

SECTION 8 PROGRAM INFORMATION FACT SHEET

The Section 8 Program was created by the U.S. Department of Housing and Urban Development (HUD) as a result of the Housing and Community Development Act of 1974. The SFHA administers over 7,000 Section 8 subsidized units in the City and County of San Francisco.

How does this Program work?

This program expands opportunities for lower-income families by utilizing existing housing units owned by private market landlords. It also provides a way for lower income families to obtain housing in non-impacted areas thus avoiding a concentration of assisted housing. The Section 8 Program is tailored to meet the individual needs of families by offering them freedom of choice in finding (in the local market) a unit suitable to their needs and desires. Funding is made available through HUD.

What are the Program Basics?

It includes the following process:

- 1) Under the Section 8 Program, the SFHA makes monthly payments directly to the landlord on behalf of the family. The family pays to the landlord their portion of the contract rent which is 30% of their adjusted gross income.
- 2) The family selects the unit and submits a "Request for Tenancy Approval (RTA)" to the SFHA. The RTA is assigned to an inspector who will contact the landlord within 24 hours and attempt to inspect the unit within 1-3 days. Once the appointment is made, the inspector will conduct a physical inspection of the unit.
- 3) If the unit is approved as decent, safe and sanitary, and the rent amount is within the fair market rent guidelines, a contract and lease agreement will be executed between SFHA, the Landlord and the family, thereby, placing the unit under contract.

What is the application process for Section 8 Families?

The demand for low-income housing in San Francisco far exceeds available units. The need is so great that a waiting list of interested applicants has been established. Thus, an interested family cannot just call or walk into the SFHA and request Section 8 assistance. Instead, only during an open enrollment period will the SFHA take applications for the Section 8 Program. During the application period, a family must pick up and complete the application where available and provide information on family composition and family income. Once the application is complete, the family is contacted when they reach the top of the waiting list and given a date to participate in a personal eligibility interview. During this interview, the family must provide documents to support family size and family income. It is during this interview that the family is determined eligible for the Program. The average wait on the list (depending on the bedroom size needed) can range between two (2) and five (5) years.

With Voucher in hand, the prospective tenant seeks a rental unit in the private sector. Once a unit is identified, the prospective tenant gives the landlord the RTA that is completed and returned to the SFHA. It is the RTA that initiates the leasing process.

What do I do after I have the Section 8 Voucher?

- ◆ The Voucher is good for 90 days (with an optional 90 days extension). The total is 180 days.
- ◆ If your first 90 days is almost up and you have not found housing, bring your Voucher to the Eligibility Office to request an extension of an additional 90 days. The Section 8 Vouchers are only good for 180 days.
- ◆ Once you find a unit you would like to rent and the owner is willing to rent the unit, have the owner complete a Request for Tenancy Approval (RTA). Both you and the owner must sign the RTA. Make sure the owner intends to rent to you before asking the owner to complete the RTA.
- ◆ After the owner completes the RTA, turn it in to the SFHA. Remember that you can only turn in one RTA at a time.
- ◆ After your RTA is logged in, it will be sent to the Section 8 Office. Your case will then be assigned to an inspector within two to four working days.
- ◆ Within twenty-four hours of the receipt of the RTA, your inspector will contact the owner to schedule an inspection of the unit. The inspection is to insure that the unit meets Housing Quality Standards (HQS) and that the contract rent is reasonable.
- ◆ After the unit passes inspection, the inspector will negotiate the rent. Within a few days, the SFHA will enter into the Housing Assistance Payment Contract (HAP) with your landlord. In addition, a lease agreement between you and the landlord will be prepared.
- ◆ Once the HAP Contract and lease agreement are complete, the SFHA will make arrangements whereby you and the landlord will meet and sign the lease and the HAP Contract at the SFHA.
- ◆ Together with the landlord and the SFHA, a date will be determined for the family to move into the unit.
- ◆ The landlord will collect your first month's rent portion and the security deposit directly from you, the tenant. You are responsible for paying the entire deposit requested by the owner.
- ◆ The family will pay the portion of the rent directly to the owner/landlord. Likewise, the SFHA sends their portion directly to the landlord. Due to the administrative process, the first check from the SFHA can take between one to two weeks to be processed. After that, the check will arrive promptly at the beginning of each month.

The family must abide by the following rules:

- 1) Supply all information and documentation as requested by SFHA;
- 2) Allow the SFHA to inspect the dwelling unit at reasonable times and after reasonable notice;
- 3) Notify the SFHA and the landlord before vacating a unit;
- 4) Use the unit for residence of the family, i.e., those family members authorized by SFHA to occupy the rental unit;
- 5) Pay the tenant's portion of rent on a timely basis;
- 6) Report any changes in family income or family size immediately;
- 7) Comply with all terms and conditions of the lease; and
- 8) The family must not participate in drug or criminal activity.

What are the fair market rents (FMR) for existing housing in the City of San Francisco?

The Fair Market Rents for the City and County of San Francisco are the following:

Size of Unit	Studio	1 Bedroom	2 Bedrooms	3 Bedrooms	4 Bedrooms
Fair Rent**	\$1185	\$1457	\$1823	\$2434	\$2572

(**This amount changes once per year)

How many people can I have in one bedroom?

According to SFHA standards, the maximum occupancy per bedroom is 2 persons. As soon as a child of different sex turns three (3) years old, the family qualifies for another bedroom. Two children that share the same bedroom must both be the same gender. If two children over the age of six of different gender share the same bedroom, the family may qualify for a larger unit.

Can a landlord collect a security deposit from a Section 8 tenant? What about last month's rent?

Yes, under general circumstances, the tenant is responsible for the entire deposit. The SFHA will advise the landlord as to what the security deposit should be. Unlike market rate-housing where landlords usually ask for first and last month's rent, the security deposit becomes the only amount required for the Section 8 Voucher bearer. By law, the security deposit, in most cases, cannot exceed twice the unit rent.

Who pays the rent?

Under the Section 8 Program, the tenant pays a portion of the rent based on 30% of their income and the SFHA pays the remaining portion of the rent directly to the owner.

Does the SFHA choose the tenant?

No, the screening and selection of tenants is the sole responsibility of the landlord.

What about the lease?

The landlord and the tenant enter into a lease agreement. The lease is open-ended, with an annual anniversary date. The SFHA is not a party of the lease agreement. The owner can use their own lease which would be required to have the HUD Lease Addendum attached to it, or opt to use the SFHA model lease. The SFHA signs a Housing Assistance Payments Contract with the owner to ensure owner compliance with the Program regulations.

Can a landlord break a lease?

Yes, if the tenant violates any of the terms and/or conditions of the lease or if the tenant and the landlord mutually agree to terminate the lease.

Can the owner/landlord request a rent increase?

Yes, before the end of the first year a landlord can request an increase in the contract rent by giving the tenant a sixty (60) day notice of his intent to raise the rent. Once approved by the SFHA, the family will pay for the rent increase out of their pocket.

Who decides the rent amounts a landlord can charge?

Rent requested by the landlord is negotiable. However, HUD guidelines establish the maximum rent the SFHA can pay for a specific unit based on the Voucher Payment Standard. All rents are subject to a rent-reasonableness test

Does the landlord have to pay all utilities?

No. The payment of utilities is an item that is mutually agreed upon between the tenant and the landlord. Tenants who pay their own utilities are credited a utility allowance. However, if there is not a separate City/PG&E meter for the unit, the owner must pay for the utilities.

Must all the units be inspected, if so, why?

Yes, the units must be inspected. The purpose of the inspection is to insure the unit is decent, safe and sanitary and meets the needs of the family.

What happens when the tenant does not pay the rent?

Section 8 tenants who do not pay their rent are handled in the same manner as the tenants in the open market - with notices, and eviction processes.

Can I Move?

Yes. After the initial term of the lease (one year), you can make an appointment to have your income re-certified and then you will be issued a move Voucher and a request for Tenancy Approval to give to a prospective owner. Only if you have been recertified will you be able to move.

Can I take the Section 8 Voucher to Other Cities?

Yes. The Voucher is portable to any city in the United States that has a Housing Agency willing and able to administer the Section 8 subsidy.

