



# **HUDSON HOUSING AUTHORITY**

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8 Brigham Circle  
Hudson, MA 01749  
Tele. No. (978) 562-9268  
Fax No. (978) 562-4623

## **Landlord's Guide to Section 8**

### **How does the Section 8 Program work?**

- A family with a current Section 8 voucher views your apartment and wants to rent it.
- You screen the tenants to make sure they are suitable.
- You agree to lease to the tenants and contact the Section 8 office for approval.
- The Section 8 office checks to make sure the family can afford to rent the unit, the rent is reasonable compared to other rents in the community, and the lease is acceptable.
- After the apartment passes inspection, the Section 8 office sends you a contract to sign.
- You sign the contract with Section 8 and sign the lease with your tenants. Then the family can move in.
- Each month, the Section 8 office pays its portion of the rent and the family pays the rest.

### **Does the Housing Authority screen Section 8 tenants?**

The Housing Authority does not screen the Section 8 tenants for you. You must do this yourself, just as you would for non-Section 8 tenants. You should ask for information such as Social Security numbers, references, current and previous landlords, credit history, employment history, criminal record, etc. Be sure to check the information carefully.

### **Who pays the security deposit?**

If you want a security deposit, you must collect this from the tenant. The Section 8 program has no responsibility for damages, unpaid tenant rent, or other claims you might have against them. The maximum-security deposit you may collect is one month's rent. You may not collect the last month's rent.

### **Do I sign a lease with the tenant?**

You must sign a lease with the tenant for a minimum of one year. The lease should include:

- Names of the landlord and tenant
- Address of the rental unit
- Term of the lease and how it will be renewed
- Monthly rent amount
- Which utilities are paid by the tenant
- Which appliances must be provided by the tenant
- Tenancy Addendum (exactly as it appears on the HUD website)
- You may include other conditions that you normally include in your leases (as long as it does not violate any laws)

### **What kind of inspection is done?**

Your apartment will be inspected to make sure that it meets the housing standards of the Section 8 Program. The inspector will examine the exterior of the building, the plumbing and heating systems, the exits and hallways, and each room in the apartment to make sure the unit is safe, clean, and in good condition. The unit must be vacant at the time of the first inspection, and all utilities must be turned on. The inspector must have access to the unit itself, the basement, and all common areas.

The inspector uses a checklist form provided by HUD, the federal agency in charge of the Section 8 program. For each item on the list, the inspector marks if the unit passes or fails. If repairs are needed, the inspector marks this on the form.

A family will not be able to rent your apartment until you have made any needed repairs and the unit passes the inspection.

The apartment will be re-inspected each year. If problems are found, you must make repairs within the time allotted or else Section 8 will stop payments.

### **How much rent can I charge?**

The rent you charge must be reasonable compared to other units of similar size in your community. The Section 8 office will compare your rent to their payment standards, which are based in part on the fair market rents in your city or town. The fair market rents are the average gross rents (rent plus utilities) being paid in your community for modest apartments of varying sizes.

If the gross rent (rent plus utilities) for your apartment is less than or equal to the payment standard, the tenants pay 30% of their monthly income for rent. Section 8 pays the remaining portion. If the rent is higher than the reasonable amount, the tenants must make up the difference. However, the tenants are not allowed to pay more than 40% of their total income for rent when they first rent an apartment.

If you want to increase the rent when you renew the lease, you must get approval from Section 8. The rent must remain reasonable and within the family's ability to pay, or else Section 8 will not approve it.

### **How do I get paid?**

Section 8 will send you a check for their portion of the rent each month. They will continue to do so as long as the tenant remains eligible for Section 8 and your apartment meets the Section 8 program standards.

You are responsible for collecting the tenant portion of the rent each month.

### **May I evict a tenant?**

You may evict a Section 8 tenant in the same way you would evict a non-Section 8 tenant. The same laws apply.

### **Useful forms on HUD website:**

- Tenancy Addendum
- Housing Choice Voucher Program Inspection Form
- Housing Choice Voucher
- Request for Tenancy Approval
- Housing Assistance Payments (HAP) contract

(These forms require Adobe Reader)