



Housing Choice Education Partnership

AN OVERVIEW OF THE SECTION 8 VOUCHER PROGRAM

THE SECTION 8 PROGRAM

The federal Section 8 program began in 1975 as a way to assist low-income families with renting decent, safe and affordable housing in the community where they want to live. Through this program, individuals and families receive a “voucher” – also referred to as a “subsidy” – that can be used in housing of their choice that meets the Section 8 program requirements. These subsidies are long-term and considered permanent as long as the voucher holder continues to qualify for the program.

The Section 8 program is one of the most successful federal housing programs. Currently, about 35,000 households in Oregon have a Section 8 voucher. In 1998, a federal housing law gave the program a new name – the Housing Choice Voucher Program. However, most people are still familiar with the program by its old name – Section 8.

PARTIES INVOLVED AND THEIR ROLES

- Tenants receive a voucher from a local housing authority or public housing agency (PHA) and find a rental unit on their own.
- The landlord is typically a private landlord with no other federal assistance, although some landlords might receive other federal assistance such as tax credits.
- Congress appropriates funds for the Section 8 voucher program.
- HUD allocates the voucher funds to local PHAs.
- PHAs administer the voucher program locally.
- The PHA determines if the unit meets the Housing Quality Standards (HQS) and whether the rent charged for the unit is reasonable.
- The PHA enters into a Housing Assistance Payment contract with the landlord, part of that contract consists of an Addendum that becomes a part of the Lease.

APPLICABLE LAWS AND RULES

- A statute provides the basic structure of the program. 42 USC §1437(o).
- Regulations provide further details on the program. 24 CFR Part 982
- PHAs have some flexibility to develop local rules, policies and contracts.

TYPES OF VOUCHERS

- There are voucher programs that are targeted to families with special needs, such as Welfare to Work, Family Unification, Mainstream, Designated Housing, Enhanced Vouchers, and VASH vouchers for veterans.

- In addition, local PHAs may prioritize specific populations, such as domestic violence survivors, for assistance and set some vouchers aside for these populations.

SECTION 8 VOUCHER ELIGIBILITY ISSUES

- PHAs create a waiting list, conduct eligibility reviews and screen for criminal history and other factors. PHAs only screen for program eligibility, not for tenancy eligibility. Landlords do that screening.
- Vouchers are issued for various bedroom sizes depending on the size and needs of the family.
- Vouchers are given to very low-income households. Rent
- Voucher holders typically pay 30% of their income as their share of the rent. The PHA pays the rest of the rent.
- HUD annually publishes “fair market rents” (FMR) for neighborhoods throughout the country.
- The “payment standard” is the maximum amount the PHA will pay on behalf of a voucher family. PHAs usually set a payment standard that is close to the FMR.
- Voucher holders who directly pay their own utilities are entitled to an allowance for the consumption of a reasonable level of utilities. The allowance is a standard amount and doesn’t reflect actual usage.
- All voucher families have their income recertified every year and sometimes more often if there is an increase or decrease in family income or a change in family composition.

VOUCHER DURATION AND TERMINATION

- Section 8 vouchers have no “automatic” termination period. Other vouchers may only last for a set period of time.
- Vouchers can only be terminated by the PHA for serious or repeated minor violations of the program or the lease. However, landlords can terminate a voucher holder’s tenancy for cause as provided by ORS Chapter 90 or at the end of a lease term with no cause.

GETTING A VOUCHER HOUSEHOLD MOVED IN

- Once a landlord and a voucher household agree to enter into a rental agreement, the unit is inspected by the PHA to ensure that it is safe, decent and of good quality.
- The rent of the unit is compared to rents of similar unassisted units in the community to ensure that it is reasonable.
- Once the PHA approves the unit, the lease between the household and the owner and the contract between the PHA and the owner are signed and the household moves in.
- The rental assistance begins. The tenant and the PHA each pay their share of the rent directly to the landlord.