



Wakefield Housing Authority

Leased Housing Department



Notice to all Participating Section 8 Landlords: Explanation of the HCV Rent Increase Process

Owners participating in the Department of Housing and Urban Development's (HUD) Section 8 Housing Choice Voucher Program (HCV) are required to follow HUD's rules while renting to tenants who receive the housing assistance benefit. Under the HCV Program, eligible tenants have a portion of their rent paid for by the local housing authority responsible for administering the program in their area. HUD has many rules and requirements for HCV owners; including how and when they may ask for a rent increase.

HUD Regulation & WHA's Administration Plan RE: Rent Increases

Rental increases will be considered in accordance with the Section 8 Housing Assistance Payments Contract (HAP Contract), Part C: Tenancy Addendum, Section 15(d), and The Wakefield Housing Authority Administrative Plan. The owner must notify the WHA of any changes in the amount of the rent to owner at least sixty days before the anniversary date of the HAP contract. **The WHA will not make any adjustments in total rent-to-owner on an interim basis. Only an annual assessment of the reasonable rent will be performed and granted to become effective on the HAP contract/Lease anniversary date, should the owner submit the proposed change in accordance with WHA's policy.** The amount of the rent to owner following any such agreed change may not exceed the reasonable rent for the unit as most recently determined or re-determined by WHA in accordance with HUD requirements.

Notice Contents

The rent increase notice must comply with HUD's regulations and WHA's Administration Plan. The notice must be addressed to the Head of Household/Lessee and must include the following:

- 1) Head of Household/Lessee full name and the assisted unit address including any assigned apartment number.
 - 2) The requested increased rent amount & the effective date of increase (Lease/HAP Contract Anniversary Date)
 - 3) The reason(s) the Owner is requesting a rent increase
 - 4) Owner/Owners Agent contact name information (address, email, phone number etc.)
- This notice must be signed and dated by the Owner/Authorized Agent to act on the owner's behalf and **WHA must be copied on all notices upon being sent to the tenant immediately.**

Wakefield Housing Authority

Upon the tenant and WHA's receipt of the Owners written request, WHA will review your request within 7 business days. If the assisted unit is in compliance with HQS (bi-annual inspection) and the owner's written request was made (no less than) 60 days prior to the Lease/HAP Contract Anniversary date, WHA will then time stamp the request and issue "Rent Reasonableness/Rent Comparable" Forms by mail or e-mail to the owner for completion.

Rent Reasonable/Rent Comparable forms are issued to Owners only after WHA determines the owner may be eligible for a rent increase at that specific time. The Rent Reasonable forms are sent by WHA. The forms are dated and assigned a tracking number and therefore are not to be reused for future rent increases. Any forms submitted to WHA from previous requests will not be accepted and will be returned upon receipt.

The owner must comply with requests for information about the unit and rent prices in the same area during the review period on these forms. The forms must be completed, signed and returned to WHA within 7 business days. WHA will notify the landlord of its decision to approve or deny the increase request in writing a minimal of 30 days prior to the Lease Anniversary Date. If the requested amount exceeds the reasonable rent determined for the unit, WHA may offer a lesser amount.

*Please note, if subject unit has failed Housing Quality Standard (HQS) inspection and remains in violation upon receipt of your request, you will be denied. The subject unit must be in compliance with HQS more than 45 days prior to the lease anniversary date in order for the rent increase request denial to be reconsidered. If the subject unit remains in fail status past that timeframe, the denial will stand and you will not be eligible or considered to receive a rent increase until the next annual lease anniversary should you send a new request. A rent increase request will also be denied if not served within the allotted time frame to the tenant and WHA (60-days prior to lease anniversary) and/or the effective date requested is not the lease anniversary date per HAP Contract and Lease signed upon initial occupancy. **There are no exceptions.**

"Side" Rent

Please remember, participating owners in the Section 8 programs cannot institute rent increases without approval from WHA. It's a violation of federal law for a landlord to collect rent from the Section 8 tenant outside of the program. Please refer to your original Housing Assistance Payment Contract if you are unsure of your Lease Anniversary date. If you have any questions, please contact the Section 8 Department at 781-245-7328.

Thank you, **WHA SECTION 8 DEPARTMENT**

JESSICA RIVERA, LEASED HOUSING SPECIALIST – JRIVERA@WAKEFIELDHOUSING.ORG

STEPHANIE GALLO, DIRECTOR OF LEASED HOUSING – SGALLO@WAKEFIELDHOUSING.ORG

Enclosure : Sample Rent Increase Request

60-Day Notice to Increase Rent

Part 2, Section 24, Residential Tenancies Act 1986

{Date}

RE: **{Unit Address}**

Dear **{Tenant}**:

SAMPLE

In line with current market rents and general cost increases to maintain the property, I am hereby giving you 60 days' notice that the rent will increase from **\${current rent}** to **\${increased rent}** beginning **{Lease anniversary date}**.

All other terms of your tenancy as outlined in your lease and any addendums will remain in effect.

{Please make provision for this increase. If you do not agree to this rent increase, please provide proper notice and vacate the unit on or before the date of the current lease expiration (within 60-days).}

If you have any questions or wish to discuss this matter, please contact me at **{landlord phone or email contact information}**.

Sincerely,

{LANDLORD SIGNATURE}

{landlord name}

{landlord address}

{landlord phone number/email address}

Cc: Wakefield Housing Authority Section 8 Department **{date and method sent to WHA}**

Delivered to tenant via: (cross out which doesn't apply)

MAIL / BY HAND INTO MAILBOX / BY HAND TO TENANT / EMAIL / FAX