

Appleton Housing Authority

Housing Choice Voucher Program

Handbook for Landlords

The Appleton Housing Authority is committed to educating and assisting landlords under the rental assistance program. If at any time you have a question regarding the Housing Choice Voucher program, fair housing, landlord tenant law, rent increases, etc., don't hesitate to give us a call.

Below is a brief listing of our Housing Choice Voucher program staff, their various functions and direct phone lines:

Voucher Manager	739-4564 x 108
Occupancy Specialist	739-4564 x 105
FSS Coordinator	739-4564 x 113
Intake Specialist/Receptionist	739-4564 x 101



Again, welcome to our program, we hope you help us make it a successful partnership!

Sincerely,
Appleton Housing Authority
Debra S. Dillenberg, PHM
Executive Director
(920) 739-4564 x 104

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Owner Benefits

Over the years, many owners and property managers have come to appreciate the advantages of having a contracted monthly assistance payment as well as minimum inspection standards. Keeping your property well maintained helps ensure its resale value and also makes it a lot easier to lease up again when a participant does vacate.

The rental assistance program has also introduced many novice property owners to key property management principles in the areas of tenant selection and lease enforcement, while it has helped others in building maintenance skills.

As a participant owner in the rental assistance program, the property owner maintains control over the tenant just as in unassisted rental housing.

Participant Benefits

The program has been successful because it provides the Participant with the opportunity to choose the type of rental unit and neighborhood that will meet their needs. Vouchers are portable enabling families to take their housing assistance with them when they move. Having this flexibility has enabled many participants to pursue employment and educational opportunities, be reunited with their friends and family, live in a better climate, and move out of unsafe neighborhoods. Owner participation is essential in making these opportunities a reality.

Information and cooperation are two key ingredients in developing a rewarding relationship with the Housing Authority and participant in leasing your rental unit.



Steps for Interested Owners

If you or someone you know has one or more rental units and are interested in the program, you may call the Appleton Housing Authority at any time during business hours to list available units. Business hours are Monday through Thursday from 8:00 AM to 4:00 PM and Friday from 7:30 AM to 3:30 PM. If you decide to participate in the program, be prepared to show proof of ownership of any of the units you wish to offer under the program.

- Q. I have a vacant unit and a potential renter who says they have subsidy through the AHA approaches me.

What Do I Do Next?

1. Contact the Occupancy Specialist at the AHA and he/she will explain how the program works, answer any questions you might have and guide you through the process. He/she will also discuss the rent and utilities for the unit.
2. Decide if you want to rent to the AHA Voucher holder. Screen, call references, do whatever you normally do to decide whether to choose that family or individual. It is your decision to rent to a prospective tenant or not.
3. Set up for an inspection with the Occupancy Specialist and return the signed "Request for Lease Approval Form" that the tenant has given you, to the AHA.
4. Complete any repairs if needed. After a move-in date has been agreed upon, paperwork will be prepared and a contract package mailed to you.
5. Have the tenant sign the lease with you, you sign the Housing Assistance Payment Contract, have the tenant pay the security deposit and move in!
6. Checks for the Housing Authority's portion will be mailed to you to arrive on the first of every month.

Remember: Housing Assistance Payments (HAP) cannot be paid until the Lease, is signed by both the owner and the family, the Housing Assistance Payment Contract has been signed by the owner, and both contracts have been returned to the Appleton Housing Authority (AHA)

Obligations of the Family Participant

When the Participant's unit is approved and the HAP Contract executed with the Housing Authority, the Participant must follow the rules listed below in order to continue participating in the Housing Choice Voucher Rental program.

- Supply any information that the Housing Authority determines to be necessary including evidence of citizenship or eligible immigration status, and information for use in a regularly scheduled reexamination or interim reexamination of Participant income or composition.
- Disclose and verify social security numbers and sign and submit consent forms for obtaining information.
- Supply any information requested by the Housing Authority to verify that the Participant is living in the unit or information related to Participant absence from the unit.
- Promptly notify the Housing Authority when the Participant is away from the unit for an extended period of time in accordance with policy.
- Allow the Housing Authority to inspect the unit at reasonable times and after reasonable notice.
- Notify the Housing Authority and the Owner in writing prior to moving out of the unit and terminating the lease.
- Use the unit as the sole residence of the Participant. The unit must be the Participant's only residence.
- Promptly notify the Housing Authority of any birth, adoption, or court awarded custody of a child.
- Request written approval to add any other family member as an occupant of the unit.
- Promptly notify the Housing Authority in writing if any family member no longer occupies the unit.
- Keep the unit in a decent, safe and sanitary condition.

- Give the Housing Authority a copy of any owner eviction notice.
- Pay utility bills and supply appliances that the owner is not required to supply under the lease.

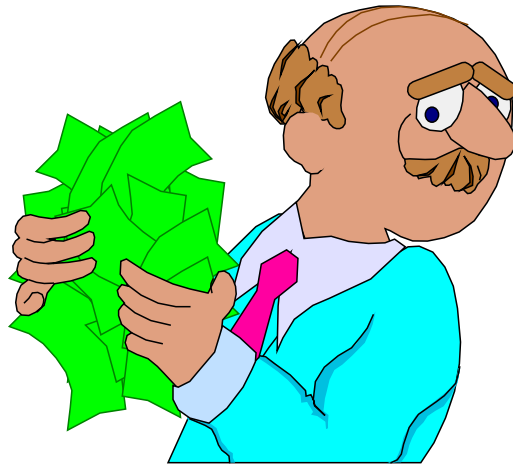
The Participant (including each family member) must not:

- Own or have any interest in the unit (other than a cooperative, or the owner of a manufactured home leasing a home space).
- Commit any serious or repeated violation of the lease.
- Commit fraud, bribery, or any other corrupt or criminal act in connection with the program.
- Engage in any drug-related criminal activity, violent criminal activity or other criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Sublease or sublet the unit, or assign the lease or transfer the unit.
- Receive any tenant-based program housing assistance while receiving another housing subsidy, for the same unit or another unit under Federal, State, or Local housing assistance program.
- Damage the unit or premises (other than damage from ordinary wear and tear) or permit any guest to damage the unit or premises.
- A participating family can not receive Housing Choice Voucher rental assistance when residing in a unit owned by a parent, child, grandparent, grandchild, sister or brother of any member of the family, unless AHA has determined that approving such unit, notwithstanding the relationship, would provide reasonable accommodation for a family member who is a person with disabilities.
- Engage in abuse of alcohol in a way that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

The Voucher Program as you can see, promotes responsibility of the tenant.

SECURITY DEPOSIT

The tenant is required to pay a security deposit in the amount requested by the landlord. Should such tenant cause any damages to the property and/or owe the landlord money for unpaid rent or utilities, the landlord may deduct from this amount from the security deposit according to State law. Appleton Housing Authority does not pay for damage claims. The landlord must follow landlord law to file claims against the tenant. Should the landlord provide this information to Appleton Housing Authority, such tenant would not be eligible to receive assistance at a different rental unit until either a repayment agreement is entered into between landlord and tenant or the amount owed is paid in full.



Obligations of the Owner

- The Owner must maintain the contract unit and premises in accordance with Housing Quality Standards.
- The Owner may terminate the lease in accordance with the terms of the Contract. Promptly notify the Appleton Housing Authority of any lease violations.
- Collection of the tenant portion of rent and security deposit. The Housing Choice Voucher program does not pay for the security deposit.
- Return paperwork promptly, including Request for Lease Approval, and notices of lease termination or vacancy.
- Complete HQS repairs if needed, responding reasonably to tenant requests.
- Insure owner supplied utilities or appliances are properly maintained.
- Comply with the Housing Assistance Payments Contract.

Enjoy a cooperative and helpful working relationship with Housing Authority staff.



Housing Authority's Responsibility to Owner

- Approval of the Lease and Housing Assistance Payment Contract
- Pay Housing Assistance Payment (HAP) monthly to owner.
- Perform Housing Quality Standards annually.
- Consider rent increase request annually at anniversary date.
- Perform move-out inspection upon request.
- Provide staff available to assist owners with questions or concerns.
- Do not infringe upon owner's right to legally evict.
- Mediate conflicts or disputes between Participant and Owner.
- May terminate HAP contract in accordance with provisions.



Prior to the AHA beginning rental subsidy payments to the owner, the unit must be inspected to ensure compliance with HUD Housing Quality Standards (HQS). These standards were created to ensure that all housing subsidized by AHA meet acceptable criteria for safety, cleanliness and comfort.

*****Initial Inspection of a Unit.

It is desirable that the unit is vacant at the time of inspection. The purpose of having the unit vacant is so the inspector will be able to view the unit in move-in condition. Also, all utilities should be in working condition. If the utilities are not on at the time of an inspection, an inconclusive rating will be given to that portion of the inspection until the utilities are turned on. There must be access available to the inspector of all common areas and to the basement.

General Health and Safety

When determining a unit meets Housing Quality Standards (HQS), our inspector will look for general health and safety violations. Below is a list of the most commonly “failed” items:

- Non-functional smoke detectors.
- Three prong electrical outlets with no ground.
- Missing or cracked electrical outlet cover plates.
- Missing or unsafe handrails/railings.

Please refer to the “A Good Place To Live” guidelines for more information.

This brochure is very informative, and will be sent to a property owner/manager at their request.



REQUEST FOR TENANCY APPROVAL

This form is given to an applicant, to initially begin to receive assistance, or a participant, if they are currently on the program and wish to relocate to a new unit.

The information requested on this form is vital in figuring the affordability of the unit for the family, and also allows the Housing Authority to inspect the unit. In no way is this a binding form, either by the landlord or the tenant. If either wishes to change their mind, they may do so.

On this form, the landlord and tenant or prospective tenant will fill in the requested information. A sample of this form is enclosed in this packet, see Attachment A. Please be sure to complete this form out in it's entirety, such as: the unit address, the date the tenant wishes to move in, the year the unit was constructed, the proposed rent and security deposit, the date the unit can be inspected, the type of unit this is; e.g.: duplex, single family home, rowhouse, etc..., and also who is responsible for paying what utilities. Both the landlord and the tenant sign the backside of this form and return to the Appleton Housing Authority.

Appleton Housing Authority can not do an inspection on the unit without this form being returned to our agency.

Under the current regulations of this program, AHA can not assist anyone in a unit if they would be paying over 40% of their monthly-adjusted income for such unit after our assistance payment. This form assists the staff of AHA in determining if the unit would be affordable for a prospective tenant.

W-9 FORM

If you are a new landlord to the Housing Choice Voucher program, you will be sent an IRS W-9 form. This form is required to have on file your tax identification number. We are required to send each landlord, that receives over \$600.00 from our agency on behalf of one or more tenants throughout the previous year, a 1099 – MISC form. Appleton Housing Authority only reports to the IRS the amounts that have been sent to an owner on behalf of our clients. We do not report any amounts received by the tenant for rent.

The W-9 form is required so that we have the correct identification numbers on the 1099 forms being sent to the IRS.

HOUSING CHOICE VOUCHER

Program Overview

The Housing Choice Voucher program is a federally funded program with the funds provided by the Department of Housing and Urban Development (HUD).

Under the regulations of this program an applicant is able to obtain housing from any private landlord who wishes to be a participating landlord with the rental assistance received on behalf of a tenant from the Appleton Housing Authority.

The rental assistance amounts are based on 30% of a family's monthly-adjusted income. The Housing Authority determines the amount of assistance to be paid on behalf of a voucher holder and this amount is subject to change according to the income received by such voucher holder. The tenant and the landlord are given a 30-day notice any time the family's portion of rent increases, and the AHA rental assistance decreases. Should the family's portion decrease and the Housing Authority's portion increase, the change does not require a 30-day notice.

Appleton Housing Authority is required to review the participating tenant's income, assets, and allowances on an annual basis to ensure the correct amount of assistance is being paid on behalf of such family. It is also required that an inspection be done on the unit they are renting on an annual basis.

Should a landlord or a tenant request an inspection on the rental unit other than annually, this can be done by the Appleton Housing Authority. This request is normally requested due to a concern by either party that the unit is not being maintained in accordance with the initial Housing Quality Inspection.

Participant Voucher

Interested persons must initially apply for the Housing Choice Voucher program by requesting an application from the Appleton Housing Authority. Their name is then placed on a waiting list in order of date and time the application is received by the Housing Authority.

Once the applicant's name comes up on the waiting list, they are contacted for an initial interview process. At the initial interview, the caseworker determines the families eligibility for the Housing Choice Voucher program and all information supplied by the family is verified by third party. After all verifications are received, and it has been determined that the family is eligible for the program, they are then required to attend a briefing session. At the briefing session, the rules and regulations of the Housing Choice Voucher program are explained to the family in great detail, along with the requirements

of the family participating with the program. At the briefing session the family is given a form called the Request for Lease Approval form (discussed earlier). Once the family locates a rental unit, and the landlord wishes to participate in the program, they are required to complete the form with their current or a prospective landlord and return this form to the Appleton Housing Authority. The Appleton Housing Authority staff then determines the affordability and the eligibility of the rental unit and contacts the landlord and/or the tenant to complete an inspection of the unit. Should the unit pass the inspection, the landlord is notified of this and the lease up for such unit can begin. If the unit does not pass the inspection, the landlord is informed of the repairs that need to be complete on the rental unit before leasing contracts can be entered into. The landlord has up to 30 days to complete repairs on the rental unit, but an extension can be requested by the landlord and granted by the AHA, to go over the 30-day time frame. Once the repairs are complete on the rental unit, the landlord needs to contact the staff of the Appleton Housing Authority to complete a reinspection on the unit. Once determined that the reinspection has passed, the lease up for that unit can begin.

Residential Lease

To participant in the Housing Choice Voucher Rental Assistance Program, the property owner and tenant must enter into a one-year lease. An owner may use his own lease, but the lease must be for a term of one year from the date the voucher holder enters into the program. For example: a landlord has a tenant that has lived at his rental unit for 2 years, they then begin to receive rental assistance. A new one-year lease must be executed beginning the 1st day of the month that the family begins to receive the rental assistance. The lease is between the owner and the tenant. The Appleton Housing Authority is not a party to the lease.

The lease will state the total contract rent for the unit. Because the tenant's rent share is based upon his or her income and family composition; the amount of rental assistance may change during the tenancy. AHA will notify both the property owner and the tenants of any changes. The tenant cannot pay more than what is authorized by the AHA.

Q. Am I able to evict a voucher tenant?

The procedures for terminating a tenancy are the same for a subsidized tenant as they are for an unassisted tenant. However, you must keep AHA informed of all action taken. Rental subsidy payments will continue during the eviction proceedings. In addition to basic lease obligations, other specific issues to consider include: Pet Policy, Late Fees, Parking Policy, etc. A new issue to define may require the tenant to get the owner's permission for any business use of the unit.

The lease, at a minimum, must include the following provisions:

- 1.) Names of Tenant(s) and Owner/Manager
- 2.) Address of unit to be occupied
- 3.) Term of the lease
- 4.) Amount of total contract rent
- 5.) List of utilities provided by the Owner/Manager
- 6.) List of utilities paid by the tenant(s)
- 7.) List of appliances
- 8.) List of all the maintenance and services that are provided by the management
- 9.) Eviction procedures

The owner/manager and the tenant are responsible for informing the Appleton Housing Authority if the tenant is vacating or has vacated the unit. Appleton Housing Authority also needs to have a copy of any eviction notice given to a tenant.

HOUSING ASSISTANCE PAYMENT CONTRACT

The Housing Assistance Payment (HAP) Contract is entered into between the Appleton Housing Authority and the owner.

This contract lists the names of all family members to be residing in the household, the address of the unit, the lease term, the amount of the contract rent, and the initial housing assistance payment. This contract also states the rules and regulations of the Housing Choice Voucher program.

Some of the information in this contract is as follows:

- A. Lease of the Contract Unit;
- B. Maintenance, Utilities, and Other Services;
- C. Term of the HAP Contract;
- D. Rent to Owner; Reasonable Rent;
- E. PHA Payment to Owner;
- F. Owner Certification;
- G. Prohibition of Discrimination;
- H. Owner's Breach of HAP Contract;
- I. PHA and HUD Access to Premises and Owner's Records;
- J. Exclusion of Third Party Rights;
- K. Conflict of Interest;
- L. Assignment of the HAP Contract;
- M. Written Notices;
- N. Entire Agreement: Interpretation

A copy of this contract is enclosed and labeled Attachment B.

TENANCY ADDENDUM

Incorporated with this HAP contract is a Tenancy Addendum. This addendum is also attached to a copy of the lease sent to the tenant and on file at the Appleton Housing Authority.

Some of the information in this addendum is as follows:

- A. Housing Choice Voucher Program;**
- B. Lease;**
- C. Use of Contract;**
- D. Rent to Owner;**
- E. Family Payment to Owner;**
- F. Other Fees and Charges;**
- G. Maintenance, Utilities, and Other Services;**
- H. Termination of Tenancy by Owner;**
- I. Lease: Relation to HAP Contract;**
- J. PHA Termination of Assistance;**
- K. Family Move Out;**
- L. Security Deposit;**
- M. Prohibition of Discrimination;**
- N. Conflict with Other Provisions of Lease;**
- O. Changes in Lease or Rent;**
- P. Notices;**
- Q. Definitions**

Should you have any questions or concerns regarding these contracts, please feel free to contact a member of the Housing Choice Voucher staff at 920-739-4564.

IMPORTANT POINTS FOR THE HOUSING CHOICE VOUCHER PROGRAM

The Housing Choice Voucher program not only provides benefits to the participants by providing a portion of their rent, but also to participating landlords.

Some important benefits for landlords are:

- **Appleton Housing Authority guarantees the approved portion of the tenant's rent to be paid on or before the first of the month.**
- **Appleton Housing Authority conducts criminal background checks on applicants. Any applicant that has recent drug related or violent criminal background is immediately denied for participation.**
- **Annual inspections are conducted on all rental units under the voucher program. This not only ensures the landlord is maintaining the property, but the tenants are also under review for cleanliness, tenant damages, etc... This information is supplied to the landlord.**

Fair Housing Laws

Fair Housing laws exist to ensure that all tenants are treated fairly and equally in their search for housing, whether they are looking to own or rent. AHA is dedicated to these fair housing laws and to make sure that the owners and tenants are aware of their rights and responsibilities under them.

Both Federal and State laws exist which protect individuals from discrimination simply because they belong to protected class or category. Some of these protected classes include, but are not limited to: sex, race, handicap, marital or familial status, or sexual orientation.

Appleton Housing Authority thanks you for your interest in the Housing Choice Voucher program. If you have any questions or concerns, please feel free to contact the staff of the Housing Authority at 920-739-4564.

