

SECTION 8 AND FAIR HOUSING: WHAT YOU NEED TO KNOW

"We don't accept Section 8 at this complex."

*"Section 8 paperwork is too burdensome, and our leases are only six months long.
Sorry – you'll have to apply somewhere else."*

Housing providers – Beware! If your property is located in unincorporated King County, Seattle or Bellevue, make sure you don't have a policy of turning away applicants based on their participation in the Section 8 program. In these jurisdictions, you cannot refuse to rent to prospective tenants simply because they have a Section 8 voucher. The Section 8 program, also known as the Housing Choice Voucher Program, is a federal government program that assists very low-income families, the elderly and tenants with disabilities to afford housing in the private housing market. The program is administered by local housing authorities.

When an applicant on Section 8 applies for a rental, you should use your regular, non-discriminatory screening criteria. (Note: their income should be calculated using their smaller portion of the rent only) If they otherwise qualify for rental, you cannot deny them just because they have a Housing Choice Voucher.

How does Section 8 work? When a tenant on Section 8 locates an available rental house or apartment, the housing authority inspects the dwelling to ensure that it meets an acceptable level of health and safety. When the unit passes inspection, a contract and one-year lease are immediately signed and rent payments begin. The housing authority pays a majority of the rent directly to the housing provider each month and the tenant pays his or her portion of the rent to equal the total rent charged for that unit.

The tenant is expected to comply with the lease and program requirements, to pay rent on time, and to maintain the apartment in good condition. The housing provider is expected to provide services according to the lease and to maintain the apartment in a decent, safe and sanitary manner throughout the duration of the tenancy.

For more information on the Section 8 program:

- in King County, contact the King County Housing Authority, Section 8 Office, 206-214-1300
- in Seattle, contact the Seattle Housing Authority, 206-239-1500
- in Renton, contact the Renton Housing Authority, 425-226-1850
- The U.S Housing and Urban Development Housing Choice web site has additional information:
www.hud.gov/offices/pih/programs/hcv/about/fact_sheet.cfm.

If you have any questions about this article or about other fair housing issues, contact the King County Office of Civil Rights at 206-296-7592 or 206-296-7596 TTY, or visit our web site at www.kingcounty.gov/civilrights.

What are housing choice vouchers?

The housing choice voucher program is the federal government's major program for assisting very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market. Since housing assistance is provided on behalf of the family or individual, participants are able to find their own housing, including single-family homes, townhouses and apartments.

The participant is free to choose any housing that meets the requirements of the program and is not limited to units located in subsidized housing projects. Housing choice vouchers are administered locally by public housing agencies (PHAs) who receive federal funds from the U.S. Department of Housing and Urban Development (HUD) to administer the voucher program.

A family that is issued a housing voucher is responsible for finding a suitable housing unit of the family's choice where the owner agrees to rent under the program. This unit may include the family's present residence. Rental units must meet minimum standards of health and safety, as determined by the PHA.

A housing subsidy is paid to the landlord directly by the PHA on behalf of the participating family. The family then pays the difference between the actual rent charged by the landlord and the amount subsidized by the program.

Housing vouchers – how do they function?

The housing choice voucher program places the choice of housing in the hands of the individual family. A very low-income family is selected by the PHA to participate is encouraged to consider several housing choices to secure the best housing for the family needs. A housing voucher holder is advised of the unit size for which it is eligible based on family size and composition.

The housing unit selected by the family must meet an acceptable level of health and safety before the PHA can approve the unit. When the voucher holder finds a unit that it wishes to occupy and reaches an agreement with the landlord over the lease terms, the PHA must inspect the dwelling and determine that the rent requested is reasonable.

The PHA determines a payment standard that is the amount generally needed to rent a moderately-priced dwelling unit in the local housing market and that is used to calculate the amount of housing assistance a family will receive. However the payment standard does not limit and does not affect the amount of rent a landlord may charge or the family may pay. A family which receives a housing voucher can select a unit with a rent that is below or above the payment standard. The housing voucher family must pay 30% of its monthly adjusted gross income for rent and utilities, and if the unit rent is greater than the payment standard the family is required to pay the additional amount.

Roles – the tenant, the landlord, the housing agency and HUD

Once a PHA approves an eligible family's housing unit, the family and the landlord sign a lease and, at the same time, the landlord and the PHA sign a housing assistance payments contract that runs for the same term as the lease. This means that everyone – tenant, landlord and PHA – has obligations and responsibilities under the voucher program.

Tenant's Obligations: When a family selects a housing unit, and the PHA approves the unit and lease, the family signs a lease with the landlord for at least one year. The tenant may be required to pay a security deposit to the landlord. After the first year the landlord may initiate a new lease or allow the family to remain in the unit on a month-to-month lease.

When the family is settled in a new home, the family is expected to comply with the lease and the program requirements, pay its share of rent on time, maintain the unit in good condition and notify the PHA of any changes in income or family composition.

Landlord's Obligations: The role of the landlord in the voucher program is to provide decent, safe, and sanitary housing to a tenant at a reasonable rent. The dwelling unit must pass the program's housing quality standards and be maintained up to those standards as long as the owner receives housing assistance payments. In addition, the landlord is expected to provide the services agreed to as part of the lease signed with the tenant and the contract signed with the PHA.

Housing Authority's Obligations: The PHA administers the voucher program locally. The PHA provides a family with the housing assistance that enables the family to seek out suitable housing and the PHA enters into a contract with the landlord to provide housing assistance payments on behalf of the family. If the landlord fails to meet the owner's obligations under the lease, the PHA has the right to terminate assistance payments. The PHA must reexamine the family's income and composition at least annually and must inspect each unit at least annually to ensure that it meets minimum housing quality standards.

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