

Tell the HA if your kids stay with you less than half the time. For example ~ if the kids stay with their grandparents from Monday to Friday for child care purposes, and you take the kids on weekends, the HA may decide that it does not want to pay for the kids to have bedrooms in your house. You must ask the HA for special permission if you have an arrangement like this. It is important to have the HA make an official decision in writing about how to handle kids living with you part-time. You do not want to lose your voucher for having unreported kids in the unit or for having a house that is too big for your family size.

If your child is away at school full-time, or in foster care for less than 6 months, you can keep him or her on your voucher if you want to. However, you must report the situation to the HA and provide documentation.

IMPORTANT TIPS

- Always report changes to the HA in writing and save a copy of anything you write
- Avoid letting people stay with you overnight unless you want them to move in permanently
- Make sure your kids stay with you 51% of the time if you want them to have their own bedrooms in your house
- If your housing worker gives you special permission for a household arrangement, get it in writing!
- If you are investigated for fraud, get legal advice. Also, ask to review and make copies of your file at the HA so you understand the HA's claims and can defend yourself.
- Ask a lawyer or your housing worker for advice if you have any questions

**CALL THE LEGAL AID SOCIETY OF
SAN MATEO COUNTY
IF YOU HAVE OTHER QUESTIONS
ABOUT YOUR
SECTION 8 VOUCHER
(650) 558-0915 or 1-800-381-8898**

www.legalaidsmc.org

This pamphlet is designed to provide general information on the law, which may change. If you have a specific legal problem, you should contact a lawyer for advice or assistance.

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LEGAL AID SOCIETY
OF SAN MATEO COUNTY

Section 8 Vouchers: Household Composition



Prepared by the
Legal Aid Society of
San Mateo County

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The Housing Authority (HA) always asks about my Household Composition. What does this mean?

When the HA asks you to report household composition, it is asking you to tell your housing worker who lives in your house. You have to ask the HA's permission in writing before a new person moves into your house. When a person moves out, you must tell the HA in writing within 10 days. This is important because the HA decides how much rent money it can help you with, and how big your house should be, on the basis of who lives with you.

If you do not tell the HA about changes in household composition within 10 days you could be investigated for fraud and lose your voucher. Forgetting to report changes to the HA is the number one reason tenants lose their Section 8 vouchers.

Who can I add to my Section 8 voucher as a household member?

You can ask the HA to add almost anyone to your voucher. The requirements are:

- (1) You have a family-type relationship with that person
- (2) The new household member passes the Section 8 screening test.
- (3) Your landlord agrees to it.

A boyfriend or friend is ok, as long as he or she helps out with household needs. You do not need to get married to add a boyfriend to your unit. The new household member does not need to have a job. If you take on responsibility for the care of minor children, you can add them to your voucher before you get a final guardianship order.

The HA will not admit a new household member who:

- (1) Is using illegal drugs
- (2) Has a pattern of alcohol abuse
- (3) Has engaged in violent criminal activity in the past 3 years
- (4) Has been evicted from federally-subsidized housing in the past 3 years
- (5) Is a registered sex offender
- (6) Will not supply true and necessary information about income and citizenship

The HA will consider each household member on a case by case basis and look at all circumstances. If you want someone to live with you, it is always better to ask the HA for permission.

You have to tell the HA about the birth, adoption, or new custody of a child, but you do not need to ask for the HA's approval before the child starts living with you.

Does the income of a new household member affect my rent?

Yes. The HA will ask all new household members for income information. All income from employment, public benefits, and elsewhere will be used in calculating your rent share.

Exception: The income of a live-in aide will not be counted toward your rent share. If you are elderly or disabled and need care, ask the HA to approve you for a live-in aide. You can choose a friend or family member to serve as your live-in aide. You will get an extra bedroom, but your rent will not go up.

If a friend stays with me on and off, do I have to tell the HA?

You can have a guest stay with you overnight for 14 days in a row or 60 days total in a 12 month period without reporting it to the HA. That's it. Guests can visit as often as they want during the day.

If you have a guest staying with you for more than 2 weeks straight or more than once a week over the course of a year, you must tell the HA in writing. The HA will consider that person a member of your household, even if you do not.

The HA will screen your guest for admission to the Section 8 program and ask for his income information. Your rent will go up if your guest makes money, even if you can show that your guest uses his income to pay rent at a different unit.

It is not a good idea to let someone stay with you temporarily or part-time if you do not want their income to affect your rent share. If you have special circumstances, discuss the situation with your housing worker. If the HA gives you permission to have someone stay with you for longer than the rules allow, get it in writing.

What if my kids stay with me only part of the week?

You can count your kids on your Section 8 voucher if they stay with you more than half of the time. If you share custody of the kids with someone who also has a Section 8 voucher or other subsidized housing, only one of you can count the kids as part of your household.