



LANDLORD HANDBOOK

Published by the Prince William County Office of Housing & Community Development (OHCD) for the Housing Choice Voucher Rental Assistance Program.



DIVISION CHIEF COMMENTS

Dear Property Owner or Realtor:

I would like to take this opportunity to thank you for your interest in the Housing Choice Voucher (formerly S-8) Rental Assistance Program. I hope you will find this handbook helpful in understanding the Housing Choice Voucher program regulations governing the Rental Assistance Program. The Office of Housing and Community Development (OHCD) is committed to improving the quality and livability of Prince William County neighborhoods one family at a time.

As a prospective landlord, I would encourage you to attend our Landlord Outreach Briefing. The briefing is conducted at our main office on the 2nd Wednesday of every month from 1:00pm – 3:00pm. Thanks for your consideration in the Housing Choice Voucher program; we look forward to you becoming a partner with us in providing safe, decent, sanitary, and affordable housing to our program participants.

Very Truly Yours,

Elijah Johnson

Director



HOUSING CHOICE VOUCHER (HCV) PROGRAM

The Prince William County Office of Housing and Community Development (OHCD) administers the Federally funded Housing Choice Voucher Program (formerly known as Section 8) under Housing and Urban Development (HUD). The program is designed to provide affordable, safe, decent, and sanitary rental assistance for low and moderate-low income families. As vouchers become available, eligible families are pulled from the waiting list. Vouchers can be used anywhere in the United States (including Guam and Puerto Rico). Applicant's can apply for rental assistance on the 4th Thursday of each month.

The Housing Choice Voucher Program (HCV) enables families to locate their housing in the private rental market (where landlords are willing to participate) and where rents are no higher than the program guidelines. The HCV program covers the difference between what the family can afford and the contract rent. Families pay no more than 40% of their income towards their rent.

Advantages To Participating...

Here are a few advantages to becoming a provider in the Housing Choice Voucher Program (HCV):

- Owners receive *Fair Market Rent* (FMR).
- Owners apply their own tenant selection criteria. Note: owners must abide with state and local *Fair Housing* laws.
- Eliminate advertising fees — OHCD will advertise available units to our clients.
- OHCD will conduct *Housing Quality Standards* (HQS) inspections prior to an initial move-in and annually.
- OHCD and homeowners work together to monitor properties; OHCD will conduct HQS inspections at anytime per an owners request.
- Owners may charge full security deposits to families. Note: In accordance with state or local laws, owners may use the security deposit (including any interest on the deposit) to get reimbursed for any unpaid rent payable by the tenant, damages to the unit, or any other amounts the tenant owes under the lease.
- In most cases, OHCD will pay the entire contract rent if the tenant lose their job or source of income.



TENANT SCREENINGS

OHCD's selection of a family participating in the *Housing Choice Voucher* program is in no way an endorsement of tenancy for the family. Tenant screening and selection is the responsibility of the owner. Owners are encouraged to screen voucher holders for their suitability as tenants. OHCD will offer owners the following information regarding tenants:

- A. The family's current and prior address (as shown in OHCD's records); and
- B. The name and address of the family's current and prior landlord; and
- C. If requested by the owner, OHCD will offer the following additional information concerning the family:

Information about the family's tenancy history or Information about drug-trafficking by family members.

Owners can screen prospective and current tenants for criminal activity through the court system and/or through local or state police agencies. We encourage owners to screen families on the basis of their tenancy history, as well as the following factors:

Owners or tenants can obtain criminal records through the following avenues:

PRINCE WILLIAM COUNTY POLICE, 9319 Mosby Street, Manassas, VA. 20110 • Ph. (703) 792-6515

This search covers Prince William County's Misdemeanor and Felony convictions. Criminal records are obtained the same day.

Fee: \$6 ****Tenant must bring a valid photo identification card (i.e. Drivers License) and Social Security Card**** (Hours 8am—5pm)

PRINCE WILLIAM COUNTY GENERAL DISTRICT COURT, 9311 Lee Ave., Manassas, VA. 20110 • Ph. (703) 792-6141

This search covers Prince William County's Tenant/Landlord Claims, Misdemeanors, Traffic, and Small Claims Reports.

Fee: \$.50 for each photocopied page ****Owners can review public records on the microfiche machine**** (Hours 8am—4pm)

PRINCE WILLIAM COUNTY CIRCUIT COURT, 9311 Lee Ave., Manassas, VA. 20110 • Ph. (703) 792-6025

This search covers Prince William County's Felony Convictions, Divorces, and Law Suits over \$15,000.

Fee: \$.50 for each photocopied page ****Owners can review public records on the microfiche machine**** (Hours 8:30am—4pm)

VIRGINIA STATE POLICE (CCRE), P.O. Box 85076, Richmond, VA. 23261 • Ph. (804) 674-2024

This search covers criminal record checks for the Commonwealth of Virginia. A State form (Form SP-167) must be completed and notarized. This form can be picked up from any Virginia State Police branch location or from the Virginia State Police website at: www.vsp.state.va.us/forms.htm (At free-of-charge the public can view Virginia's *Sex Offender & Crimes Against Minors Registry* online at: <http://sex-offender.vsp.state.va.us> and court *Case Information and Convictions* at <http://www.courts.state.va.us>).

Fee: \$15 ****Forms must be mailed to Richmond for processing. Please allow 2 weeks for processing**** (Hours 8am—5pm)

FBI CJIS Division—Record Request, 1000 Custer Hollow Rd., Clarksburg, WV. 26306 • Ph. (304) 625-5590 (Option 3)

This search covers the entire United States. A written and signed request statement must accompany a completed fingerprint card. If stated in the written request, FBI record results can be mailed directly to a 3rd party (i.e. the owner).

A packet (which includes two fingerprint cards) can be requested by phone or a fingerprint card can be downloaded from the FBI website at: www.fbi.gov/howto.htm (Note: It's recommended that you let a law enforcement agency perform the fingerprinting).

Fee: \$18 ****Forms must be mailed to West Virginia for processing. Please allow 6 weeks for processing**** (Hours 8am—5:30pm)



HOW TO LEASE TO HCV PARTICIPANTS

AFTER YOU HAVE SCREENED THE TENANT AND HAVE DECIDED TO RENT A UNIT TO THE TENANT (AND THE TENANT HAS DECIDED TO RENT YOUR UNIT), PLEASE FOLLOW THESE STEPS:

STEP 1: The prospective tenant will be given a **Request for Tenancy Approval (RTA) Form**. In addition, a **W-9 Taxpayer Identification Form** will be given if the owner is a first-time participant in the Housing Choice Voucher Program. After the RTA and/or W-9 Taxpayer Form have been received by OHCD, a Housing Specialist will contact the owner to coordinate a date to inspect the unit. For your convenience, you may fax the form(s) to us at (703) 792-4978; however, we will need the original documents prior to executing any paperwork.

STEP 2: Inspection. The dwelling unit must be inspected and must meet the Housing Quality Standards (HQS) guidelines. Inspectors are mainly looking for basic health and safety hazards, as well as compliance with Prince William County's Building Code requirements.

STEP 3: Lease (3 originals), **Lease Addendum** (3 originals), **Housing Assistance Payment (HAP) Contract** (3 originals), **Smoke Detector Form** (1 original), **Lead Base Paint Form** (1 original), and **Memorandum of Understanding** (1 original). The above forms will be provided by OHCD (exception: an owner may use a standard dwelling lease, or if requested, OHCD will provide an owner with a lease). Payment request are generated if units pass inspection, if rents are reasonable, and if all the above forms are submitted.

STEP 4: Payments. The first initial payment can take up to 45 days to be received. Afterwards, payments will be issued on the 1st of each month. Please be advised that owners will be charged \$5.00 if a copy of a cancelled check is needed erroneously. For example, if an owner failed to notify OHCD of an address change or if a spouse deposited the rent check without the other spouse's knowledge.

FAIR MARKET RENT (FMR)

The *Fair Market Rents* (FMR) are established by the U.S. Department of Housing and Urban Development (HUD) each year based on a market survey throughout the United States. The FMR figures include rent and utilities. The contract rent and the utility allowance cannot exceed the FMR. Tenants are given a copy of the FMR each time they request to move.

RENT INCREASES

Owners must provide the tenant, in writing, a 60-day notice of a rent increase with a copy to the tenant's Housing Specialist at OHCD. The Housing Specialist will compare the rents of similar types of units in the area for rent reasonableness.

UTILITY ALLOWANCE

If the family is responsible for utility payments, a *Utility Allowance Chart* will be provided to the family in order to calculate the subsidy allowance. This allowance is based on the unit type and bedroom size.

CHANGE IN OWNERSHIP

A change in ownership requires the execution of a new contract and lease. OHCD must receive a written statement and a copy of the transfer title or deed. The new owner must also submit a *W-9 Taxpayer Identification Form* to OHCD.

DENYING A LEASE FROM AN OWNER

OHCD may disapprove an owner's participation in the program and deny a lease for the following reasons:

- Violations of the *Fair Housing Act* and *Federal Equal Opportunity* requirements.
 - Committing fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
 - Engaging in drug-trafficking.
 - Have a history or practice of non-compliance with Housing Quality Standards (HQS).
 - Have not paid state or local real estate taxes, fines, or assessments.
 - Owner may not rent to a parent, child, grandparent, grandchild, sister, or brother who participates in the HCV program.
- Note: At OHCD's discretion, this restriction may be waived as a reasonable accommodation for a person with disabilities.
- Non-compliance of HUD insured loans or mortgages.



UNIT INSPECTION CHECKLIST

OHCD is required to certify units as being safe, decent, and sanitary in accordance with HUD's *Housing Quality Standards (HQS)*. *HQS* applies to the building premises, as well as the dwelling unit. OHCD will inspect each unit under contract at least annually. Here are five types of inspections OHCD can perform:

1. An Initial/Move-in Inspection upon receipt of the *Request for Tenancy Approval (RTA)* Form.
2. An Annual Inspection within twelve months of the last inspection.
3. A Move-out Inspection to review the condition of a vacated unit.
4. A Special Inspection that is conducted by request—from an owner, the tenant, an agency, or a third-party.
5. A Quality Control Inspection, which is required for the *Section Eight Management Assessment Program (SEMAP)*. On an annual basis, the Chief Inspector will select a number of units at random, for the purpose of performing Quality Control Inspections to assure program consistency and *SEMAP* compliance.

Owners must provide *Lead-Based Paint* test results on units build prior to 1978. Information regarding *Lead-Based Paint* can be obtained by contacting The National Lead Information Center via phone or internet at 1-800-424-LEAD or www.epa.gov/lead.

HQS deficiencies which cause a unit to fail inspection must be corrected by the responsible party (landlord or tenant) within 30 days for non-emergency repairs and 24 hours for emergency repairs. Emergency deficiency's endanger a family's health or safety and the following items are considered an emergency in nature by *HQS*:

- Lack of unit security (i.e., non-locking doors or windows).
- Natural gas leak or fumes.
- Electrical problems which could result in possible shock or fire.
- Utilities not in service or no running hot water.
- A waterlogged ceiling in imminent danger of falling.
- Non-working smoke detectors.
- Major plumbing leaks, flooding, or non-functioning toilet.
- Obstacles blocking the unit entrance, exit, or broken glass.

Please use the following checklist as a guide for adhering to *Housing Quality Standards (HQS)*:

<p>EXTERIOR</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> Roof in good condition and does not leak. <input type="checkbox"/> Gutters and downspouts are securely attached. <input type="checkbox"/> Walls and foundation in good condition (free from holes or leaks). <input type="checkbox"/> Minimal paint cracking, peeling, or chipping on unit. <input type="checkbox"/> Handrails installed for four or more steps. <input type="checkbox"/> Chimney and other brickwork free of loose bricks or mortar and properly hung shutters. </div> <div style="width: 48%;"> <input type="checkbox"/> Windows in good working condition with locks & fixed screens. <input type="checkbox"/> Doors in good working condition with locking mechanisms. <input type="checkbox"/> Unit condition in compliance with County requirements. <input type="checkbox"/> Driveways, sidewalks, porches, and decks in good sound condition (free from hazard). <input type="checkbox"/> Grounds free from trash or debris and all trash must be kept in containers with properly fitting lids. </div> </div>	
<p>BEDROOM</p> <input type="checkbox"/> Adequate room (maximum 2 persons per living/sleeping area). <input type="checkbox"/> Two working electric outlets (or one outlet and one overhead light). <input type="checkbox"/> Walls, ceilings, and floors in good condition (free from hazards). <input type="checkbox"/> Windows in good working condition with locks & fixed screens. <input type="checkbox"/> No chipping, peeling, or cracked paint.	<p>BATHROOM</p> <input type="checkbox"/> Tub, sink, and shower working properly with hot and cold water. <input type="checkbox"/> Toilet in good condition and working properly. <input type="checkbox"/> Two working electric outlets (or one outlet and one overhead light). <input type="checkbox"/> Walls, ceilings, and floors in good condition (free from hazards). <input type="checkbox"/> An operable, lockable window or an air vent. <input type="checkbox"/> No chipping, peeling, or cracked paint.
<p>KITCHEN</p> <input type="checkbox"/> Appliances in good condition and working properly. <input type="checkbox"/> Plumbing free from leaks and working properly. <input type="checkbox"/> A sink working properly with hot and cold running water. <input type="checkbox"/> Adequate space for storage and food preparation. <input type="checkbox"/> Two working electric outlets (or one outlet and one overhead light). <input type="checkbox"/> Walls, ceilings, and floors in good condition (free from hazards). <input type="checkbox"/> If there is a window, it must be in good working condition with a lock. <input type="checkbox"/> No chipping, peeling, or cracked paint.	<p>OTHER LIVING AREA and PLUMBING/HEATING</p> <input type="checkbox"/> Unit must contain at least two exits. <input type="checkbox"/> Smoke Detector(s) - minimum of one installed per each floor level. <input type="checkbox"/> Two working electric outlets (or one outlet and one overhead light). <input type="checkbox"/> Walls, ceilings, and floors in good condition (free from hazards). <input type="checkbox"/> Windows in good working condition with locks & fixed screens. <input type="checkbox"/> No chipping, peeling, or cracked paint. <input type="checkbox"/> Furnace/Air Conditioning units in good, proper working condition. <input type="checkbox"/> Hot water heater in good condition with a pressure relief valve.



GROUNDINGS FOR TERMINATION

OHCD may deny or terminate a family's assistance in the *Housing Choice Voucher* (HCV) Program if any family member violates HUD's *Family Obligation* requirements. Each family has a right to an informal hearing prior to termination from the HCV program. OHCD provides each family with a written description of the *Family Obligation* requirements and the *Informal Hearing* procedures.

The following reasons outline why termination can occur:

- If the tenant is absent from the unit for more than 180 days.
- If the family has repeated lease violations or a serious lease violation that results in an eviction.
- If the unit fails inspection (Note: An adequate timeframe is provided by OHCD for the correction of a failed inspection).
- If utilities are not in service.
- If unauthorized individuals have resided in the unit for more than 30 days within one calendar year.
- If the family breaches a lease agreement with an owner or a repayment agreement with OHCD or any other PHA.
- If any family member commits fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.
- If any family member is listed as a sex offender on the *Sex Offender & Crimes Against Minors Registry*.
- If any family member fail to sign and submit consent forms for obtaining information in accordance with participating in the HCV program. (Note: Special circumstances may be granted by OHCD for disabled individuals).
- If the family is participating in the *Family Self-Sufficiency* (FSS) or *Welfare-to-Work* (WtW) program(s) and they willfully fail to comply or fulfill program obligations.
- If any family member threatens or engages in violent behavior (verbal or physical) towards OHCD personnel.
- If any family member commits a drug-related criminal activity.
- If any family member commits violent criminal activity.
- If any family member engages in alcohol abuse which interferes with the health or safety of other residents and their right to a peaceful environment.

NOTE: Under special circumstances, OHCD may not choose to pursue terminate for the following reasons:

- If the family member have a physical or mental disability which impairs judgment; or
- If the family member successfully completed a supervised drug or alcohol rehabilitation program; or
- If the family member is a minor, then advise from Juvenile Court officials may be considered.



TERMINATION PROCESS

If you suspect that a HCV participant is involved in fraudulent or criminal activity, please contact the OHCD Fraud Division immediately at (703) 792-5885. (Note: You can request to remain anonymous when making a report to a Fraud Specialist). For report investigating, OHCD will obtain police and court documents, as well as documents from other agencies for the purpose of obtaining Credible Evidence. OHCD may pursue termination if a household member engaged in criminal activity, regardless of whether the household member has been arrested and/or convicted of the alleged crime based on a Preponderance of Evidence.

Definitions:

Credible Evidence is evidence that is obtained from credible sources (i.e., police or court records) and testimonies from neighbors, when combined with factual evidence.

Preponderance of Evidence is defined as evidence which has greater weight (proved to be more probable than not) or is more convincing than the opposing evidence.

If a tenant failed to pay their portion of the rent under the *Family Obligation* requirement or have violated the lease, an owner can proceed with the following action:

NON-PAYMENT OF RENT BY TENANT	TENANT EVICTION PROCESS
<p>Before proceeding with an eviction process, the landlord must mail the tenant a <i>5 Day Notice</i> letter which contains the following information:</p> <ol style="list-style-type: none"> 1. The precise amount of rental fees and other charges due. 2. A demand notice outlining the owner’s five day payment request or a request that the tenant vacate the premises at the end of 5 days. 3. A notice outlining the actions that will be taken for non-compliance of the <i>5 Day Notice</i> letter. <p>An owner may terminate tenancy and proceed with eviction (by judicial action) for non-compliance of the <i>5 Day Notice</i> letter.</p>	<p>To initiate eviction the landlord must file a <i>Summons for Unlawful Detainer</i> with the Magistrates office. A fee will be charged and a hearing date will be scheduled. At the hearing, the tenant will be given an opportunity to provide testimony as to why an eviction should not occur.</p> <p>Magistrate Offices:</p> <p>WOODBIDGE (Phone: 703-792-7360) 15948 Donald Curtis Drive, Woodbridge, VA. 22191 Open daily from 8am—5pm</p> <p>MANASSAS (Phone: 703-792-6260) 9320 Lee Ave., Manassas, VA. 20110 Open 22 Hrs. a day (Closed daily from 4:00pm—6:00pm)</p>

Copies of all notices sent to the tenant must also be sent to OHCD

As a landlord, I would encourage you to visit these websites at www.rentlaw.com and www.vdacs.state.va.us/consumers/f-landlord.html to obtain Virginia’s *Landlord Tenant* guidelines, as well as other valuable resource information.



ADVERTISING YOUR UNIT

There are numerous advantages to becoming a provider in the Housing Choice Voucher (HCV) Program. Prospective landlords and current owners are encouraged to attend our monthly Landlord Briefing to become familiar with our rental property requirements and the responsibilities of becoming a landlord with the HCV Program. For more detailed information on the HCV Program you may visit the Housing and Urban Development (HUD) website at www.hud.gov.

LANDLORD OUTREACH BRIEFING

Every 2nd Wednesday
1:00pm—3:00pm at OHCD

The Prince William County Office of Housing and Community Development (OHCD) currently administers over 1,900 Housing Choice Vouchers (HCV) and there are currently 3,000+ households on the Waiting List. If you are interested in listing your property with OHCD and becoming a landlord with our HCV Program, please complete the attached *Unit Availability Form*.