

# Oak Leaflet

The section 8 Landlord newsletter



Oakland Housing  
Authority

ISSUE 2

October / November / December 2008

## Letter from the Director

Welcome to our second quarterly owner newsletter, the *Oak Leaflet*.

First, we want to thank those of you who called to tell us your thoughts on our first owner newsletter. The comments were overwhelmingly positive, but we really like the constructive criticism, too. We want to make this newsletter something that is worth your time to read and we know how many demands there are on your time and attention. Please feel free to continue with any feedback. We're listening.

To be honest, the past two months were a little rough for us. They were the first two months under a new software program, PHAMS. At one point, 240 owners did not get paid on the first of the month. For us this was a major disappointment because we know that one of the primary benefits most landlords see in the Section 8 program is on-time, uninterrupted payments from OHA. If it ever happens again, and we will make every effort to make sure it doesn't, we will contact the affected owners as soon as we realize what is happening. No one likes these kinds of surprises and we truly regret what happened. We will work hard to regain your confidence in our operation.

Now, on to brighter things. We are planning to schedule our first owners' council meeting during the month of November. We had about thirty Section 8 owners and managers volunteer to serve on the council and provide their

(Letter from the Director  
continues on back cover)



Contract Administration Team: Back row: Joetta Taylor, Eugene Ringgold, Bruce Lopez, Sergio Guerrero and Doug Lee. Front row: Elizabeth Nervis, Charles Scales, Maria Caro, Kit Liang and Rose Marie Griffin. Not pictured: Amy Christen

## Meet the Contract Administration Team

Introducing the talented Contract Administration Team of the Leased Housing Department. Feel free to contact them with any questions or concerns.

This talented team is responsible for

- Processing all Rental Increases
- 10,000+ Annual Inspections
- Enforcing compliance with Housing Quality Standards (HQS) through owner abatement and participant termination.
- Investigating participant and owner complaints regarding HQS
- Monitoring quality control for the department.
- Portability billing

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## You Need to Know About VAWA!

A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, and stalking. The name of the law is the Violence Against Women Act, or "VAWA". This explains some of your obligations under VAWA.

VAWA protects Section 8 applicants, tenants and household members who are victims of domestic violence, dating violence, or stalking from being evicted or denied assistance based on acts of violence against them.

You may evict a tenant if you can demonstrate that there is an actual or imminent (immediate) threat to other tenants or employees at the property.

You may split (bifurcate) the lease to evict the abuser while protecting the victim and other household members from eviction.

You may not evict a VAWA victim, because he or she is a VAWA victim, and OHA may not terminate assistance to a VAWA victim because he or she is a VAWA victim.

You may not discriminate against an applicant who is a VAWA victim by refusing to rent your unit solely because he or she is a victim of domestic violence, dating violence, or stalking.

VAWA provides that the housing authority may permit a tenant to move with continued Section 8 assistance in order to escape domestic violence, dating violence, or stalking, even if the tenant's initial lease term has not expired.

VAWA does not limit your obligation to honor court orders regarding access to or control of the property.

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

### Additional resources:

See the newsletter section titled "Branching Out" for an upcoming owner briefing on VAWA.

HUD Notice PIH 2006-42 contains detailed information regarding VAWA. The notice is available at [www.hudclips.org](http://www.hudclips.org).

## When Can 25 Cents Turn into 25 Dollars?

While conducting an annual inspection, the Inspector finds a missing outlet cover plate in the living room. The Owner is notified that he must replace the missing cover plate within 30-days. Thirty days goes by and the Inspector conducts the re-inspection and notes the repair has not been completed. The Owner's check is placed in abatement status and he does not receive his August check. A very upset Owner calls OHA and begins to express his dissatisfaction with the fact that his payment of \$800 dollars has been abated for a missing outlet cover plate.

The Owner could not believe that this 25 cent piece of plastic could cost him his entire payment if he failed to repair it. Under HQS a missing outlet cover is considered an electrical hazard and according to the Housing Assistance Payment Contract, which is the agreement between the owner and OHA, the unit must meet HQS. If the unit is out of compliance, your payment is abated for every day the unit is out of HQS compliance.

**Q: What is rent abatement?**

**A:** Abatement is a daily reduction of the HAP to the owner for failure to correct owner responsible deficiencies in the allowable timeframe.

**Q: What circumstances result in abatement?**

**A:** The cause for abatement is that a Section 8 unit fails to meet HQS. The owner is responsible for ensuring that their units meet HQS.

**Q: How do I know if the unit fails HQS?**

**A:** After completion of an HQS inspection, OHA sends a deficiency notice that identifies HQS violations that must be corrected. The owner has 30 days to correct most violations. Health and safety violations that are life threatening must be corrected within 24 hours. Units are inspected after the correction period for compliance. Any deficiency that has not been corrected results in abatement of the Housing Assistance Payments. Abatement is permanent. There is

## Branching Out OHA C

### october

Thursday, October 23, 6 - 8 p.m.

How to Request a Rent Increase

Presented by OHA Staff

Wednesday, October 29, 11:30 a.m. - 1:30 p.m.

Violence Against Women Act

Presented by National Housing Law Project and Bay Area Legal Aid

## s (or More) Per Day?

no provision to be reimbursed for the days abated. Once the unit passes, payments can be resumed from that point on.

**Q: How do I prevent abatement?**

A: Owners are encouraged to inspect their units prior to occupancy by a new tenant and before each annual re-inspection to ensure the unit meets HQS.

**Q: Will I be abated for tenant caused deficiencies?**

The inspector will make a determination of owner or family responsibility during the inspection.

A: Certain HQS deficiencies are considered the responsibility of the family:

- Tenant-paid utilities not in service.
- Failure to provide or maintain family-supplied appliances
- Damage to the unit or premises caused by a household member or guest beyond normal wear and tear
- Normal wear and tear is defined as items that cannot be charged against the tenant security deposit under state law or court practice.
- The owner will not be abated if the family is responsible. If the owner carries out repairs for the participant family, the owner will be encouraged to bill the family for the cost of the repairs and the family file will be noted.

**Q: What are the consequences if the tenant is responsible?**

A: If non-emergency violations of HQS are determined to be the responsibility of the family, OHA will require the family to make any repair(s) or corrections within 30 days. If the repair(s) or correction(s) are not made in this time period, OHA will terminate assistance to the family. The owner's rent will not be abated for items that are the family's responsibility to correct, however the contract will be cancelled.

## cheap water: A Thing of the Past

*Excerpts from an article written by Steve Edrington, Executive Director, RHANAC, Rental Housing of Northern Alameda County Magazine, July 2008 Edition*

Most rental property owners provide water to their residents as part of the rent. Here are several ways for owners to deal with rising water costs.

- Ask your residents to conserve on showers. Show them that water conservation is more than helping the property owner with the water bill—it helps the environment as well.
- Be proactive. Change or repair your equipment. Repair water leaks. Actively ask your residents to report leaks and at least annually make an appointment with your residents to check for leaks.
- Change your showerheads and install flow restrictors on your faucets so that they allow 1.5 GPM (gallons per minute).
- Change your toilets to dual flush models. EBMUD is giving a \$150 rebate.
- Upgrade your clothes washer. Newer water-saving models are using one-third less water than older top load models. If you lease your equipment, ask the leasing company about upgrading the machines. EBMUD is offering up to \$200 in rebates on energy-saving washers.
- Change out your landscaping to drought-tolerant landscaping.

We are going to have to change our water consuming behavior and upgrade our properties to meet the demand realities. Global warming is going to impact our wallets. Together, we can make changes that have positive impacts on our residents, our properties and the environment.

For further information on rebates and water conservation, please visit [www.EBMUD.com](http://www.EBMUD.com).

## owner Briefing schedule

for Property Owners & Managers







### November

Thursday, November 6, 12 - 1 p.m.  
Landlord Advisory Council

Wednesday, November 12, 11:30 a.m. - 1 p.m.  
Lead Poisoning Prevention Program  
Alameda County Lead Poisoning Prevention Program  
Dale Hagen, Community Outreach



Did you know....

-  ...a leak of .05 gpm (gallons per minute) of hot water can cost a home owner \$355 annually for a \$30 part?!
-  ...the most prevalent bedroom size on OHA's Section 8 Program is a 2 bedroom unit?
-  ...there are Section 8 units located on all of Oakland's borders? (Emeryville, Berkeley, San Leandro, and Piedmont)
-  ...1,161 new leases were set up between January 1, 2008 and July 31, 2008?
-  ...now 32 families have achieved the dream of Homeownership by using OHA assistance to help them with their monthly payments through the OHA Homeownership Program?
-  ...the average HAP (Housing Assistance Payment) is \$861?

(Letter from the Director *continued from front cover*)

input. The council will be focused on prioritizing future program improvements but there will still be time to go over current issues that come up. Individual issues will be handled individually after the meeting. If you're interested, there's still time to sign up by sending an email to [www.s8rentalowner@oakha.org](mailto:www.s8rentalowner@oakha.org)

This edition of the *Oak Leaflet* features the members of our Contract Administration Team (CAT) led by manager Rose Marie Griffin. CAT members are the ones to call if you have questions about an annual inspection. CAT also handles all abatements of rent when Housing Quality Standards (HQS) findings go unresolved after 30 days. If HQS issues are still unresolved after another 30 days, the Housing Assistance Payment contract is cancelled. That's the worst-case scenario, and we do everything we can to make sure that doesn't happen. When any HQS "enforcement action" is taken, an OHA employee on the CAT will be personally involved. We know these are often delicate situations that must be dealt with on a case-by-case basis, and we want to give our owners the individual attention they deserve.

Finally, we hope you'll try to make time to attend one of our owner briefing sessions. Recent meetings included topics on how to request a rent increase, how to incorporate defensible space into your exterior planning and landscaping, Measure EE, and other topics we hope will be of interest to most owners. The next meeting is scheduled for October 23 when we will review the process for requesting rent increases.

Thanks again for your feedback. We really do take your thoughts seriously and use them to try to improve our service to you, the Section 8 owners.

Mark Stephenson, Director, Leased Housing department, Oakland Housing Authority



Oakland Housing Authority

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