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## Understanding the Section 8 Housing Choice Voucher Program *A Reference Guide for Landlords*

Welcome to the Section 8/Housing Choice Voucher Program!

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**How do Section 8 tenants find me?** There are many ways that a tenant may find out about your opening. Advertising, social media, building signs, or through word of mouth. Sometimes individuals call SHA to inquire of any listings we are aware of. If you would like to list your vacant apartments with us, please call us at 324-6747, and we will make a note of your opening. When individuals call us to ask if we know of any openings, we simply pass your information on. We do not screen individuals for suitability in your unit.

**Who screens the tenant?** This is an area that tends to be unclear for many property owners. When a potential tenant shows you their voucher, you know that they qualify financially for housing assistance. *SHA screens clients for financial eligibility for the program, not for tenancy suitability. That is your responsibility as the landlord.* We strongly recommend checking references, both current and past landlords, on all potential tenants.

**I have selected a tenant: What's next?** Now that you have screened your tenant thoroughly, you will need to fill out the paperwork required to place the tenant in your unit. Each Section 8 tenant is given paperwork called "Request for Tenancy Approval Packet" once they have identified a rental unit (hereafter referred to as RTA packet).

**The RTA Packet needs to be filled out in its entirety in order to be scheduled for inspection. Please use the instructions included to properly complete the packet. Once completed, please turn it back in to the SHA Main Office**

Also included in the packet is the W-9. Please note that without a completed W-9, you cannot be added to our computer system; therefore, we cannot proceed with the process. In an effort to keep operating costs down, Sanford Housing Authority is implementing mandatory direct deposits, to either checking or savings accounts. Please be sure to complete the direct deposit form included in the packet and attach a voided check if depositing to a checking account.

**The RTA has been completed. What happens now?** Bring the RTA Packet to the Housing Authority, either in person or by mail. If you need to drop the paperwork off after the office is closed, you will find a secure drop box located to the left of the front door.

Upon receiving the paperwork, the HQS Inspector will review the rental amount and utilities the tenant will be required to pay to ensure that the gross rental amount is within the Payment Standard (an amount determined by HUD to be between 90%-110% of the most recent Fair Market Rate (FMR) range specified by HUD to be reasonable. The inspector will then call you to negotiate the rent, if required, and to schedule an inspection. With a completed RTA and a verbally agreed upon asking rent that falls within the



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guidelines we are obligated to use; an inspection will be scheduled within 2-3 days. Please note that someone must be present to allow the inspector access to the apartment, including all common areas and the basement.

**Please Note:** If any unit in the building is suspected of having, or is being treated for, bedbug infestation, you are required to include that information in writing when you submit the RTA Packet.

### **What do you look for on inspection?**

**The basic requirements:** Every house or apartment must have at least a living room, kitchen, and bathroom, unless it is being rented as an SRO (single use occupancy). A one-room efficiency apartment with a kitchen area is approvable, also, assuming there is a private bathroom for use by the family (if it is not contained in the actual unit). All windows and doors on the first and second floors must have working locks, as well as any other doors or windows above the second floor that can be reached from the outside, a common hallway, fire escapes, porches, etc. All rooms must have a ceiling and walls that are in good condition. Not acceptable are large cracks or holes, severe bulging, or loose falling material. The floor throughout the apartment must be in good condition, without large cracks or holes, missing or warped floorboards, or covering that is damaged or torn that could cause someone to trip. Specific requirements, on a room-by-room basis, are found below. Please note that this is an overview, not a complete list.

**The Living Room:** There must be at least two electric outlets, or one outlet and one permanent overhead light fixture. Do not count floor or table lamps, or ceiling lamps plugged into an outlet as a permanent fixture. Not acceptable are broken or frayed wiring, light fixtures hanging from wires without firm support (such as a chain), missing cover plates on switches or outlets, or badly cracked outlets. There must be at least one window, and all windows must be in good condition. Not acceptable are windows with badly cracked, missing, or broken panes, and windows that do not shut or, when shut, do not keep out the weather. Also not acceptable are windows that do not stay open without being propped open. If there are screens present, they must not be torn or fraying.

**The Kitchen:** There must be at least one electric outlet and permanent light fixture. There must be some space to store, prepare, and serve food. There must be a stove and oven that works, and a working refrigerator as well. These may be tenant supplied, if both the tenant and landlord agree to that. There must also be a sink with hot and cold running water. Please note that a bathroom sink will not satisfy this requirement. GFI outlets are required if the outlet is within 6 feet of the outside edge of a water source, i.e., the sink.

**The Bathroom:** There must be at least one permanent overhead or wall mounted light fixture. There must be either a window that opens or a working exhaust fan. Also, there must be a flush toilet that works, a tub or shower with hot and cold running water, and a sink with hot and cold running water. Please note that a kitchen sink will not satisfy this requirement. Also note, as with the kitchen, GFI outlets are required if the outlet is within 6 feet of the outside edge of a water source, i.e. the sink or tub/shower unit.

**Bedrooms:** The electrical requirements are the same as for the living room. There must be at least one window, which must be able to be opened if it was designed to be opened, in every room used for sleeping. Every window must be in good condition. All bedrooms above the second floor must have a means of escape (either built on fire escape, or an approved escape ladder kept in the bedroom).

**Plumbing and Heating/Cooling:** All units must have a plumbing system that is connected to an approvable public or private sewage disposal system. The water supply must be served by an approvable public or private water supply system. All pipes must be in good condition, with no leaks and no serious rust. A water heating system must be located and equipped in a safe manner. There must be enough heating equipment so that the unit can be made comfortable during the cold months. Not acceptable are space heaters that burn oil or gas and are not vented to a chimney. There must be a minimum of two windows per unit that can be opened to provide air circulation during warm months, unless the building is equipped with either ventilation or cooling equipment. Old fuel tanks not in use must be removed from premises.

**Building Exterior:** The roof must be in good condition, and not leaking. Gutters and downspouts, if present, must be in good condition and securely attached to the building. Secure handrails are required on any length of stairs with four or more steps, and any porches, balconies, or decks that are 30 inches or more above the ground. The foundation must be in good condition and have no serious leaks. All chimneys must be free of serious leaning or defects, such as big cracks or many missing bricks. Dilapidated cars (unregistered/disabled) must be removed from premises.

- **All Painted Surfaces, Interior and Exterior:** Effective October 1<sup>st</sup>, 2014 All paint shall be maintained in good standing regardless of age of building or current or anticipated occupancy. No amount of paint on any property greater than Deminimus levels shall be acceptable. Deminimus levels are defined as deteriorated area more than 20 square feet (cumulative) on exterior surfaces, 2 square feet on interior surfaces per room, and 10% of small interior/exterior surfaces such as window or door trim

**General Health and Safety:** The building must have at least one working smoke detector on each level of the unit, including the basement. Each unit is also required to have a Carbon Monoxide Detector that is powered by the electrical service, as per Maine Law. Each unit must have its own entrance so it is not necessary to go through anyone else's private apartment to get into the unit. There can be no large piles of trash and garbage inside or outside the unit, or in common areas such as hallways. There must be a place to store garbage until pickup. There must be lights that work in all common hallways and interior stairs. There can be no signs of rats, vermin, or dangerous insects. **Please note:** If any unit in the building is suspected of having, or is being treated for, bedbug



infestation, you are required to include that information in writing when you submit the RTA Packet. For all manufactured homes, the mobile home must be secured with metal tie downs in accordance with local regulations.

**After the inspection:** If the inspection failed, you will have to make any repairs stated, and have a re-inspection, prior to the tenancy beginning. If the inspection passed, the inspector will pass the RTA paperwork, along with the passed inspection and rental amount information to the tenants' Occupancy Specialist. The Occupancy Specialist will use this information to start the tenants' occupancy in the apartment, and also to determine the breakdown of the rent. The Occupancy Specialist will then mail to both the tenant and yourself the papers showing the breakdown.

**Security Deposits:** The tenant is responsible for the security deposit.

**When can the tenant move in?** The tenant can move in no sooner than the day after the unit passes inspection. **Please do not allow the tenant to move in until we confirm approval of the unit with you.**

### **Frequently Asked Questions and Answers:**

**Q:** How long will it take to start receiving payments from Sanford Housing Authority?

**A:** SHA will pay a housing assistance payment (HAP) for the unit within the first 5 business days of the month.

**Q:** Does SHA pay me the full rent, or am I required to collect some from the tenant?

**A:** The Notice of Rent Adjustment indicates the total contract rent, the HAP, and tenant portion of rent. It is the landlords' responsibility to collect the tenant portion.

**Q:** What do I do if the tenant does not pay their portion?

**A:** Section 8 tenants should be treated the same as you would treat an open market tenant. Be aware that being housed under the Section 8 HCV program does not give the tenant special rights. We do require that you send copies of any eviction notices to the SHA Occupancy Specialist, as stated in the HAP Contract. Please also inform us immediately if a section 8 tenant falls behind in their rental payment, as we can reach out to them as well

**Q:** Why does SHA inspect units?

**A:** HUD requires a Housing Quality Standards inspection to be performed annually on all units that they provide funding for. This is to prevent HUD funds being spent on a unit that is deemed unfit or unsafe for habitation.

**Q:** How often do you inspect?

**A:** There are three inspections that are performed. There is the initial inspection, conducted prior to tenancy. Then there are annual inspections to be performed as determined by HUD (currently within 364 day of the last full inspection). Special inspections are done if either a tenant or landlord reports a safety issue that is not being resolved. We do not conduct move-out inspections.

**Q:** I would like to have my building inspected prior to selecting a Section 8 client. Can I request an inspection without submitting paperwork for a client?

**A:** Unfortunately, Sanford Housing is only able to inspect a building/apartment when we have a Request for Tenancy Approval for that unit.

**Q:** What do I do about tenant damages?

**A:** Damages caused by a Section 8 tenant need to be addressed by the landlord the same way they are addressed with non-subsidized tenants. If damages result in you serving an eviction notice, please notify us immediately, as this is a lease violation and can impact their section 8 voucher

**Q:** If you cannot pay the rental amount I've requested, can the tenant pay the difference?

**A:** No, the tenant cannot. The rental amount must be agreed upon between yourself and the inspector, and you cannot request, nor can the tenant volunteer, to pay the difference. To do so would be fraud, punishable by fines up to \$10,000 and/or 5 years imprisonment.

**Q:** When can I increase the rent, and how do I do it?

**A:** The rent cannot be raised during the first year of tenancy. However, rent increases may be submitted 60 days prior to the lease renewal date, to become effective on the first-year anniversary date. To request a rent increase, SHA requires that you give the tenant 60-day written notice, with a copy to both the tenant and the inspector. Please note that all increases must have an increase date of the first of the month, not mid-month.

**Q:** How much am I allowed to increase the rents by?



**A:** When requesting an increase, please determine what you need to cover your expenses, and request that amount. If the amount requested is more than we can allow, you will receive a letter explaining the difference, and your request will be processed for the highest amount allowed.

**Q:** Can I change the utility arrangement?

**A:** A change in utilities is considered a rent increase. It cannot happen during the first year of tenancy, and after that we require a 60-day notice to the tenant and SHA. The utility change will result in signing a new lease and HAP contract.

**Q:** How long after I submit an RTA packet will I have to wait before the apartment is inspected?

**A:** our goal is to have it inspected within 48 hours, assuming scheduling permits such. In a particularly busy time period, it may be up to a week.

**Q:** Can the tenants allow other people to move in?

**A:** only with landlord permission, and approval from SHA to add them to the voucher

At Sanford Housing Authority, we recognize that landlords are a key element to making the program successful. This reference guide has been designed to help you understand the Section 8 Housing Choice Voucher Program. We hope this reference guide has been informational; SHA urges landlords to call the inspector or Occupancy Specialists with any questions you may have.

**Payment Standards\*:** the payment standards are reviewed annually. Please contact Sanford Housing for the most recent payment standard amounts.

**\*Payment standards are with utilities included.** If utilities are not included, allowances are deducted from these amounts. Please contact Sanford Housing for the most recent utility allowances.

