

ELIGIBLE TYPES OF HOUSING

Existing rental housing types which are authorized by the program include, but are not necessarily limited to, the following:

- Townhouses;
- Garden apartments;
- Duplex, triplex, four-plexes, etc.;
- Single-family homes;
- Manufactured homes;
- High-rise apartments;
- Double bungalows;
- Cooperative housing units;
- HUD-insured, or HUD-owned properties (certain exceptions apply);
- VA-guaranteed properties; and
- FmHA-insured or direct loan properties (certain exceptions apply).

WHO IS QUALIFIED TO PERFORM THE INSPECTION?

A PHA may employ Full-Time Housing Inspectors, Part-time or Shared Housing Inspectors, In-House or Subcontracted Inspection Staff or Specialist or Generalist Inspectors.

WHAT ARE THE OWNER AND TENANT RESPONSIBILITIES?

OWNER OBLIGATION

1. The owner must maintain the unit in accordance with HQS.
2. If the owner fails to maintain the dwelling unit in accordance with HQS, the PHA must take prompt and vigorous action to enforce the owner obligations. PHA remedies for such breach of the HQS include termination, suspension or reduction of housing assistance payments and terminations of the HAP contract.
3. The PHA must not make any housing assistance payments for a dwelling unit that fails to meet the HQS, unless the owner corrects the defect within the period specified by the PHA and the PHA verifies the correction. If a defect is life threatening, the owner must correct the defect within no more than 24 hours. For other defects, the owner must correct the defect within no more than 30 calendar days (or any PHA- approved extension).
4. The owner is not responsible for a breach of the HQS that is not caused by the owner, and for which the family is responsible (as provided in 24 CFR, Paragraph 982.404(b) and Paragraph 982.551 (c)). (However, the PHA may terminate assistance to a family because of HQS breach caused by the family.)

FAMILY OBLIGATION

1. The family is responsible for a breach of the HQS that is caused by any of the following; (a) The family fails to pay for any utilities that the owner is not required to pay for, but which are to be paid by the tenant; (b) The family fails to provide and maintain any appliances that the owner is not required to provide, but which are to be provided by the tenant; or (c) Any member of the household or guest damages the dwelling unit or premises (damages beyond ordinary wear and tear).
2. If an HQS breach caused by the family is life threatening, the family must correct the defect within no more than 24 hours. For other family-caused defects, the family must correct the defect within no more than 30 calendar days (or any PHA-approved extension).
3. If the family has caused a breach of the HQS, the PHA must take prompt and vigorous action to enforce the family obligations. The PHA may terminate assistance for the family in accordance with Paragraph 24 CFR 982.552.

SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

Housing Quality Standards (HQS)



For further information, please contact:



150 N. Third Street, P.O. Box 6459
Burbank, California 91510-6459
818.238.5160 • 818.238.5159 fax
www.burbankca.org/redevelopment/housing

*An Overview for
Owners/Landlords/Tenants*

INTRODUCTION

The information contained in this brochure provides an overview of the minimum acceptability criteria necessary for housing to qualify for the Section 8 Housing Choice Voucher Program. The intent of these requirements is to insure the utilization of standard housing units and to establish minimum criteria necessary for the health and safety of the occupants. The standards also include specific criteria which must be met for manufactured homes, congregate housing, and independent group residence. (Refer to 25 CFR Ch. IX, Paragraph 982 for a full text of these standards).

WHEN WILL THE UNIT BE INSPECTED?

Once a voucher holder has selected a housing unit and the owner of the property has agreed to make the unit available for rental under the Housing Choice Voucher Program, the property will undergo an initial inspection by the local Public Housing Agency using form HUD- 52580 or 52580-A to determine whether the housing unit is decent, safe and sanitary according to Housing Quality Standards. The local Public Housing Agency will make a redetermination of the unit's acceptability at least once each year when an assisted family continues in occupancy.

WHAT ARE THE STANDARDS?

HQS establishes acceptability criteria for the following key aspects of housing quality:

- **Sanitary Facilities** - Must be contained within the dwelling unit to be leased and be available for the exclusive use of the occupants of that dwelling unit. The bathroom must be located in a separate room and have a flush toilet in proper operating condition. The unit must have a fixed basin with a sink trap and hot and cold running water in proper operating condition. The unit must have a shower or tub with hot and cold running water in proper operating condition. The facilities must utilize an approvable public or private disposal system, including a locally approvable septic system.
- **Food Preparation and Refuse Disposal** - The unit must have a cooking stove or range and refrigerator of appropriate size for the unit (i.e., family), all in proper operating condition. This equipment may be supplied by either the owner or tenant. The unit must have a kitchen sink in proper operating condition with a sink trap and hot and cold running water which drains into an approvable public or private system. The unit must provide space for the storage, preparation, and serving of food. There must be adequate facilities and services for the sanitary disposal of food waste and refuse, including temporary storage facilities where necessary (e.g., garbage containers).

- **Space and Security** - The unit must have a minimum of a living room, a kitchen area, and a bathroom. The unit must contain at least one sleeping or living /sleeping room for each two person. The unit's windows which are accessible from the outside, such as basement, first floor and fire escape window, must be lockable (e.g., window units with sash pins or sash locks, and combination windows with latches). Windows which are nailed shut are acceptable provided that they are not needed as an alternate means of exit in case of fire. The unit's exterior doors (i.e., those that provide access to or egress from the unit) must be lockable.
- **Thermal environment (Heating and Cooling Systems)** - The unit must contain a safe heating system (and safe cooling system, where present) which is in proper operating condition and can provide adequate heat (and cooling, if applicable), either directly or indirectly, to each room in order to assure healthy living environment appropriate to the climate. The unit must not contain unvented room heaters which burn gas, oil, or kerosene. (Electric heaters are acceptable.)
- **Illumination and Electricity** - There must be at least one window in the living room and in each sleeping room. The kitchen area and the bathroom must have a permanent ceiling or wall-type light fixture in working condition. The kitchen area must also have at least one electrical outlet in operating condition. The living room and each bedroom must have at least two electrical outlets in operating condition. Permanent overhead or wall mounted light fixtures may count as one of the required electrical outlets.
- **Structure and Materials** - Ceiling, walls, and floors must not have any serious defects such as severe bulging or leaning large holes, loose surface materials, severe buckling, missing parts or other serious damage. The roof must be structurally sound and weather tight. The exterior wall structure and surface must not have any serious defects such as serious leaning, buckling, sagging, large holes, or defects that would result in air infiltration or vermin infestation. The condition and equipment of interior and exterior stairways, halls, porches, walkways, etc., must not present a danger of tripping and falling. Broken or missing steps and loose boards are example of potential hazards. Elevators must be working and safe. Manufactured homes shall be equipped with at least one smoke detector in working condition. Manufactured homes must be securely anchored by a tiedown device which distributes and transfers the loads imposed by the unit to appropriate ground anchors so as to resist wind overturning an sliding (unless the Field Office has approved a variation to the Acceptability Criteria because the units are in low- wind zone area).

- **Interior Air Quality** - The unit must be free from dangerous levels of air pollution from carbon monoxide, sewer gas, fuel gas, dust, and other harmful pollutants. The unit must have adequate air circulation. Bathroom area must have one window that opens or other adequate exhaust ventilation. Any room used for sleeping must have at least one window that opens, if the window was so designed.
- **Water Supply** - The unit must be served by an approvable public or private water supply which is sanitary and free from contamination.
- **Lead Based Paint** - The regulation at *24 CFR Part 35*, which implements the Lead-Based Paint Poisoning Prevention Act, requires that the Public Housing Agency obtain a completed and signed Lead-Based Paint Owner Certification (HF-39-C) signifying that all HQS lead-based paint requirements have been met on a property identified as having any lead- based paint hazards at the property built prior to January 1, 1978 including deteriorated paint or other hazards identified by a visual assessor, a certified lead- based paint risk assessor, or certified lead- based paint inspector. This certification must be received by the PHA before the execution of the HAP contract or within the time period stated by the PHA in the owner HQS violation notice.
- **Access** - The unit must be used and maintained without unauthorized use of other private properties. The building must provide an alternate means of exit in case of fire (such as fire stairs or exit through windows, with the use of a ladder if windows are above the second floor).
- **Site and Neighborhood** - The site and neighborhood must be reasonably free of serious conditions which would endanger the health and safety of residents.
- **Sanitary Condition** - The unit and its equipment must be free of serious vermin and rodent infestation.
- **Smoke Detectors** - At least one battery-operated or hard-wired smoke detector must be present and working on each level of the unit, including the basement, but not the crawl spaces and unfinished attic. Smoke detectors must be installed in accordance with and meet the requirements of the National Fire Protection Association Standard (NFPA) 74 (or its successor standards). If the dwelling unit is occupied by and hearing-impaired person, smoke detectors must have an alarm system designed for hearing-impaired person as specified in NFPA 74 (or successor standards).