

THE HAP EXTRA

SECTION EIGHT PROGRAM QUARTERLY NEWSLETTER



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Keeping You Informed Of Rule Changes and Updates

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HOLIDAY CLOSURES

- New Years Day
January 1, 2007
- Martin L. King Day
January 15, 2007
- Memorial Day
May 28, 2007
- West Virginia Day
June 20, 2007
- Independence Day
July 4, 2007
- Labor Day
September 3, 2007
- Veterans Day
November 12, 2007
- Thanksgiving Day
November 22, 2007 &
November 23, 22007
- Christmas Day
December 24, 2007 &
December 25, 2007
- New Years
December 31, 2007

HOUSING QUALITY STANDARDS (HQS) AND HOW THEY ARE ENFORCED

As an owner we would like you to understand how and when your payments are effected and when we can stop (abate) the housing assistance payment (HAP) if the repairs are not made by the specified date following the inspection.

Here are a few frequently asked questions:

1. When can we stop paying HAP?
2. Can we hold HAP checks until repairs are completed?
3. How much of an extension does HUD accept before abatement must be implemented?
4. When can a HAP Contract be terminated, and for what reasons, and the tenant (voucher participant) be required to move?

The answer to your first question can be found in the regulations governing the Section 8 Management Assessment Program (SEMAP): *This regulation is located at 24 CFR 985.3(f).*

(f) HQS enforcement. (1) This indicator shows whether, following each HQS inspection of a unit under contract where the unit fails to meet HQS, any cited life-threatening HQS deficiencies are corrected within 24 hours from the inspection and all other cited



Johnston Centre at 300 West 7th Avenue, Huntington, WV

HQS deficiencies are corrected within no more than 30 calendar days from the inspection or any PHA-approved extension. In addition, if HQS deficiencies are not corrected timely, the indicator shows whether the PHA stops (abates) housing assistance payments beginning no later than the first of the month following the specified correction period or terminates the HAP contract or, for family-caused defects, takes prompt and vigorous action to enforce the family obligations.

In the second question, can we continue cutting an owners HAP checks after abatement has begun and simply not hand them over until the owner has

completed the required repairs. The answer is no.

By regulation, "the PHA must not make any housing assistance payments for a dwelling unit that fails to meet the HQS, unless the owner corrects the defect within the period specified by the PHA and the PHA verifies the correction." Making a retroactive HAP payment for an abatement period would violate this regulation. It would also take the teeth out of HQS enforcement because a threat of lost revenue is a far better incentive to comply with HQS requirements than a mere threat of delayed payment.

(HQS) AND HOW THEY ARE ENFORCED CONTINUED

As for the third question, HUD regulations do not prescribe any guidelines for extensions, so each PHA must develop its own criteria for determining when and for how long an extension will be granted. The criteria must be consistent both with an owner's obligation to maintain a unit in accordance with the HQS at all times during an assisted tenancy and with the PHA's responsibility to take "prompt and vigorous action" to enforce this (and other) owner obligations. Therefore, the criteria should be rigorous enough to make extensions rare, rather than common, and they should be limited to reasons beyond an owner's control, such as weather conditions or the unavailability of required parts or services. Extensions may be granted in cases where the PHA has determined that the owner has made a good faith effort to correct the deficiencies and is unable to for reasons beyond the owner's control. Reasons may include, but are not limited to:

- A repair cannot be completed because required parts or services are not available.
- A repair cannot be completed because of weather conditions.
- A reasonable accommodation is needed because the family includes a person with disabilities.

The length of the extension will be determined on a case-by-case basis but will not exceed 60 days except in the case of delay caused by weather conditions, extensions may be continued until the weather has improved sufficiently to make repairs possible. The necessary repairs must be made within 15 calendar days once the weather conditions have subsided.

For your last question, Under what circumstances may we terminate a HAP contract for an HQS deficiency that is the fault of the owner, not the fault of the assisted family? The answer to this question is very similar to the answer to your third question: HUD has provided no mandatory guidance specifying the conditions under which a HAP contract must terminate for noncompliance with HQS. It has simply given us the authority to terminate a HAP contract for this reason if we deem termination an appropriate remedy. *The regulation at 24 CFR 982.404(a)(3) reads as follows: "The PHA must not make any housing assistance payments for a dwelling unit that fails to meet the HQS, unless the owner corrects the defect within the period specified by the PHA, and the PHA verifies the correction. If a defect is life threatening, the owner must correct the defect within no more than 24 hours. For other defects, the owner must correct the defect within no more than 30 calendar days (or any PHA approved extension)."*

HQS INSPECTIONS AND TIMING OF ABATEMENT

The Huntington Housing Authority will in accordance with the Department of Housing and Urban Development (HUD) Rules and Regulations will use the following procedures when conducting Housing Quality Standards (HQS) Inspections. The owner will be given written notice of any items that failed during the inspection and a time frame in which the repairs must be completed. If the repairs are not completed within the specified time frame the Housing Assistance Payment will not be paid for the first of the following month.
Inspection Date: Wednesday, January 3, 2007 unit needs repairs.

Owners given 30 days to complete repairs

Re-inspection Date: February 5, 2007— Unit does not meet HQS on February 5, 2007.

No assistance will be paid for March 2007

Owner given 7 days to complete repairs

Re-inspection Date: January 10, 2007— Unit does not meet HQS on January 10, 2007

No assistance will be paid for February 2007.

Owner given 20 days to complete repairs.

Re-inspection Date: January 23, 2007— Unit does not meet HQS on January 23, 2007

No assistance will be paid for February 2007.

ANNUAL HQS INSPECTION

Owners should be aware of the annual inspection procedures. Your unit should pass the annual inspection. When you receive the inspection notice you should inspect your unit and make any necessary repairs. **Do not wait for the housing authority to tell what repairs are necessary**, this could result in housing assistance payments being delayed or terminated.

If you do not plan to make repairs please notify the inspector immediately.

HUD Establishes New Fair Market Rents and the Huntington Housing Authority Establishes New Payment Standards

In October 2006 HUD published in the Federal Register the new established Fair Market Rents (FMR) (see table below) for the Cabell County market area. HUD allows housing authorities to establish Payment Standards amounts for a unit at any level between 90% and 100% of the published FMR. These rents will be used in determining the amount of assistance that may be provided to a participant.

2006/2007 Fair Market Rents

1 BDRM	2 BDRM	3 BDRM	4 BDRM	5 BDRM	6 BDRM
432	519	640	661	760	859

In accordance with the regulation the Huntington Housing Authority established the following Payment Standards at 110% above the published FMR's.

2006/2007 Payments Standards

1 BDRM	2 BDRM	3 BDRM	4 BDRM	5 BDRM	6 BDRM
475	570	704	727	836	945

All utilities are included in these rents and the housing authority must determine whether the rent to owner is a reasonable rent in comparison to rent for other comparable unassisted units. The owner certifies by accepting each monthly housing assistance payment from the housing authority that the rent to owner is not more than rent charged by the owner for comparable unassisted units in the premises.

HUD RELEASES 2007 INCOME LIMITS

On March 20, 2007 HUD released the income limits for the Tri-State area. These income limits are used to determine income eligibility for housing assistance participants and applicants.

Huntington-Ashland, WV-KY-OH MSA	FY 2007 Median Family Income (MFI) \$44,500.00							
	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
30% Median	9700	11100	12450	13850	14950	16050	17150	18300
Very Low Income	16150	18450	20750	23050	24900	26750	28600	30450
Low income	25850	29500	33200	36900	39850	42800	45750	48700

The Mission of
The Huntington West Virginia Housing Authority is

TO PROVIDE
AFFORDABLE, ACCESSIBLE,
QUALITY, HOUSING
AND SUPPORT SERVICES
THROUGH
COMMUNITY SERVICES



Housing Authority to Offer Owner's Briefing

The Huntington Housing Authority will make available to any interested owner an hour long briefing. The briefing will give the owner's the opportunity to asks questions and learn how the rental assistance program works.

If you are interested in attending, please contact anyone on the Section 8 Staff (see the list on the front page).

This briefing would be sometime in the near future and would most likely be held on a Saturday morning.

All owners will receive notice of the date and time with their Housing Assistance Payments.

Johnston Centre at 300 West 7th Avenue, Huntington, WV



DID YOU KNOW ?

The Huntington West Virginia Housing Authority was established in 1937 and the Section 8 Rental Assistance Program began in November 1984.

In 1984 the Section 8 Rental Assistance Program was assisting 487 families and paid approximately 225 property owners on behalf of the families.

In 2006 the Section 8 Rental Assistance Program assisted over 1,300 families and paid over 4 million dollars to over 630 owners on behalf of the families. The family received over \$250,000.00 to help pay for utility cost..

It is projected that we will assist over 1,550 families for April 2007 and pay over 700 owners over \$446,650.00 on behalf of the families. Families will be paid over \$28,500.00 for utility cost.

The Housing Authority anticipates paying owners over 5 million dollars on behalf of families and pay utility cost for families in excess of \$340,000.00 in 2007.

That over 5.5 million dollars will be circulated through the community again and again throughout 2007.

WANT TO KNOW MORE ?

If you have any suggestions for an article for the newsletter please feel free to submit it to the housing authority for approval or if you would like to know more about a particular rule or regulation please contact any Section 8 Staff person.