

Landlord Booklet



Madison County
Department of Social Services

Questions and Answers for Landlords with Tenants Applying for or Receiving Temporary Assistance

Madison County Department of Social Services
Madison County Complex, Building 1
133 North Court Street
PO Box 637
Wampsville, New York 13163
(315) 366-2211

Office Hours
Monday - Friday
9:00 a.m. - 5:00 p.m.

APRIL 2013

1. What is Temporary Assistance?

A: Temporary Assistance is a New York State-funded social services program intended to help cover the living expenses of needy individuals and families. Specific to landlords, tenants receiving Temporary Assistance can provide a steady and reliable stream of rent income as a result of State assistance.

2. What forms do I need to fill out to start renting to tenants receiving Temporary Assistance?

A: To start the process, a landlord needs to complete a Shelter Verification form to provide to the tenant or it may be submitted directly to the Madison County Department of Social Services.

If rent is to be paid directly to the landlord, in addition to completing a Shelter Verification form, the landlord will also be required to complete a W-9 form. Due to the sensitive nature of the information found on the W-9, the landlord should submit the W-9 directly to the Department of Social Services (DSS).

Both of these forms may be picked up from the Madison County DSS or downloaded from the following web addresses:

- For the W-9: <http://www.irs.gov/pub/irs-pdf/fw9.pdf>
- For the Shelter Verification (Form LDSS-3668):
<http://otda.ny.gov/policy/directives/2010/INF/10-INF-12-Attachment-1.pdf>

3. Does the landlord have to fill out an additional W-9 for every tenant on Temporary Assistance or for every year?

A: No, a completed W-9 form is sufficient for any number of tenants a landlord may be renting to. A new W-9 is required if a landlord has an address change in his or her residence or a significant period of time has elapsed since last receiving rent directly from DSS.

4. What is meant by household composition?

A: Basically, it is a list of all persons in the household. A household includes all related and unrelated persons residing in the applicant/recipient's house or apartment. It is

important that the landlord list everyone who lives in the household when he/she completes the Shelter Verification Form. **Landlords**, not tenants, should complete this form.

5. Can the rent be sent directly to the landlord each month?

A: Except in mismanagement circumstances (see question 11), this is a voluntary decision entirely up to the tenant. Any person applying for or receiving Temporary Assistance has the right to request that the DSS restrict the rent from his/her grant and issue it on his/her behalf to the landlord.

Payment will be issued as a direct one-party check, payable to the landlord, and mailed to his or her address.

6. How does a tenant voluntarily request a restricted rent payment and how long will it take to be authorized?

A: The tenant must complete, sign, and date a 'Request for a Voluntary Restricted Rent Payment' form and give it to his/her worker. If the tenant is eligible, DSS will make every attempt to comply with the request within 45 - 60 days. For example, if a request is received by DSS on October 4, the first payment may be issued for November 1, but should always be issued no later than December 1.

The Restricted Payment form (also known as LDSS-4580) may be picked up at the Wampsville Social Services office or downloaded from the New York State Website at: <http://otda.ny.gov/policy/directives/2011/INF/11-INF-14-Attachment-1.pdf>

7. What happens if a restricted rent payment is requested and the department does not make the change for two months?

A: Until the restricted rent payment is authorized, the recipient will receive the rental allowance in his/her cash grant and is responsible for paying the rent. The recipient should call or write his/her worker to inquire about the delay.

8. How will the landlord be notified of the status of restricted rent payments?

A: Tenants always have the responsibility, as a tenant, to keep their landlord informed. DSS will send a notice to the landlord regarding restricted rent payments to which they are a party, and as to when a rent payment begins, ends, or is changed.

9. What other information can the Department of Social Services release to landlords in regards to a tenant on Temporary Assistance [TA]?

A: In general, this department cannot release any information without the tenant's expressed written permission.

10. What happens if a direct one-party rent check issued to a landlord is lost or stolen?

A: The landlord should call the DSS Main Number at (315) 366-2211.

11. What happens if a tenant in receipt of TA has fallen behind in rent?

A: Mismanagement is determined when a tenant fails to pay rent or to pay it on time for two or more consecutive months. If a recipient fails to pay rent and it is documented in writing by the landlord, that recipient will be required to have the landlord paid directly by a one-party check. Once a mismanagement determination has been made, it follows the tenant to any new address.

Note: That so long as a tenant pays at least his/her State set shelter allowance to the landlord on time each month, DSS may *not* declare financial mismanagement and place the tenant on restricted payment.

12. What should a landlord do if he/she observes inappropriate behavior or actions by a tenant who receives Temporary Assistance?

A: DSS has no legal authority to intervene in the day-to-day affairs of a tenant unless it involves child abuse or neglect. Under these circumstances, a landlord should call the:

Child Abuse Hotline @ 1-800-342-3720

Should there be a need for further assistance, the Madison County Sheriff's Office is able to provide support:

Office of the Madison County Sheriff

P.O. Box 16

Wampsville, New York 13163

Phone: (315) 366-2318

Fax: (315) 366-2286

Welfare Fraud Investigations Unit: (315) 366-3008, extension 206

Drug Tip Line: (800) 721-2429

Madison County Sheriff's Office Major Crime and Drug Tip Line: (315) 366-2429

13. What if the tenant/applicant is already behind in rent and has been issued an eviction notice?

A: Applicants who are found eligible for Temporary Assistance may receive an allowance for rent for a time prior to the time the case was opened only under certain circumstances and if specific conditions are met. Tenants facing eviction should inquire at the time of applying to determine if they qualify.

14. In which cases are tenants required to have direct rent payments sent to their landlords?

A: If a family has been receiving Temporary Assistance for more than 60 months or an individual has been dependent on assistance for 24 months, the tenant will no longer receive the check. At this point, the landlord will start to receive direct rent payments from the DSS.

15. Who can receive rent payments from recipients of Temporary Assistance?

A: While typically our landlords are simply those who rent out their housing facilities to tenants receiving Temporary Assistance, landlords are not strictly those who rent to someone with whom they have had no previous relationship. Parents, relatives, or caretakers to children and dependents can qualify to receive Temporary Assistance payments for providing housing.

16. What payments will the DSS cover?

A: The DSS is responsible for rent payments only. The DSS will not cover security deposits, late payment fees, or eviction fees. The tenant is solely responsible for these payments if they exist.

17. Why can the rent payment be late if it is being paid directly by DSS?

A: The DSS has a process with payments. Checks are written on Wednesday and sent on Friday. Payments for rent are sent out from the DSS on a monthly basis and will not be sent before the first of the month – no exceptions. In this case, the check’s arrival is out of the tenant’s control and may arrive past certain rent deadlines. Because of this, the DSS will not be responsible for any late fees imposed on the tenant. This process should be taken into consideration if deciding to impose a late fee against a tenant should the check arrive past certain deadlines for rent.

18. Can the DSS tell me who has rented to the tenants in the past?

No, the DSS cannot disclose any personal information about the tenant’s past history and background.

19. Who can I contact if I have further questions?

We understand that many cases are unique. For any additional questions or unique situations, please call the DSS:

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(315) 366-2211