



Landlords/Managers Frequently Asked Questions

Q. What is the Housing Authority?

A. The Housing Authority is a non-profit agency. We contract with HUD to administer the Housing Choice Voucher (HCV) Program. We are not HUD.

Q. What does the Housing Authority do?

A. We provide rental assistance to low-income families who qualify for our program. Initially, we make sure that families who apply for rental assistance meet the HUD eligibility criteria. This includes meeting income limits and program requirements. For as long as the family receives rental assistance, the Housing Authority monitors their compliance with program requirements.

Q. How does a family become eligible for rental assistance?

A. People who wish to receive rental assistance must apply to get on our waiting list. Families are taken off the list on preference and/or first-come, first-served basis. We do not have emergency assistance. We can only help as many people as we have funding available.

Q. Is my prospective tenant automatically eligible to receive HCV rental assistance because I am willing to accept the program?

A. No. In order to be eligible for the Housing Choice Voucher Program, the tenant must have an active voucher issued by the Housing Authority.

Q. Is the HCV Program only for couples with children?

A. No. Anyone can apply to get on the wait list. However, preference is given to families who are Working/Disabled or Homeless.

Q. If my daughter is on the HCV Program, can I rent to her and her children?

A. Effective June 17, 1998, the Housing Authority is prohibited from entering into a contract on behalf of a family if the owner is the parent, child, grandparent, grandchild, sister, or brother of any member of the family. The only exception is if the Housing Authority determines that the unit would provide a reasonable accommodation for a family member who is a person with disabilities.

Q. Does the Housing Authority screen families to see if they would be good tenants?

A. No. This kind of screening is the landlord's responsibility. We strongly urge you to pursue the same diligence in screening applicants with HCV assistance as you would all other applicants for your units.

Q. If a family with small children leases my unit, what happens when the children grow up and move out?

A. Just because there are no small children in the household does not mean that the family is not eligible to participate on the HCV Program. If there is a change in family size, and the family is now living in a unit that is too large for their family size, they may have to move.

Q. My old tenants are still in the unit. Can the Housing Authority inspect my unit while my old tenants are still living there?

A. No. The Housing Authority cannot inspect the unit while the former tenants are still in residency. However, the Housing Authority can inspect the unit while the tenants to be assisted are occupying the unit.

Q. When an HCV family selects my unit, what steps are needed to begin rental assistance?

A. There are four easy steps:

1. Landlord completes the Request for Tenancy Approval packet with the prospective tenant and it is forwarded to the Housing Authority
2. Housing Authority determines if the unit is within its jurisdiction, the rent is reasonable, and the rent is affordable to the tenant.
3. Housing Authority inspects the unit for housing quality standards.
4. Landlord and Housing Authority sign a Housing Assistance Payment (HAP) Contract.
5. Landlord and family sign a lease that mirrors the terms and conditions of the contract.

Q. Can I charge the tenant a security deposit?

A. Yes, as long as it's reasonable and not more than you charge unassisted tenants. HUD regulations state that the security deposit has to be refundable. You cannot collect both a refundable security deposit and a cleaning deposit. You also cannot collect last month's rent. The family is responsible for paying their security deposit. The Housing Authority does not help families with this expense. If the family damages the unit beyond normal wear and tear, you will need to take payment for those damages from the security deposit.

Q. When is the lease effective?

A. The lease is effective once the unit passes inspection, a HAP Contract is executed, and the tenant is ready to move in.

Q. When I'm leasing to a new tenant, when can I expect to get my money from the Housing Authority?

A. The Housing Authority will begin assistance on the day the unit passes a Housing Quality Standards inspection, the family has signed a lease/rental agreement, and has possession of the unit. It's very important that you let our office know the exact date that you give the family possession (keys and the ability to move in). It usually takes our office ten working days to process the paperwork that includes the Housing Assistance Payment Contract and your lease/rental agreement. Once all parties sign the paperwork and the paperwork is returned to our office, your check will be released. You will be paid a prorated portion effective the day assistance began.

Q. Does the Housing Authority send payments to the Landlord/Manager?

A. Yes. Payments for all or a portion of the rent are issued to the designated landlord payee by direct deposit.

Q. When are the Housing Assistance Payments issued?

A. Once the initial HAP Contract is executed and returned signed by Landlord/Manager, payments thereafter are issued on the second business day of each month.

Q. Who do I call if I do not receive my Housing Assistance Payment?

A. The landlord should contact the housing counselor assigned to you and your tenant.

Q. Can the family terminate tenancy?

A. After the initial term of the lease, the family may terminate tenancy with an advance written 30-day notice to the Landlord and the Housing Authority. Note: the Housing Authority's policies prohibit a tenant's assistance from being transferred more than once in a 12-month period.

Q. Can I terminate tenancy during the initial term of the lease?

A. Yes, the landlord may terminate tenancy for serious or repeated violations of the terms and conditions of the lease, or violations of Federal, State, or local law relating to use or occupancy, or drug-related criminal activity or violent criminal activity, as defined in section 8 of the Tenancy Addendum. It is advisable for the landlord to seek legal counsel anytime she/he take action to terminate tenancy. The landlord should forward documentation of tenant violations to the Housing Authority.

Q. After the initial term of the lease can I terminate the lease without cause?

A. Yes, the landlord may terminate tenancy without cause at the end of the initial lease term or at the end of any extension terms. However, it is advisable to carefully review the contract and lease, as well as to seek legal counsel on this matter.

Q. Is the Housing Authority responsible for evicting the HCV participant?

A. No. Enforcement of the lease and evictions are the responsibility of the landlord/manager. The Tenancy Addendum, HAP Contract, and lease outline the grounds on which the landlord/manager may pursue eviction. It is advisable for the landlord to seek legal counsel anytime she/he take action to terminate tenancy.

Q. Will the Housing Authority help me get rid of a problem tenant?

A. No. You signed a contract with the Housing Authority and a lease with the tenant family. The Housing Authority is not a party to the lease. This means that our office cannot help you enforce the lease. This is your responsibility just as it would be for other non-assisted tenants. If your tenant is violating the lease, you can evict them at any time. If you contact our office and report that you think the family is violating a program rule, we will investigate. This doesn't mean that you can't and shouldn't take action as their landlord. For example, if you suspect there are more people living in the unit than stated on the lease, you should call us and give us that information. Allowing persons not on the lease to live in the assisted unit is a violation of a family obligation, and it is also a lease violation. You can take action as the landlord because the family is violating the lease. Keep in mind that if the Housing Authority terminates a family's eligibility, that does not mean they will automatically vacate your unit.

Q. Can the Housing Authority give me advice concerning what to do about a problem tenant?

A. No, the law prohibits us from giving legal advice. Again, you need to deal with assisted tenants in the same way you would those who do not have rental assistance. You should be familiar with the Texas Landlord/Tenant Laws and keep current with any damages. In some cases, you may need to seek legal help.

Q. When should I let the Housing Authority know what action I've taken toward my tenant?

A. You need to promptly give the Housing Authority a copy of all written notices – warnings or eviction notices you give an assisted family. You must also notify the Housing Authority if your tenant vacates the unit in violation of the lease.

Q. What should I do if a tenant damages the unit beyond normal wear and tear?

A. You can evict a tenant if they are damaging your unit. In addition, if a tenant damages a unit beyond normal wear and tear, they can lose their rental assistance. If this happens, you need to

contact our office and report to us the damage to the unit, including a charge to the tenant for those damages.

Q. How can families lose their eligibility to receive HCV rental assistance?

A. Families have to meet certain obligations to continue to receive HCV rental assistance. These include, but are not limited to, attending scheduled appointments, not being involved in drug-related or violent criminal activity, and not damaging their unit beyond normal wear and tear. If the Housing Authority receives documentation that the family has violated a “family obligation”, we can terminate the family’s eligibility. You will always receive a 30-day notice if the contract is terminated because the family is no longer eligible.

Q. Is there a time limit that families can receive HCV rental assistance?

A. Currently, there is no time limit for receiving assistance. If a family is able to pay their entire rent for 180 days, the contract will automatically terminate, and the family will no longer have rental assistance.

Q. How do I change my mailing address or property management company?

A. Changes of landlord address or changes in the address of the property management company must be sent, in writing to the Housing Authority. PAHA has owner information forms available at our office for such changes. If the property management company has changed, a copy of the new agreement or contract should be forwarded to the Housing Authority.

Q. How do I inform the Housing Authority of a change in property ownership?

A. The owner must contact the Housing Authority prior to the sale of the property and provide the name and address of the new property owner. The new owner must submit a written request for reassignment of the HAP Contract, along with proof of change of ownership. PAHA has owner information forms available at our office for such changes.

Q. What if I want to sell a unit that is occupied by an assisted tenant?

A. If the new owner wishes to keep the same tenant and continues to work with the HCV Program, you and the new owner will need to sign an Addendum to the Lease and HAP Contract form, which is available at our office. If the assisted tenant is in the first year of the lease, the new owner must assume the contract. If the new owner does not want to participate in the HCV Program, after the first year, if it is stipulated in the lease, the new owner can give the tenant a 30-day no-cause notice.

Q. Do I have the right to inspect my rental property?

A. We encourage you to inspect your property with proper notice to the family (as required by state law). This will ensure regular maintenance and encourage proper tenant upkeep. You shouldn’t rely on the Housing Authority’s biannual Housing Quality Standards inspection to keep you up-to-date on the condition of your unit.

Q. What if I want to stop paying for the water or another utility that I am responsible for or if I decide to start paying for the trash collection?

A. Because the family is given “credit” for paying utilities, it’s important that we know who is paying for what utilities. If you want to change what is stated on the lease, you will need to contact our office and find out what your options are.