



Section 8 HAP'nings!

June 2015

2015 Rental Rates

Without question – rental rates are skyrocketing, and not just in Berkeley! Rents in the East Bay are on the rise, and impacting the supply of affordable housing in Berkeley and neighboring jurisdictions. We are doing what we can to address the needs of our participating landlords - and close the gap between Payment Standard and Market Rent including our petition to HUD for an exception Payment Standard (P/S) – to 120% of Fair Market Rent (FMR). Special thanks to the Berkeley Property Owners Association (BPOA) for providing a letter of support that was attached to our application. If approved, our Payment Standards will be approximately \$200-\$400 greater than FMR in each bedroom size:

Bedroom Size	FMR	Current P/S 110% of FMR	120% of FMR
0	\$1,039	\$1,142	\$1,246
1	\$1,260	\$1,386	\$1,512
2	\$1,585	\$1,743	\$1,902
3	\$2,213	\$2,434	\$2,655
4	\$2,716	\$2,987	\$3,259

Stay tuned for news on the request to HUD.

Annual Unit Inspection

The HUD-required annual inspection of the unit is intended to measure compliance with Housing Quality Standards. Equally important, the inspection:

- provides an objective, written evaluation of the unit;
- allows you to discuss with the tenant “issues identified by the BHA inspector”; and
- gives you an opportunity to make a minor, less costly repair, than would otherwise be required if the problem was left undone.

Best of all, it's **FREE!**

Common fail items:

- non-functioning smoke detectors
- non-functioning carbon monoxide detectors
- leaky plumbing fixture.

All three of these are easy fixes. Our inspector often carries batteries – so that we can avoid a fail and reinspection – if the only problem is a missing battery.

Security Deposit Assistance

Obtaining a security deposit is advisable. Obtaining the full security deposit up front is strongly encouraged. If you are contemplating renting to a family coming from the BHA Wait List, we may be able to help. After the family has passed your screening criteria, it can apply for a Security Deposit Loan. The maximum amount is 50% of the security deposit (paid directly to the landlord); the interest rate is 0%; and the repayment period can be up to 12 months. Our guarantee of repayment to the housing authority comes by way of restricting the family from moving outside of Berkeley until the loan is fully paid.

Equal Opportunity

Berkeley is the “disabled capital of the world,” so it’s no wonder approximately 50% of the assisted households include one or more disabled individuals. There is a tremendous need for:

- wheelchair accessible units;
- units that can be adapted to meet the needs of a disabled household member; and
- units where pets are allowed.

Some funds are available for minor modifications (i.e. grab bars, ramps), and in certain cases, BHA can provide up to a 120% Payment Standard – allowing for a higher contract rent.

Opt-Out?

We continue to get questions about an owner’s ability to “opt-out” of the Section 8 program with a sitting tenant. The pre-2010 HUD regulation that allowed an owner to “opt-out” of the Housing Assistance Payment (HAP) contract with 90-day notice was eliminated in 2009 consistent with the Court’s ruling in “Barrientos v. 1801 1825 MORTON LLC” (Google for more information).

BUT that doesn’t mean you have to continue to house a family that is not complying with the lease. Any non-performing tenant can be evicted for **Good Cause**. Depending on the behavior/cause for the eviction, the family may also face termination of the S8 voucher.

The *threat* of losing the S8 assistance is often sufficient motivation for the family to eliminate the non-compliant behavior. If you are challenged with a difficult situation, gather your documentation, including all notices to tenants specifying lease violations, and request a meeting with the assigned Housing Specialist. During the meeting, options will be discussed, and what, if any actions BHA can take with regard to the S8 voucher. Remember – we all win when assisted families are held accountable for their actions, or lack thereof.

Energy Resources

Another year of drought conditions. An ever decreasing supply of water, and threats of rising water rates promised by EBMUD. When every drop, and every dime matters – it is important that we conserve water, and eliminate all waste. One drippy faucet left unaddressed can leave you with an astronomical water bill. EBMUD offers tips on checking your fixtures for leaks, and water restricting devices to help reduce your usage, with minimal disruption to your comfort and convenience. Visit <https://www.ebmud.com/> for more information. Note: before June 30, EBMUD is offering a \$50 rebate if you change out a toilet that uses excessive water with each flush, for an efficient model. It is also a good time to look at reducing reliance on gas and electricity. Older appliances are not very energy efficient. Families receiving S8 assistance may qualify for programs that provide a free weatherization assessment, and in some cases, new energy efficient appliances. If your unit lacks the latest in energy efficiency – now is a good time to partner with your tenant to lower energy cost, and enhance your property. Call 1-800-989-9744.

Changes in Household Composition

In the S8 program, families have the right to add a person due to marriage, birth, and adoption (subject to criminal background screening). All other additions are requests that BHA will consider, and approve or deny. When we process a change to add someone we provide you written notice: a Rent Change Notice, and an annotated HAP contract, showing the name of the person now authorized to live in the unit. The same process is followed if we remove someone from the household. This information is intended to make sure you know who is authorized to live in the unit, and help us determine if our file accurately reflects who is in the unit.

ALERT

When dealing with initial or ongoing tenancies - be aware of added protections (responsibilities) you have as it related to:

- “reasonable accommodation” for disabled clients, for example, you don’t want to deny a unit to a family because it has a “service animal”; or because the wheelchair is too heavy for the 2nd floor; and
- “violence against women” protections for women affected by domestic violence, dating violence, stalking, sexual assault. For example, before evicting for damage to the unit, you should investigate if the damage resulted from a domestic violence altercation.

An otherwise good decision, that violates either of these protections, can prove very costly. For more information visit our website www.cityofberkeley.info/bha.

Direct Deposit

We began processing the monthly HAP landlord payment via direct deposit last September 2014. As of this writing over 90% of the participating landlords are enjoying this service. It isn’t too late to sign up. If you have questions, or need forms, contact Jayla at 981-5474.

We’d love to Welcome Your Friends & Associates!

They say imitation is the highest form of flattery! That said, you made the business decision – with both economics and compassion in mind – to participate in the S8 Program. While it is not perfect – we hope you agree there are benefits to participation – including, but not limited to: regular, annual rent increases; exemption from registration and fees assessed by the Rent Board; ability to screen families before leasing; and support from BHA when situations arise with an existing tenancy. Enclosed is a brochure we developed that tells the real story of the S8 program; it features three of our long time owner participants: Mary Wainwright, Jim Smith and Jason Russell. Next time someone is looking to fill a vacancy – encourage them to consider leasing to a family with S8 assistance and you can let the brochure do the talking.