

# Frequently Asked Questions about Section 8 Rental Assistance

Below are a number of questions often asked of Housing Solutions staff. If your questions are not answered, please contact us directly at 781-422-4200 and one of our rental assistance specialists will help you.

## What is Section 8?

The actual name of the program commonly known as "Section 8" is the Housing Choice Voucher Program. It is a federally funded program that subsidizes rents for eligible participants who rent units in the private market. It is designed to assist very low-income families, the elderly and the disabled to rent decent, safe and sanitary housing. A housing subsidy is paid directly to the landlord on behalf of a participating family.

## Am I eligible for a Section 8 voucher?

Eligibility is based on total annual gross income and family size. Also, it is limited to U. S. citizens and specified categories of non-citizens who have eligible immigration status. Housing Solutions has income [guidelines](#) issued by HUD to determine eligible status. In addition, a CORI check will be conducted for you and any family members 18 or older.

## What is a CORI?

A CORI is a check through the Criminal Offender Record Information system, and lets Housing Solutions know if there are any arrests or convictions for drug-related or violent criminal activity among the adults in your household. Such activity may make you ineligible to participate in the Section 8 Housing Choice Voucher Program. Any drug-related or violent criminal activity in the prior three years would be questioned and Housing Solutions would conduct an internal review to determine eligibility.

## How can I apply for Section 8?

To receive a voucher, you must complete the Section 8 pre-application and bring or mail it to a Housing Solutions office. We will not accept incomplete, photocopied, emailed or faxed applications. Housing Solutions is not responsible for paperwork that is illegible or missing as a result of transmitting by Fax or Email or lost/delayed through the mail.

Download a Section 8 application. Section 8 applications are also available at the Housing Solutions offices at 169 Summer Street, Kingston, MA. Applicants are placed on the waiting list according to the date and time that we receive the completed application.

## How long will I have to wait to get my voucher?

Unfortunately the need for Section 8 Housing Choice Vouchers far exceeds their availability. We draw applicants from the waiting list as vouchers become available. As of the fall of 2015, we are selecting applicants from the waiting list who applied in 2007.

## What if I move while I am on the waiting list?

If you move while you are on the waiting list you must let Housing Solutions know by sending us a letter that includes your name, Social Security number, your old address and phone number, and your new address and phone number.

## What happens when I am chosen for a Section 8 Housing Choice Voucher?

Once your name reaches the top of the waiting list, you will be notified by mail. We will request updated income and housing status information at that point to determine eligibility. If you are eligible you will be required to attend a briefing meeting, where the program is explained in its entirety.

A voucher will be issued at this time, based on the bedroom size for which your family qualifies as determined by updated information on your application. Once the voucher is issued, you have 60 days to find a place to rent. Once you've found an apartment that meets your needs in terms of size, location and cost, you and the owner fill out a Request for Tenancy Approval (RFTA). The RFTA contains the information that we will need to begin the process of getting you moved in to your new apartment. It is important to know that the RFTA is a binding legal document that sets forth the terms and conditions of your tenancy. Please make sure that you complete the entire packet and that both you and the owner sign it.

Once we have received the RFTA, a Rent Reasonableness test will be conducted to be sure the amount of rent the owner/agent has requested is in line with the rent charged for other unassisted units of the same type in the same area of the local housing market. Once this has been determined, we will contact the landlord to schedule an inspection of the apartment. The rental unit must meet Section 8 Housing Choice Voucher guidelines (see next question). The inspector will make sure that the apartment is in good shape and is worth the rent the owner is asking for it. If the unit passes inspection, a lease must be signed by the tenant and owner/agent, and a Housing Assistance Payments contract is signed by the owner/agent and Housing Solutions to allow payments to be made directly to the owner/agent.

## What standards do Housing Solutions housing inspectors use?

Our housing inspectors inspect according to minimum habitability and program requirements as established by the U.S. Department of Housing and Urban Development (HUD) and Massachusetts Department of Housing and Community Development (DHCD). These standards are collectively referred to as Housing Quality Standards (HQS).

HQS were developed to insure that all homes leased under Section 8 will be safe, decent and sanitary. It

is important to remember that these are minimum standards, and that under Massachusetts law, all rental properties must also meet State Sanitary Code.

### Can a Section 8 unit contain lead paint?

If a child under six is moving into the apartment, the owner must provide Housing Solutions with certification that the unit is in compliance with the Massachusetts Lead Law or that the property was built after December 31, 1977. You can get information on how to obtain certification by visiting the Massachusetts's Childhood Lead Poisoning Prevention Program (CLPPP) website or by calling 1-800-532-9571 -or the owner can hire a privately licensed lead paint inspector.

If a Lead Based Paint Compliance Letter is required, the owner must provide Housing Solutions with a copy of the letter before you can move into the apartment. It is illegal for an owner to deny you the apartment because someone in your household is pregnant or under six years old. Federal law requires that owners de-lead apartments that contain lead if a family meets the owner's requirements for tenancy. If you feel that you've been denied tenancy because of lead, contact your program representative at Housing Solutions.

For more information on lead based paint hazards, you can also download an informational booklet from HUD.

### How much rent will I have to pay?

At the briefing, you will learn how the amount of your rental subsidy is calculated based on the Applicable Payment Standard (APS). The APS is set by HUD and the amounts differ depending on how many bedrooms your family needs. You can choose a unit with a rent that is above or below the payment standard. Your calculation is based on 30% of your monthly adjusted gross income towards rent and utilities, but could exceed that amount if the apartment you select exceeds the payment standard. The utility allowance schedule is determined by DHCD and would be used to determine the amount of utility allowance the family is eligible based on the information that is indicated on the "Request for Tenancy Approval" form that the Owner/Agent filled out. By law, however, a family that moves into a new unit cannot pay more than 40% of its adjusted monthly income for rent. All tenant rental amounts are determined by **Housing Solutions** and you must not pay more than what is indicated by **Housing Solutions**.

You pay your share to the owner on the first of the month just like you would if you didn't have a voucher. The rest of the rent will be sent to the owner directly by **Housing Solutions**.

### Will I have to pay a security deposit?

If the Owner/Agent requires a security deposit-and most do-you must pay the amount to the Owner/Agent. It cannot be more than one month's rent. **Housing Solutions** and the Section 8 program do not provide funds for security deposits.

### How long do I have to stay in the apartment that I choose?

You will sign a lease with the landlord for at least one year and you will be expected to remain in that apartment at least that long barring extenuating circumstances. After the first year, the landlord may initiate a new lease or allow you to remain in the unit on a month-to-month lease.

### Will the rent increase?

After the first year, owners can request rent increases. The request is sent in writing to you and Housing Solutions at least 60 days prior to the effective date. You, as the tenant, must agree to the increase. Housing Solutions will review the requested rent increase to make sure it is reasonable and in keeping with comparable units in the area. If Housing Solutions decides that the request is reasonable, the change is made automatically. If Housing Solutions thinks that the increase is too large, the owner has the opportunity to negotiate an acceptable increase. If the owner won't negotiate the increase and Housing Solutions doesn't agree that the increase is reasonable, the owner may decide not to renew your lease, and you will have to find a new home when the lease expires.

### What if there is a change in my family?

The lease will list all of the people who will live in the apartment. You, Housing Solutions, and the landlord must agree in writing to add or subtract people from your household. The owner is not obligated to allow you to add family members, unless someone already on your lease has a child through birth, adoption or foster care.

### What if there is a change in my income?

Any time the income of any household member changes, you must notify Housing Solutions and provide us with documentation of the change within 30 days in order to appropriately review your share of the rent. You could owe the owner or Housing Solutions back rent if you don't let us know about income changes right away. This is very important- you could lose your voucher if you don't tell Housing Solutions about changes to your family's income.

It is important to know that the income information you provide is computer-matched with information from the IRS, Social Security and DES (unemployment). There may be serious consequences if you do not provide us with accurate and complete income information.

### What if I want to move?

You must remain in the rental unit for at least one year. Leases renew automatically unless you or the owner gives a written notice that you do not want to renew. This notice must be given in advance, as spelled out in your lease. If you decide to move you must sign a 30-day Notice to Vacate and present it to you landlord at least 30 days prior to the end of your lease.

## Can I move out of Massachusetts?

Yes. A Section 8 Housing Choice Voucher holder may take the voucher anywhere in the United States where a Public Housing Authority administers a tenant-based voucher program. This process is called portability.

In order to move, you must do so either at the time a voucher is initially issued or at the end of your lease with a proper 30-day notice to your current landlord and:

Notify your Housing Counselor that you wish to move to another state.

Have a place in mind and preferably have the name of a Housing Authority in that area that administers the Section 8 Housing Choice Voucher Program.

Then Housing Solutions will send a portability package to the receiving housing agency, which would include a new 60-day Section 8 Housing Choice Voucher. At this time, you should be in the jurisdiction of the receiving housing agency and must make an appointment with them to determine eligibility in their area and to begin the process according to their standards.

## What if I want to come back to the Housing Solutions program area?

You must call your housing counselor at the receiving housing agency and find out if you are eligible to move. You must follow rules for a move with that housing agency. If you are eligible to move, they will send Housing Solutions a portability package that would contain a 60-day voucher for you to find housing again in our area.

## Can a landlord decide not to rent to me because I have a Section 8 voucher?

An owner cannot deny you an apartment only because you have a Section 8 voucher. If you meet the same requirements as someone without a voucher, the owner cannot discriminate against you. In most cases, it is against the law for an owner, property manager or real estate broker to tell you that they do not accept vouchers. It is also generally illegal to discriminate based on your sex, race, disability, family status, national origin or income source- including a housing rental assistance. Please tell your Program Representative if you think you have been unfairly denied housing.

## Does Housing Solutions offer any other programs or available housing similar to Section 8?

Yes. Housing Solutions administers Project-Based Section 8s, where the housing subsidy is tied to the rental unit. If you move from the unit, the subsidy stays with the unit. Housing Solutions also owns and operates affordable developments with rental units, some of which have subsidies and some don't. [Search our property information on this webpage.](#)

If you have more questions or require additional information please feel free to contact Housing Solutions at 781-422-4200.