

Housing Choice Vouchers

Local or regional housing authorities run the “Housing Choice Voucher Program” (often referred to as the “Section 8” program), which helps low-income tenants by paying part of their rent directly to private landlords. Under this program, a tenant who has been approved for a “voucher” finds a private landlord who is willing to accept the terms of the Housing Choice Voucher (HCV) Program and accept part of the tenant’s rent payment each month from the housing authority. In most cases, this program doesn’t give tenants more protections than state law already does. Wisconsin statutes and the rules at Wis. Admin. Code DATCP § 134 do apply to tenants and landlords in the HCV Program.

Last updated on February 24, 2025.

Am I eligible?

Applicants must meet the following eligibility requirements to qualify for the HCV program.

- **Income Limits:** HUD establishes income limits by family size for the area where each Public Housing Agency (PHA) is located. These income limits are updated once a year. Generally, a family must be very low income (generally 50% of area median income) to qualify.
- Applicants must be a **U.S. citizen or eligible non-citizen** as defined by HUD. Eligible non-citizens include:
 - Lawful permanent residents (people with “green cards”),
 - “Violence Against Women Act” (VAWA) self-petitioners,
 - Asylees, Refugees, and Parolees
 - Persons granted withholding of removal/deportation,
 - Certain Victims of trafficking,
 - Individuals who entered under the Compacts of Free Association with the Marshall Islands, Micronesia, and Palau, and

- Immigrants admitted for lawful temporary residence prior to January 1, 1982
- The head of the household must have a **valid Social Security number**.
- Some crimes can make an applicant **ineligible**. PHAs must deny admission for the following types of criminal activity or alcohol abuse:
 - A household member has been evicted from federally assisted housing within the last three years for drug-related criminal activity.
 - A household member is illegally using a controlled substance or a household member's illegal use of a controlled substance or alcohol abuse (including repeated use) disrupts the health, safety, or peaceful enjoyment of other residents.
 - Any household member has been convicted of the manufacture of methamphetamine on the premises of federally assisted housing.
 - Any household member is subject to a lifetime sex offender registration requirement.

How do I apply?

You can apply for rental assistance through your local PHA. You can find your local housing agency(s) in your area using [HUD's PHA Directory](#).

- Due to high demand and long waiting lists for housing vouchers, you may need to apply to multiple PHA waitlists.
- You do not need to be a resident of the area where you apply. However, a PHA may require a family to live in their area for the first 12 months of assistance if the family lived outside the PHA's area when they applied.

Documentation needed to apply may vary by PHA, but typically includes:

- Income paperwork (pay stubs) and bank information.
- If applicable, other forms of public assistance paperwork (SSI, SNAP, etc)
- Proof of citizenship and Social Security Cards.

What can I expect after applying?

After your application has been submitted, if you are found eligible your name will typically be placed on a waiting list.

- Reaching the top of the waitlist depends on the available number of vouchers, when you applied, and any selection preferences you may have indicated on your application such as “veteran” or “disabled.”
- When your name reaches the top, your PHA will contact you to determine your eligibility and income.
- You can reach out to your PHA for updates on your place on the waiting list.
- You must keep the PHA informed of any changes to your mailing address, phone number, or size of your household. Failure to do so may result in removal from the waitlist.

When you are selected from the waitlist, your housing agency will contact you to follow the necessary steps below:

- Once the housing agency has checked all the needed documents, you will need to attend a voucher orientation briefing. In this meeting, the housing agency will explain how the HCV program works and what is required of you.
- After your orientation a voucher may be issued for you to begin your housing search. This voucher will have a search time of 60 to 120 days, as determined by the PHA.

What do I do once I've received a voucher?

After you've been selected from the waitlist and received your voucher for the HCV program, here's what to expect:

- It is then your responsibility to find a private landlord willing to accept the voucher. Do not wait, vouchers will expire within 60-120 days.

Note: Other than in Dane County and Milwaukee County, which prohibit discrimination against applicants with a housing choice voucher, landlords are allowed to reject tenants because they are paying with a voucher.

- Once you find a potential home, you must complete the Request for Tenancy Approval (RFTA) packet to start the approval review process.

- The landlord of your chosen property must also complete and sign portions of the RFTA. Ensure they understand the HCV program requirements.
- The PHA will contact the landlord to schedule an inspection of the unit. The property must meet health and safety standards.
- The PHA will determine if the proposed rent for the unit you have selected is reasonable for the area. The PHA may negotiate with the landlord to ensure the rent is reasonable compared to similar units that are unassisted.
- Once the rent amount is agreed upon, the legal documents about your tenancy must be signed by you, the landlord, and the PHA.

Note: There will be three separate agreements. The voucher, which is between you and the PHA. The lease, which is between you and the private landlord. And the HAP Contract, which is between the landlord and HUD, and basically says that HUD will pay the landlord and the landlord will accept that payment.

You can ask your PHA for guidance throughout this process.

Searching for a Rental Unit

Here are some key steps to follow:

- **Resources to Search for Housing:**
 - Check with your PHA for landlord lists and opportunity areas
 - HUD also has several searches available for private subsidized apartments:
 - [Wisconsin Housing Search](#)
 - [Rental Help: Wisconsin](#)
 - [HUD Resource Locator](#)
- **Be Prepared:**
 - If a landlord is not familiar with the voucher program, refer them to www.hud.gov/hcv for more information on the program benefits.
 - You should remind landlords that your voucher nearly guarantees they will receive a rent payment—even if your income goes down.
- **Know Your Rights:** Learn about laws protecting voucher holders.
 - Some communities prohibit landlords from discriminating against renters that use voucher assistance. Currently, Dane and Milwaukee county ban

discrimination based on income source. You can find a map of these communities [here](#).

- When reviewing HUD's Resource Locator, look for Low Income Housing Tax Credit Properties in your area - these properties are required to accept housing vouchers as a source of payment

- **Avoid:**

- Units much higher than the payment standard
- Units owned by family members
- Units unlikely to pass inspection

- **Budget for Application Fees and Security Deposit:** Some landlords may require application fees, and some PHAs require voucher holders to pay for a unit's security deposit on their own.

What if I can't find a unit and my voucher is expiring?

When you first get your voucher from your housing agency, you will have at least 60 days to search for a rental unit that will accept your voucher. If the housing market is tight, searching for a unit can be difficult. Work with your PHA – they may have helpful tips or listings they can share, broaden your search area, and follow-up on potential leads.

If you are unable to find a unit within the allotted time, [contact your PHA](#) and request an extension of your voucher search time.

Note: the PHA is *required* to grant the extension if it is requested as a reasonable accommodation to make the program accessible to someone with disabilities.

What should I know about inspections?

The unit has to meet certain physical standards to be eligible for a voucher.

Types of Inspections:

- **Initial:** Before you move in and start receiving assistance
- **Periodic:** Usually every 1-2 years to make sure rules are still being followed
- **Special:** In response to complaints or emergencies

What's Inspected:

- The unit itself (interior, bathroom, kitchen, bedrooms)
- Common areas inside the building
- Outside areas related to your unit

Key Requirements:

- Working plumbing and electrical systems
- Proper heating and cooling
- Smoke and carbon monoxide detectors
- Operable windows with screens
- Working appliances
- Compliance with lead-based paint requirements

If your unit fails inspection, necessary repairs must be made. For safety issues, repairs must be made within 24 hours. Other issues typically need to be fixed within 30 days.

How is my rent calculated?

The HCV program helps you afford housing by paying part of your rent. Here's how your local housing agency figures out your portion:

- Your local housing agency calculates your adjusted monthly income.
 - They start with your family's annual income. This includes:
 - **Earned Income** - Full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
 - **Benefit Income** - Money from sources like Social Security, Supplemental Security Income, Disability, unemployment, TANF, welfare, and worker's compensation
 - **Regular contributions or gift** - Money from sources like Annuities, retirement funds, pensions, child support, and maintenance
 - There are five possible deductions that may be subtracted from this annual income based on allowable family expenses and family characteristics. These include unreimbursed medical and childcare expenses. A full explanation of the possible deductions can be found in the [Income Determination chapter of HUD's Public Housing Occupancy](#)

[Guidebook](#), starting on page 28.

- The remainder, after these deductions are subtracted, is called adjusted income. When divided by 12, this becomes monthly adjusted income.
- Adjusted income is generally the amount upon which rent is based.
- Your local housing agency then calculates your **Family Rent Portion**, sometimes referred to as Total Tenant Payment (TTP), which is the minimum you'll pay. This is usually 30% of your adjusted monthly income. Your rent may be as high as 40% of your adjusted monthly income. However, the program prohibits tenants from paying more than 40% of their monthly income toward rent.
- Your local housing agency uses a **payment standard**, which is the maximum amount your local housing agency can pay towards rent and utilities for a unit. It's based on local rent prices and varies by unit size (number of bedrooms). The payment standard is not a rent limit – in some cases, you can choose a more expensive unit, but you'll pay the difference.
- When you choose an apartment, your local housing agency considers the **gross rent** which includes both rent and utilities the tenant is responsible for paying
- The PHA pays the **housing assistance payment (HAP)**, which is the difference between the payment standard and your family rent portion, directly to the landlord.

Remember, this is a simplified explanation. Your exact rent will depend on your income, family size, and the unit you choose. Your local PHA is there to help if you have questions about your specific situation.

Lease Terms and Duration

Each voucher lease includes an addendum that acknowledges the nature of the tenancy and includes terms and conditions required by federal law. The initial lease term must be one year. The tenancy continues until it has been terminated for good cause.

Right to Move (Portability)

One of the key benefits of the HCV program is the ability to move and bring your voucher with you to any community in the United States. This flexibility is known as

portability and it allows you to move for better jobs, schools, security, or to be closer to loved ones. Your ability to move with your voucher may depend on factors such as how long you've had assistance and where you lived when you applied. Moves are typically allowed as long as the family lets the PHA know ahead of time, terminates its existing lease within the lease provisions, and finds acceptable alternate housing. It's important to ask your PHA about the specific rules and steps for moving with your voucher.

Denial of Admission or Termination of Assistance

Federal law provides PHAs with significant leeway in administering the Section 8 program. In deciding whether to deny or terminate assistance, federal regulations authorize PHAs to consider all relevant circumstances, such as

"the seriousness of the case, the extent of participation or culpability of individual family members; mitigating circumstances related to the disability of a family member, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure."

Alternatives to denial of the household, including exclusion of a culpable household member or requiring proof of completion or participation in a supervised alcohol or drug rehabilitation program, are also set forth in HUD regulations.

Often, the PHA's own administrative plans require them to consider all relevant circumstances when determining whether to deny assistance and set forth criteria for evaluating alternatives to denial.

PHAs' decision to deny assistance are subject to their duty to make reasonable accommodations of a disability of a household member if it is necessary to provide the disabled household member equal access to the Section 8 program.

Informal Reviews and Hearings. Applicants denied admission to the Section 8 program may appeal the denial by requesting an informal review. Applicants have six key rights when facing a denial: (1) timely and adequate notice detailing the reasons for denial; (2) an opportunity to appear personally at the hearing, present evidence and oral arguments and confront and cross-examine adverse witnesses; (3) the right to be represented by counsel; (4) a right to a decision made by an impartial decisionmaker; (5) a right to have that decision based solely on rules of

law and the evidence presented at the hearing; and (6) a right to a statement by the decisionmaker setting forth the reasons for the decision and the evidence upon which it was based.

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