SIDES PAYMENTS / ADDITIONAL RENTAL FEES PROHIBITED

Owners and families are advised that side payments for additional rent and for certain other items is prohibited. Take careful note of the following:

1. **Month to Month fees.** Several landlords in the area charge a fee to tenants if they do not execute a new lease after the initial lease term. You should be aware that the Federal Appellate Court recently decided that these fees are considered “rent” for purposes of the Housing Choice Voucher Program. This means that landlords are not permitted to charge such fees if they have not been included on a Rent Increase Request and pre-approved by HCVP. Such requests must be made at least 60 days before their effective date. They cannot be approved retroactively. Landlords who charge these fees in addition to the monthly approved rent are in violation of the Housing Assistance Payment Contract and may be deemed ineligible to participate as a landlord with HCVP.

2. **Side Payments.** Families should only pay to the landlord the CMHA approved rental amount. Side payments for additional rent or items normally included in the rent of unassisted families, or for items not shown on the approved lease are prohibited. Any attempt to recover side payments for additional rent is illegal and unenforceable.

3. **Separate Agreements.** Owners and families may execute separate agreements for services, furniture, appliances (other than range and refrigerator) and other items that are not included in the lease if the agreement is in writing and approved by CMHA. Any services, furniture, appliances or other items which are routinely provided to unassisted families as part of the lease (such as air conditioning, dishwasher or garage) or are permanently installed in the unit, cannot be put under separate agreement and must be included in the lease. If the owner and family have come to a written agreement on the amount of allowable charges for a specific item, they will be allowed as long as those charges are reasonable and not a substitute for higher rent. All such agreements must be attached to the lease approved by CMHA. If agreements are entered into at a later date, they must be approved by CMHA and attached to the lease. CMHA will not approve separate agreements for modifications to the unit for persons with disabilities.

Jeffery K. Patterson, Chief Executive Officer, Cuyahoga Metropolitan Housing Authority

CMHA’s Housing Choice Voucher Program provides reasonable accommodations to persons with disabilities.
If you need an accommodation, including auxiliary aids and/or services, please contact
CMHA’s Section 504/ADA Coordinator at 216-348-5000 (voice) or 1-800-750-0750 (Ohio Relay Service).
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