



SECTION 8 FAQ

Frequently Asked Questions

General Information for Owners

1. What are some of the benefits of Section 8 participation?

- Regular Housing Assistance Payments (HAP) through direct deposit
- Reduced risk of default in rent payment because the tenant's portion of rent is based on his/her income
- Assistance in renting your available Section units faster by listing them online, for free, at nycha.gosection8.com
- Inspections help owners maintain their units and public spaces by identifying areas requiring repair

2. How do I become a Section 8 property owner?

When a Section 8 voucher holder wants to lease your unit, he/she will give you documents that you must complete and return to NYCHA. NYCHA will review the documentation and will notify you if you have been approved to participate as a Section 8 owner.

For additional information, contact the Customer Contact Center at 718-707-7771, Monday - Friday, between the hours of 8am - 5pm.



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3. Am I required to have a Certificate of Occupancy to rent my unit(s) to Section 8 tenants?

Buildings must have a Certificate of Occupancy if built prior to 1938. NYCHA will accept a "Letter of No Objection" from the Department of Buildings if no Certificate of Occupancy is available.

Change of Ownership Information

1. May I sell my property currently occupied by a Section 8 tenant?

Yes. You may sell your property currently occupied by a Section 8 tenant. The new Owner must complete and sign the "Section 8 Property Owner Registration Form". The new Owner must also agree to and comply with the HAP contract. This agreement must be in writing and acceptable to NYCHA. The new Owner must give NYCHA a copy of the executed agreement and related documents (e.g., deed and shareholder's certificate) showing the change of ownership.

Contact the Customer Contact Center at 718-707-7771, Monday - Friday 8am - 5pm, to request a form to be mailed to you.

2. What do I need for a change of ownership, address, or managing agent?

The fastest and most convenient way to request a change of ownership, address, or managing agent is online, using the



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Owner Extranet. You may also call the Customer Contact Center at 718-707-7771, Monday - Friday, between 8am – 5pm, for assistance. If you are the new Owner of a building or house where Section 8 tenants reside, you must provide a copy of the recorded deed (or a copy of the unrecorded deed with an original attorney's letter), and a signed W-9 form, with your request. If there is more than one Owner, you must also submit a completed "Section 8 Property Owner Registration Form". If you are changing managing agents, you must notify NYCHA in writing on your letterhead about the change, specifying the responsibilities of this agent.

Collecting Rent & Payment Information

1. How much may I charge a Section 8 tenant for rent?

The contract rent must be reasonable, as determined by NYCHA pursuant to federal regulations, and must not exceed rents charged for comparable, unsubsidized units in the area. The rent must also comply with rent control limits under applicable state or local law.

2. Can I collect a security deposit from my Section 8 tenant?

Yes. You have the right to collect a security deposit from a Section 8 tenant. However, you must not collect a higher security deposit than charged to tenants who are not participants in the Section 8 program.



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3. Who makes the rental payment, and when may I expect to receive the payment?

Both the Section 8 tenant and NYCHA make payments to you. The tenant will pay his/her portion of the rent, as determined by NYCHA, directly to you. NYCHA will pay the rent subsidy or HAP to you, as set forth in the Housing Assistance Payment contract between you and NYCHA. The first payment for a new tenant may take 4 to 6 weeks to process depending on the date the unit passes inspection and the date NYCHA receives all necessary paperwork from the tenant.

4. I did not receive my Section 8 payment. Whom should I contact?

You may check the status of your HAP on the [Owner Extranet](#). You may also contact the Customer Contact Center at 718-707-7771, Monday - Friday, between the hours of 8am - 5pm.

Court/Eviction Information

- 1. When can I start court eviction proceedings against my Section 8 tenant?** You may decide to commence eviction proceedings against your Section 8 tenant for serious or repeated violation of the lease, violation of law that imposes obligations on the tenant in connection with the occupancy or use of the unit or the premises, certain criminal activity and alcohol abuse, or other good cause. You may not initiate a proceeding against a tenant for NYCHA's share of the rent.



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Before you commence a court proceeding against the tenant, you must send a Certification of Basis for Eviction to NYCHA for approval (along with proof you also mailed this form to the tenant) if the reasons for the eviction are either (1) nonpayment of the tenant portion of the rent; or (2) termination or suspension of subsidy resulting in a contemplated holdover action by the Owner. You can obtain the required eviction forms by calling the Eviction Unit at 212-306-8500, Monday - Friday, between the hours of 8am - 5pm. You If NYCHA objects to the proceeding, then you may continue in Housing Court but must also name NYCHA as a co-defendant.

2. Who is responsible for any unpaid tenant share of the rent and tenant-caused damage?

The tenant is responsible for his/her unpaid tenant share of the rent and for tenant-caused damage. In order to remain a participant in the Section 8 Program, the family must meet its responsibilities and obligations. If the tenant does not pay his/her tenant share of the rent and/or repair any tenant-caused damages in the unit, the owner can evict the family and NYCHA can terminate the tenant's participation in the Section 8 program.



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3. What should I do if my tenant transferred but his/her belongings are still in the unit?

If your Section 8 tenant has transferred from the unit and left belongings behind, you should seek legal advice regarding removal of the items.

Housing Quality Standard (HQS) Inspection Information

1. What are Housing Quality Standards (HQS)?

Housing Quality Standards are minimum standards established by the U.S. Department of Housing and Urban Development for all units receiving assistance under the HCV Program.

2. What are the HQS inspection criteria?

The HQS inspection criteria are listed on the NYCHA website. Click [here](#) to access this information.

3. How often are units inspected?

NYCHA conducts an HQS inspection before a voucher holder moves into a unit. NYCHA also inspects units on a regular basis during occupancy. NYCHA may also conduct a quality control inspection at any time to ensure HQS compliance.



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4. I own a two-family building; am I required to provide mailboxes for my tenants?

Yes. When the U.S. Postal Service approves door delivery of residential mail, you must provide the tenant a mail receptacle, such as a door slot or a wall-mounted box.

5. Who is responsible repairing damage caused by the Section 8 tenant in their unit?

Damages to the unit not related to normal wear and tear are generally considered tenant-caused damages. The tenant must correct tenant-caused damage within 30 calendar days (or within any NYCHA-approved extension). If you believe one of your tenants caused damage to the unit, contact the Customer Contact Center at 718-707-7771, Monday - Friday, between the hours of 8am - 5pm, to register a complaint. NYCHA staff will follow up with the tenant and may commence termination action if the tenant does not make or pay for the repairs.

6. What should I do if my tenant does not allow me access into the unit to repair HQS deficiencies?

Section 8 property owners are strongly encouraged to send appointment letters via certified mail to tenants to gain access to the unit. Copies of these letters should be forwarded to the Leased Housing Department, P.O. Box 19197, Long Island City, NY 11101. If the tenant refuses the owner access to make the repairs, NYCHA may commence termination action against the tenant.



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7. Will NYCHA reimburse me for the repairs I made to the unit, building, and/or house?

No. NYCHA does not reimburse owners for any repairs. It is your responsibility to maintain the unit, building, and/or house in accordance with HQS, including performance of ordinary and extraordinary maintenance.

8. Are carbon monoxide detectors required in all units?

Yes. You are required to install at least one carbon monoxide detector in all units. You are also required to replace the detector once it expires, unless the tenant damaged or removed it.

9. Who is responsible for changing the batteries in the carbon monoxide and smoke detectors?

The tenant is responsible for periodically changing the batteries in both the carbon monoxide and smoke detectors throughout the unit after the initial inspection.

10. What are the requirements for window guards?

Owners are required to install and maintain window guards in public spaces and units with three or more units, where a child 10 years of age or younger resides.



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Lease Renewal Information

1. How does an Owner request a rent increase upon renewal of the lease?

A Section 8 property owner may request an increase in the contract rent upon expiration of the current lease. NYCHA will conduct a rent reasonableness evaluation on all increase requests to determine if the increase can be approved. For any increase to take effect when the term of the renewal lease commences, you must submit the complete request and attachments at least 60 days before the effective date of the renewal lease. You can submit contract rent increase requests online on the Owner Extranet. Click [here](#) to access the site.

2. Will the current contract rent remain the same if a newly executed lease is not submitted to NYCHA at least 60 days before the expiration date of the old lease?

Yes. The contract rent will remain the same until NYCHA receives the newly executed lease and approves the increase.

3. Why did NYCHA deny my request for a rent increase?

Before NYCHA may approve any rent increase to the owner, NYCHA determines whether the proposed rent is reasonable compared to the rent for similar unsubsidized units in the area. By accepting HAP from NYCHA, the Owner certifies



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the rent to Owner is not more than the rent charged by the Owner for comparable unassisted units in the premises. NYCHA also will not approve a rent that does not comply with rent control limits under applicable state or local law.

Rent Reasonableness Information

What is rent reasonableness?

The U.S. Department of Housing and Urban Development (HUD) requires public housing authorities, like NYCHA, to ensure rents charged for Section 8 units are reasonable in comparison to rents for other comparable unassisted units in the area. To determine rent reasonableness, public housing authorities compare the rent of the Section 8 unit to rents for comparable unassisted units in the area.

1. When Does NYCHA conduct a rent reasonableness evaluation?

NYCHA conducts a rent reasonableness evaluation as 1. Part of the approval process for a new rental; 2. Before any increase in the rent to the owner (e.g., in response to an owner's lease renewal rent increase request); 3. When there are certain changes in the Fair Market Rent established by HUD as specified in federal regulations; and 4. As directed by HUD.

2. How does NYCHA determine rent reasonableness?



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NYCHA uses a third party vendor, GoSection8, to assist in determining rent reasonableness. GoSection8 relies on on-going, real-time open market rental listings from more than 300 rental listing sources and identifies the nearest, most similar, and credible comparables, considering critical market factors that impact rent such as location, condition of the property, size, unit type, and date of construction, as well as amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease.

Once GoSection8 selects the best comparable units within the closest proximity to the subject unit, it adjusts their rents to reflect certain differences between them and the Section 8 unit. For example, if a comparable unit has a significant feature affecting rent that the Section 8 unit does not have, like owner-paid utilities, the rental price of the comparable unit is adjusted to reflect that difference.

4. How may an owner support a request for a rent increase?

Owners may submit their own rent comparables directly to GoSection8 through its website (www.gosection8.com) to be considered for inclusion in GoSection8's rent reasonableness database. GoSection8 will evaluate the proposed rent comparables and consider those determined to be reliable.



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5. Can an owner request to add additional comparables after NYCHA has denied the proposed rent amount?

If NYCHA determines that the contract rent is unreasonable, owners will be given an opportunity to upload rent comparables directly to GoSection8. NYCHA will notify owners of an unreasonable rent determination and will tell owners they can: upload comparables online directly to GoSection8 (www.gosection8.com); OR implement a preferential rent, which will require an amended lease with the tenant's initials. Owners must advise NYCHA of the option they will chose by emailing

LRInfo@NYCHA.NYC.GOV. If no response is received within 30 days, NYCHA will cancel the original request.

Please note that the submission of new rent comparables does not guarantee that NYCHA will find the contract rent reasonable. GoSection8 determines rent reasonableness using the most comparable units to the contract unit. If the owner opts to submit rent comparables, NYCHA will conduct another rent reasonableness evaluation and will notify the owner of the outcome.