

Section 8 Housing Choice Voucher (HCV) Program FAQ

DISCLAIMER: While the answers here are believed to be correct and according to AHA / HUD policy, every situation is different and many factors may influence each individual situation. All AHA decisions and rules must conform to federal, state and local laws, as well as HUD policy and approved AHA operational guidelines

Finding a unit...

Who is eligible for a voucher? What are the requirements?

Eligibility depends on income, citizenship or immigration status, and a criminal background check.

I have received a voucher, how do I find a house or apartment? How long do I have to find a place to live?

A landlord list will be provided and you can search the newspaper (The Citizen), Craig's List, realtors and any other place or publication that has housing for rent. (You cannot rent an apartment from a relative). You have 60 days from the date your Voucher is issued to locate a unit and turn in a Request for Inspection. (You may request one 30-day extension)

Does the owner have the right not to rent to me? Can they not accept voucher holders?

Yes, landlords can refuse to accept Section 8 tenants.

In what areas can I live?

Initially, you must live in AHA's jurisdiction, which is the City of Auburn only.

I want to live in Syracuse (or Union Springs, etc) near my mother (or job). Is this possible?

When you first receive your initial voucher, you must find a rental unit within AHA's jurisdiction and remain in that unit until for a minimum of 1 year. A person with an AHA voucher may not move into rental units in another area (Syracuse, Union Springs, Weedsport, etc)

After the end of the initial lease period (one year), a person may exercise the 'portability' option and move to another location.

What size unit is my family eligible for?

Vouchers are issued to eligible families based on the family composition. The federal rules require no more than 2 persons per bedroom or sleeping area (living room, den, etc). The precise determination of the appropriate voucher size depends upon the relationship, age and gender of the household members.

I have found a nice rental unit. What do I need to do? Is there an inspection? When can I move in?

Submit a completed and signed (by you and the owner) Request for Tenancy Approval form. If approved, the unit will be inspected in a timely manner. You will be able to move in on the 1st of a month and only after the unit passes inspection and all necessary paperwork is completed and submitted to AHA.

Important: DO NOT sign a lease or pay a security deposit before contacting AHA. The Housing Authority may not be able to approve the unit and you could have serious problems (liable for a signed lease, loss of your security deposit, etc). AHA must also have proof of property ownership before approving a contract. The lease should not be signed until the unit has been inspected and approved by AHA.

Rent-related issues...

How much will I have to pay? How are rents calculated?

The Housing Choice Voucher (HCV) Program is designed so that the assisted family pays no more than 40% of their adjusted monthly income towards rent and utilities. There is a required minimum rent of \$50. If you get a job or a pay raise, or lose a job, you do not lose your voucher. **You MUST report any changes in household income or composition within 10 days of the change on an AHA Income and Family Composition Report form.** The

tenant portion of the rent will be adjusted to reflect the new income.

Important: All income declared by a tenant is subject to verification. Unreported income will result in overpaid assistance that must be repaid by the participant and could lead to termination of housing assistance.

Do I need to pay a deposit?

Yes, your landlord can require a security deposit.

Do I pay for utilities?

Discuss this with the potential landlord. Read your lease agreement. If you are responsible for a utility payment, you must keep those payments current.

My household composition has changed. I got married, and I have a new child and a better job. How does this affect my voucher and rent payment?

You are required to report any changes in household income and composition within 10 days of the change on an AHA Income and Family Composition Report form. Your rent portion will be adjusted accordingly.

Important: You CANNOT allow anyone to move into your unit without permission from AHA. The person must be an immediate family member (child, parent, brother, sister, spouse or significant other) and if they are over 18 yrs of age, they must complete an application and be approved prior to moving into the household.

My landlord wants to raise my rent. What do I do?

Your landlord must give you and AHA a 60-day written notice prior to the effective date of the proposed rent increase. AHA will review the request for rent increase and advise your landlord if it can be granted.

My landlord has asked for is asking for an additional payment that is not in the contract? Is this legal?

Any payments not specified in the rental contract are not allowed. Monthly "side payments" are illegal and will result in legal sanctions against the owner. If the participant has any questions about any charges demanded by the owner, he/she should contact proper AHA staff.

I can't pay my portion of the rent. What do I do?

Your rent portion is calculated based on household income, deductions, utility allowances and unit/voucher size. If you do not pay your portion of the rent as calculated, you will be evicted by your landlord and you will lose your housing assistance.

What happens if I get a big raise? Can I lose my voucher assistance? What is a "Zero HAP"?

If, when a tenant family is re-certified and their income has risen to the point that the total tenant payment exceeds the rent amount plus the utility allowance for the unit, AHA does not make any payment to the landlord and the tenant family is responsible for the full rent. This situation is called a Zero HAP.

However, the tenant family remains on the voucher program for 6 months. This way, the tenant is protected in case of a job loss, illness or some other problem. "Zero HAP" tenants must continue to comply with all Housing Choice Voucher (HCV) program rules. If the "Zero HAP" period ends and the tenant family's income is still intact, the family will transition off of the HCV program.

You and your apartment...

I don't like my apartment. Can I move? Who do I have to notify?

In most cases, you can only move when the Lease Agreement expires. You may move then with a written 30-day notice to your landlord. A copy of the 30-day notice must be provided to AHA.

My landlord is not doing maintenance and does not repair problems in my unit. What do I do?

AHA is NOT a management company. Read your lease as to whose responsibility the repairs are, and then contact AHA for more information, if needed.

My neighbors are noisy and rude. Can I move?

No. Talk to your landlord or call the police. You may move when your current lease expires.

I am moving out. My lease has expired. What should I do? Who do I notify?

You must give 30 day written notice to your landlord and give a copy to AHA. If you are staying on the voucher program, your voucher will be reissued and you will need to find a new unit within 60 days from the issue date of the voucher. If you are moving out of the area, you must notify AHA in writing and follow the process for "[portability](#)".

Can I have a pet?

Ask the landlord. A 'pet deposit' may be required

What are my responsibilities when I rent a unit?

Read your Lease Agreement and the materials provided in the briefing when you are issued a voucher.

I rented a house with my voucher. Do I have to cut the grass or take care of the lawn?

Read your lease. You must abide by the lease agreement you signed.

Can the owner enter my unit?

In general, owners may enter a tenant's unit for three reasons: 1) emergency repairs, 2) non-emergency repairs or improvements, and 3) apartment inspections. Emergency repairs require no advance notice to the tenant. Access for all other reasons requires a "reasonable" advance notice (24-48 hours).

What happens when I move but cannot find another unit? Can I lose my voucher?

Your voucher is good for 60 days from the date of issuance (unless you request an extension). If you have not located a new unit and the voucher expires, your voucher is cancelled.

I am having serious issues with the landlord. The owner is not keeping his part of the contract. What do I do?

The lease is a legal contract between you and the owner (landlord). AHA is not a party to this contract and cannot enforce its provisions on either party. You and the owner (landlord) are responsible for complying with the lease.

Make sure the lease contains the following information: lessee (tenant), lessor (landlord / owner), unit address, rent, term of the lease (starting and ending dates, must be for at least one year), who pays what utilities, and what appliances are provided with the unit. Be sure that the procedures for repairs and maintenance are clear. Make sure you understand the rules and regulations posted for the property or specified in the contract. If you have doubts or questions, ask the landlord or his/her representative to provide answers in writing. If there are disputes, tenants and the owners (landlords) should cooperate with each other and attempt to work out any differences. AHA may be able to help in some limited cases. However, the AHA does not have the power to force a tenant or owner to take any desired action. In some cases tenant and owner disputes must be settled through the **court system**.

Income Discrepancies and Termination...

I have received a letter from the AHA stating that they have detected unreported income and I owe money? What is this?

AHA has discovered that you have unreported or under reported income and has calculated the back payments you owe according to this information. You will be given the opportunity to appeal and /or clarify this information. If you continue to not report income you will be subject to legal action, including the termination of their housing assistance. Abuse of AHA staff in the performance of their duties and/or disregard of family obligations listed in the voucher will result in the termination of housing assistance.

My son has problems with the law. He lives with me. What does this mean? How does this affect my voucher?

Per your voucher: No family member may engage in drug-related criminal activity, violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents or persons residing in the immediate vicinity of the premises. If this should occur, and you allow your son who has problems with the law to remain in your unit, you will lose your housing assistance.

I have received a letter from AHA saying that my contract is being terminated because I have violated HUD rules. I disagree. What can I do?

Per your notice of termination, you have the right to request a hearing. Follow the instructions in the letter.

General Questions...

What is Portability?

Families receiving voucher assistance may not move during the initial term of their lease. After 12 months, a family may move anywhere in the United States where a Section 8 voucher program is administered. This is called portability.

What is the “Housing Quality Standard” (HQS) Inspection?

HUD requires AHA to perform an HQS inspection of all Section 8 units before entering into a Housing Assistance Payment contract with an owner, and at least annually thereafter. The inspection confirms whether an apartment meets minimum physical standards established by HUD. All voucher holders are required to provide access to AHA staff to allow them to perform the inspection. A family that fails to provide access may be terminated from the program.

What is an Annual Re-certification?

AHA is required to recertify the income and composition of all households at least once a year. The annual reexamination determines the continued eligibility of a Section 8 participant and establishes the Housing Assistance Payment to be made on behalf of the family. The move-in date is used to determine the time of the annual re-exam.

My sister is coming to live with me. Is that OK? How long can she stay? Will it affect my voucher payment?

The voucher is designated specifically for the family members assigned to the voucher. Continued residence by other persons in the unit is a violation of the contract and assistance may be terminated. A voucher holder may not sublet or loan the use of the unit to any other person.

I have found out that the owner has lost the house (foreclosure). What do I do? Will I have to move? What about my payments?

Notify AHA immediately of any notices you have received and they will proceed on a case-by-case basis.

Is “Homsite” and Section 8 the same thing?

Cayuga County Homsite Development Corporation is another agency in Auburn that provides Section 8 Housing Choice Voucher (HCV) assistance. Section 8 HCV is the actual program assistance that you will receive to help subsidize your housing.