

811 PRA Information for Property Owners and Management Agents

The Landlord and/or Management Agent for the property which has set aside units for the 811 PRA Program may not be fully aware of certain requirements for the 811 PRA Program. Occupancy requirements can be found in the HUD 4350.3 Handbook (https://www.hud.gov/program_offices/administration/hudclips/handbooks/hsg/4350.3). Below are some key points to consider. These things may be different than how you handle similar issues with other tenants who are not being assisted under this Program, or under the similar Section 8 Program.

Application Fees: Cannot collect application fees, holding fees, background check fees or any payment other than a Security Deposit, from an 811 PRA applicant.

Security Deposit: Must collect an amount equal to the TTP at the time of move-in, or \$50, whichever is greater.

NSF Fees/Late Fees/Replacement Keys: These types of charges cannot be assessed against an 811 PRA tenant. Only the charges that are specifically listed in the lease (rent/utilities/damage) can be billed to the resident.

Lease Termination: The lease can only be terminated at the end of the initial (one year) term, or at the end of a successive (one month) term. The lease may only be terminated for the following reasons: 1) Material Noncompliance; 2) Failure to Carry Out Obligations Under State Landlord/Tenant Act; 3) Criminal Activity that Threatens the Health, Safety or Right to Peaceful Enjoyment of Other Tenants or Project Staff; 4) Drug-Related Activity On or Near the Premises by a Tenant or a Guest of a Tenant; 5) Fleeing to Avoid Prosecution; 6) Violating Probation or Parole; 7) Exhibiting a Pattern of Alcohol Abuse that Threatens the Health, Safety or Right to Peaceful Enjoyment of Other Tenants or Project Staff; 8) Other Good Cause as Defined Under State Law. A Lease Termination Notice must be provided in writing, and must state the specific reason(s) for terminating the lease. The Notice must also provide for a 10 day period for the tenant to discuss the reason(s) for termination, in hopes that an agreement can be reached to avoid termination. SDHDA must be sent a copy of all Lease Termination notices for 811 PRA participants.

Notices to Tenants: Any time the Tenant Rent amount increases, you must provide a minimum 30 day notice. The notice must state the amount of the new rent, and the date the increase will be effective. The only two exceptions to this is: 1) In the case where a tenant failed to complete their Annual Recertification and sign the 50059 prior to their Cut-Off date; 2) In a case where a tenant has failed to report an increase of more than \$200/month within the required number of days. In all cases, any Additional Contact Information provided by the tenant with their application on the 92006 (HUD Form) must be adhered to. VAWA requirements regarding HUD Forms 5380 & 5382 must be followed.

Available Units: Landlord must notify SDHDA within 5 business days of discovering a unit has, or will become, vacant. The unit must be held for 60 days from this notification date. If SDHDA does not have a referral for the 811 unit within that time period, we will release that unit from the 811 pool, and it may be rented out in accordance with the Property's normal Tenant Selection Plan and regular waitlist. If this happens, the landlord will set aside the next unit that becomes vacant for the 811 pool and the same notification procedure will apply. Vacancy claims may be filed for the 60-day holding period in the event that a unit cannot be filled through the 811 Program Waitlist.

Waitlist: SDHDA maintains a statewide waitlist of individuals who are eligible for 811 units. When a unit becomes available in an area where an applicant wishes to live, SDHDA will notify the applicant. If they are interested in the location, then SDHDA will make a formal Referral to the Property. The applicant will then have 3 business days to contact the Property Owner/Manager to request an application, and then another 10 business days to complete and return the application back to you. The Landlord should be able to reach an admission decision within 10 business days of receiving the completed application. SDHDA must be notified of any acceptance or denial decisions.

Tenant Selection Plan: Participating owners must adopt the 811 PRA TSP Addendum for applicants who are referred to the property by SDHDA.

Interim Reporting: Landlords must clearly convey their 'Timely Reporting' policy to both the Tenant and their Case Worker upon lease signing. SDHDA recommends a written handout, or a signed acknowledgement.