

FAMILY OBLIGATIONS [24 CFR 982.551]

The family must follow the rules listed below in order to participate/continue participating in the Montclair Housing Authority's Housing Choice Voucher Program. Families that do not abide by these obligations will be terminated from the program.

The Family **Must** (including each member of the household):

- The family **must** supply any information that the PHA or HUD determines to be necessary, including submission of required evidence of citizenship or eligible immigration status.
- The family **must** supply any information requested by the PHA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition.
- The family **must** disclose and verify social security numbers and sign and submit consent forms for obtaining information.
- Any information supplied by the family **must** be true and complete.
- The family is responsible for any Housing Quality Standards (HQS) breach by the family caused by failure to pay tenant-provided utilities or appliances, or damages to the dwelling unit or premises beyond normal wear and tear caused by any member of the household or guest.
- Damages beyond normal wear and tear will be considered to be damages which could be assessed against the security deposit.
- The family **must** allow the PHA to inspect the unit at reasonable times and after reasonable notice, as described in Chapter 8 of the Administrative Plan.
- The family **must not** commit any serious or repeated violation of the lease.

- The PHA will determine if a family has committed serious or repeated violations of the lease based on available evidence, including but not limited to, a court-ordered eviction or an owner's notice to evict, police reports, and affidavits from the owner, neighbors, or other credible parties with direct knowledge.
- Serious and repeated lease violations will include, but not be limited to, nonpayment of rent, disturbance of neighbors, destruction of property, living or housekeeping habits that cause damage to the unit or premises, and criminal activity. Generally, the criterion to be used will be whether or not the reason for the eviction was the fault of the tenant or guests. Any incidents of, or criminal activity related to, domestic violence, dating violence, sexual assault, or stalking will not be construed as serious or repeated lease violations by the victim [24 CFR 5.2005(c)(1)].
- The family **must** notify the PHA and the owner before moving out of the unit or terminating the lease.
- The family **must** comply with lease requirements regarding written notice to the owner.
- The family **must** provide written notice to the PHA at the same time the owner is notified.
- The family **must** promptly give the PHA a copy of any owner eviction notice.
- The family **must** use the assisted unit for residence by the family. The unit must be the family's only residence.
- The composition of the assisted family residing in the unit **must** be approved by the PHA.
- The family **must** promptly notify the PHA in writing of the birth, adoption, or court-awarded custody of a child. The family must request PHA approval to add any other family member as an occupant of the unit.
- The request to add a family member **must** be submitted in writing and approved by the landlord and the PHA prior to the person moving into the unit. The PHA will determine eligibility of the new member in accordance with the policies in Chapter 3 of the Administrative Plan.
- The family **must** promptly notify the PHA in writing if any family member no longer lives in the unit.

- If the PHA has given approval, a foster child or a live-in aide may reside in the unit. The PHA has the discretion to adopt reasonable policies concerning residency by a foster child or a live-in aide, and to define when PHA consent may be given or denied. For policies related to the request and approval/disapproval of foster children, foster adults, and live-in aides, see Chapter 3 (sections I.K and I.M), and Chapter 11 (section II.B) of the Administrative Plan.
- The family **must not** sublease the unit, assign the lease, or transfer the unit.
- Subleasing includes receiving payment to cover rent and utility costs by a person living in the unit who is not listed as a family member.
- The family **must** supply any information requested by the PHA to verify that the family is living in the unit or information related to family absence from the unit.
- The family **must** promptly notify the PHA when the family is absent from the unit.
- Notice is required under this provision only when all family members will be absent from the unit for an extended period. An extended period is defined as any period greater than 30 calendar days. Written notice must be provided to the PHA at the start of the extended absence.
- The family **must** pay utility bills and provide and maintain any appliances that the owner is not required to provide under the lease [Form HUD-52646, Voucher].

The Family Must NOT (including each member of the household):

- The family **must not** own or have any interest in the unit, (other than in a cooperative and owners of a manufactured home leasing a manufactured home space).
- Family members **must not** commit fraud, bribery, or any other corrupt or criminal act in connection with the program. (See Chapter 14 of the Administrative Plan, Program Integrity for additional information).
- Family members **must not** engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. See Chapter 12 of the Administrative Plan for HUD and PHA policies related to drug-related and violent criminal activity.

- Members of the household **must not** engage in abuse of alcohol in a way that threatens the health, safety or right to peaceful enjoyment of the other residents and persons residing in the immediate vicinity of the premises. See Chapter 12 of the Administrative Plan for a discussion of HUD and PHA policies related to alcohol abuse.
- An assisted family or member of the family **must not** receive HCV program assistance while receiving another housing subsidy, for the same unit or a different unit under any other federal, state or local housing assistance program.
- A family **must not** receive HCV program assistance while residing in a unit owned by a parent, child, grandparent, grandchild, sister or brother of any member of the family, unless the PHA has determined (and has notified the owner and the family of such determination) that approving rental of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities. [Form HUD-52646, Voucher]