

SECTION 8

What California Housing Providers Need to Know

KNOW THE PAPERWORK

A Section 8 tenancy is governed by more than the lease. Be familiar with the three key documents:



Lease
(with tenant)

+



HUD Tenancy
Addendum
(with tenant)

+



HAP Contract
(with housing
authority)

All three documents work together and impose obligations on both the tenant and the housing provider.

BEFORE THE TENANCY

1



YOU CAN'T SIMPLY SAY "NO SECTION 8"

California prohibits source-of-income discrimination, including discrimination against voucher holders.

2



SCREENING WORKS DIFFERENTLY

Income standards must be applied to the tenant's portion of the rent, not the total rent. Special credit-screening rules also apply.

DURING THE TENANCY

3



RENT COMES FROM TWO SOURCES

The housing authority pays its share; the tenant pays theirs. No side payments or rent outside the approved arrangement.

4



RENT INCREASES REQUIRE ANOTHER LAYER

A proposed increase must go through the housing authority's process and may be reviewed for rent reasonableness. State and local rent controls still apply.

5



INSPECTIONS MATTER

Failed inspections can result in housing-assistance payments being stopped until required deficiencies are corrected.

6



THE TENANT STILL HAS TO FOLLOW THE LEASE

Section 8 does not excuse nonpayment of the tenant's share, nuisance, unauthorized occupants, or other enforceable lease violations.

WHEN SOMETHING GOES WRONG

7



A 3-DAY NOTICE MAY NOT MEAN THREE DAYS

The CARES Act can require 30 days' notice to vacate for nonpayment. Some Section 8 terminations may require 90 days.

8



DON'T FORGET THE HOUSING AUTHORITY

When an eviction notice is served, a copy generally must be provided to the administering housing authority at the same time.

9



BE CAREFUL WITH PARTIAL PAYMENTS

Accepting a tenant's partial payment after serving a rent notice can affect the eviction. The housing authority's subsidy payment is different.

WATCH FOR THESE TOO



HOUSEHOLD CHANGES
Adding occupants isn't simply a lease issue. Voucher households have program reporting and approval requirements.



UTILITIES MATTER
Changes in who pays utilities can affect the voucher calculation and should not be handled casually.



SALE OR OWNERSHIP CHANGE
Selling the property does not automatically make the subsidized tenancy or its obligations disappear.