

The family has responsibilities to both the Fairport Housing Authority (Fairport Urban Renewal Agency) and the Landlord. The responsibilities for participation in the program include

1. **Providing income information and records.**
The family share of the rent is based upon their total gross income. Failure to notify the Fairport Housing Authority of changes in income, changes in family composition, failure to recertify in a timely manner, or failure to provide accurate income information when requested, may result in the recapturing of overpayments, or in certain circumstances, termination of eligibility from the program.
2. **Giving proper notice should the family decide to move.**
 - A. In order to legally terminate the lease during the first year of the lease, it is necessary to obtain a lease termination agreement (Mutual Rescission of Lease Agreement) signed by Landlord and Tenant.
 - B. After the first year of the lease, it is necessary to give at least a 30 day written notice to both the Fairport Housing Authority and the Landlord.
3. **Finding a unit which is within the program guidelines:**
 - A. The unit must be within FHA's program area, unless portability applies.
 - B. The unit's gross rent (rent and utilities) must meet one of the two following tests:
 - 1) Within 120% of the established Fair Market Rent (FMR) at the time of the housing search.
 - 2) The rent reasonableness test, comparing three area market rate units against the proposed unit. However, in no case can the gross rent be too high which (after FHA's subsidy) result in family payment above 40% of their monthly adjusted income.
 - C. Request for Lease Approval must be signed and returned by Owner and Tenant, prior to the expiration date of the Choice Voucher.

4. **Finding a unit which will pass a Housing Quality Inspection.**

The general requirements of the inspection are to be found in the Choice Voucher Holder's packet.

5. **The responsibilities to the Landlord include:**

A. Return the property to the Landlord in the same condition as the commencement date of the lease (except for normal wear and tear).

B. Keep the premises for the family's use only (those family members listed on the lease and on the family's most recent certification). Should any additional members move into the unit, the Landlord's written permission must be obtained (with approval from FHA).

C. Paying the rent on time in full.

D. Notify the Landlord of needed repairs. If the Landlord does not make the repairs within a reasonable time, the Fairport Housing Authority should be contacted.

E. Paying the reasonable cost of repairs caused by the carelessness of members of the family or guests of the family.

GENERAL PROGRAM INFORMATION

Security Deposits

If a family moves into the unit after Section 8 has approved the unit, and the owner asks for a security deposit, the amount of security deposit which the family should pay is equal to one month's rent.

Leases

Either the owner's lease or the Fairport Housing Authority sample lease may be used. However, only one lease may be used. The minimum length of the lease is one (1) year.

The Landlord cannot increase the rent during the first year of the lease. The lease amount and the contract rent amount must be the same. Addi-

tional agreements or payments to Landlord are not allowed. Should this occur, the landlord and/or tenant may be declared ineligible for further participation in the program.

Claims

If an owner files a claim against you for either unpaid rent you owe, or unpaid tenant damages, your eligibility for participation in the program may be subject to termination.

Fraud

It is very important that the family report all income. Many people forget about income from second jobs, part-time jobs, income received for child support, alimony, or the income of other family members, etc.

It is important that the family report changes in the number of people living in the family.

The rent payment to the Landlord must not be more than the amount requested on the lease. If a family pays more than this amount, it must be reported at once.

If you know of cases of fraud by Landlords or participating families, please contact the Fairport Housing Authority at (223-0313).

The Department of Housing and Urban Development is seriously concerned about fraud in the Section 8 Program. Not following the above rules may result in the referral of the matter for investigation by the Inspector General's Office.

Informal Hearing Procedures

As a participant in the Section 8 program, participants have certain rights to appeal decisions made regarding their eligibility for participation in the program. A participant may request an informal hearing whenever a decision is made to classify ineligibility, termination of assistance in the program, or when participants dispute the amount of their tenant rent calculation.