

It's Easy to List Your Rental Property

Try GoSection8.com



There are many useful tools on the website, including a *Manage Listings Dashboard*, the ability to create a rental flyer for your property using templates, ways to track your property views, and more.

If you have any questions about GoSection8.com, do not have access to a computer, or need help in listing your property, please call Marin Housing. We can be reached at 415-491-2525.

Landlords participating in the Section 8 program now have a great tool to attract tenants. GoSection8 is a website that helps those looking for housing with a voucher to search availabilities in their hometown, county, or throughout the country.

“The website is designed to assist both landlords and tenants,” said Kimberly Carroll, Deputy Director of Marin Housing. “Landlords can use the site to fill their empty housing units and they are assured that they will receive a guaranteed monthly rental payment from their local authority. Tenants can save time and resources by reviewing available information on-line and view interior and exterior pictures on the GoSection8.com website. Tenants can use GoSection8.com to learn much more about a property than a brief newspaper listing or an online posting.”

The process for landlords is very simple. Property owners can access GoSection8 through a link on the Marin Housing website at www.marinhousing.org or directly at www.GoSection8.com. Property owners can register to use the site and then can list and showcase a property with ease. By uploading photos and using a checklist to provide property information, they have joined a user-friendly and easily searchable database. A template for each property is automatically created. This makes it easy for tenants to understand what is featured with each available unit.

A tenant begins a search with a geographical or zip code sort. They can also search by maximum rental price, property type (house or apartment), square footage, the numbers of bedrooms and baths, and many other factors. With a simple click, the website displays the properties with photo(s) and a brief description including rent requirements. If the tenant wants further information, another click offers a more detailed listing with additional photos.

Landlords use a simple check list to create the page and upload photos. There is room for a paragraph or two, to provide pertinent information about the apartment, townhouse, duplex, or condo that you have to offer. Highlights to add might include whether the unit has a new washer/dryer, fresh paint, convenient free off-street parking, wall heaters, large common spaces, etc.

Additional features of the GoSection8 web site include the use of tabs. Once a property has been selected, a menu of tabs is offered. Each tab is designed to take the prospective tenant on a visual and informational tour of the area. Prospective tenants can view the location on Google Maps. They can check out the property’s overall look with Google’s Street View. The unique *What’s Nearby* tab is very valuable. It provides information on schools, shops, restaurants and other amenities, all with convenient walking and driving distance estimations. The *Description/Notes* tab, allows landlords who want to shine, to add interesting details about the unit, its amenities, and the neighborhood. For those with Accessible units, there is a tab to provide information through a simple checklist.

From the home page that provides information about your rental, a tenant can click and send you an instant e-mail through the website. Tenants can also call you directly with the phone number provided on your page.



Terminating a Tenancy

Questions and answers

“How do I terminate tenancies?”

California law may be a little confusing to some landlords, so we would like to clarify the rules regarding the termination of tenancies of Section 8 tenants.

If you wish to terminate a tenancy for cause, such as non-payment of rent and/or other lease violations, the usual notice requirements apply and you should seek legal advice to proceed correctly. There are 3-day and 30-day notices

available for such matters.

Marin Housing should be sent a copy of any such notice, since a violation of your lease is also a violation of the Section 8 voucher.

However, if you merely want to end the tenancy and provide no reason, California Civil Code Section 1954.535 requires that you give Section 8 tenants 90 days' written notice. The tenant is a

beneficiary of the contract between you the owner and Marin Housing the governmental entity to provide limitations on the rent you may charge such tenant. When you want to end that contract, the tenant is entitled to the 90 days' notice.

California law also provides for a 60-day termination notice for no reason when a tenant has been in place more than one year, and is not on a lease, but the 90-day notice requirement for Section 8 tenants supersedes that 60-day notice.

“How does the transfer happen?”

When a tenant receives a termination notice from you, or when the tenant gives you notice of at least 30 days to terminate the tenancy, you are required to send a copy of the notice to Marin Housing. Such a notice will start the transfer process in which the tenant is allowed to move to another unit with continued assistance through the Section 8 program.

When we receive the notice, the tenant will be contacted for an income update and to obtain a

transfer voucher in order to seek a new unit. You will receive a notice terminating the Housing Assistance Payments (HAP) contract, effective when the subsidy payments end.

The tenant is expected to vacate the premises on or before the effective date of the termination notice. The tenant and Marin Housing are responsible for continuing to pay the contract rent until that termination date. If the tenant leaves sooner, they will be expected to pay their new landlord until we stop the payments to you.

If the tenant stays longer than the agreed upon termination date, *you must call us immediately*. It is your responsibility to pursue any unlawful detainer action, but as long as you are diligent in doing so Marin Housing will continue making payments to you until the tenant is out.

“Are overpayments allowed?”

When a landlord enters into a HAP contract with Marin Housing he/she is agreeing to abide by the rules of the Section 8 program, including the provision that Marin Housing shall approve and/or determine the reasonable rent for the unit at move-in and any subsequent requests for a rental increase. We have discovered a few unauthorized cases in which the landlord is requesting an extra payment from the tenant each month in addition to the tenant's approved rental portion.

There are two options if the landlord believes the contract rent is not sufficient. First, the landlord may provide evidence of the current rents for comparable units in the vicinity of the unit and request a new determination of the reasonable rent. Second, if the new determination is still not satisfactory, the landlord may decide not to enter into the original contract. If the contract has already been signed and the tenant is in place, the landlord must wait and terminate the tenancy and contract at the end of the lease in order to rent the unit to a non-Section 8 tenant at a higher rate.

The landlord may *not* charge the tenant any more rent than the original contract or subsequent amendment notices from Marin Housing provide. Any such overpayment is a violation of the Section 8 program and the HAP contract. Both the tenant and the landlord could be found guilty of welfare fraud for circumventing the purpose and rules of the rental assistance program.



Hoarding & Cluttering

A challenge for landlord and tenant

Hoarding and cluttering creates serious problems for the landlord and tenant, family members, neighbors, social service agencies, police, fire, code enforcement, and housing authorities. Hoarding is compulsive buying, or acquiring free items, coupled with the inability to discard anything. Clutter is the end result of acquiring and saving and is a symptom of the disorder.

“Hoarding can pose physical health risks to the hoarder, including fire hazard, fall hazard, unsanitary conditions, inability to prepare food, compromised sleeping areas,” said Gail Mosconi, LCSW, Shelter Plus Care Coordinator at Marin Housing. She continued, “Hoarding is a brain disorder and there may be a genetic component. It can begin as early as 10 years of age and affects every socioeconomic group. Hoarding behavior is difficult to change, even when the person who hoards recognizes that there is a problem.”

There is no “quick fix” for this problem. Mosconi added, “It is not helpful to a hoarder to remove their possessions without their involvement or consent. There is no medication or a single effective treatment that works for all people who hoard, as each individual and situation is unique.

The best approach is a multidisciplinary approach, which includes a team of people who can work together with the hoarder to reduce the hoard and address safety concerns.”

A group of individuals from agencies throughout Marin County, as well as people who identify as hoarders, have been meeting for two years to provide support, intervention and ideas to deal with this very complex issue. The Hoarding Alliance of Marin meets at Marin Housing on the third Friday of the month from 9:30–11:00 a.m.



If you would like more information, please contact Gail Mosconi at 415-491-2586 or go to our website www.marinhousing.org to download our Resource Brochure.

Household Composition

Do you know the rules?

We would like to clarify the rules of household composition in the Section 8 subsidized unit. When a property owner signs the original HAP contract at the time the individual or family moves into the unit, or an already in-place family begins receiving Section 8 assistance, the only approved tenants are those listed on the HAP contract.

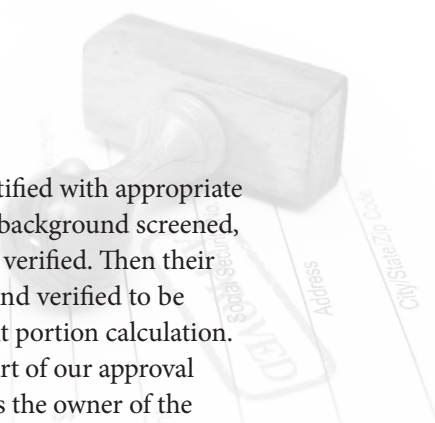
Our policies provide that: “Any adult not reported as a member of the household who has been in the unit more than 30 consecutive days, or a total of 45 days in a 12-month period, will be considered to be living in the unit as an unauthorized household member.” That is a violation of the Section 8 program and grounds for termination of the family’s voucher. The owner is obligated by the HAP contract to make sure that only authorized members reside in the subsidized unit.

To add a new household member, the family must first request approval from Marin Housing. Each

new member must be identified with appropriate documents, their criminal background screened, and their citizenship status verified. Then their income must be assessed and verified to be included in the family’s rent portion calculation. Of course, an important part of our approval process is proof that you, as the owner of the property, have approved the addition.

Marin Housing is also supposed to be informed when a household member is no longer in the unit. There may be valid reasons for the absence, such as a college student attending school away from home, or a family member is in the hospital, or a family member is incarcerated (for less than 30 days and for an offense other than drugs or violence, which would violate the Section 8 regulations). If an authorized family member has truly left the household, Marin Housing should be informed. The voucher size and rent calculation are based upon household composition.

To add or remove a household member, the family must first request approval from Marin Housing.





Important Reminder

Tenants in foreclosed properties have protections

If a foreclosed property has a Section 8 participant as a tenant, the HAP contract passes to the new owner of the property.

On May 20, 2009, the Protecting Tenants at Foreclosure Act of 2009 (Public Law 111-22) was enacted. It provides that the new owners of foreclosure properties must allow any tenant with a lease to remain in the unit until the end of the lease term, except for cases in which there is good cause to evict. It also provides that owners of foreclosure properties may, after giving the tenant 90 days notice, evict a tenant at the end of the lease term. Owners may also evict a tenant who is without a lease or whose lease ends in less than 90 days. Lastly, the law provides that a new owner of a foreclosed property may evict a tenant if the new owner will occupy the unit as a primary residence.

In Part B, Section 15 of the Housing Assistance Payment (HAP) Contract there is also a section entitled "Foreclosure." In that section you will find the following statement: *In the case of any*

foreclosure, the immediate successor in interest in the property pursuant to the foreclosure shall assume such interest subject to the lease between the prior owner and the tenant and to the HAP contract between the prior owner and the PHA for the occupied unit. This provision does not affect any State or local law that provides longer time periods or other additional protections for tenants.

The long and short of it is that if a foreclosed property has a Section 8 participant as a tenant, the HAP contract passes to the new owner of the property. In order to take possession of the property, the new owner must issue the participant a 90-day notice. If the new owner wants to continue renting to the Section 8 participant, he/she should contact Marin Housing to have the HAP contract put in the new owner's name and to have the payments directed to the new owner.



**Closed on Fridays
Monday-Thursday
8:00 a.m.-4:30 p.m.**

Marin Housing Office Hours

415-491-2525
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