

What is Section 8?

Section 8 is a federally funded housing subsidy program that provides low-income families the opportunity to choose and lease safe, decent and affordable privately owned rental housing by supplementing what they could afford on their own. Public Housing Authorities apply to the U.S. Department of Housing and Urban Development (HUD) for Section 8 funds, which are then provided to eligible families in accordance with HUD rules and regulations.

In New York City, there are two Public Housing Authorities that provide Section 8: HPD and the New York City Housing Authority (NYCHA). In addition, the New York State Division of Housing and Community Renewal (DHCR) administers a state-wide Section 8 program, including New York City. Each Authority awards vouchers and administers the program separately and distinctly.

2004 Section 8 income limits:

Household Size	1 Person	2 People	3 People	4 People	5 People	6 People	7 People	8 People
Income Limits	\$35,150	\$40,200	\$45,200	\$50,250	\$54,250	\$58,300	\$62,300	\$66,300

Who Receives HPD Section 8?

HPD currently administers vouchers for approximately 26,000 households, including those who receive project-based assistance. HPD has currently leased slightly more than 100% of the vouchers allocated for 2004, and does not anticipate issuing any additional vouchers this year. Since NYCHA is the primary public housing authority, HPD generally targets its Section 8 assistance to very specific categories of New Yorkers. These categories currently are:

1. Homeless Households: Households that have a primary nighttime residence that is either:
 - o A publicly or privately operated shelter in HPD's jurisdiction designed to provide temporary living accommodations, including shelters operated by DHS and HRA and designated by HPD as eligible to receive vouchers; or
 - o The home of another household in HPD's jurisdiction that is allowing the applicant to reside temporarily provided that the applicant has been classified as homeless by HPD's Emergency Housing Services Bureau.
2. HPD Funded Renovation: Households that are residing in a building owned by the City of New York or by an entity designated by the city to achieve its housing goals, and is in need of substantial renovation. The voucher will be issued to allow the applicant to locate permanent, alternate housing.
3. In Place: Households residing in buildings that have been developed (newly constructed or renovated) with financial assistance from HPD or buildings for which HPD maintains regulatory responsibility. To be eligible for this preference, applicants must maintain a current rent burden of more than 30% of their annual household income and have their application referred by HPD program staff. Rent will be considered as the amount the applicant is contractually bound to pay the owner plus utilities not included in the rent.
4. Family Unification Program: Households for whom New York City's Administration for Children's Services has certified that the household is a family for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home care, or in the delay of discharge of a child, or children, to the family from out-of-home care.

What are Enhanced or "Sticky" Vouchers?

HUD has provided special Section 8 Enhanced Vouchers to protect the residents of rent-

regulated apartments with federal assistance, when owners pre-pay federal loans to opt out of such programs, or opt not to renew project-based Section 8 contracts. Enhanced Vouchers, also known as Sticky Vouchers, differ from standard vouchers in several ways:

- Special allocation - the vouchers are designated specifically for the residents of the affected units
- Higher Income Limits - the income eligibility standards for Enhanced Vouchers are 95% of the Area Median Income, as opposed to the 80% limit for standard vouchers, shown above
- Higher Payment Standards - the rents for Enhanced Vouchers are not limited to the HPD Payment Standard, but can be up to reasonable, market rents for the units affected
- Different Minimum Tenant Shares - Enhanced Vouchers are designed to protect residents, not confer a benefit, so the minimum rent that an Enhanced Voucher participant pays is the tenant's payment prior to conversion

These differences for Enhanced Vouchers apply only while the participant household resides in the housing development that converted. If the household moves outside the affected development, the Enhanced Voucher reverts to a standard Section 8 Housing Choice Voucher.

How HPD's Section 8 Program Differs From NYC Housing Authority's

While HPD operates a targeted Section 8 program specially designed to help needy New Yorkers faced with particular housing situations, NYCHA has historically operated a much larger program with a broader focus. NYCHA's program has been in existence since the inception of the federal Section 8 program in the 1970's and serves more than 85,000 households. Currently, NYCHA has closed its primary waitlist, and only accepts Section 8 applications through special programs - from the homeless, victims of domestic violence, and participants in witness protection programs. Questions about obtaining Section 8 should be directed to NYCHA, which has a central office at 250 Broadway, Manhattan and borough offices around the city. Contact the City's Citizen Service Center at 311 for more information.

Information And Assistance For Existing Tenants In HPD's Section 8 Program

Tenants who are now receiving Section 8 benefits through HPD can reach their case manager by calling the Section 8 Information Hotline at 917-286-4300 for assistance.

Family Self-Sufficiency (FSS) Program

The Family Self-Sufficiency (FSS) program is available to all Section 8 households. It offers a variety of services to help families achieve economic self-sufficiency. If you would like to receive information about enrolling please contact 917-286-4300 and follow the options for the FSS program.

Annual Recertification

HPD reexamines family income and composition of all households at least annually. The annual reexamination determines the continued eligibility of a Section 8 participant and establishes the housing assistance payment to be made on behalf of the family.

Each year, HPD will send a recertification package to Section 8 families approximately 90 - 120 days prior to their annual reexamination date. The package must be completed within the timeframe specified and returned to HPD for processing. Families that have questions concerning their recertification may call the Section 8 Hotline at 917-286-4300 to speak with their case manager.

Families are also required to report interim changes in income (both increases and decreases) and family composition in a timely manner. Failure to comply with this requirement may result in termination from the program.

What Do I Do If My Section 8 Payments Stop Coming?

On behalf of HPD, the New York City Office of the Comptroller issues monthly checks to owners. If these payments are terminated, the most likely cause is that the tenant or the apartment were found to be no longer eligible for subsidy, in which case both the owner and the tenant will receive a written notice from HPD. Owners with questions about their payments should call HPD's Section 8 Hotline at 917-286-4300.

What Size Apartment Is My Family Eligible For?

Apartments selected by eligible families must be the appropriate size for the family composition. The federal rules require no more than 2 persons per sleeping area. The precise determination of the appropriate sized unit depends upon the relationship, age and gender of the household members. Children of the opposite sex over 3 years of age must not be required to share the same room. The general standards are:

Bedroom Size	SRO	0 (Studio)	1	2	3	4	5	6
Minimum Number of Persons	1	1	1	2	4	6	8	10
Maximum Number of Persons	1	2	4	6	8	10	12	14

As noted above, apartments selected by eligible families must also pass an on-site inspection each year. If an owner fails to correct housing quality violations or a tenant damages the apartment or prevents the owner's access to the apartment to make repairs, the Section 8 subsidy payment may be terminated.

Apartments must also be reasonably priced with consideration to quality and amenities to ensure that the federal government does not pay more than the apartment is worth in the private market. The maximum allowable rents are determined by HUD, which establishes rents at close to the average of all rents in the particular area and by HPD, which establishes payment standards between 90 and 110% of the HUD established rent. Below are the current payment standards for HPD's program.

Section 8 payment standards as of October 1, 2003:

Number of Bedrooms	0 (Studio)	1	2	3	4	5	6
Maximum Rent (Including Gas and Electricity)	\$933	\$1,038	\$1,180	\$1,476	\$1,654	\$1,903	\$2,153

Housing Quality Standard (HQS) Inspection

HPD is required to perform an HQS inspection of all Section 8 apartments before entering into a housing assistance payment contract with an owner and at least annually. The inspection confirms whether an apartment meets minimum physical standards established by HUD.

All Section 8 families are required to provide access to HPD employees to allow them to perform the inspection. This is a program obligation that is listed on the voucher. A family that repeatedly fails to provide access may be terminated from the program.

Through the annual inspection process, HPD ensures that Section 8 units meet the HQS guidelines by requiring owners to correct deficiencies with a specified timeframe. Special or complaint inspections are also performed on occasion. If you believe that there are HQS deficiencies in your apartment and your landlord has not indicated that he/she will correct them, you may call (917) 286-4300 to report the problem.

Can I Move with My Voucher?

Families receiving Section 8 voucher assistance may not move during the initial term of their lease except in very limited circumstances as approved by HPD. Thereafter, families are entitled to move once every twelve months. A Section 8 housing choice voucher is portable which means that a family may move anywhere in the United States where a Section 8 program is administered.

Families that would like to receive further information on moving opportunities and requirements should call Section 8 at (917) 286-4300.

Section 8 Homeownership

The Section 8 Homeownership Program is a component of the housing choice voucher program. It assists first-time homebuyers with their monthly homeownership expenses through a housing assistance subsidy.

HPD is currently implementing a pilot phase of the homeownership program through a partnership with a non-profit housing provider. The program is limited to families already receiving Section 8 rental assistance and participating in the agency's Family Self-sufficiency program. For further information about enrolling, please call (917) 286-4300.

Calculating Tenant Payments

For all tenants who find an apartment at or below the approved Payment Standards, the HUD formula requires the Section 8 recipient to pay the higher of

- 30% of adjusted income,
- 10% of gross income, or
- a minimum payment of \$50

Most eligible families in HPD's program pay 30% of adjusted income. It is important to note that the adjustments to income do not include taxes, FICA, or the other automatic deduction to wages, nor do they include child support payments made by household members.

For tenants receiving Temporary Assistance for Needy Families, or TANF, the tenant rent is determined by the administering agency, Human Resources Administration (HRA) in conjunction with the State of New York, which establishes a special schedule. This schedule is designed to ensure that the tenant's share of rent is equal to the housing grant that HRA allows.

Why Do Some Tenants Pay More Than 30% Of Income Towards Rent?

If a tenant finds an eligible apartment for equal or less than the established payment standard the tenant would not be required to pay more than 30% of his or her income for rent. However, if a tenant locates an apartment with a rent higher than the payment standard, they are required to pay the difference out of their own pocket. In other words, the tenant is required to pay his or her regular payment (30% of adjusted income or 10% of gross income) plus the amount by which the contract rent exceeds the approved standard. In no event, however, shall a tenant be allowed an initial lease for an apartment that would require them to pay in excess of 40% of their income.