



HOUSING CHOICE VOUCHER PROGRAM

LANDLORD REFERENCE GUIDE

A guide to your rights and responsibilities as a participating owner

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Fair Housing and Equal Opportunity



Dear Property Owner,

Thank you for your interest in the **Detroit Housing Commission (DHC) Assisted Housing Program (Section 8)**.

We are excited that you have considered working with us program to assist families within the Metropolitan Detroit Area locate safe, decent, and affordable housing. The Detroit Housing Commission provides services to thousands of families and we are one of the largest housing agencies in Michigan.

We invite you to explore this packet of information that we have compiled to provide you with information about our program. Remember, although housing agencies are funded though the Department of Housing and Urban Development (HUD), each housing agency operates independently and may administer its program in a slightly different manner. We are confident that this information will provide you with a good overview of how our program operates.

Again, thank you for you interest and we look forward to working with you soon!

Sincerely,

Detroit Housing Commission
Assisted Housing Staff

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For more information on Landlord and Tenant rights and responsibilities, we recommend obtaining a free copy of a ***Practical Guide for Tenants and Landlords***. This book gives guidelines **under Michigan Law, not Section 8**. These are available through Landlord Tenant Clinic, Libraries, some, city department of your local state representatives office.



Information Section



General Information

Purpose

The Basic Purpose of the Section 9 Assisted Housing Program is to offer expanded rental assistance opportunities to low income families by utilizing units. It enables families to rent units of all types and provides the freedom of choice in the location and selection housing units.

Eligibility

People eligible for the program are households of all sizes including single individuals, families, persons with disabilities and the elderly with gross annual incomes not exceeding federal income limits.

Participating owners are guaranteed a portion of rent by DHC. The intent of the program is to lessen the burden on the family's budget for housing costs. Section 8 helps them to better afford their rental portion, resulting in more consistent, timely and full payments to owners. Additionally, an annual inspection of the unit helps to alert owners of required and/or recommended repairs. Ideally, timely maintenance will reduce costly investment in emergency or deferred maintenance items.

An owner becomes involved in the program through a family with a housing choice voucher from DHC.

The family looking for a rental unit will inform the owner that they have been issued a voucher for rental assistance and will ask if the owner is willing to participate in the program.

DHC does not screen participants for rental of credit history. Tenant selection is the responsibility of the owner. DHC recommends that owners check references of all potential tenants (assisted or non-assisted) for past rental history. DHC will provide the owner with the family's current address and the name address of the landlord at the family's current and prior address if available.

An owner has the same responsibility for tenant selection with regard to a Section 8 participant as other applicants. State and Federal laws prohibit housing discrimination based on race, color, religion, sex, national origin, age, source of income, familial status, handicap, and/or disability.

DHC recommends that owners advertise in the local paper or utilized any other form of advertisement appropriate for unit rental. An owner may also advertise unit at DHC. An updated list of available units is provided at the DHC for program participants.



**DETROIT HOUSING COMMISSION
TENANT & OWNER SECTION 8 RENTAL ASSISTANCE
Information Packet for Tenant and Landlord**

HOUSING COMPOSITION

- Tenant must inform DHC of any household changed within 14 calendar days
- Tenant cannot add other persons to the household without prior written approval by landlord and DHC except when adding a child by birth, adoption, custody awarded by the court.

THE LEASE

- Is executed between the tenant and landlord
- Cannot be ~~option to buy, sublet, assigned or transferred~~
- **MUST**
 - Comply with state and local laws
 - Be a legal lease agreement with an inventory checklist
 - Contain: owner and tenant names, rental unit address, begin and end date of the lease, a renewal provision after the initial lease term, the contract rent, who is providing utilities and appliances. Note: Utility / changes can only be made at re-examination
 - Be signed by both tenant and landlord and provided to DHC
 - Have the Tenancy Addendum (HUD 52641A) Attached
 - State the amount and location where the security deposit is held
 - State the late fee amount and due date (if applicable)
 - Lists the people who live in the unit. ONLY DHC/LANDLORD approve person who made reside in the unit

SECURITY DEPOSIT AND PAYMENT

- The security deposit cannot exceed on and one-half months rent in accordance with State Law
- The tenant pays the security deposit and their initial rent portion
- When the unit passes in section, DHC signs a contract with the landlord to initiate payment. The contact will end when the lease terminates.
- Payments cannot begin prior to the unit passing inspection regardless of the move in date
- DHC will notify both tenant and landlord in writing of any changes in the payments
- The landlord cannot be related (parent, child, grandparent, brother or sister) to any occupant unless the unit is necessary to provide reasonable accommodation for a family of the unit during the Contract term,
- The tenant pays the landlord ONLY the amount stated in the Adjustment Notification excepted when paying a late charge as described in the lease

THE UNIT'S HOUSING QUALITY STANDARDS (HQS) INSPECTION

- Tenant and landlord complete the Request for a Lease Approval form and return it the DHC office
- Inspection date is scheduled and unit is inspected
- **Unit must pass an HQD Inspection prior to qualifying for rental assistance payment**
- If repairs are required, the Inspection department will forward a notice of deficiencies to both the tenant and landlord
- DHC must inspect the unit annually. Repairs must be completed within 30 days unless otherwise noted
- Landlord must be allowed to inspect the unit at reasonable times with reasonable notice
- Maintain the housing unit in a decent, safe and sanitary condition
- Tenant assumes total responsibility for any damages caused by their family of guests

To: Tenant

UNDER THE HOUSING CHOICE VOUCHER PROGRAM, you must:

- Report ALL changes in household income, in writing, within 10 calendar days
- Pay your rent and utility bills on time
- Provide an maintain any tenant supplied appliances
- Use the dwelling unit as only your residence
- Not receive a subsidy at any other unit
- Move from previously subsidized unit use your voucher
- Follow the rules in tour lease and attached Tenancy Addendum
- Not tamper with or remove the batteries from the smoke detectors. Immediately notify the landlord of any problems with the smoke detectors. Replace batteries when needed.
- Advice your FIA (family Independence Agency) Casework if you receive assistance benefits
- Provide a 30-day advance written notice to the landlord and DHC if you intend to terminate your lease agreement at any time after the initial lease term. You may move only one time per year.
- If you signed a Repayment Agreement or owe DHC money, pay on time

FAILURE TO COMPLY WILL TERMINATE YOUR SECTION 8 RENTAL ASSISTANCE

To: Tenant

LANDLORD OCCUPANCY SCREENING

- You cannot occupy the assisted unit
- You are responsible for screening potential tenant for suitability

RENT AMOUNT

- DHC determines the MAXIMUM amount the tenant can pay for rent
- Rent must be reasonable in comparison to and cannot exceed the rent charged for other similar unassisted units
- Rent cannot exceed rent charged for comparable units on the premises. Upon request, you must give DHC information on rents charged by you for other units on the premises or elsewhere

PAYMENTS

- You will generally receive two rent payments each month, one from the tenant and one from DHC
- Collect the tenant rent as it is due
- Notify the HEI within 30 days if you are missing a DHC payments
- If you receive payments(s) to which you are not entitled, immediately return the payment(s) to DHC. FAILURE TO DO SO WILL RESULT IN DISMISSAL FROM THE PROGRAM AND REFERRAL TO THE DEPARTMENT OF TREASURY FOR COLLECTION
- Prompt written notification must be given to the HEI of any address, ownership or management changes
- Do not forward DHC payments to a new owner/management

HOUSING CHOICE VOUCHER CONTRACT (HUD 52641)

- The contract is the agreement between you and DHC. Upon request a sample copy will be submitted to you
- DHC will prepare the Contract for your signature. You will receive a copy of the completed contract

YOUR OBLIGATIONS

- Follow all laws and regulations governing tenant/ landlord relationships
- Make repairs as required and notify DHC of any corrected deficiencies by the specified date



DHC Rent Reasonableness

HUD requires every Housing authority to complete a rent reasonableness survey prior to lease-up for each unit that passes a move-in inspection under the Section 8 Program. The purpose of this survey is to demonstrate that the requested rent is reasonable when compared to current unassisted rents in the same area. A second required test compares the requested gross rent (net rent plus an allowance for tenant paid utilities) to the payments standard as set by the housing authority.

DHC maintains and updates a database of comparables throughout the Detroit Metro area. For each study, we select the most current and most similar comparable located in proximity to the subject unit. In cases where the requested rent is above the comparables, the requested rent must be reduced in order for the property to qualify for participation in the Section 8 Program.

On the Request for Tenancy Approval that is completed by both owner and resident prior to unit inspection, owners have the opportunity to provide information on unassisted rent in the subject neighborhood. If the relevant comparables by the owner are beneficial to the reasonableness study, DHC will use them once the information is verified.

The payment standard applied in the second test is based on the voucher size (number of bedrooms) of the resident. If the gross rent is higher than the payment standard, an additional test is performed to determine whether the resident cannot afford the additional rent, the requested rent must be reduced in order to qualify for a participation for the Section 8 program.

In summary, there are two limitations in place to maintain affordability of housing under the Section 8 program. The first is the fair market rent charged for unassisted units. The second is the payment standard as set by the housing authority.



Did you know???

- Under Michigan Law, a landlord can only charge up to 1 and ½ times the monthly rent for a security deposit from a tenant
- Your unit WILL be abated if it fails a second inspection. You **cannot collect the abated rent from the tenant.** Retroactive payment **will not be** made on the unit.
- You cannot change your lease with a tenant until the time of re-certification or renewal of lease. **Notification must be made and approved by Section 8 before it can become effective.**
- **Evictions may only be through the 36th District court system** and must be documented **and submitted to DHC Housing Specialist.** Based upon the documented outcome of the court case, the tenant may or may not be terminated from the program.
- **Appliances** (stove and refrigerator) **must** be in a unit **at the time of inspection.**
- When a unit has been identified as having a Lead Based Paint violation, there are **some very specific guidelines for addressing the cleanup,** such as **having a certified LBP professional supervising the effort.** For more information, please contact the Health Department or DHC.
- You **cannot make changes** to the contract during the first year. If changes are to be made, you must get approval of DHC **BEFORE** they take effect. This must be done in writing. Remember, some changes require a new contact.
- If you make side agreements, **both the Tenant and Landlord** may be terminated from participating with the program!





NOTICE TO PROPERTY OWNERS OF FEDERAL AND STATE REQUIREMENTS FOR DEFECTIVE PAINT

Effective immediately, all units leased through Detroit Housing Commission's Housing Choice Voucher Program are subject to the federal and state requirements of Lead Based Paint

During routine housing Quality Standard Inspections (HQS), the unit (interior & exterior) and surrounding common areas will be subject to an initial visual inspection to determine if there are indicators such as: the unit was constructed prior to 1978, the unit has children living in it that 6 years old or younger, and that there is defective paint (i.e.: peeling, chipping, flaking, etc.) and, that is the defective paint is either below or above the de minimus level.

De minimus as defined by HUD is:

- Impact a surface area of less than 20 square feet on the exterior of a dwelling unit or
- Impact a surface area of less than 2 square feet within a interior room
- Disturbance of less than 10% of the total surface area on small surfaces (i.e. window sill)

Should defective paint be identified above the de minimus level, you will receive notification that a Risk Assessment must be completed by a Michigan Certified Risk Assessor

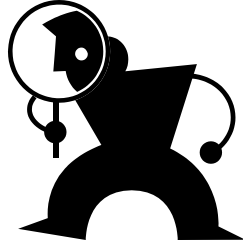
If you are told through correspondence from DHC that defective paint was identified through the visual inspection, please **do not** attempt to correct it unless you are familiar or hire a professional that knows the correct methods of treating defective paint. **In accordance with 24 CFR 35.140, the following are prohibited methods treatment of defective paint, which are:**

- 1. Open Flame Burning/Torching**
- 2. Machine sanding or grinding without a HEPA Vacuum.**
- 3. Abrasive blasting or sandblasting without a HEPA Vacuum.**
- 4. Heat guns (when used above 1100 degrees Fahrenheit).**
- 5. Dry Sanding or dry scraping (Exceptions are treating an area less than 2 square feet in any one interior room and treating an exterior surfaces less than 20 square feet.)**
- 6. Paint stripping in a poorly ventilated space using a volatile stripper.**

DHC is a sponsor of the Mayor of Detroit's Lead-Based Paint Emergency Task Force will continue throughout the year to share relevant information with you about the dangers and consequences of children exposed to lead poisoning, preventive measures, resources (funding, remediation programs, testing, support for exposed children), lead housing laws, regulations, codes and ordinances.

Following are contact sources to obtain more information. The National Lead Information Center 1-800-424-LEAD. Internet www.epa.gov/lead and www.hud.gov/lead and www.mdch.state.mi.us/sch/lead.





Detroit Housing Commission – Section 8 Program Basic Housing Quality Standards Property Owner Inspection Checklist

Following is a concise Inspection Form to be used in assessing the condition of your property you are planning lease under Section 8 Assistance.

- The sidewalks, steps, porch, etc., outside the unit are level and do not present a tripping hazard.
- If the unit is an apartment, there is a private entrance for the unit from the hallway.
- The unit is unoccupied or is occupied by the family submitting the family packet or occupied by a family participating in the Section 8 program.
- If the building has an elevator, it is operable and has all necessary certifications.
- There is a handrail whenever there are four or more steps (not counting upper and lower landings), either inside or outside the unit.
- The unit/building is structurally sound. The walls, floors and ceiling do not bulge, sag or lean. The floors are level and do not present a tripping hazard.
- There is no chipping or peeling paint inside the unit or on the exterior of the building. See lead based paint regulations on attachment.
- There are no exposed wires or exposed electrical outlets in the unit and building.
- There are no holes in the walls in the unit building.
- There are no water stains on the walls or ceiling or other evidence that the roof leaks.
- The unit has a living room, kitchen and bathroom. The unit has at least one living/sleeping room for each two persons in the tenant's family
- The bathroom has a private toilet, sink, and bathtub or shower with hot and cold running water.
- The living room and bedroom(s) has a window that can be opened.

- All windows and exterior doors are weatherized.
- The unit is adequately heated (68 °F in winter).
- The bathroom and kitchen had an operable window, skylight, or operable exhaust fan.
- The unit appears to be clean, in good condition and ready for occupancy or continued occupancy.
- There is no evidence of rats, mice or other vermin.
- All required smoke detectors (one of each floor and common halls) are present and operable.
- There is an extension pipe and relief valve on the hot water heater.
- The electric service is connected.
- The gas service is connected.
- There are no other health or safety issues in the unit.

The checklist is a tool. This list is not inclusive of all items reviewed during an inspection.

Forms Section



Request for Tenancy Approval Housing Choice Voucher Program

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-014
(exp. 07/31/200)

Public reporting burden for this collection of information is estimated to average .08 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Eligible families submit this information to the Public Housing Authority (PHA) when applying for housing assistance under Section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f). The PHA uses the information to determine if the family is eligible, if the unit is eligible, and if the lease complies with program or statutory requirements. Responses are required to obtain a benefit from the Federal Government. The information requested does not lend itself confidentiality.

1. Name of Public Housing Agency (PHA)			2. Address of Unit (street address, apartment number, city, State & zip code)			
3. Requested Beginning Date of Lease	4. Number of Bedrooms	5. Year Constructed	6. Proposed Rent	7. Security Deposit Amt.	8. Date Unit Available for Inspection	

9. Type of House/Apartment
 Single Family Detached
 Semi-Detached / Row House
 Manufactured Home
 Garden / Walkup
 Elevator / High-Rise

10. If this unit is subsidized, indicate type of subsidy:
 Section 202
 Section 221(d)(3)(BMIR)
 Section 236 (Insured or noninsured)
 Section 515 Rural Development
 Home
 Tax Credit
 Other (Describe Other Subsidy, Including Any State or Local Subsidy) _____

11. Utilities and Appliances

The owner shall provide or pay for the utilities and appliances indicated below by an "O". The tenant shall provide or pay for the utilities and appliances indicated below by a "T". Unless otherwise specified below, the owner shall pay for all utilities and appliances provided by the owner.

Item	Specify fuel type	Provided by	Paid by
Heating	<input type="checkbox"/> Natural gas <input type="checkbox"/> Bottle gas <input type="checkbox"/> Oil <input type="checkbox"/> Electric <input type="checkbox"/> Coal or Other		
Cooking	<input type="checkbox"/> Natural gas <input type="checkbox"/> Bottle gas <input type="checkbox"/> Oil <input type="checkbox"/> Electric <input type="checkbox"/> Coal or Other		
Water Heating	<input type="checkbox"/> Natural gas <input type="checkbox"/> Bottle gas <input type="checkbox"/> Oil <input type="checkbox"/> Electric <input type="checkbox"/> Coal or Other		
Other Electric			
Water			
Sewer			
Trash Collection			
Air Conditioning			
Refrigerator			
Range/Microwave			
Other (specify)			

12. Owner's Certifications.

a. The program regulation requires the PHA to certify that the rent charged to the housing choice voucher tenant is not more than the rent charged for other unassisted comparable units. Owners of projects with more than 4 units must complete the following section for most recently leased comparable unassisted units within the premises.

	Address and unit number	Date Rented	Rental Amount
1.			
2.			
3.			

b. The owner (including a principal or other interested party) is not the parent, child, grandparent, grandchild, sister or brother of any member of the family, unless the PHA has determined (and has notified the owner and the family of such determination) that approving leasing of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities.

c. Check one of the following:

____ Lead-based paint disclosure requirements do not apply because this property was built on or after January 1, 1978.

____ The unit, common areas servicing the unit, and exterior painted surfaces associated with such unit or common areas have been found to be lead-based paint free by a lead-based paint inspector certified under the Federal certification program or under a federally accredited State certification program.

____ A completed statement is attached containing disclosure of known information on lead-based paint and/or lead-based paint hazards in the unit, common areas or exterior painted surfaces, including a statement that the owner has provided the lead hazard information pamphlet to the family.

13. The PHA has not screened the family's behavior or suitability for tenancy. Such screening is the owner's own responsibility.

14. The owner's lease must include word-for-word all provisions of the HUD tenancy addendum.

15. The PHA will arrange for inspection of the unit and will notify the owner and family as to whether or not the unit will be approved.

Print or Type Name of Owner/Owner Representative		Print or Type Name of Household Head	
Signature		Signature (Household Head)	
Business Address		Present Address of Family (street address, apartment no., city, State, & zip code)	
Telephone Number	Date (mm/dd/yyyy)	Telephone Number	Date (mm/dd/yyyy)





DETROIT HOUSING COMMISSION

RENTAL UNIT INFORMATION

ISSUED UNDER P.A. 346 OF 1996, AND SECTION 8 OF THE U.S. HOUSING ACT OF 1937. FAILURE TO COMPLY COULD RESULT IN TERMINATION OF BENEFITS.

Sections **A-F** to be filled out by landlord. Sections **G-H** to be filled out by tenant. This form must have all boxes filled out and be signed by BOTH tenant and landlord before it is accepted.

Part A: Address of Unit to be Assisted:		
Tenant Name:	Requested beginning date of lease:	Date unit will be ready for inspection:
Address:	City, State, Zip Code:	Name of the major North/South Closest to the rental unit:
Are there any repair problems in the unit? Explain:	County:	Name of the major East/West street closest to the rental unit:

Part B: Type of Housing:		
<input type="checkbox"/> Apt. 1-4 Floors (flat)	<input type="checkbox"/> Apt. 5+ Floors	<input type="checkbox"/> Duplex/Townhouse
<input type="checkbox"/> Manufactured Home	<input type="checkbox"/> Single Family Home	<input type="checkbox"/> Other:

Part C: Utilities- Check the items that apply and who pays for them:											
Utilities	Paid By:						Check Type of Fuel Used				
	Tenant	Owner	Natural gas	Electric	Fuel Oil	Propane	Wood	Coal	Solar	Other	
Heating											
Cooking											
water heating											
Electricity			Appliances		Provided by:						
					Owner Tenant						
Air Con			Refrigerator								
Water/Well			Range/Stove								
Sewer/Septic			Microwave								
Trash Collection											
Snow Removal											
Lawn Care											

Part D: Utilities-Unit information		
Number of Bedrooms in Unit:	Approximate Year Built:	Approximate Square Footage
Most Recent monthly rent: \$	Proposed Monthly Rent: \$	
the reason for any difference between the most recent monthly rent and the proposed monthly rent is: \$		
is this a subsidized unit of complex? No Yes- if Yes, enter the :		
Basic Rent\$ _____ Market Rent \$ _____ Type of subsidy \$ _____		
Is a DHC Rental REHAB Unit: Yes <input type="checkbox"/> No <input type="checkbox"/>		

For apartment complex use only, the program regulations requires DHC to certify that the rent charged to the housing choice is not more than the rent charged for other unassigned comparable units. Please complete the following section for most recent comparable units most recently leased within the same complex.

Address and Unit Number:	Date Rented:	Rental Amount:
1.		
2.		
3.		

Part: Additional Information:		
Late fee:	Due After: \$	Security Deposit \$
Name of bank, credit union, or financial institution holding the security deposit		
Institution address (Number & Street)	City:	State: Zip Code:
Part F: Owner Information (rent checks made payable to)		Part G: Tenant Information
Owner Name:		Tenant Name:

Address: (Number, Street, City & Zip)		Current Address: (Number and Street)
Home Phone:	Work Phone:	City, State, Zip Code:
Choose One: Enter Number:	Security Number	Federal ID Number Telephone Number:

If the unit was constructed prior to 1978, check one of the following:

The unit, common areas serving the unit and exterior painted surfaces associated with such unit or common areas have been found to be lead-based paint free by a lead-based paint inspector certified Under the Federal certification program or under a federally accredited State or Tribal certification program.

A completed statement containing disclosure of known information on lead-based paint and/or lead-based paint Hazards in the unit, common areas or exterior painted surfaces, including a statement that the owner has provided the lead hazard information pamphlet to the family, will be required prior to lease execution.

Part H: Current and previous Landlord information		
Current landlord Name:		
Address 1:		
Address2:		
City:	State: MI	Zip
Telephone:		
Previous Landlord:		
Address:		
City:		
Telephone:		

The Detroit Housing Commission (DHC) determinations:

** DHC has not screened the family's behavior or suitability for the tenancy. **Such screening is the owner's responsibility.** The current and previous landlord information for this tenant is provided for your use.

** The owner's lease must include the HUD Tenancy Addendum (HUD 52641A)

** DHC will arrange for inspection of the unit and will notify the owner and the family as to whether or not the unit will be approved. The inspection may not comply with local or State laws, ordinances, or codes.

I certify that the information provided is correct; the owner/landlord will not occupy the assisted unit, and the owner/landlord (including a principal or other interested party) is not related to (parent, child, grandparent, grandchild, sister, or brother. Any member of the participant household) **I understand that through out the process of contracting with DHC, if an overpayment arises and I do not return the amount to DHC, a 15% penalty will be added to the debt.**

_____ Date

Owner/Agent Signature

I certify that I have reviewed all of the information provided in this form, including the reference to lead-based paint surfaces in the unit, and neither I nor any family members of my household are related to the owner/landlord. *** I understand that through out the process of contracting with DHC, if any overpayment arises and I do not return the amount due to DHC, a 15% penalty will be added the debt, and my participation to e program may be terminated.**

_____ Date

Head of Household Signature

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement:



WEB RESOURCES

HUD General Information on Assisted Housing Program (Section 8)
<http://www.hud.gov/offices/pih/programs/hcv/tenant.cfm>

Request for Tenancy Approval
http://www.hudclips.org/sub_nonhud/html/pdfforms/52517.pdf

HUD HAP Contract
http://www.hudclips.org/sub_nonhud/html/pdfforms/52641.pdf

HUD Tenancy Addendum
http://www.hudclips.org/sub_nonhud/html/pdfforms/52641-a.pdf

Lead Based Paint
www.epa.gov/lead
www.hud.gov/lead
www.mdch.state.mi.us/sch/lead

IRS (W-9)
<http://www.irs.gov/pub/irs-pdf/fw9.pdf>