



## Port Huron **HOUSING** Commission

905 Seventh Street - Port Huron, Michigan 48060  
Phone: (810) 984-3173 - "TDD" (810) 984-6406 - Fax: (810) 984-6430

# UNDERSTANDING "SECTION 8"

## The Housing Choice Voucher Program

Commissioners: Donna K. Schwartz - Jane E. O'Sullivan - Scott Urmy - Keely Baribeau



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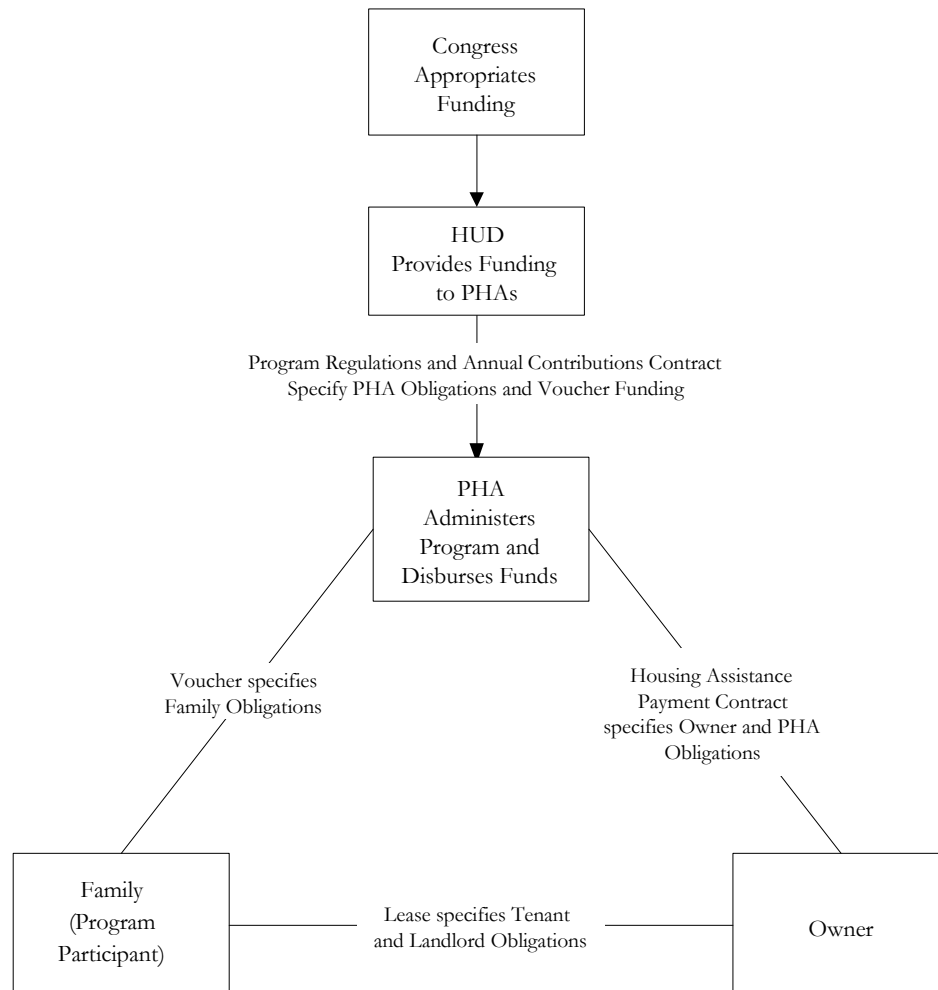


## ROLES AND RESPONSIBILITIES OF KEY HOUSING CHOICE VOUCHER PROGRAM PLAYERS

PHAs administering the housing choice voucher program enter into contractual relationships with three parties: HUD, the owner, and the family. The roles and responsibilities of HUD, the PHA, the owner, and the family are defined in the federal regulations and in the legal documents that the parties execute to participate in the program.

Exhibit 1-2, *Relationship and Controlling Documents in the Housing Choice Voucher Program*, illustrates the relationships that exist at the federal and local levels, and identifies the legal documents defining these relationships for the housing choice voucher program.

### EXHIBIT 1-2 RELATIONSHIP AND CONTROLLING DOCUMENTS IN THE HOUSING CHOICE VOUCHER PROGRAM



The annual contributions contract (ACC) between HUD and the PHA provides the PHA with funding for housing assistance to very low-income households, and establishes the PHA's responsibilities in administering this funding.



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## **Role of HUD**

HUD has four major responsibilities:

- Develop policy, regulations, handbooks, notices, and guidance to implement housing legislation;
- Allocate housing assistance funds;
- Provide technical assistance and training to PHAs; and
- Monitor PHA compliance with program requirements and performance goals.

## **Role of the PHA**

The PHA administers the housing choice voucher program under contract with HUD and has the following areas of responsibility:

- Establishing local policies;
- Determining family eligibility and reexamining of family income;
- Maintaining the waiting list and selecting families for admission;
- Calculating of family share of the rent and the amount of the housing assistance payment;
- Establishing of utility allowances;
- Conducting outreach to owners, with special attention to those with units outside of areas of poverty or minority concentration;
- Assisting persons with disabilities in finding satisfactory housing;
- Approving units, including assuring compliance with housing quality standards and determining the reasonableness of rent;
- Making housing assistance payments to owners;
- Conducting informal reviews and hearings at the request of applicants and participants challenging PHA administrative decisions;

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- Administering the FSS program; and
- Complying with fair housing and equal opportunity requirements, HUD regulations and requirements, the consolidated ACC, HUD-approved applications for program funding, the PHA's administrative plan, and federal, state and local laws.

PHA responsibilities are defined in the consolidated ACC, the HAP contract, and in applicable regulations. Generally, the PHA does not own the assisted unit and does not perform owner functions. However, PHAs may screen applicants for family behavior or suitability for tenancy.

### **Role of the Owner**

The owner has the following major responsibilities:

- Screening tenants, selecting tenants, and entering into leases with tenants;
- Complying with the HAP contract, lease, and tenancy addendum;
- Carrying out normal owner functions during the lease term, such as enforcing the lease, performing maintenance, collecting the family share of rent from the family, and charging tenants for any damage to the unit;
- Maintaining unit compliance with HQS;
- Complying with fair housing and equal opportunity requirements; and
- Paying for utilities, maintenance, and services (unless paid for by the family under the lease).

Owner responsibilities for the housing choice voucher program are defined in the HAP contract, the lease, and HUD regulations at 24 Code of Federal Regulations (CFR) Part 982.

### **Role of the Family**

Responsibilities of the family include:

- Supplying true and complete required information including:
  - Any information that the PHA or HUD determines necessary in the administration of the program, including evidence of citizenship or eligible immigration status;
  - Information as requested for regular or interim reexaminations of family income; and
  - Social security numbers and signed consent forms for obtaining and verifying information;
- Fixing any breach of HQS caused by the family;
- Allowing the PHA to inspect the unit at reasonable times and after reasonable notice;



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- Not committing any serious or repeated violation of the lease;
- Not engaging in drug-related criminal activity or violent criminal activity;
- Notifying the PHA and the owner before moving or terminating the lease with the owner;
- Promptly giving the PHA a copy of an eviction notice from the owner;
- Using the assisted unit as a residence only and as the only residence of the family. Members of the household may engage in legal profit-making activities within the unit, but only if those activities are incidental to the primary use of the unit as a residence. The members of the family also may not receive another housing subsidy in the same unit or a different unit;
- Promptly informing the PHA of any change in household composition and obtaining PHA approval to add a family member by any means other than birth, adoption, or court-awarded custody of a child;
- Notifying the PHA of any absence from the unit and complying with PHA policies governing absence from the unit;
- Not subletting the unit, assigning the lease, or having any interest in the unit; and
- Not committing fraud, bribery, or any other corrupt or criminal act in connection with any assisted housing programs.

Family obligations are stated on the Housing Voucher (form HUD-52646), in the lease, and in the program regulations at 24 CFR, Part 982, for housing choice voucher holders.

Exhibit 1-3, *Key Activities in Program Administration*, summarizes key activities in program administration for both PHAs and program participants. The remainder of this guidebook provides detailed guidance on all aspects of program operations.

## **EXHIBIT 1-3**

### **KEY ACTIVITIES IN PROGRAM ADMINISTRATION**

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