

# Housing Choice Landlord Guarantee Program

<p><b>Program Overview</b></p>	<p>Oregon Housing and Community Services (OHCS) was directed by the 77th Oregon Legislative Assembly to develop and implement the Housing Choice Landlord Guarantee Program. The Housing Choice Landlord Guarantee Program is designed to provide financial assistance to landlords to mitigate damages caused by tenants as a result of their occupancy under the HUD Housing Choice Voucher Program, also known as Section 8.</p>
<p><b>Eligibility Requirements</b></p>	<p>A landlord may apply for financial assistance to reimburse them for qualifying damages. To be eligible for the program, landlords must have leased to tenants through the HUD Housing Choice Voucher Program, also known as Section 8. Tenants with Housing Choice vouchers for veterans, also known as Veterans Affairs Supportive Housing or VASH vouchers, are also eligible. The damages to the residence must exceed normal wear and tear, and must have occurred from occupancy that began after July 1, 2014.</p> <p>To qualify for program assistance, a landlord must first obtain a judgment against a tenant from a court in an Oregon county, in which either the tenant or the property is located.</p> <ul style="list-style-type: none"> <li>a) The judgment must be from a circuit court, a small claims department of a circuit court, or a justice court (note: a small claim judgment is not the same as a <b>Forcible Entry Detainer (FED)</b> or eviction judgment);</li> <li>b) The time frame for appeal of the judgment must have expired without appeal or the judgment must otherwise not be subject to further judicial review.</li> </ul> <p>Program assistance is limited to reimbursement for those amounts covered in a final judgment. Claim reimbursements may include expenses related to property damage, unpaid rent, or other damages satisfactorily described and documented in a claim from the landlord to OHCS. Property damage claims may include the following:</p> <ul style="list-style-type: none"> <li>a) Property damage incurred from occupancy that began after July 1, 2014;</li> <li>b) Property damage was caused as a result of a tenant’s occupancy, pursuant to a rental agreement under the Housing Choice Voucher Program at the time the damage was incurred;</li> <li>c) Damage to property exceeds normal wear and tear and was depreciated for the term of tenant’s occupancy; and</li> <li>d) Expenses for repairs are in excess of \$500, but not more than \$5,000 per tenancy.</li> </ul>
<p><b>Types of Program Assistance</b></p>	<ul style="list-style-type: none"> <li>a) <b>Partial Reimbursements:</b> Program assistance may be available for damages in amounts less than \$500 when a partial amount is still owed on a judgment that is in excess of \$500. For example, if a landlord received a payment of \$400 on a \$700 judgment on qualifying damages, the landlord may seek reimbursement for the remaining \$300 owed to them under the judgment.</li> <li>b) <b>Reimbursements up to \$5,000:</b> Program assistance for damages up to \$5,000 may be provided on a judgment that is in excess of \$5,000. For example, if a landlord has a judgment for \$7,000 for qualifying damages, the landlord may see reimbursement for up to \$5,000 of the qualifying damages.</li> </ul>



<p><b>Qualifying damages include</b></p>	<ul style="list-style-type: none"> <li>a) Attorney fees, court costs, and interest (but does not include eviction costs or associated fees);</li> <li>b) Loss of rental income during the time required for repairs to with respect to qualifying property damage;</li> <li>c) Unpaid rent and utilities for which the tenant was responsible;</li> <li>d) Late fees or lease-break fees;</li> <li>e) Property damage that exceeds normal wear and tear and has been depreciated for the term of the tenant’s occupancy;</li> <li>f) Other costs related to lease violations by a tenant such as repair labor, materials, disposal fees, etc.</li> </ul> <p>A landlord may not seek, accept or retain program assistance from the department for amounts already paid for qualifying damages by the tenant or by a third party. If, after submitting a claim for program assistance, a landlord receives payment for any claimed damages from a tenant or a third party, the landlord must notify the department within ten (10) days of such payment. A landlord must provide restitution to the department for overpaid program assistance within forty-five (45) days. The department will maintain a record of program assistance provided to a landlord to assist in determining if there has been an overpayment of program assistance.</p>
<p><b>Program Delivery</b></p>	<p>A landlord must submit a claim for program assistance to the Department within one year of obtaining a judgment against a qualified tenant. The time frame for appeal of the judgment must have expired without appeal or the judgment must otherwise not be subject to further judicial review. The application is available online at <a href="http://www.oregon.gov/ohcs/Pages/housing-choicelandlord-guarantee-assistance.aspx">http://www.oregon.gov/ohcs/Pages/housing-choicelandlord-guarantee-assistance.aspx</a>. After submission of the application, OHCS will notify applicants if the application is incomplete within ten (10) days. OHCS will process applications and payments to landlords within forty-five (45) days.</p> <p>After receiving assistance, a landlord must file a satisfaction of judgment within thirty (30) days in the amount of any program assistance received from the department in the court from which the judgment against the tenant was obtained. A copy of this filed satisfaction of judgment must be delivered to the department within forty (40) days of the landlord’s receipt of the program assistance.</p>
<p><b>For more information</b></p>	<p>Individuals with questions about the program should contact: <a href="mailto:Landlord.guarantee@oregon.gov">Landlord.guarantee@oregon.gov</a>, or 1-800-453-5511 (choose option 8).</p>

