

Permanent Supportive Housing Project-Based Program

Frequently Asked Questions

GETTING STARTED

How are contract rents determined?

Contract rents are determined by performing a rent analysis in accordance with HUD's regulations. Contract rents under the PBV program will be the lower of 1) 110% of the fair market rent published by HUD less the utility allowance, 2) the recommended rent based on market rents for comparable units and 3) the rent requested by the owner.

Once my unit is under contract, how long will it take before the unit is leased?

Every attempt is made to help you lease the unit as quickly as possible. Referrals can usually be made as soon as the unit is available. Sometimes, because of a mismatch between available unit sizes and available eligible applicants from the waiting list, it will take longer to refer an applicant. Keep in mind that the neighborhood or unit may not be right for the applicant, or the applicant may not meet your selection criteria, delaying lease-up.

What is the leasing process?

When you have screened and approved an applicant, you will complete an Acceptance Form, including the agreed upon lease effective date, and fax it to Louisiana Housing Authority (LHA) and Magellan Health Services. LHA will send you a rent notice advising you of the tenant share and the Housing Assistance Payment (HAP), and a Tenancy Addendum. You and the tenant will then enter into a lease agreement. When LHA has received copies of the signed lease and Tenancy Addendum, your HAP payments can begin.

If it takes longer than expected to get a tenant referral, will I receive vacancy payments?

Vacancy payments are only applicable after a unit has been initially leased; in other words, between tenants.

Am I able to advertise my unit while waiting for an eligible PSH tenant?

You have entered into a contract to lease one or more units to PSH program participants. It is our expectation that you will honor that contract. If you have not received a referral in a reasonable amount of time, please contact us.

AFTER YOUR TENANT MOVES IN

Who do I contact if I don't receive my HAP check or if it's an incorrect amount?

Contact Louisiana Housing Authority at 888-454-2001; option 7 and you will be directed to one of several people who can assist you.

Who should I contact if the tenant is not paying his portion of the rent?

First, you should contact the tenant, preferably in writing with a copy to LHA. At the same time you notify the tenant it is advised that you also contact the tenant's Housing Support Team for assistance. Non-payment of rent is a lease violation and you are responsible for enforcing the lease. If payment is not forthcoming after several attempts, it is your right to begin the eviction process.

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Am I able to evict a tenant for non-payment of rent?

Yes, as long as you follow all state and local laws and copy LHA on all notices. We hope that you will not initiate actions to evict without first contacting the Housing Support Team and Magellan Health Services for assistance.

Can a tenant move out during a lease term?

A tenant should not move during the initial term of the lease, but there are certain circumstances that require a move even then. A family may transfer to a new unit for the following reasons:

- If the contract for the old unit has been or will be terminated for reasons not caused by the family;
- Owner caused failed HQS;
- Family need for an accessible unit to accommodate a member's disability or other medical condition;
- Verified catastrophic disaster;
- Change in the family's voucher size;
- Other good cause as determined by LHA.

The family must be in compliance with family obligations and the terms of their lease to transfer to a new unit, and there must be a unit available.

What should I do if the tenant causes problems, i.e. commits lease violations other than nonpayment of rent?

It is your responsibility to enforce the lease. Our recommendation is that you first contact the tenant to advise him/her of the lease violation and give him/her time to correct the situation. Send a copy of that notice to LHA and *immediately contact the Housing Support Team for assistance.*

An owner may evict a PBV tenant for:

- Serious or repeated violations of the lease
- Violation of local, state, or federal laws applicable to the tenant's occupancy of the unit
- Violent criminal behavior by the tenant, a household member, or guest that threatens other residents or persons residing near the unit
- Drug-related criminal activity

How do I know who the Housing Support Team is and how to contact them?

A member of the Housing Support Team accompanies the tenant to the lease signing. At the lease signing he/she will give you their contact information and the 24/7 emergency phone number. If you do not receive this information at the lease signing please feel free to contact the Magellan Health Services at 1-800-424-4461.

What should I do if I don't want to renew a tenant's lease after the first year?

After the first year, an owner may give notice of lease termination to a tenant **for good cause.** (Good cause does not include the owner's desire to use the unit for personal or family use, or for a purpose other than as a residential unit; or for business or economic reason for termination of the tenancy.) You must give the tenant written notice of intention to terminate the lease, the grounds for the termination, and must give a copy to LHA.

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How long do I have to make repairs if a unit doesn't pass the annual inspection?

After a failed annual inspection we will send a letter scheduling a re-inspection 14 days from the date of the failed inspection. If the re-inspection fails, the HAP will be abated effective the first day of the month following the fail date. The owner may request a third inspection, but should keep in mind that the rent will continue to be abated until that inspection and the abatement will only be lifted if the unit passes. If the unit does not pass it will not be abated for tenant-caused damage.

What happens if a unit doesn't pass inspection but the fail items are the tenant's responsibility?

Tenant-caused fail items are the responsibility of the tenant. The tenant will be notified of the failed inspection item(s) and his responsibility to make repairs. The Housing Support Team and the landlord will be copied. If the re-inspection fails, LHA will send an "intent to terminate assistance" notice. The tenant will have the same opportunity to request a third inspection. HAP payments to the landlord will not be abated for tenant-caused damage.

Who is responsible if a tenant doesn't pay utilities for which s/he is responsible?

The tenant is responsible. Should this occur, please notify the Housing Support Team and LHA. The Housing Support Team may be able to assist the family to avoid terminating their assistance.

How long will it take to get a new tenant into a unit when a vacancy occurs?

Owners must notify LHA within 10 calendar days of learning of a vacancy or expected vacancy. An inspection will be scheduled and eligible applicant(s) referred within 15 calendar days. You must lease vacant contract units only to eligible families from the PSH waiting list.

How do I get vacancy payments?

Contact LHA to request vacancy payments.

Who will be responsible for tenant-caused damage to my property that exceeds the amount of the security deposit to repair?

As with market rate tenants, landlords have the right to pursue former tenants through the court system for damages beyond what is covered by the security deposit.

How and when can I request a rent increase?

Rent increases may be requested at the annual anniversary of the HAP contract by submitting a written rent increase request; contact LHA for the appropriate form which must be submitted at least 60 days in advance of the HAP contract anniversary date in order for the new rent to become effective on the anniversary date. Requests which do not meet the 60 day advance deadline will not be made effective until 60 days after receipt.

What types of supports are provided to tenants?

All PSH tenants receive individualized supports from a Housing Support Team. The types of supports and frequency of face-to-face visits is determined by the needs of the tenants. Tenants are given supports that are necessary to assist with making sure rent is paid on time, the tenant does not engage in behaviors that constitute a lease violation, and with maintaining the unit. In most situations the supports provided enable the PSH tenant to maintain successful tenancy. However, in some situations despite the delivery of adequate supports a tenant will engage in behavior that violate the lease and are grounds for eviction.