

## Housing Choice Voucher Program

# Briefing Information Booklet

This packet contains important information. It is your responsibility to read the information contained within.

If you have any questions concerning anything included in this packet, please contact a staff person listed on the last page of this packet.

Foothills Regional Commission



Housing Choice Voucher Program  
P.O. Box 841, Rutherfordton, NC 28139  
(828) 287-2281

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## How Your Voucher Works

Please read carefully

You have just received a Voucher that will allow you to participate in the Section 8 rental assistance program. You may rent the unit of your choice (apartment, house or mobile home) anywhere within our four-county region of Cleveland, McDowell, Polk or Rutherford Counties as long as the property owner is willing to rent through our program, the unit is affordable, rent reasonable and the unit meets our housing quality standards. You may be eligible to lease a unit anywhere in North Carolina or anywhere in the United States that operates a housing choice voucher program. If you are eligible and wish to lease outside our jurisdiction, the procedures that must be followed and the requirements of the Housing Choice Voucher (HCV) Program are enclosed in this briefing packet.

1. When you find a unit you want to rent, ask if the property owner is willing to participate in our program. If the owner is willing, have them fill out the Request for Tenancy Approval that has been provided in your briefing packet. Both you and the owner must sign this form and it must show the monthly rent the owner is requesting.
2. Bring the completed Request for Tenancy Approval back to the Housing Office. The Housing Counselor will use the Request for Tenancy Approval form to determine if the rent the owner is charging can be approved. If the rent is higher than rent being charged for similar units on the open market, it may not be approved. If that happens and the owner is not willing to reduce the rent, you will have to look for another unit.
3. The housing inspector will also use the Request for Tenancy Approval to schedule and complete an inspection of the unit. You cannot move without our assistance until the inspector has approved the unit and it has been determined by your Housing Counselor that the unit is both affordable and rent reasonable.
4. As a Voucher holder, you are allowed to rent a unit larger than that determined by our Occupancy Standards. However, if you do so, your portion of rent will be greater since the program pays according to the size of unit for which you are eligible. You may also choose a unit where the rent exceeds the Fair Market Rent, but your portion of rent will be greater. In accordance with QWHRA, any new admission or family who moves may not pay more than 40% of their monthly adjusted income toward the initial gross rent for the unit.
5. You should inspect the unit closely with the owner and/or Housing Inspector. If there are any conditions that need attention, even if it does not fail the unit, ensure that these conditions are noted on the inspection report.

## **SUBSIDY STANDARDS**

The Voucher will have listed on it, the bedroom size for which the family is eligible. The size is determined by the following criteria:

1. The bedroom size assigned should not require more than two persons of the same sex or persons of the opposite sex (other than husband and wife or infants and children under the age of 4) to occupy the same bedroom. A child of the opposite sex could occupy a bedroom with a parent through age 3.
2. A two-bedroom unit may be used by a two-member family that consists of a single parent and a child of the opposite sex, four years of age or older. Or a couple who, due to medical reasons, as verified by a physician, must have separate bedrooms.

In some cases, the health or handicap of family members or other individual circumstances may warrant the assignment of a larger size unit that which would result from strict application of the criteria. The family must request any exception to the criteria, specifying the need, and supplying verification of the need.

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## **TERM OF THE VOUCHER**

Your Voucher is good for **90 days**. If you do not submit a RFTA (Request for Tenancy Approval) before that time, your Voucher will expire, and your application for housing assistance will be cancelled. At that point your only option will be to reapply and go back on the waiting list, provided we are taking applications at that time.

If you have not been able to locate a unit within the 90 days, you may request an extension for the following reasons:

- You have made known to your housing counselor your efforts to locate a unit, including requesting their help.
- You have located a unit prior to the 60-day expiration which did pass HQS (Housing Quality Standards), and the owner is actively involved in bringing the unit into compliance.
- Hospitalization or other family emergency has affected the family's ability to find a unit within the 60-day period. (Verification is required.)

Extensions must be requested by contacting your housing counselor.

## VOUCHER PAYMENT SCHEDULE

As a Voucher holder, you may rent a unit larger than the bedroom size for which we determine is the eligible subsidy for you, but it will mean that your portion of the housing cost will be more.

You may also rent a unit with less bedrooms than we specify for your family as long as there is a living room or other room that can be used as a sleeping room so that no more than two people are required to share a bedroom. A smaller unit will mean that your housing costs will be less.

In accordance with Quality Housing Work & Responsibility Act, any new admission or family who moves may not pay more than 40% of adjusted monthly income toward the initial gross rent for the unit.

### **Fair Market Rents and Voucher Payment Standards Effective 10/01/2021**

| <b>Location</b>   | <b>0 BR</b> | <b>1 BR</b> | <b>2 BR</b> | <b>3 BR</b> | <b>4 BR</b> | <b>5 BR</b> | <b>6 BR</b> |
|-------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Cleveland County  | *\$554      | *\$605      | *\$796      | *\$1,074    | *\$1,276    | \$1,334     | \$1,508     |
| Rutherford County | *619        | *624        | *796        | *985        | *1,166      | 1,219       | 1,378       |
| McDowell County   | *652        | *657        | *796        | *985        | *1,240      | 1,296       | 1,465       |
| Polk County       | *781        | *784        | *905        | *1,119      | *1,315      | 1,374       | 1,554       |

**\* Payment standard set at 110% of FMR**

**\*\* Payment standard set at 105% of FMR**

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## Housing Assistance Payments Determination Guidelines for the HCV Program

We will calculate the amount of the housing program will pay for your housing by subtracting 30% of the family's adjusted monthly income from the lower of the Payment Standard for the area in which you wish to lease or the gross rent for the unit desired.

You can use this information to decide what is reasonable rent and how much of the total rent and utilities you are allowed to pay. Any new admission of any family who moves may not pay more than 40% of the adjusted monthly income toward the initial gross rent for the unit.

### Example

|       |                              |              |
|-------|------------------------------|--------------|
| If:   | Payment Standard =           | \$796*       |
| And:  | Rent for unit =              | \$600        |
|       | Utilities for unit =         | <u>\$175</u> |
|       | Gross Rent =                 | \$775*       |
| And:  | 30% of Mo. Adjusted Income = | \$283        |
| Then: | Housing will pay owner       | \$492        |
|       | Tenant will pay owner        | \$108        |

Tenant also pays all utilities

\*Subsidy based on gross rent which is lower than the payment standard.

**This is only an estimate.** The actual amount you will have to pay for housing cannot be determined until we know the amount of rent the owner is requesting and figure the utility allowance for that particular unit. The utility allowance is determined by the type of unit, the number of bedrooms the family is eligible for and the type of utilities paid by you (gas, electricity, water, etc.).

## **PORTABILITY PROCEDURES**

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The housing staff will determine whether the family is eligible for portability, when the family expresses a desire to move outside the jurisdiction of Foothills Regional Commission (FRC). If eligible in the area to which the family wishes to move, the housing staff will:

1. Advise the family how to contact and request assistance from the housing agency in that area. Staff will also notify the housing agency to expect the family.
2. The family must promptly contact the housing agency outside our jurisdiction and comply with their procedures.
3. We will supply the housing agency our most recent information related to income verification, family composition and whether the family is in good standing.
4. The housing agency outside our jurisdiction will issue a Voucher to the family and must perform all program functions such as lease approvals, re-examinations of family income and composition and ensuring HQS.
5. If the housing agency outside our jurisdiction does not absorb the family into their program, they will administer the program and bill FRC for the cost, with the family remaining under FRC funding.
6. At any time, either the other housing agency or FRC, may make a determination to deny or terminate assistance to the family due to action or inaction by the family as specified by regulations, and included with this packet.
7. A family can move only to a HA jurisdiction with tenant-based assistance.

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**FOOTHILLS REGIONAL COMMISSION  
SECTION 8 HOUSING CHOICE VOUCHER PROGRAM**

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**FAMILY OBLIGATIONS**

Program participants are required to fulfill obligations specified by the Federal Regulations and the Administrative Plan to avoid termination of assistance. These obligations are:

1. Supply accurate and complete information required as requested by housing program staff.
2. Family is responsible for breaches of Housing Quality Standards (HQS) damages or other breaches of HQS standards caused by the family. This includes the family's responsibility to maintain utilities (electricity, gas, fuel, water) in the unit at all times. It also includes the family's responsibility to maintain a smoke detector that is operable at all times.
3. Allowing housing staff to inspect the unit at reasonable times and after reasonable notice. This also includes the family's responsibility to either be available for scheduled inspections or make arrangements for another adult to be at the unit so that the inspection (or re-inspection) can be completed.
4. The family may not commit any serious or repeated violations of the lease. This includes failure to pay the tenant portion of rent, repeated late payments and/or other charges, failing to use the dwelling unit solely as a private dwelling, allowing individuals to occupy the unit who are not authorized by the lease, and failure to maintain the unit in a manner that is safe, decent and sanitary (i.e. proper disposal of garbage, rubbish and other waste). **TENANT DAMAGES ARE A SERIOUS LEASE VIOLATION.**
5. The family must notify the housing office and the owner prior to vacating the unit.
6. The family must fulfill obligations to the owner for unpaid tenant rent in order to be eligible for a Voucher to relocate.
7. The family must promptly give the housing office a copy of any owner eviction notice.
8. The family must use the assisted unit for residence of the family. It must be the family's only residence.



9. The family must promptly inform the program of any changes in household members. This includes the birth, adoption, court-awarded custody of a child, or foster children. The family must request PHA approval to add a household member. Additions that are not classified as a "natural expansion" (such as a marriage, birth, legal adoption) cannot be approved since this would be placing this person ahead of others on the waiting list. An exception may be warranted to add a parent, grandparent or other family member who is disabled and determined to be no longer able to live independently.
10. The family must promptly notify the PHA if any family member no longer resides in the unit.
11. If approved by the PHA, a foster child and/or live-in-aide may reside in the unit.
12. Members may engage in legal profit-making activities in the unit, but only if such is incidental to primary use of the unit for residence by members of the family and provided the property owner is in agreement with the activities.
13. The family must not sublease or sublet the unit.
14. The family must not assign the lease or transfer the unit.
15. The family must promptly notify the PHA of absence from the unit, and supply any information regarding absences that the PHA requests.
16. The family must not own or have any interest in the unit.
17. The members of the family must not commit fraud, bribery, or any other corrupt or criminal act in connection with the program.
18. The members of the family may not engage in drug-related criminal activity or criminal activity or develop a pattern of involvement in criminal type activities either on or off the premises of the assisted unit.

The PHA acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history that would warrant denial of admissions and/or termination of assistance under the PHA's policies.

Therefore, if the PHA makes a determination to deny admission and/or terminate assistance based on an unfavorable history or criminal act, the PHA will include in its notice of denial and/or notice of termination a statement of the protection provided by the Violence Against Women Act (VAWA) of 2005. The PHA will offer the applicant and/or tenant the opportunity to provide a signed statement certifying that the cause of the unfavorable history and/or criminal activity is that a member of the applicant family and/or the assisted household is or has been a victim of domestic violence, dating violence or stalking.

The applicant and/or tenant must submit the HUD approved certification with her or his request for an informal review or must request an extension in writing at that time. The PHA will grant an extension of 14 business days and will postpone the informal review until the documentation has been received and/or the extension period has elapsed. If the signed statement meets the PHA's requirements, no informal review and/or hearing will be scheduled and the PHA will proceed with approval of admission on the waiting list.

19. The assisted family and/or members of the family may not receive Section 8 tenant-based rent assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative Federal, State or local housing assistance program.

20. ANY FAMILY THAT IS TERMINATED AND NOT IN GOOD STANDING ON THE PROGRAM WILL BE REPORTED TO HUD'S NATIONWIDE DATABASE AND WILL NOT BE ABLE TO RECEIVE ANY ASSISTED HOUSING BENEFITS NATIONWIDE FOR A PERIOD OF AT LEAST FIVE YEARS.

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## **GROUNDINGS FOR DENIAL OR TERMINATION OF ASSISTANCE**

The HA may, at any time, deny program assistance for an applicant, or terminate assistance for a participant for any of the following:

1. The family violates any Family Obligations under the program.
2. If any family member has ever been evicted from public housing.
3. If any Housing Authority (HA) has ever terminated assistance under the Certificate or Voucher program for any member of the family.
4. If any member of the family commits drug-related criminal activity or violent criminal activity.
5. If any family member commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
6. If the family currently owes rent or other amounts to the HA or another HA in connection with Section 8 or public housing agency.
7. If the family has not reimbursed any HA for amounts paid to an owner under a HAP contract for rent or other amounts owed by the family under the lease.
8. If the family breaches a repayment agreement to repay amounts owed to the HA.
9. If a family participating in the Family Self Sufficiency (FSS) Program fails to comply, without good cause, with the family's FSS contract of participation.
10. If the family has engaged in or threatened abusive or violent behavior toward housing personnel.

## **INFORMAL HEARINGS FOR DENIAL, REDUCTION OR TERMINATION OF SECTION 8 ASSISTANCE**

Participants in the program will be given opportunity to request an informal hearing for the following:

- ✚ A determination of the family's annual or adjusted income and its use to compute the housing assistance payment.
- ✚ Denial or termination of assistance.
- ✚ Decision on unit size appropriate for the family.
- ✚ Decision on the utility allowance determined for a unit.

Requests for an informal hearing should be made in writing, email or phone, within ten (10) days from receipt of notification of the decision to the Housing Director.

The hearing may be conducted by any person designated by Foothills Regional Commission (FRC) other than the person who made or approved the decision under review, or a subordinate of such person.

The family may retain counsel or other representation, if desired, at its own expense. The family will be given an opportunity to examine, prior to the hearing, any documents (records or regulations) that are directly relevant to the hearing and may make a copy of any such documents at the family's expense.

The family may question any witness and present testimony and evidence in its favor. If the family has documents directly related to the hearing, and which they plan to use in the hearing, the family must give the housing office the opportunity to examine at the housing office, prior to the hearing, such documents and to copy at the housing office's expense. If they family does not make the document available for examination on request of the HA, the family may not rely on the document at the hearing.

The decision of the hearing officer will be given in writing and will briefly state the grounds for the decision. A copy will be provided to the family.

## Minimum Rents

The Quality Housing Work & Responsibility Act of 1998, permanently authorizes local housing agencies to set minimum rents for the Housing Choice Voucher Program. The minimum rent established by Foothills Regional Commission's housing assistance program and as specified in our Administrative Plan is \$25. Families that are assisted under the Housing Choice Voucher Program are required to pay a minimum of \$25 towards rent and utilities.

An additional provision of the 1998 Quality Housing Work & Responsibility Act requires local housing agencies to grant a financial hardship exemption upon request from the family. Examples of hardships that would qualify are as follows:

- Families who are awaiting determination to receive federal, state or local assistance. (This includes legal aliens entitled to receive assistance under the Immigration and Nationality Act).
- Decrease in family income due to loss of employment, death, etc.
- Other extenuating circumstances as approved by the local housing agency.

The request for a "hardship exemption" will be granted on the day the request is made and will be effective for a 90-day period. Documentation required to verify the hardship claimed must be submitted no later than 30 days following the request. Local housing agency staff will verify the information submitted and either grant or deny approval. The program participant will be notified in writing of this determination.

- If the verifications support that a hardship does exist, "minimum rent" will be suspended until the situation no longer exists.
- If the verifications support that a hardship does not exist, the "minimum rent" will be reinstated. The tenant will also be responsible for repayment of the "minimum rent" suspended or retroactive to the date of suspension. If a repayment is required, the tenant will be given an opportunity to enter into a monthly repayment agreement.

## **NOTICE REGARDING HANDICAPPED PERSONS**

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If there is a member of your household who is disabled and requires special accommodations, you may request that the housing staff give you a listing of units known to them that are handicap accessible.

## **WHAT YOU SHOULD CONSIDER IN DECIDING TO LEASE A UNIT**

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1. The condition of the unit.
2. Is the rent reasonable?
3. Is the unit energy efficient? (Does it have insulation, underpinning?  
Are the windows tight?)
4. The cost of tenant paid utilities.
5. The location of the unit, including accessibility to public transportation, employment, schools and shopping.

## **STATEMENT ON POLICY TO PROVIDE INFORMATION ON FAMILY TO PROSPECTIVE PROPERTY OWNERS**

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Foothills Regional Commission will provide to any prospective Section 8 property owner, certain information in the file of an applicant or tenant. Information regarding present and prior address and landlord, any known damages by a tenant and known drug-related criminal activity will be provided.

## **FOOTHILLS REGIONAL COMMISSION**

### **FEDERAL PRIVACY ACT NOTICE**

**PURPOSE:** Family income and other information is being collected by the Departments of Housing and Urban Development (HUD) to determine an applicant's eligibility, the recommended unit size, and the amount the family must pay towards rent and utilities.

**USE:** HUD uses family income and other information to assist in managing and monitoring HUD-assisted housing programs; to protect the Government's financial interest; and to verify the accuracy of the information furnished. HUD or a public housing agency/Indian housing authority, may conduct a computer match to verify the information you provided. This information may be released to appropriate investigators and prosecutors. However, the information will not be otherwise disclosed or released outside of HUD, except as permitted or required by law.

**PENALTY:** You must provide all the information requested by the public housing agency, including all social security numbers you and all household members, have and use. Giving the social security numbers of all household members is mandatory and not providing the social security numbers will result I your application being cancelled and/or housing assistance being terminated.

**AUTHORITY FOR INFORMATION COLLECTION:** The following laws authorize the collection of this information by HUD or the public housing agency: the U.S. Housing Act of 1937 (42 U.S.C., 1437 et seq.), Title VI of the Civil Rights Act of 1964, and the Title VIII of the Civil Rights Act of 1968. The Housing & Community Development Act of 1987 (42 U.S.C. 3543) requires applicants and residents to submit the social security numbers of all household members of at least six (6) years old.

**Foothills Regional Commission  
Housing Staff Contact Information Sheet**

| For Active Tenants with last names starting with the letters: | Name/Title                                      | Direct Phone Number | Email  |
|---|---|---------------------|--|
| <b>A to Edwards</b>   | <b>Becky McKelvey</b><br>Lead Housing Counselor | 828-351-2329        | <a href="mailto:RMcKelvey@foothillsregion.org">RMcKelvey@foothillsregion.org</a> |
| <b>Effler to O. Littlejohn</b>                                | <b>Jennifer Fox</b><br>Housing Counselor        | 828-351-2343        | <a href="mailto:jfox@foothillsregion.org">jfox@foothillsregion.org</a>           |
| <b>P. Littlejohn to Rudisill</b>                              | <b>Sharanda Brown</b><br>Lead Housing Counselor | 828-351-2334        | <a href="mailto:sbrown@foothillsregion.org">sbrown@foothillsregion.org</a>       |
| <b>Ruff to Z</b>  | <b>Tomika Merritt</b><br>Housing Counselor      | 828-351-2457        | <a href="mailto:tmerritt@foothillsregion.org">tmerritt@foothillsregion.org</a>   |
| <b>Other Section 8 Staff</b>                                  |   |                     |  |
| <b>Beth Lytle</b>   | Waiting List Program Specialist                 | 828-748-0469        | <a href="mailto:blytle@foothillsregion.org">blytle@foothillsregion.org</a>       |
| <b>Terri Weimer</b>   | Housing Specialist II                           | 828-351-2333        | <a href="mailto:tweimer@foothillsregion.org">tweimer@foothillsregion.org</a>     |
| <b>Yvette Phillips</b>  | Housing Inspector                               | 828-351-2367        | <a href="mailto:yphillips@foothillsregion.org">yphillips@foothillsregion.org</a> |
| <b>Tammy Phillips</b>   | Housing Specialist/Housing Services Coordinator | 828-351-2372        | <a href="mailto:tphillips@foothillsregion.org">tphillips@foothillsregion.org</a> |
| <b>Linda Sprouse</b>  | FSS Coordinator                                 | 828-286-9561        | <a href="mailto:lsprouse@foothillsregion.org">lsprouse@foothillsregion.org</a>   |
| <b>Marilyn Smith</b>  | Administrative Support                          | 828-748-6098        | <a href="mailto:msmith@foothillsregion.org">msmith@foothillsregion.org</a>       |
| <b>Pam Hall</b>   | Housing Director                                | 828-351-2374        | <a href="mailto:phall@foothillsregion.org">phall@foothillsregion.org</a>         |