



RENTAL ASSISTANCE
CORPORATION
OF BUFFALO

Housing Choice Voucher Program Landlord Information Booklet



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Housing Choice Voucher Program

Section 8

Welcome to the Housing Choice Voucher Program. The program is funded through the Department of Housing and Urban Development (HUD) and administered by the Rental Assistance Corporation of Buffalo (RACB) on behalf of the City of Buffalo.

RACB has been assisting low-income families, disabled individuals, and seniors with their rental payments since 1989, enabling participants to obtain safe, decent, and affordable housing. More than 4,500 families are currently receiving assistance through RACB.

Once the family and/or individual qualifies for the program, RACB calculates the amount of assistance each family or individual receives based on factors such as family size and income. A portion of the family's income is paid towards their monthly rent.

Landlords benefit greatly by participating in the Housing Choice Voucher Program. The agency's portion of the rent is mailed directly to the landlord and the landlord maintains all rights and responsibilities of managing the property.

This booklet is an overview of procedures, requirements, and other information about the program

Visit our website: www.racbny.org

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Procedures for Prospective Landlords



Owners should screen and select tenants in the same manner they utilize to select unassisted tenants. Our agency can provide the previous owners' name and address as a reference for the prospective owner's screening process.

Vacancy Listing Forms:

The last page of this booklet is a Vacancy Listing Form. Complete and return this form to our agency and we'll advertise your unit for 90 days. Please notify our agency before the 90th day regarding the status of your unit. If the unit remains vacant, we'll advertise it for an additional 90 days. This form may also be accessed through our website at www.racbny.org.

Security Deposit:

The security deposit is the tenant's responsibility. Owners may request the same amount for the security deposit as with an unassisted tenant.

Request for Tenancy Approval (RTA):

All initial applicants and active participants (when they are in the process of moving) are scheduled to attend a Briefing. Each participant at the Briefing is issued a voucher and given a Request for Tenancy Approval (RTA). The RTA informs us of the particulars of your unit (e. g. number of bedrooms and the contract rent). RACB must receive a completed RTA, signed by both owner and tenant, to schedule the initial inspection of your unit. There are attachments to the RTA: IRS W-9 Form and the Disclosure of Information on Lead-Based Paint.

Inspections (see page 3):

An RTA will trigger an inspection once ownership of the property is verified to be affordable according to HUD regulations. When your unit passes HUD's Housing Quality Standards (HQS) inspection, the lease and contract will be executed. In addition, either the landlord or the tenant may request a priority inspection at any time during the term of the lease. The tenant is responsible for the entire rent until the apartment passes inspection.

Effective Lease Dates:

Once the unit passes inspection, a lease and Housing Assistance Payments Contract (HAP) will be executed. The effective lease date shall be either:

- ◆ The first day of the upcoming month (if the unit passed from the 16th of the previous month to the first day of the current month) or
- ◆ The 15th of the current month (if the unit passed from the 2nd to the 15th of the current month). A 15th of the month lease date entitles the owner to a partial payment of the owner's monthly rent from the agency.

Lease:

The initial term of the lease is for one year. The owner may elect to use his/her lease; RACB will execute HUD's Tenancy Addendum. The owner's lease has to comply with state and local laws. If there is a conflict between the owner's lease and the tenancy addendum, the language of the tenancy addendum supersedes the owner's lease.

Contract:

The Housing Assistance Payment (HAP) Contract is between the owner and RACB. The term of the HAP contract begins on the first day of the initial term of the lease and terminates on the last day of the term of the lease (including the initial term and any extensions). The owner has to comply with all the provisions of the HAP contract to receive subsidy payments.

Payments:

Checks are mailed directly to the owner. RACB cannot mail any checks until the funds are received from HUD. Therefore, checks are mailed between the first and fifth working day of the month. Owners are required to participate with direct deposit, which will reduce interruptions and delayed payments. A direct deposit authorization form will be mailed to the owner with the lease and contract. Once the lease and contract have been signed and returned to our agency along with the completed direct deposit form, payments are electronically transferred to the owners account.

Rent Negotiation:

If the amount of the proposed rent on the Request for Tenancy Approval exceeds the tenant's 40% allowable for their monthly rent, our agency will mail the owner a letter asking the owner to consider a lower contract rent.

Housing Quality Standards Inspection

HUD requires a Housing Quality Standard Inspection (HQS) of every unit. Each unit must pass the HQS inspection for our agency to execute a Housing Assistance Payment Contract. Every unit must also pass the annual inspection. HQS helps to ensure that the home will be safe, healthy, and comfortable.

The requirements are:

All houses must have at least a living room, sleeping area, kitchen, and bathroom. A one-bedroom efficiency apartment with a kitchen area is acceptable.

◆ Living Rooms, Kitchens, Bathrooms, and Bedrooms:

Ceilings, walls, and floors, and windows must be in good condition.

Unacceptable Ceilings and Walls: Large cracks and holes that allow drafts, severe bulging or leaning, large amounts of loose or falling surface material such as plaster.

Unacceptable Floors: Large cracks or holes, missing or warped floorboards or covering that could cause someone to trip.

Unacceptable Windows: Badly cracked, broken or missing panes, and windows that do not shut or keep the weather out.

◆ Electricity: At least two electric outlets, or one permanent overhead or wall light fixture and one permanent duplex outlet. Do not count table or floor lamps, ceiling lamps plugged into socket and extensioncords; they are not permanent.

Unacceptable: Broken or frayed wiring, light fixtures hanging from wires with no firm support, missing cover plates on switches or outlets, badly cracked outlets.

◆ Locks: On doors and windows that can be reached from the outside, a common public hallway, a fire escape, porch or other outside place that can be reached from the outside.

◆ **Health and Safety:**

Smoke detectors: Are required to be located within 20 ft. of any bedroom/sleeping area. If there is a door on the bedroom and the door is closed at night, the smoke detectors should be located in each bedroom. Smoke detectors are required at each floor level, if there is more than 1 floor level, in the attic and basement if used on a weekly basis, any areas containing any fuel burning devices including any furnaces, hot water tanks, space heaters, gas dryers etc... the owner is responsible to provide and install. The tenant is responsible for maintaining the smoke detectors in their unit.

Fire Exits: The building must provide an alternate means of exit in case of fire (such as fire stairs or exit through any operable 1st or 2nd floor window), with the use of a permanent fire escape ladder if windows are above the 2nd floor.

Garbage: No large piles of trash or garbage inside or outside the unit, or in common areas such as hallways. There must be a space to store garbage (until pickup) that is covered tightly so that rats and other animals cannot get into it. Trash must be picked up regularly.

Elevators: Make sure the elevators are safe and work properly. The inspector may ask for the most recent inspection certificate.

Entrance: An entrance from the outside or from a public hall, so that it is not necessary to go through anyone else's private apartment to enter the unit.

Lights: All lights must work in common hallways and interior stairs.

Stairs and Hallways: Interior stairs with railings, and common hallways that are safe and in good condition.

Rodents and Vermin: No sign of rats or vermin (like roaches).



Beyond “A Good Place to Live”

RACB provides a booklet titled “A Good Place to Live” to participating tenants. This booklet gives guidance on the HQS inspection. In addition to the items listed in A Good Place to Live, RACB would like to provide you with additional guidance to facilitate a smoother inspection process.

- ◆ GFIC for electrical outlets within 2 ft. of water source.
- ◆ No fuses or breakers larger than 20 amp for branch circuits at 12 awg or smaller.
- ◆ The utilities must be in the tenant’s name if the tenant is responsible for paying the utilities.
- ◆ Our agency only conducts an inspection if the apartment is vacant or occupied by the family for whom the inspection is being conducted.
- ◆ Try to have all rooms of the apartment, common areas, attic, basement, and around the perimeter of the house, open and accessible for the inspection.
- ◆ Tape or replace cracked windows up to 6 inches. Any window with a crack more than 6 inches or broken must be replaced.
- ◆ Permanent security bars on bedroom windows are prohibited unless at least one window is operable to provide for emergency egress/escape.
- ◆ Double-keyed locks are prohibited.
- ◆ Exposed/removable hinge pins accessible from outside the dwelling unit are prohibited.

- ◆ Plumbing, heating, and electrical components must be sealed tightly near ceilings, walls, and floors. In a household with children under 6, nothing larger than a pinhole or a hairline crack is acceptable.
- ◆ The appliances (range and refrigerator) must be present, connected, and working for the unit to pass inspection.
- ◆ The heat system must be able to maintain 70-degree F. temperature at all habitable areas of the living space.
- ◆ There must be solid pipe connections for gas lines all hot H2O tanks and furnaces installations.

A Good Place to Live Booklet and Beyond a Good Place to Live are an overview of HUD's inspection. There may be items that are not listed that will need addressing or repairing for your unit to pass inspection.

The ABCs of Successful Landlord/Tenant Relations

A. CHOOSE A GOOD TENANT

Do:

- ◆ Use a standard application form for all applicants
- ◆ Check references
- ◆ Make sure you choose someone that meets these qualifications:
 1. Sufficient income to make monthly rent payments
 2. A record of caring for other rental property
 3. A record of respecting the rights of neighbors

Don't:

- ◆ Treat applicants differently
- ◆ Ask questions about a person's disability
- ◆ Discriminate on the basis of race, color, religion, national origin, gender, Martial status, disability, age, children, or sexual orientation

B. KEEP GOOD TENANTS

Do:

- ◆ Be clear in your communications: put things in writing
- ◆ Maintain your property

C. END BAD TENANCIES

Do:

- ◆ Give proper notice
- ◆ Three days for non-payment
- ◆ Thirty days for other reasons or, if you have a lease
- ◆ Proper notice as dictated by your lease agreement
- ◆ Make sure all notices to tenants are properly served
- ◆ Communicate with RACB regarding any problems with your Section 8 tenants
- ◆ Use proper legal procedure when evicting tenants

Don't:

- ◆ Give notices for the tenant to move that are inconsistent or unequivocal
- ◆ Accept rent after giving a 30-day notice and before serving court papers
- ◆ Use “self-help” measures for eviction



Landlord Fact Sheet

Why list your unit with the Rental Assistance Corporation of Buffalo (RACB)?

- ◆ The landlord is responsible for selecting and screening their tenants
- ◆ Rental payment is mailed directly to the owner
- ◆ Risks in rent default are reduced because the tenant's portion is based on their income
- ◆ Free advertising
- ◆ Free initial, annual, and maintenance inspection for HCVP participants
- ◆ Prior landlord provided to potential landlord as reference
- ◆ Staff member available to assist with questions and referrals
- ◆ RACB sponsors the approved Environmental Protection Agency course "Lead-Based Paint Maintenance Training Program"

Rental Assistance Corporation of Buffalo:

- ◆ Subsidized housing for low-income families, disabled individuals and seniors
- ◆ Funded by the United States Department of Housing and Urban Development (HUD)
- ◆ Enables families to acquire decent, safe, and sanitary housing
- ◆ Private rental housing eligible
- ◆ Landlord maintains management rights and responsibilities:
 - Tenant Selection
 - Rent Collection
 - Property Maintenance
 - Lease Termination



Landlords & Lead-Based Paint: Things to know

When RACB conducts inspections on units that (1) were built prior to 1978, and (2) with children under the age 6, the inspectors pay special attention to any defective painted surfaces in the apartment. They also look at common areas and any areas to which the family has access. These areas include attics, basements, storage areas, laundry rooms and all exterior surfaces from ground level to the peaks of buildings. The inspectors also look at all items on the property including fences, sheds, garages, and play equipment. Owners and tenants should make the inspectors aware of defective surfaces during the inspection if there are areas they are concerned about. Defective surfaces would be painted surfaces that are alligatoring / blistering/ chipping / damaged (from friction, impact, or chewing) / flaking / loose/ powdering / scaling / worn or paint over an unsound substrate such as loose plaster or rust.

To meet HUD's requirements all defective surfaces need to be stabilized and covered with two coats of non-lead-based paint. These repairs may be made by anyone if the areas are below HUD's "de-minimus" levels. The "de-minimus" levels are:

- less than 10% of a component piece (such as a window frame);
- less than 2 square feet per room, or
- less than 20 square feet on all combined exterior surfaces.

If any of the areas in need of repair are larger than this, the person doing the work or supervising the repairs must be "qualified." If the person doing the work is the owner, he/she must have taken a class known as the "Lead-Based Paint Maintenance Training Program." If the person is doing work on property that is not their own, they must have taken a class on "Addressing Lead-Based Paint Hazards during Renovation, Remodeling, Rehabilitation in Federally Owned and Assisted Housing." Proof of attendance at these classes is required and must be on file in our office.

In situations where the work being done is over the “de-minimus” levels, a clearance test to detect the presence of leaded dust is also required at the time of reinspection. A visual inspection is required for exterior paintwork to confirm the work was done and no paint chips were left behind. On interior paint repairs over “de-minimus” levels, inspectors will also look to see the repairs were made and that no visible paint chips or dust were left behind before continuing the clearance test.

The clearance tests consist of two dust samples (1 floor and 1 windowsill or window well) taken from at least four areas. These areas are the youngest child’s bedroom and common areas that are used by the child, which include the living room, dining room, kitchen, bathroom, hall, entry area, or any open attic or basement areas. The samples (usually 8) are sent to an accredited lab to be analyzed. Results will determine if the leaded dust collected is below the HUD allowable limits.

Anyone interested in more information on this subject is encouraged to contact us during business hours. You can visit our website at www.racbnny.org. There is also a great deal of information at www.leadlisting.org with links to more information on lead-based paint.

VACANCY LISTING FORM
(also available online at www.racbnny.org)

Landlord Name: _____

Phone Number: _____

**Address of
Rental Unit:** _____

City State Zip Code

Number of Bedrooms: _____

DATE UNIT WILL BE AVAILABLE: _____

AMOUNT OF RENT CHARGED: _____

Type of Unit: (circle only one)

Single Family Double (includes 2-3 family) Row House/Garden High Rise

Location of Unit Within Building: (circle one) Upper Lower

Does this building have an on-site owner or maintenance? YES NO

Is this unit handicapped-accessible? YES NO

Would you consider making it handicap-accessible? YES NO

Owner Supplied Utilities: (circle all that apply)

Water Trash Collection Electric Cooking Fuel Heating Water Heat

Circle Type of Fuel:

Heating:	Gas	Oil	Electric
Water Heating:	Gas	Oil	Electric
Cooking:	Gas	Oil	Electric

AMENITIES & FACILITIES:

Air Conditioning	_____	Storage Area	_____
Carpet	_____	Stove	_____
Garage	_____	Refrigerator	_____
Off Street Parking	_____	Deck/Patio/Porch/Balcony	_____
Laundry Hook Up <small>(for tenant supplied washer & dryer)</small>	_____	Yard	_____
Laundry Facilities	_____		

LOCATION: Accessibility to Services: (please check and complete)

Playground/Park	_____	Approx. Distance	_____
Bus Route	_____	Approx. Distance	_____
Medical Facilities	_____	Approx. Distance	_____
Supermarket	_____	Approx. Distance	_____
Schools	_____	Approx. Distance	_____

NEIGHBORHOOD: (please circle one)

Residential Industrial Mixed Commercial/Residential Rural

PLEASE COMPLETE ALL INFORMATION AND RETURN TO:

Rental Assistance Corporation
470 Franklin Street
Buffalo, NY 14202

Please let us know when the unit has been rented