are not familiar with HQS requirements and/or have not assessed the condition of the unit prior to the scheduled inspection. For these reasons the Housing Authority encourages landlords and tenants to conduct pre-inspections prior to the scheduled inspection. Using a checklist like the one included in this packet is helpful in identifying potential deficiencies and to facilitate needed repairs (**Exhibit A**), by having the items corrected before the inspection, the inspector has a better chance of passing the unit the first time. This will save valuable time and insure initial and subsequent annual inspections.

- **The Annual Inspection**

The Housing Authority is also required to inspect the unit at least annually after it is initially set up. The unit must pass this inspection prior to the annual review date of the contract in order to continue to receive the Section 8 Assistance. In most cases, if the unit fails the inspection, the Housing Authority will allow the landlord sufficient time to make the repairs. However, if the failed item is considered to be life threatening, Federal law requires the repair to be made within 24 hours. The landlord and tenant will be sent written notice of the date of re-inspection. Additional time may be granted in cases where extensive repairs are needed on a case by case basis.

- **What happens if the repairs are not completed?**

While it is generally the landlord's responsibility to maintain the condition of the assisted unit in accordance with the regulations governing Section 8 Housing Programs, the landlord may hold the tenant responsible for tenant caused damage. The landlord may require the tenant to repair or pay for those items that are tenant caused. If the landlord chooses to have the tenant repair the damages, the landlord must notify the tenant explaining which items they are to repair, with a copy provided to the Housing Authority. If the tenant fails to repair the items that are tenant caused within a reasonable time frame indicated, the tenant's Housing Assistance may be terminated.

Rent abatement, or the withholding of Housing Assistance Payments, applies when the Housing Authority verifies that the repairs have not been completed to meet minimum HQS requirements within the time period given. On those rare

occasions when the landlord does not complete the repairs, the Housing Authority's portion of the Contract rent will be abated. Once the repairs have been made, the Housing Assistance Payments will resume, prorated from the date that the unit passes the final housing inspection. The tenant cannot be held responsible for the abated Housing Assistance Payment.

If the unit remains under abatement and repairs are not completed the Housing Authority will notify the tenant and the landlord that the Section 8 Housing Assistance Contract will be terminated and no further assistance will be paid on this unit. The tenant can either stay and pay the full rent or move from the unit, provided proper notice has been given to the landlord.

- **Most Common Deficiencies Resulting In A Failed Inspection**

- △ **Entry Doors:** Must lock securely. Check the weather-stripping. If there are gaps that let air in, weather-stripping must be applied. Check the door jam and strike plate for defects.

- △ **Common Halls:** Every Public hall and stairway in every multiple dwelling shall be adequately lighted at all times. Landlord shall be responsible for maintaining in a clean and sanitary condition. Exits signs must be clearly visible, smoke detectors in working order.

- △ **Windows:** Those designed to open must open and must have a permanent lock attached. (Sticks and thumbscrews are not accepted as locking devices). The windowpanes must not be broken or cracked.

- △ **Window / Door Screens:** Each window with openings to outdoor space which is used or intended to be used for ventilation shall be supplied with a Screen. Existing Door Screens must be in good condition and not torn. However, Door Screens are not required if screen door is non-existent.

- △ **Electrical Hazards:** HUD Requires, that a unit must be free of any possible electrical hazards. All electrical outlets and switches must have cover plates that are not cracked and they must be secured to the wall, Also, there can be no exposed wiring in the home and all light fixtures must be properly mounted to the wall or ceiling and must be working. Breaker boxes must have all open spaces filled with knock outs or blank spacers and must not have any exposed wires.

- △ **Oven / Range:** Clean the range and oven to ensure that it would not be a fire hazard. Burners must lay flat and all elements must be working properly. Be sure all knobs and dials are on the appliance. Make certain that drip pans are in place and not missing.

- △ **Refrigerator:** Check the rubber gasket around the doors. If it's loose or cracked, it needs to be replaced. Also check the kick plate to be sure it is secured at the bottom of the refrigerator.

△ **Heating and Plumbing:** The heating system must be on, working properly, and provide adequate heat. Be sure all heat sources are clear of furniture, bedding, clothing, and other items. Oil, gas, and propane furnaces must be professionally serviced at least every two years. Verification of service must be provided and the furnace must be safe and working properly. Check for any leaks in the plumbing fixtures (sinks, toilets, showers, etc.) and repair if necessary.

△ **Hot Water Heaters:** Must have a pressure relief valve and discharge line that extends to within 12 inches of the floor. Discharge tubing must be of the appropriate type of material – galvanized steel, copper or CPVC piping (Do Not Use PVC). There should be no exposed wires. In addition flammable material should not be stored near the hot water tank.

△ **Flooring:** Carpets that are frayed or torn, or vinyl, tile or linoleum that would be a tripping hazard must be repaired. Exposed carpet tacks or thresholds which are loose must be repaired. Please check and repair floors that have dry rot. Dry rot is commonly found in bathrooms, around the bathtub and toilet.

△ **Inoperable Smoke or Carbon Monoxide Detectors:** A smoke and carbon monoxide detector must be on each floor of the dwelling unit and must have a tester button. Units occupied by a hearing impaired person, must be equipped with a smoke alarm and carbon monoxide detector designed for the hearing impaired and mounted in the bedroom occupied by the hearing impaired individual.

△ **Ventilation:** Inoperable bathroom fans or no ventilation (i.e. window) would result in a fail.

△ **Mold:** Exposure to damp and moldy environments may cause a variety of health effects, or none at all. Some people are sensitive to molds. For these people, molds can cause nasal stuffiness, throat irritation, coughing or wheezing, eye irritation, or, in some cases, skin irritation.

△ **Decks, Railings, and Steps:** HUD requires that all stairways with 4 or more steps must have a handrail. The handrail must run the length of the stairway and be securely supported in order to provide adequate safety for the user. Decks, rails and steps, must also be free of dry rot and tripping hazards. Railings are required for decks, porches or steps that are over 30 inches from the ground.

△ **Peeling Paint:** HUD requires that in a home built prior to 1978, have no deteriorated or peeling paint on the inside and outside of the unit if the unit is occupied by children under the age of six.

△ **Pest Extermination:** Visible mouse droppings, Roach infestations, or bed bugs are deemed an immediate failure. The Landlord shall be responsible for extermination of mice, roaches and bed bugs.

How to Prepare For An Inspection

Ask yourself these questions:

1. Do all doors in my unit close and/or latch properly? (includes sliding doors)
2. Are doors weather-stripped and airtight?
3. Is my kitchen sink, bathroom sink, and tub free of leaks, drips, etc.?
4. Do all my windows have screens? And are they free of holes and tears?
5. Do all the windows in my unit close properly? And do the windows that are accessible from the outside have working sturdy locks?
6. Is there a smoke detector and carbon monoxide detector on every floor of my home (including basement)? And do they all work properly with new batteries?
7. Do all electrical outlets and light switches have covers and are not cracked?
8. Do all my light switches and electrical outlets work?
9. Are my floors free of Trip Hazards (tears, holes, loose edges, etc.)?
10. Is the entire unit, both inside and outside, including window frames, free of cracking, scaling, peeling, chipping and loose paint?

If you answered "No" to any of these questions please correct the problem before the inspection date if possible.

NOTE: These are not the only requirements units must meet to pass the inspection process. The list represents only what the inspectors have determined are the most common reasons units fail inspection.

EXHIBIT A

Landlord Check List

- △ **Smoke and Carbon Monoxide detectors on every level of home. NOTE:** Units occupied by a hearing impaired person, **must** be equipped with a smoke alarm and carbon monoxide detector designed for the hearing impaired and mounted in the bedroom occupied by the hearing impaired individual
- △ **Missing Battery or Low Battery in Smoke Detector**
- △ **Electrical Outlet Covers missing or damaged**
- △ **Missing or Damaged window screens**
- △ **Broken or Cracked Windows**
- △ **Locks not installed or inoperable on windows and doors**
- △ **Interior Doors Double Keyed or Bolt locks are not allowed to be installed**
- △ **Electrical Hazards: Shorts in wiring, damaged or malfunctioning outlets or lights**
- △ **Plumbing Hazards: leaks, clogged drains or pipes**
- △ **Heating Hazards: furnace not working, hot water heater damaged, pressure relief valve drain pipe not installed**
- △ **Damage to ceilings, walls, floors**
- △ **Appliances damaged or malfunctioning**
- △ **Utilities Disconnected**
- △ **Damage to Exterior surface of home**
- △ **Basement Bedroom windows not within height and width requirements (see page 10)**
- △ **Each Bedroom must have an entry door, 1 window and a closet**
- △ **Infestation of Rodents or Insects (including bed bugs, roaches)**
- △ **Mold potential health hazards**

EXHIBIT B

Summary of Lead-Based Paint Regulations

As a result of changes in program regulations, the Colorado Springs Housing Authority has implemented new federal lead-based paint regulations affecting all federally assisted housing units, including rental units subsidized under the Section 8 Housing Choice Voucher Program.

Who is affected?

The new regulation is known as the Lead Safe Housing Rule and applies ONLY to properties that meet the following criteria: units with deteriorated paint surfaces (peeling, chipping, chalking, cracking, or otherwise damaged or separated paint) that were built before 1978 AND occupied by households with a child under the age of 6 years (or a pregnant household member). Properties exempted from the new Lead Safe Housing Rule include:

- Units with no deteriorated painted surfaces
- Units build after 1978
- Units not occupied by children fewer than 6 (or a pregnant household member)
- Units used exclusively for the elderly or disabled
- Zero bedroom units
- Properties certified as lead-free by a certified lead inspector

What is the purpose of the rule?

The Lead Safe Housing Rule is designed to protect you, your employees, and your tenants from lead poisoning. Previous regulations were based on the belief that lead poisoning was caused primarily by ingestion of paint chips containing lead. Data now suggest:

- A common way both adults and children are poisoned by lead is through inhalation of Lead dust. When cracking and peeling lead paint is removed by dry scraping or a variety of other now prohibited methods, lead dust is generated, placing the person removing the paint at risk of lead poisoning.
- Young children touch lead dust on floors or other surfaces, and when they put their fingers in their mouths, they ingest the lead dust. Children under the age of 6 are most severely harmed by excessive levels of lead in the blood. This new information prompted Congress to begin regulating the manner in which lead abatement is conducted.

What does the rule require?

The new regulations are set forth by the U.S. Department of Housing and Urban Development (HUD) at 24 CFR Part 35. On units which are not exempt, the regulations require:

- 1) All interior and exterior deteriorated paint must be removed or encapsulated, and where paint is removed, the area must be repainted.
- 2) Damaged substrate surfaces must also be repaired.
- 3) All work must be conducted by a person trained and certified in Safe Work Practices.

4) A “clearance” inspection must be done and certified as passed by a certified Risk Assessor, ensuring that the hazard reduction activities are complete and that no soil-lead hazards or settled dust-hazards exist in the dwelling unit or worksite. (Property owners may be reimbursed a set amount for this clearance.)

Note: None of the above will be required at an initial or annual inspection if no deteriorated paint is found.

Information on (a) companies with persons trained in Safe Work Practices, and on (b) certified Risk Assessors who can do “clearance” inspections is available at the HUD website: www.leadlisting.org, or at 1- 866-HUD-1012.

Other resources include www.hud.gov/lea or www.epa.gov/lead/nlic.htm for more lead paint information and www.epa.gov for EPA regulations. Information on training in Safe Work Practices is available at the HUD website: www.hud.gov/offices/lead/index.cfm.

What if I own a Section 8 assisted unit built before 1978 and occupied by a household with a child under 6?

For units occupied by Section 8 assisted tenants, the property will be inspected for deteriorated paint at initial lease-up and once annually thereafter, as long as the assisted tenant remains in the unit. Once you receive notice of a pending inspection, you should prepare for the inspection as follows:

- Walk through the unit well before the inspection and examine all painted surfaces for peeling, chipping, chalking, or cracking paint.
- Carefully examine doorways, windowsills, and other areas where friction may cause paint to loosen and wear off.
- Examine the painted surfaces on the exterior of the unit, on outbuildings, on fences, and in any common areas in apartment buildings such as entryways, hallways, laundry rooms, and playgrounds.
- Using Safe Work Practices remove all deteriorated paint and repaint to restore the surfaces.

NOTE: Paint that is intact is not considered a lead hazard.

What happens if my rental property fails its annual inspection due to deteriorated painted surfaces?

If an assisted unit is failed for deteriorated paint, the inspector will provide detailed information about the steps required to comply with the lead regulations. As with other failed inspection items, the property owner or manager will have up to 30 days to make necessary repairs. If the repairs are not done within 30 days, the SHA will suspend payment to the owner on the failed unit until the repairs are made.

What will the Housing Authority require if a child is found with high levels of lead in the blood?

In the special case when a local housing authority is notified that a child with an Environmental Intervention Blood Lead Level (EIBLL) is living in or plans to live in

a unit, a certified Risk Assessor must do a risk assessment test. A risk assessment test is an on-site investigation to determine the existence, nature, severity, and location of lead-based paint hazards. (Property owners may be reimbursed a set amount for this risk assessment.) Appropriately trained and certified people must then complete required work and a certified Risk Assessor must complete a clearance process.

Additional information

Additional information on the forms required by the program can be found on the HUD website at www.hudclips.org and click on forms:

Housing Assistance Payments contract HUD-52641
Section 8 Lease Addendum HUD-52641-A
Section 8 Housing Voucher HUD-52646

Basement bedroom windows only, the following requirements apply:

Egress window to the exterior required in each bedroom: minimum 20" width, 24" height and **5.7 sq. ft. of opening area. Maximum 44" sill height from floor.** El Paso does have a grandfather clause they adopted which states: Existing emergency escape and rescue opening with a clear opening of not less than 4.5 square feet are permitted to remain as a means of emergency egress in dwellings issued a building permit prior to August 1, 2011.

