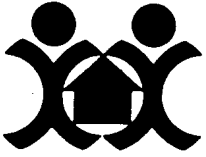


Boston Housing Authority



Housing Choice Voucher Program Leasing Guidebook



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Dear Families,

If you are a new participant, we'd like to welcome you to the Boston Housing Authority's Housing Choice Voucher (HCV) Program!

If you're already a participant in the Program, hello again — we are happy to have you.

The Boston Housing Authority (BHA) Leased Housing Department helps families find and afford safe, decent, and sanitary homes throughout the neighborhoods Boston and Greater Boston. We are proud to provide housing to over 15,000 families.

Reading these briefing materials is the first important step in your journey to a new home. These materials have been designed to help you understand the Program and make you more comfortable with its policies and procedures.

The HCV Program can seem complicated at times, so it is very important that you learn as much as you can to make the moving process as smooth as possible. Don't be afraid to ask us questions along the way.

You are a crucial part of the HCV Program's success. We expect the best out of our families and we can't succeed without you. Please do not hesitate to let us know if there is anything that we may do to assist you with your participation in the program.

Enjoy your journey!

Sincerely,

David Gleich
Chief Officer of Leased Housing Programs

Leasing Guidebook Table of Contents

- Program Overview 1**
 - What is the Housing Choice Voucher (HCV) Program?..... 1*
 - Who manages the HCV Program?..... 1*
- What is a Voucher? 2**
 - How does BHA assign bedrooms to my voucher? 3*
 - How long do I have to find housing with my voucher?..... 4*
 - How much I will pay for my apartment? 5*
 - Calculating Your Share of the Rent..... 5*
 - Payment Standards 7*
 - New Apartment Affordability Worksheet (Use a new worksheet for each apartment) 8*
- The Steps to Leasing a New Home with Your Voucher 9**
- I. Searching for Housing..... 10**
 - How do I choose a neighborhood that is right for me? 10*
 - Neighborhood Choice Ranking Sheet 12*
 - What resources are available to search for housing? 13*
 - Can I Lease an Apartment Anywhere?..... 13*
 - Selecting a Unit That Fits Your Family 15*
 - Choosing a "Healthy" Unit..... 15*
 - Presenting Yourself to the Property Owner 17*
 - What to Bring When You View a Unit 17*
 - BHA Information to Prospective Owners..... 18*
 - Fair Housing 19*
- II. Submitting a Request for Tenancy Approval (RFTA) 20**
- III. Inspections..... 22**
 - Lead-Based Paint..... 23*
- IV. Rent Determination 24**
- V. The 40% Rule 24**
- VI. Signing the Lease 25**
- VII. Moving in, Paying Rent & Utilities 27**
 - Be a Positive Part of the HCV Program..... 28*
- Appendix A: Family Obligations 29**

Program Overview

What is the Housing Choice Voucher (HCV) Program?

The HCV Program helps low-income families, the elderly and people with disabilities pay for safe, decent and clean housing. We call the people who find housing through our Program "participants." As a HCV Program participant, you will pay the owner or property manager a portion of your monthly rent (based on your income), and BHA pays the rest.

Who manages the HCV Program?

The United States Congress created the HCV Program by passing a law called the Housing and Community Development Act of 1974. This act enabled the U.S. Department of Housing and Urban Development (HUD) to give money to Public Housing Authorities to operate HCV Programs locally. HUD also writes rules and regulations regarding the HCV Program, which BHA and other Public Housing Authorities across the country must follow.

The paragraph below details how different groups work together to make the HCV Program work:

- 1. HUD and BHA:** The U.S. Department of Housing and Urban Development writes the Program's rules and gives money to local agencies like BHA to run the Program. BHA uses the funds to run the Program and to pay part of families' rent to property owners.
- 2. Participants and BHA:** Families who qualify for the Program receive vouchers from BHA to help them pay for rental units.
- 3. Property Owners and BHA:** When a property owner wants to rent a unit to a voucher holder, BHA and the property owner sign a Housing Assistance Payment (HAP) Contract in which BHA agrees to pay a portion of the voucher holder's rent each month.
- 4. Property Owners and Participants:** Property owners rent their units to participants and sign contracts (called leases) with them. The lease contains details about the rental agreement, including the total rent, the length of time the voucher holder will live there and other rules that the owner and participant agree to follow.

What is a Voucher?

Your voucher is the HUD form that allows you to begin looking for housing. You will get a voucher when you enter the HCV Program and when you move. The voucher says how many bedrooms your subsidy payment will pay for and when the voucher will expire. The voucher also includes the Family Obligations that your family must follow. A portion of a sample voucher, with some of the more important areas marked, is printed below:

This is the date that your voucher will expire. You must submit your Request for Tenancy Approval (RTA) prior to this date.

This is the date the voucher was issued.

The unit size is the number of bedrooms you are eligible for. This will also determine the Payment Standard.

Voucher
Housing Choice Voucher Program

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB No. 2577-0169
(Exp. 04/30/2018)

Public Reporting Burden for this collection of information is estimated to average 0.05 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number. Assurances of confidentiality are not provided under this collection. This collection of information is authorized under Section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f). The information is used to authorize a family to look for an eligible unit and specifies the size of the unit. The information also sets forth the family's obligations under the Housing Choice Voucher Program.

Privacy Act Statement. The Department of Housing and Urban Development (HUD) is authorized to collect the information required on this form by Section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f). Collection of family members' names is mandatory. The information is used to authorize a family to look for an eligible unit and specifies the size of the unit. The information also sets forth the family's obligations under the Housing Choice Voucher Program. HUD may disclose this information to Federal, State and local agencies when relevant to civil, criminal, or regulatory investigations and prosecutions. It will not be otherwise disclosed or released outside of HUD, except as permitted or required by law. Failure to provide any of the information may result in delay or rejection of family voucher issuance.

Please read entire document before completing form Fill in all blanks below. Type or print clearly.		Voucher Number
1. Insert unit size in number of bedrooms. (This is the number of bedrooms for which the Family qualifies, and is used in determining the amount of assistance to be paid on behalf of the Family to the owner.)	1. Unit Size	
2. Date Voucher Issued (mm/dd/yyyy) Insert actual date the Voucher is issued to the Family.	2. Issue Date (mm/dd/yyyy)	
3. Date Voucher Expires (mm/dd/yyyy) Insert date sixty days after date Voucher is issued. (See Section 6 of this form.)	3. Expiration Date (mm/dd/yyyy)	
4. Date Extension Expires (if applicable)(mm/dd/yyyy) (See Section 6. of this form)	4. Date Extension Expires (mm/dd/yyyy)	
5. Name of Family Representative	6. Signature of Family Representative	Date Signed (mm/dd/yyyy)
7. Name of Public Housing Agency (PHA)		
8. Name and Title of PHA Official	9. Signature of PHA Official	Date Signed (mm/dd/yyyy)

This is where the Head of Household will sign the voucher.

How does BHA assign bedrooms to my voucher?

BHA assigns one bedroom for the head of household and the spouse/co-head of household or domestic partner to share.

The number of bedrooms on the voucher does not limit the number of bedrooms in an apartment you can search for. However the number of bedrooms assigned to your voucher limits the subsidy that BHA will pay on your behalf. For example, a two-bedroom voucher will receive a two-bedroom subsidy level (payment standard) even if the family decides to lease a three-bedroom apartment.

- Two persons who are of the same sex shall only be entitled to one bedroom (regardless of age or generation)
- A family may elect to have two children of the opposite sex share a bedroom in order to be eligible for a smaller Voucher.
- A single pregnant woman, as documented by a physician, with no other persons will be treated as a two-person Family. A pregnant woman whose Family includes other children will not be assigned an additional bedroom until the sex of the Child is determined and documented by a physician, unless the additional family member would result in an increased voucher size regardless of sex. Once the sex of the Child is documented the BHA will assign the Family an additional bedroom if they are eligible.
- A Child who is temporarily away from the home because of placement in foster care (as documented by the Department of Children and Families) is considered a member of the Family
- The BHA may assign an additional bedroom as a Reasonable Accommodation to a Disabled Family member.
- A Live-In-Aide, approved to *live in the Unit* to care for a Family member who is Disabled or is at least 50 years of age will be counted in determining the voucher size.

Examples demonstrating voucher bedroom assignment:

Example Family 1:

45-year-old Head, 39-year-old Spouse, 20-year-old male, 10-year-old male: **2 bedrooms**

Example Family 2:

52-year-old Head, 47-year old Spouse, 19-year-old female, 17-year-old male: **3 bedrooms**

Example Family 3:

38-year-old Head, 72-year-old female, 19-year-old female, 10-year-old boy: **3 bedrooms**

How long do I have to find housing with my voucher?

If you are new to the voucher program, you have 120 days after you receive the voucher to look for housing. If you do not find housing during those 120 days, you will lose the voucher and will need to re-apply for a new voucher when the waiting list re-opens.

If you are a current participant and currently residing in an apartment, you can take as much time as you want to look for a new apartment, keeping in mind that you must give proper notice to your current landlord before leaving.

If you are a current participant and you are not residing in a subsidized apartment or the apartment you are living in has been terminated for failed inspection reasons or other reasons, you are required to move. If you don't find new housing within 120 days, you will lose your voucher.

The time on the voucher freezes as soon as you submit your move request, also called your Request for Tenancy Approval (RFTA). This is further explained below in the section on tolling.

For more information, please see the "Moving with Your Voucher" section.

Can I receive an extension on my voucher term?

BHA may give you an extension in some cases, including:

- You or another member of your household has a disability.
- There is a serious illness or death in your family.
- Your job prevents you from finding a home in a timely manner.

You will need to ask for an extension in writing and include the reason for the extension request and any evidence to prove your need. Any extension must be requested prior to the expiration of the voucher.

What is tolling?

Once you submit your RFTA the time left on your voucher is temporarily "frozen" and doesn't count against you in the event that the RFTA apartment you selected doesn't pass inspection or affordability tests. This also is known as "tolling" time.

Tolling time begins the day you submit your RFTA packet until you are notified in writing that the RFTA has been denied. When you are issued a new set of moving papers, your voucher expiration will be extended for the number of days spent in tolling time, to give you more time to look for another unit.

How much I will pay for my apartment?

Determining how much you will pay for an apartment in the HCV program is very important.

HCV program households receive a housing assistance payment equal to the difference between the lower of the gross rent of the unit or the payment standard and the family's Total Tenant Payment (TTP), which is generally 30 percent of the household's adjusted monthly income. Participants in the voucher program can choose to live in units with a Gross Rent that is higher than the Payment Standard, but would be required to pay the full cost of the difference between the gross rent and the payment standard, in addition to their TTP. The amount a family can pay towards rent is capped at 40% at initial occupancy.

There are several numbers that go into calculating your family's share of the rent.

1. Maximum Subsidy: This is the maximum amount the BHA will pay on your behalf. We determine this by subtracting 30% of your family's monthly adjusted income from the Payment Standard for your voucher size. Your monthly adjusted income is all of your income minus any allowable program deductions.
2. Payment Standard: This is the cap on the subsidy that BHA will pay. If the family's monthly income is zero, then the Payment Standard will be equal to the maximum subsidy. The Payment Standard you are eligible for changes depending on your voucher size. The BHA administers vouchers in many areas in Massachusetts. The Payment Standard varies depending on where you choose to live. See the Payment Standard chart in the next section.
3. Gross Rent: This is the rent of the apartment plus any utilities which the tenant is required to pay. The cost of utilities used to calculate the Gross Rent is a set allowance (see number 5 below) determined by the BHA.
4. Contract Rent: This is the total rent that the landlord will receive from the BHA and the tenant combined. This is also the rent that a tenant without a voucher would pay.
5. Utility Allowance: These are the expected costs for utilities of various fuels (gas, oil, and electric) and types (heat, hot water, electric, etc.) based on an annual study conducted by BHA.
6. Total Tenant Payment (TTP): This is typically 30% of your monthly income minus any program deductions for things like childcare, medical and dependent allowances.
7. Total Family Share: The amount that your family will pay towards rent and utilities. At initial occupancy of your apartment, this amount will be between 30% and 40% of your monthly adjusted income.

Calculating Your Share of the Rent

If the Payment Standard for a two-bedroom apartment is \$2,092 and TTP (30% of the monthly adjusted income for your family) is \$180, the Maximum Subsidy will be \$1,912

Payment Standard (\$2,092) – TTP (\$180) = Maximum Subsidy (\$1,912)

It is also important to know 40% of you family's monthly adjusted income. You cannot pay more than 40% of your monthly adjusted income towards rent and utilities at initial occupancy.

In this case, if 30% of your monthly adjusted income is \$180, then 40% of your monthly adjusted income is \$240.

TTP (\$180) / 30% x 40% = \$240

Once you've determined your **Maximum Subsidy**, you can look at the specifics of the apartment you've selected:

Example 1: The Gross Rent is greater than the Payment Standard.

When the Gross Rent (rent + utility allowance) for the apartment is more than the Payment Standard, your family will end up paying more than 30% of your monthly adjusted income towards rent and utilities. Note that you will not be permitted to move to any apartment that is so expensive that you end up paying more than 40% of your monthly adjusted income towards rent and utilities.

Contract Rent \$2,000 + Utility Allowance \$150 = Gross Rent \$2,150

The Gross Rent (\$2,150) exceeds the Payment Standard (\$2,092) in this example. This means you will pay more than 30% of your monthly adjusted income towards rent and utilities.

To determine the Total Family Share the Maximum Subsidy is subtracted from the greater of the Gross Rent (\$2,150) or the Payment Standard (\$2,092). Here the Gross Rent is greater.

Gross Rent \$2,150 - Maximum Subsidy \$1,912 = Total Family Share \$238

Since the Total Family Share is less than 40% of your monthly adjusted income, you could move to this apartment.

Example 2: The Gross Rent is less than the Payment Standard.

When the Gross Rent (rent + utility allowance) for the apartment is less than the Payment Standard, your family will pay 30% of your monthly adjusted income towards rent and utilities.

Contract Rent \$1,875 + Utility Allowance \$150 = Gross Rent \$2,025

The Gross Rent (\$2,025) is less than the Payment Standard (\$2,092) in this example. This means you will pay no more than your TTP (30% of your monthly adjusted income) towards rent and utilities.

To determine the Total Family Share, the Maximum Subsidy is subtracted from the greater of the Gross Rent (\$2,025) or the Payment Standard (\$2,092). Here the Payment Standard is greater.

Payment Standard (\$2,092) - Maximum Subsidy (\$1,912) = Total Family Share \$180

Anytime the Gross Rent is less than the Payment Standard for the unit you've selected, your Total Family Share will be 30% of your monthly adjusted income.

Payment Standards

The BHA provides a different payment standard by bedroom size within each zip code of its service area.

See www.bostonhousing.org for the most current information.

New Apartment Affordability Worksheet (Use a new worksheet for each apartment)

Address: _____

City: _____ Zip: _____

Check the utilities that you will pay for as a tenant:

Utility	Fuel Types (circle one):		
Heat	Gas	Electric	Oil
Hot Water	Gas	Electric	Oil
Cooking	Gas	Electric	
Electric			
Water and Sewer			
Tenant Supplied Refrigerator			
Tenant Supplied Range			

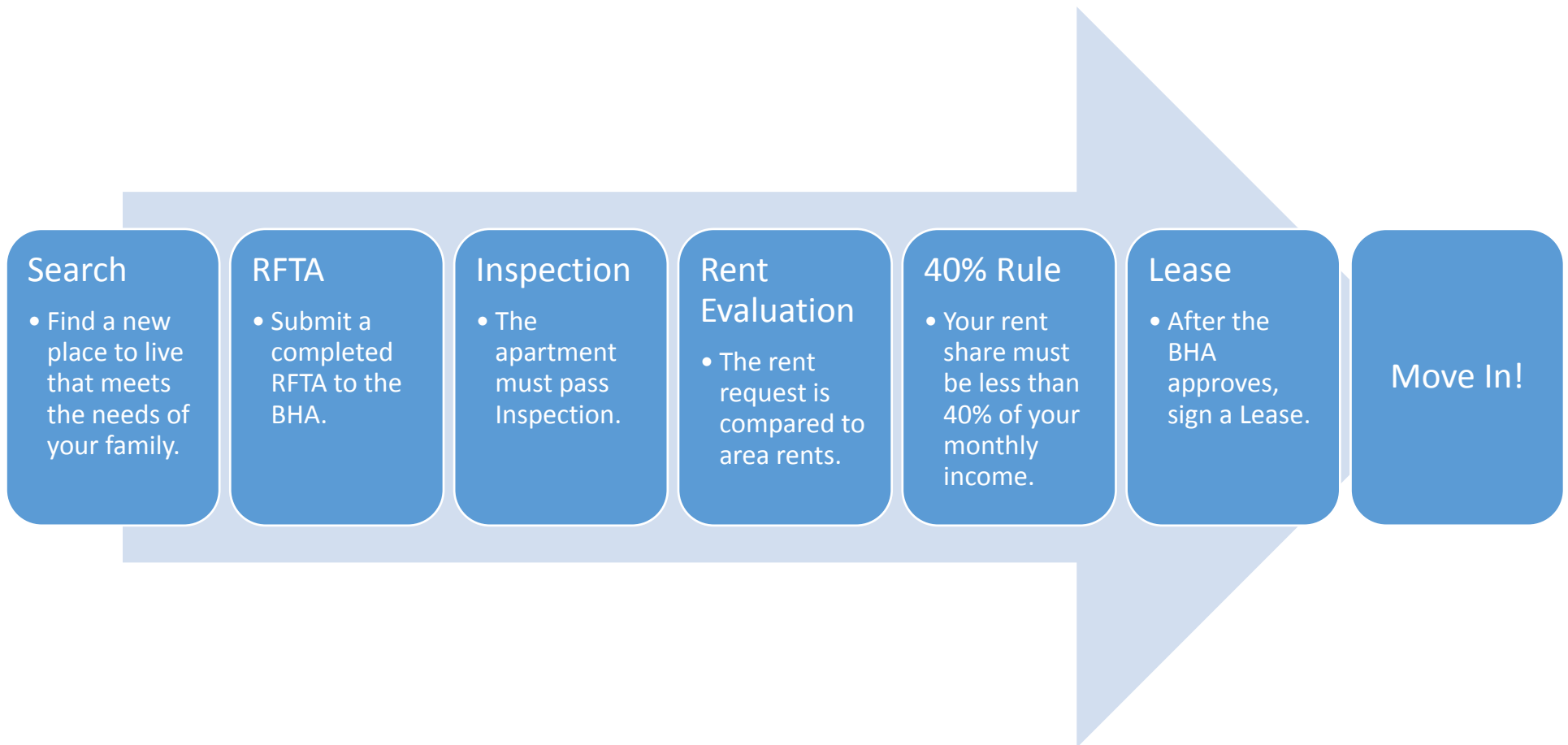
Lines with an * can be provided by your leasing officer.

1. *Utility Allowance:
2. *Voucher Size:
3. *Payment Standard:
4. Total Tenant Payment (30% of monthly adjusted income):
5. 40% of monthly adjusted income:
6. Maximum Subsidy:
7. Contract Rent Requested by Property Owner:
8. Gross Rent (Contract Rent + Utility Allowance):
9. Greater of the Gross Rent or Payment Standard:
10. Total Family Share (Line 9 – Line 6):

If line 10 above is less than line 5, then you may be eligible to rent the apartment.

The Steps to Leasing a New Home with Your Voucher

This guidebook goes over these steps in detail in the following sections

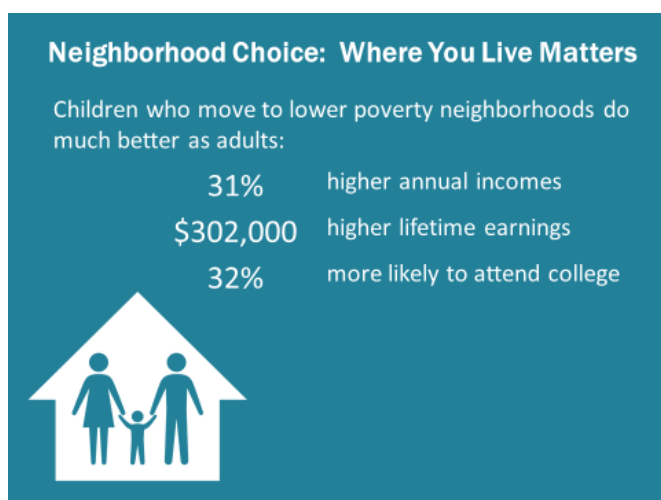


I. Searching for Housing

Before you begin your search, you need to know how many bedrooms your family qualifies for and how much rental assistance you will receive from BHA (see the previous section for how to determine this key information).

With this information, you can begin looking for units that suits your needs. Finding a suitable unit is your responsibility. BHA does not get involved in a participant's search for a unit. Fees associated with an apartment including rent, security deposit, broker fees or application fees will always be provided directly to the owner or agent and never to a BHA employee. Also, please note that the voucher holder is responsible for any security deposit, broker's fees or application fees, BHA does not assist with these.

How do I choose a neighborhood that is right for me?



You are the best person to decide what neighborhood is best for you. As a BHA voucher holder, you can choose to rent an apartment anywhere in the State of Massachusetts or anywhere in the country (see more information on this in the section titled "Can I Lease an Apartment Anywhere?").

Every neighborhood you're interested in may offer something different to your family, so before starting your housing search, it is a good idea to rank the qualities of a neighborhood that are most important to you and your family. You can

using the Neighborhood Choice Ranking Sheet included in this packet to help you.

The quality of the local schools, the safety of children's playgrounds, your neighbors' level of education and employment will be different depending on your neighborhood choice. Housing location can also affect access to jobs, the cost of getting to work, the ease of groceries and other basic goods and services, and your ability to balance child-care responsibilities with work schedules.

Searching for housing will often require you to make trade-offs: an apartment that is close to work may be more expensive or an apartment nearby your child's doctor may not give you as good access to the school that you want your children to go to. Some neighborhoods have lower crime rates than others, some are closer to stores and parks, some are close to your work, and some are close to friends and family. Choosing among these tradeoffs is a personal choice.

Where You Live Matters

It is important to mention that where you live can significantly affect your and your family's access to different opportunities and your economic and health outcomes later in life. This is especially important if you are a family with young children. Location also can affect access to jobs,

transportation costs, access to healthy food and other basic goods and services, and the feasibility of balancing child-care responsibilities with work schedules.

Finding apartments in areas that have neighborhood qualities that are most important to you may mean searching outside of neighborhoods or towns that you are currently familiar with. To be sure you are finding potential units outside of areas you or your family and friends already know of, use a range of different search resources to expand your choices.

Questions about the Neighborhood to Ask and Where to Look for Answers

- How good are the schools?
 - <http://profiles.doe.mass.edu/>
- How safe is the neighborhood?
 - <https://www.neighborhoodscout.com/ma/crime>
- How close is public transportation?
 - <https://www.walkscore.com>
- How close is it to your job?
- Will I be close enough to family and friends?
- Is it easy to park in the neighborhood?
- Are there playgrounds nearby?
- Can you easily get to a grocery store nearby?
- Are there churches you can join in the area?
- How close are the medical services that your family needs?

Neighborhood Choice Ranking Sheet

Instructions: Rank the characteristics below from 1 to 10, with 1 being the most important and 10 being the least.

Rank (1-10)	Neighborhood Characteristic
	How good are the schools? (http://profiles.doe.mass.edu/)
	How safe is the neighborhood?
	Is public transportation close? (https://www.walkscore.com)
	How close is it to your job? (google.com/maps) (mbta.com)
	Will I be close enough to family and friends?
	Is it easy to park in the neighborhood?
	Are there playgrounds nearby?
	How close are the medical services that your family needs
	Can you easily get to a grocery store?
	Are there places of worship you can join in the area?
Write in other factors that may be important to you below:	

Choose a neighborhood

When searching for a neighborhood, try to find one that includes your as many of your top choices as possible.

What resources are available to search for housing?

Many public resources exist to aid you in your housing search, from speaking with friends and neighbors to searching real estate and apartment listings online. Different resources have strengths and weaknesses, from those that are tailored to voucher holders to others which may also list units that aren't always affordable.

A key part of a successful housing search is to use many different methods and resources to ensure that you find units that meet your goals. This includes searching for units in areas that you or your friends and family may not currently be familiar with. The Boston region is large and it contains over 100 different cities and towns, so there are a lot of options to explore! Keep an open mind about new areas as you compare possible homes with your housing goals.

BHA suggests several resources to assist you in finding a unit:

- Online classified ad sites (Craigslist, Zillow, GoSection8)
- Apartment Listings Submitted to BHA by Current Landlords Leasing to Voucher Holders
 - <https://www.bostonhousing.org/en/Apartment-Listing-Search.aspx>
- MetroHousing Boston
 - <https://www.metrohousingboston.org/>
- Boston Metrolist
 - <https://www.boston.gov/metrolist>
- Apartment Guides
- Friends / Neighbors / Co-workers
- Real estate agents or brokers (they may charge a fee)
- "For Rent" signs posted on units

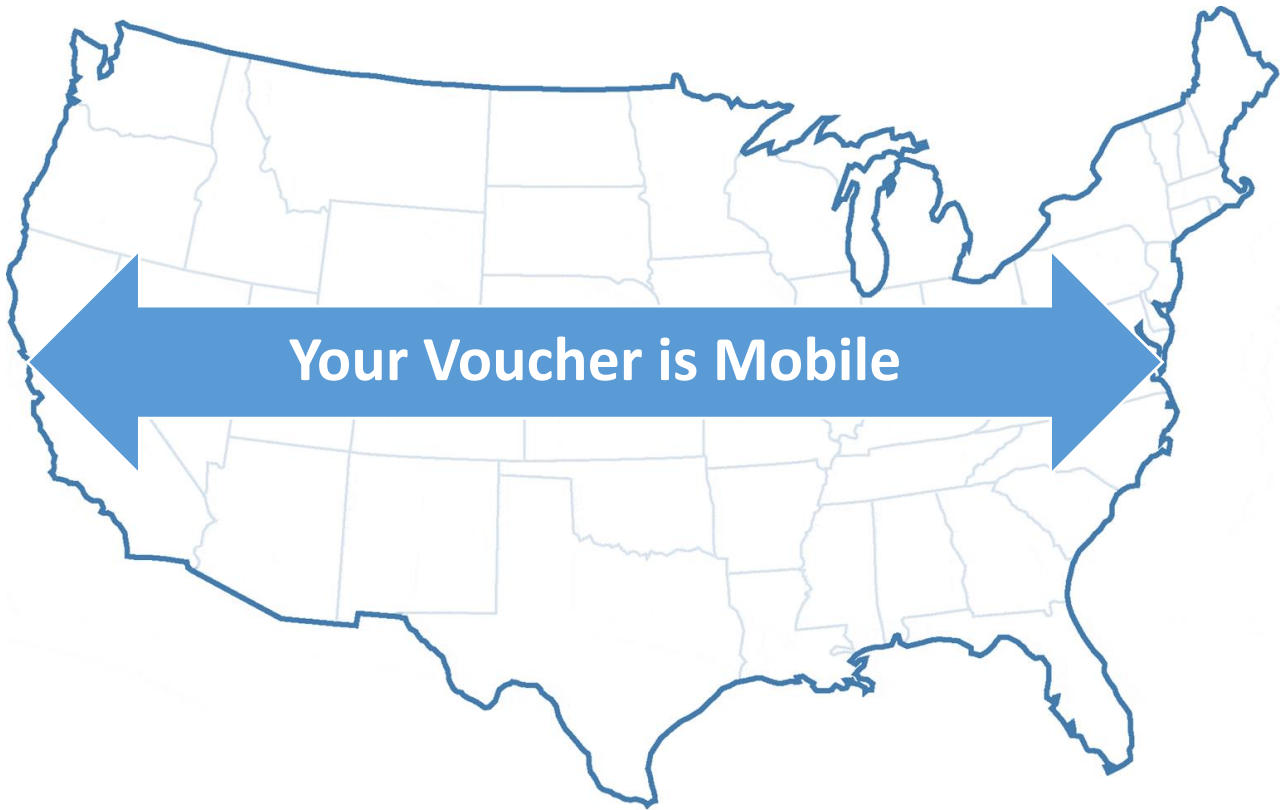
Can I Lease an Apartment Anywhere?

The Housing Choice Voucher program will allow you to take your voucher anywhere in the country. However, the BHA administers vouchers for a defined area. You can see the full list on the Payment Standards section above. This area is very large and covers well over 100 towns in the Boston metropolitan region.

If you are interested in leasing with your voucher outside the BHA's area of administration, this type of move is called "Portability". If you are interested in Portability or "Porting Out" with your voucher, the BHA will provide the contact information for the housing authority in the area where the Family wishes to live.

If this will be the Family's first lease under the Housing Choice Voucher Program, the BHA will compare the Family's income to the applicable-income limit (typically the very low-income limit) for the community where the Family wants to move and determine if the Family will be able to lease an apartment with continued assistance in the jurisdiction of their choice.

Addresses and telephone numbers for PHAs around the country are available on HUD's web site: www.hud.gov. Income limits are available at www.huduser.org.



Selecting a Unit That Fits Your Family

Moving is stressful and expensive, so it's very important to find a home that you and your family will enjoy living in for a long time.

There are many considerations when selecting the right unit for your family:

- Is there enough space for you and your family?
- Are pets allowed?
- Is there yard space or nearby parks for your children to play and exercise
- Are there too many stairs to get to your unit?
- Are the heating and cooling systems controlled by the tenants or the property owner
- Are utilities included in the rent?

Choosing a "Healthy" Unit

As you look for your new home, it is important to pick the healthiest one for you and your family. This is especially important if someone in your family has a health problem or has young children. The BHA inspection will fail any unit that is unhealthy or unsafe so it is important not to waste time with apartments that BHA will not be able to approve.

For example, many apartments have carpeting, which may collect dust and other pollutants that can cause asthma attacks. If you or a family member has asthma, an apartment without carpeting would be the healthier choice.

Consider the following health and safety items when selecting a unit:

Smoke-Free Housing - Massachusetts law allows apartment buildings to be smoke-free. Smoke-free housing means that people cannot smoke in common areas (hallways, foyer) and cannot smoke in the apartments. Smoke-free housing helps to protect you from tobacco smoke, because even if you don't smoke, the smoke from another apartment can enter your apartment through the heating ducts.

Fire Safety - Does the apartment have working smoke detectors? Are there fire exits (more than one way to exit)?

Bed Bugs - City ordinances requires that property owners/managers get rid of bed bugs. They are required to give you information about what to do if you have bed bugs when you sign your lease.

Lead-Based Paint - Does the unit have lead-based paint? Children can get lead poisoning by eating lead paint chips and breathing dust from lead paint. Lead poisoning can cause behavior problems, learning difficulties and other developmental problems. Landlords must disclose these issues under the State and federal law.

Properly Working Windows - It is important for all units, and especially those where children reside, to have properly working windows for adequate ventilation, safety and security. Below are items to check:

- The windows open from the top and bottom.
- All the windows have screens.
- The windows lock.

Breathing Conditions

If you or a family member have breathing problems (asthma, chronic obstructive pulmonary disease (COPD), etc.), please review the table below.

What to look for if you or a family member have trouble breathing:

Problem:	What to do:
Tobacco smoke	Choose a unit that is smoke-free. Ask the owner how the policy is enforced. Also, look for signs regarding the policy, and watch for cigarette butts around the property.
Carpeting	When possible, choose a unit without carpeting. Also, newer carpeting is healthier than old carpeting.
Pets	Choose a building that doesn't allow pets. Ask the owner if previous tenants owned pets.
Cockroaches and mice	Look in kitchen cabinets and behind the stove for signs of pests. Ask the owner about how a pest problem would be handled.
Mold	Look under sinks, in closets and in the bathroom
Water leaks	Look for water stains on the ceiling and walls.
Gas stove	Ensure there is proper ventilation.

Presenting Yourself to the Property Owner

When you go looking for a new house or apartment, you should treat the visits like job interviews. At your first meeting, owners will decide if you will be a good neighbor and tenant, just like a company would decide if you would be a good employee.

Aside from first impressions, here are some other things that owners look for in a tenant:

- Good rental history
- Stable income (regular employment, Social Security benefits or a retirement pension)
- Good credit history
- Positive references from employers or clergy
- Good telephone etiquette (for example, if you need to leave a message, be sure to speak clearly and leave your name, phone number and the reason for your call)

Questions to Ask the Owner

Before you view a unit, you should contact the owner over the phone. You will want to make a good first impression so that the owner thinks of you as someone who will be a good tenant and neighbor.

You may want to ask the following questions about the apartment or house you want to rent:

- Are there any vacancies?
- What utilities will I pay?
- How much is the rent?
- Who is responsible for pest control?
- Do you allow pets? Are there any pet fees?
- Does the unit have central air conditioning?
- How much is the security deposit?
- How do I request repairs?
- Are there any application, association, condominium or other rental fees?
- Does the unit include a refrigerator or do I need get my own?

What to Bring When You View a Unit

When you visit the unit, you will need to bring some information with you to show the owner and help you when you fill out an application. These items include:

- Personal identification
- Names and phone numbers of your references
- Employment information
- Contact information for the owner(s)/property manager(s) of your current and past rental units
- Your voucher
- Credit report (if possible)
- Request for Tenancy Approval (RTA) packet

Everyone who rents will likely have to fill out an application. In addition, many owners will ask you for an application fee to process your application and perform a credit check.

BHA Information to Prospective Owners

The BHA does not screen tenants with respect to their Family history or suitability for tenancy. Screening is the responsibility of the Owner

Fair Housing

As a tenant with a voucher, it is important to understand the basic rights provided to you under Fair Housing laws. The premise is simple: **everyone has the legal right to live anywhere he/she wants (and can afford) to live.** Fair Housing laws apply to both individuals and families, whether they are voucher holders or not.

There are different laws that protect you from discrimination based on the following:

- Race
- Color
- National origin
- Sex
- Sexual orientation
- Gender Identity/Transgender Status
- Religion
- Marital status
- Familial status (which includes families with children and pregnant women)
- Age (except minors)
- Ancestry
- Physical or mental disability or handicap
- Receipt of public assistance (welfare, SSI, EAEDC, etc.)
- Receipt of a housing subsidy (Section 8)
- Status as a veteran or member of the armed forces

As a voucher holder it is important to understand that a property owner CANNOT reject you for an apartment just because you are voucher holder. This is referred to as source-of-income discrimination.

While all owners must adhere to Fair Housing laws, these laws do not require an owner to rent to anyone. Owners have the right to screen applicants based on legal guidelines and procedures. The screening process will vary. Some owners/managers will just talk to you and make a decision. Other owners will require you to go through a formal screening process that may include:

- Checking credit history and references
- Conducting a criminal background check
- Reviewing previous rental history
- Filling out an application form
- Making home visits

Fair Housing laws require an owner to treat all applicants the same. For example, if an owner conducts home visits as a part of the screening process, the owner must conduct home visits for every applicant. If the screening uncovers information that indicates you may not pay the rent on time or you may damage the property, then the owner does not have to accept you as a tenant.

If you believe you are a victim of housing discrimination you may file a complaint by going to this link: <https://www.mass.gov/how-to/how-to-file-a-complaint-of-discrimination> or calling (617) 994-6000.

II. Submitting a Request for Tenancy Approval (RFTA)

Once you've found an apartment that suits your family's needs and the owner has agreed to enter into a lease, you must submit a completed Request for Tenancy Approval (RFTA) to the BHA. If you are reading this now, you probably have also received the RFTA package. If not, you can pick one up at the BHA front desk or find it online at www.bostonhousing.org/ownerdocs.

The RFTA provides information that allows BHA to determine Owner eligibility and set-up payments. Based on the information provided in the RFTA, the BHA reviews current tax information, deeds, and corporate filings to establish proof of ownership. The BHA also schedules an inspection and determines the rent based on the information provided in the RFTA. See sections below on Inspections and Rent.

In order to prevent any delay in your move process it is important that the RFTA that you submit is completed in its entirety. If the RFTA is submitted incomplete, the BHA will reach out to you or the owner to get the additional information.

You may submit a RFTA to your leasing officer electronically via email. You can also come to BHA offices at 52 Chauncy Street to drop off the RFTA.

The owner will also be required to submit the following items with the RFTA:

1. **Management Agreement:** A current management agreement or letter from the owner authorizing the management company or property manager to conduct business on behalf of the owner, if applicable.
2. The BHA has a **Model Lease** that the owner may utilize for the Section 8 tenancy. However, if the owner decides to use their own lease, **the owner must submit it for BHA review**.
3. **Water Sub-metering Form:** If the owner wishes to charge you for water, the owner must provide a valid sub-metering form and a lease addendum for billing water utility.
4. The BHA now requires Direct Deposit to receive payment. The Direct Deposit form and a W-9 will be collected by the Owner Services team during the Leasing Process. The owner can find these forms on our web site: www.bostonhousing.org/ownerdocs. The owner may submit completed forms in advance to payments@bostonhousing.org

Once the RFTA is Submitted to BHA

1. BHA will review the ownership status of the property.
2. BHA will work with the owner to schedule and complete an initial Housing Quality Standards (HQS) inspection of the unit. See section on Inspections below.
3. BHA will work with the owner to set up direct deposit for the portion of the rent BHA would pay on your behalf.
4. If the owner needs to make repairs to the unit to meet HQS, BHA will schedule and complete a re-inspection.
5. BHA will decide whether the asking rent is reasonable.
6. BHA will then determine how much of the rent you will pay and how much BHA will pay the owner directly.

7. After the unit passes inspection and BHA approves rent payments, you will sign a lease with the owner and the BHA will also sign a contract with the owner for the Housing Assistance Payment (HAP).
8. Once the unit has passed inspection, your share of rent is approved, and you have signed the lease and received keys to the unit, the unit is yours.

Note: Once you have accepted the keys, you are responsible for adhering to the Family Obligations and all terms of the lease and Tenancy Addendum

III. Inspections

Every apartment must pass a BHA inspection before you can move in. The unit must be decent, safe, and sanitary as required by the federal Housing Quality Standards (HQS). The apartment must also be in compliance with State and local codes and requirements.

Once you submit the RFTA, the BHA will communicate with the Owner to schedule the inspection. The Owner may also Contact the BHA Inspection Department by calling (617) 522-0048 to schedule an inspection.

The unit and any common areas must pass inspection prior to lease-up. The unit must be vacant to conduct an inspection. Typically, an inspection prior to the 20th of the month will result in a lease effective date on the 1st of the following month.

Can I be present at the inspection?

BHA will allow a tenant to be present during the course of an initial inspection. However, it is up to the owner to communicate with you regarding the inspection date and time.

What happens if the unit fails inspection?

If the apartment fails the initial inspection, the owner has 30 days to make the necessary repairs and schedule a re-inspection. If the apartment fails a second time, the RFTA for that apartment will be closed and you will start searching for another apartment with the remaining time on your voucher.

What are Housing Quality Standards (HQS) inspections?

HQS inspections focus on these basic items in every unit:

- Sanitary facilities
- Water supply
- Food preparation and refuse disposal
- Lead-based paint
- Space and security
- Access
- Thermal environment (heat)
- Site and neighborhood
- Illumination (lighting) and electricity
- Sanitary conditions
- Structure and materials
- Smoke and carbon monoxide detectors
- Interior air quality

When a BHA inspector comes out to your unit, they are looking mainly at these categories. Cosmetic issues (e.g., the blinds need to be replaced, the owner agreed to replace the carpeting with hardwood, etc.) factors may not be covered under BHA's requirements, and it is your responsibility to follow up with the owner prior to signing the lease if you would like them to be addressed.

Lead-Based Paint

The primary cause of childhood lead poisoning is the ingestion of deteriorated lead-based paint. The lead hazard is restricted to older homes because lead paint was banned in 1978. However, most of Boston's rental housing was built prior to 1978, so lead-based paint is a danger for children that live in the region. Children under the age of six have increased risk related to lead paint because their nervous systems are still developing. Small children also tend to play on the floor where paint chips and dust collect and have a habit of putting things in their mouths. Lead poisoning can cause severe learning disabilities, hearing loss, brain and nerve damage, and even death.

To help protect these children, BHA will perform a visual paint assessment during a HQS inspection if a building meets all of the following conditions:

- Built before 1978
- Has not been gutted and rehabilitated since 1978
- Is (or will be) occupied by a child under the age of six

Any paint deterioration (cracking, chipping, chalking or peeling) requires action, but substantial paint deterioration may require a lead clearance exam performed by a certified laboratory. To provide lead-safe environments for their tenants, owners should address any significant peeling paint issues as soon as discovered or regularly re-paint to seal surfaces and trap any lead-based paint that may be present.

IV. Rent Determination

The property owner will request the amount of rent they want for the apartment on the RFTA.

The BHA uses that amount to determine if the rent is reasonable in comparison to other similar market units in the area. To do this, BHA considers a number of things like location, number of bedrooms, overall quality, available amenities, age of the structure, and on-site maintenance or services, if available. This analysis is called ***Rent Reasonableness***.

If the rent requested exceeds the BHA's comparison to other similar apartments in the area and the owner refuses to come down to the BHA determined rent, then the unit will be rejected and you will be asked to search for another apartment with the remaining time on your voucher.

V. The 40% Rule

In addition to meeting Rent Reasonableness, you will not be permitted to move to an apartment where you will pay more than 40% of your monthly adjusted income towards the rent and utilities at the apartment.

If the Gross Rent (rent to the owner plus utilities) is higher than the Payment Standard for your unit, you will need to pay the additional amount. As a HCV Program participant, however, you cannot pay more than 40% of your Adjusted Monthly Income in any one month.

If your share of the rent plus any utilities that you are responsible for will be greater than 40% of your monthly adjusted income, the apartment is considered unaffordable. If this is the case, BHA will ask the owner to reduce the rent to an amount that is affordable. If the owner does not agree to the lower, affordable rent, then you will be asked to search for another apartment with the remaining time on your voucher.

See also the previous section in this guidebook called "Calculating Your Share of the Rent."

VI. Signing the Lease

What is a lease?

A lease is a contract between you and the owner of the unit you are renting. The lease will state rules you must follow while living in the unit, the monthly rent for the unit, the utilities that you must pay and other items.

When do I sign the lease?

Do not sign your lease or move in to your new home until the unit passes a Housing Quality Standards (HQS) inspection and BHA approves the rent. BHA will notify you and the owner when the unit has passed inspection and the rent has been approved. Once this has happened, the BHA will schedule you to sign a lease.

You will work with the owner or property manager to schedule a move-in date and arrange for receiving your keys. If the property owner requires a security deposit, you may pay it at that time as well.

What is a security deposit?

A security deposit is money you give your property owner, above and beyond rent, when you move into a new unit. An owner collects a security deposit to cover any unpaid rent or damage to the unit (above normal wear and tear) when you move out. You will give the owner a security deposit when you sign your lease.

If you have done excessive damage to the unit or have unpaid rent when you move out, the owner will deduct that amount from your security deposit. If you pay your rent regularly, keep the unit clean and do not cause any excessive damages, the property owner should refund your full security deposit when you move out.

Security deposits and move-in fees are not covered by your voucher.

What is a move-in fee?

In addition to, or instead of, a security deposit, many property owners/managers are now asking for a lower-priced, one-time move-in fee. Move-in fees are usually non-refundable and the amounts can vary, depending on the building type.

How much can the owner charge me to repair damages?

The owner of your unit cannot charge you for slight damage from normal use or wear and tear. For example, the owner cannot charge you for small scuffs or scratches on the hallway wall. However, you could be charged for a hole in the wall.

How can I avoid paying for damages that are not mine?

To protect your security deposit, BHA recommends that you take careful notes (and photographs, if possible) documenting the condition of the unit when you move in. This will make sure the owner does not charge you for damages caused by people that lived in the unit before you.

Will I have access to additional structures on the property?

Access to additional structures, such as the garage, basement or other parking area, are at the discretion of the owner. If access to additional features has been granted, make sure that is included with your lease.

Will I have to move once my lease is up?

While it is preferable for the protection of both parties, BHA does not require you and the property owner/manager to sign a new lease after the initial lease term. Legally, if you do not sign a new lease, your agreement moves to a month-to-month basis after the initial lease term expires.

How can I handle disputes with my landlord?

Clear, open and effective communication with the property owner/manager is key to maintaining a positive tenancy. At the time you move in, you should ask the owner for a contact phone number and perhaps a backup method in case they cannot be reached by phone (e.g., an alternate phone number or email address). If you are having trouble communicating with your current property owner/manager, ensure that all communication attempts are documented and contact BHA to see if you have the correct contact information.

VII. Moving in, Paying Rent & Utilities

As a new resident, it will be very helpful to learn what you can about your new neighborhood and be proactive about your transition to a new community.

Here are some examples of how you can get you and your family settled in:

- Find the nearest medical facilities, libraries and parks.
- Talk with your children about the change.
- Meet your new neighbors.
- Find out when garbage is collected and how it should be placed out for collection.
- Enroll your children in school programs and after-school activities.
- Consider purchasing renters' insurance to protect your home and belongings.
- Find out about the leaders in your community and meet them.
- Register to vote at your nearest library.
- Participate in neighborhood and PTA meetings.
- Join community organizations and Neighborhood Watch programs.
- Learn about city or town code violations.

Your Responsibilities to BHA and the Property Owner

- You must follow your obligations under the lease and Tenancy Addendum you signed with the owner.
- You must follow the BHA Housing Choice Voucher Family Obligations.
- Before you move out of the unit, you must give the owner or property manager at least a 30-day written notice or the amount of notice stated in the lease. You must provide a copy of that notice to the BHA.
- You must keep your unit in the same condition as when you moved in (any damage beyond normal wear and tear can affect your security deposit, prevent you from moving and/or result in your termination from the HCV Program — even after you move out).
- You must make the unit available for inspections.
- You must attend any scheduled appointments at the BHA, provide any information requested by the BHA, and notify the BHA when you anticipate any changes to your income or family composition.
- You must make timely payments to the owner or property manager and utility companies.

Can the owner access my unit after I move in?

The lease determines under what circumstances the owner can enter your unit. Usually the owner/manager will provide you advance notice in accordance with your lease if repairs need to be made. An exception is in the case of an emergency or when repairs may unexpectedly require immediate access. Please look to the lease agreement between you and the owner for these conditions.

Can an owner impose a guest policy on me?

Under BHA's policy, Participants are allowed to have guests and other temporary visitors. However, the leased premises may not be occupied for more than fourteen (14) cumulative days, or as prescribed in the lease agreement, by any one visitor/guest in a calendar year without prior permission from both the BHA and the Owner.

The property owner has the right to enforce occupancy as stated in the lease.

Be a Positive Part of the HCV Program

Become a Part of Your Community

The people living in a neighborhood depend on each other to create and maintain a positive environment for everyone who lives there.

Appendix A: Family Obligations

Violation of the Family Obligations listed below by action or failure to act may result in termination of housing assistance.

1. *Supplying required information.*

- The family must supply any information that the BHA or the Department of Housing and Urban Development (HUD) determines necessary in the administration of the program, including submission of required evidence of Citizenship or eligible immigration status as required by federal regulations. "Information" includes any requested certification, release or other documentation.
- The family must supply any information requested by the BHA or HUD for use in a regularly scheduled reexamination of family income and composition in accordance with HUD requirements.
- The family must disclose and verify social security numbers and must sign and submit Consent forms for obtaining information.

2. *Housing Quality Standards (HQS) breach caused by family.* The BHA may terminate a participant from the Section 8 program for life-threatening HQS violations that the participant does not correct within twenty-four (24) hours. The BHA may terminate assistance for non-life-threatening HQS violations that the family does not correct the violation within thirty (30) days. The BHA may also terminate a participant under this provision for one or more of the following reasons:

- The family fails to pay for any utilities that the owner is not required to provide, but which are to be paid by the tenant.
- The family fails to provide and maintain any appliances that the owner is not required to provide, but which are to be provided by the family.
- If any family member or any guest damages the dwelling unit or common areas beyond ordinary wear and tear.

3. *Allowing BHA inspection.* The family must allow the BHA to inspect the unit at reasonable times and after reasonable notice.

4. *Violation of lease.* The family may not commit any serious or repeated violation of the lease.

5. *Family notice of move or lease termination.*

- The family must notify the BHA and the Owner before the family moves out of the unit or terminates the lease on notice to the owner.
- The family must give the BHA a copy of the thirty-day notice of termination that the family gave to the owner before the family can move to a new apartment with assistance.

6. *Owner eviction notice.* The family must promptly give the BHA a copy of any owner eviction notice. Promptly means within two weeks of receiving the eviction notice for the purposes of this section.

7. *Use and occupancy of the unit.*

- The family must use the assisted unit for residence by the family. The assisted unit must be the family's only residence.
- All family members residing in the unit must be approved by the BHA.

- All family members residing in the unit must be approved by the BHA. The Family must promptly notify (within thirty (30) days) the Housing Authority of the birth, adoption, or court-awarded custody of a child. The family must request and receive BHA approval before adding any other family member as an occupant of the unit. No person other than members of the assisted family may reside in the unit, except a foster child or a Personal Care Attendant.
 - The family must promptly notify BHA (within thirty (30) days) that a family member no longer resides in the unit.
 - If the BHA has given approval, a foster child or a Personal Care Attendant may reside in the unit.
 - A family member may engage in legal profit making activities in the unit, but only if such activities are incidental to the primary use of the unit for residence by members of the family.
 - The family must not sublease or let the unit.
 - The family must not assign the lease or transfer the unit.
8. ***Absence from the unit.*** The family must supply any information or certification requested by the BHA to verify that the family is living in the unit or relating to a family absence of the unit, including any BHA requested information or certification regarding family absences. The family must cooperate with the BHA for this purpose. The family must promptly notify (within thirty (30) days) the BHA of an absence from the unit. Absence means that no member of the family resides in the unit.
9. ***Interest in the unit.*** The family must not own or have an interest in the unit.
10. ***Fraud and other program violation.*** The members of the family must not commit fraud, bribery, or any other corrupt criminal act in connection with the programs.
11. ***Crime by family members.*** The members of the family may not engage in Drug-Related Criminal Activity or Violent Criminal Activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the Premises.
12. ***Alcohol abuse by family members.*** The members of the family must not abuse alcohol in a way that threatens the health, safety or right to peaceful enjoyment of other participants and persons residing in the immediate vicinity of the premises.
13. ***Other housing assistance.*** An assisted family, or any member of the family, may not receive Section 8 tenant-based assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative (as determined by HUD or in accordance with HUD requirements) federal, State or local housing assistance program.

