



# PENDER LANDLORD LINK

## Information for Landlords Working with the Housing Choice Voucher Program

### Compliance Corner: Do you want a new lease with that?

When is a new lease required? Leases should be updated every few years as a way to ensure they remain current and meet the needs of both the tenant and the landlord. However, a new lease is not required unless the landlord wishes to change lease terms.

Rent increases are not considered a change in basic terms. Therefore, a new lease is not required, though approval from the Housing Authority **is required** prior to increasing the contract rent. The tenant should be notified in writing of the proposed increase. If a rent increase is approved, we will notify both you and the tenant in writing.

If you wish to increase or add a late charge, change your pet policy or make the tenant responsible for paying for a utility (such as water) that was previously included in the rent, then you must execute a new lease with the tenant. Other changes may also require a new lease.

The program requires that the relationship between tenants and landlords renew on a set schedule. This means lease renewals occur on

the first day of the anniversary month in which the tenant moved in originally.

Its important that we stay coordinated. After the initial lease term, as long as the lease "rolls over" or becomes a "hold over lease", our Housing Assistance Payment (HAP) Contract with you also "rolls over" for another year.

However, every time you execute a new lease you must also sign a new Housing Assistance Payment (HAP) Contract. Both documents work together and if you sign a new lease without executing a new HAP Contract, we cannot continue to pay assistance for the family. If we find out about a new lease after payments have been issued, we are required to recapture that money from you.

The best policy is to always discuss proposed changes, including executing a new lease, BEFORE you implement the change. Making changes without coordinating with us could cost you money.

#### Inside this issue:

Compliance Corner	Pg 1
Unauthorized Occupants	Pg 1
QA Inspection Notice	Pg 1
Inspections & Tenant/Landlord Communication	Pg 2

#### Quality Assurance Inspection Notice

The Housing Director will be conducting Quality Assurance inspections quarterly as part of our required inspection and reporting process for HUD. Do not be surprised if your unit gets chosen for a QA inspection soon after its regular annual inspection or a recent move-in inspections. We will be doing QA inspections within 60 days of the most recent annual or move-in inspection.

We will send notices to tenants and landlords for those properties that are chosen for the QA inspection.

### Unauthorized Occupants: How are landlords responsible?

What is a landlord's responsibility when you tenant allows unauthorized individuals live in a your rental unit? Remember, you have a lease and you signed a contract with us. You have a legal obligation to manage your property in accordance with the agreements you make.

Did you know that unauthorized occupants can present a financial liability for you? Assistance for families is paid, in part, based on household composition. If your tenant

allows other people to move in to the unit without our knowledge, we may be overpaying assistance for the family. If you know or suspect that this has happened, only you can enforce your lease. You are responsible for reporting the information to us. If you do not, you may be considered to be assisting the tenant in committing fraud and be held responsible for accepting assistance payments that you were not entitle to receive. That means you may have to pay the money back.

Unauthorized occupants may also be a legal liability for you. For example, if unauthorized occupants sell drugs from your unit, you could loose the unit because of a drug seizure even though the person arrested was not your tenant.

There are many factors to consider, so make sure YOU are compliant with the terms of your lease and the HAP Contract at all times. If you have questions or concerns , please call us at 910.259.1208.

## Pender County Housing Department



P O Box 1149  
Burgaw, NC 28425

Physical: 805 S. Walker St. Burgaw, NC 28425

Phone: 910.259.1208  
Fax: 910.259.1343  
E-mail: [housinginfo@pendercountync.gov](mailto:housinginfo@pendercountync.gov)

[www.pendercountync.gov](http://www.pendercountync.gov)

The Pender County Housing Authority provides rental assistance to low-income families based on household income. The program assists eligible families renting in the private rental market from private owners who have available units and who are willing to work with the program.

The goal of any rental assistance program is not to pay all of the families rent, but rather to help eligible families afford better quality housing than the family could afford without assistance.

PCHA is not a property management company and does not manage property for private landlords.

***Do you have a question about  
the program rules?  
Please call 910.259.1370 for  
help***

## Inspections & Tenant/Landlord Communication

We have noticed what appears to be a serious lack of communication between tenants and landlords regarding maintenance and repairs. We can never stress enough that tenant/landlord relationships are business relationships and communication between tenants and landlords should be regular and business-like.

NC Law makes landlords responsible for maintaining rental properties in good repair. Give tenants a quick and efficient way to communicate repair needs to you **IN WRITING**. E-mail, web-based reporting or a physical drop box for repair requests are relatively simple options.

Text messaging is **NOT** the way to communicate with tenants about any issue.

The HAP Contract also holds landlords responsible for ensuring units are maintained in good repair. Landlords can lose rental assistance money through abate-

ment, and even have to repay money, if a unit habitually or catastrophically fails inspection.

Maintenance is not a once a year activity. Be pro-active. Conduct regular inspections. Commit to simple maintenance tasks such as changing air filters as a way to help you keep an eye on your property.

It is a criminal act when landlords take rental assistance money for a unit that does not pass HQS. "I didn't know" is not a defense. It is a landlord's responsibility to know the condition of his/her property.

We are not a go-between for tenants and landlords nor a management company, but we are required to hold landlords accountable when they do not do their job. As we've said before, it is not the Inspector's job to give you a list of repairs. Your occupied units must be in good repair at all times.



Units proposed for lease-up to a new tenant must be move-in ready, which means clean and all repairs completed.

There is basic information about inspection requirements on our website. If you have questions, call us. The rule of thumb is that units must be completely turned when an old tenant moves out. That means completely cleaned, all repairs complete and all systems are repaired/replaced to ensure they work like they are designed to work.

Remember, being a landlord is a business. If you don't "take care of business", it can cost you money.