

Administrative Plan – Appendix D

Administrative Exhibits



Guide to the Housing Choice Voucher Program

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State of New Jersey
Department of Community Affairs
Division of Housing and Community Resources
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www.state.nj.us/dca/divisions/dhcr



TABLE OF CONTENTS

| | <u>Page</u> |
|--|-------------|
| Offer of Assistance | 1 |
| Subsidy Standards Used by the DCA to Issue Vouchers | 1 |
| Payment Standard Amounts | 2 |
| Adjusted Income | 2 |
| <ul style="list-style-type: none">• Dependent Allowance• Child Care Expenses• Allowance for Disability Assistance Expenses• Elderly/Disabled Household Deduction• Medical Expenses | |
| Basic Housing Requirements | 4 |
| Housing Search Period | 4 |
| Finding Suitable Housing | 4 |
| Relocating to New Housing | 5 |
| Portability of Assistance | 6 |
| Information the Program May Provide to a Landlord | 6 |
| Discrimination in Housing | 7 |
| The Franklin Tower Decision | 7 |
| Obligations of the Household | 7 |
| Grounds for Denial or Termination of Assistance | 8 |
| Your Right to an Informal Hearing | 9 |
| Appeals | 10 |
| Frequently Asked Questions | 11 |
| Additional Information | 13 |

The HCVP(HCVP), administered by the New Jersey Department of Community Affairs (DCA), Division of Housing and Community Resources, is funded by the U.S. Department of Housing and Urban Development (HUD). The purpose of the program is to make decent, safe and sanitary housing available to very low-income households in the private rental market. Households that meet eligibility requirements generally pay no more than 30 percent of their

adjusted monthly income towards their monthly rent and utility costs. The program pays the balance of the rent directly to the owner of the rental property.

Your program representative will play an important role in assisting you to receive housing assistance. The name, address and the telephone number of your program representative is:

Program Representative: _____

Field Office Address: _____

Telephone Number: _____

Offer of Assistance

Vouchers are issued based upon family size and composition. These subsidy standards are applied consistently for all households of like size and composition. They must also provide for the smallest number of bedrooms needed to house a family without overcrowding.

Subsidy Standards Used by the DCA to Issue Vouchers

| Voucher Size | Household Size |
|---------------------|-----------------------|
| 0-bedroom | 1 |
| 1-bedroom | 1-2 |
| 2-bedroom | 2-4 |
| 3-bedroom | 4-6 |
| 4-bedroom | 6-8 |
| 5-bedroom | 8-10 |
| 6-bedroom | 10-12 |

Exceptions to the subsidy standards may be considered because of the age, sex, health, handicap, relationship of household members or other individual circumstances. To request an exception from these standards, your request must be in writing. Your request must include an explanation of how a larger sized unit would improve the current circumstances of the household. Any supporting documentation from a physician or another professional may be included with your request. A physician certification regarding the need for medical equipment must be provided at every annual recertification for as long as the equipment is needed.

In accordance with HUD directives, over-subsidization is not permissible. All households must be issued the smallest size Voucher that will accommodate the family size.

When you receive a Voucher, it means funds are being reserved to provide housing assistance for your household. You have 60 days from the date the Voucher was issued to satisfy the program's requirements.

Payment Standard Amounts

To determine the amount of housing assistance, the program has established a payment standard schedule that lists

the payment standard amounts for each unit size in each county. Households have the opportunity to search for housing with a total housing cost that may be less than or greater than the payment standard.

The household's portion of the monthly rent will depend upon the total housing cost of the dwelling unit that is chosen. For example, if you find housing with a total housing cost that is less than the payment standard, you will pay 30 percent of your adjusted monthly income toward your rent and utilities. If the total housing cost is more than the payment standard, you will be required to pay more than 30 percent of your adjusted monthly income toward rent and utilities, up to a maximum of 40 percent, after which the unit no longer qualifies for participation in the program.

Adjusted Income

A household's share of the rent is based on the household's income. This amount is called the "total tenant payment" (TTP) and for most households it is based upon 30 percent of the household's *adjusted* monthly income. (In certain circumstances, a household's TTP can be based upon 10 percent of their *unadjusted* monthly income.) Adjusted income means annual income less the following:

For all households:

- \$480 for each dependent;
- Reasonable child care expenses; and
- Unreimbursed disability assistance expenses.

For any elderly family or disabled household:

- A \$400 household allowance; and
- Unreimbursed medical expenses.

Dependent Allowance. A dependent is defined as a household member who is:

- Under 18 years of age,
- A person with a disability; or
- A full-time student.

The head of household, spouse, foster children, foster adults, or live-in aide are never counted as dependents.

A full-time student is a person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program as well as an institution offering a college degree.

Child Care Expenses. Reasonable child care expenses for the care of children, including foster children, less than 13 years of age may be deducted from annual income if all of the following are true:

-2-

Child Care Expenses. Reasonable child care expenses for the care of children, including foster children, less than 13 years of age may be deducted from annual income if all of the following are true:

1. The care is necessary to enable a household member to actively seek employment, be gainfully employed, or to further his or her education;
2. An agency or individual outside the household does not reimburse the expense;
3. An adult household member capable of providing child care is not available; and
4. The expenses do not exceed the amount of employment income that is included in annual income.

Allowance for Disability Assistance Expenses. Reasonable expenses that are anticipated for attendant care and auxiliary apparatus for a disabled family member if such expenses:

1. Enable a household member, including the disabled member, to be employed;
2. Exceed 3 percent of total annual income;
3. Do not exceed the earned income of the household member enabled to work; and
4. Are not reimbursed by an outside source.

Auxiliary apparatus are items such as wheelchairs, ramps, adaptations to vehicles, special equipment to enable a blind person to read or type, etc., if directly related to permitting the disabled member or other household member to be employed.

Elderly/Disabled Household Deduction. If the head of household or spouse is elderly (age 62 or over), or a person with disabilities, a \$400 adjustment to income is permitted. The \$400 is a household deduction. Only 1 elderly household deduction per household is permitted, even if both the head of household and spouse are elderly or disabled.

Medical Expenses. A deduction for medical expenses is permitted only for households in which the head of household or spouse is at least 62 years of age, or a person with disabilities. If the household is eligible for a medical expense deduction, the expenses of all household members may be considered.

Medical expenses are out-of-pocket expenses anticipated to be incurred by the household during the twelve (12) month certification/reexamination period. They may include:

- Contact lenses and the cost of equipment and materials required for using contact lenses, such as saline solution and enzyme cleaner;
- Dental treatment;
- Eyeglasses and fees paid for eye examinations;
- Hearing aids and the batteries to operate them;
- Hospital services;
- Insurance premiums;
- Laboratory fees;
- Medical services provided by physicians, surgeons, specialists, or other medical practitioners;
- Medicines (except for insulin, only prescribed medicines and drugs are allowed);
- Nursing services;
- Oxygen and oxygen equipment;
- Transportation; and
- X-ray fees.

The medical expense allowance is that portion of total medical expenses that is in excess of 3 percent of the household's total annual income.

-3-

Basic Housing Requirements

In order to receive housing assistance, you need to understand some important requirements.

The dwelling unit that you select must meet federal housing quality standards (HQS). Any type of rental housing that meets these standards may be considered. A suitable dwelling unit is:

- In good condition;
- Free from health and fire hazards; and

- Large enough to meet the occupancy standards of the program.

To help you identify a suitable dwelling unit, you will be given a copy of two HUD brochures: *A Good Place to Live* and *Protect Your Family From Lead in Your Home*.

You and your prospective landlord are required to sign a *Request for Tenancy Approval* (RFT) form. A copy of this HUD form will be given to you. You may submit only one *Request for Tenancy Approval* (RFT) form at a time.

You and the landlord are required to enter into a lease agreement that complies with program requirements. A copy of the program's required lease addendum will also be given to you.

A contract between the landlord and the program also must be signed. This is called the *Housing Assistance Payments Contract*, and it guarantees the landlord that the program will pay a portion of your rent each month. The program must not approve a unit if the owner is the parent, child, grandparent, grandchild, sister, or brother of **any** member of the family, unless the program determines that approving the unit would provide a reasonable accommodation for a family member who is a person with disabilities. This restriction against approval of a unit only applies at the time a household initially receives housing assistance for occupancy of a particular unit, but does not apply to approval of a new tenancy with continued assistance in the same unit.

Housing Search Period

Your Voucher is valid for a sixty (60) day term. This means that you and a prospective landlord must sign a *Request for Tenancy Approval* (RFT) form before the end of this period. If you have not located suitable housing within sixty (60) days, your program representative may authorize an extension of your Voucher.

You must request an extension in writing, and submit it to your program representative at least 5 days prior to the expiration date on your Voucher. An extension will not be granted unless you have made a sincere effort to locate suitable housing. Such efforts to locate acceptable housing must be documented, in writing, to the program representative. If you are unable to find housing within the allocated time, your Voucher will expire. If your Voucher expires, you can ask your program representative if it is possible for you to reapply. Reasonable accommodation will be made for households that include a person with disabilities.

Finding Suitable Housing

You may receive housing assistance in your present housing if:

- Your housing meets the program's housing quality standards;
- Your landlord is willing to participate in the program; and
- Your housing unit is large enough for a household of your size.

Generally, the dwelling unit must contain at least one (1) bedroom or living/sleeping room of appropriate size for every two (2) persons. Persons of opposite sex, other than husband and wife or children under the age of 7, are not required to occupy the same bedroom or living/sleeping room. Your program representative will determine if your present dwelling unit meets these requirements and will contact your landlord about completing the necessary program forms.

Relocating to New Housing

You are responsible for finding a suitable dwelling unit if your present housing does not meet program requirements or if you wish to relocate. Your program representative will assist you in your housing search by referring you to participating landlords who have vacancies. If your household includes a person with disabilities, you will be given a current listing of accessible units known to the program.

A new resource, the New Jersey Housing Resource Center (HRC), is another tool that is available to assist households who are searching for housing. The DCA partnered with the New Jersey Housing Mortgage Finance Agency to develop the HRC. The HRC is a database of affordable housing units located throughout the state of New Jersey. Property owners with vacant units may use web based services to list their units. Program participants in housing search may use the site to locate an affordable unit. This site may be accessed at www.njhrc.gov or by selecting the link for the New Jersey Housing Resource Center on the DCA Homepage: www.state.nj.us/dca.

Another resource to check for vacancies is the local newspaper that covers the area where you wish to reside. Listings of available housing are also found on public notice boards in laundromats, grocery stores, and community centers. Real estate agencies that charge a fee for showing their listings are generally not recommended. There are, however, some rental agents who may be useful in locating rental housing. If you should decide to use the services of an agency that charges a fee to help you find housing, you will be responsible for the expense.

When you find an advertisement for a vacancy, call the telephone number listed. Questions that you should ask are:

- How much is the rent?
- Which utilities will I be responsible for?
- What is the condition of the dwelling unit?
- Are the stove and refrigerator provided?
- How many bedrooms does the dwelling unit have?
- Is the housing located close to public transportation, centers of employment, schools, and shopping?
- Are there special restrictions, such as a no pet provision?

In addition, you should write down the complete address of the dwelling unit and the name, address, and phone number of the owner or manager.

When you have obtained enough information to be sure the dwelling unit might be suitable for your household, ask for an appointment to see it. Be prompt for the appointment. If you cannot keep it, call to reschedule. Remember, the time you have to locate housing is limited and good rental housing will be rented very quickly.

Once you have reached a tentative agreement to rent housing from a landlord, it is necessary to submit a completed *Request for Tenancy Approval* (RFT) form to your program representative. This is a required form that will be supplied to you by your program representative. It requests information about the rental unit that the program requires to make an

-5-

initial determination of whether that particular unit is eligible. You and the landlord must sign and date this form before it is submitted. Submission of this form will initiate a briefing for the landlord on the benefits and requirements of the program as well as an inspection of the unit.

Your program representative will explain the HCVP to the landlord and will also arrange for the inspection of the housing. If the dwelling unit meets program requirements and the landlord agrees to participate in the program, your program representative will coordinate the necessary paperwork. These documents will then be submitted for final approval. If these documents are approved, you will receive a copy of the lease agreement, a written notice of the amount of the rent that you are required to pay, and the effective date of the housing subsidy. You should keep these papers in a safe place.

Portability of Assistance

The program continues to expand the number of landlords participating in the HCVP. The DCA's goal is to increase the number and the diversity of neighborhoods where HCVP participants can live. You are encouraged to move to a low-poverty neighborhood that offers high-quality housing, education and employment opportunities.

Your program representative will help you to identify available housing in a number of neighborhoods, and will assist you by providing directions, maps and community and neighborhood information for areas in which you are interested.

The HCVP works closely with a large number of other housing agencies in New Jersey and other states. If you and your family wish to relocate with your Voucher, the field office will help you by working with other housing agencies in areas where you wish to move.

Your family may want to receive housing assistance in another county within New Jersey or even move to another state. If you wish to make such a move, you should discuss this with your program representative. He or she will explain where you can move. You will be required to identify the community to which you are interested in moving.

If you already are receiving housing assistance, you are required to provide proper notice to your landlord and to the program in accordance with your lease agreement.

When the program receives this information, the program then will send the necessary information to the housing agency in the area to which you are relocating. You will also receive a copy. When you receive the letter, you should contact that housing agency immediately. They will inform you about how the program works in their area.

Because of the amount of work involved to transfer your Voucher from one agency to another, an interruption in your housing assistance is likely. Be sure to prepare for this by budgeting so that you can pay for rent, moving expenses and a security deposit for your new housing.

Information the Program May Provide to a Landlord

In accordance with program regulations, your prospective landlord will be given your current address and the address of your current and prior landlord, if known by the program. Participating owners will be provided with the forwarding address of their former HCVP tenants if the program has the information. Other information regarding the household will not be disclosed or released outside of HUD, except as permitted or required by law.

-6-

Discrimination in Housing

As a resident or citizen of the United States, you are entitled to equal housing opportunity regardless of race, color, creed, sex, national origin, ancestry, handicap, familial or marital status. The following constitutes discriminatory acts when the reasons are based on membership in one of the protected classes listed above:

- Refusing to rent or sell property;
- Discriminating in terms or conditions for buying or renting housing;
- Discrimination in advertising available housing; or
- Denying that housing is available for inspection, rental or sale when it actually is.

If you believe you have been discriminated against, you should complete a copy of the *Housing Discrimination Complaint* form. The form may be mailed or taken in person to the HUD regional office listed on the back of the form. You can obtain assistance in learning about the Fair Housing Act or in filing a complaint by calling the toll-free Fair Housing Enforcement Center at 1-800-496-4294.

You also are encouraged to contact the New Jersey Department of Law and Public Safety's Division on Civil Rights for assistance at the following regional offices:

| | | | |
|---------------|----------------|----------|----------------|
| Atlantic City | (609) 441-3100 | Paterson | (973) 977-4500 |
| Camden | (856) 614-2550 | Trenton | (609) 292-4605 |
| Newark | (973) 648-2700 | | |

The Franklin Tower Decision

The Franklin Tower Decision of the New Jersey Supreme Court prohibits landlords from refusing to rent to a tenant because the tenant is a participant in the HCVP.

The book, *Tenant's Rights in New Jersey*, published by Legal Services of New Jersey states the following:

“New Jersey law makes it illegal to refuse to rent to anyone solely because they will pay their rent with rental assistance or welfare. For example, it is illegal for a landlord to refuse to rent to a person because the person receives Section 8 assistance, (N.J.S.A. 2A:42-100). This applies to a tenant who obtains Section 8 while already a tenant, and to those who are seeking to rent from a landlord for the first time, (Franklin Tower-One, L.L.C. v. N.M., 157 N.J. 602-1999).”

Obligations of the Household

You must comply with specific obligations as a participant of the program. It is the head of household's obligation to know about the actions and income of all household members and to report same accurately to the DCA. These obligations are part of the program's regulations and are included in the Voucher that was issued to you. Your program representative will review them with you. Failure to comply with these obligations is grounds for denial or termination of assistance.

The household must:

1. Sign an *Authorization for the Release of Information/Privacy Act Notice* form, supply any certification, or documentation that the DCA determines to be necessary in the administration of the program and stipulate that all information provided by the household is true and complete;
2. Disclose and verify Social Security numbers;

-7-

3. Correct a breach of the housing quality standards caused by the household
4. Disclose and verify Social Security numbers;
5. Allow the program access to the dwelling unit for initial, annual and special housing quality standards inspections after reasonable notice;
6. Notify the program and the owner before the household moves out of the dwelling unit, or terminates the lease with written notice to the owner;
7. Promptly give the program a copy of any owner eviction notice;
8. Use the assisted unit solely for residence of the household members listed on the lease and as the household's sole residence (the visitation of a guest is limited to a maximum of thirty (30) days during the one (1) year certification period.
9. Notify the program in writing within ten (10) days of the birth, adoption or court awarded custody of a child. The household must request the program's advance approval to add any other household member as an

- occupant of the assisted unit;
10. Notify the program in writing within ten (10) days if any household member no longer resides in the assisted unit;
 11. Notify the program in writing within ten (10) days of an absence from the assisted unit; and
 12. Notify the program in writing within ten (10) days of any change in the household's total annual income.

The household must not:

1. Commit any serious or repeated violation of the lease;
2. Sublease, or rent the assisted unit, or any part of the assisted unit;
3. Assign the lease or transfer the assisted unit;
4. Own or have any interest in the dwelling unit, except that of a household assisted in cooperative housing, a mobile home where the household leases the pad, or a household assisted under the Homeownership option of the HCVP;
5. Commit fraud, bribery or any other corrupt or criminal act in connection with the HCVP;
6. Engage in drug-related criminal activity or violent criminal activity, or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises;
7. Abuse alcohol in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises; and
8. Receive assistance under the HCVP while receiving a housing subsidy under any other federal, state or local housing assistance program.

Grounds for Denial or Termination of Assistance

The HCVP may deny assistance for an applicant or terminate assistance for a participant for any of the following reasons:

1. If the household violates any obligations (see 24 C.F.R. §982.551, *Obligations of participant*) under the HCVP. (See 24 C.F.R. §982.553 concerning denial or termination of assistance for crime by family members.)
2. If any member of the household has been evicted from federally assisted housing in the last five (5) years.
3. If a housing agency has ever terminated assistance under the program for any member of the household.
4. If any member of the household has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program
5. If a housing agency has ever terminated assistance under the program for any member of the household

-8-

6. If the household currently owes rent or other amounts to the program or to another housing agency in connection with Section 8 or public housing assistance under the United States Housing Act of 1937.
7. If the household has not reimbursed the program or another housing agency for amounts paid to an owner under a Housing Assistance Payments Contract for rent, damages to the unit, or other amounts owed by the household under the lease.
8. If the household breaches an agreement to pay amounts owed to the program or to another housing agency.
9. If a household participating in the Family Self-Sufficiency (FSS) Program fails to comply, without good cause, with the household's FSS contract of participation.
10. If the household has engaged in or threatened abusive or violent behavior toward program personnel.
11. If a welfare-to-work family fails, willfully and persistently, to fulfill its obligations under the welfare-to-work voucher program. (where applicable.
12. If the household has been engaged in criminal activity or alcohol abuse as described in 24 C.F.R. §982.553, *Denial of admission and termination of assistance for criminals and alcohol abusers.*

13. The DCA will terminate assistance for a household if the program determines that any member of the household is subject to a lifetime registration requirement under any state sex offender registration program. If the member subject to the lifetime registration requirement is not the head of household, the DCA will afford the head of household the opportunity to have the ineligible household member leave the household to avoid termination of participation.

If you owe monies to the program as described above, the program, at its discretion, may offer you the opportunity to enter into an agreement to reimburse the program. The program will prescribe the terms and conditions of the agreement and will deny or terminate assistance for a breach of the agreement.

Your Right to an Informal Hearing

You have the right to request an informal hearing if you disagree with the program over the following:

1. A determination of your annual or adjusted income, and the use of such income to compute the housing assistance payment.
2. A determination of the appropriate utility allowance, if any, for tenant paid utilities from the program's utility allowance schedule.
3. The determination of the number of bedrooms\unit size entered on the Voucher issued to you.
4. A determination to terminate your assistance because of your household's actions or failure to act, or for prolonged absence.

An informal hearing must be requested in writing within twenty (20) days of the decision in question to:

Department of Community Affairs
Division of Housing and Community Resources
Hearing Coordinator
P.O. Box 051
Trenton, NJ 08625-0051

Include in your letter, your name, address, telephone number, e-mail address (if available) and the reason you are requesting an informal hearing. The hearing process will afford you with the opportunity to present evidence and witnesses in support of your position. At your own expense, a private attorney may represent you. If you cannot afford representation, check with Legal Services to find out if you qualify to be represented by one of their attorneys.

Appeals

If you are dissatisfied with the final decision issued after the informal hearing, you may have the right to appeal the decision. You will have forty-five (45) days from the date of the Hearing Officer's final decision to request a review of the decision by writing to the Hearing Officer. The Hearing Officer will evaluate the request to determine if the matter qualifies as a "contested case" to be transmitted to the Office of Administrative Law (OAL). The request must include the name, address, telephone number and e-mail address (if applicable) and the factual basis or specific reasons why you are requesting a review of the Hearing Officer's final decision. The written request must be addressed to: Division of Housing and Community Resources, Hearing Officer, PO Box 051, Trenton, NJ 08625-0051. Compliance in meeting the submission deadline is determined by the postmark on the envelope containing the request.

Once you request a review of the final decision, in accordance with the Administrative Procedures Act (N.J.S.A. §52:14B-12), the matter will be transmitted to the Office of Administrative Law (OAL) as a contested case if it meets the criteria.

An appeal to the OAL involves transmitting the case to the OAL to be heard by an Administrative Law Judge (ALJ). This process includes a formal hearing before the ALJ, who will issue an initial decision. The Commissioner of the DCA reviews the initial decision and issues a final decision, either accepting the initial decision, modifying it, or rejecting it. The initial decision and the final decision will both be sent to the participant at the address provided in the request.

NJDCA Housing Program Grievance Policy

The NJDCA Grievance Policy is designed to provide a process that enables eligible individuals to exercise their right to file an informal complaint or a formal grievance with regard to specific policies and procedures and their implementation which will have an “adverse” impact on the tenant’s rights, duties, welfare or program status. The Policy is for resolving disputes between NJDCA clients and NJDCA because of an action that NJDCA did; or that it failed to do under NJDCA’s regulations. It is not for disputes between tenants and landlords, for class grievances, or for dealing with issues between tenant groups and the NJDCA, personal injury, property damage or challenging NJDCA policies.

A grievance concerning a particular act or occurrence must be presented, to the local Field Office Supervisor no later than 60 days of the act or occurrence unless the grievant can show that circumstances beyond his/her control prevented filing within that period. Grievance related matters will be addressed first by a member of NJDCA Management (Regional Manager) who will attempt to resolve situation with the client. If the matter cannot be resolved by the Regional Manager, the Department Director or his/her designee will attempt to provide resolution

If this is not possible, the grievance shall be forwarded to the Quality Assurance Coordinator (QAC) for review and determination. The QAC will conduct any investigation of any complaint communicated to it alleging NJDCA’s noncompliance with its established policies and procedures. The complaint should be submitted by the grievant as soon as possible but no later than 60 calendar days after the alleged violation to:

QA Coordinator
Department of Community Affairs
101 South Broad Street
Trenton, NJ 08625
609-292-6420

-10-

The complaint should be in writing and contain information about the alleged impropriety such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

Within 30 calendar days, the QAC will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of NJDCA and offer options for substantive resolution of the complaint.

If the response by the QAC does not satisfactorily resolve the issue, the complainant may appeal the decision within 30 calendar days after receipt of the response to the NJDCA Commissioner.

Within 30 calendar days after receipt, the NJDCA Commissioner or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the QAC, appeals to the NJDCA Commissioner and responses to these complaints will be retained by the NJDCA for at least four years.

Frequently Asked Questions

Do I have to pay a security deposit?

Your landlord may collect a security deposit from you in accordance with New Jersey law. If this happens, make sure you get a receipt for it. The lease agreement will identify the bank where the security deposit is being held in an interest-bearing escrow account.

If your security deposit is not sufficient to cover amounts owed under the lease for unpaid tenant rent to owner and tenant caused damages, the owner may take legal action to collect the balance from you.

How do I pay my portion of the rent?

You are responsible for paying your share of the rent, which is known as the “tenant rent to owner”, directly to your landlord. On or before the first of the month, you must pay the amount stated as the tenant rent to owner on your copy of the lease agreement or the notification letter from the program. When utility costs are not included in the rent, you will have to pay your share of the rent and the monthly utility bills for which you are responsible. Failure to pay your share of the rent, or having your utilities shut off for nonpayment, may cause you to be evicted and will jeopardize your participation in the program. The program will pay its share of the rent directly to your landlord at the beginning of each month. You are not responsible for the program's portion of the rent while the lease and contract are in effect.

When can the landlord increase the rent?

On the anniversary date of the Housing Assistance Payment Contract, the landlord is allowed to increase the rent according to applicable federal regulations or municipal ordinances. Rent increases may be approved that reflect actual increases in property taxes, utility rates, or similar costs. You must contact your program representative if you receive any notification from the landlord that a change in the rent is requested. Your program representative will advise you of the effect that a rent increase will have on your portion of the rent.

-11-

What do I have to do to stay in the program?

Comply with all the Obligations of the Household listed on the Voucher issued to you and in this booklet. At the end of each annual certification period, your occupancy under the lease and contract may be continued as long as all program requirements are satisfied.

You will receive advance written notice of the need to reexamine your eligibility and inspect your housing. Your household's eligibility for the program will be reexamined and all household income will be verified.

Your assisted housing unit will be inspected annually and it must continue to meet the federal housing quality standards.

What changes must I report to the program?

You must report, in writing, any change in the size or composition of your household to your program representative.

You must send this notice within ten (10) days of the change, not receipt of the first pay. Your household's portion of the rent may either be increased or decreased to reflect a change in the size or composition of your household.-

You must inform the program in writing of any change in the household's total annual income within ten (10) days. This change must be reported immediately, not when payment is received. Any change in the tenant rent to owner will only take effect after all income sources of the household are verified by the program.

What if I want to move?

You may move after the first year of the term of your lease. You must stay in your unit for one (1) year unless you have special circumstances that threaten your health or safety.

You must give advance written notice to your landlord to end your lease. Your lease will tell you how many days' notice you must give - it could be thirty (30) days or sixty (60) days. You also must send a copy of the notice to your program representative. You will lose your housing assistance if you move without giving your landlord and your program representative proper notice.

What if I have a problem with my landlord?

If you have a complaint about your tenancy, notify your landlord in writing and keep a copy for your own records. You may obtain legal advice by contacting your local Legal Services agency. Check the telephone directory for the Legal Services office nearest you.

The Office of Landlord/Tenant Information at the New Jersey Department of Community Affairs is another resource for information. They may be contacted by calling (609)292-4174 or by writing to the Office of Landlord/Tenant Information, P.O. Box 805, Trenton, New Jersey 08625.

Your program representative should be advised if the problem remains unresolved. Under no circumstances should you withhold your portion of the rent without notifying your program representative

Am I responsible for damage to the property?

You are responsible for maintaining your housing in good condition. Tenants, or their guests, who willfully or through neglect cause damages to an assisted unit may be determined ineligible for continued program participation. Additionally, a tenant who willfully causes damage to an assisted unit may be terminated from the program.

-12-

What if my landlord wants to evict me?

A landlord may recover possession of rental housing by consent of the tenant, or through the legal process of eviction. A "self-help" eviction (entry into a dwelling unit and removal of tenants without their permission or without a judgment from a court) is an unlawful act in New Jersey.

A landlord may evict a tenant if the landlord can prove in court that one of the good causes listed in the New Jersey Anti-Eviction Act has occurred. A program participant, whose landlord has just cause for eviction, may be denied continued program eligibility.

What is a Project-Based Assistance Program?

DCA also administers two Section 8 unit-based programs:

- The Project-Based Certificate Program; and
- The Moderate Rehabilitation Program

The unit-based programs are similar to the HCVP except the subsidy is tied to the building rather than the household. This means that a participant in one of the unit-based programs cannot transfer their housing assistance to another unit. Once the household is assisted, they will generally pay 30 percent of their adjusted monthly income towards the rent and utilities as do HCVP participants.

The owner of the rental property has the final say on who lives in the unit. If a household decides to move, they may not take their housing assistance with them. All of the obligations for households in the HCVP apply to the participants in the unit-based housing programs. Your program representative will give you more specific information if you are interested in participating in these programs.

What is the relationship between owners, participants & the DCA (Three Way Partnership Roles)?

Once a PHA approves an eligible family's housing unit, the family and the landlord sign a lease, at the same time, the landlord and the PHA sign a housing assistance payments contract that runs for the same term as the lease. This means that everyone—tenant, landlord and PHA has obligations and responsibilities under the voucher program.

Additional Information

You also will be given the following items:

- A signed copy of your Housing Choice Voucher
- Two HUD booklets: *A Good Place to Live!* and *Protect Your Family From Lead in Your Home*
- The program's current utility allowance schedule
- The HUD required tenancy addendum (HUD 52641-a)
- Information regarding the Family Self-Sufficiency Program
- Information regarding the Homeownership Program
- The *Request for Tenancy Approval* form
- Housing Discrimination Complaint form
- Section 504/ADA Notice to the Public
- Violence Against Women Act(HUD -5380)
- Reasonable Accommodation Policy and Procedures