

Tenant Protection Vouchers

Resident Information Session

07/2022.v.1

What is a tenant protection voucher (TPV)?

Tenant Protection Vouchers (TPVs) are Section 8 Housing Choice Vouchers (HCVs) that HUD provides to Public Housing Agencies (PHAs) that administer an HCV program.

What Public Housing actions are eligible for TPVs?

PHAs are eligible to receive TPVs after they receive HUD approval for the following Public Housing actions:

- Demolitions and/or dispositions approved under Section 18
- Demolitions authorized under de minimis authority of Section 18
- Required conversions approved under Section 33
- Voluntary conversions approved under Section 22
- Homeownership plans approved under Section 32
- Removals authorized under Choice Neighborhoods and/or HOPE VI grants

Does the family impacted by the Public Housing action have to meet any eligibility requirements to receive a TPV?

Yes. The family must independently meet Housing Choice Voucher program eligibility requirements for admission to the HCV program, including income eligibility, to qualify for the TPV. Very low-income families (i.e. annual income at or below 50% of the median family income for the area, as determined by HUD) are income-eligible for a TPV.

Housing Choice Voucher Program Briefing Presentation

What is the Housing Choice Voucher (HCV) program?

- The HCV Program is the federal government's largest program for assisting low-income families to afford decent, safe, and sanitary housing in the private market.
- 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.

Meet Mae – HCV participant



To help you better understand the HCV program, we will refer to Mae throughout our presentation. Here is some information about Mae.

- 41 years old, single, head of household
- Other household members:
 - Daniel – son, 14 years old
 - Joe – son, 18 years old and a full-time student

Overview of the HCV Process

Steps in the HCV program leasing process

Step One: Apply for Assistance: *for TPVs you must accept the offer of voucher assistance; the HCV program will attempt to streamline the application process utilizing the RentCafe system in coordination with your property manager.*

Step Two: Screening and Verification to Determine Eligibility: You have all completed this step.

Step 3: After applicants are screened, eligible applicants are notified of their eligibility and invited to attend a briefing session.

Steps in the HCV leasing process (continued)

- Step 4 is voucher issuance. You will receive your voucher after you complete the briefing.
- Step 5: After you receive your voucher conduct your housing search
- Step 6: Once you locate a unit, you complete and submit your leasing packet.

Steps in the HCV leasing process (continued)

Step 7: After the leasing packet has been accepted, the agency will schedule and inspect the unit

Step 8: After unit inspection, the agency will determine the rent for the unit

Step 9: Once the inspection and rent are approved, the lease and HAP contract are signed

Step 10: The agency will begin making HAP payments for the unit.

Vouchers

- Your Housing Choice Voucher gives you the opportunity to search for a unit.
- Landlords must be approved by the Agency.
- Important information is provided on the voucher: the # of bedrooms you are approved for, the voucher term or time available to use the voucher, and if you receive an extension, it will be reflected on the voucher

Voucher Search Term & Voucher Clock



- Your voucher is valid for 120 days.
- When you submit a Request For Tenancy Approval (RFTA) packet, the voucher “clock” stops until you receive written notice from MHA whether the unit was approved.
- This is called “Tolling,” or “Suspension.”

Voucher Extensions

- If you have not located a unit and submitted a completed RFTA within the 120-day voucher term you may request an extension.
- Requests for extension must be submitted before the voucher expiration date, and you will need to provide documentation of your extenuating circumstances. All extension requests must be in writing.
- One 30-day extension will be approved. Further extensions are not guaranteed but may be provided as a reasonable accommodation or for other approved reasons.

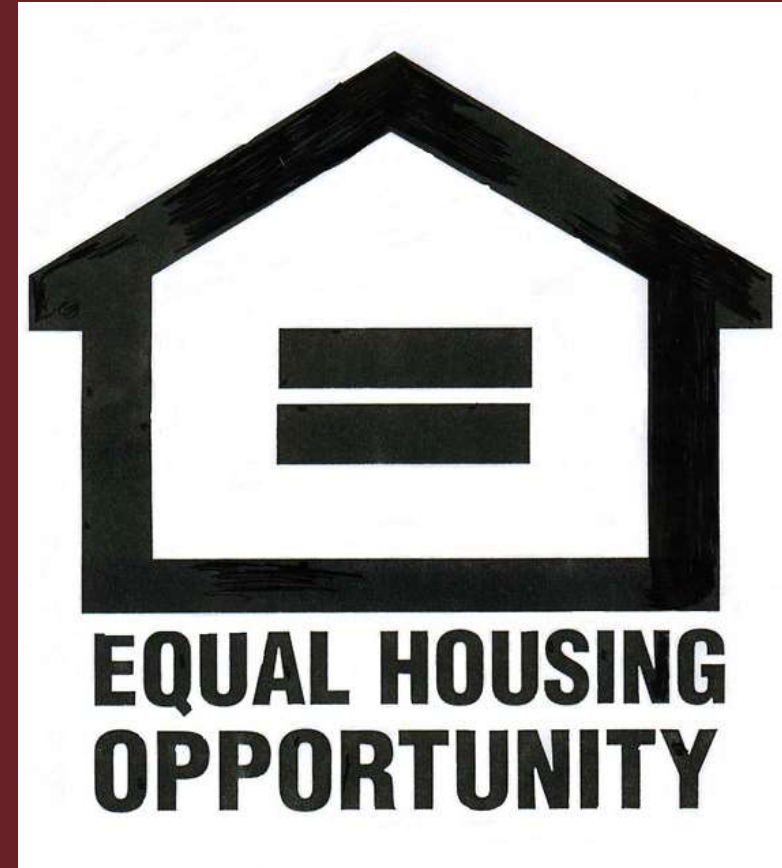
Voucher Expirations

As the HCV program participant, you are responsible for monitoring the expiration date of your voucher!

If you are unable to locate a unit, you must communicate with your RSA.

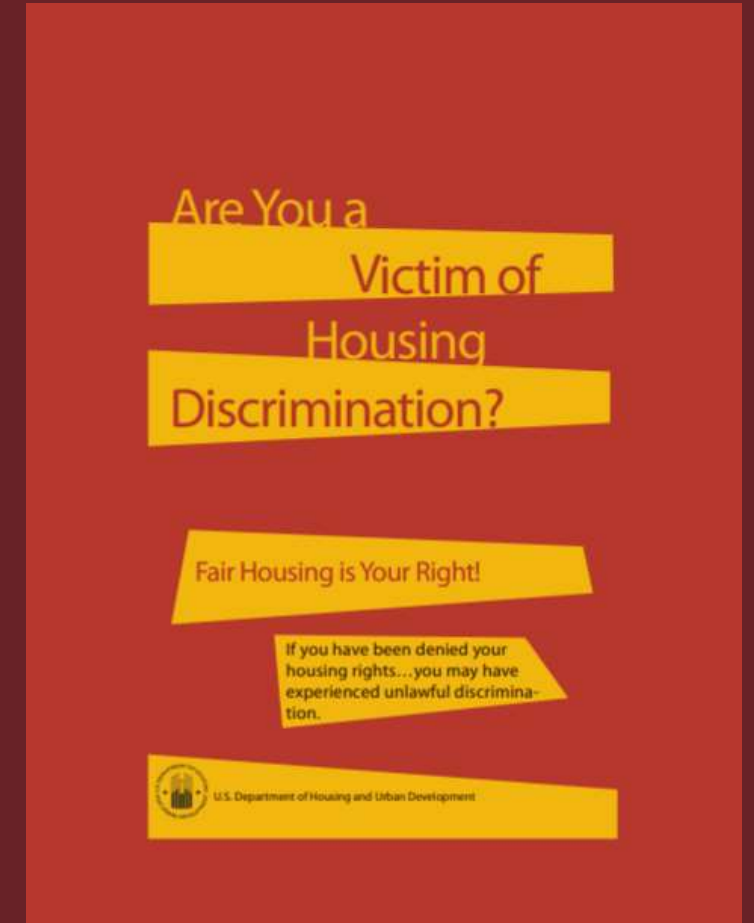
FAIR HOUSING

- The Fair Housing Act protects you from being discriminated against in the sale, rental, financing, or insuring of housing based on your protected class. Protected classes include race, color, national origin, religion, sex, disability, familial status, military status (state protection), and sexual orientation (local protection).



FAIR HOUSING

- MHA complies with these laws. We expect landlords in the HCV Program to do so as well.
- If you believe you have been discriminated against, you have the right to make a complaint. The brochure in your briefing packet—*Fair Housing is Your Right!*—will help guide you in this process.



FAIR HOUSING

Advocacy organizations include:

- South Alabama Center for Fair Housing
 - sacfh.org
- Legal Services Alabama
 - legalservicesalabama.org
- Alabama Disability Advocacy Program
 - adap.ua.edu

Persons with Disabilities



- If your household includes a person with disabilities, the MHA will make efforts to assist you. Families who may need ***reasonable accommodations*** or assistance locating units with accessibility features.
- Examples of reasonable accommodations include:
 - An additional bedroom for a live-in aide
 - A higher payment standard for a wheelchair-accessible unit

Requesting a Reasonable Accommodation

- If you wish to request a reasonable accommodation, please ask your Resident Services Advisor.
- You may be asked to provide contact information for a knowledgeable professional (usually a medical provider) so that MHA can verify the need for the requested accommodation.
- You will be notified in writing of the outcome of your request.

Language Assistance



- If you need language assistance services, please let your RSA know so that the required assistance can be provided.
 - Language assistance includes American Sign Language interpretation services as well.

Violence Against Women Act

- Under the Violence Against Women Act (VAWA) MHA provides some protections for persons (not just women) who are victims of domestic violence, dating violence, sexual assault, and stalking.
- MHA will provide a notice about what kinds of protections you have under VAWA and how to access this help. For example, if you need an emergency transfer because you are a victim of domestic violence, you can make a VAWA transfer request.
- If you would like to request VAWA protections, please notify your Program Representative who will provide you with forms to complete to process your VAWA claim. You will be asked to provide verification of the need for the VAWA claim.

Compliance – Fraud

- **Like any government assistance program, MHA depends on the honesty of its clients.**
- **Signing your name to false information to obtain housing is fraud.**
- **If you commit fraud to obtain housing from MHA, you could be subject to eviction, fines and termination of your voucher assistance.**
- **To prevent any misunderstanding that may result in fraud, please ask your RSA if you don't understand something on the application or on the recertification forms.**

Accurate Reporting of Income & Family Composition

- You must follow the Agency's reporting requirements.
- The Agency has access to government databases, which provide information on your wages and certain benefit payments that you receive. We compare this information to the information you report to ensure the accuracy and completeness of your reporting.
- If you have new people staying in your unit or if a family member leaves the unit and you do not report these changes, you are in violation of program rules and may lose your assistance.

Subsidy Standard

- Subsidy standards are what MHA uses to determine your voucher size.
- Subsidy standards provide for the smallest number of bedrooms needed to house a family without overcrowding.
- The number of bedrooms assigned will depend on how many members are in your family and the relationship between people in the household.

Subsidy standards (continued)

Below is a high-level summary of the subsidy standards used to determine your voucher size. For subsidy standards determination, an adult is age 21 or older.

- Family members of the opposite sex (other than spouses or partners) will be allocated separate bedrooms.
- Adults will be allocated one bedroom per adult. If two adults consider themselves partners, they will be allocated one bedroom.
- Two children of the same sex will be required to share a bedroom.
- An adult will not be required to share a bedroom with a child.

Subsidy Standard Guideline - Example

- Let's use Mae as an example. Her household includes:
 - Mae
 - Sons Daniel (age 14) & Joe (age 18)

Mae is eligible for a 2-bedroom voucher. She will have her own bedroom and her sons will share a room.



What is *portability*?

- In the HCV program when a participant wants to move outside of their PHA's jurisdiction the process is called *portability*.
- Applicants and participants who have resided within the MHA jurisdiction for the last 12 months preceding their request to *port out* to another Public Housing Authority's jurisdiction.
- Note, when you request to *port out* to another jurisdiction when you are admitted to the HCV program, including when you are receiving a tenant protection voucher (TPV) you must be determined to be income-eligible in the receiving jurisdiction.

Portability – continued.

- When you port to a housing authority in another county or state, you must follow the policies of that housing authority.
- Specifically, you may be subject to different screening, subsidy standards and payment standards.
- For example, MHA's subsidy standards may result in you having a 3-bedroom voucher. If you port to a housing authority with different policies on unit sizes, you may only be eligible for a 2-bedroom voucher.

Portability and Background Screening

- Housing authorities generally conduct a criminal background screening on all adult family members who are porting into their jurisdiction.
- All HCV programs are required – by Federal regulations - to review the National Sex Offender Registry on adult family members who are porting into their jurisdiction.
- Housing authorities may have different criminal background screening policies.
- What this means is that you may not be eligible to port to a specific housing authority based on its policies regarding criminal background screening.

Utility Allowances

MHA provides a utility allowance for tenant-paid utilities based on housing of similar size and type in the town or city where you choose to live throughout Mobile County. The utility allowance schedule is updated each year.

- Utility allowance information will be provided in your briefing packet, but may also be found on MHA HCV website.

Utilities

- If you will be responsible for paying utilities in your new unit, you must set up your utility accounts, but only after the unit has been approved by the Agency.
- The landlord will inform you as to which utility companies you must contact.
 - Call the appropriate companies or check their websites for information on setting up utility accounts for the unit.

Utilities Assistance Payment

- Payments are made directly to Alabama Power.
- This is the only utilities company MHA HCV Program makes utilities reimbursement payments to on behalf of its participants.

Payment Standards

The payment standard is the highest amount of subsidy that the Agency will pay toward your unit for rent and utilities.

- Each Agency, depending on its location, may have different payment standards.
- The U.S. Department of Housing & Urban Development sets the Fair Market Rents for each jurisdiction each year. The Housing Authority determines the payment standard.

Payment standards (continued)

- **The Agency applies the payment standards for the number of bedrooms in the unit or the voucher size, whichever is smaller.**
 - For example, if you rent a 2-bedroom unit with a 1-bedroom voucher, the Agency will apply the 1-bedroom payment standard.
- A copy of the current payment standards will be provided in your briefing packet, and are also available online here:
https://www.mobilehousing.org/files/HCV/FY2023_MHA_HCV_Payment_Standards_Effective_10.1.22.pdf

Payment Standards (continued)

Mae is eligible for a 2-bedroom unit. What if she wants to live in a 3-bedroom unit so her sons don't have to share a room?

MHA will provide assistance based on the 2-bedroom unit payment standard.

If the 3-bedroom unit rent is more expensive than the 2-bedroom unit, she would be responsible for paying the amount above the 2-bedroom payment standard.



Calculating Rent

- There are a number of factors that go into calculating the rent you will pay for your unit.
- We will discuss:
 - Gross Income;
 - Adjusted Income;
 - Deductions;
 - Total Tenant Payment (TTP); and
 - Tenant Rent.

Gross Income

- Your gross income is your income before any deductions, such as taxes.
 - For example, if your gross pay each week is \$250, your annual gross income would be \$13,000.
- Full-time student wages: All but \$480 in wages from adult full-time students (who are not the head, co-head, or spouse) are **excluded** from annual income.
- All income from assets is included in income.

Mae's Gross Income: She earns \$320/week at Walmart and receives \$400/month in Social Security payments for her son Daniel, her gross income would be \$21,440.

Household Member	Source of Income	Amount of Income
Mae	Employment at Walmart	$\$320 \times 52 \text{ weeks} = \$16,640$
Daniel	Social Security	$\$400 \times 12 \text{ months} = \$4,800$
Gross Annual Household Income		\$21,440
Monthly Gross Income		$\$21,440 / 12 \text{ months} = \$1,787$

Adjusted Income

- Adjusted Income is calculated by taking your gross income from all sources and subtracting any eligible deductions.
- The following slides include the eligible deductions and the amount(s) that will be deducted.



Deductions

Dependent deductions:

A \$480 dependent deduction is given for each family member, other than the head, co-head or spouse who is:

- Under the age of 18,
- 18 or older and a full-time student, or
- 18 or older and is a person with disabilities.

Elderly/disabled deductions:

An elderly/disabled deduction of \$400 per household is given to families whose head, co-head or spouse is aged 62 years or older and/or is a person with disabilities.

Only one \$400 deduction is applied per family.

Unreimbursed childcare expenses

Unreimbursed childcare expenses may be deducted for the care of children under the age of 13 when the childcare provided allows an adult household member to work, attend school, or seek employment.

HOW MUCH?

- Up to the amount received for wages.
- Reasonable expense given the hours the person is working, in school, or looking for work.

Unreimbursed medical expenses

Unreimbursed medical expenses may be deducted for elderly and/or disabled households for amounts that exceed 3% of the total annual gross income for the household.

- For example, you can claim a co-pay for prescriptions or a dental bill you paid if it wasn't covered by dental insurance.

Unreimbursed disability expenses

- Unreimbursed disability expenses are expenses incurred by a household with a family member with disabilities to allow someone in the family to work.
- These expenses could be for a caregiver for the person with disabilities or for apparatus to allow a person with disabilities to work.
- For example, if you are physically disabled and need to purchase an adaptive keyboard to work, you could claim the cost of the keyboard as a disability assistance expense

Mae's Monthly Adjusted Income

- Now let's assume that Mae is not disabled.
- Remember Mae's gross annual income is \$21,440, and she has two dependents, a 14-year-old and an 18-year-old who is a full-time student.
- Mae receives a \$480 deduction for each of her children.
- **\$21,440 (Gross Annual Income) minus \$960 (Deductions for 2 dependent sons) = \$20,480 (Adjusted Annual Income) divided by 12 months = \$1,707 in Monthly Adjusted Income**



Total Tenant Payment (TTP)

- Total Tenant Payment, or TTP, is what you are responsible to pay towards rent and utilities and any additional amount you might have to pay if you rent a unit with a gross rent that exceeds the payment standard.
- TTP is the *highest* of the following:
 - The Minimum Rent of \$50,
 - 30% of Adjusted Monthly Income, or
 - 10% of Gross Monthly Income.

Mae's TTP will be...

Calculation Type	Calculation	Amount
10% of Monthly Gross Income	$\$1,787 \times 0.10 =$	\$179
30% of Monthly Adjusted Income	$\$1,707 \times 0.30 =$	\$512
Minimum Rent	N/A	\$50

To determine Mae's TTP, we will need to calculate 10% of her monthly gross income and 30% of her monthly adjusted income.

In this case, the highest number is \$512, which is 30% of Mae's monthly adjusted income.

Tenant Rent to Owner

- Generally, tenant rent to owner is the TTP minus the allowance for the tenant-paid utilities.
- Remember, if you choose to rent a unit where the rent and utility allowance exceed the payment standard, you will pay an additional amount toward rent.

Mae's Tenant Rent

- Mae's TTP is \$512. However, because she found a unit where she is responsible for paying for some of her utilities, her utility allowance will be subtracted from her TTP to get her tenant rent portion. Mae will pay \$368 to the owner for rent.

Mae's TTP:	\$512
Minus Mae's UA	- <u>\$144</u> (Est. used for example, only)
Mae's Rent to Owner	\$368

Housing Assistance Payment

- The Housing Assistance Payment, or HAP, is the amount that the Agency pays to the owner for the rent that is not paid for by the family.

Housing Search

- MHA Resident Services Advisors will provide:
 - Information about housing search websites
 - List of current MHA landlords, if requested
 - Outreach assistance
 - A checklist of information you will want to consider when looking at an apartment or rental home
 - Households are encouraged to look for units in neighborhoods with job opportunities, good schools, and low crime rates.

Housing Search

- When you have found units you are interested in, contact the owners or management companies to arrange a time to view the unit. This way, you can check:
 - The condition of the unit; and
 - The location of the unit, including proximity to public transportation and centers of employment, schools, and shopping.

Housing Search – *Questions to Ask.*

Ask the landlord:

- The name, address, and phone number of the owner or agent
- The full address of the rental unit
- The number of bedrooms in the rental unit and the amount of rent being requested
- Is the requested rent more than the payment standard for the number of bedrooms you were approved for in your voucher?
- What, if any, utilities are included in the rent?
 - How expensive are they?
- Any special restrictions? (Ex. No pets or no smoking)

Unit modifications in the HCV Program

- If you need modifications to a unit for a disabled family member, please note:
 - The MHA does not make the modifications to the unit.
 - An owner cannot refuse to permit, sometimes at the expense of the family, reasonable modifications to the unit, to allow a person with disabilities full enjoyment of the unit.
 - The owner may require that the family agree to restore the premises to the condition that existed before the modification. An example might be adding a ramp at the front door of the unit. The owner cannot refuse to allow the ramp to be installed; however, the tenant might be required to pay for the ramp and installation, and the owner could also charge the tenant for removal of the ramp.

Opportunity Neighborhoods

Studies show that when families move from high-poverty to low-poverty neighborhoods:

- Young children experience positive outcomes later in life in:
 - Earnings
 - College education rates
 - Location outcomes
- Adults experience positive outcomes in:
 - Well-being
 - Family safety
 - Mental health
 - Physical wellness

I selected a unit. Now what?

- Once you find a suitable home, you and your prospective landlord must complete the Request for Tenancy Approval (RFTA) and complete all required leasing forms.
- The Agency will not accept incomplete leasing documents and information.
- You may only submit one RFTA at a time. A second RFTA may not be submitted until you have received notice that your initial request has been denied.
- HUD requires any apartment or rental home selected by an HCV participant to pass a Rent Reasonableness Review AND a Housing Quality Standards inspection BEFORE you move in.

Required Documents for Leasing

- Key leasing documents which must be submitted include:
 - Leasing Checklist
 - RFTA
 - W-9
 - Direct Deposit Agreement
 - Voided check from the Owner
 - Lead-Based Paint Disclosure and Certification Form
 - VAWA Notification to Owners
 - Proof of Ownership

Seven (7) required steps before move-in day:



Rent Reasonableness Review

- The contract rent is the rent charged by the owner for the unit, and it must be approved.
- MHA must demonstrate that the rent requested by the owner:
 - Is reasonable in comparison to rent for other comparable, unassisted units (privately rented units without housing assistance); and
 - Does not result in the tenant paying more than 40% of their adjusted monthly income toward rent.
- MHA may negotiate with the owner to set an approvable rent.

Mae's Tenant Rent

Earlier in our presentation we determined Mae's adjusted monthly income is \$1,707, and her share of rent is \$368.

- If Mae rents a unit that is \$350 over the payment standard for the jurisdiction where her housing authority is, she would have to pay \$718 in rent.
- Since \$718 is 42% of Mae's monthly adjusted income, the Agency cannot approve the unit, even if the rent was determined to be reasonable.

Housing Quality Standards Inspection

- MHA will conduct a Housing Quality Standards (HQS) inspection on every unit before it is approved for leasing.
- MHA inspections department makes every effort to schedule the initial inspection to occur within 15 business days after submission of a **completed** RFTA.
 - An inspection cannot be scheduled if the RFTA and required leasing documents are not provided.
- The **owner** must provide the MHA inspector with access to the unit.
- Utilities must be on in the **management company** or **owner's name** for the inspection date.

Common Reasons HQS Inspections Fail

- As a prospective tenant, you should also look the unit over carefully before the inspector comes out.
- Below are some examples of the common reasons for a unit to fail HQS.
 - A non-working smoke detector and/or carbon monoxide detector;
 - Cracking, scaling, or peeling paint;
 - Bedroom not having at least one openable window for ventilation;
 - Room lacks two working outlets or one outlet and a permanent light fixture.

Timeline for Inspection Approval

- An owner should generally complete any repairs as soon as possible but may require up to 30 days from the date of the failed inspection or any approved extension.
- If, upon reinspection, the unit fails the inspection, the unit will not be approved.
- The agency will notify you if the unit is not approved and provide you with guidance on obtaining a new RFTA and searching for a new unit.

Security Deposits & Other Upfront Costs

- The owner of the property will very likely request a security deposit and may request other upfront costs such as your portion of the last month's rent.
- MHA families accepting the Tenant Protection Vouchers will be eligible to receive assistance with selected upfront expenses associated with moving.
- Moving/dislocation costs are estimated based on the number of rooms of furniture you are moving out of in Thomas James Place and R.V. Taylor, respectively.
 - Your RSA will have the exact schedule of moving expense assistance available.

Security Deposits & Other Upfront Costs - continued

- Please note, the figures below are ***estimated average amounts***. The ***actual*** amount you receive may vary. Your RSA will provide the exact amounts.
 - Estimated utilities transfer fees: \$500 average/household
 - Not to include accounts in arrears).
 - Utilities account deposits if refunded are due back to MHA.
 - Estimated application fees: \$100 average/household
 - Estimated security deposits: \$500 average/household
 - Due back to MHA.
 - Estimated incidental expenses: \$150/household

Leasing

- Read the lease to make sure you understand what will be required of you. Ask your RSA if you need help understanding the lease terms.
- The lease must include the HUD-required Tenancy Addendum.
- When the unit has passed inspection and the rent is approved:
 - The Agency will give approval for the family to sign the lease with the landlord; and a signed copy must be provided to MHA.
 - The Agency will send the HAP contract to the owner to sign.

Leasing - continued

- Never pay the owner an amount that is different from your tenant rent.
- Collecting side payments from HCV program participants is a serious offense and is punishable under federal law.
- If an owner or property manager asks for a payment outside the agreed-upon rent or utility responsibility, report it to the Agency immediately.
 - Some additional fees, such as parking, are acceptable as long as they are typical for the locality and are also charged to non-subsidized tenants.

Utilities



- If you are responsible for utility payments, prior to move-in, you must obtain the utility account in your own name.
 - MHA requires participants to provide documentation of the AL Power account number in the head of household's name with 10 business days of move-in.
- Your landlord not MHA will provide you with the names of the utility companies you must contact.

Housing Assistance Payment (HAP) to Owner

- The Agency will send the HAP contract to the owner to sign.
- Once the HAP contract is signed by the owner and the Agency, the Agency will begin making housing assistance payments to the owner.
- The HAP contract must be signed no later than 60 days after the lease effective date.



Tenant Responsibilities

- Here are some important tenant responsibilities:
 - Comply with program requirements;
 - Pay your rent portion on time;
 - Maintain your unit in good condition;
 - Respond to Agency correspondence; and
 - Follow the terms of your lease.

Additional Tenant Responsibilities

- Additional tenant responsibilities include:
 - Attending required Agency appointments;
 - Providing the Agency with required information;
 - Notifying the Agency and the owner, in writing, **before** moving out (advance notice time frame must be consistent with your lease);
 - Allowing Agency- and HUD-mandated unit inspections; and
 - Paying all utilities for which you are responsible.

Termination of Assistance

- Here are some important activities that you must not take part in. **You must not:**
 - Commit any serious or repeated violations of the lease;
 - Sublet your unit or rent out a room in the unit;
 - Engage in any drug-related, violent, or other criminal activity;
 - Receive other housing subsidy under any duplicate housing assistance program; and/or
 - Permit unauthorized persons to live in your unit.

Informal Review and Informal Hearing

- As an HCV Program **applicant**, you may request an informal review if you do not agree with certain Agency determinations. You must request the review or hearing within 15 business days of the date of the notice regarding denial of admission (applicants) or termination of assistance (participants).
- As an HCV Program **participant**, you may request an informal hearing if you do not agree with certain Agency determinations. Some reasons for which you might request an informal hearing include:
 - Calculation of your annual or adjusted income, and the use of such income to compute your rent;
 - Termination of assistance for failure to follow program requirements

Questions

- Additional information will be provided in the comprehensive briefings provided to voucher participants.
- Program Administrators:
 - Paul Watkins pwatkins@mobilehousing.org
 - Magdalene Skretta mskretta@mobilehousing.org