

Chapter 7

Housing Quality Standards Inspections

As required by 24 CFR 982.401, all Housing Choice Voucher units must meet Housing Quality Standards (HQS) requirements both at commencement and throughout an assisted tenancy. Under Part B of the Housing Assistance Payments Contract, the landlord must maintain the contract unit and premises in accordance with the HQS. Unless the landlord has complied with all provisions of the contract, the landlord does not have a right to receive housing assistance payments. This policy provides staff with guidance for determining when an inspection is needed, conducting the inspection, and considering when to withhold a housing payment.

7.1 REASONABLE ACCOMMODATION

If a family requires a Reasonable Accommodation in order to participate in the inspection process, follow the guidelines in Chapter 1. Staff may also see Chapter 1 if a family requires additional assistance with the Initial Move-In Inspection due to Limited English Proficiency (LEP). A family requiring a Reasonable Accommodation or assistance under the LEP Plan should make their request in advance to avoid delaying the move-in inspection.

7.2 TYPES OF INSPECTIONS

AHFC conducts the following types of inspections as needed. AHFC will not make any housing assistance payments if the contract unit does not meet the HQS, unless the landlord corrects the defect within the period specified by AHFC.

7.2.A Initial (Move-In) Inspections

AHFC conducts initial (move-in) inspections to approve a unit for participation in the HCV program. The unit must pass the HQS inspection on or before the effective date of the HAP Contract. Rental assistance will begin on the date the unit passes inspection AND the family takes possession. AHFC will prorate the housing assistance payment for the first month if assistance begins on any day other than the first day of the month.

7.2.B Biennial Inspections

HUD approved the following modification of the Housing Quality Standards (HQS) policy through Moving to Work Initiative 2010-5 HQS Inspections. This was activated by the Board of Directors Resolution 09-10 on April 23, 2009. Title II of Division L of Public Law 113-76, 128 Stat. 5, approved January 17, 2014 (HUD's 2014 Appropriation Act) allowed HUD to change the requirement for an annual inspection of units assisted under a HAP Contract (*Federal Register*, June 25, 2014). As AHFC is already utilizing a

Moving to Work exception to the annual requirement, no additional changes were made to policy.

AHFC will inspect all units under lease at least biennially (every other year) to confirm that the unit continues to meet HQS. The unit must also meet HQS at all times while it is under contract (HAP Contract, Part B). AHFC may make exceptions to this inspection schedule for landlords and properties that have a history of noncompliance with HQS.

7.2.C Other Inspections

AHFC may inspect the contract unit and premises at such times as staff determines necessary to ensure that the unit is in accordance with the HQS.

1. Special Inspections

A special (interim) inspection may be requested by the landlord, the family, or a third party as a result of problems identified with a unit between regularly scheduled inspections. AHFC will advise the family and landlord of the need to work out routine maintenance problems between themselves, but will investigate problems that may pose an HQS fail. AHFC will conduct a physical re-inspection to ensure all HQS violations are corrected.

2. Quality Assurance Inspections

A sample of units will be inspected to ensure that HQS are being enforced correctly and uniformly by all inspectors. See Chapter 12 to determine the number and types of units to be inspected.

When an inspector finds a landlord who falsified a previous self-certification of a minor fail, AHFC will immediately abate the HAP payment until the fail item is corrected. Abatement will begin the date the fail item is found. AHFC will conduct a physical re-inspection to assure all HQS violations are corrected.

3. Inspection of AHFC-Owned Units

AHFC will inspect AHFC owned units or affiliated properties. HUD approved a waiver to allow HQS inspectors to conduct inspections on AHFC-owned units in the Moving to Work Plan 2010, Activity 2010-6. This was activated by the Board of Directors Resolution 09-10 on April 23, 2009.

AHFC will inspect AHFC-owned units being leased through the HCV program and will determine rent reasonableness. At this time, those properties are Alpine Terrace in Anchorage and Etolin Heights II in Wrangell.

- a. The Wrangell Asset Supervisor, who also administers the HCV program, will conduct HQS inspections for Etolin Heights II.

- b. Anchorage Housing Choice Voucher inspectors will conduct HQS and rent reasonableness at Alpine Terrace. Property management is an independent function performed by someone other than the proposed inspector.

4. Voucher Homeownership Program

AHFC has elected not to perform annual HQS inspections of the home. AHFC reserves the right to conduct an HQS inspection before continuing to provide yearly homeownership assistance. This was activated by the Board of Directors Resolution 09-27. AHFC may exercise their option if it:

- a. has reason to believe the home no longer meets HQS standards
- b. has reason to believe that unauthorized individuals are living in the household
- c. has other good cause to ensure correct subsidy payments necessitate an inspection

5. Move-Out Inspections

AHFC does not conduct a move-out inspection. The landlord and family are encouraged to follow the Uniform Residential Landlord and Tenant Act (Alaska Statute 34.03) regarding move-out procedures.

7.3 INSPECTION SCHEDULE

AHFC will schedule inspections in writing using *Housing Quality Standards (HQS) Inspection* (form V769). As a courtesy, owners will be mailed a copy of the form to advise them of inspection dates and times. See Exhibit 7-1 for inspection scheduling.

7.4 UNIT/AREA ACCESS FOR INSPECTION

If AHFC requires access to the unit or a building area for an inspection or re-inspection and the family does not provide it, the inspector will reschedule the inspection and notify the family by letter of the rescheduled date. The landlord may submit a copy of a state inspection or current license for an elevator, a boiler system in a large complex, or a smoke detector system. In the event the family refuses access on the rescheduled date, this may be grounds for termination of assistance.

7.5 INSPECTION RESULTS

All fail items noted at an initial inspection must be repaired, and physically inspected, before the housing assistance payment will begin for a unit. Minor fail items may be self-certified for inspections.

7.5.A Major Fail Item

AHFC will conduct a physical re-inspection on a failed unit due to a “major fail item”. AHFC must inform the landlord in writing of any major fail item(s). The landlord must correct defects endangering the family's health or safety within 24 hours.

The landlord or family must notify AHFC when the unit is ready for the re-inspection.

7.5.B Minor Fail Item(s)

AHFC must inform the landlord in writing of any violation. The landlord is required to repair the minor fail items. Units with only minor fail items at an inspection will not require a physical re-inspection. The landlord will “self-certify” that the minor fail items were corrected by acceptance of the HAP payment each month.

7.5.C Unit Comments

These items should be listed on the inspection form and may be a basis to refuse a request to increase rent in the future.

7.6 DOCUMENTATION

The inspector will use form HUD-52580 *Inspection Checklist*. Staff is encouraged to use the short version of the form for recordkeeping. See Exhibit 7-1 for directions to complete the form. The long version of the form has detailed instructions, see Exhibit 7-2 Field Guide.

Staff will use the *Housing Quality Standards (HQS) Inspection Results First Notice* (form V714_1) to document items needing correction in the unit. These three-part forms allow AHFC to give a list of correctable items to both the family and the landlord at the conclusion of the inspection. Staff may use a generic three-part speed memo if additional space is needed to document correctable items. A copy will be sent to the landlord if not present at the inspection. When a re-inspection is required, AHFC will schedule the re-inspection appointment using the *Housing Quality Standards Inspection* (form V769).

The *Housing Quality Standards (HQS) Second Notice* (form V714_2) will notify the landlord that the corrections were not made timely and that housing payments will be abated as well as any deadlines and actions necessary to bring the unit back into compliance with HQS and the HAP. If the landlord fails to bring the unit back into compliance with the HQS within the timeframe indicated on the *Housing Quality Standards Second Notice* (form V714_2), staff will send the *Termination of Lease and Housing Assistance Payment (HAP) Contract* (form V707) to the landlord.

Staff will send the *Housing Quality Standards (HQS) Second Notice* (form V714_2) to notify landlords if the HQS has passed and the payments will resume.

7.7 ELEVATED BLOOD LEVELS

AHFC Central Office staff will obtain annually from local health agencies the names and addresses of children with identified Elevated Blood Levels (EBL) and must annually match this information with the names and addresses of families who are assisted in the Housing Choice Voucher program.

If a match occurs, AHFC must determine whether local health officials have tested the unit for lead-based paint. If the unit has lead-based paint, AHFC must require the landlord to treat the lead-based paint. If the landlord does not complete the corrective actions required by this section, the family must be issued a voucher to move.

AHFC must keep a copy of each inspection report for at least three years. If a dwelling unit requires testing, or if the dwelling unit requires treatment of chewable surfaces based on the testing, AHFC must keep the test results indefinitely and, if applicable, the landlord certification of treatment. The records must indicate which chewable surfaces in the dwelling units have been tested and which chewable surfaces in the units have been treated. If records establish that certain chewable surfaces were tested or tested and treated in accordance with HQS, such chewable surfaces do not have to be tested or treated at any subsequent time.

Forms

HUD-52517 Request for Tenancy Approval

V714_1 Housing Quality Standards (HQS) First Notice

V714_2 Housing Quality Standards (HQS) Second Notice

V769 Housing Quality Standards (HQS) Inspection

V707 Termination of Lease and Housing Assistance Payment (HAP) Contract

Administrative Desk Manual

None