



Section 8 Owner News April 2011

Carbon Monoxide Detectors

Thank you for your response! We began enforcing our new requirement for Carbon Monoxide Detectors in January, 2011. Our Inspection team reports overwhelming compliance with NO failed inspection results for a missing detector. This is particularly encouraging each time we hear reports of fatalities in units that lacked this very inexpensive, but vital safety device.

Payment Standards

You may be aware that the Federal government has not adopted a budget for 2011. You may not be aware that the failure to act is impacting the Section 8 program, and specifically the amount of funding available for rental subsidy payments. As we endure this economic crisis where government benefits relied upon for many of our families and disabled households continue to decrease, we continue to experience increases in the average monthly subsidy payment for our clients. Since the amount of annual funding from HUD is set, absent a change in income, or authorization of additional funding, it is possible we could run out of money before the end of the calendar year and be faced with some tough decisions about how many households we can assist, and how much subsidy we can provide. **Owners are advised that this is not a good time to request an increase in contract rent, and that BHA may be forced to consider reducing the Payment Standard from the current 110% to 100% beginning July 1st.** We hope this can be avoided, but wanted to provide you as much advance notice as possible, and to request your cooperation in keeping rent levels at the lowest reasonable level.

Housing Quality Standards/Rent Abatement

Once again we are requesting your assistance in taking every reasonable action to ensure that the assisted unit meets basic Housing Quality Standards (HQS) and that someone 18 years or older is present to allow the Inspector access. Performing multiple inspections is very costly, and adversely impacts our limited budget. It is also important that you understand the financial implications of the unit failing the **second** inspection attempt. There is a 28 day grace period in which any required repairs must be performed and verified by BHA to avoid an “abatement” (withholding) of the subsidy BHA pays to you on the renter’s behalf. If for any reason we are unable to confirm that all the repairs have been performed, payment for the unit will stop. Payments can resume (although not retroactively) if the repairs are confirmed within the next 30-days. If repairs are not completed within 68 days of the initial fail inspection, we will terminate the contract. If there is an extenuating circumstance that prevents correction of all the items (i.e. weather, parts on order, etc.), the most fail safe method for requesting an extension is email Pat Baker at pbaker@ci.berkeley.ca.us with a copy to our general mailbox bha@ci.berkeley.ca.us. Another option is to go to our website www.cityofberkeley.info/bha and complete the form “Request for Extension of Time to Complete Repairs” under the “Forms for Owners and Tenants” link.

Payment for Utilities

At each annual recertification, we ask the family to confirm who is financially responsible for basic utilities (gas, electricity, water and sewer). Unfortunately, we are experiencing a number of cases where what the

contract says, differs from what the family reports to be true. Please review your HAP contracts (page 2) for information regarding financial responsibility for utilities. If things have changed, and there has been (or you desire) a different arrangement (i.e. tenant to pay for more or fewer utility services) this change must be agreed to by both parties, and reported to BHA in writing. Note-the family cannot be responsible for any utility where there is not a separate meter measuring exclusive use by the family. Related, we encourage owners to invest in energy efficiency upgrades. Even a small investment can make a difference and add value to your property, and there may be rebate or tax savings.

Tenant Reference - Previous HQS Reports

BHA screens households for eligibility for the Section 8 Program (household income, assets, and with limits, criminal history). Actual tenant selection for your rental property is the owner's right and responsibility. In addition to other steps you take when screening a tenant, you may request to see any previous inspection reports in the household's BHA file. This information may be useful in your decision about the level of care, and wear and tear that may result from the household. This information is available to you, free of charge, once you submit a Request for Tenancy Approval (RTA). Please put your request in writing and at the top, place "Request for Previous Inspection Reports." Note: BHA only has inspection reports for families that have lived in Berkeley (for example if they port in from Oakland, we would not have access to those reports).

End of Tenancy

We have clarified our *End of Tenancy* procedures slightly to accommodate that period between tenancies whereby we now allow for a maximum overlapping subsidy of three days, for the timely move from one unit to another. Therefore, both you and the owner of the family's new rental property could potentially be paid HAP subsidy for three days simultaneously. However, if the family retains possession of two units for more than three days, reimbursement of any rental subsidy payment made by BHA will be required. We require confirmation from either you or the family that tenancy has ceased before entering into a new contract.

1. "30-day Notice". When a family issues a 30-day notice we suggest that they obtain an owner's signature acknowledging receipt. Your signature is not required any longer, but it helps us establish that notice has been served, and when both parties expect tenancy to end.
2. Mutual Release. If you sign a Mutual Release you are saying the family can move on a date agreed upon by both parties, that is less than 30 days. Depending on the actual date the family vacates, it could result in recapture of rental subsidy pre-paid to you on the first of the month.

Help for Landlords

Without successful landlords, we would not have a successful Section 8 Voucher Program. We are aware that owners, especially small "mom and pop" landlords, often face situations where they need assistance with issues such as "what is an appropriate lease form to use"; or "how do I go about screening families to select a good tenant"; or "what should I do, I have two tenants who are not getting along". While stopping short of recommending any organization, owners are encouraged to consider the following organization as a possible source for assistance in managing your properties:

*Rental Housing Association of Northern Alameda County (RHANAC) at website www.rhanac.org or call (510) 893-9873, ext 101.

*Berkeley Property Owners association at website www.bpoa.org or call (510) 525-3666.