

# TENANT BREIFING PACKET

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## Housing Authority Staff

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**Office hours are Monday through Friday, 7:30 am to 4:00 pm.  
The office closes at noon the fourth Tuesday of each month.**

## **The Housing Choice Voucher Program How Does It Works?**

The Housing Choice Voucher Program is a tenant based rental assistance program funded through the U. S. Department of Housing and Urban Development (HUD). All applicants are required to attend a briefing session and will receive a briefing packet. This packet contains materials to explain how the program works and will provide you with the information you need to be successful in your search for housing and to remain in good standing while you are a participant on the Housing Choice Voucher Program.

The Housing Choice Voucher Program is designed to assist you to be competitive for about 50% of the housing stock available. The program attempts to offer greater flexibility than project based rental assistance. Program participants who are in good standing can lease up anywhere in the United States where the Housing Choice Voucher Program is administered.

The Housing Choice Voucher Program participant pays between 30% and 40% of their adjusted household income towards rent and the remainder is subsidized through the U. S. Department of Housing and Urban Development. The Housing Authority will insure compliance with regulation and policies. As a tenant on the program you are responsible for locating and selecting a suitable unit and the Housing Authority is responsible for making sure it meets the criterion that has been established by HUD.

In the online briefing packet you will find the following:

- The term of your voucher and the Housing Authority's policy regarding extensions
- How your housing assistance payment is determined
- Information about payment standards and utility allowances and how they affect your rent calculation
- The 40% rule
- The Housing Authority's policy regarding subsidy standards
- A Request for Tenancy Approval Form
- HUD –required tenancy addendum
- Information on Equal Opportunity Laws and a Fair Housing Discrimination Complaint Form

- HUD lead-based paint brochure, “Protect Your Family from Lead in Your Home!”
- HUD brochure on how to select a unit, “A Good Place to Live”
- List of local landlords who participate in the program
- Explanation of Portability
- Family Obligations under the Housing Choice Voucher Program
- Grounds for Termination of Assistance
- The Housing Authority of Racine County’s informal hearing process

## **Request for Accommodation**

It is the policy of this Public Housing Authority (PHA) to be service-directed in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services to families.

The PHA’s policies and practices will be designed to provide assurances that persons with disabilities will be given reasonable accommodations, upon request, so that they may fully access and utilize the housing program and related services. The PHA will verify disabilities under definitions in the Fair Housing Amendments Act of 1988, Section 504 of the 1973 Rehabilitation Act, and Americans with Disabilities Act.

## **Subsidy Standards: How the Housing Authority Determines Your Unit Size**

Your Housing Choice Voucher indicates the number of bedrooms for which your family is eligible. Subsidy standards for determining voucher size will be applied in a manner that is consistent with Fair Housing guidelines. These standards help us to make the best use of the funds HUD provides for housing costs, and to avoid overcrowding.

The unit size for which your household is eligible is indicated on your Housing Choice Voucher. In determining bedroom size, the Housing Authority of Racine County will include the unborn child of a pregnant woman who is the head or co-head of household, children who are currently under 50% or more joint custody decree, children who are temporarily away at school or temporarily in foster-care. Temporarily absent is defined as no longer than 90 days.

The Housing Authority of Racine County will allocate voucher size based on one bedroom for each two persons in the household, except in the following circumstances:

1. Persons of the opposite sex (other than head/co-head, life partners and children under the age of 6 years) will be allocated separate bedrooms.
2. Pregnant individuals with no other children will be allocated one bedroom
3. Approved live-in aide may be allocated one bedroom.
4. Single parent will be allocated one bedroom.

Any family requesting variations in occupancy standards must put their request in writing to the Housing Authority. The request will be reviewed and the family will be notified of the decision in writing. The Housing Authority of Racine County does not administer single room occupancy or shared housing for Housing Choice Voucher Program.

### **Term of your Housing Choice Voucher**

The initial term of the voucher will be 60 calendar days and will be stated on the Housing Choice Voucher.

The Housing Authority may grant one or more extensions of the term, but the initial term plus any extensions will not exceed 120 calendar days from the initial date of issuance. To obtain an extension, the family must make a request in writing prior to the expiration date.

Upon submittal of a completed request for approval of tenancy form, the Housing Authority of Racine County will suspend the term of the Housing Choice Voucher. The term will be in suspension until the date the Housing Authority provides notice that the request has been approved or denied. This policy allows families the full term (60 calendar days, or more with extensions) to find a unit, not penalizing them for the period during which the Housing Authority is taking action on their request.

If a family's voucher expires, the family is no longer eligible for housing assistance. They are free to re-apply to the Housing Choice Voucher Program and start over again at the bottom of the waiting list. If the waiting list is closed, they must wait until the Housing Authority of Racine County is once again accepting applicants.

## Determining Your Housing Assistance Payment

The household gross income is calculated by adding all income which is available to the household. After determining the gross income for the household, the Housing Authority will calculate any deductions for which the household is eligible. These deductions will be subtracted from the gross household income to determine the adjusted household income. The rent will be based on the adjusted household income.

### Household Income Calculations

\$1000.00	Wages
240.00	Child Support
\$1,240.00	Gross Monthly Income
40.00	Child Deduction
200.00	Child Care Expense Deduction
\$1,000.00	Adjusted Monthly Income
\$ 300.00	30% Adjusted Monthly Income = Minimum Tenant Rent
\$ 400.00	40% Adjusted Monthly Income = Minimum Initial Rent Burden

### Rent Determination

\$ 800.00	2 Bedroom Payment Standard
- 300.00	30% Adjusted Monthly Income
\$ 500.00	Maximum Housing Assistance Payment
\$ 700.00	Rent to Owner
100.00	Utility Allowance
\$ 800.00	Gross Rent
\$ 200.00	Tenant Rent
\$ 500.00	Housing Assistance Payment

## Hardship Exemption

All Housing Choice Voucher Program participants will be required to pay no less than \$50.00 for a Total Tenant Payment. HUD has also established certain exceptions to the minimum rent requirements for hardship circumstances that are expected to last for a prolonged period of time.

## The “Relative Rule”

When looking for a rental unit suitable for the Housing Choice Voucher Program, HUD has established regulations regarding renting from a relative. ***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 Housing Authority has determined (and notified the owner and the family of such a determination) that approving rental of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities.

## Where You May Lease a Unit

You may search for suitable housing anywhere within the jurisdiction of the Housing Authority of Racine County which includes all of Racine County. If at any time during your rental search you have a question regarding the location of a unit, please contact your Housing Specialist.

## Portability

One of the great features of the Housing Choice Voucher Program is that your assistance “moves” with you. You can use your assistance anywhere in the United States that has a Housing Choice Voucher Program. The HUD term for transferring your assistance from one place to another is **Portability**.

If you are considering exercising portability, please contact your Housing Specialist and you will be advised of the Housing Authority of Racine County’s Administrative Policy regarding any restrictions to portability and the necessary steps to complete the process. Some facts you should know about portability:

1. The Housing Authority where you may want to move may have different rules, policies and deadlines.
2. There may be different payment standards, utility allowances, and income limits.
3. A different size Housing Choice Voucher may be issued to you.

## Submitting a Request for Tenancy Approval

When you find a housing unit that you want to rent and that meets the requirements of your particular situation, the first step in the approval process is to have the owner complete the Request for Tenancy Approval.

When the Housing Authority receives your Request for Tenancy Approval, it will be **reviewed by a Housing Specialist to determine if the unit meets the 40% rule and is Rent Reasonable.** All Requests for Tenancy Approvals must be submitted with a copy of the current lease. The Housing Specialist will review the lease to ensure compliance.

**Remember:** Your Housing Choice Voucher will expire in 60 days from the date you receive it. The Request for Tenancy Approval must be submitted to the Housing Authority before the expiration date on your voucher.

## Rent Reasonable

The Housing Authority of Racine County has established a point system to determine whether or not the rent for your unit is similar to other rents in the area. The comparisons are based on price, size, and amenities in the unit. The purpose of this determination is to ensure that the amount of rent charged for the unit is reasonable and fair. All units must be rent reasonable to participate in the program.

## Security Deposit

The owner may collect a security deposit from the participant in an amount not in excess of amounts charged in private market practice and not in excess of amounts charged by the owner to unassisted residents.

No security deposit payment is made by the Housing Authority of Racine County. **The tenant is responsible for paying the full security deposit to the landlord.**

## Approval of Lease and Unit

Once the Request for Tenancy Approval has been reviewed and approved, the Housing Authority will contact either the Owner or the Tenant to schedule an inspection. All units must pass HUD's Housing Quality Standards (HQS) in order to qualify for the program.



If the unit passes the initial inspection and the rent has been determined to be reasonable, the Housing Authority will prepare the necessary paperwork and your assistance should begin the 1<sup>st</sup> of the following month. If your unit does not pass the initial inspection, the owner will be given a reasonable time period to correct the items that did not meet Housing Quality Standards. Rental assistance payments cannot begin until the repair items are completed and approved by the Housing Inspector. If the owner does not wish to comply with the required repairs, you may want to look for another unit. No inspections for new units are done the last week of the month. All leases must begin on the first day of the month.

After the necessary paperwork has been completed and the lease has been approved, a Housing Assistance Payments Contract will be sent to the owner. This contract is between the Housing Authority of Racine County and the owner for payment of funds on your behalf. Once the contract is signed and returned with a copy of a signed lease, payment will be issued. The owner must remain in compliance with the Housing Authority in order for payments to continue.

## **Family Obligations**

Successful participation on the Housing Choice Voucher Program requires that the family fulfill certain obligations to both the Housing Authority of Racine County and the owner. These Family Obligations are required by HUD regulations and are listed on your Housing Choice Voucher. By signing your Housing Choice Voucher, you are acknowledging your obligations for participation in the program. The following is a list of the Family Obligations:

### **The family must:**

1. Supply any information that the Housing Authority of Racine County or HUD determines to be necessary including evidence of citizenship or eligible immigration status, and information for use in a regularly scheduled reexamination of family composition.
2. Disclose and verify social security numbers and sign and submit consent forms for obtaining information.
3. Supply any information requested by the Housing Authority of Racine County to verify that the family is living in the unit or information related to family absence from the unit.
4. Promptly notify the Housing Authority of Racine County, in writing via Assistance Connect, when the family is away from the unit for an extended period of time in accordance with the Housing Authority of Racine County's policies. (30days)

5. Allow the Housing Authority of Racine County to inspect the unit at reasonable times and after reasonable notice.
6. Notify the Housing Authority of Racine County and the owner, in writing via Assistance Connect, before moving out of the unit or terminating the lease.
7. Use the assisted unit for residence by the family. The unit must be the family's only residence.
8. Promptly notify the Housing Authority of Racine County for approval to add any other family member as an occupant of the unit.
9. A written request to the Housing Authority of Racine County must be submitted in order to add any other family member as an occupant of the unit.
10. Promptly notify the Housing Authority of Racine County, in writing via Assistance Connect, if any family member no longer lives in the unit.
11. Give the Housing Authority of Racine County a copy of any owner eviction notice.
12. Pay utility bills and provide and maintain any appliances that the owner is not required to provide under the lease.

**The family must not:**

1. Own or have any interest in the unit (other than cooperative, or the owner of a manufactured home leasing a manufactured home space).
2. Commit any serious or repeated violation of the lease.
3. Commit fraud, bribery or any other corrupt or criminal act in connection with the program.
4. Engage in drug-related criminal activity or violent criminal activity or any other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.
5. Sublease or let the unit or assign the lease or transfer the unit.
6. Receive Housing Choice Voucher Program Housing Assistance while receiving another housing subsidy, for the same unit or a different unit under any other Federal, State, or Local Housing assistance program.
7. Damage the unit or premises (other than damage from ordinary wear and tear) or permit any guest to damage the unit or premises.

8. Receive housing choice voucher program housing assistance while residing in a unit owned by a 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 rental of the unit, notwithstanding such relationship, would provide a reasonable accommodation for a family member who is a person with disabilities.
9. Engage in the abuse of alcohol in a way that threatens the health, safety or right to peaceful enjoyment of the other residents and persons residing in the immediate vicinity of the premises.

## **The Lease Agreement**

The obligations to the owner are contained in the lease agreement. Please read it carefully. In short, families are obligated to pay the rent on time and take care of the housing unit.

Generally, the owner is required to make any necessary repairs and provide routine maintenance. However, if a housing unit fails to meet Housing Quality Standards because of the following items, it is the responsibility of the family:

1. The family is required to provide any utilities (such as electricity, gas or water) that are not furnished or paid for by the owner. If you are responsible to provide utilities, you must make certain they remain in service at all times.
2. The family is responsible for providing and maintaining any appliance that is not furnished by the owner, such as a refrigerator or stove.
3. The family is responsible for damages to the unit or premises (beyond normal wear and tear) that are caused **by any family member or guest.**

When you sign a lease with an owner, you are obligated to pay your share of the rent on the first day of the month or in accordance with your lease. **If you fail to pay your rent, you will be subject to eviction by the owner. Serious or repeated violations of your lease may also result in termination from the Housing Choice Voucher Program.**

## **Information to Owners**

In accordance with HUD requirements, the Housing Authority of Racine County will furnish owners who request, in writing, the family's address information, with the family's current address as shown in the PHA's records and, if known, to the PHA, the name and address of the landlord at the family's current and prior address. The PHA will

make an exception to this requirement if the family's whereabouts must be protected due to domestic abuse or witness protection.

The Housing Authority of Racine County will inform owners that it is the responsibility of the landlord to determine the suitability of prospective tenants. Owners will be encouraged to screen applicants for rent payment history, payment of utility bills, eviction history, respecting the rights of other residents, damage to units, drug-related criminal activity or other criminal activity that is a threat to the health, safety or property of others, and compliance with other essential conditions of tenancy.

## **Confronting Housing Discrimination**

Under federal law, it is illegal to deny housing to anyone on the basis of race, color, religion, sex, national origin, familial status, sexual orientation, and disability. If you believe that you have been discriminated against, contact your Housing Authority representative.

The Housing Authority will assist you in completing the Housing Discrimination Complaint form (HUD form 903) and provide you with the appropriate source to file your complaint. A copy of the HUD for 903 is included in this packet along with a booklet regarding your rights.

## **Informal Hearing Process**

When the Housing Authority makes a decision regarding eligibility and/or the amount of assistance, applicants and participants must be notified in writing. The Housing Authority will give the family prompt notice of such determinations which will include:

1. The proposed action or decision of the Housing Authority
2. The date the proposed action or decision will take place
3. The family's right to an explanation of the basis for the Housing Authority's decision
4. The procedures for requesting a hearing if the family disputes the action or decision
5. The time limit for requesting a hearing
6. To whom the hearing request should be addressed
7. A copy of the Housing Authority's Hearing Procedures

The Housing Authority must provide participants with the opportunity for an Informal Hearing for decisions related to any of the following Housing Authority decisions:

1. Determination of the family's annual income or adjusted income and the computation of the housing assistance payment
2. Appropriate utility allowance used from the schedule
3. Family unit size determination under the Housing Authority subsidy standards
4. Determination to terminate assistance for any reason

The Housing Authority must always provide the opportunity for an informal hearing before termination of assistance.

Informal Hearings are not required for established policies, procedures and determinations such as:

1. Discretionary administrative determinations by the Housing Authority
2. General policy issues or class grievances
3. Establishment of the Housing Authority schedule of utility allowances for the families in the program
4. A Housing Authority determination not to approve an extension or suspension of a voucher term
5. A Housing Authority determination not to approve a unit or lease
6. A Housing Authority determination that an assisted unit is not in compliance with HQS (the Housing Authority must provide a hearing for a family breach of HQS because that is a family obligation determination)
7. A Housing Authority determination that the unit is not in accordance with HQS because of family size
8. A Housing Authority determination to exercise or not exercise any right or remedy against the owner under the HAP contract

It is the Housing Authority's objective to resolve disputes at the lowest level possible, and to make every effort to avoid the most severe remedies. However, if not possible, the Housing Authority will ensure that applicants and participants will receive all of the protections and rights afforded by law and the regulations.

The family will be given an opportunity to attend a pre-hearing meeting with the Executive Director after filing an appeal. At the pre-hearing meeting the file will be reviewed along with the circumstances leading to the termination. If the basis remains in dispute following this meeting, a hearing will be scheduled. The Executive Director may withdraw the termination and the assistance will continue uninterrupted.

Failure of the family to appear at a scheduled hearing will result in the end of the appeal process and the termination will go into effect.