

# Federal Housing Programs Overview

## Section 8 Vouchers



HJN Basic Training  
Washington, DC  
December 6, 2008



National Housing Law Project  
614 Grand Ave., Ste. 320  
Oakland, CA 94610  
(510) 251-9400  
www.nhlp.org

---

---

---

---

---

---

---

---

### Voucher Program Overview



## Key Components

- **Number of Units:**
  - 1.8 million available; 1.7 million occupied
  - 53% Caucasian, 43% African-Amer., 16% Hispanic

---

---

---

---

---

---

---

---

### Voucher Program Overview



## Housing Choice Voucher Program

- **How Program Works: Who is Involved/Roles**
  - HUD signs a contract annual contributions contract (ACC) with PHA.
  - PHA administers the program locally
  - Tenant finds a willing landlord
  - PHA and landlord enter into HAP contract
  - Landlord and tenant sign a lease

---

---

---

---

---

---

---

---

Voucher Program Overview

## Key Components

- **Who's Involved/Roles?**
  - Private owners/landlords own the housing
    - Owner may have other federal housing assistance such as LIHTC or Section 236, etc.
  - PHA is created by local law and is governed by a Board of Commissioners that set policies
    - Commissioners are generally appointed by elected officials but may be elected
    - PHA has specific area of jurisdiction

---

---

---

---

---

---

---

---

Voucher Program Overview

## Key Components

- **Key Regulatory Features:**
  - Federal statute, regulations and forms; forms and guidebook from [www.hudclips](http://www.hudclips) or [www.hud.gov](http://www.hud.gov)
  - Locally developed rules, policies and contracts
    - Administrative Plan
    - PHA 5 year and annual plan developed locally, posted on HUD website
  - Form HUD Lease Addendum and landlord's lease

---

---

---

---

---

---

---

---

Voucher Program Overview

## Key Components

- **Finding Out Where this Housing Is Located in Your Community**
  - Key Voucher feature is mobility and *portability*. Portability means can use within jurisdiction of any PHA
    - PHA May deny portability due to high costs
  - Many Vouchers used in areas of high poverty and high racial concentration
    - Limitations supported by inadequate payment standard

---

---

---

---

---

---

---

---

Voucher Program Overview

## Key Components

- **Tips to Determine Kind of Housing Involved**
  - Tenant given Voucher and had to find the unit
  - PHA conducts annual insp'n and rent recert
  - Most often private unsubsidized LL
- **Getting Information:**
  - NHP Manual, *HUD Housing Programs: Tenants' Rights* (3d ed. 2004)
  - NHP monthly *Housing Law Bulletin*
  - NHP Website, [www.nhlp.org](http://www.nhlp.org)
  - NHP maintained HJN list-serves
  - National Low Income Housing Coalition weekly Memo
  - Center for Budget Policy and Priorities [www.cbpp.org](http://www.cbpp.org)

---

---

---

---

---

---

---

---

Voucher Program Overview

## Key Components

- **Related Subprograms or Set-Asides for Special Uses:** Many Vouchers targeted for special needs, such as Welfare to Work, Family Unification, Mainstream, Designated Housing, Enhanced Vouchers; VASH via NOFAs; listed in PHA plan
- PHA may operate a Voucher homeownership program or "project-based Voucher" program
- Some PHAs must have Voucher Family Self Sufficiency (FSS) program; other PHAs have elected or expanded one

---

---

---

---

---

---

---

---

Voucher Program Overview

## Admissions

- Admission issues are covered in another session
- Key elements of the admission process are set forth in the voucher outline

---

---

---

---

---

---

---

---

**Voucher Program Overview**

## Housing Choice Voucher Program: Rent

---

- Tenant share of rent is a function of tenant income, maximum subsidy and rent charged for the unit.
- PHA Sets the maximum level of the subsidy by bedroom size—the Payment Standard
- Most tenant pay 30% of adjusted income
- Tenant may pay more if payment standard is less than rent charged by landlord

10

---

---

---

---

---

---

---

---

**Voucher Program Overview**

## Housing Choice Voucher Program: Rents

---

- **Payment Standard is Set:**
  - At 90% to 110% of the Fair Market Rents (FMR)
  - May be increased as a reasonable accommodation
  - HUD waiver needed if above 110%
- **Tenant Share of Rent is Higher of**
  - 30% of adjusted income or 10% of gross (rare), perhaps "welfare rent" or minimum rent
- **System Rife with Errors**
  - Tenant overpayment and underpayment
  - Getting better?

11

---

---

---

---

---

---

---

---

**Voucher Program Overview**

## Rents

---

- **Annual Income: Same as Public Housing**
  - All income anticipated for coming year
  - Many exclusions, same as Pub Hsg
  - Earned Income Disregard (EID) only for disabled members of V hsehold
- **Adjusted Income and Deductions**
  - Adjusted Income: \$480 per dependent; \$400 for elderly or disabled family; unreimbursed medical for elderly or disabled family and unreimbursed attendant care or apparatus expenses for disabled to work over 3%; child care expenses for employment or education
  - Typical Deductions: minors' earned income; lump-sum additions to assets or delayed start of SSI; **1990 deductions for child or spousal support never backed by appropriations**

12

---

---

---

---

---

---

---

---

Voucher Program Overview

Rents

- **Recertification:** At least annually; interims on tenant request, except loss of certain welfare, or PHA discretion re increases; HUD Form 50058; note statute specifies *monthly* income, useful if HUD's rules or PHA's practices use annual income and actual monthly is lower
- **Minimum Rent and hardship exemptions:** PHA-set \$0 to \$50/mo., in PHA Plan; hardship best-kept secret
- **Utility Allowance:** PHA sets "reasonable" amount of T-paid utils, credited vs. tenant share; adjust when change by >10%; very few Ts get U reimbursement
- **Challenge T rent level** via informal hearing

---

---

---

---

---

---

---

---

Voucher Program Overview

Rents

- **Other Voucher rent issues**
  - Tenant rent for new unit or initial participation cannot exceed 40% of tenant income
  - PHAs must review rent charged by landlord for "reasonableness" per market comparables

---

---

---

---

---

---

---

---

Voucher Program Overview

Grievances

- **Informal Hearing**
  - Tenant may request informal hearing for certain acts of PHA including rent and income determinations and proposed termination of the Voucher. 24 C.F.R. § 982.555 (2003).

---

---

---

---

---

---

---

---

Voucher Program Overview

## Evictions and Terminations

- Will be discussed in the afternoon
- Basic issues are set forth in the voucher outline

---

---

---

---

---

---

---

---

Voucher Program Overview

## Current Important Issues

- PHA discretion for many program features (e.g., search time & pymt std.), influence by PHA Plan process or PHA Board
- Funding currently based upon a reasonable formula, but it is set forth in appropriation act.
- Instability in funding resulted in under utilization
- SEVRA may be reintroduced in 2009; deals with funding formula and other issues including rent; HQS

---

---

---

---

---

---

---

---

Voucher Program Overview

## Current Important Issues

- Possible changes in PBV program

---

---

---

---

---

---

---

---