

Housing Choice Voucher

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Briefing Packet



EQUAL HOUSING
OPPORTUNITY

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Additional Briefing Packet Information

Office of Housing and Urban Development (HUD) Recommended Reading

- Protect Your Family from Lead in Your Home
- A Good Place to Live
- Are You a Victim of Housing Discrimination?
- Fair Housing— Equal Opportunity for All
- A Guide to Security Deposits
- Truth In Renting Act

- Utility Allowance Schedule
- Housing Payment Standards
- Income Limits
- Preferences (Local)
- Landlord List
- Map of Gratiot County Jurisdiction

Required Signatures:

- Applying for HUD Housing Assistance— Consequences of Fraud
- Statement of Family Responsibility
- Additional Adult
- Lead Paint
- Enterprise Income Verification (EIV) System
- Completion of Housing Choice Voucher Briefing Packet

THE HOUSING CHOICE VOUCHER PROGRAM—AN OVERVIEW

The Housing Choice Voucher (HCV) program, formerly known as the Section 8 program, is a rent subsidy program funded by HUD and administered by the Housing Authority. The subsidy, known as the Housing Assistance Payment or “HAP”, is calculated and paid by the Housing Authority as a percentage of the total rent directly to the owner of the property you select. You will be responsible for the remaining percentage of rent to the owner.

The key to successful participation is the HCV program is in finding a rental housing unit (single family home or apartment) that qualifies. The Housing Authority does not find housing units for applicants. Once your initial or continued eligibility and family composition (unit size) are verified and your voucher has been issued, you will have 60 days in which to find a housing unit and an owner willing to participate in the program.

Owners who wish to participate in the HCV program must provide decent, safe, and sanitary housing at a reasonable and fair rent. HUD has strict Housing Quality Standards (HQS) which every housing unit must pass before a housing assistance payment will be authorized. Once you have selected a unit, you and the owner will be responsible to complete the “Request for Tenancy Approval” after which an inspection will be conducted to ensure the unit meets those applicable unit standards.

If you are a new participant and you believe the unit you are currently reside in will pass inspection, and the owner is willing to participate in the program, you may want to consider staying where you are.

The Housing Authority uses a payment standard developed from regular local market rent surveys to determine the rent subsidy the Housing Authority will pay for any unit in Gratiot County. This amount will vary from unit to unit and community to community.

After the unit and authorized rent have been determined to be acceptable, you will sign a lease with the owner and the owner will sign a Contract with the Housing Authority for each portion of the total rent. Housing Assistance Payments (HAP) to the owner will begin after the lease and Contract documents have been signed by all parties and are processed by the Housing Authority.

NOTE: The effective date of the HAP Contract will be the 1st day of the month. However, if you take possession of the unit PRIOR to the completion of the lease process, you will be responsible for the full amount of the rent to the owner from your move in date until the effective date of the Contract.

YOUR RESPONSIBILITIES AS A PROGRAM PARTICIPANT (FAMILY OBLIGATIONS)

Your signature on the housing voucher obligates you to abide by the terms and conditions of the HCV, applicable federal regulations, and Housing Authority policies. All the information you provide regarding household composition, income, family assets, and items for allowances and deductions must be complete, true and accurate. You must cooperate in supplying all information needed to determine your eligibility, level of benefits, or verify your true circumstances. **Failure to comply could result in termination of your housing assistance.**

The family must:

1. Supply any information that AHC or HUD determines to be necessary including evidence of citizenship or eligible immigration status, and information for use in regularly scheduled reexamination or interim reexamination of family income and composition.
2. Disclose and verify social security numbers and sign and submit consent forms for obtaining information.
3. Supply any information requested by AHC to verify that the family is living in the unit or information related to family absence from the unit.
4. Allow AHC to inspect the unit at reasonable times and after reasonable notice.
5. Notify AHC and the owner in writing before moving out of the unit or terminating the lease.
6. Use the assisted unit for residence by the family. The unit must be the family's only residence.
7. Report any changes in family composition and/or income in writing within 10 days of such change.
8. Request AHC written approval to add any other family member as an occupant of the unit.
9. Promptly notify AHC in writing if any family member no longer lives in the unit.
10. Pay utility bills that the owner is not required to provide under the lease.

The family (including each family member) must not:

1. Commit any serious or repeated violation of the lease.
2. Commit fraud, bribery or any other corrupt or criminal act in connection with the program.
3. Damage the unit or premises (other than damage from ordinary wear and tear) or permit any guest to damage the unit or premises.
4. Receive HCV assistance while residing in a unit owned by a spouse, parent, child, grandparent, grandchild, sister, brother, aunt, uncle or any member of the family or step-family.
5. Engage in any criminal offenses as defined in AHC Administrative Plan and acknowledged in the One Strike and You're Out Policy.

USING YOUR VOUCHER

By issuing you a Housing Choice Voucher, the Housing Authority has determined you are eligible for participation in the Alma Housing Commission Housing Choice Program. The Housing Choice Voucher is valid for a term of sixty (60) days, which is the maximum term under our current policy. No extensions will be granted. If your voucher expires before you find suitable housing, you will have to reapply. You must find a unit and submit a Request for Tenancy Approval within the term of the Voucher.

PORTABILITY

An active participant can move to a different jurisdiction that has the Voucher Program. As an active participant, you must reside in the Alma Housing Commission's jurisdiction for (12) twelve months before a participant can initiate portability and upon available funding. NOTE: The jurisdiction that you are relocating to MUST absorb your voucher.

HOW TO FIND A RENTAL UNIT

The family may lease a unit anywhere in Gratiot County, as long as the unit meets the Housing Quality Standards (HQS) and the rent is reasonable and comparable to unassisted units with the similar amenities in the same general market area. *A Good Place to Live* booklet, which outlines some aspects of the Housing Quality Standards, is included in the briefing package.

There are many resources you can rely on in finding a unit. Some of them are:

- * Check the local newspapers for listings of houses or apartments for rent.
- * Contact real estate agents (Warning: You may be required to pay a fee and payment of a fee is no guarantee that you will find satisfactory housing.)
- * Look for "for rent" signs when driving.

For the convenience of our participants, AHC maintains a "Landlord Referral List" containing rental units potentially available to persons holding a Housing Choice Voucher and is included in this briefing packet.

Approaching a landlord

Before you start, you may want to go over the briefing packet. This packet contains many valuable selling points of the Voucher program, as well as giving you answers to many questions you may encounter from landlords. Having knowledge of the Voucher Program and the ability to articulate clearly how the program works would put the landlord at ease if he/she had never dealt with the program before. As a potential tenant, you should remember that there are often many families competing for the rental of one unit. Think from the landlords point of view: why would he/she want to rent to you rather than someone else (whether on the Voucher program or unassisted)?

SUBMITTING A REQUEST FOR TENANCY APPROVAL (RTA)

In order for the Housing Authority to begin the process for approving the lease for your unit, we require the following:

- * A completed and signed Request for Tenancy Approval (Two sided, required HUD form) that includes certification of the owner's tax ID number.
- * The unit must be vacant and ready to occupy when you submit your RTA. This does not apply if you are leasing the unit where you currently reside.
- * Upon receipt of the completed paperwork, the Housing Authority will contact the landlord to schedule a inspection.

INSPECTING THE UNIT

The Housing Authority is required by HUD to conduct a Housing Quality Standards (HQS) inspection prior to beginning a lease. The Housing Authority staff will inspect both the interior and exterior of the unit to ensure that the unit is in decent, safe and sanitary condition. **All utility services must be operable at the time of inspection.**

Do not move into the unit until the Housing Authority staff advises you of the effective date of the lease and your share of the rent to the landlord. You are responsible for 100% of the contract rent if you move in prior to the effective date of the lease.

If the unit fails the move-in (initial) inspection, the landlord will be informed of the failed items and be given time to make the repairs. You may not move in until the unit passes inspection. If you are leasing in place, the lease cannot start until the unit passes the inspection. The Housing Authority will conduct one follow-up inspection. If the unit fails again, you will be informed of the decision and advised to find another suitable unit.

LEAD-BASED PAINT INFORMATION

A copy of the brochure entitled *Protect Your Family From Lead in Your Home* is included in the briefing packet. Please read this brochure about the health hazards of lead-based paint. This is especially important if you have children under the age of six and find a unit to rent which built before 1978.

CALCULATING YOUR ASSISTANCE

The Alma Housing Commission uses an established payment standard schedule to determine the appropriate payment standard for each family. A payment standard is an amount established by the Housing Authority based on HUD's published Fair Market Rents for each market area and for unit size. The unit size means number of bedrooms in the unit.

The family may select a different size unit than the voucher size listed on the Housing Choice Voucher. The family may choose to rent a smaller size unit as long as the unit is within the maximum occupancy level under the Housing Quality Standards, HUD defines maximum occupancy level as two persons per bedroom.

Once the payment standard is determined, the Housing Authority uses the payment standard to calculate the monthly housing assistance payment for a family.

The current Voucher Payment Standards for the Alma Housing Commission is included in this briefing packet.

Total Tenant Payment

The total tenant payment (TTP) is 30% of the family's monthly-adjusted income. Adjusted income means your gross income minus the HUD allowable deductions.

Gross Rent

Gross rent is the rent to owner plus any utility allowance. The utility allowance is based on the utilities that the tenant is responsible for paying (i.e. Consumers, water, garbage).

Examples of total subsidy calculation:

Example #1: Ms. Jones found a two bedroom apartment with a rent to owner (contract rent) of \$550.00. The apartment has gas heat and electric cooking. She is responsible to pay electricity and gas. Her monthly adjusted-income is \$1000.00 Her TTP is \$300.00.

Rent to Owner	\$550.00
Utility Allowance	<u>+\$98.00</u>
Gross Rent	\$648.00

\$638.00 Payment Standard

TTP	<u>-\$300.00</u>
Total Subsidy	\$348.00

-\$300.00

\$338.00 Total subsidy is the **lesser** of the payment standard or gross rent, minus TTP.


Rent to Owner	\$550.00
Total Subsidy	<u>-\$338.00</u>
Tenant Share	\$212.00

Housing Authority Payment to Owner
 Tenant Payment to Owner

Maximum Initial Rent Burden: A family must not pay more than 40% of adjusted income for rent when the family first receives Voucher tenant-based assistance for occupancy of a particular unit. This new requirement only applies for a family that initially receives tenant-based assistance for occupancy of a unit.

Alma Housing Commission

Key Activities in the Housing Choice Voucher Program-



Application Process

- A household in need of assistance applies for a Housing Choice Voucher by completing a PHA's application form.
- If the waiting list is "open" the agency administering the Housing Choice Voucher is accepting applications.
- If the waiting list is "closed" no one can apply for a voucher.

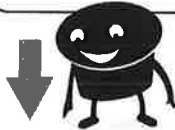


Selection from Waiting List

- AHC shall give first preference to applicants who are otherwise eligible for assistance and who at the time they are seeking housing assistance. Applicants accumulating the most Preference points shall be placed at the top of the waiting list. Where all conditions are equal, the applicant with the earliest date/time appearing on the application shall be given preference.
- When your application comes up on the waiting list (s), you will be contacted through the mail. An appointment will be scheduled to initiate the screening process.

Housing Choice Briefing

- When a household reaches the top of the waiting list, and is determined eligible for the program, the household will need to attend a MANDATORY briefing in order for a voucher to be issued (depending on funding).



Screening & Verification of Eligibility

- When a household reaches the top of the list, the household will be required to supply documentation that verified eligibility for the Housing Choice Voucher program.

Housing Search

- Upon issuance of a Voucher, the household then has 60 days to find a rental unit in the community that meets HCV guidelines (i.e., affordable and decent)
- In some cases, the household may already be living in a housing unit that meets the HCV guidelines and may choose to use the voucher in the existing unit.



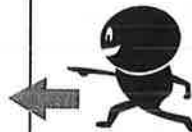
Housing Quality Standards Inspection and Rent Reasonableness Determination

- If the owner agrees to participate in the Voucher program, the unit is inspected to ensure that it is safe, decent, and of good quality.
- The rent of the unit is compared to rents of similar unassisted units in the community to ensure it is reasonable.



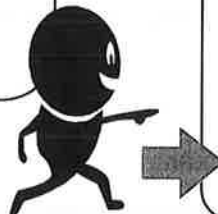
PHA Approves Unit and Computes Total Tenant Payment and Subsidy Amount

- All paperwork is signed (i.e., lease between household and owner: and contract between PHA and owner) and the household moves into the unit.
- At this point, HCV rental assistance begins. The household pays between 30 and 40 percent of their income towards rent and any tenant-paid utilities, and the rent subsidy pays the difference. This subsidy is paid directly to the owner of the housing unit.



Annual Recertification's, Housing Quality Inspection, and Rent Reasonableness Determination

- Annually, the Housing Choice Voucher household must reestablish eligibility for the program and the unit is reinspected to ensure that it continues to meet HQS standards



EQUAL HOUSING OPPORTUNITY LAWS

It is the policy of Alma Housing Commission to comply fully with all Federal, State, and local nondiscrimination laws; the Americans With Disabilities Act; and HUD regulations governing Fair Housing and Equal Opportunity.

No person shall, on the grounds of race, color, sex, religion, national, or ethnic origin, familial status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the Housing Authority of the Alma Housing Commission HCV program.

To further its commitment to full compliance with applicable civil rights laws, AHC will provide Federal, State and local information to applicants and participants of the HCV program regarding discrimination and any recourse available to them if they believe they have been victims of discrimination. Such information is included in this briefing packet information on the local Fair Housing Agencies and a booklet titled *Fair Housing, It's Your Right*.

PARTICIPANT/APPLICANT GRIEVANCE PROCEDURES

1.) RIGHT TO THE GRIEVANCE PROCEDURE

Any participant receiving Housing Assistance under Alma Housing Commission Voucher Program, or any applicant to such programs, shall have the right to request a redress under the grievance procedure described below:

2.) DEFINITIONS

- A. A Grievant is any participant receiving housing assistance under Commission Voucher programs, or any applicant to such programs, who timely files a written GRIEVANCE alleging that the Commission's actions or failure to act in accordance with established law, regulations, and procedures, has adversely affected the GRIEVANT'S rights, duties, welfare or status.
- B. A GRIEVANCE is a written notice signed by the Grievant alleging that the Commission's actions or failure to act has adversely affected the Grievant. The GRIEVANCE must:
- 1.) be presented in person to the Section 8 Program Coordinator, or the Executive Director, or to the Executive Director's Designee if the Grievance involves the Section 8 Programs Coordinator.
 - 2.) be filled within five days of the alleged Commission actions or failure to act caused the Grievance.
 - 3.) be date and time stamped when filed, and a copy made for the Grievant after being stamped, and
 - 4.) specify the cause (s) for the Grievance and what actions the Grievant wants the Commission to provide relief.

Continued...

The Executive Director or any Housing Commission may waive the timely filing requirement, or other details of the filing process so that substantive elements of the Grievance and access to the process are preserved.

3. PROCEDURE

- A. **Step 1: Grievance Review Meeting:** Within five working days of a grievance being filed the Grievant shall meet with the Executive Director (or Director's Designee), and other appropriate Commission Staff and involved persons in an effort to informally resolve the dispute.

Within five working days of the Grievances Review Meeting, the Executive Director (or Directors Designee) shall give written answer to the grievance.

The answer shall specify:

- 1.) the disposition of the grievance and the reason (s) therefore;
- 2.) the right of the Grievant to a hearing; and
- 3.) the procedure by which a hearing may be obtained.

B. **Step 2: Grievance Hearing:** If the Grievant is dissatisfied with the answer, s/he may submit a written request to the Executive Director (or the Director's Designee) for a Grievance Hearing. This request must be submitted within 10 days of the grievance answer.

If the Grievant does not request a hearing within the time period allowed, the Grievant's right to a hearing is waived and the grievance answer becomes final. However, this does not mean that the Grievant's right to other legal remedies has been waived.

- 1.) The Grievance Hearing shall be scheduled as early as possible at a time and place convenient to the Grievant.
- 2.) The Grievance Hearing shall be conducted before a Hearing Panel consisting of three members: Two Commissioners, and one unassociated impartial member.
 - A. The impartial member may not be a Commission officer or employee, nor a Commission Section 8 Programs.
 - B. No members who may have a conflict of interest regarding the grievance at issue may serve on the panel for that particular hearing.
 - C. The impartial member shall preside at the hearing.
- 3.) The hearing shall be private unless the Grievant requests, and the Hearing Panel agrees to, a public hearing. This does not mean that persons with valid and appropriate interest shall be barred from the proceedings.
- 4.) The Grievant may examine, and at the Grievant's expense, copy relevant Commission documents, records, policy statements, regulations, and the like.
- 5.) At the Grievant's expense, s/he may be represented by legal counsel.
- 6.) If the Grievant fails to appear at the Hearing, the hearing panel may postpone the hearing for five working days, or declare that the Grievant has waived rights to the hearing.
- 7.) The hearing shall be informal. Oral and documentary evidence presented by the Grievant and Commission supporting their positions in the dispute must be relevant to the issues raised in the grievance and answer, but such evidence is not limited by admissibility rules as required in judicial proceedings.

Continued...

4. GRIEVANCE DECISION:

- A. Within three work days of the Grievance Hearing, a Hearing Panel shall render its decision in a written report which shall outline its findings of fact and conclusions in support of its decision. To the extent the decision is consistent with the applicable law, and the terms and conditions of the Annual Contributions Contract, the Hearing Panel's decision shall be final and binding under this grievance procedure.
- B. The Decision Report shall be delivered to the Alma Housing Board of Commissioners,, the Commission's Executive Director, and the Grievant.
- C. A copy of the Decision Report, and any decisions rendered in judicial proceedings related to the matter at hand, shall be maintained on file at applicable Commission offices for reference by prospective Grievant. Such reference reports shall have names and other identifying notations deleted.
- D. If the Hearing Panel's decision favors the Grievant, the Commission shall take steps necessary to remedy the situation as soon as possible. However, if the Board of Commissioners determines that the Hearing Panel acted arbitrarily or exceeded its authority, written notice that the matter will be submitted for judicial review shall be delivered to the Grievant no later than 30 days from the conclusion of the Grievance Hearing.

5. WAIVER OF RIGHTS PROHIBITED

The Grievant's use of this Participant/Applicant Grievant Procedure, in whole or in part, shall not constitute a waiver by the Grievant to any other available legal proceedings and remedies.

6. GRIEVABLE QUESTIONS

The program participant or applicant may grieve regarding questions such as the following:

- A.* A determination of the amount of the housing assistance payment (not including determination of the Commission's schedule of utility allowances for families in the Section 8 Program);
- B.* A decision to deny or terminate assistance on behalf of the participant; and
- C.* In the case of an assisted family that wants to move to another dwelling unit with continued participation in the Commission's determination of the number of bedrooms entered on the housing voucher under the occupancy standard established by the Commission.

7. NONGRIEVABLE QUESTIONS

The Commission shall not provide an informal hearing regarding the following questions;

- A.* Discretionary administrative determinations by the Commission, general policy issues, or class grievances.
- B.* The Commission's determination that a unit does not comply with the Commission's Housing Quality Standards; that the owner has failed to operate a contract unit to provide decent, safe, and sanitary housing in accordance with HQS (including all services, maintenance, and utilities required under the lease); or that the contract unit is not in accordance with housing quality standards because of an increase in family size or change in family composition;

VIOLENCE AGAINST WOMEN ACT (VAWA)

The Violence Against Women and Justice Department Reauthorization Act of 2005 protects qualified tenants and family members of tenants who are victims of domestic violence, dating violence or stalking from being evicted or terminated from housing assistance based on acts of such violence against them.

A tenant who faces eviction or termination and believes they are facing these actions due to domestic violence, dating violence or stalking must complete and submit a VAWA certification form within 14 days of the written request for certification by AHC, the owner or manager. The certification or alternate documentation must be returned to the person and address specified in the written request for certification. If the family member has not provided the requested certification or the information that may be provided in lieu of the certification by the 14th business day or any extension of that date provided by AHC, manager or owner, none of the protections afforded to victims of domestic violence, dating violence or stalking under the HCV or Public Housing programs. Note that a family member may provide, in lieu of the certification form (or in addition to it) (1) A federal, state, tribal or territorial or local police or court record; or (2) documentation signed by an employee, agent or assistance in addressing domestic violence, dating violence or stalking, or the effects of abuse, in which the professional attests under penalty of perjury (28 U.S. c. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim of domestic violence, dating violence or stalking has signed and attested to the documentation.

LOSING YOUR ASSISTANCE

Participation in the HCV program requires a commitment which must be made by each member of your household. Your assistance may be terminated for any of the following:

1. Violation of any "Obligations of the Family" listed in this booklet, on your HCV or the One Strike Policy.
2. Failure to sign and submit consent forms.
3. Participation in drug-related or violent criminal activity.
4. Previous eviction or termination from public housing program.
5. Commission of fraud, bribery, or any other corrupt or criminal act in connection with public housing Program.
6. Threatening, abusive or violent behavior toward Housing Authority personnel.
7. Registration of any household member under State sex offender registration program.
8. Illegal use (or pattern of illegal use) of a controlled substance, or abuse (or pattern of abuse) of alcohol which the Housing Authority determines could interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.
9. Medical Marijuana prohibited. The household must not engage in drug-related criminal activity, including Medical Marijuana.

ONE STRIKE AND YOU'RE OUT POLICY

I. Tracking and Reporting

A. The Alma Housing Commission shall report all crime-related activities observed at its properties to law enforcement officials, and cooperate fully with law enforcement officials in an effort to improve law enforcement and crime prevention.

B. The Alma Housing Commission shall attempt to obtain criminal history verifications for all applicants prior to admission.

II. Screening of Applicants and Tenants

The Alma Housing Commission shall deny admission or application for continued occupancy to any applicant or resident who:

A. Has history of criminal activity involving crimes to persons or property and/or other criminal acts, including drug related criminal activity, that affect the health, safety, or right to peaceful enjoyment of the premises by other residents, whether or not the criminal activity occurred on Commission property. Drug related activity means illegal manufacture, sell, and distribution, use or possession, or intent to manufacture, sell, and distribute a controlled substance.

B. Was evicted from assisted housing because of drug-related criminal activity.

C. The Commission determines that the applicant illegally uses a controlled substance.

D. Convicted of a felony of any degree.

E. The Commission has reasonable cause to believe an applicant illegally uses a controlled substance or abuses alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents.

F. *See NOTE below

III. Lease Enforcement

The Alma Housing Commission will terminate the Dwelling Lease of any tenant who:

A. Engages in any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

B. Engages in any drug-related criminal activity on or off the Commission's property.

C. The Alma Housing Commission has determined that the resident is illegally using a controlled substance in such a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

***NOTE: In relation to criminal drug related activity/alcohol abuse (as defined above) if after five years, the individual can demonstrate the participation and successful completion of a supervised drug or alcohol rehabilitation program. The housing commission would require the applicant to submit evidence of the participation and successful completion of the rehabilitation program. Following this documentation the housing commission may continue the screening process.**

Approved by Housing Commission: 7/29/97

(Revised 1/30/07 (Res#90327))

