

HCV Landlord Q&A

Housing Authority of the County of Santa Cruz, also serving Hollister and San Juan Bautista

Apr13

About the HCV Program:

- ✓ The rent the landlord can collect is not based on Fair Market Rents or Payment Standards, but on the Housing Authority's rental market surveys.
- ✓ You may not rent to a relative except under very limited situations for persons with disabilities, with advance approval from the Housing Authority.
- ✓ See our New Landlord Q&A, with more information for landlords just joining the program.

A Refresher for Landlords in the Section 8 Housing Choice Voucher (HCV) Program

What is the relationship between the tenant, the landlord, and the Housing Authority?

The HCV program provides rental assistance to families who can then choose a unit to rent on the private market.

The Housing Authority has a direct relationship with the tenant in that we provide them housing assistance. The voucher we issue the tenant spells out the terms of our relationship with the tenant.

The Housing Authority also has a direct relationship with landlords in that we pay rental assistance to landlords on behalf of the HCV tenant they have selected. The Housing Assistance Payment Contract (HAP) spells out the terms of our relationship with the landlord.

The landlord and tenant have a relationship that the Housing Authority is not a party to. That is the tenant-landlord relationship. The lease or rental agreement spells out the terms of that relationship. The HCV program requires that you use the HUD Lease Addendum with your lease.

What kinds of actions or changes does a landlord need to notify the Housing Authority of?

The landlord must notify the Housing Authority of all changes to the lease or tenancy, including:

- ✓ Raising the rent. All rent increases must be agreed to in advance by the Housing Authority.
- ✓ Making a change to the lease regarding who pays for utilities.
- ✓ The landlord taking any lease enforcement action, including warnings, late rent notices, or eviction.
- ✓ The family moving out.
- ✓ The unit being sold or changing ownership.
- ✓ The landlord's change of address or change of property manager. (See our website for change of address forms)
- ✓ A change regarding what property the tenant is leasing (garages, common areas, etc.)



Questions? Call our Info Line at 454-5955
or visit us online at www.hacosantacruz.org



2160 41st Avenue, Capitola CA 95010 Open M-TH 8-5, Closed Fridays
For our business office or para información en español: 831 454-9455
Program rules are subject to change. Use this as general guidance only.

TDD: 831 475-1146

HCV Landlord Q&A cont'd

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More Information for Landlords About the HCV Program

What if I Have a Problem with a HCV Tenant?

Remember that this is your tenant, like any other tenant. You can take any action, up to and including eviction, in accordance with the law and your lease. The length of notice depends on state law and may range from three to 90 days.

Please consult an attorney or apartment association before taking action, and copy us on any notices of lease violation or other action.

We can terminate a family's assistance for repeated lease violations, some criminal acts, or program fraud. See our Program Fraud Q&A for more information.

Will the Housing Authority pay for tenant-caused damages to the unit?

No. You are responsible for collecting a security deposit, screening tenants, and conducting move-in and move-out inspections as you would with any other tenant.

The Housing Authority does not conduct a move-out inspection. You are welcome to attend the Housing Authority's annual inspection of the unit to assess the condition of the property.

How Are Rent Changes Handled?

You must notify us and the tenant in writing at least 60 days before a rent increase is to take effect. See our website for a rent increase form.

We will review the new proposed rent and make sure it is "reasonable," using our market studies.

Also, you must not charge a HCV tenant a higher rent than you would any other tenant.

In some cases, the tenant's portion of the rent will change. If approved, we will send rent change notices to both you and the tenant with the new rent amount. **It is your responsibility to collect the correct rent from the tenant.** You may not charge the tenant any additional amount beyond what we approve.

Housing Authority rents are paid on the first of the month. **We offer fast, convenient direct deposit of our rent checks.** We will mail you a statement if you choose direct deposit. See our website for forms.

If the tenant's income changes, we may adjust their portion of the rent. In some cases, we may issue a retroactive check to you and you may need to reimburse the tenant. See our "Reporting Changes Q&A."

What happens if family members move in or out?

You may determine whether you will allow someone else to move in. HCV families must notify us when someone moves in or moves out. We determine the rent the family pays to the landlord based on the **total income of everyone living in the unit**, not just the number of people living there. See our Reporting Changes Q&A.

What happens when the whole family vacates?

You must notify us immediately of a HCV family's move-out date. The Landlord will receive a prorated amount of the last month's rent, based on move-out date. If you receive any rent after that month from us, you may owe us back rent.



Need More Info?

Visit our website or call our Info Line for more information about program responsibilities, including:

- ✓ New Landlord Q&A
- ✓ Inspections Q&A
- ✓ Program Fraud Q&A
- ✓ Reporting Changes Q&A

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Website: www.hacosantacruz.org