

# Housing Authority of the Borough of Highland Park

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## A Guide to the Section 8 Housing Choice Voucher Program

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## **Welcome to the Section 8 Housing Choice Voucher Program**

The Section 8 Housing Choice Voucher Program is administered by the Highland Park Housing Authority and is funded by the United States Department of Housing and Urban Development (HUD). The purpose of the program is to make decent, safe and sanitary housing in the private rental market available to individuals and families who have an income under the established HUD guidelines.

The family composition as it is being approved at the briefing is the composition to be housed. Households that meet the eligibility requirements of the program pay approximately 30% of their adjusted monthly income towards their monthly rent and utility costs. The balance of their rent is paid by the Highland Park Housing Authority (HPHA) directly to the owner of the rental property. The success of the Section 8 Program depends entirely on the cooperation between the HPHA, the Landlord and the Household in providing and utilizing rental properties. Each party has certain responsibilities. They are:

### **The Highland Park Housing Authority will:**

- Approve the housing unit and the lease.
- Make housing assistance payments to the Owner.
- Ensure that the Owner and Household comply with program rules.
- Ensure that the Household and the unit continue to qualify under the program rules.
- The HPHA **does not** screen the Household's behavior or suitability for tenancy.

### **The Tenant Household will:**

- Provide the HPHA and the Landlord with complete and accurate information.
- Be responsible for the care of their housing unit.
- Comply with all terms of their lease with the Owner.

### **The Landlord will:**

- Screen all Households who apply to rent their property to determine if they will be good renters.
- Ensure that any utility that is the responsibility of the tenant is separately metered.
- Provide current property tax bills that verify ownership of the property prior to execution of the Housing Assistance Payment Contract (HAP Contract)
- Comply with all fair-housing laws and not discriminate against any household.
- Maintain the housing unit by making necessary repairs in a timely manner.
- Comply with all the terms of the Housing Assistance Payment Contract (HAP Contract) with the HPHA.
- Collect the rent due by the tenant and otherwise enforce the lease.

### **Owner Debarment:**

If an owner is debarred, suspended or subject to a limited denial of participation under Federal Regulations, the HPHA Section 8 Housing Program cannot execute a Housing Assistance Payments Contract with this Owner.

### **Owner / Tenants who are "related":**

Federal regulations prohibit the HPHA from entering into a Housing Assistance Payment (HAP) Contract with an Owner who is a relative of any member of the client's family. The only exception is when the program determines that approving the unit would provide a reasonable accommodation for a family member who has a disability.

## **Introduction to the Section 8 Housing Choice Voucher Program**

This packet is being given to you as part of your initial program briefing. It contains a great deal of information and should answer many of the questions you have regarding the Section 8 Program. Please keep this packet in a safe place for your future reference.

The staff at the Highland Park Housing Authority will play a very important role in helping you with your efforts to find housing, lease up a unit, and participate in the Section 8 program. While on the program, you will meet with some of these staff members on an annual basis to “recertify” your participation in the program. You will also have annual inspections of your unit and may meet with them during the year if you have changes in your income or household composition. These staff members are here to help you so please do not hesitate to contact them at any time during your tenancy to answer any questions you may have.

The HPHA Administrative Office is located at:

242 South Sixth Ave. Highland Park, NJ 08904

Phone: (732) 572-4420

Fax: (732) 985-6485

**Executive Director: Donna Brightman**

HPHA Section 8 Staff Members:

Mrs. Elizabeth Noll – Administrator

Ms. Lauren Adams –Caseworker (ext. 15)

## Offer of Assistance

The Section 8 program offers assistance in the form of a voucher, a document that allows the holder to receive financial assistance for an approved apartment. The voucher will state the bedroom size the participant is eligible to receive assistance for and is issued based upon family size and composition. HUD requires that these “subsidy standards” are applied consistently for all households of like size and composition and that they provide the smallest number of bedrooms needed to house a family without overcrowding.

In general, one bedroom will be issued for each two adults and each two children in the household. An exception to the standard may be made because of the age, sex, health, handicap or relationship of household members or other individual circumstances. If an exception is requested, the request must be in writing and it should include documentation from a recognized authority that explains the reason for the request.

Subsidy Standards	0 BR	1 BR	2 BR	3 BR	4 BR
1 Adult	X	X			
1 Adult, 1 Child		X	X		
1 Adult, 2 Children			X	X	
1 Adult, 3 Children			X	X	X
1 Adult, 4 Children				X	X
1 Adult, 5 Children				X	X
2 Adults		X	X		
2 Adults, 1 Child			X	X	
2 Adults, 2 Children			X	X	X
2 Adults, 3 Children				X	X
2 Adults, 4 Children				X	X
2 Adults, 5 Children					X
3 Adults			X	X	
3 Adults, 1 Child			X	X	X
3 Adults, 2 Children				X	X
3 Adults, 3 Children				X	X

If you are expecting a child, which is verified in writing by the family’s physician, the child shall be included in determining your family size. In child custody cases, any child that resides at least 50% of the time with a parent will be included in that family’s household. Children who are temporarily absent due to foster or kinship care are also counted in determining bedroom size. Families may choose whether or not to count children who are in the armed forces or away at school as household members. A legally separated spouse that is not residing in the household is considered permanently absent and will not be counted as a household member. However, live in aides are counted as household members for determining bedroom size.

An additional bedroom voucher will be offered if:

- a household member has a documented medical need for a separate bedroom;
- two children are of the opposite sex;
- the household is a multi-generational household and an extra bedroom would allow each generation to have a separate bedroom;
- there is an age gap of at least eight years between children of the same sex.

Increases in bedroom size will be granted if requested by the family, however, increases can also be waived at a family's choosing. For example, a parent may choose to share their bedroom with a child under the age of 5 or siblings more than 8 years apart may choose to share a room.

### **Payment Standards 2019-2020**

Our Payment Standards are subject to change every year and are based on a percentage of the fair market rents. This year, our Payment Standards are as stated below and include utilities:

0 BR- \$ 1074.00

1 BR- \$1,360.00

2 BR- \$1,593.00

3 BR- \$2,005.00

4 BR- \$2,315.00

5 BR- \$2,662.00

**\*No Utilities Included: The Payments Standards above include utilities. If utilities are not included, the payment standard reduces. As a result, you must contact me for a Payment Standard that excludes utilities. Thank you.**

## **The Voucher Program Payment Standard**

To determine the amount of housing assistance that the Housing Authority will pay towards a rental unit, the program has established a payment standard. Households are allowed to search for housing with a total housing cost that may be less than or greater than the Housing Authority's payment standard. The household's portion of the monthly rent will depend on the total housing cost of the unit that is rented.

In units where the total housing cost is less than the Housing Authority's payment standard, tenants will pay 30% of their adjusted monthly income towards their rent. If the total housing cost for the unit is more than the Housing Authority's payment standard, the tenant will be required to pay more than 30% of their adjusted monthly income towards their rent. For a new unit, a tenant moving in cannot pay more than 40% of their adjusted monthly income towards their rent – if the unit requires more than a 40% contribution from the tenant, the unit will not be approved.

If the tenant has an extremely low income, a minimum contribution towards rent and utilities is required. This contribution will be the greater of \$50.00 or 10% of your total monthly income.

### **Basic Program Requirements**

In order to receive housing assistance, there are some important requirements that you need to understand. The dwelling unit which you select must meet federal housing quality standards (HQS). Any type of rental housing that meets these standards can be considered by a program participant. A unit that meets HQS is:

- In good condition,
- Free from health and fire hazards, and
- Large enough to meet the occupancy standards of the program

You will be given a copy of two HUD brochures: "A Good Place to Live" and "Protect Your Family From Lead in Your Home" to help you identify a suitable dwelling unit. Once you find a unit, you and the prospective landlord must fill out a "Request for Lease Approval" form. This will be brought to the Housing Authority and will give us all the information we need on the unit. We will then determine if the unit is acceptable for the both program and your income level. An example of the Request is in this packet. You can only submit ONE Request at a time.

Once the unit is inspected and approved, a contract between the landlord and the Housing Authority is signed. This contract is called the Housing Assistance Payment (HAP) Contract and it guarantees the landlord that a portion of your rent each month will be paid by the Housing Authority's program.

## **Housing Search Period**

Your voucher is valid for 60 days. You and the prospective landlord must sign a Request for Lease Approval form before the end of this period. If you have not found a suitable unit within 60 days, your Housing Authority specialist may authorize an extension of your voucher for an additional 60 days. In order to receive an extension, you must request one in writing and submit it to your Housing Authority specialist at least five days before the expiration date on your voucher. Extensions will only be given if you have made a sincere effort to locate suitable housing. If you are unable to locate housing within your allotted time, your voucher will expire. If your voucher expires, you will be removed from the waiting list and will have to reapply to the program.

## **Finding Suitable Housing**

You may receive housing assistance for your present housing unit if:

- Your housing meets the program's housing quality standards (HQS);
- Your housing unit is large enough for a household of your size; and
- Your landlord is willing to participate in the program.

Your Housing Authority specialist will determine if your present dwelling unit meets these requirements. The Highland Park Housing Authority's Section 8 Program covers only Highland Park.

## Relocating to New Housing

If your present housing does not meet program requirements or you would like to relocate, you are responsible for finding a suitable dwelling unit. Your Housing Authority specialist will assist you in your housing search by referring you to participating landlords who have vacancies. If your household includes a person with disabilities, you will be given a current listing of accessible units known to the agency.

The best place to look for vacant units is in the local newspaper that covers the area where you wish to live. Listings of available housing are also found on public notice boards in laundromats, grocery stores and neighborhood service centers. Real estate agencies that charge a fee for showing their listings are not generally recommended. There are, however, some rental agents who may be useful in locating housing. If you should decide to use the services of an agency that charges a fee to help you find housing, you are responsible for the expense.

When you find an advertisement for a unit, call the number listed. Questions you should ask include:

1. How much is the rent?
2. Which utilities will I be responsible for?
3. What is the condition of the unit?
4. Are the stove and refrigerator provided?
5. How many bedrooms does the unit have?
6. Is the housing located close to public transportation, centers of employment, schools and shopping?
7. Are there special restrictions, such as a "no pets" provision?
8. What is the security deposit required?

In addition, you should write down the complete address of the unit and the name, address and phone number of the owner or manager. When you have obtained enough information to be sure that the unit might be suitable for your household, ask for an appointment to see it. Be on time for the appointment. If you cannot keep it, call to reschedule. Remember that the time you have to locate housing is limited and that good rental housing will be rented quickly.

Your Housing Authority specialist will answer any questions the landlord may have about participation in the program and will schedule the HQS inspection prior to your signing of the lease. If the dwelling unit meets program requirements and the landlord agrees to participate in the program, your Housing Authority specialist will coordinate the HAP contract with the landlord while you and the landlord sign the lease and exchange a security deposit. You will then receive a copy of the lease agreement and a written notice of the amount that you are required to pay each month and the effective date of the housing subsidy. These papers should be kept in a secure place.

## **Regional Mobility and Portability of Assistance**

The Highland Park Housing Authority continues to expand the number of landlords participating in the Section 8/HCV program. Our goal is to increase the number and the diversity of neighborhoods where Section 8 program participants can live. The program can help people move to low-poverty neighborhoods that offer high-quality housing, education and employment opportunities. We hope you will take advantage of all of the assistance this program has to offer.

Your Housing Authority specialist will help you identify available housing in a number of neighborhoods and will assist you by providing directions, maps and community and neighborhood information for areas to which you may wish to move.

Our Section 8 program works closely with a large number of other Section 8 programs in New Jersey and in other states. If you have lived in Highland Park for at least 12 months prior to receiving your voucher, you can immediately use your voucher in another jurisdiction. Applicants who have not lived in Highland Park must live in Highland Park for one year before they are permitted to take their voucher to another jurisdiction.

If you and your family wish to relocate with your Section 8 voucher, our office will help you by working with other housing agencies in areas where you wish to move. Discuss it with your specialist before taking any action. You will have to identify the community you are interested in moving to and give the name and address of the Section 8 Housing program that serves that community.

If you are already receiving Section 8 housing assistance, you are required to provide proper notice to your landlord and to the program of your intent to relocate in accordance with your lease agreement. When we receive this information, the program will send the necessary information to the Section 8 program in the area where you will be moving to. You will receive a copy of the letter mailed to that program. When you receive the letter, you should contact that Section 8 program immediately to schedule a meeting. They will inform you about how the program works in their area.

Because of the amount of work involved to transfer your Section 8 assistance from one agency to another, an interruption in your Section 8 rental assistance is possible. Be sure to prepare for this by budgeting so that you can pay for rent, moving expenses and security deposit for your new housing.

### **Information the Program May Provide to the Landlord**

In accordance with program regulations, a prospective landlord will be given a household's current address and the address of the household's current and prior landlord, if known by the program. Participating owners will be provided with the forwarding address of their former Section 8 tenants if the program has that information. Other information regarding the household will not be disclosed or released outside of HUD, except as permitted or required by law.

## Discrimination in Housing

As a resident or citizen of the United States, you are entitled to equal housing opportunities regardless of race, creed, color, sex, national origin, ancestry, disability, familial or marital status. The following constitutes discriminatory acts when the reasons are based on membership in one of the protected classes listed above:

- Refusing to rent or sell property
- Discriminating in terms or conditions for buying or renting housing;
- Discrimination in advertising available housing; or
- Denying that housing is available for inspection, rental or sale when it actually is.

Landlords cannot refuse to rent to a Section 8 participant solely based on the fact that they receive Section 8. However, this does not mean that you are eligible for every unit you apply for. Each owner has their own legal criteria that they use to screen prospective applicants. This criteria may include filling out a rental application, speaking to previous landlords, and performing a credit check. If you are refused a rental unit for any of the reasons laid out in a landlord's legitimate screening criteria, this is not considered discrimination. Discrimination only applies to denials that are based on the criteria cited above (race, color, creed, etc.)

If you believe you have been discriminated against, you should complete a copy of the housing discrimination complaint form which is included in this packet. This form may be mailed or taken in person to the U.S. Department of Housing and Urban Development regional office listed on the back of the form. You can learn about the Fair Housing Act by calling the toll-free Fair Housing Complaint Hotline at 1-800-669-9777. Hearing impaired persons may call (TDD) 1-800-927-9275.

You are encouraged to also contact the New Jersey Department of Law and Public Safety, Division of Civil Rights for assistance at the following regional offices:

Atlantic City	(609) 441-3100
Camden	(609) 757-2850
Newark	(973) 648-2700
Paterson	(973) 977-4500
Trenton	(609) 292-4605

## Obligations of the Household

There are specific obligations that you must comply with as a participant in the Section 8 program. These obligations are spelled out in your voucher that was issued to you. Your specialist will review them with you. Failure to comply with these obligations is ground for denial or termination of assistance.

### **The Household must:**

1. Sign an "Authorization for the Release of Information" form and supply any information or documentation that the program determines to be necessary in the administration of the program;
2. Provide true and complete information to the program;
3. Disclose and verify social security numbers;
4. Correct a breach of the housing quality standards caused by the household;
5. Allow the program to inspect the dwelling unit at reasonable times and after reasonable notice;
6. Notify the program and the owner before the household moves out of the dwelling unit or terminates the lease with written notice to the owner;
7. Promptly give the program a copy of any eviction notice;
8. Use the assisted unit solely for residence by the household members listed on the most recent "Certification of Household Composition" form, and as the household's only residence.
9. Promptly inform the program of the birth, adoption, foster care arrangement or court-awarded custody of a child. The household must request the program's approval before adding any other household member as an occupant of the assisted unit;
10. Promptly notify the program if any household member no longer resides in the assisted unit; and
11. Promptly notify the program of absence from the assisted unit.

### **The Household must not:**

1. Commit any serious or repeated violation of the lease;
2. Sublease or rent the assisted unit or any part of the assisted unit;
3. Assign the lease or transfer the assisted unit;
4. Own or have any interest in the dwelling unit, except that of a household assisted in cooperative housing or a mobile home where the household leases the pad;
5. Commit fraud, bribery or any other corrupt or criminal act in connection with the Section 8 program;
6. Engage in drug-related criminal activity, violent criminal activity or alcohol abuse; or
7. Receive Section 8 tenant-based assistance while receiving another housing subsidy.
8. Add anyone to their household without prior approval from the Housing Authority.

## **Grounds for Denial or Termination of Assistance**

The Section 8/HCV program may deny assistance for an applicant or terminate assistance for a participant for any of the following reasons:

1. If the household violates any obligation under the Section 8 program.
2. If any household member is subject to a lifetime registration requirement under a State sex offender registration program.
3. Any household member is convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
4. If any member of the household has ever been evicted from public housing in the last five years.
5. If a housing agency has ever terminated assistance under the Section 8 program for any member of the household.
6. If any member of the household commits drug-related criminal activity, violent criminal activity or abuse of alcohol.
7. If any member of the household commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
8. If the household currently owes any monies to the program, or to another housing agency, in connection with Section 8 or public housing assistance under the United States Housing Act of 1937.
9. If the household breaches an agreement to pay amounts owed to the program or to another housing agency.
10. If the household has engaged in or threatened abusive or violent behavior towards Housing Authority personnel.
11. If the household does not pay its portion of the rent to the owner.

If you owe monies as described above, the program may, at its discretion, offer you the opportunity to enter into an agreement to reimburse the program. The program will prescribe the terms and conditions of the agreement and will deny or terminate assistance for a breach of the agreement.

## **Your Right to an Informal Hearing**

You have the right to request an informal hearing if you disagree with the program over the following:

1. The calculation of your family income or the housing assistance payment;
2. A determination of the appropriate utility allowance, if any, for tenant-paid utilities from the program's utility allowance schedule;
3. The determination of the number of bedrooms entered on the voucher issued to you;
4. A decision to terminate your assistance because of your household's actions or failure to act.

An informal hearing must be requested in writing within ten days of the decision in question. Address your request to Highland Park Housing Authority, Section 8 Department, 242 South Sixth Ave. Highland Park, NJ 08904

Include in your request letter your name, address, phone number and the reason why you are requesting an informal hearing. The hearing process will give you the opportunity to present evidence and witnesses in support of your position. At your own expense, you may be represented by a private attorney. If you cannot afford an attorney, check with Legal Services to find out if you qualify to be represented by one of their attorneys.

## Frequently Asked Questions

### 1. *Do I have to pay a security deposit?*

The landlord may collect a security deposit from you in accordance with New Jersey law (one and one half month's rent) and you are responsible for paying it. The Housing Authority does not supply any money to tenants for security deposit purposes. Make sure you get a receipt for any security deposit you pay. The lease agreement will identify the bank where the security deposit is being held in an interest-bearing account and you should receive an annual report from your landlord as to the interest accumulated on the deposit.

Your security deposit will be returned to you when you vacate the unit, **less** any amount retained by the landlord for unpaid tenant rent, tenant caused damages and/or vacancy loss. If your security deposit is not sufficient to cover the monies owed by you under the lease for the above reasons, the owner may take legal action against you to collect the balance from you.

### 2. *How do I pay my portion of the rent?*

You are responsible for paying your share of the rent, which is known as the "tenant rent", directly to your landlord. You must pay, by the first of the month, the amount stated as tenant rent on your copy of the notification letter from the program. It is advisable to pay by money order or check, which will act as a receipt for the monies that you have paid.

Any utility costs that are not paid for by the landlord must also be paid each and every month. Failure to pay your portion of the rent or having your utilities shut off for non-payment may cause you to be evicted from your unit and will jeopardize your participation in the program.

The HPHA will pay its share of the contracted rent directly to your landlord at the beginning of each month. You are not responsible for the WHA's portion of the rent while the lease and contract are in effect.

### 3. *When can the landlord increase the rent?*

A landlord may not increase the rent during the first 12 months of your lease. However, after that 12 month period has ended, a landlord may increase the rent.

The landlord must submit a written request to the Housing Authority office 60 days in prior to the effective date of the desired increase. The increase must be approved by the HPHA before it can go into effect.

You must contact your specialist if you receive notification from the landlord that a change in rent has been requested. If the request is approved, you will receive a letter in the mail stating your new rent amount and the date it will go into effect.

4. *What do I have to do to stay in the program?*

You must comply with all of the “Obligations of the Family” listed on the voucher issued to you. At the end of each annual period, your occupancy under the lease and contract may be continued as long as all program requirements are satisfied.

Each year, you will receive advance written notice of the need for you to meet with your Housing Authority specialist to “recertify” your eligibility for the program. You must attend this meeting with your specialist each year. At this meeting, your household’s eligibility for the program will be reexamined and all household income will be re-verified. Your housing unit will be re-inspected annually and it must continue to meet the federal housing quality standards (HQS).

You also must send any copies of notice regarding complaints, eviction process, etc. that you receive from the landlord directly to the Housing Authority office as soon as you receive them.

5. *What changes must I report to the program?*

You **MUST** report, in writing, to your housing specialist, any change in the size or composition of your household. You **MUST** report, in writing, any changes in your household income (different salary, new job, loss of job or benefits, increases in child care expenses, etc.) You come into the office within 10 days of the change bringing in documentation of this change. Your household’s portion of the rent may either be increased or decreased to reflect a change in the size of your household or in your household’s income. This will only take effect once the new information has been verified by the Housing Authority.

6. *What if I want to move?*

You may move after the first year of the term of your lease. You must stay in your unit for one year unless there are special circumstances that threaten your health and or safety.

If you want to end your lease, you must give advanced written notice to your landlord. **Move out notices are available at the Highland Park Housing Authority.** Your lease will tell you how many days notice you must give – it could be 30, 45 or 60 days notice. When you pick up the move out notice, fill out the top portion and have your landlord sign and approve the bottom portion. You will lose your housing assistance if you move without giving your landlord AND your housing specialist the notice.

7. *What if I have a problem with my landlord?*

If you have a complaint about your tenancy, notify your landlord in writing and keep a copy for your own records. Send a copy to the HPHA.

You may obtain legal advice by contacting your local Legal Services agency. Check the telephone directory for the Legal Services office nearest you. The Office of

Tenant/Landlord Information at the NJ Department of Community Affairs is another resource for information. They may be contacted at (609) 292-4174 or by writing to the Office of Landlord/Tenant Information, PO Box 805, Trenton, NJ 08625.

Your housing specialist should be advised if the problem remains unsolved. Under NO circumstances should you withhold your portion of the rent without notifying your housing specialist.

8. *Am I responsible for damage to the property?*

You are responsible for maintaining your housing in good condition. Tenants, or their guests, who willfully or through neglect cause damage to an assisted unit may be determined ineligible for continued program participation.

9. *What if my landlord wants to evict me?*

A landlord may recover possession of rental housing by consent of the tenant or through the legal process of eviction. A landlord may evict a tenant if the landlord can prove, in court, that one of the good causes listed in the New Jersey Anti-Eviction Act has occurred.

A participant whose landlord has just cause for eviction may be denied continued program participation.

A “self-help” eviction, that is, entry into a dwelling unit and removal of tenants without their permission or without a judgment from a court, is illegal in New Jersey. Refusing to renew a lease for a tenant without good cause or choosing to stop renting to Section 8 tenants is also illegal.

Section 8/HCV Agencies  
In Neighboring Communities

<b>Housing Authority</b>	<b>Contact Person</b>	<b>Telephone Number</b>
Carteret	Joanne Mazan	732-541-6800
New Brunswick	Clarimar Ramos	732-745-5131
Old Bridge	Portability dept.	732-607-6383
Sayreville	Brenda Malave	732-721-8400
South Amboy	Jamie Kane	732-721-1831
Rahway	Gail Ansley	732-499-0666
Highland Park	Elizabeth Noll	732-572-4420
Edison	Christine Op't Hof	908-561-2525
Middlesex County	Danielle Britton	732-745-3025
Linden	Kathy Furman	908-486-7172
Elizabeth	Melba Quintana	908-965-2400
Perth Amboy	Esther Wolmers	732-826-3110