

## **7A. INSPECTION OF UNITS**

The Housing Authority will inspect all units to ensure that they meet Housing Quality Standards (HQS). No unit will be initially placed on the Section 8 Existing program unless HQS is met. Units will be inspected at least biennially, and at other times as needed, to determine if the units meet HQS.

The Housing Authority must be allowed to inspect the dwelling unit at reasonable times with reasonable notice. The family and owner will be notified in advance of the inspection. If the family cannot be at home for scheduled inspection appointment, the family must call and reschedule the inspection or make arrangements to enable the Housing Authority to enter the unit and complete the inspection.

If the family misses the scheduled inspection appointment and fails to contact the Housing Authority to reschedule the inspection, the inspection is considered a "No Show" appointment. The Housing Authority will only schedule one additional inspection.

A "No Show" inspection includes:

- The family was not home or did not answer the door.  
No adult present (18 years or older) in home.
- A loose animal prevented entry onto the property.
- The inspector was not allowed entry to the unit.

If the family misses two inspections, the Housing Authority will consider the family to have violated a Family Obligation and their assistance will be terminated in accordance with procedures located in Chapter 10 of the Section 8 Administrative Plan.

## **7B. TYPES OF INSPECTIONS**

There are seven (7) types of inspections HACK will perform:

1. **Initial HQS Inspection** [24 CFR 942.401(a), 982.305(b)(2)] - An inspection that must take place to ensure that the unit passes HQS before assistance can begin. The inspection will be conducted after receipt of the Request for Tenancy Approval. HOTMA 101 (a) (1) overrides 983.305 (a) (2) and (b)(i) and will apply to all initial inspections. 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 **or** prior to HQS inspection passing, repairs for only non-life-threatening conditions are made within 30 days of the initial inspection and the family takes possession. Any condition other than the following are considered non-life threatening:
  - a. Gas (Leak or Fumes)
  - b. Electrical Hazards
  - c. Inoperable or missing Smoke detector

- d. Interior Air quality (the carbon monoxide detector is missing; or the carbon monoxide detector does not function as it should
- e. Gas/Oil fired water heater or heating, ventilation or cooling system with missing damaged, improper, or misaligned chimney or venting.
- f. Lack of alternative means of exit in case of fire or blocked egress
- g. Other interior hazards.
- h. Deteriorated paint, as defined by 24 CFR 35.110 in a unit built before 1978 occupied by a family that has children under 6 years of age
- i. Any other condition subsequently identified by HUD as life threatening
- j. Any other condition identified by HACK as life threatening

The family may decline the tenancy for failed non-life threatening HQS items. The owner will be given 30 days to make non-life-threatening repairs. (See 7G TIME FRAMES AND CORRECTIONS OF HQS FAIL ITEMS)

2. **Annual HQS Inspection [24 CFR 982.405(a)]** - An inspection conducted within twelve months of the previous annual inspection to determine that the unit continues to meet HQS.
3. **Biennial Inspection** – Some units may qualify to be inspected every two years rather than annually. Units are eligible to be inspected biennially when they have two consecutive passes (pass or a pass with corrective repairs) on the last two inspections. A unit on a biennial schedule that has an initial (move-in) inspection will change to an annual schedule until the unit again passes two consecutive inspections. Units owned by the Housing Authority are on a biennial schedule (whether the inspection is on initial or an annual) unless the unit goes into abatement.
4. **Interim Complaint Inspection** - An inspection caused by the Authority receiving a complaint on the unit by anyone. An interim inspection may be requested by the landlord, the family, or a third party as a result of problems identified with the unit between the regularly scheduled inspections. The Housing Authority will advise the family and landlord of the need to work out routine maintenance issues between themselves, but will investigate problems that may pose an HQS fail. The Housing Authority will conduct a physical re-inspection to ensure all HQS violations are corrected.
5. **Special Inspection** - An inspection caused by a third party (*i.e. HUD*) needing to view the unit.
6. **Emergency Inspection** - An inspection that takes place in the event of a perceived emergency. These will take precedence over all other inspections.
7. **Quality Control Inspection** - Supervisory inspections will be performed on at least 2%

of the total number of units that were under lease during the Housing Authority's previous fiscal year to ensure the consistency and accuracy of the Housing Authority's HQS determinations.

## **7C. OWNER AND FAMILY RESPONSIBILITY**

1. Owner Responsibility for HQS
  - a. The owner must maintain the unit in accordance with HQS.
  - b. If the owner fails to maintain the dwelling unit in accordance with HQS, the Housing Authority will take prompt and vigorous action to enforce the owner obligations. The Housing Authority's remedies for such breach of the HQS include termination, suspension or reduction of Housing Assistance Payments (HAP) and termination of HAP contract.
  - c. The Housing Authority will not make any HAP for a dwelling unit that fails to meet the HQS, unless the owner corrects the defect within the period specified by the Housing Authority and the Housing Authority verifies the correction. If a defect is life threatening, the owner must correct the defect within no more than 24 hours. For other defects the owner must correct the defect within no more than thirty (30) calendar days (or any Housing Authority approved extension).
  - d. The owner is not responsible for a breach of the HQS that is not caused by the owner, and for which the family is responsible. Furthermore, the Housing Authority may terminate assistance to a family because of the HQS breach caused by the family.
2. Family Responsibility for HQS
  - a. The family is responsible for a breach of the HQS that is caused by any of the following:
    - i. The family fails to pay for any utilities that the owner is not required to pay for, but which are to be paid by the tenant;
    - ii. The family fails to provide and maintain any appliances that the owner is not required to provide, but which are to be provided by the tenant; or
    - iii. Any member of the household or a guest damages the dwelling unit or premises (damage beyond ordinary "wear and tear").
  - b. If an HQS breach caused by the family is life threatening, the family must correct the defect within no more than 24 hours. For other family-caused defects, the family must correct the defect within no more than 30 calendar days (or any Housing Authority approved extension).
  - c. If the family has caused a breach of the HQS, the Housing Authority will take prompt and vigorous action to enforce the family obligations. The Housing Authority may terminate assistance for the family in accordance with 24 CFR 982.552.

## **7D. STANDARDS FOR ALL HOUSING**

The standards to be used in the Section 8 Program will be as provided in 24 CFR 982.401. These standards will be supplemented, as needed, to meet State or local codes. All housing placed under HAP contract shall be required to meet the standards set forth below.

### **1. Sanitary Facilities [See 24 CFR 982.401 (b)]**

- a. The housing must have an operable flush toilet in a separate private room.
- b. A fixed wash basin and shower or tub with hot and cold running water must be located in the house or apartment, but not necessarily located in the room with the flush toilet.
- c. All these facilities must empty into an approved public or private disposal system (this can include approved septic systems).

Important Note: Please see Chapter 6 for additional information regarding HQS inspections

### **2. Food Preparation and Garbage Disposal [See 24 CFR 982.401 (c)]**

- a. The kitchen should have a sink with hot and cold running water that drains into an approved disposal system.
- b. There must be adequate space for the storage and preparation of food. There should be facilities for the storage and disposal of trash and garbage (trash pickup service and/or garbage cans).
- c. The standards allow either the owner or the tenant to provide the required range and refrigerator. If it is not the policy of the owner to provide a range and/or refrigerator and if the appliance is provided by the tenant, an appropriate amount shall be included in the tenant's "Utility Allowance" to permit the tenant to recoup the purchase cost of a non-luxury range and/or refrigerator over the life of the appliance(s).
- d. The HQS has been modified to allow microwave ovens as follows:

**3. If the oven and stove are tenant-supplied:** A microwave oven may be substituted for an oven and/or stove with top burners. (see appendix VII)

**4. \*If the oven and stove are owner-supplied:** A microwave oven may be substituted for an oven and/or stove with top burners if the tenant agrees and the owner treats all tenants alike (e.g., microwaves are provided for both non-subsidized and subsidized tenants).

### **5. Security and Space [See 24 C FR 982.401 (d)]**

- a. Exterior doors and windows shall lock. ("Dead bolt" locks must be installed on all doors exiting the dwelling and must not require a key to open or lock from the inside.)

- b. The housing must have a bathroom, a kitchen area and a living area.
  - c. There needs to be a bedroom or living/sleeping room of appropriate size for every two (2) people in the family.
- 6. Heating Systems [See 24 CPR 982.401 (e)]**
- a. The housing must have a heating system that is in safe operating condition and can provide adequate heat to each room.
  - b. Room heaters are acceptable as long as they are properly vented.
- 7. Lighting and Electricity [See 24 CPR 982.401 (f)]**
- a. Living rooms and bedrooms must have at least one operable window.
  - b. The bathroom and kitchen must have a ceiling or wall-mounted light fixture that is in safe operating condition.
  - c. The bedrooms, kitchen and living room must have at least two (2) electrical outlets in operating condition. The overhead or wall light fixtures may be counted as an electric outlet in meeting this requirement.
- 8. Structure and Materials [See 24 CFR 982.401 (g)]**
- a. The interior ceilings, walls and floors must be free of any serious defects that would affect the safety or well-being of people living in the housing.
  - b. The roof must be in sound condition and be weather-tight.
  - c. The exterior walls must be free of any serious defects that would affect the sound condition of the housing or result in air infiltration.
  - d. Halls, stairways and porches must be free from any defects that could cause tripping or falling.
- 9. Interior Air Quality [See 24 CFR 982.401 (h)]**
- a. The interior air in the housing must be free from dangerous gases, dust or other harmful pollutants.
  - b. The housing must have adequate air circulation.
  - c. Bathrooms must have at least one operable window or other adequate exhaust ventilation.
- 10. Water Supply [See 24 CFR 982.401 (I)]**
- a. The housing must be served by an approved public or private sanitary water supply system
- 11. Lead-based paint performance requirement [See 4 CFR 982.401 O)]**
- a. Purpose and Applicability
    - i. The purpose of this section is to implement. The HUD Lead Safe Housing Rule, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and the Lead-Based Paint Poisoning Prevention Act, 42 U.S. C. 4822, by establishing procedures to eliminate, as far as practicable, the hazards of lead-based paint poisoning for housing assisted under this part. This paragraph is issued under

- 24 CFR 35 Part A-R.
- ii. These requirements apply to all target housing. This is housing that is constructed before 1978 and is occupied by a family or may be occupied by a family that includes a child under the age of six (6) years old. The requirements of this section do not apply to zero-bedroom housing, housing certified by a qualified inspector to be free of lead-based paint, or housing designated exclusively for the elderly (unless a child under the age of six resides or will reside in the housing unit). The requirements of 24 CFR part 35 subpart A apply to all housing constructed before 1978 covered by a HAP contract under 24 CFR part 982.
- b. Definitions (Lead-Based Paint Related)
- i. **Chewable surface.** Protruding painted surfaces up to five feet from the floor or ground that are readily accessible to children under six (6) years of age; for example, protruding corners, windowsills and frames, doors and frames, and other protruding woodwork.
  - ii. **Component.** An element of a residential structure identified by type and location, such as a bedroom wall, an exterior window sill, a baseboard in a living room, a kitchen floor, an interior window sill in a bathroom, a porch floor, stair treads in a common stairwell, or an exterior wall.
  - iii. **Defective paint surface.** A surface on which the paint is cracking, scaling, chapping, peeling, or loose.
  - iv. **Elevated blood lead level (EBL).** Elevated blood lead level means a confirmed concentration of lead in whole blood of a child under age six (6) equal to or greater than 5 pg/dl (micrograms of lead per deciliter). A confirmed concentration is one that is measured by venous (from a vein) blood draw, and not a finger prick/quick capillary screening test.
  - v. **HEPA** means a high efficiency particle accumulator as used in lead-abatement vacuum cleaners.
  - vi. **Lead-based paint.** A paint surface, whether or not defective, identified as having a lead content greater than or equal to 1 milligram per square centimeter (> 1mg/cm<sup>2</sup>), or 0.5 percent by weight or 5000 parts per million (PPM).
- c. Requirements for Pre-1978 Housing with Children under Six
- i. If housing constructed before 1978 is occupied by a family that includes a child under the age of six (6) years, the initial and each periodic inspection (as required under this chapter), must include a visual inspection for defective paint surfaces. If defective paint surfaces are found, they must be treated.
  - iii. HACK may exempt from such treatment those defective paint surfaces that are found in a report by a qualified lead-based paint inspector to not be lead-based paint. For purposes of this chapter, a qualified lead-based paint inspector is certified or regulated by a State or local health agency, HACK, or by an organization recognized by HUD.
  - iv. Treatment of defective paint surfaces required under this chapter must be



completed within thirty (30) calendar days of HACK notification to the owner. The requirements apply to:

- All painted interior surfaces within the housing (including ceilings but excluding furniture);
- The entrance and hallway providing entrance or exit to a unit in a multi-unit building; and
- Exterior surfaces up to five (5) feet from the floor or ground that are readily accessible to children under six (6) years of age. This includes walls, stairs, decks, porches, railings, windows and doors, but excludes outbuildings such as garages and sheds.

- d. HACK responsibilities when a child under six (6) is identified with an EBLL
- i. If the information regarding and EBLL case did not come from the Public Health Department, HACK shall immediately verify the information with the Public Health Department or other medical health care provider.
  - ii. When there is a confirmed case of EBLL, HACK shall conduct an Environmental Investigation of the child's unit and the common areas servicing that unit within fifteen (15) calendar days, in accordance with chapter 16 of the HUD Guidelines. An Environmental Investigation is a risk assessment with additional question for the family regarding other source of lead exposure, and testing of other potential sources of lead exposure. This investigation must be conducted by a certified Lead-Based Paint Risk Assessor. After receiving the results HACK must notify the HUD Field Office of the outcome within ten (10) business days, and the family within fifteen (15) calendar days. The notification must include the following:
    - The date the investigation was completed
    - If the evaluation was completed in a multiunit property
    - A notice to each unit that was affected by the Investigation in accordance with section 35.125 of the lead Safe Housing Rules.
  - iii. HACK shall monitor the owner's compliance with the Lead Safe Housing Rules in accordance with the HAP contract. HACK shall provide assistance to the owner in complying with their obligations, if the owner requests assistance in writing.
  - iv. HACK shall ensure the owner completes and clears the control of lead-based paint hazards identified in the Environmental Investigation on the child's unit and the common areas servicing that unit. If lead-based paint hazards are found in a multiunit property, HACK shall ensure that the owner completes a risk assessment on any other assisted unit where a child under the age of six (6) resides, and common areas servicing those units. If a lead-hazard is identified during the risk assessment, HACK shall ensure that the owner controls those lead-based paint hazards as well.

- d. Owner's Responsibility: if the owner feels that they require assistance in completing any of these steps, they may request in writing assistance from HACK.
- i. Before executing the HAP contract, the owner must inform HACK and the family of any knowledge of the presence of lead-based paint on the surfaces of the housing.
  - ii. Once a there has been a confirmed EBLL case, the owner must notify the HUD field office and the HUD office of Lead Hazard Control and Healthy Homes. Notification must be made by e-mail to [LeadRegulations@hud.gov](mailto:LeadRegulations@hud.gov). The owner must make the notification of the confirmed case including the child's address within five (5) business days and must include:
    - Owners name and address (PHA code if HACK is submitting on behalf of the owner.)
    - Date of the EBLL test result.
    - Program child is participating in
    - Unit address and, if the housing is in a multiunit development, the development name; and
    - Whether HACK or the owner has notified the public health department of the EBLL, or been notified by the health department, and the date of that notification.
  - iii. If the owner is notified of the confirmed case by any medical health care professional other than the Public Health Department, the owner shall notify the public health department of the name and address of the child within five (5) business days.
  - iv. If the owner receives information of an EBLL from person who is not a medical health care provider, the owner must immediately notify HACK. HACK will contact the Public Health Department to confirm the case. HACK must make at least two (2) attempts to verify the information with the health department, or medical health care provider. If HACK's verification attempts fail, the HUD Field Office must be notified. HUD will then make their own attempt to verify the reported EBLL.
  - v. Once the owner is aware of a confirmed EBLL case, they must complete the reduction of the lead-based paint hazard in the child's unit and in any common areas servicing that unit which were identified during HACK's Environmental Investigation. This lead-based paint hazard reduction must be completed within thirty (30) calendar days, using a certified lead-based paint abatement firm, or certified lead renovation firm. Once the work has been completed the owner must obtain clearance of the unit and common areas servicing that unit by an independent certified risk assessor or a trained dust sampling technician. The owner must act appropriately to protect residents and their belongings from hazards associated with treatment procedures. Residents must not enter



spaces undergoing treatment until cleanup is completed. Personal belongings that are in work areas must be relocated or otherwise protected from contamination. HACK shall notify the HUD field office within ten (10) business days of the completion of the lead hazard control work, and the passing clearance.

- vi. If the child's unit is in a multiunit property, the owner must conduct a risk assessment on all other assisted units where a child under the age of six (6) resides, and any other common areas servicing those units. This must be completed within thirty (30) calendar days if there are 20 other covered units or fewer, and sixty (60) calendar days if there are more than 20 other covered units.
- vii. If a confirmed EBLL case is identified in a multiunit building, the owner must notify all other tenants of the lead evaluation and hazard control activities.
- viii. Ensure that ongoing preventative maintenance occurs to prevent deteriorated paint if there is a child under the age of six (6) in the family in accordance with section 35.1220 and 35.1335(a) of the Lead Safe Housing Rule.

Activity	Responsible Entity		
	HACK	Owner	Time Frame
Initial notification of confirmed case to HUD		X	5 Business Days
Verification, when necessary	X		2 Attempts then contact HUD
Initial notification of confirmed case to public health department, when necessary		X	5 Business Days
Environmental Investigation	X		15 Calendar Days
Notify HUD of Environmental Investigation Results	X		10 Business Days
Lead Hazard Control and Clearance After Work		X	30 Calendar Days
Notify HUD of clearance results		X	10 Business Days
Notification to other residents		X	15 Business Days
Ongoing lead based paint monitoring		X	Ongoing
Monitoring owner's compliance with Lead Safe Housing Rules and Housing Quality Standards	X		Ongoing

- f. HACK Data Collection and Record Keeping Responsibilities
  - i. HACK must attempt to obtain quarterly from local health agencies the names and addresses of children with identified EBLL and must attempt to match this information with the names and addresses of participants under this chapter. HACK must also provide quarterly an updated list of their HCV property target housing addresses to the

health department so that the health department may evaluate whether they have information about incidences of EBLL. If a match occurs, HACK must determine whether local health officials have tested the housing for lead-based paint. If the housing has lead-based paint, HACK must require the owner to treat it. If the owner does not treat the lead-based paint, the family must be issued a voucher to move.

- ii. HACK must keep a copy of each inspection report for at least three (3) years. If housing requires testing, or treatment of chewable surfaces based on the testing, HACK must keep the test results indefinitely and, if applicable, the owner's certification of treatment. The records must indicate which chewable surfaces have been tested and which ones have been treated. If records indicate which chewable surfaces were tested, or tested and treated, per the standards prescribed in this section, those chewable surfaces do not have to be tested or treated later.

#### **12. Access Performance Requirement**

- a. The housing must be able to be used and maintained without unauthorized use of other private properties. The building must provide an alternate means of exit in case of fire (such as stairs or windows).

#### **13. Site and Neighborhood**

- a. Performance Requirement.
  - i. The site and neighborhood must be reasonably free from disturbing noises and reverberations and other dangers to the health, safety, and general welfare of the occupants.
- b. Acceptability Criteria.
  - i. The site and neighborhood may not be subject to adverse environmental conditions, natural or manmade, such as dangerous walks or steps; instability; flooding, poor drainage, septic tank backups or sewage hazards; mud slides; abnormal air pollution, smoke or dust; excessive noise, vibration or vehicular traffic; excessive accumulations of trash; vermin or rodent infestation; or fire hazards.

#### **14. Sanitary Condition**

- a. Performance Requirement.
  - i. The dwelling and its equipment must be in sanitary condition.
- b. Acceptability Criteria.
  - i. The dwelling and its equipment must be free of vermin and rodent infestation.

#### **15. Hot Water Supply System**

- a. Temperature and pressure relief valves (T & P valves) are required on all hot water heaters.

- b. T & P valves must be properly installed to code\*[2010 CPC 608.5] and must **gravity feed out to provide drainage in a safe manner and function as intended.**
- c. Water heaters must not be located in sleeping rooms unless completely enclosed, with access from outside the building. The vent or door of a water heater compartment must not open directly into a sleeping room.
- d. Earthquake Seismic straps are required within 1/3 of top & bottom of water heater. The bottom strap must be a minimum of 4 inches above controls.

**16. \*Smoke Detectors & Carbon Monoxide [see appendix VII]**

- a. Performance Requirement.
  - i. Except as provided in paragraph (b) of this section, each housing unit must have at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the housing, including basements but excepting crawl spaces and unfinished attics. Smoke detectors must be installed per, and meet the requirements of, the National Fire Protection Association Standard (NFPA) 74 (or its successor standards). If the housing is occupied by any hearing- impaired person as specified in NFPA 74 (or successor standards).
- b. For housing unassisted before April 24, 1993, owners who installed battery-operated or hard- wired smoke detectors before April 24, 1993, to meet HUD's smoke detector requirements, including the regulations published on July 30, 1992, will not be required later to comply with any additional requirements mandated by NFPA 74 (i.e., the owner would not be required to install a smoke detector in a basement not used for living purposes, nor would the owner be required to change the location of the smoke detectors that have already been installed on the other floors of the unit).
- c. CO 2 detectors are required one per level, unless all electric unit, must be installed in hallways leading to bedrooms and including basements.

**7E. MANUFACTURED HOME STANDARDS**

In addition to the HQS defined in part A of this chapter, the following additional standards shall apply to all manufactured homes, whether owner- or renter-occupied.

Manufactured homes must:

- Meet the definition of a manufactured home as defined in Code of Federal Regulations.
- Be equipped with at least one (1) smoke detector in working condition.
- Be placed on a site in a suitable manner and be free from hazards such as sliding or wind damage.
- Be securely anchored by a tie- down device that distributes and transforms the loads imposed by the manufactured home unit to appropriate ground anchors to resist sliding and turning over in the wind.

## **7F. EXCEPTIONS TO THE HQS ACCEPTABILITY CRITERIA**

The Housing Authority will utilize the acceptability criteria as outlined above with applicable State and local codes. Additionally, the Housing Authority has received HUD approval to require the following additional criteria:

1. In each room, there will be at least one exterior window that can be opened and that contains a screen.
2. Owners will be required to scrape peeling paint and repaint all surfaces cited for peeling paint with 2 coats of non-lead paint. An extension may be granted as a severe weather-related item as defined below.
3. Adequate heat shall be considered 68 degrees.
4. In units where the tenant must pay for utilities, each unit must have separate metering device(s) for measuring utility consumption.
5. A 3/4" overflow pipe must be present on the hot water heater safety valves and installed down to within 6 inches of the floor.
6. Install and maintain an operable "thumb" dead bolt lock on each main swinging entry door of a dwelling unit.

## **7G. TIME FRAMES AND CORRECTIONS OF HQS FAIL ITEMS**

1. Correcting Initial HQS Fail Items
  - a. The Housing Authority will schedule a timely inspection of the unit on the date the owner indicates that the unit will be ready for inspection, or as soon as possible, thereafter (within 10 working days) upon receipt of a Request for Tenancy Approval. The owner and participant will be notified in writing of the results of the inspection. If the unit fails HQS again, the owner and the participant will be advised to notify the Housing Authority to reschedule a re-inspection when the repairs have been properly completed.
  - b. On an initial inspection, the owner will be given up to 30 days to correct the items noted as failed, depending on the extent of the repairs that are required to be made. The unit may be placed in the program as long as non-life-threatening repairs are made within the 30-day period from the date of the initial inspection.
  - c. The Housing Authority will conduct a physical re-inspection of all initial (move-in) inspection fail items to assure all HQS violations are corrected prior to executing the Housing Assistance Payment (HAP) Contract. If all repairs are made, the HAP contract will begin as of the date the family moves in.
  - d. The Housing Authority may reject the Request for Tenancy Approval if life threatening fail items are not repaired by the deadline and the family may be required to select another unit.
2. HQS Fail Items for Units Under Contract
  - a. The owner or participant will be given time to correct the failed items cited on the inspection report for a unit already under contract. If the failed items endanger the family's health or safety (using the emergency item list below), the owner or

- participant will be given 24 hours to correct the violations. For less serious failures, the owner or participant will be given up to 30 days to correct the failed item(s).
- b. If the owner fails to correct the HQS failed items after proper notification has been given, the Housing Authority will abate payment and terminate the contract in accordance with 24 CFR 982.404(a) Owner Obligations.
3. Time Frames for Corrections
    - a. Emergency repair items including, but not limited to repair of refrigerator, range and oven, or a major plumbing fixture supplied by the owner, must be abated within 24 hours.
    - b. For all other repairs, the owner will have up to 30 days to complete.
  4. Extensions
    - a. At the sole discretion of the Housing Authority, extensions of up to 30 days may be granted to permit an owner to complete repairs if the owner has made a good faith effort to initiate repairs. If repairs are not completed within 60 days after the initial inspection date, the Housing Authority will abate the rent and cancel the HAP contract for owner non-compliance. Appropriate extensions will be granted if a severe weather condition exists for such items as exterior painting and outside concrete work for porches, steps, and sidewalks.
  5. Self-Certification of Owner and Participant
    - a. The Owner and tenant will be allowed to self-certify the correction of deficiencies to pass the inspection. Both the landlord and family must sign the HQS Repair Self-Certification form and return it to the Housing Authority by a specified date. If either party fails affirm that the deficiencies have been corrected by the due date it will be considered a failed inspection. A second re-inspection will be conducted. Failure of the second re-inspection may result in an abatement of the HAP payments and/or in termination of the HAP contract.

## **7H. EMERGENCY FAIL ITEMS**

1. The following items are to be considered examples of emergency items that need to be abated within 24 hours:
  - a. No hot or cold water
  - b. No electricity
  - c. Inability to maintain adequate heat
  - d. Major plumbing leak
  - e. Natural gas leak
  - f. Broken lock(s) on first floor doors or windows
  - g. Broken windows that unduly allow weather elements into the unit\*(see Appendix VII)
  - h. Electrical outlet smoking or sparking
  - i. Exposed electrical wires which could result in shock or fire
  - j. Unusable toilet

- k. When only one toilet is present in the unit
- l. Security risks such as broken doors or window that would allow intrusion
- m. Other conditions which pose an immediate threat to health or safety

## **7I. ABATEMENT**

When a unit fails to meet HQS and the owner has been given an opportunity to correct the deficiencies, but has failed to do so within the required time frame, the rent for the dwelling will be abated.

If the corrections of deficiencies are not made within the 30-day time frame, the abatement will continue until the HAP contract is terminated. When the deficiencies are corrected, HACK will end the abatement the day the unit passes inspection and will resume the rent to the owner the first day of the next month.

For tenant caused HQS deficiencies, the owner will not be held accountable and the rent will not be abated. The tenant is held to the same standard and time frames for correction of deficiencies as owners. If repairs are not completed by the deadline, HACK will send a notice of termination to both the tenant and the owner. The tenant will be given the opportunity to request an informal hearing.