

**SECTION 8 LANDLORD HANDBOOK
GLOSSARY**

A

ACCESSIBLE: The facility or portion of the facility can be approached, entered, and used by individuals with physical handicaps.

ADJUSTED ANNUAL INCOME: The total of gross annual income minus allowable expenses.

ADJUSTED MONTHLY INCOME: Monthly income, less allowable HUD deductions.

ADJUSTED INCOME: Annual income, less allowable HUD deductions.

ANNUAL INCOME: The anticipated total income of an eligible family from all sources for the 12-month period following the date of determination of income.

APPLICANT: A family that has applied for admission to a program but is not yet a participant in the program.

B

BIFURCATE: To divide a lease as a matter of law such that certain tenants can be evicted or removed while the remaining family members' lease and occupancy rights are allowed to remain intact.

BLIGHTED STRUCTURE: A structure is blighted when it exhibits objectively determinable signs of deterioration sufficient to constitute a threat to human health, safety, and public welfare.

BUILDING CODE: A set of building construction requirements developed and administered by national and local bodies to ensure that buildings meet certain minimum standards for structural integrity, safety, design, and durability.

C

CERTIFICATION: The documentation and verification process required of HUD managers in order to determine initial and continued income and eligibility under Section 8 guidelines. Recertification is required at least once each year.

See also *Recertification*.

CODE OF FEDERAL REGULATIONS (CFR): The Code of Federal Regulations (CFR) is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government. It is divided into 50 titles that represent broad areas subject to federal regulation. Each volume of the CFR is updated once each calendar year and is issued on a quarterly basis.

COHEAD: An individual in a household who is equally responsible for the lease with the head of

household. A family may have a cohead or spouse but not both. A cohead never qualifies as a dependent.

CONTRACT RENT: See *Rent to Owner*.

D

DATING VIOLENCE: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

DEPENDENT: a member of a family (excluding the family head, spouse, and any foster children) who is under 18 years of age, is a disabled person, or is a full-time student.

DISABILITY: A physical or mental impairment that substantially limits one or more of the major life activities of such for an individual.

DISABLED FAMILY A family whose head, spouse, or sole member is a *person with disabilities*; or two or more persons with disabilities living together, or one or more *persons with disabilities* living with one or more *live-in aides*.

DOMESTIC VIOLENCE: Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

DRUG-RELATED CRIMINAL ACTIVITY: Drug trafficking or the illegal use of or possession of a controlled substance or the possession of such substance with an intent to manufacture, sell, or distribute it.

DRUG TRAFFICKING: The illegal manufacture, sale, or distribution, or the possession with intent to manufacture, sell, or distribute, of a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

E

ELDERLY FAMILY: a family whose head, spouse, or sole member is a person who is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aids.

EXTREMELY LOW-INCOME FAMILIES: Families whose incomes are no higher than 30% of the area median income – the QWHRA Act of 1998 (implemented in April 2000) requires that no less than 40% of new Section 8 assisted unit leases each year are to be targeted to extremely low income

families.

F

FAIR HOUSING ACT: 1968 act (amended in 1974 and 1988) providing the HUD Secretary with fair housing enforcement and investigation responsibilities. A law that prohibits discrimination in all facets of housing on the basis of race, color, national origin, religion, sex, familial status, or disability.

FAIR MARKET RENT (FMR): The amount that must be paid in a given area to rent existing, privately owned housing of a modest nature, with suitable amenities, and in decent, safe, and sanitary conditions. FMRs are established by HUD. They vary by unit size as well as by housing market area and include the cost of all utilities except phone.

FAMILY RENT TO OWNER: The rent to the owner minus the housing assistance payment.

FAMILY SELF-SUFFICIENCY: A program developed by a PHA to promote self-sufficiency of assisted families including the provision of supportive services.

FAMILY SHARE: The portion of rent and utilities paid by a family.

FAMILY UNIT SIZE: The appropriate number of bedrooms for a family, as determined by the PHA under the PHA subsidy standards.

FEDERAL REGISTER: Published by the Office of the Federal Register, National Archives and Records Administration (NARA), the *Federal Register* is the official daily publication for rules, proposed rules, and notices of federal agencies and organizations, as well as executive orders and other presidential documents. www.gpoaccess.gov/fr

G

GROSS RENT: The sum of the rent to owner plus any utility allowance. If there are no tenant-paid utilities, the rent to owner equals the gross rent.

H

HEAD OF HOUSEHOLD: The person who assumes legal and financial responsibility for a household and is listed on a housing application as its head.

HOUSING ASSISTANCE PAYMENT (HAP): The monthly assistance payment a PHA makes to the owner for the rent to owner under the family's lease. This may include an additional payment to the family if the total assistance payment exceeds the rent to owner.

HOUSING ASSISTANCE PAYMENT (HAP) CONTRACT: A written agreement between a PHA and a housing owner for the purpose of providing housing assistance payments to the owner on behalf of an eligible family. A HAP contract defines the responsibility of both the PHA and the owner.

HOUSING CHOICE VOUCHER (HCV): a document issued by a PHA to a family selected for admission to the Section 8 Housing Choice Voucher Program. The voucher describes the program and the procedures for PHA approval of a unit selected by the family. At RCHA vouchers are issued for 120 days. Extensions are rarely given and generally only in cases where a reasonable accommodation for a person with disabilities is necessary. See also *Voucher*.

HOUSING CHOICE VOUCHER PROGRAM: The Section 8 tenant-based rental assistance program in which a family selects a privately owned rental unit, and the family, the PHA and the owner of the unit enter into a legal agreement with one another. Sometimes called *voucher program*.

HOUSING QUALITY STANDARDS: The HUD minimum quality standards for housing assisted under the Section 8 Program.

HOMELESS: An individual who lacks a fixed, regular, and adequate nighttime residence; as well an individual who has a primary nighttime residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, an institution that provides a temporary residence for individuals intended to be institutionalized; or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

HOUSEHOLD: All the people who occupy a housing unit. A household includes the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit. A person living alone in a housing unit, or a group of unrelated people sharing a housing unit such as partners or roomers, is also counted as a household.

HOUSING MARKET AREA: A geographic region from which it is likely that renters/purchasers would be drawn for a given housing project. A housing market area most often corresponds to a Metropolitan Statistical Area (MSA).

HUD: The Department of Housing and Urban Development or its designee.

HUD USER: An information resource from HUD's Office of Policy Development and Research offering a wide range of low- and no-cost content of interest to housing and community development researchers, government officials, academics, policymakers, and the American public. HUD USER is the primary source for federal government reports and information on housing policy and programs, building technology, economic development, urban planning, and other housing-related topics.

www.huduser.org

I

INCOME: Income from all sources of each member of the household, as determined in accordance with criteria established by HUD.

INCOME INFORMATION: means information relating to an individual's income, including:

- All employment income information known to current or previous employers or other income sources

- All information about wages, as defined in the State's unemployment compensation law, including any Social Security Number; name of the employee; quarterly wages of the employee; and the name, full address, telephone number, and, when known, Employer Identification Number of an employer reporting wages under a State unemployment compensation law
- Whether an individual is receiving, has received, or has applied for unemployment compensation, and the amount and the period received
- Unearned IRS income and self-employment, wages and retirement income
- Wage, social security, and supplemental security income data obtained from the Social Security Administration.

INCOME LIMIT: Determines the eligibility of applicants for HUD's assisted housing programs.

J

K

L

LANDLORD: Either the legal owner of a property or the owner's designated representative or managing agent.

LEAD-BASED PAINT: Paint or other surface coatings that contain lead equal to or exceeding 1.0 milligram per square centimeter or 0.5 percent by weight or 5,000 parts per million (ppm) by weight.

LEASE: A written agreement between an owner and an eligible family for the leasing of a housing unit.

LOW-INCOME HOUSEHOLD: A household whose income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller or larger families. HUD may establish income ceilings higher or lower than 80 percent of the median for the area median on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

LOW-INCOME RENTAL ASSISTANCE (Section 8 Vouchers): HUD assists low- and very low-income families in obtaining decent, safe, and sanitary housing in private accommodations by making up the difference between what they can afford and the approved rent for an adequate housing unit.

M

MANUFACTURED HOME: A manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence, and meets the HQS. A special housing type: see §982.620 and §982.621.

MANUFACTURED HOME SPACE: In manufactured home space rental: A space leased by an

owner to a family. A manufactured home owned and occupied by the family is located on the space. See §982.622 to §982.624.

MINIMUM RENT: In 1995, legislation was passed requiring residents of HUD housing to pay a minimum amount. The current minimum rent for RCHA's HCV program is currently \$50 per month.

MINOR: A member of a family under 18 years of age who is not the head, spouse, live-in aide, or foster child/adult.

MONTHLY INCOME: One twelfth of annual income before allowances.

N

NET FAMILY ASSETS: The value of equity in savings, checking, IRA, and Keogh accounts, real property, stocks, bonds, and other forms of capital investment.

NONPROFIT HOUSING ORGANIZATION: Any private organization that is organized under state or local laws; has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual; and has a long-term record of service in providing or financing quality affordable housing for low-income families through relationships with public entities.

O

OWNER: Any private person or entity, including a cooperative, an agency of the federal government, or a public housing agency, having the legal right to lease or sublease dwelling units.

P

PARTICIPANT: A family that has been admitted to the PHA program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family (first day of initial lease term).

PAYMENT STANDARD: The maximum monthly assistance payment for a family assisted in the voucher program. The PHA sets a payment standard between 90% and 110% of the current HUD published fair market rent (FMR).

PERSON WITH DISABILITIES: For the purposes of program eligibility, a person who has a disability as defined in federal law [42 U.S.C. 423 or 42 U.S.C. 6001] or a person who has a physical or mental impairment expected to be of long and indefinite duration and whose ability to live independently is substantially impeded by that impairment but could be improved by more suitable housing conditions. This includes persons with AIDS or conditions arising from AIDS but excludes persons whose disability is based solely on drug or alcohol dependence. For the purpose of reasonable accommodation, a person with disabilities is a person with a physical or mental impairment that substantially limits one or more major life activities, a person regarded as having such impairment, or a person with a record of such impairment.

PORTABILITY: The ability of a family to move with its HCV tenant-based assistance from the jurisdiction of one PHA to that of another.

PREMISES: The building or complex in which a dwelling unit is located, including common areas and grounds.

PUBLIC HOUSING AGENCY (PHA): Any state, county, municipality, or other governmental entity or public body, or agency or instrumentality of these entities that is authorized to engage or assist in the development or operation of low-income housing under the U.S. Housing Act of 1937.

PUBLIC ASSISTANCE: Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, state, or local governments.

Q

R

REASONABLE ACCOMMODATION: Under the Fair Housing Act, a reasonable accommodation is a change, exception, or adjustment to a rule, policy, practice, or service. Persons with disabilities may need either a reasonable accommodation or a reasonable modification, or both, in order to have an equal opportunity to use and enjoy a dwelling.

REASONABLE MODIFICATION: A structural change made to the premises or a tenant's unit. Federal fair housing laws allow persons with disabilities to make adjustments to their rental units at their expense. Persons with disabilities may need either a reasonable accommodation or a reasonable modification, or both, in order to have an equal opportunity to use and enjoy a dwelling.

RECERTIFICATION: The documentation and verification process required to be performed by HUD managers at least once each year. The "annual recertification" begins approximately 90 -120 days prior to each resident's anniversary date. "Interim recertifications" take place when a resident informs management of a significant change in income during the course of the rental contract year.

RENTAL SUBSIDY: *Housing assistance payment* usually equal to the difference between the tenants share of the rent and the rent charged by the owner. The tenant rent contribution is generally the highest of: a) 30% of adjusted monthly income; b) 10% of the person's monthly income; or c) the welfare assistance payment adjusted for or designated as housing cost

RENT INCREASE:

RENT REASONABLENESS: A rent to owner that is not more than either the rent charged for comparable units in the private unassisted market or the rent charged by the owner for a comparable unassisted unit in the building or on the premises. Sometimes called *reasonable rent*.

RENT TO OWNER: The monthly rent payable to the owner under the lease. Rent to owner includes

payment for any services, maintenance, and utilities to be provided by the owner in accordance with the lease.

REQUEST FOR TENANCY APPROVAL (RFTA): A PHA form completed by an owner and family and used by the PHA to determine whether a unit is eligible and a lease complies with program requirements.

S

SECTION 8: Section 8 is a rental assistance subsidy. The subsidy may be paid either directly to the owners as a *project-based rental assistance* subsidy or to the program participant/tenant as a *tenant-based rental assistance* subsidy. RCHA operates a tenant-based rental assistance subsidy in the form of the Housing Choice Voucher Program.

SECTION 8 HOMEOWNERSHIP PROGRAM: Allows low-income families who qualify for Section 8 rental assistance to use their vouchers to pay for homeownership costs under a mortgage.

SECURITY DEPOSIT: A dollar amount (maximum set according to the regulations) which can be used for unpaid rent or damages to the owner upon termination of the lease.

SINGLE FAMILY PROPERTY: A single-unit family residence, detached or attached to other housing structures.

SPOUSE: The marriage partner of a head of household.

STALKING: To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to that person, a member of the immediate family of that person, or the spouse or intimate partner of that person.

SUBSIDY STANDARDS: Standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

T

TENANCY ADDENDUM: A HUD-designed addition to an owner's lease that includes, word for word, all HUD-required language.

TENANT: The person or persons (other than a live-in aide) who executes the lease as lessee of the dwelling unit.

TENANT-BASED RENTAL ASSISTANCE

Payments made to qualified *low- and very-low income* persons which is not tied to a facility, but is portable (stays with the qualified person) in the form of a Section 8 voucher.

TOTAL TENANT PAYMENT (TTP): The total amount the HUD rent formula requires a tenant to pay toward rent and utilities.

U

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD): Established in 1965, HUD's mission is to increase homeownership, support community development, and increase access to affordable housing free from discrimination. To fulfill this mission, HUD will embrace high standards of ethics, management and accountability and forge new partnerships — particularly with faith-based and community organizations — that leverage resources and improve HUD's ability to be effective on the community level.

UNIT: Residential space for the private use of a family. The size of a unit is based on the number of bedrooms contained within the unit.

UTILITY ALLOWANCE: The PHA's estimate of the average monthly amount needed to pay for utilities by an energy-conscious household. If all utilities are included in the household's rent, there's no utility allowance. A utility allowance varies by unit size and type of utilities.

UTILITY REIMBURSEMENT: In the voucher program, the portion of the housing assistance payment which exceeds the amount of rent to owner, and is given to the family to assist with utilities.

UTILITY HOOK-UP CHARGE: In a manufactured home space rental: Costs payable by a family for connecting the manufactured home to utilities such as water, gas, electrical and sewer lines.

V

VIOLENCE AGAINST WOMEN ACT (VAWA): Signed into law in 2006, this federal law protects victims of domestic violence, dating violence, sexual assault, and stalking who live in public, assisted and other types of housing and endures that such victims have meaningful access to the criminal justice system without jeopardizing their housing.

VIOLENT CRIMINAL ACTIVITY: Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

VOUCHER: See *Housing Choice Voucher (HCV)*.

VOUCHER PROGRAM: See *Housing Choice Voucher (HCV) Program*.

W

X

Y

Z