

What is Section 8?

The Section 8 housing choice voucher program is the government's major program for assisting low and very-low-income families to afford decent, safe, and sanitary housing in the private market. Participants are able to find their own housing, including apartments, townhouses, and single-family homes. The participant is free to choose any private rental housing that **meets the requirements of the program**. Section 8 housing choice vouchers are federally funded through the Department of Housing and Urban Development (HUD) and are administered locally by public housing agencies (PHAs)

A family that is issued a housing voucher is responsible for finding a suitable housing unit of the family's choice where the owner agrees to rent under the program. **This unit may include the family's present residence.** Rental units must meet minimum standards of quality and safety as determined by HUD. The family will pay 30% of their adjusted income directly to the landlord with the PHA paying the difference (the landlord will receive 2 checks, 1 from the household, one from the PHA).

Who is eligible?

Eligibility for a housing voucher is determined based on the household's annual gross income and the PHA's definition of a family. Participation is limited to U.S. citizens and specified categories of non-citizens who have eligible immigration status. In general, the family's income may not exceed 50% of the median income for the county or metropolitan area in which the family chooses to live. [By law, a PHA must provide 75 percent of its vouchers to applicants whose incomes do not exceed 30 percent of the area median income.] Median income levels are published annually by HUD and vary by location within the state.

During the application process, information on family composition, income, and assets will be collected by the PHA. The PHA will verify this information and use it to determine the family's eligibility and the amount of their housing assistance payment. If the PHA determines that a family is eligible, the PHA will place the family on a waiting list. Once a family is chosen from the waiting list, the PHA will contact them for an interview and a possible voucher offer (must also pass CORI background check).

Since the demand for housing assistance often exceeds the limited resources available to HUD and the local housing agencies, long waiting periods are common. In fact, DSS closes its waiting list when it has more families on the list than can be assisted in the near future. As noted above, DSS will re-open the waiting list to accept applications when most people on the waiting list have been served. When the list is about to be opened, a notice and pre-application form will be placed in local newspapers as well as on the DSS website.

Housing Vouchers -- how do they function?

The housing choice voucher program places the choice of housing in the hands of the individual family. A very-low-income family selected by the PHA to participate is encouraged to consider several housing choices to secure the best housing for its needs. A housing choice voucher holder is advised of the unit size for which their family is eligible, based on family size and composition. The housing unit selected by the family must meet an acceptable level of quality and safety before the PHA can approve the unit. When the voucher holder finds a unit that it wishes to occupy and reaches an agreement with the landlord over the lease terms, the PHA must inspect the dwelling and determine that the rent requested is reasonable.

The PHA determines a payment standard that is the amount generally needed to rent a moderately-priced dwelling unit in the local housing market. This payment standard is used to calculate the amount of housing assistance a family will receive. The payment standard does not limit the amount of rent a landlord may charge, but it does limit the amount of rent a tenant may pay. A family receiving a housing voucher can select a unit with a rent that is below or above the payment standard. The housing voucher family must pay 30 percent of its monthly adjusted income for rent and utilities.

The rent subsidy

The PHA calculates the maximum amount of housing assistance which a family may receive. **A family typically pays between 30% and 40% of its monthly income on rent and utilities.** The maximum housing assistance is generally the lesser of two amounts: 1) the payment standard minus 30% of the family's monthly adjusted income, or 2) the gross rent (that is, the rent to the owner plus the average utility costs) for the unit minus 30% of monthly adjusted income.

Can a family move and continue to receive housing choice voucher assistance?

A family's housing needs change over time with changes in family size, job locations, and for other reasons. The housing choice voucher program is designed to allow families to move without the loss of housing assistance. Moves are permissible as long as the family notifies the PHA ahead of time, terminates its existing lease within the lease provisions, and finds acceptable alternate housing. Under the voucher program, new voucher-holders may choose a unit anywhere in the United States if the family lived in the jurisdiction of the PHA issuing the voucher when the family applied for assistance. Those new voucher-holders not living within the jurisdiction of the PHA at the time the family applied for housing assistance must initially lease a unit within that jurisdiction for the first twelve months of assistance. A family that wishes to move to another PHA's jurisdiction must consult with the PHA that currently administers its housing assistance to verify the procedures for moving.

Roles - the tenant, the landlord, the housing agency, and HUD

Once a PHA approves an eligible family's housing unit, the family and the landlord sign a lease. At the same time, the landlord and the PHA sign a housing assistance payments (HAP) contract that runs for the same term as the lease. This means that everyone - tenant, landlord and PHA - has obligations and responsibilities under the voucher program.

Tenant's Obligations: When a family selects a housing unit, and the PHA approves the unit and lease, the family signs a lease with the landlord for at least one year. The tenant may be required to pay a security deposit to the landlord. After the first year, the landlord may initiate a new lease or allow the family to remain in the unit on a month-to-month lease. When the family is settled in a new home, the family is expected to comply with the lease and the program requirements, pay its share of rent on time, maintain the unit in good condition, and notify the PHA of any changes in household income or family composition.

Landlord's Obligations: The role of the landlord in the voucher program is to provide decent, safe, and sanitary housing to a tenant at a reasonable rent. The dwelling unit must pass the program's housing quality standards and be maintained up to those

standards as long as the owner receives housing assistance payments. In addition, the landlord is expected to provide the services agreed to as part of the lease signed with the tenant and the contract signed with the PHA.

Housing Authority's Obligations: The PHA administers the voucher program locally. The PHA provides a family with the housing assistance that enables the family to seek out suitable housing. The PHA also enters into a contract with the landlord to provide housing assistance payments on behalf of the family. If the landlord fails to meet the owner's obligations under the lease, the PHA has the right to terminate assistance payments. The PHA must re-examine the family's income and composition at least annually and must inspect each unit at least annually to ensure that it meets minimum housing quality standards.

HUD's Role: To cover the cost of the program, HUD provides funds to allow PHAs to make housing assistance payments on behalf of the families. HUD also pays the PHA a fee for the costs of administering the program. When additional funds become available to assist new families, HUD invites PHAs to submit applications for funds for additional housing vouchers. Applications are then reviewed and funds awarded to the selected PHAs on a competitive basis. HUD monitors PHA administration of the program to ensure program rules are properly followed.