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## A GUIDE TO THE HOUSING CHOICE VOUCHER PROGRAM

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### Welcome to the Housing Choice Voucher Rental Assistance Program

The following information is provided to you to help you to participate successfully in the Housing Choice Voucher program. We are pleased that we may be able to help you with your shelter needs. The LMHA is committed to providing an equal opportunity for decent, safe, and affordable housing for eligible persons in a professional manner.

The HCV program has been created by the United States Department of Housing and Urban Development (HUD) to allow persons with low incomes to rent decent housing. Details on how a participant's portion of rent is determined can be found in another section of this document.

When the LMHA needs to contact you, we will do so either by mail or telephone. It is very important that we have the correct information in your file so that we can communicate with you.

In order for the HCV Program to work successfully, three parties must work together. These are the LMHA, the participant (you), and the landlord. You will sign a lease with your landlord and the LMHA will sign a contract with your landlord.

The LMHA's duties are to accept applications and determine eligibility to families, to issue vouchers to those who qualify for the program, to approve the family's choice of unit, owner and tenancy. The LMHA must make regular and timely payments to the landlord and determine that the family and the unit continue to qualify for the program. The LMHA wishes to provide prompt and courteous service to those seeking assistance from the agency.



#### FAMILY OBLIGATIONS to the LMHA:

- Supply required information
- Disclose & verify social security numbers
- Sign release forms for obtaining information
- Provide true and complete information
- Comply with Housing Quality Standards unit inspection and duties
- Allow the LMHA to inspect the unit
- Do not commit any serious or repeated violations of lease
- Notify the LMHA at least 30 days before moving out or terminating lease with owner. Notify owner according to terms of the lease when moving out.
- Give the LMHA a copy of any eviction notice from owner
- Use the assisted unit as the family's only place of residence
- Inform the LMHA of the birth, adoption, or court awarded custody of any child. Request approval from the LMHA to add any family member to live in the unit
- Notify the LMHA in writing within 10 days when someone moves out of your unit
- Request approval from LMHA for foster children to live with you
- All changes in income/assets must be reported within 10 days of the change
- The family must not engage in drug-related or violent criminal activity by any family member. Failure to abide by this obligation may result in the termination of assistance to a family on the program or denial of assistance to an applicant family.

### The FAMILY DUTIES to landlord:

- ✓ Pay the rent on time
- ✓ Take care of your unit
- ✓ Comply with the terms of your lease
- ✓ Provide and maintain utilities and appliances as determined by your lease
- ✓ Assume responsibility for any damages beyond normal wear and tear to your unit that you, any family member, or any guest cause

The LANDLORD'S DUTIES are to screen families to determine that they are suitable renters. An owner may consider a family's background with respect to such factors as:

- Payment of rent and utility bills
- Caring for the unit and premises
- Respecting the rights of others to the peaceful enjoyment of their housing
- Drug related criminal or other criminal activity that is a threat to the life, safety, or property of others
- Compliance with other essential conditions of tenancy.

If requested, the LMHA will provide the potential landlord of a qualified family the current address of the family and the name and address of any landlords that appear in the family's file.

The owner must follow all tenant-landlord laws established by Ohio and must not engage in discrimination. The owner must make necessary repairs in a timely manner and follow the terms of the contract with the LMHA. Your landlord is responsible for collecting your portion of rent from you.

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## What Is a Payment Standard?

The LMHA uses a Payment Standard to determine how much rent we will pay a landlord on your behalf. Payment Standards are based on HUD's determination of the Fair Market Rent for our area. Payment standards may be different at different housing authorities.

A Payment Standard represents a maximum monthly subsidy payment for the unit size on your voucher or the actual number of bedrooms in the unit which you select, whichever is smaller. Our current Payment Standards are in your briefing packet.

A family qualifies for a particular Payment Standard based on the number and relationship of persons in the family. Generally, the LMHA determines size by allowing two persons per bedroom. Persons of different generations are allocated separate bedrooms. Children of the opposite sex, school age or older, would qualify for separate bedrooms. This process is used only to determine the subsidy for which your family qualifies. The LMHA does not tell you where your family members must sleep.

Families may request an exception to the standards for medical reasons or as a reasonable accommodation for persons with disabilities. These requests must be made to the LMHA and verified as appropriate before the LMHA will change the Payment Standard and Voucher Size for the family.

How is the Payment Standard used to determine rent?

Once the family's adjusted monthly gross income has been established, the LMHA deducts 30% of that income from the Payment Standard the family or unit qualifies for. If the gross rent of the unit is less than the Payment Standard, the LMHA must use the gross rent as the Payment Standard.

All calculations will be calculated with a minimum tenant rent of \$50.00.

## LMHA CURRENT PAYMENT STANDARDS

*Licking Payment Standards*-Include rent and an allowance for tenant paid utilities:

<u>OBR</u>	<u>1BR</u>	<u>2BR</u>	<u>3BR</u>
\$610	\$715	\$893	\$1136
<u>4BR</u>	<u>5BR</u>	<u>6BR</u>	
\$1305	TBD	TBD	

How much will you pay?

You may pay between 30% and 40% of your adjusted monthly income depending on the monthly rent the landlord is requesting for the unit you choose.

If the rent and the allowance for tenant paid utilities totals more than your payment standard, you will pay more than 30% of your adjusted monthly income toward rent and utilities.

If the rent and the allowance for tenant paid utilities totals less than the Payment Standard, you will pay 30% of your adjusted monthly income toward rent and utilities.

The unit cannot be approved if the rent is so high that the family pays over 40% of its adjusted monthly income on housing costs

### ***Your Voucher***

You will receive a copy of your voucher when it is issued to you. Please look it over carefully: it has a lot of valuable information. On it you will find the bedroom size you have been issued and the date that the voucher expires. On the back of the voucher is a list of your Family Obligations that you must follow to participate in the program. The voucher has other information about the program that may help you.

## SUBSIDY STANDARDS

For each family, the LMHA determines the appropriate number of bedrooms under the LMHA subsidy standards. The family unit size does not dictate the size of the unit the family must actually lease, nor does it determine who within a household will share a bedroom/sleeping room. The subsidy standards must provide for the smallest number of bedrooms needed to house a family without overcrowding.

Generally, the LMHA assigns one bedroom to two people within the guidelines:

- Persons of the opposite sex (other than adults who have a spousal relationship and children under the age of 5)
- Live-in aides will be given a separate bedroom
- Single person families shall be given one bedroom
- A child under the age of 12 months may share a bedroom with a couple
- Space may be provided for a child who is away at school but who lives with the family during school recess
- Foster children will be included in determining unit size

The LMHA may grant exceptions for those with disabilities upon request. Requests must be made in writing.

Circumstances may dictate a larger size than permitted when persons cannot share a bedroom because of a need, such as a:

- Verified medical or health reason  
OR
- Elderly person or persons with disabilities who may require a live-in attendant.

### ***What is Portability?***

Your voucher can go where you go through portability because your assistance is tenant-based; in other words, your funding goes with you, not your unit. Please ask your LMHA representative about certain limits to using portability. In general, this allows you to take your funding wherever you may need to move, anywhere in the United States that a public housing agency has jurisdiction, contact is made with the designated housing authority. When a tenant request, **in writing**, to move outside the jurisdiction, contact is made with the designated housing authority. Approval for portability will depend on acceptance of the voucher or LMHA's ability to continue to pay at another housing authority.

**\*\*Note to those who are applicants just coming onto the program, you must lease a unit and reside in Licking County for 12 months before taking your assistance outside of Licking County.\*\***

Surrounding Housing Authorities include:

Columbus MHA: 614-421-6000

Zanesville MHA: 740-454-8566

Fairfield MHA: 740-653-6618

Knox MHA: 740-397-8787

To find other Housing Authorities, go to [www.hud.gov](http://www.hud.gov) and search for Other Public Housing Agencies.

*Looking for Housing? Please remember that any landlord may screen you just as they do any potential tenant. Be prepared to give references and information about your rental history. Make sure you understand what utilities you will be required to pay according to the lease and how much security deposit the landlord is charging. Be alert for housing discrimination and report any problems you have to LMHA. Be sure to call the Licking County Fair Housing at 740-670-5200. In your packet you will also find a Housing Discrimination Complaint for (HUD 903).*

### ***How to Find a Unit***

#### **Where to Look**

- LMHA's Vacant Unit List (hard copies are available in the office or can be found at [www.lickingmha.org](http://www.lickingmha.org))
- Check the classified section of the local newspapers
- Check with friends and neighbors
- Look for yard or window signs in the area you want to live
- Check with real estate offices or rental agencies (WARNING: Fees may be charged)

#### **Questions to Ask the Landlord**

- The number of bedrooms in the unit
- The rent amount being asked
- What, if any, utilities are included in the rent
- Any special restrictions the landlord has, such as no smoking or no pets.

**Make an Appointment:** If you are interested in a unit ask for an appointment to see it. Be sure to keep the appointment and be on time. You may want to arrive early to look around the neighborhood.

**Negotiating the Lease:** If you find a unit you like and think the rent will work ask the landlord to fill out the Request for Tenancy Approval (blue form). Take the RTA to LMHA and it will be determined whether you can afford the unit. If it is determined the unit is affordable for your family an inspection of the unit will be scheduled with the landlord

IMPORTANT REMINDERS: (1) You will be responsible to pay the security deposit (2) If you are responsible for any utilities, you must have them in your name (3) You need to understand your obligation and comply with the terms of the lease and rules set by your landlord. (4) It is your responsibility to secure your own housing.

## The Inspection Process

The LMHA conducts the following types of inspections as needed:

- ✓ *Initial Inspections:* The LMHA conducts initial inspections in response to a request from the family to approve a unit for participation in the HCV Program. The unit MUST pass the HQS Inspection before LMHA can make Housing Assistance Payments.
- ✓ *Annual Inspections:* HUD requires LMHA to inspect each unit under lease annually to confirm the unit still meets HQS.
- ✓ *Special Inspections:* A special inspection may be requested by the owner, the family, or a third party as a result of problems identified with a unit between annual inspections.
- ✓ *Quality Control Inspections:* HUD requires that a sample of units be re-inspected by a supervisor or other qualified individual to ensure that HQS are being enforced correctly and uniformly by all inspectors.

The owner and family will be notified in writing of all inspections. When an inspection identifies HQS failures, the LMHA will determine (1) whether or not the failure is life threatening and (2) whether the family or owner is responsible for the repairs.

The following are considered life threatening conditions:

- Any condition that jeopardizes the security of the unit or present the imminent possibility of injury
- Major plumbing leaks or flooding, waterlogged ceiling or floor in imminent danger of falling
- Natural Gas, LP Gas or Fuel Oil Leaks
- Any electrical problem that could result in shock or fire
- Absence of a working heating system when outside temperature is below 30 degrees
- Utilities not in service, including no running hot water
- Absence of a functioning toilet in the unit
- Inoperable smoke detectors

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## Housekeeping Standards

It is the responsibility of the LMHA to provide decent, safe and sanitary housing for eligible families. It is the duty of the HCV participants to maintain their dwellings in a like manner.

### Health and Sanitation

A disorderly unit is unsatisfactory. A disorderly unit is considered to be a unit with evidence of debris scattered about, kitchen sink excessively cluttered with dirty dishes of several days duration. Bathtubs, sinks and toilets unclean. Garbage in excess of 10 gallons, left inside and around the unit and not in proper containers and garbage in excess of 50 gallons on the grounds of the unit are also unsatisfactory. Excessive mold found anywhere in the unit, foul odors, evidence of insect or rodent infestation will be considered unsatisfactory.

### Floors

Floors and carpets containing food particles of 1 gallon or more is unsatisfactory. All floors should be cleaned regularly

### Safety

Combustible materials stored around the water heater, stove and heating fixtures is unsatisfactory. Exits blocked by furniture or other items are considered unsafe.

### Walls

Crayon or other markings on walls, floors, refrigerators, stoves and woodwork is unsatisfactory

### Appliances

Burners and ovens containing excessive grease, food particles and cooking residue in excess of 1 gallon is unsatisfactory.

If it is in the unit, it must work. If it doesn't work, it will need repaired, replaced or removed.

## Yearly Activities

Each year we must re-certify your family for assistance and inspect your unit again. About 3 months before your anniversary date, you will get a notice with some forms for you to fill out to tell us about your family and a list of items to provide the LMHA. You and all adult household members over the age of 18 will be required to come to our office for an appointment. Make sure that you come to your appointment **ON TIME** so that you can continue to get help with your rent. Please make sure that someone over the age of 18 will be home to let our inspector in to do the inspection on the day that it is scheduled.

## Important Reminders:

- Report ALL income changes
- Report ALL household changes
- No side payments to landlords
- Do NOT allow anyone to use your mailing address
- NOT disclosing all income is FRAUD
- Report potential fraud to our offices immediately
- Read and respond as needed to ALL notices LMHA mails you

## Common Program

### Violations:

- Unauthorized household members
- Under-reporting income
- Not reporting changes in household

**\*\*Make sure you understand your obligation and responsibilities. Not sure.... Ask Questions!**

## Want to Move?

You will sign a lease with your landlord that will specify how you may end the lease. You must live in a unit for 12 months with our assistance before you can move. You must give the LMHA at least a 30-day notice before moving out. If you want to move to another unit, we will have to verify your family information again, issue a NEW voucher, and have you fill out some more forms before you can move. You will get a new blue sheet that will go to your new landlord to fill out so that we can determine if we can assist you in the new unit. **You must still give us notice and wait to hear from LMHA before moving even if you move to another unit that your current landlord owns.** We will need to inspect the new place and we will need to sign a contract with your landlord for the new unit. Even if you no longer need our assistance, you must give us the 30-day notice that you plan to go off the housing assistance program.

## Family Absence from the unit

According to **24 CFR 982.312** The family may be absent from the unit for brief periods. The LMHA must establish a policy on how long the family may be absent from the unit. However, the family may not be absent for more than 180 consecutive calendar days for **ANY** reason. LMHA policy states, if you and your family are absent from the unit for more than 30 consecutive calendar days, the family's assistance will be terminated. Please contact your Occupancy Specialist for more information.

### Licking Metropolitan Housing Authority

144 W. Main St.  
Newark, Ohio 43055  
740-349-8069  
Fax: 740-349-7132  
TTY/TDD 1800-750-0750

**Hours:** Monday-Wednesday 7am-530 pm

Thursday: 12:30 pm-530pm

Please be sure to visit our website for any further information at:

[www.lickingmha.org](http://www.lickingmha.org)

*An Equal Housing Opportunity Agency*



## TERMINATION OF RENTAL ASSISTANCE

The LMHA may terminate assistance for a participant under the program because of the family's action or failure to act and for any of the following grounds:

- If the family violates any Obligation of the Family under the HCV Program
- If any member of the family has ever been evicted under the rental assistance program
- If another public housing agency has ever terminated assistance under the HCV Program for any member of the family
- If any member of the family commits **drug related or violent criminal activity**
- If any member of the family commits fraud, bribery, or any other corrupt or criminal activity in connection with ANY Federal Housing program
- If the family currently owes rent or other amounts to the LMHA or other Public Housing Agency (PHA) in connection with Section 8 or Public Housing Assistance under the 1937 Act
- If the family has not reimbursed any PHA for amounts paid to an owner under a HAP Contract for rent, damages to the unit, or other amounts owed by the family under lease
- If the family breaches an agreement with the LMHA to pay amounts owed to LMHA or amounts paid to an owner by the LMHA. (The LMHA may at its discretion, may offer the opportunity to enter into an agreement to pay amounts owed to the LMHA or amounts paid to an owner by the LMHA. The LMHA may prescribe the terms of the agreement.)
- If the family has engaged in or threatened abusive or violent behavior toward LMHA personnel
- If any member fails to sign and submit consent forms for obtaining information in accordance with 24 CFR part 760 and 24 CFR part 813

The way in which the LMHA terminates assistance depends upon individual circumstances, HUD permits the LMHA to terminate assistance by:

- Terminating housing assistance payments under a current HAP Contract
- Refusing to approve a request for tenancy or to enter into a new HAP Contract
- Refusing to process a request for/or to provide assistance under portability procedures

The LMHA will notify the family of their right to ask for an explanation of the basis of the LMHA determination and that if the family does not agree with the determination, they may request an Informal Hearing. The LMHA will give the opportunity for an Informal Hearing before the LMHA terminates housing assistance payments for the family.

The LMHA will give the family prompt written notice that the family may request a hearing. The notice will contain a brief statement of reasons for the decision, procedures for requesting an Informal Hearing and the deadline for the family to request the Informal Hearing.

### **Decisions Subject to an Informal Hearing**

Circumstances for which the LMHA must give a participant family an opportunity for an informal hearing are as follows:

- A determination of the family's annual or adjusted income, and to use of such income to compute the Housing Assistance Payment
- A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the LMHA utility allowance schedule
- A determination of the family unit size under the LMHA's subsidy standards
- A determination that a family is residing in a unit with a larger number of bedrooms than appropriate for the family unit size under the LMHA's subsidy standards, or the LMHA determination to deny the family's request for exception from the standards
- A determination to terminate assistance for a family because of the family's action or failure to act
- A determination to terminate assistance because the family has been absent from the unit for longer than the maximum period permitted under LMHA policy and HUD rules

### **Informal Hearing Procedures**

1. The hearing will be conducted by any person or persons designated by the LMHA. (Other than the person who made or approved the decision under review or a subordinate of this person)
2. The family will be given the opportunity to examine any LMHA documents that are directly relevant to the hearing prior to the Informal Hearing. The family will be allowed to copy any documents at the family's expense. If the LMHA does not make documents available for examination on request of the family, the LMHA may not rely on the document at the hearing
3. The LMHA must be given the opportunity to examine any family documents that are directly relevant to the hearing. The LMHA must be allowed to copy such documentation at the LMHA's expense. If the family does not make the documents available for examination, on request of the LMHA, the family may not rely on the documents at the hearing. The term "documents" includes records and regulations.
4. The family may be represented by a lawyer or other representative at the family's cost
5. The person who conducts the hearing may regulate the conduct of the hearing in accordance with the LMHA hearing procedures.
6. The LMHA and family will be given the opportunity to present evidence and may question any witnesses.
7. The person who conducts the hearing will issue a written decision stating the reasons for the decision. Factual determinations relating to the individual circumstances of the family shall be based on a preponderance of evidence presented at the hearing. A copy of the hearing decision shall be furnished promptly to the family.