

Housing Choice Vouchers, Emergency Rental Assistance and other affordable housing resources

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What is Housing Choice Voucher / Section 8?

The Housing Choice Voucher (HCV) program, previously known as Section 8 or Tenant-Based Section 8, is the largest federally funded rental assistance program by the U.S. Department of Housing and Urban Development (HUD) to assist very-low and low income, elderly, and disabled families to afford decent, safe, and sanitary housing in the private market.



Who Administers the HCV Program?

- The Montana Department of Commerce (MDOC) is the statewide Public Housing Authority (PHA) which administers the HCV program on behalf of HUD. Montana Housing, the Housing Division within MDOC, provides administrative oversight and staffing for the program.
- Since Montana is so vast, MDOC partners with 10 agencies around the state to be front door agencies to assist applicants and voucher holders with the HUD requirements of the program.
- These partners are also known as Field Agencies. Our Field Agencies currently include eight Human Resource Development Councils and two Public Housing Authorities.



Waitlist and Voucher Issuance

- After being selected from a waiting list, an eligible family will receive a voucher and a Request for Tenancy Approval (RTA) that enables them to search for an available unit in the community they wish to live.
- As an owner or landlord, if a person with a voucher wants to rent a unit from you, they should have an RTA. If they do not have one, please refer them back to their Field Agency.
- If you are interested in renting to a voucher holder, you will need to fill out the RTA in its entirety, including signatures from both you and the voucher holder. The completed RTA is then returned to the Field Agency.



Housing Assistance Payment

- Up to 70% of the tenant's rent is paid by MDOC on behalf of HUD, up to the payment standard for the county in which the tenant resides.
- The tenant is responsible for the remaining portion of their rent, which is typically 30% of their monthly adjusted gross income. This rent portion is paid by the tenant directly to the landlord.
- Once all necessary and required documents are approved by MDOC, the information with the Housing Assistance Payment is transmitted electronically to HUD and payments are sent on the first business day of the month. In addition, MDOC conducts a mid-month payment run on the 15th or the business day after the 15th.



Voucher Payment Standards

Go to HOUSING.MT.GOV

- Select “Rental Housing” from top navigation
- Go to “Housing Choice Voucher Program” page

Eligibility

To be eligible for the Housing Choice Voucher or Moderate Rehabilitation program, applicants must qualify under HUD income limits and other program eligibility criteria. Family income and composition will be re-certified annually while on the program.

Families receiving assistance pay approximately 30 percent of their adjusted gross monthly income for rent and utilities, subject to payment subsidy standards. As a family's income changes, the portion of the family's rent share may change.

[2020 Voucher Payment Standards](#)

[2021 Voucher Payment Standards](#)

[2022 Voucher Payment Standards](#)



Federal Eligibility Criteria

HUD prohibits admission to the HCV program for the following reasons:

- Any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.
- Any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
- Persons that owe any debt to any federally assisted program must pay their debt prior to receiving future assistance.



Screening Criteria

- MDOC may deny assistance as listed in MDOC's Administrative Plan located on our website at HOUSING.MT.GOV.
- MDOC will provide the following information to landlords upon request and availability: applicant's current address, the name and address of the applicant's current landlord and prior landlord.
- The landlord is responsible for screening and selection of a family to occupy their unit.
 - Note: The fact that an applicant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking is not an appropriate basis for denial of tenancy if the applicant otherwise qualifies for tenancy.



Role of the Owner / Landlord

- Selection of the tenant to occupy the owner's unit;
- Comply with the Housing Assistance Payment Contract, lease, and tenancy addendum;
- Carrying out normal owner functions during the lease term, such as enforcing the lease, performing maintenance, collecting the tenant share of the rent from the tenant, and charging tenants for any damage to the unit;
- Maintaining unit in compliance with Housing Quality Standards (HQS);
- Lead-based paint requirements apply for all properties constructed prior to January 1, 1978;
- Complying with fair housing and equal opportunity requirements; and
- Paying for utilities, maintenance, and services, unless paid for by the tenant under the lease.



Leasing Process

1. **Complete the Request for Tenancy Approval (RTA)**

All the information must be completed on the RTA.

The RTA must be signed by both the voucher holder and the landlord/owner. The completed RTA is then submitted to the Field Agency for review. Note: If you are a property manager and completing on behalf of an owner, a copy of your management agreement will need to be provided.

2. **Rent Reasonableness**

Rent amount or total rent must meet a rent reasonableness determination, comparing the rent being charged by the owner to rents for comparable unassisted units in the area. If the proposed rent is determined to be too high and does not meet the rent reasonableness limitation, MDOC or its Field Agency will negotiate with the owner and attempt to reduce the rent to comply with regulations.



Leasing Process *(Continued)*

3. **Housing Quality Standards Inspection (HQS)**

If the unit is within the payment standard and/or does not exceed 40% of the tenant's monthly adjusted gross income, an HQS inspection will be scheduled.

The unit must pass inspection prior to rental subsidy starting. Generally, owners/landlords will have 30 days to remedy failed inspection items. However, on an initial lease, you will want to make repairs as soon as possible because the lease cannot start and payments cannot be made until the inspection passes.

4. **Lease Execution or Lease Amendment**

Initial Lease- Once the unit has passed the HQS inspection, the lease may be executed. This may occur on the date the unit passes the inspection or the date the tenant moves into the unit, whichever is later. Note: Lease terms are 12 months.

Lease Amendment- For tenants who already reside in your unit and have just received a voucher, they still need to go through the same process. While you may already have a lease with your tenant, the lease and the Housing Assistance Payment Contract must be executed for the same dates; therefore, we require a lease amendment signed by both parties.



Leasing Process (*Continued*)

5. **Housing Assistance Payment Contract and other required documents**

HAP Contract Execution- Once the unit has passed inspection and the lease has been signed by the tenant and owner, then a Housing Assistance Payment Contract must be executed between MDOC and the owner/landlord. This is the agreement that the landlord signs indicating that they will comply with federal, state, and local laws under the program. HUD requires that HAP contracts be executed between the owner/landlord and MDOC within 60 days of the lease start date. There are no exceptions.

W-9- This must be signed and must include either the tax ID number or SSN for the person who will receive the payment.

Direct Deposit Form- Including bank account and routing number for ACH. This is not required, but it is recommended.

Note: For owners/landlords using your own lease template, a HUD lease addendum must be attached to your lease.



Other Considerations

- Units will not be approved for tenancy if the unit is owned by a parent, child, grandparent, grandchild, sister, or brother of any member of the assisted family, unless approving the tenancy would provide a reasonable accommodation for a family member who is a person with disabilities.
- The lease term runs concurrent with the HAP contract term.
- During the initial lease term, the owner may not raise the rent.
- After the first year and with a 60-day notice, the landlord may request a rent increase. Note: A rent comparable will be required to be completed prior to approval.
- If a tenant no longer occupies your dwelling unit, the subsidy ends the last day of the month in which the tenant physically occupied the unit.
- Units must pass HQS inspection at initial lease-up and then biannually thereafter.
- No side deals are allowed:
 - Example: Landlord agrees to lower the rent to fit within the payment standard and suggests the tenant pay the difference to the landlord on the side.
 - If utilities are required to be in the tenant's name, then the tenant is expected to pay the utility provider directly; tenants are not permitted to pay the landlord.



Housing Quality Standards Inspections

HUD requires an HQS inspection in order to participate in HCV / Section 8.

What are the types of inspections that can and will be performed?

1. **Initial:** An inspection that must take place to ensure that the unit passes HQS before assistance can begin; this inspection is conducted upon receipt of Request for Tenancy Approval;
2. **Biennial:** An inspection to determine that the unit continues to meet HQS; this inspection must be conducted within 24 months of the last inspection;
3. **Special:** An inspection requested by a third party (i.e., per HUD request), or initiated by the public housing authority upon receipt of a complaint from any source regarding the unit;
4. **Emergency:** An inspection that takes place in the event of a perceived emergency; these will take precedence over all other inspections; and
5. **Supervisory:** Quality control inspections conducted by MDOC on units under lease that have been inspected by a Field Agency within the last 90 days.



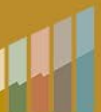
Common HQS Failed Items

- Deteriorated paint
- Improperly wired/broken outlets
- Missing circuit breakers
- No ventilation in the bathroom
- Missing handrails
- Loose toilet flanges
- Clogged drains
- Missing/broken heater covers
- Broken windowpanes
- Broken/missing window locks
- Inoperable stove burners
- Inoperable smoke detectors
- Missing CO² detector
- Lack of hot water



Tenant Obligations

- The tenant is responsible for an HQS breach caused by the tenant or their guests.
- The tenant may not commit any serious or repeated violations of the lease.
- Tenant must notify the Field Agent/MDOC in writing before the tenant moves out of the unit or terminates the lease on notice to the owner.
- The tenant must provide the Field Agent/MDOC a copy of any owner eviction notice.
- The unit must be the tenant's only residence.
- The composition of the tenant household must be approved by the MDOC.
- The tenant must notify the Field Agent/MDOC if any household member no longer resides in the unit.
- The tenant may not sublease/sublet the unit, assign the lease, or transfer the lease.



EMERGENCY RENTAL ASSISTANCE



\$352M

New ERA funds
allocated to Montana
Housing for critical
pandemic relief



10k-30k

Montana renters
in rent shortfall,
with 10k at risk
of eviction



14%-19%

Percent of
Montanans behind
on rent and utilities,
owing \$5k on
average

Federal residential eviction moratorium terminated on March 31, 2021

MONTANA



AVAILABLE ASSISTANCE

Eligible households can receive assistance dating back to April 1, 2020:

- Past due and future rent (maximum \$2,200 per month)
- Past due and future utility bills for home energy costs (maximum \$500 per month per eligible utility. Increase from \$300 per month total effective February 22, 2022)
- Past due and future internet service (\$50 per month)
- Past due rent late fees (reasonable late fees as supported by lease agreement or landlord verification)
- Unpaid rental security deposit
- Rental application and screening fees



HOW TO APPLY – HOUSING.MT.GOV

 Emergency Rental Assistance: **CLICK HERE**

Step 1 - Check Eligibility

This step will help you determine if your household is eligible for rental and utility assistance. Eligible households must meet all criteria to qualify.

CHECK ELIGIBILITY HERE

Step 2 - Gather Paperwork or Get Application Assistance

This step will help you prepare before starting your application. This includes documentation and information you need to apply, how to set up an Okta account, and application assistance resources.

PREPARE YOUR APPLICATION

Step 3 - Apply

After going through Steps 1 and 2, you are now ready to apply.

**VIDEO: HOW TO APPLY FOR
TENANTS**

**VIDEO: HOW TO APPLY FOR
LANDLORDS**

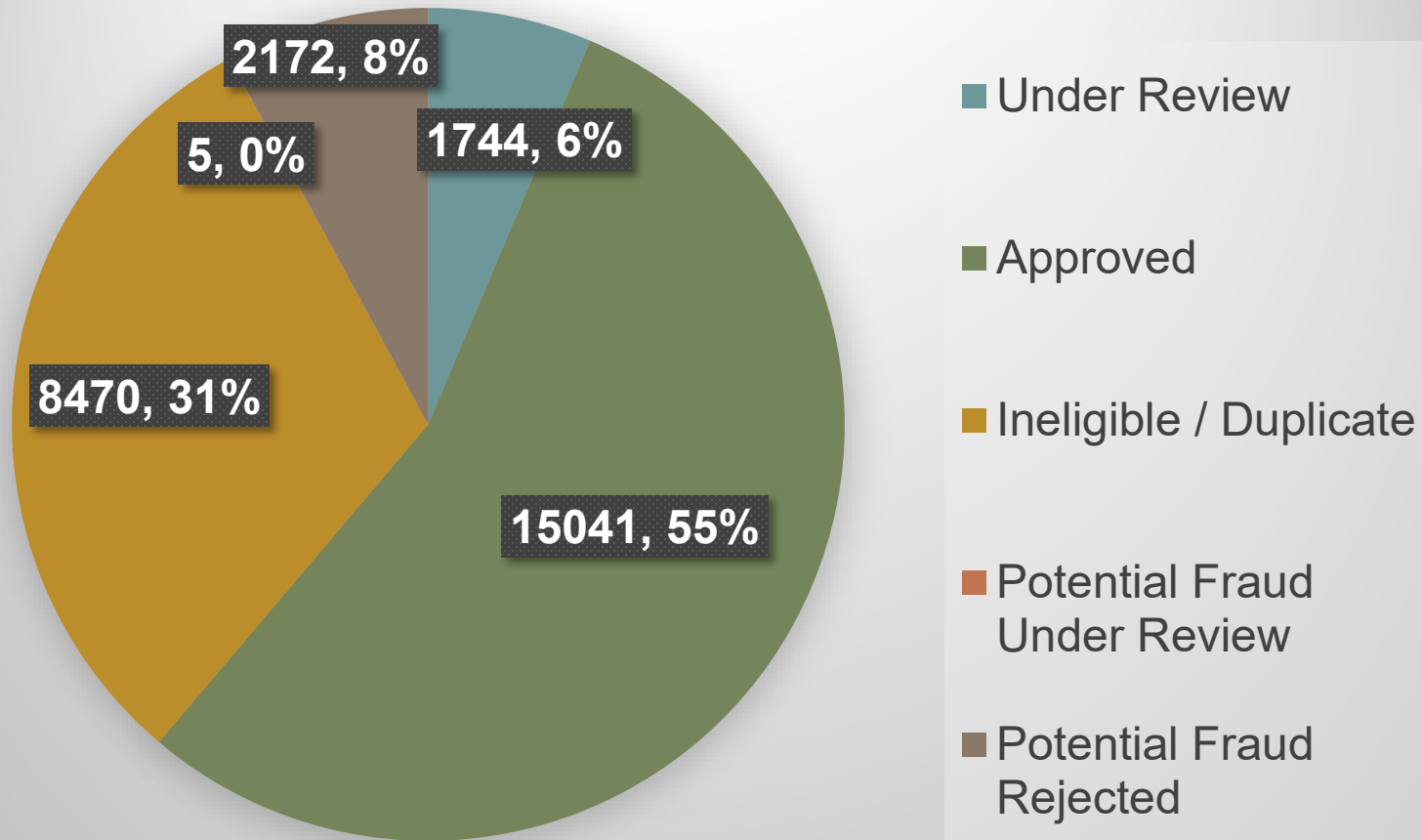
Questions? [View our FAQs.](#)

APPLY HERE



EMERGENCY RENTAL ASSISTANCE 1 & 2

Application Status



Nearly **9,900** Households Financially Assisted with over **\$81M** - \$8,264 Average Award

Over **\$41M** in Potentially Fraudulent Applications Isolated & Denied

Over **2,600** Households Received Housing Stability Services

Over **500** Households Engaged in Eviction Prevention & Diversion



AFFORDABLE HOUSING RESOURCES

Housing Tax Credit Properties

[HOUSING.MT.GOV > Multifamily Development > Housing Preservation Resources > Find a Current list of Tax Credit Properties](#)

Project Based Section 8 Properties

[HOUSING.MT.GOV > Rental Housing > Project Based Section 8 > Project Based Section 8 Housing List](#)

[MTHousingSearch.com](#)

[HOUSING.MT.GOV/RESOURCES](#)

Partner Organizations

- Human Resource Development Councils
- Public Housing Authorities & Tribal Housing Authorities
- NeighborWorks Montana & NeighborWorks Great Falls
- Homeword
- MT Continuum of Care and local Coordinated Entry Systems



Questions?

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