



HOUSING CHOICE VOUCHER PROGRAM (Section 8)

FREQUENTLY ASKED QUESTIONS

The Frederick County Department of Housing and Community Development (FCDHCD) administers the Housing Choice Voucher (Section 8) Program to enable low income families in Frederick County to find safe, decent, affordable rental housing in the private marketplace. The program provides variable rent subsidies to tenants based on their income; that subsidy is paid directly to the property owner on behalf of the tenant.

Note: In Frederick County, under the Fair Housing protected class of "Source of Income", you may not refuse to rent to a prospective tenant based on their participation in the HCV program.

Q. HOW DOES AN OWNER BECOME INVOLVED IN THE HCV (SECTION 8) PROGRAM?

- It is by initiating a tenancy with a program client that the owner becomes involved in the program.
- Owners call (877) 428-8844 or visit www.mdhousingsearch.org to place rentals on referral list.
- Eligible families with a voucher contact owners from the referral listing.
- Owners screen the tenant through their standard procedure and decide to proceed.
- The tenant provides the owner with the HCV documents needed to seek FCDHCD approval for the tenancy.
- Section 8 inspects property for compliance with *Housing Quality Standards* (HQS) in accordance with the U.S. Department of Housing and Urban Development (HUD) regulations.
- FCDHCD and owner execute the program contract to begin assistance payments.

Q. WHAT ARE THE BENEFITS TO A PROPERTY OWNER?

- The FCDHCD's rental assistance portion of the rent payment is paid directly to the owner.
- HCV program clients are monitored regularly for program compliance by FCDHCD staff.
- Unit is inspected annually by an FCDHCD Housing Inspector.

Q. WHAT ARE THE GENERAL HQS STANDARDS (INSPECTIONS)?

Properties must meet general health, safety, and habitability standards; e.g., smoke detectors must be operational, windows must have screens and locks, stairways must have railings, unit must be in good repair, etc. Initial and annual inspections are made of all properties.

Q. WHAT KIND OF HOUSING IS ELIGIBLE?

Any type of rental housing is eligible: townhouses, condos, apartments, duplexes, and single family homes.

Q. WHAT ABOUT THE SECURITY DEPOSIT?

The tenant is responsible for the security deposit. The owner may collect a security deposit in accordance with Maryland State Law. The amount can range, but may not be in excess of amounts charged by the owner to unassisted tenants. FCDHCD does not offer any assistance towards security deposits.

Q. IS THERE A SPECIAL LEASE FOR HCV TENANTS?

Yes, there is a HUD Tenancy Addendum that must be signed and becomes part of your individual lease. Further, your private lease must state that the lease applies to a HCV (Section 8) program tenancy.

Q. THIS IS A RENT SUBSIDY PROGRAM, HOW ARE THE RENT PORTIONS ALLOCATED?

The rent payment breakdown (tenant payment v. FCDHCD payment) is set according to the tenant's income, household size and other program calculations. Therefore, it may change during the tenancy; however, it will

always equal the contract rent due to the owner. FCDHCD notifies owner and tenant of any change in rent portion calculations.

Q. WHAT ARE THE RESPONSIBILITIES OF THE OWNER UNDER THE PROGRAM?

- They are not much different than that of a landlord with a non-program tenant.
- Landlords are expected to complete their due diligence with screening tenants for suitability (the same criterion must be applied for program and non-program tenants). Establishing program eligibility does not involve all the same criteria as many property owners have for screening tenants.
- Landlords are required to maintain and manage properties as they do in the private market.
- Landlords are obligated to enforce/uphold the provisions of their lease and monitor tenant compliance with that lease.
- Landlords must notify FCDHCD of any condition that affects the unit and/or tenancy. Any notices to tenants should be copied to FCDHCD.
- Landlords are also encouraged to conduct regular routine inspections.

Q. WHAT ARE THE RESPONSIBILITIES OF PARTICIPANT FAMILIES?

- Pay rent portion when due;
- Pay utilities as required and due;
- Maintain the dwelling, causing no damage in excess of normal wear and tear;
- Report any changes in family program status to FCDHCD within 14 days;
- Not allow unauthorized person(s) to live in the dwelling;
- Comply with rules of the program;
- Comply with lease terms;
- Comply with all voucher family obligations;
- Complete annual and interim program recertification.

Q. HOW DOES AN OWNER TERMINATE THE LEASE AND/OR HCV PROGRAM CONTRACT?

Maryland State Laws apply to the termination of the lease; it is generally the same as with a non-program tenant. The HUD Tenancy Addendum specifies some other conditions under which a client can be terminated within the first year of the tenancy. After the first year, the owner may terminate for reasons and with notice as prescribed in the lease and per MD Law. Owners must notify FCDHCD of any Notice to Vacate action. When the lease ends, the HCV Housing Assistance Payments Contract also ends.

Q. WHAT ARE THE RESPONSIBILITIES OF FCDHCD AS PROGRAM ADMINISTRATORS?

- Determine program applicant eligibility (based on income and other factors);
- Determine rent portion breakdown and notify owners/participants appropriately;
- Send the FCDHCD assistance payment to the owner each month;
- Conduct inspections and tenant certifications at least annually;
- Establish compliance with HUD required rent reasonableness standards; and
- Monitor program compliance.

Q. WHAT ABOUT RENT INCREASES?

A rent increase may be requested after the first year of the lease. FCDHCD must determine that the rent increase is reasonable in relation to the private rental market. Federal regulations require FCDHCD to document comparable rentals in the participant file. Owners must give a 60-day notice of any proposed rent increase to the family and FCDHCD.

For further information, please stop in at the Frederick County DHCD at 401 Sagner Avenue, Frederick MD 21701 or call (301) 600-6096.