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# HAP HAPpenings SECTION 8

**NYC**  
Department of  
Housing Preservation  
& Development  
[nyc.gov/hpd](http://nyc.gov/hpd)

LANDLORD NEWSLETTER

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**Got E-mail? If you have an e-mail address, make sure you register it with Owners Services. You can receive important correspondence from HPD immediately by mail. Please call 917-286-4300 or e-mail [s8landlords@hpd.nyc.gov](mailto:s8landlords@hpd.nyc.gov)**

**NYC** Department of  
Housing Preservation  
& Development  
Division Of Tenant Resources  
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New York, NY 10038

## WHAT'S NEW?

### HPD Launches an Online Resource for Landlords

We are very happy to announce the launch of an exciting new resource for landlords with active Section 8 participants, the HPD Section 8 Partner Portal. This online service provides landlords with access to basic Section 8 payment and tenant information through HPD's website.

Below are some features available through the HPD Section 8 Partner Portal that you could have access to:

- Housing Assistant Payment (HAP) information
- Basic household and unit information
- Housing Quality Standards (HQS)
- Upcoming scheduled inspections
- Failed HQS inspections
- Abatements and holds
- HPD Section 8 landlord forms and notices



Landlords may enroll for the Partner Portal via an email request to [DTRPartnerPortal@hpd.nyc.gov](mailto:DTRPartnerPortal@hpd.nyc.gov). An enrollment form and instructions will be emailed to you upon this request. Enrollment is voluntary.

The process will require that you submit copies of your HAP Registers in order to verify your registered address and to provide you authorization to view your account information.

We hope that this is a service that will help you better track payments for your unit and will help you better monitor the HQS status of your apartments. We value your feedback and look forward to hearing from you about your experience.

Happy New Year!

### Termination of HAP Contract after 180 Days of Housing Quality Standards (HQS) Failure Status

The Division of Tenant Resources appreciates your continued cooperation in providing decent, safe and sanitary living conditions and look forward to working with you to minimize Housing Quality Standards (HQS) inspection failures and handle corrections in a timely manner to reduce the likelihood of abatements and HAP contract terminations.

To ensure that each unit occupied by a vouchered family is decent, safe and sanitary, HPD conducts HQS inspections at least once annually. When a unit fails this annual inspection for something that is the owner's responsibility and the failure items are not corrected within the deadline provided (24 hours for emergency failures and 25 days for non-emergency failures), HPD is required to place a stop payment of subsidy ("HAP abatement") on units.

### HPD is required by federal regulations to terminate a HAP contract for an apartment after 180 days of HAP abatement.

Once a unit has been in HAP abatement for 150 days or longer, HPD will send a *Notice of Pending Termination of Section 8 Housing Assistance Payments (HAP) Contract due to Long Term HQS Failure*. Landlords that receive this notice will be at high risk of having their HAP Contract terminated. If corrections are not made and reported to HPD within 30 days of receiving this notice, the HAP contract will automatically terminate.

HPD is required to take enforcement action on apartments that continue to be in long-term failure status. In cases where there are emergency failure items found in the unit, tenants are eligible to request an emergency move voucher if the landlord fails to make repairs after the 24 hour correction

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items that are attribute to both landlord and tenant, the landlord must correct all failure items identified as owner responsibility to fix prior to the re-inspection date to avoid HAP abatement. For abatements to be lifted, landlords must submit a work order with both the tenant and the landlord signature in order to have an inspection scheduled.

### Retroactive HAP Payments Limited to 60 Days

Federal regulations prohibit HPD from making retroactive subsidy payments beyond 60 days. When leasing an apartment to a new Section 8 applicant be sure to return your HAP Contract to HPD before the deadline indicated. Missing the deadline puts you at risk of losing subsidy payments.

Delaying the signing and returning of HAP contracts to HPD—or submitting an incomplete HAP contract—could result in months of lost rent that cannot be recovered from HPD or from your tenant.

The following are the most common cases for HPD **returning** a HAP contract, resulting in delay of payment. *HPD will send you a notice requesting corrections or additional documentation as needed. Landlords should comply with the notice within two weeks to avoid loss of subsidy:*

- The dates on the HAP contract do not match the lease dates
- The HAP contract is returned without an original landlord signature
- The rent on the lease does not match the rent on the HAP
- The HAP contracts are returned without a lease

If the HAP contract is received *after* the 60-day deadline, HPD must void the contract and you and the tenant must request a new contract. No retroactive payments will be made for the previous 60 days.

If you have questions about how to complete a HAP contract, please call HPD for assistance at 917-286-4300.

period. Tenants are not required to obtain a general release from their landlord in order to receive an emergency voucher. In apartments that have non-emergency failures, tenants are eligible to request an emergency move voucher after 90 days in failure status to locate another unit .

To avoid HAP contract termination, HPD recommends that landlords correct all HQS failure conditions as soon as possible and prior to the correction deadline. HPD no longer automatically re-inspects units in which failure items have been identified as non-emergency failures are the landlord's responsibility to fix. Because HPD no longer automatically inspects units with failures that are not categorized as "emergencies," landlords must submit a Certification of Completed Repairs (CCR) form to show HPD that all substandard conditions have been corrected. CCR forms must be returned by the correction deadline in order to avoid HAP abatement. Once HAP abatement is instituted, landlords will be required to submit a CCR form in order to re-instate HAP.

For all apartments that have either emergency conditions that are identified as the landlord responsibility to fix or a combination of failure



If you have any questions or concerns regarding your participation as a Section 8 landlord, please feel free to call us at 917 286-4300. You can also e-mail us at [s8landlords@hpd.nyc.gov](mailto:s8landlords@hpd.nyc.gov).

### 2010 HUD Fair Market Rents

On September 30, 2010 the United States Department of Housing and Urban Development (HUD) published new Fair Market Rents (FMR) that went into effect on October 1, 2010. HPD uses a Payment Standard that is equal to 110% of the FMR. The Payment Standards represent the maximum subsidy amount for Housing Choice Voucher (HCV) assisted units. The rents for all HCV assisted units must be determined to be Rent Reasonable by HPD whether or not that rent is at, below or above the Payment Standard. The payment standards

have increased significantly for all unit sizes. For example, the payment standards for a one-bedroom apartment increased by \$43 and a three-bedroom apartment increased by \$48.

If assisted households are responsible for paying for their utilities, as designated on the HAP contract and lease, they receive the corresponding Utility Allowance. The applicable Utility Allowance is deducted from the Tenant's share of the rent to the owner. Allowances are assessed annually and assume conservative energy usage.

### Payment Standards – Effective October 1, 2010

	SRO	0BR	1BR	2BR	3BR	4BR	5BR	6BR	7BR	8BR
New Payment Standard	\$962	\$1,283	\$1,387	\$1,543	\$1,899	\$2,135	\$2,455	\$2,775	\$3,095	\$3,417

### Utility Allowances – Effective October 1, 2010

# of Bedrooms	Gas	Electric	Total Gas & Electric	Gas Heat & Hot Water	Oil Heat & Hot Water	Electric Heat & Hot Water
SRO	\$15	\$52	\$67	\$54	\$65	\$164
Studio	\$15	\$52	\$67	\$54	\$65	\$164
1	\$17	\$54	\$71	\$73	\$93	\$226
2	\$17	\$56	\$73	\$86	\$111	\$268
3	\$18	\$70	\$88	\$98	\$130	\$309
4	\$20	\$72	\$92	\$111	\$149	\$351
5 or more	\$21	\$82	\$103	\$123	\$167	\$392

### DID YOU KNOW?

The U.S. Department of Housing and Urban Development (HUD) Office of Public and Indian Housing recently published Notice PIH 2010-18 on May 10, 2010 that affects HPD's determinations of rent reasonableness in the Housing Choice Voucher (HCV) Program. As part of the rent reasonableness study HPD must ensure that the rents paid for HCV assisted units do not exceed the rents for comparable units that are not assisted under a Federal, State, or local government program. The notice can be found at <http://www.hud.gov/offices/pih/publications/notices/10/pih2010-18.pdf>.

### FOR YOUR INFORMATION

A new and improved *Rent Increase Request Form* is available on the HPD website. The form allows you to fill it in electronically and print it for submission. The request form must be submitted with the lease and any other supporting documents. Requests for rent increases must be submitted at least 60 days prior to the effective date of the proposed rent increase. The form can be found at: <http://www.nyc.gov/html/hpd/downloads/pdf/section8-rent-inc.pdf>.

Check us out online at [www.nyc.gov/hpd](http://www.nyc.gov/hpd) where you will find links to: HPD Section 8 Administrative Plan, Rent Increase Applications, other Section 8 Landlord forms, and an electronic version of HAP HAPpenings