

Applicant and Tenant Information

WHAT IS THE HUD SECTION 811 PRA PROGRAM?

The HUD 811PRA Program (HUD 811) provides affordable and accessible housing for adults 18 or older, but less than 62 with disabilities and their family. Rental units will be available in properties throughout the state of New Hampshire. The program is operated by New Hampshire Housing Finance Authority in partnership with the New Hampshire Department of Health and Human Services, Division for Behavioral Health, Bureau of Mental Health Services (DHHS, BMHS)

People who use this program pay no more than 30% of their adjusted income for rent and utilities while continuing to have access to support services. The 811 Program is not a tenant-based program where the tenant retains the housing assistance when they move. Instead, the housing subsidy is connected to the property.

WHO IS ELIGIBLE FOR THE HUD 811 PROGRAM?

In order to be eligible for the HUD 811 Program, you must:

- Be between the age of 18 and 61;
- Be extremely low-income (30% Area Median Income);
- Be eligible for community-based, long-term care services.
- Be able to provide proof of citizenship or eligible immigration status;
- Be able to provide proof that applicant or any household member has not been convicted of manufacturing or selling methamphetamine on the premises of federally assisted housing;
- Be able to provide proof that applicant or any household member is not subject to the lifetime registration requirement under a State sex offender registration program.
- Be a person with a chronic mental illness who is eligible for community mental health services for adults determined to have a Severe Mental Illness (SMI)

WILL MY CRIMINAL BACKGROUND AFFECT MY ABILITY TO GET APPROVED FOR AN 811 RENTAL UNIT?

The HUD 811 program only has two criminal background restrictions that would prevent you from gaining access to the 811 program. Those restrictions are (1) convicted of manufacturing or selling methamphetamine on the premises of federally assisted housing; (2) applicant or any household member is subject to the lifetime registration requirement under a State sex offender registration program.

Landlords will be screening 811 applicants using the property's Tenant Selection Plan that may have additional restrictions related to criminal background. All properties will have their own screening criteria regarding criminal background. DHHS, BMHS will be ordering state criminal background reports as well as querying national state lifetime sexual offender registry on all adults that are planning to live in the 811 household. DHHS, BMHS will share this information with you, the applicant, and your case manager to assist you in preparing for the tenant screening once you are referred to a property. This information will give the applicant and case manager in time to correct or dispute erroneous information and prepare to explain other negative information in the reports. Upon request, the owner will provide the Tenant Selection Plan for the property so that you will be able to

see how your background and credit report matches with the property's screening criteria. It should also allow time to prepare a request for a reasonable accommodation if one is warranted based on your disability and background issues.

HOW DO I APPLY FOR THE HUD 811 PROGRAM?

There are five steps in the HUD 811 application process:

- ✓ **Step One: Pre-screening:** DHHS, BMHS will make sure you meet the program eligibility requirements of target population before referring you to the DHHS, BMHS.
- ✓ **Step Two: HUD 811 Referral:** After DHHS, BMHS pre-screens you and decides you are eligible to apply they will work with your case manager to develop a Support Service or Transition Plan that will outline your support service and housing needs and the resources that will be secured to address each identified need. The plan will show that the referral to the 811 program is appropriate. You will be asked to sign a Release of Information that allows DHHS, BMHS to obtain a criminal background check to determine if you have ever been convicted of manufacturing or selling methamphetamine on the premises of federally assisted housing or if you are subject to a lifetime registration requirement under a State sexual offender registration program. DHHS, BMHS will screen you for income eligibility and your case manager can assist you in completing the HUD 811 Application. You will be able to review information on properties in your area and indicate your preferences. DHHS, BMHS will continue to work with you to collect the documentation you will need when an apartment becomes available. If you have any negative information on your criminal record you will have time to prepare an explanation of the situation and focus on your strengths as a new future tenant before being referred to a property. DHHS, BMHS will make sure your referral form is complete and that they have the correct contact information on file so they will be able to contact you and your case worker when a unit becomes available.
- ✓ **Step Three: Prepare Documents:** Once an apartment has been identified, DHHS, BMHS and your case manager will work with you to ensure that you have all the required documentation needed to complete the application process. Once you have the documentation ready, you will submit your completed application to the property. Your case manager can assist you in completing the application.
- ✓ **Step Four: Tour Unit/Complete Application:** Once you have submitted your completed application, the property will utilize the criminal background check that DHHS, BMHS secured for you. The property will screen for credit, and prior landlord references. It is important for you to discuss your background issues with your case worker and be prepared to answer any questions the property manager might have related to your background issues.
- ✓ **Step Five: Lease and Preparing to Move:** When you have been accepted for occupancy, the property manager will set an appointment for you to tour the apartment and check out the location to see if it meets your needs. Your case manager can attend this appointment with you. If you find the property suitable, the owner/agent will proceed with processing your application for move in. The property will require you to sign release authorizations and/or provide

verification information in order to calculate your assets, income and deductions in determining your rent amount. Your case worker will accompany you at the move in appointment. At move in, you are required to pay a security deposit, pick up the keys, and conduct the move in inspection. Your case manager may have resources to help with paying for utility deposits, security deposit, furniture, household items, and moving expenses.

WHERE CAN I LIVE?

811 units are available throughout the state. A list of all the properties that have a set aside of 811 units can be accessed by contacting the DHHS, BMHS. The majority of units will be one bedroom units with some two bedroom units available.

WHAT SHOULD I KNOW ABOUT MY FAIR HOUSING RIGHTS?

Federal and state laws protect people with disabilities from housing discrimination. This means housing providers and landlords:

- Cannot exclude you from housing because of your disability;
- Must ask you the same questions as all other applicants to the property;
- Cannot ask you questions about your disability – such as your diagnosis or medication you take – unless necessary to determine the need for an accommodation; and
- Must provide reasonable accommodations.

A reasonable accommodation is a change to a policy, program or service to allow a person with a disability to participate fully. For example, if a property had a “no-pets” policy, it must make an accommodation for someone with a disability who has a service animal, without which they could not live in the community. Talk with your case manager and the DHHS, BMHS about any problems with your rental history, credit report, and criminal background that relate to your disability should a reasonable accommodation be necessary.

WILL I HAVE ACCESS TO SERVICES ONCE I AM A TENANT?

You will continue to receive services through the Community Mental Health Center (CMHCs) treatment teams and will be assigned to a treatment team for the provision of services as an individual service plan. The HUD 811 program is a rental assistance program and does not provide any funding for support services.

WHAT IF I DON'T WANT TO USE THE SERVICES?

In the HUD 811 Program, services are voluntary. You can decide which services you want to use and when. If you decide you don't want or need services, you will be able to keep your apartment as long as you comply with the terms of your lease. You may find, however, that services can help you comply with your lease. The support service providers will be ready to work with you whenever you decide to re-engage in services if you stopped services for any reason.

WHAT ARE MY RESPONSIBILITIES AS A TENANT?

It is equally important to remember that as a tenant you must meet the terms of your lease in order to stay in the unit. This means you must:

- Pay your portion of the rent on time every month;
- Be responsible for your guests and visitors while they are at your apartment or on the property;
- Maintain the unit in clean, sanitary and safe condition;
- Get along with your neighbors and other tenants on the property;
- Do not engage in and avoid any illegal activity;
- Don't allow anyone to live in the rental unit that is not on the lease.

HOW MUCH RENT WILL I HAVE TO PAY?

The HUD 811 program calculates rent much like any other federally funded rental assistance program; the tenant pays no more than 30% of their adjusted gross income for rent and utilities. If there is more than one person in the household, all of the household income will be taken into consideration in the rent calculation. If the tenant portion is less than \$25, HUD requires the tenant to pay the minimum tenant rent of \$25.

HOW MUCH IS THE SECURITY DEPOSIT?

The HUD 811 program sets the security deposit paid by the tenant to be equal to the Total Tenant Payment (TTP) or \$50 whichever is greater. Owners may collect the security deposit in installment payments but, is not obligated to.

HOW ARE UTILITIES HANDLED?

The rent calculation takes into consideration a utility allowance based on the local housing authority's standard Utility Allowance chart published for the area where the rental unit is located. The property manager will prepare the annual rent calculation using this chart. If the rent calculation generates a Utility Assistance Payment to the tenant, then the owner will submit this amount each month in the monthly 811 rental assistance payment. NHHFA will disburse the Utility Assistance Payment to the owner each month and the owner will draft a check to the tenant for the amount of the Utility Assistance Payment. The tenant is then responsible for paying the unit utilities with these funds. The Utility Assistance Payment is just an allowance and may not cover the entire cost of the utilities each month. The tenant is responsible for paying any amount that exceeds the amount of the monthly utility assistance payment.

CAN I HAVE A PET?

As an 811 resident, you will be allowed to have a pet. You will be responsible for paying a pet deposit, if one is required by the landlord. Assistance animals are not considered pets and fall under a different policy. Please see Assistance Animals for more information.

CAN I HAVE AN ASSISTANCE ANIMAL?

Yes, pet policies do not apply to assistance animals (*see reasonable accommodations under the Fair Housing Act and Section 504 of the Rehabilitation Act for a tenant or visitor with a disability*). The landlord cannot require a pet deposit or fee for an assistance animal. An assistance animal is not a pet. It is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability.

For purposes of reasonable accommodation requests, neither the Fair Housing Act nor Section 504 requires an assistance animal to be individually trained or certified. While dogs are the most common

type of assistance animal, other animals can also be assistance animals. Housing providers are to evaluate a request for a reasonable accommodation to possess an assistance animal in a dwelling using the general principles applicable to all reasonable accommodation requests.

ARE LIVE-IN AIDES PERMITTED?

Yes, the HUD 811 program allows Live-In Aides to be part of the household. The live-in aid must be approved by DHHS, BMHS and the landlord and go through background screening as part of the application and approval process along with the other household members. The income of an approved live-in aid will not be counted in the household's rent calculation. If a live-in aid will be part of your household, please put the live-in aid as part of your household when completing the HUD 811 Application.

CAN MY CHILDREN LIVE WITH ME?

Yes, the HUD 811 program is designed to accommodate a family that is currently living together or to allow for the reunification of a family. The DHHS, BMHS will need to approve of the household composition at the time they refer the applicant and household to the HUD 811 Wait List.

CAN I HAVE A ROOMMATE?

Yes, two unrelated adults may live together as long as one of the adults meets the HUD 811 eligibility criteria. The DHHS, BMHS must approve of the household composition prior to making the referral to the landlord. The rental assistance will be attached to the eligible applicant, so if this person moves out, the 811 subsidy will end at that address. The roommate will be responsible for the entire rent when the 811 tenant moves out. The roommate's income will be included in the total household income.

WHAT IF I HAVE A PROBLEM WITH MY LANDLORD OR OTHER TENANTS?

If you have a problem with another tenant, contact the property manager. If you have any problems with the property manager/landlord contact your case manager who will assist you in resolving these issues. The goal of the program is to provide you with long term, decent, safe, sanitary and affordable housing and to provide you with services so that you can maintain your residency in compliance with the lease and house rules.