

# HOUSING AUTHORITY OF THE COUNTY OF DEKALB

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## Housing Choice Voucher Program An Equal Opportunity Program

### Program Information for Property Owners/Agents

#### INTRODUCTION

The Housing Choice Voucher (HCV) Program, formerly known as Section 8 Voucher and Certificate Rental Voucher Program, provides rental assistance to help low income families afford decent, safe rental housing. Housing Choice Voucher Programs are funded by the United States Department of Housing and Urban Development (HUD), and are administered by public housing agencies authorized under Federal or State law to operate housing programs within an area of jurisdiction. The Housing Authority of the County of DeKalb (HACD) administers a Housing Choice Voucher Program throughout DeKalb County.

In this packet, you will find the following items:

- Booklet entitled “A Good Place to Live” provides information regarding items the inspector will focus on when conducting the Housing Quality Standards inspection prior to initial leasing of the unit by a voucher holder and annually thereafter, for as long as the HCV program participant resides in the unit.
- Booklet entitled “Protect Your Family from Lead in Your Home” provides information on detection and prevention of lead-based paint hazards.
- Booklet entitled “Fair Housing” provides information regarding the Fair Housing Act.
- Brochure entitled “Violence Against Women Act” provides information regarding the recently enacted law as it relates to tenants, owners, landlords, public housing agencies, and HCV program participants.
- A sample copy of a Housing Assistance Payments Contract, executed for all assisted units.
- A sample copy of Tenancy Addendum, which we are required by HUD to attach to all assisted leases.

Families or individuals determined to be eligible for assistance by the HACD receive a voucher, which authorizes the family to locate a rental unit anywhere in DeKalb County that meets the criteria listed under Eligible Units (below).

#### ELIGIBLE UNITS

- Rental units located in DeKalb County
- The unit passes a Housing Quality Standards (HQS) Inspection as a decent, safe, sanitary unit according to the minimum nationwide standards established by HUD prior to execution of the Housing Assistance Payments Contract.

Housing Quality Standards are the minimum nationwide standards established by HUD. For more details regarding items an Inspector will look at during the Housing Quality Standards Inspection, please refer to the booklet entitled, “A Good Place to Live.” All units must pass a Housing Quality Standard Inspection prior to the execution of the Housing Assistance Payment Contract.

Once the tenant enters the HCV Program at lease up, the assisted unit will be inspected on an annual basis. HACD encourages owners to be present to participate in the HQS Inspection whenever possible.

Please note: We do not “pre-approve” units that an owner wishes to make available to program participants. Approvals and inspections take place after an owner has identified a program participant who they are willing to rent a unit to; “Request for Tenancy” paperwork for that family is completed by the family and the owner/agent; and paperwork is submitted to the Housing Authority for approval. If you would like us to advertise the availability of a unit in our office to HCV program participants, we are happy to provide this service to you. Please contact our office and provide the details of the unit you want included in the posting.

Your participation as a landlord in the HCV Program is voluntary; however, it is unlawful to discriminate against any prospective tenant on the basis of race, creed, color, sex, religion, national origin or familial status.

#### TENANT SCREENING

HACD certifies that the family is income-eligible to receive HCV Program assistance, but the owner must screen for suitability. HACD performs criminal background checks; however our criteria for admission to the program may be different than yours when making a decision to rent to a family. The owner is responsible for screening and selecting a family for tenancy. HACD does not screen applicants’ previous rental history. In accordance with HUD requirements, the HACD will furnish property owners with the family’s current address as shown in HACD’s records, and if known to HACD, the name and address of the landlord at the family’s current and prior address.

HACD strongly encourages landlords to screen prospective tenants using generally the same procedures used for non-subsidized families such as credit, employment, criminal background, landlord references, etc.

#### THE LEASE

The lease between the owner and tenant must meet the following requirements:

- The initial lease term must be for a minimum of one year. If the tenant already resides in your unit and a current lease is in effect, you will be required to sign a new lease with the tenant with an effective date that coincides with the effective date of the Housing Assistance Payment Contract. After the first year, property owners may choose to renew the lease for one year, month-to-month, or choose not to renew the lease.
- The lease must include the full amount of rent charged for the unit, and must specify the utilities and appliances that are to be supplied by the owner, and the utilities and appliances that are to be supplied by the tenant.
- The lease may not contain any provisions which contravene the HUD-required Addendum to the Lease.

#### RENTAL PAYMENTS

The Housing Authority will make Housing Assistance Payments (HAP) directly to the landlord between the 1<sup>st</sup> and 5<sup>th</sup> of the

month in which the rent is due. A direct deposit of HAP checks is available to all owners. HACD strongly encourages participation as this greatly reduces our administrative costs while providing convenience and protection to property owners. Please inquire about this feature if you are interested in participating.

The owner or agent is responsible to collect the tenant's portion of rent.

Acceptance of the Housing Assistance Payment by the owner each month is considered certification that:

- The owner is maintaining the contract unit and premises in accordance with HQS.
- The contract unit is leased to the program participant.
- The rent to owner does not exceed rents charged by the owner for rental of comparable unassisted units on the premises.
- Except for the rent to owner, the owner has not received and will not receive any payments or other consideration (from the family, the Housing Authority, HUD or any other public or private source) for rental of the contract unit during the HAP contract term.
- The family (program participant) does not now own or have any interest in the contract unit.
- To the best of the owner's knowledge, the members of the family reside in the contract unit, and the unit is the family's only residence.
- The owner (including a principal or other interested party) is not the parent, child, grandparent, grandchild, sister, or brother or any member of the assisted family unless the Housing Authority has determined that approving the rental of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities.

Owners may request increases in rent at the end of the lease term according to HUD regulation, with at least a 60 day written notice to the Housing Authority. Rent increases will be subject to rent reasonableness. If the unit has a year-to-year lease, after the year commences, the rent may not change.

The portion of the rent paid by the Housing Authority may change when:

- The tenant's family income changes, or
- The Housing Authority changes the voucher payment standard on which calculations are based.

You will receive written notice from our agency regarding any rent portion changes in advance of the effective date, in most cases 30 days prior to the effective date of the change.

### **SECURITY DEPOSIT**

The owner may collect a security deposit from the tenant that does not exceed security deposits customarily charged in the private market, or amounts charged by the owner to unassisted tenants.

HACD does not provide assistance to Housing Choice Voucher participants for payment of security deposits.

### **EVICITION**

The owner may evict only by instituting a court action. The owner must give the family written notice of grounds for eviction at or before commencement of the eviction action. The owner

must give HACD a copy of any eviction notice given to a participant family. Tenants may be evicted for:

- Serious or repeated violation of the terms and conditions of the lease;
- Violation of applicable federal, state, or local law;
- Other good cause.

### **TERMINATION OF TENANCY BY THE OWNER**

The owner may terminate the tenancy at the end of the initial term or any consecutive term with proper notice in accordance with the lease.

### **PAYMENT FOR VACATED UNITS**

If the tenant is evicted or vacates a unit in violation of the provisions of the lease, the owner is eligible to retain the Housing Assistance Payment for the month during which the tenant moves. There will be no further subsidy payments.

### **SUMMARY**

Here's a snapshot of the process from start to finish:

- A tenant makes application to the waiting list. When HACD has available funding to issue new vouchers, names are taken from the waiting list. If applicant is determined eligible, a Housing Choice Voucher is issued.
- Voucher holder is briefed regarding HCV guidelines, and begins search for unit.
- Once unit is found and owner is interested in renting to voucher holder, prospective landlord completed Request for Tenancy Approval packet and returns packet to voucher holder.
- Voucher holder submits Request for Tenancy Approval packet to Housing Authority.
- Housing Authority determines if unit is affordable for family, based on reasonableness of rent charged for unit, and utilities voucher holder is responsible to pay according to the lease.
- Housing Authority contacts owner to arrange Housing Quality Standards (HQS) Inspection.
- Unit passes inspection, voucher holder signs lease and becomes tenant; Housing Assistance Payments Contract between property owner and Housing Authority is signed and payments begin.

If you have any questions regarding the materials in this packet, or any other concerns you'd like to discuss, please feel free to contact me at 815-758-2692, ext. 125 or email me at [cherrington@dekcohousing.com](mailto:cherrington@dekcohousing.com).

You play an important part in providing a decent, affordable home for participants who qualify for our program. We sincerely appreciate your interest in the Housing Choice Voucher Program, and thank you for your participation in this valuable program.

Sincerely,

Carol Herrington  
Housing Choice Voucher Administrator  
Housing Authority of the County of DeKalb