



117 Lane Drive Ste. 18 Rosenberg, TX 77471 | 281.342.1456 P | www.rosenbergha.org

HOUSING CHOICE VOUCHER PROGRAM

A PROPERTY OWNER'S GUIDE TO HCV LEASE-UP

Due Date for Information:



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Property Manager:

The Rosenberg Housing Authority (RHA) has recently extended its jurisdiction to include the following zip codes: 77406, 77459, 77469, 77471, 77477, 77478, 77479, 77489, and 77498. Thank you for your interest in leasing to a Housing Choice Voucher Program (HCV) participant. Once you have determined that a tenant is a suitable candidate to lease from you, please adhere to the following steps to determine whether the client will be eligible to receive subsidized assistance at your unit:

Step 1: Return RTA Packet to the Rosenberg Housing Authority

You must complete all the documents from the attached Request for Tenancy Approval (RTA) Packet:

- (1) Request for Tenancy Approval
 - Box 8 “Date Unit Available for Inspection” should have a date at least 15 calendar before the Requested Lease Date in Box 3. **If the date in Box 8 is less than 15 calendar days, the lease may not start on the Requested Lease Date.**
 - Must be signed by both the owner and the HCV client.
- (2) Landlord Certification
- (3) Completed W-9 for the Owner
- (4) Lead-based Paint Disclosure for pre-1978 Units

In addition, If you have never participated in the HCV program with the RHA, you must provide the following documents located in the back of this Packet:

- (1) New Owner Identification Form
- (2) Warranty Deed (filed and recorded - all pages)
- (3) Proof of Owner’s Social Security number or EIN number (Form SS-4)
- (4) Copy of Valid Government Issued ID
- (6) Protecting Tenants at Foreclosure Act of 2009
- (7) VAWA



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All of the documents listed above must be returned to the Rosenberg Housing Authority before the deadline on the front of this packet. Please note that the name and EIN/Social Security number listed on the owner's W-9 must match the warranty deed. When the RTA Packet and the other documents listed above are returned, RHA staff will review them for completeness and accuracy. If the contents of the packet are not complete or not consistent, the packet will not be accepted. If the documents have been completed correctly, the Inspector will contact you to schedule an inspection to be conducted within 10-15 business days. If you still reside in the unit, then RHA will not be able to perform the inspection.

Step 2: Prepare the Unit for Inspection

The unit that you list in the enclosed RTA Packet will be inspected to ensure that it meets the federal standards for subsidized units on the Housing Choice Voucher Program. Your unit must pass this inspection, known as the Housing Quality Standard (HQS) Inspection, before the Authority can execute a Housing Assistance Payment (HAP) Contract with you. Enclosed in this packet is a document called "The Top Reasons Why Units Fail HQS Inspection" (see pg. 3-4) that you can refer to as a guide to ensuring that your unit is ready for the HQS inspection.

Step 3: Wait for the HAP Contract

If your unit passes the HQS inspection, the proposed rent that you listed on Box 6 of the RTA Packet will be reviewed by the Authority's market analysts for reasonableness. You may be contacted to resolve any discrepancies related to the rent amount. After the appropriate rent amount is established, the RTA will be forwarded to an occupancy technician for the execution of the HAP Contract.

Step 4: Allow the Client to Move In

On the effective date of your executed HAP contract and lease agreement (they must match), you should allow the client to move into the unit. If you allow a client to move in on the date your unit passes inspection, or any other date before the HAP contract is executed, the client will be responsible for the full rent. You will receive your first HAP payment within 15-20 days of the execution of your HAP Contract. All subsequent payments will be made on, or around, the 5th business day of each month.



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THE TOP REASONS WHY UNITS FAIL HQS INSPECTION

Owners should pay particular attention to the following items when preparing their units for inspection. Use of this document will help you pass the HQS Inspection

Windows

- Severe deterioration or windows allowing drafts and weather inside the unit.
- Broken and missing windowpanes or boarded up windows.
- No window in the living room.
- The bedroom doesn't have at least one window that opens.
- Bathroom does not have either a working vent fan or a window that opens.
- No locks on 1st floor windows or other windows accessible from the ground.
- If windows have multiple locks, all locks must work. No safety locks.

Doors

- Lack of weather-stripping.
- Inoperable locks or locks installed that require a key to open from the inside, including security doors.
- Doors that do not close properly preventing the lock from working.

Walls and Ceilings

- Bulging plaster or wallboard, damp plaster from leaks, holes.

Paint (units built before 1978 and occupied by child under age 6)

- Peeling, chipping, flaking, chalking paint on any painted surface in unit, common areas or exterior.
- Rotting or deteriorated substrate under painted surface.

Electricity

- Outlets and overhead/wall mounted fixtures that do not work or were improperly installed.
- Missing covers on outlets and switches. Exposed, cracked, frayed wiring or wiring not properly secured.
- Electrical boxes missing knockouts or open spaces in boxes without breakers or blanks.
- Utilities are not turned on.
- Electric outlet(s) with open ground.

Safety

- Unit lacks an operable smoke detector in one or more sleeping room or other required spaces, such as common areas.
- Presence of gas leaks or fumes.



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Floors, Decks, Porches and Exteriors

- Holes in floors allowing drafts or entry by vermin.
- Tripping hazards, such as protruding nails or holes in carpets.
- Roof leaks.
- Fences or garages that are unsound and have safety hazards.

Plumbing Leaks

- Leaking faucets, toilets, or fixture drain pipes.

Appliances

- Missing appliances that are listed as "provided by owner" in the lease.
- Stoves and refrigerators that do not work or are missing manual shut off for gas range.
- Stove burners that do not work or have missing knobs.
- Oven not working or oven door not closing properly.
- Stove temperature knobs not readable
- Stove not level
- Drip pan and burner not flush and secure

Handrails and Guardrails

- No handrails on steps with 4" or more risers.
- No guardrails around decks or porches that are 30" or more inches off ground level.

Water Heaters and Heating Equipment

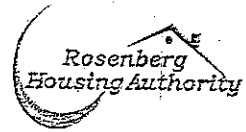
- No pressure relief valve or no discharge line within 6" of ground on the hot water heater. No manual shut off valves on heating and hot water equipment fired by fuel.

Exterior

- Wooden fencing is broken
- Missing slab.
- Front & Back yards not mowed

General

- Some fixtures or facilities within the unit are not clean.
- Trash and/or debris in yard or premises.
- No screens on windows and doors when refrigerated air is not available.
- Apartment numbers not visible



NEW OWNER IDENTIFICATION FORM

ALL Information and requested documents must be supplied on these forms in full or they will be returned for completion, which will delay the Inspection and Assistance Payment process.

TAXPAYER CERTIFICATION AND IDENTIFICATION NUMBER PLEASE PRINT:

NAME: (Must be name of person, company, etc. who is responsible for the IRS reporting -a 1099 is issued in this name at the end of the year.)

ADDRESS: (Address where the check is to be mailed -cannot be tenant's unit.)

Date of Birth:

Phone number: E-mail Address

If you stated above that your agency is an "LLC", please circle which of the following two options best describes your agency:

- Limited Liability COMPANY
Limited Liability CORPORATION

If you are providing a P.O. Box for delivery of your check, please provide a residential address:

SOCIAL SECURITY #/FEDERAL I.D. # (Must match above name for 1099 reporting-"on file" not acceptable)

The following information is requested on the person whose tax I.D. number is listed above: MALE: FEMALE:

RACE: Black, White, Asian, American Indian, Other
ETHNICITY: Hispanic, Non-Hispanic

NAME(S) OF ANY OR ALL OTHER PERSON(S) ON DEED OR MORTGAGE:

ALL ELECTED OFFICIALS MUST DISCLOSE THEIR POSITIONS IN ORDER TO DETERMINE POSSIBILITY OF CONFLICT OF INTEREST.

ARE YOU (the owner of the property) AN ELECTED OFFICIAL? If YES, please disclose the position you hold:

Please provide the following items along with this form:

- 1. The attached W9 filled out.
2. Copy of Valid Government Issued ID.
2. Copy of proof of ownership (Deed or Trust, Settlement Statement, Property Tax Statement)
3. Copy of Social Security Card and/or Copy of IRS Form SS-4 for EIN Number

All these items can be emailed to kbrown@rosenbergha.org or Faxed to 281-232-2920 ATTN: Kim Brown.

Any questions can be directed to the above email address or call (281)342-1456x13

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Print or type
 See Specific Instructions on page 2.

Name (as shown on your income tax return)	
Business name/disregarded entity name, if different from above	
Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <input type="checkbox"/> Other (see instructions) ▶ _____	
<input type="checkbox"/> Exempt payee	
Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
City, state, and ZIP code	Rosenberg Housing Authority 117 Lane Drive, Suite 18 Rosenberg, TX 77471
List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number									

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Employer identification number									

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.



Protecting Tenants at Foreclosure Act of 2009

Background

The Protecting Tenants at Foreclosure Act protects tenants from eviction because of foreclosure on the properties they occupy. These provisions took effect on May 20, 2009, and originally were scheduled to expire on December 31, 2012. However, the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) changed the expiration date to December 31, 2014.

Summary

The tenant protection provisions apply in the case of any foreclosure on a "federally related mortgage loan" or on any dwelling or residential real property. They provide that "any immediate successor in interest" in such a foreclosed property, including a bank that takes title to a house upon foreclosure, will assume the interest subject to the rights of any bona fide tenant and will need to comply with certain notice requirements.

Under this law, the immediate successor in interest of a dwelling or residential real property must provide tenants with a notice to vacate at least 90 days before the effective date of such notice.

The date of a "notice of foreclosure" is defined as the date on which complete title to a property is transferred to a successor entity or a person as a result of a court order or pursuant to provisions in a mortgage, deed of trust, or security deed.

Tenants also must be permitted to stay in the residence until the end of their leases, with two exceptions:

- (1) When the property is sold after foreclosure to a purchaser who will occupy the property as a primary residence or,
- (2) When there is no lease or the lease is terminable at will under state law.

However, even when these exceptions apply, tenants must still receive 90 days notice before they may be evicted.

The protections of this law apply to tenants under a "bona fide" lease or tenancy. A lease or tenancy is "bona fide" only if:

- (1) The mortgagor or a child, spouse, or parent of the mortgagor under the contract is not the tenant;
- (2) The lease or tenancy was the product of an arm's-length transaction; and
- (3) The lease or tenancy requires the receipt of rent that is not substantially less than fair market rent or the rent is reduced or subsidized due to a federal, state, or local subsidy.

Signature

Date



Notice to Housing Choice Voucher Owners/Managers Regarding the Violence Against Woman Act (VAWA)

A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, and stalking. The name of the law is the Violence against Women Act, or "VAWA." This notice explains your obligations under VAWA.

Protections for Victims

You cannot refuse to rent to an applicant solely because he or she is a victim of domestic violence, dating violence, or stalking. You cannot evict a tenant who is the victim of domestic violence, dating violence, or stalking based on acts or threats of violence committed against the victim. Also, criminal acts directly related to the domestic violence, dating violence, or stalking that are caused by a household member or guest cannot be cause for evicting the victim of the abuse.

Permissible Evictions

You can evict a victim of domestic violence, dating violence, or stalking if you can demonstrate that there is an *actual or imminent* (immediate) threat to other tenants or employees at the property if the victim is not evicted. Also, you may evict a victim for serious or repeated lease violations that are not related to the domestic violence, dating violence, or stalking. You cannot hold a victim of domestic violence, dating violence, or stalking to a more demanding standard than tenants who are not victims.

Removing the Abuser from the Household

You may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the unit. If you choose to remove the abuser, you may not take away the remaining tenants' rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, you must follow federal, state, and local eviction procedures.

Certification of Domestic Violence, Dating Violence, or Stalking

If a tenant asserts VAWA's protections, you can ask the tenant to certify that he or she is a victim of domestic violence, dating violence, or stalking. You are not required to demand official documentation and may rely upon the victim's statement alone. If you choose to request certification, you must do so in writing and give the tenant at least 14 business days to provide documentation. You are free to extend this deadline. A tenant can certify that he or she is a victim by providing any one of the following three documents:

- By completing a HUD-approved certification form. The most recent form is HUD-50066. This form is available at the housing authority, or online at www.hudclips.org.
- By providing a statement from a victim service provider, attorney, or medical professional who has helped the victim address incidents of domestic violence, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both the victim and the professional must sign the statement under penalty of perjury.
- By providing a police or court record, such as a protective order.

If the tenant fails to provide one of these documents within 14 business days, you may evict the tenant if authorized by otherwise applicable law and lease provisions.

Confidentiality

You must keep confidential any information a tenant provides to certify that he or she is a victim of domestic violence, dating violence, or stalking. You cannot enter the information into a shared database or reveal it to outside entities unless:

- The tenant provides written permission releasing the information.
- The information is required for use in an eviction proceeding, such as to evict the abuser.
- Release of the information is otherwise required by law.

The victim should inform you if the release of the information would put his or her safety at risk.

VAWA and Other Laws

VAWA does not limit your obligation to honor court orders regarding access to or control of the property. This includes orders issued to protect the victim and orders dividing property among household members in cases where a family breaks up. VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

Certification of Domestic Violence, Dating Violence, or Stalking

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0249
Exp. (02/28/2014)

Purpose of Form: The Violence Against Women and Justice Department Reauthorization Act of 2005 ("VAWA") protects qualified tenants, participants, and applicants, and family members of tenants, participants, and applicants, who are victims of domestic violence, dating violence, or stalking from being denied housing assistance, evicted, or terminated from housing assistance based on acts of such violence against them.

Use of Form: This is an optional form. A PHA, owner or management agent presented with a claim for continued or initial tenancy or assistance based on status as a victim of domestic violence, dating violence or stalking (herein referred to as "Victim") has the option to request that the victim document or provide written evidence to demonstrate that the violence occurred. The Victim has the option of either submitting this form or submitting third-party documentation, such as:

- (1) A Federal, State, tribal, territorial, or local police or court record; or
- (2) Documentation signed by an employee, agent or volunteer of a victim service provider, an attorney or a medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence or stalking, or the effects of abuse, in which the professional attests under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim of domestic violence, dating violence, or stalking has signed or attested to the documentation.

If this form is used by the Victim, the Victim must complete and submit it within 14 business days of receiving it from the PHA, owner or management agent. This form must be returned to the person and address specified in the written request for the certification. If the Victim does not complete and return this form (or provide third-party verification) by the 14th business day or by an extension of the date provided by the PHA, management agent or owner, the Victim cannot be assured s/he will receive VAWA protections.

If the Victim submits this form, the PHA, owner or management agent cannot require any additional evidence from the Victim.

Confidentiality: All information provided to a PHA, owner or management agent concerning the incident(s) of domestic violence, dating violence, or stalking relating to the Victim shall be kept confidential by the PHA, owner or management agent, and such details shall not be entered into any shared database. Employees of the PHA, owner, or management agent are not to have access to these details unless to afford or reject VAWA protections to the Victim; and may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by the Victim in writing; (ii) required for use in an eviction proceeding; or (iii) otherwise required by applicable law.

TO BE COMPLETED BY THE VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, OR STALKING:

Date Written Request Received by Victim: _____

Name of Victim: _____

Names of Other Family Members Listed on the Lease: _____

Name of the Perpetrator: _____

Perpetrator's Relationship to Victim: _____

Date(s) the Incident(s) of Domestic Violence, Dating Violence or Stalking Occurred: _____

Location of Incident(s): _____

