

# Monthly update

A service of the Cuyahoga Metropolitan Housing Authority for landlords and program participants in Cuyahoga County.  
August 2010

## Did you know?

**EVERY UNIT MUST PASS AN HQS INSPECTION BEFORE GOING UNDER CONTRACT.** The most common delay in starting a new contract is failing the Housing Quality Standards (HQS) Inspection. Failing an HQS Inspection can add an extra 2-3 weeks to the leasing process. To assist owners in preparing their unit, the HCVP has created an Inspection Checklist that can be used as a guide to passing the inspection. This checklist can be found in a prospective tenant's RFTA packet, or online at [www.cmha.net](http://www.cmha.net).

## Explaining the HAP Contract

**S**igning the Housing Assistance Payment (HAP) Contract is the final step before a landlord can begin receiving payments from the HCVP. Here are some details that owners should keep in mind when it is time to sign:

### **The initial contract must be for at least one year.**

This means that once the HAP Contract has been signed, owners are locked into the agreement for a one-year period. The HCVP cannot honor requests for an owner and tenant to mutually dissolve the tenancy agreement.

### **Terms of the HAP Contract cannot be altered.**

The HAP Contract states who can reside in the unit, who is responsible for utilities, and how much rent can be accepted for the unit. Owners cannot make changes to these provisions after the contract has been signed. That would be considered a side agreement, and would violate HCVP rules. Owners can be placed on the ineligible vendors list, or even prosecuted, for violating the terms of the HAP Contract. Any desired changes can be requested at the contract anniversary date, and must be approved by CMHA before going into effect.

### **The HCVP participant is not a party to the HAP Contract.**

Owner violations of the HAP Contract, usually due to failed inspection items, can result in abatement, and contract cancellation. Repeated violations of the HAP Contract may cause an owner to become ineligible to participate in the HCVP. Landlords should be aware that the HCVP participant cannot be held liable for owner violations. This means that the participant cannot be forced to reimburse an owner for abated assistance payments.

## HCVP Participants vs. Non-Participants

It is important for property owners to realize that the landlord-tenant relationship remains the same regardless of renting to a HCVP participant or an unassisted renter. While CMHA is there to assist with monthly rental payments, the housing authority cannot assist with enforcing the lease agreement. Therefore, the owner must take action to hold a tenant to the terms of the lease agreement.

Landlords, who need to take legal action against a tenant, should take the appropriate steps according to state and local landlord-tenant law. The HCVP should always be notified when court action has been initiated, but cannot assist an owner with the process. For additional information about Ohio's Landlord-Tenant law, landlords can call the Cleveland Tenant's Organization at 216.432.0609.

The  
Housing  
Choice  
Voucher  
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**Housing Choice Voucher Program:** 3400 Hamilton Avenue, Cleveland, Ohio 44114, (216) 431-1471, TTY (216) 426-2903 or (216) 426-2904, [www.cmha.net](http://www.cmha.net)

CMHA's Housing Choice Voucher Program provides reasonable accommodations to persons with disabilities so they may participate in our programs, services and activities. If you need an accommodation, including auxiliary aids and/or services, please contact Customer Service at (216) 431-1471 (voice) or 1-800-750-0750 (Ohio Relay Service).