



# CITY OF JANESVILLE

*Wisconsin's Park Place*

## What is the Housing Choice Voucher Program?

HUD Section 8 Housing Choice Voucher Program is the federal government's major program for assisting very low-income individuals, families, elderly and the disabled to rent decent, safe and sanitary housing in the private market.

## How does a landlord benefit from the Section 8 Housing Choice Voucher Program?

The Section 8 Housing Choice Program is a popular program. By accepting tenants with the voucher, your rental property becomes viable to a wider pool of tenants which improves marketability.

A contracted monthly assistance payment is paid on time and guaranteed. The Housing Authority directly deposits the Housing Assistance Payment (HAP) in the landlord's account on the 1<sup>st</sup> of the month.

There is minimal paperwork to be completed. Landlords may use their own screening process and their own lease.

## How does the process work?

Eligible participants will receive a voucher and Request for Tenancy Approval (RFTA) form to be presented to a prospective landlord. The landlord must agree to work with the Housing Authority and complete the RFTA. The tenant or landlord submits the form, along with an unsigned lease to the Housing Authority office. These documents are reviewed for rent reasonableness and affordability.

An inspection of the unit is scheduled. Most of the inspection standards are easily met. If the unit is found to be decent, safe and sanitary, the tenant and landlord will then sign the lease. The first lease must be for 1 year. To assist you in determining whether your unit will pass inspection, please click the Inspection Checklist form under Forms above. This form is not all-inclusive and should be used as a guide for review of the unit before a scheduled inspection.

After the unit passes inspection, and the tenant leases up, we will then begin monthly payment for rent directly to the landlord on the household's behalf. The amount of the rent the client pays can be anywhere from 30% - 40% of their household monthly income.

Things to be aware of: The lease is between the landlord and tenant. The Rent Assistance office does not supply the lease. Landlords are not required to stay within the City of Janesville Fair Market rents. If the unit is affordable, based on the tenant's income and comparable to similar units in Janesville, the tenant may rent the unit after it passes inspection. Landlords may collect the full security deposit from the tenant. Landlords should not treat Rent Assistance tenants differently than unassisted tenants. Landlords are responsible for enforcing lease terms and must follow state law regarding nonpayment of rent or any other violation of the lease. The Rent Assistance program does

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not reimburse for damages or unpaid rent by the tenant. Landlords must collect for damages from the tenant directly. If a rent assistance tenant is not paying their portion of the rent, you should contact the Housing Specialist at the Housing Authority.

## What is a Housing Assistance Payment Contract?

The Housing Assistance Payment Contract (HAP) is the agreement between the landlord and the Housing Authority. It includes all the rules and regulations for landlords participating in the program. Please see above under Forms for a copy of the HAP contract.

## Who do I collect a security deposit from?

The tenant is responsible for the full amount of the security deposit. The Housing Authority does not provide assistance for the security deposit. The tenant may receive assistance from other sources such as charitable and nonprofit organizations.

## What if the landlord's rent is too high for the family?

HUD regulations will not allow Housing Authorities to sign a HAP contract where the family would be paying more than \$40.00 (minimum rent if the family has little to no income) or over 40% of the family's adjusted monthly income towards rent. If your proposed rent is too high or affordable for a specific participant, we will ask that you lower it for the first year of tenancy.

## What types of dwellings are accepted on the Section 8 Housing Choice Voucher Program?

Acceptable dwellings are considered single-family homes, condominiums, duplexes, and apartments. A room in someone's house or a boarding home are not acceptable.

## When does the landlord receive the rent assistance payment?

The City of Janesville Housing Authority deposits the payment into the landlord's bank account on the 1<sup>st</sup> of the month. This is a safe and convenient way to receive payments. Landlords cannot charge the Housing Authority or the tenant late fees if the Housing Authority Assistance Payment (HAP) is not received in a timely manner.

## How does a landlord advertise a unit for a prospective Rent Assistance tenant?

The Housing Authority office maintains a binder at the front counter that landlords may access at any time to advertise their unit. You may use the Apartment Opening form under Forms above; complete and submit to our office and we will place it in the binder.

## What does a landlord do if there is an issue with a Rent Assistance tenant?

To avoid problems, it is important that landlords know their rights and responsibilities. The Housing Authority cannot give legal advice regarding these issues. A lease is a legal and binding document between the landlord and tenant. The landlord should resolve the issue as if they were renting to a

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non-voucher holder. If you have legal questions, you should contact an attorney.

If you are looking for basic information, we recommend you contact the Department of Consumer Protection. You may also reference the following link that may be helpful and outlines subjects such as: things you should know before renting, responsibilities of the landlord and tenant, terminating a tenancy, eviction, tenant rights, etc.

<https://datcp.wi.gov/Pages/Publications/LandlordTenantGuide.aspx>

There are many misconceptions when it comes to the rights and responsibilities of landlord and tenants. It is important for you to have accurate information when making decisions and it is worth the time and effort to be an informed landlord or tenant.

If the landlord gives the voucher participant a written notice, does the landlord have to provide a copy to the Housing Authority?

If you give the tenant a written notice (5 day, 14 day or 28 day), a copy should also be forwarded to the Housing Authority office. When the City of Janesville Housing Authority receives a written notice, we will promptly follow up with your tenant. Any evictable offense is also a violation of the Section 8 Program. We want your renter to be successful at your property. Please keep the Housing Authority aware of any problems.

Can I request a rent increase?

Yes, you may request a rent increase any time after the initial 1-year lease. The tenant and the Housing Authority must be notified 60 days prior to the effective date of the rent increase. Rent increases are subject to a review by the Housing Authority for rent reasonableness.

Can a landlord charge for other items?

Any side charges such as pet fees, extra fees for garages, fees for washer/dryer, etc., must be approved by the Housing Authority and included in the lease/lease addendum.

What are the Housing Quality Standards (HQS) standards?

Decent, safe and sanitary. The unit must have appropriate and working sanitary facilities, cooking and food preparation area, heating system, lights and electrical systems and water supply.

The inspector needs to have access to all areas of the unit, including mechanicals.

Common problems that are found at a HQS inspection are: missing or nonfunctioning smoke alarms and carbon monoxide detectors, inoperable bathroom fans or no bathroom ventilation, lack of or non-security supported handrails installed for stairways with 4 or more risers.

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Doors and windows must be weather-tight and free of cracks or breaks. Windows that are designed to open must have the ability to do so. Doors and windows must lock securely.

Another very important issue is chipping and peeling paint in a property built before 1978 where a child under 6 resides. Any chipping or peeling paint will cause the unit to fail. The painted area needs to be stabilized. If you need more information about safe practices for chipping and peeling paint, you may obtain them by contacting the Housing Authority or by using the EPA website at [www.epa.gov](http://www.epa.gov).

### How can I become a landlord under the program?

Please contact our office. We will provide you with the appropriate paperwork to become a landlord with the City of Janesville Rent Assistance Program.

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