



OWNER'S GUIDE

Welcome to Rochester Housing Authority (RHA) and thank you for providing quality affordable housing for our program participants. We value your partnership and want to ensure a long-term successful business relationship with you. The following pages are full of information you can reference about our program(s) and services. Also included is a list of contact numbers in case you need further assistance.

We strive to offer the highest-quality service, so we welcome your feedback and recommendations on the processes and procedures herein that would make working with us easier and more efficient. For more information, please contact Owner Services Unit at ownerservices@rochesterhousing.org

Rochester Housing Authority
OWNER'S GUIDE



**675 W. Main Street
Rochester, NY 14611**

**Office hours:
Monday - Thursday 8:30a.m. to 4:30p.m.
Friday 8:30 a.m. to 12:00 p.m.**

➤ TABLE OF CONTENTS	Page
○ Contact information.....	4
○ Purpose.....	5
○ Introduction.....	5
○ Definitions.....	6
○ Benefits of the program.....	7
○ Becoming a Section 8 Landlord.....	8
▪ Request for Tenancy Approval (RFTA).....	8
▪ Inspection.....	9
▪ Contract.....	10
▪ Payments.....	10
○ Annual Processes.....	11
○ Lease Changes.....	12
○ Additional Landlord Responsibilities.....	12
○ FAQs.....	13
○ Additional Resources.....	14
▪ Sample Forms.....	14
• Housing Assistance Payment contract	
• Direct Deposit	
• Change of Ownership and Address	
• Agent Authorization	
• W-9	
• A Good Place to Live	



➤ **CONTACT INFORMATION**

- **RHA General Information Line** (585) 697-3600
 - For general information and directory to other resources.
- **Leasing Operations Information Line** (585) 697-6100
 - For general Section 8 information and directory.
- **Leasing Operations Offices** (585) 697-6105
 - Section8@rochesterhousing.org
 - To send a general email if you do not know who to contact.
- **Owner Services** (585) 697-6250
 - ownerservices@rochesterhousing.org
 - For owner questions and problems
- **Fraud Hot line** (585) 328-0980
 - programabuse@rochesterhousing.org
 - To anonymously report possible fraud or program abuse.
- **Section 8 Inspections** (585) 232-1601
 - HQS@rochesterhousing.org
 - To request or inquire about an inspection.
- **Finance Department** (585) 697-6160
 - Finance@rochesterhousing.org
 - To inquire about Direct Deposit or Landlord portal issues.

➤ **ABOUT THIS GUIDE:**

- This guide will give the rental property owner or manager important information to better understand the **Housing Choice Voucher (HCV)** program also referred to as “*Section 8*”. Other programs, while having slighter different requirements, will follow the same basic guidelines and procedures of the HCV program.

➤ **ABOUT RHA**

- RHA has been in operation for more than 60 years. RHA Section 8 programs currently serve more than 9000 families with rental assistance in five counties including: Monroe, Wayne, Ontario, Livingston and Orleans. Section 8 programs are federally funded through the U.S. Department of Housing and Urban Development (**HUD**).

- **Mission Statement:** The Rochester Housing Authority is an essential housing resource for the Greater Rochester Area providing quality-housing opportunities and related services for those in need.



- **ABOUT THE HCV PROGRAM:**

- **The Objective of the Housing Choice Voucher (HCV) Program** is to provide quality, affordable, safe, and sanitary housing to individuals and families of low and moderate income. In order to meet this objective, RHA actively seeks the cooperation of participants, owners, developers, community organizations and government agencies. RHA is committed to assuring the proper level of benefits are paid to all eligible participants, and that program integrity is maintained.



➤ DEFINITIONS

- **Housing Assistance Payment (HAP):** The monthly assistance payment paid by RHA to the owner.
- **Housing Assistance Payment Contract:** The written agreement between RHA and owner to provide assistance payments on behalf of an eligible family. The HAP contract defines responsibilities of both owner and RHA and contains the Tenancy Addendum.
- **Housing Choice Voucher (HCV):** Document issued by RHA to an eligible family that describes the program and the procedures for RHA approval of a unit selected by the family.
- **HUD:** Department of Housing and Urban Development.
- **Landlord:** Legal owner or owner's designated representative or managing agent.
- **Lease:** Written agreement between owner and tenant for the leasing of the housing unit.
- **MCDHS:** Monroe County Department of Human Services – administered by the county.
- **Owner:** Any person or entity with the legal right to lease or sublease unit to a participant.
- **Participant:** A family that has been admitted to the HCV program and currently receiving assistance.
- **Reasonable Rent:** Rent to owner that is not greater than rent charged for a comparable unassisted unit.
- **Recertification:** Also referred to as re-examination, is the process of confirming a family's eligibility and their rent share on an annual basis or if needed due to a change.
- **Request for Tenancy Approval (RFTA):** The form completed by owner and tenant that is a proposal to enter into a HAP contract.
- **Tenancy Addendum:** A HUD-designed addition to an owner's lease that includes all HUD required language and terms.



➤ **BENEFITS OF BECOMING A SECTION 8 LANDLORD**

- The HCV Program ensures landlords will receive the Housing Assistance Payment (HAP) promptly each month.
- Direct Deposit is available for HAP providing secure and prompt payments.
- Protection from tenant's financial hardship. If the tenant's household income decreases, their rental assistance may be adjusted accordingly.
- RHA's website www.rochesterhousing.org offers a link to a free listing of available properties to assist Section 8 tenants in finding units, which helps landlords keep vacancy rates low. To list a property, visit our website or call 1-877-428-8844.
- RHA assists owners through our Housing Quality Standards (HQS) inspections to maintain safe, quality living conditions for participants. This can help landlords obtain a Certificate of Occupancy and appeal to any future renters.
- The initial lease term is 12 months, which improves tenant stability. HCV guidelines prohibit families from moving with continued assistance during this initial term of the lease.
- RHA encourages renter responsibility by enforcing the Family Obligations of the program. Violations include but are not limited to: late rent payments, damaging the unit, and not engaging in criminal activity. (See Family Obligations and HAP contract in forms section)
- Prior approval and notification of family composition changes. This may include background checks for anyone over the age of 18 if necessary.
- Satisfaction of providing quality housing to low-income families who may not otherwise be able to afford it. The community relies on landlords who are willing to participate in the program.
- Tenants have an assigned caseworker that is your point of contact.



➤ BECOMING A SECTION 8 LANDLORD

- **If you are not currently a Section 8 landlord and want to list your properties :**
 - Link to our partner agency, Go Section 8 by visiting our web site at <https://www.rochesterhousing.org/working-with-us/Landlords> or
 - Visit the Go Section 8 website at GoSection8.com
 - call 1-866-466-7328.
 - Forms accessible include (available in forms section at back of this guide):
 - Direct Deposit (highly recommended)
 - Change of Ownership
 - Change of Address
 - Agent Authorization
 - W-9
 - HAP contract (Part B & C)
 - Once you have a tenant under contract, you will be able to set up a landlord portal to access payment history and other financial info.



➤ MOVE-IN PROCESS – Request for Tenancy Approval (RFTA)

- Families are determined eligible based on income and other factors.
- RHA issues a voucher to tenant, which includes a limited timeframe in which to locate a unit.
- Landlord screens Section 8 tenants as they would any other applicant.
- Once landlord and tenant agree on rental terms, the tenant presents the RFTA to landlord.
 - The RFTA must be filled out completely and accurately by both tenant and landlord.
 - Attention to completeness and accuracy will expedite the process in determining affordability for the tenant and rent reasonableness for the unit.
 - An unsigned lease should be provided to tenant and accompany the RFTA when returned to RHA

- The lease must specify the following:
 - Name of Owner
 - Name of Tenant
 - Unit Address
 - Term of the lease (**initial term must be for 1 year**)
 - Provision for renewal
 - Monthly rent to owner
 - Utilities / appliances supplied by owner
 - Utilities / appliances supplied by tenant

NOTE: If the owner is the parent, child, grandparent, grandchild, sister, or brother of any family member in household, RHA we cannot approve assistance unless it is determined that approving leasing of the unit would provide reasonable accommodation for a family member who is a person with disabilities.

- **Affordability** – The tenant cannot pay more than 40% of their adjusted monthly income and no one can assist them in making rental payments. If RHA determines that the requested rent is not affordable for the tenant based on their income and HUD payment standards, we may ask the landlord if they would be willing to lower the rent to accommodate tenant.
- **Rent Reasonableness** - RHA uses an outside agency to determine whether or not the requested rent is reasonable or comparable to similar units in the area. If it is not, we will request that the landlord provide supporting documentation of comparable rents in the area.

- **Inspection**

- After preliminary approval, the Housing Quality Standards (HQS) inspection will be scheduled within 10-15 days.
- Starting 2/12/18, the unit to be inspected must be either vacant, or occupied by only the family that will be leasing the unit for this contract.



- Prepare for the inspection by visiting our website @ www.rochesterhousing.org for guidance on HQS requirements (also see “A Good Place to Live”). This will help speed up the process.
- If the unit does not pass the initial inspection, the landlord will need to complete the repairs and schedule a re-inspection. The inspection will expire 60 days after the first inspection. If the inspection hasn’t passed within the 60 days, the inspection process will need to start over.
- **RHA will not make any Housing Assistance Payments (HAP) until the unit passes inspection.** If the tenant occupies the unit prior to the passed inspection date, the tenant will be responsible for the entire amount of the rent prior to the date of the passed inspection.



- **Contract**

- Once unit passes inspection, the landlord will be sent the HAP contract. This must be signed and returned to RHA. Additional items may be required such as:
 - Updated Lease signed by landlord and tenant.
 - W-9 form
 - Amendments to lease (if needed)
 - Lease dates will need to match dates on contract and may not always start on the first day of the month. We cannot start a contract until the unit passes inspection and sometimes that date is after the original move-in date.
 - Copy of Management agreement
 - Proof of ownership (if not readily obtained on city / county public records)
 - Direct Deposit information.
- HAP contracts renew annually unless terminated by owner or RHA.

○ **Payments**



- Once all items are received, RHA will release payments.
 - If the contract date falls on a date other than the 1st, RHA will pro-rate the payment accordingly.
 - Going forward, payments will be processed (or directly deposited) on or around the first business day of each month.

- Landlords are responsible for collecting the tenant's portion of the contract rent.
 - The tenant's share of rent may change due to changes in household income or family composition; however, the total rent to the landlord will remain the same. RHA will notify landlords of any of these changes when they occur.

➤ **ANNUAL PROCESSES**



○ **Family Recertification**

- HUD requires RHA to certify the tenant's eligibility annually.
 - Families are required to report household income, family composition, and expenses among other things.
 - If tenants do not provide the necessary information, RHA will notify the landlord 30 days prior to the recertification date that a family may become ineligible for assistance due to a failure to comply and that the HAP contract would therefore be terminated.

○ **Annual Inspection**

- HUD requires units to be inspected at least annually.
- The landlord and tenant will be notified in advance of a scheduled inspection.
- If repairs are required, they must be completed within a reasonable amount of time (approximately 30 days) If the unit has not passed inspection by the deadline, payments may be abated, suspended or terminated according to the HAP contract.

- The inspection department will notify landlords and tenants of each step of this process.
- The family will be responsible for “tenant caused” violations as determined by the inspector.
- The tenant will continue to be responsible for ONLY their portion of the rent during this process.

NOTE: The unit needs to continue to be in compliance with HQS at all times, the tenant or landlord may enforce the requirements of the Tenancy Addendum.

➤ **LEASE CHANGES**



- Changes must be submitted in writing and approved by RHA.
 - **Rent Increases**
 - After the initial year of lease, the owner may request to increase the rent.
 - A 60-day notice must be given to the family and RHA.
 - The requested rent must be determined reasonable by RHA.
 - If the rent increase is not found reasonable, RHA will notify the landlord of the maximum amount approvable.
 - Landlords may submit their own comparable rents for additional RHA review.
 - **Utility or appliance changes**
 - Any changes in responsibility of utilities or appliances that will affect tenant and RHA portions of the rent will require RHA and tenant approval. A new contract will be written to reflect these changes.

➤ **ADDITIONAL LANDLORD RESPONSIBILITIES**

- **Change of Ownership / Address / Agent Authorization**
 - Submit these changes to RHA as soon as they arise.
- **Maintenance and upkeep of unit** – maintenance and upkeep should be done on a continuous basis.
- **Notify RHA immediately when a tenant has vacated** – this will help speed up the process for you to get your unit ready for the next tenant.

- **Notify RHA of any evictions, or judgments against tenant** - this can assist RHA in determining whether the tenant's eligibility will be terminated.
- **Adhere to the provisions of the HAP contract.**
 - Read through to understand the terms the contract.
- **Notify RHA of any household changes.**



➤ **FAQs**

- **What types of units qualify for assistance?**
 - Apartments
 - Houses
 - Manufactured Homes
- **May Landlords collect security deposits?**
 - Yes. RHA encourages owners to collect security deposits according to local market practice. The security deposit should not exceed the amount charged to unassisted renters.
 - RHA is not able to help with security deposits.
- **May an owner evict an HCV tenant?**
 - Yes. You should enforce the terms of your lease just as you would with any other tenant.
 - An eviction is a legal action obtained in a court. Should you have any questions about this process or other landlord issues, RHA encourages you to contact the Housing Council at 585-546-3700.
 - Keep RHA informed of any payment issues or lease violations and the results of an eviction action.
 - In most cases, eviction is grounds for termination of the family's assistance.
- **May an owner sell a property occupied by an HCV tenant?**
 - Yes. RHA requests that owners contact the tenant and RHA a minimum of 30 days before sale. This will ensure owners are in good standing with the program.
- **Are there any special lease requirements?**
 - Yes. HUD has a number of prohibited lease provisions that are stipulated in the Tenancy Addendum, which must be part of all owner leases.

- **What is the difference between RHA and Monroe County Department of Human Services (MCDHS)?**
 - RHA provides housing subsidy from HUD whereas MCDHS provides welfare assistance through the county. As the landlord you will need to communicate with MCDSS separately to resolve any issues with their assistance.

➤ **ADDITIONAL RESOURCES**

- **Links**

- www.rochesterhousing.org – RHA website.
- www.nyhousingsearch.gov – Listings for tenants to search.
- www.landlord.com – Landlord resource information such as leases, screening, etc.
- www.hud.gov – Department of Housing and Urban Development information such as: Fair Housing and discrimination, HCV program, Veteran info, etc.
- www.thehousingcouncil.org – The Housing Council website provides information such as: Landlord education, Foreclosure prevention, etc.



(585) 546-3700



➤ **Sample forms are available on our website:**

- **Housing Assistance Payment contract** – Agreement between RHA and Landlord.
 - https://www.rochesterhousing.org/uploads/pages/pdf/HAP_Contract.pdf
- **Direct Deposit** – Receive payments directly into your account of choice.
 - https://www.rochesterhousing.org/uploads/files/pdf/direct_deposit_authorization_form.pdf
- **Change of Ownership / Address** – Report changes in ownership or address
 - <https://www.rochesterhousing.org/uploads/pages/pdf/CHANGE%20OF%20WNERSHIP.pdf>
- **Agent Authorization** – Report change in management company
 - <https://www.rochesterhousing.org/uploads/pages/pdf/AGENT%20AUTHORIZATION.pdf>
- **W-9** – Important tax information
 - <https://www.rochesterhousing.org/uploads/pages/pdf/W9%20form.pdf>
- **A Good Place to Live** – HQS Inspection requirements
 - <https://www.rochesterhousing.org/uploads/pages/pdf/A%20good%20place%20to%20live.pdf>