

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

3989 RUFFIN ROAD, SAN DIEGO, CA 92123-1815
(SERVING AS THE HOUSING AUTHORITY OF THE COUNTY OF SAN DIEGO)

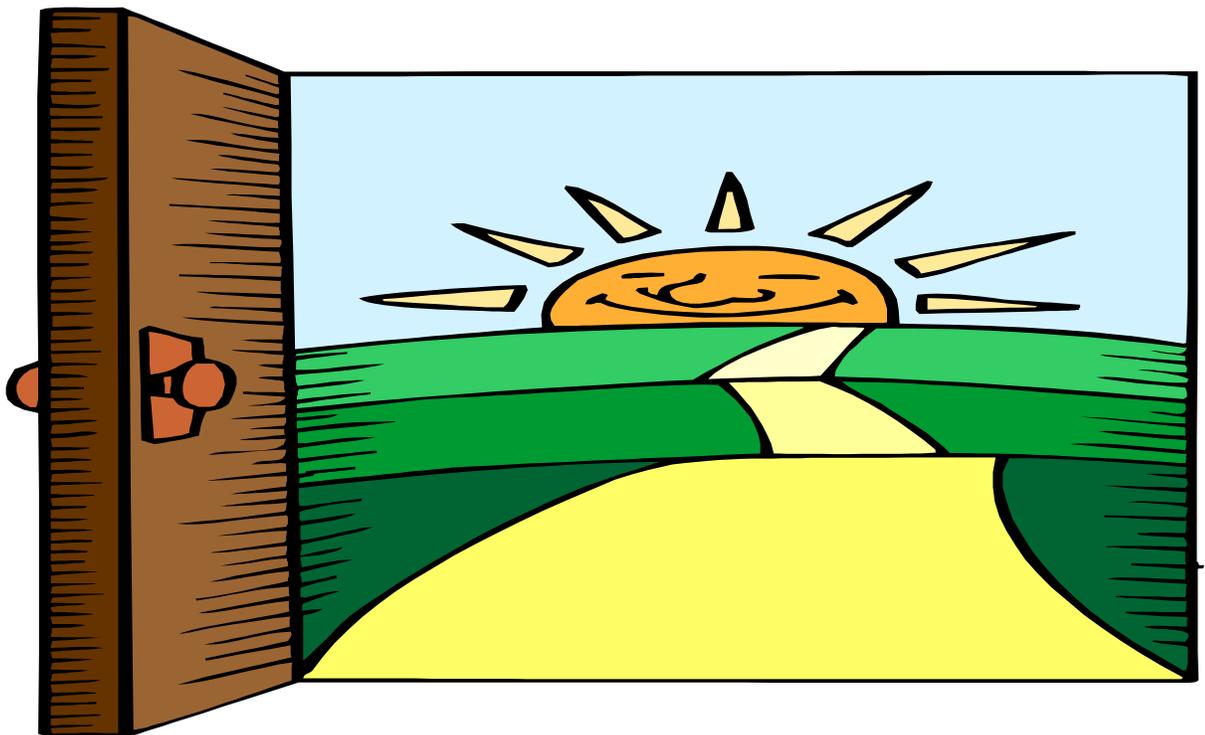
FAMILY HANDBOOK

**A Guide For Families
Participating In the
Section 8 Housing Choice
Voucher Program**

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www.sdhcd.org



Housing Authority of the County of San Diego

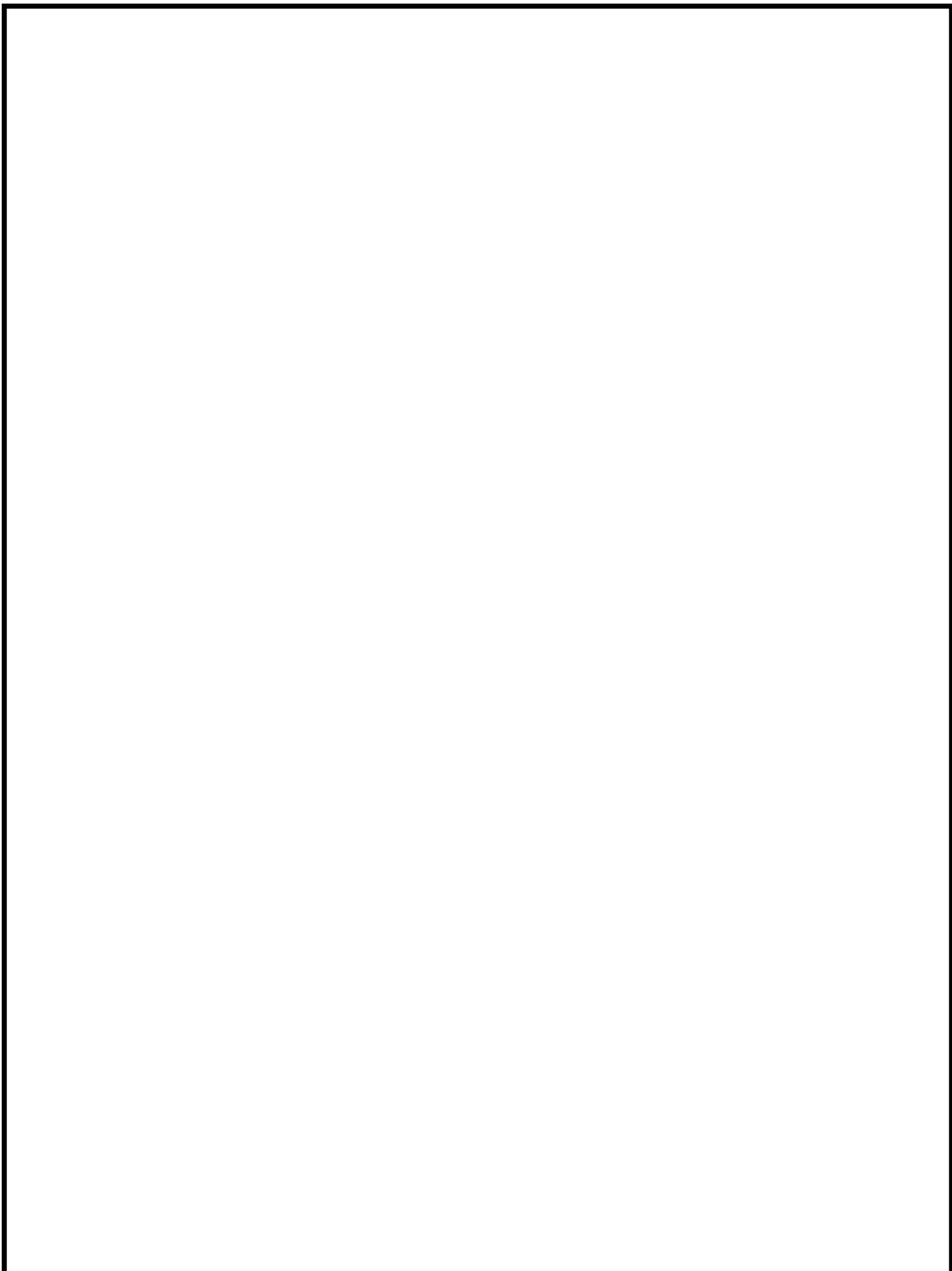
**Administered by the
County of San Diego
Department of Housing and Community Development
3989 Ruffin Road
San Diego, CA 92123-1815**

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Table of Contents

HOW THE RENTAL ASSISTANCE PROGRAM WORKS	1
A THREE WAY PARTNERSHIP IN THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM ...5	
Responsibilities of the Housing Authority	
Responsibilities of the Owners/Managers	
Responsibilities of the Family	
RESPONSIBILITIES	3
Reporting procedures	
Family obligations	
RULES AND POLICIES YOU MUST FOLLOW	4
GROUND FOR TERMINATION	5
ZERO TOLERANCE OF PROPERTY DAMAGE	5
ZERO TOLERANCE OF DRUGS, CRIME AND GANGS	6
PROGRAM REVIEW AND TENANT INTEGRITY PROGRAM	6
INFORMAL HEARING PROCESS	7
ANNUAL ACTIVITIES	8
Annual Recertification	
Annual Inspection	
Interim Review	
Enterprise Income Verification System	
MOVING PROCEDURES	9
INSPECTION CHECKLIST	12
LEAD-BASED PAINT HAZARD	13
FEDERAL PRIVACY STATEMENT	14
PROOF OF CITIZENSHIP STATUS.....	14
VIOLENCE AGAINST WOMEN ACT	14
FAMILY SELF SUFFICIENCY PROGRAM	14
FOR YOUR PROTECTION	15
FEDERAL AND STATE LAWS	21
SAMPLE DOCUMENTS	
REPORT OF CHANGES	
CONTACT INFORMATION	
RESOURCES	



How the Section 8 Housing Choice Voucher Program Works



The Section 8 Housing Choice Voucher (HCV) Program is federally funded and administered locally by housing authorities. The rules and regulations are determined by the U.S. Department of Housing and Urban Development (HUD) as approved by the U.S. Congress.

The program provides rental assistance that is paid directly to landlords on behalf of low-income families residing in approved rental units.

Once a family is determined eligible for assistance and receives a Housing Choice Voucher (voucher), the family must find an acceptable rental unit. After a rental unit is selected, the family and the landlord complete and return the paperwork provided to the family by the Housing Authority. Then, the Housing Authority must approve the rent, approve the owner, approve the location, inspect and approve the unit, and sign a contract with the landlord. Finally, the family must sign a lease with the landlord with the same terms and conditions as the contract.

The landlord will collect two payments each month—one from the Housing Authority and the other from the family. The assistance the family receives is based on the family's income, the number of bedrooms on the voucher and in the unit, and the rent and utilities paid by the family.

The family pays a minimum of 30 percent of its monthly-adjusted income for rent and utilities. However, the family may not pay more than 40 percent of its monthly-adjusted income for rent and utilities at the time the unit is initially approved.

To continue to receive assistance, the family must follow the rules of the program. If the family fails to comply with program requirements, such as failing to pay rent for any reason, the family's participation in the program may be terminated and/or the family may be required to repay assistance provided on behalf of the family.

The program provides for family mobility and the family is entitled to transfer its voucher anywhere in the United States that has a Housing Authority to administer the family's assistance.



A Three-Way Partnership Within The Section 8 Housing Choice Voucher Program

The three-way partnership within the Section 8 HCV Program is between the Housing Authority, the tenant, and the landlord.

Responsibilities of the Housing Authority	Responsibilities of the Owner	Responsibilities of the Family
Determine if an applicant is eligible for rental assistance.	Conduct all tenant screening, selection and leasing activities.	Provide complete and accurate information to the Housing Authority.
Explain all the rules of the program to all qualified families.	Comply with the terms of the Housing Assistance Payments Contract and lease.	Make a reasonable effort to find a place to live that is suitable and qualifies for the program.
Issue a Housing Choice Voucher and, if necessary, assist the family in finding a place to live.	Collect from the tenant any security deposit, share of the rent, and charges for tenant damages to the unit.	Cooperate in attending all appointments scheduled by the Housing Authority.
Approve the unit, the owner, and the lease.	Enforce tenant obligations under the lease.	Take responsibility for the care of the assisted housing unit.
Make housing assistance payments to the owner in a timely manner.	Pay for utilities and services (unless paid by the tenant under the lease).	Comply with the terms of the lease with the owner.
Ensure annually that both the family and the unit continue to qualify for the program.	Maintain the unit in accordance with housing quality standards, except for conditions that are the tenant's responsibility.	Comply with the Family Obligations of the Housing Choice Voucher, such as reporting all changes in income, assets and family composition within 14 days..
Ensure that owners and families comply with the program rules and the owner complies with the contract.	Comply with all Fair Housing laws.	Not engage in criminal activities
Provide families and owners with prompt and professional service.	Ensure a safe and secure living environment.	Obtain permission from the landlord and the housing authority prior to allowing someone to move in.
Upon request, provide a reasonable accommodation to a disabled family member.	Agree to allow reasonable modifications for a disabled tenant at the disabled tenant's expense.	<u>Never</u> withhold rent for any reason while you are being assisted under the Section 8 HCV Program.



Responsibilities

Your Responsibilities. An important responsibility is to always keep the Housing Authority up-to-date on your household status. In other words, the Housing Authority must be notified whenever there is a change in your household income, composition, or assets. **Failure to report a change within 14 days of its occurrence may result in termination of your rental assistance benefits and/or repayment of housing assistance payments.**

When in doubt, call your housing representative!!

Reporting Procedures

You must report changes in writing to your housing representative at the Housing Authority offices at 3989 Ruffin Road, San Diego, CA 92123-1815. You may also fax or email the information directly to your housing representative. The information will be placed in your file and you will be notified if more information is needed or if there are any changes to your assistance.

Changes in income include, but are not limited to:

- ⇒ New job (even if it's a second job);
- ⇒ Termination of job;
- ⇒ Pay raise or overtime pay;
- ⇒ Child or spousal support;
- ⇒ Pension, SSA, SSI, & Cal-Works;
- ⇒ Any lump-sum payments;
- ⇒ Regular payment of bills or other expenses by someone not living in the assisted household;
- ⇒ Regular monetary or non-monetary gifts by someone not living in the assisted household;
- ⇒ Business income.

Changes in household composition include, but are not limited to:

- ⇒ New baby;
- ⇒ A death in the family;
- ⇒ Any person who lives with you (sleeps, eats, bathes in your unit) must be reported. A guest must have another residence and is limited on the number of days per year s/he can stay with you;
- ⇒ Any person who moves out of your unit;
- ⇒ Additions to your household (you must always obtain your landlord's and the Housing Authority's approval before someone moves in).

Changes in assets include, but are not limited to:

- ⇒ New bank accounts;
- ⇒ Changes in banks or accounts;
- ⇒ Property or vehicles;
- ⇒ Stocks, bonds, or certificates of deposit;
- ⇒ Inheritance;
- ⇒ Insurance settlement;
- ⇒ Life insurance with a cash value;
- ⇒ Gifts;
- ⇒ Collections for investment, such as a stamp or a coin collection;
- ⇒ Annuities;
- ⇒ Lottery or gambling winnings.

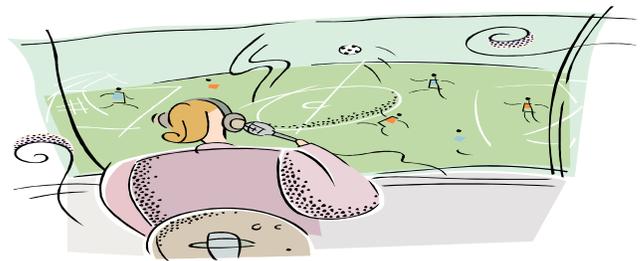
Family Obligations

- **Pay your portion of the rent and utility bills on time;**
- **Provide and maintain appliances as agreed to on the lease;**
- **Maintain the dwelling in the best possible condition;**
- **Repair any damages caused by your household within thirty (30) days or, in the event the damage is life-threatening, within twenty-four (24) hours. Damages beyond normal wear and tear caused by any member of your household or any of your guests are your responsibility.**

Rules And Policies You Must Follow

Your participation in the rental assistance program may be terminated if you or any member of your household commit any of the following violations:

- Fail to allow the Housing Authority to inspect your unit at a reasonable time after you have received reasonable notice;
 - Commit serious or repeated violations of the lease;
 - Fail to notify the Housing Authority and the property owner (landlord), in writing, at least 30-days before you move out of your unit;
 - Fail to promptly give the Housing Authority a copy of any eviction notice received from the property owner (landlord);
 - Reside in another residence other than the assisted unit;
 - Allow people not approved by the Housing Authority to reside in your unit. The Housing Authority must approve any new residents before they move in and you must report immediately if anyone moves out of your unit;
 - Fail to notify and receive approval of the Housing Authority prior to taking in a foster child or a live-in aide;
 - Fail to receive Housing Authority and the property owner's approval before engaging in legal profit making business activities in the unit. These activities by family members may be allowed if they are incidental to the primary use of the residence;
 - Sublease, assign, transfer, or otherwise re-rent the unit. You may not rent out rooms in the unit;
 - Withhold rent without Housing Authority knowledge and permission.
- Fail to supply any information or certification requested by the Housing Authority to verify that (1) your family is living in the unit, or (2) your family is absent from the unit, including any information or certification on the reason(s) for the absences. The Housing Authority must be notified within fourteen (14) days of any absence from the unit;
 - Own or have any financial interest in the unit (except for mobilehome owners);
 - Receive other federal, state, or local housing subsidies for the unit;
 - Fail to (1) supply any information that the Housing Authority or HUD deems to be necessary, (2) disclose and verify social security numbers, (3) sign and submit consent forms for obtaining information, and (4) notify the Housing Authority in writing when the family is away from the unit for an extended period of time;
 - Provide information that is untrue and/or incomplete;
 - Commit fraud, bribery, or any other corrupt or criminal act in connection with the program;
 - Participate in illegal drug or violent criminal activity;
 - Rent a unit from an owner who is your, or any member of your family's, parent, child, grandparent, grandchild, sister or brother, unless you receive Housing Authority approval that the unit would provide reasonable accommodation for a family member with disabilities. This rule only applies to new admissions and moves.



Grounds For Termination

Grounds for termination include, but are not limited to, violation of any items set forth in this section or the sections on Zero Tolerance for crime, drugs, drug trafficking, gangs, and/or property damage.

The Housing Authority may deny program assistance for an applicant, or terminate program assistance for a participant, for any of the reasons listed below:

- If the family violates any family obligations;
- If any member of the family has ever been evicted from public housing;
- If any member of the family participates in illegal drug or violent criminal activity, including sexual offenses;
- If any member of the family commits fraud, bribery, or any other corrupt or criminal acts in connection with any federal housing program;
- If the family currently owes any money to the Housing Authority or another Housing Authority in connection with Section 8 or Public Housing Programs;
- If the family breaches an agreement with the Housing Authority to pay amounts owed to a Housing Authority, or amounts paid to an owner by a Housing Authority;
- If the family engaged in or threatened abusive or violent behavior toward Housing Authority personnel;
- If there are serious or repeated violations of the lease.
- If the family fails to pay or withholds its portion of the rent for any reason.

Zero Tolerance of Property Damage

The Housing Authority of the County of San Diego maintains a policy of zero tolerance for property damage. Any intentional, careless, or reckless damage by you, your guests, or your family to your Section 8 rental unit will not be tolerated. As a participant in the Section 8 HCV Program, you must agree to support the Housing Authority's zero tolerance policy. For your part, you are required to:

- Maintain the residence in a clean and sanitary condition at all times;
- Teach young children to help care for and value the home they live in; and
- Avoid and prevent any use of the unit by you, your family, or guests that could result in damage to the residence.

You will be responsible for paying the costs of any damage (beyond normal wear and tear) and you may be terminated from the Section 8 HCV Program as a result of causing or allowing property damage and/or failing to promptly pay for your damages. You must allow your landlord to make repairs at reasonable times and upon reasonable notice.

Zero Tolerance Of Drugs, Crime, and Gangs

The Housing Authority maintains a policy of zero tolerance for gang activity, violent activity, sexual crimes, illegal drug activity, or fraud involving public monies. This means that the commission of a crime such as fraud, bribery or theft, or any acts of violence, sexual offenses, or drug activity, whether or not they are gang related, will not be tolerated.

- **Fraud.** Any attempt at fraud, intentional deceit, or bribery as it relates to any government funds, is grounds for termination from the program.
- **Drug use.** The Housing Authority may terminate assistance for possession and/or use of a controlled substance by any family member or guest.
- **Drug sales (trafficking) or manufacture.** The manufacture, sale, distribution, or the possession with intent to manufacture, sell, or distribute a controlled substance (as defined in Section 102 of the Controlled

Substances Act [21 U.S.C. 802]) is strictly prohibited.

- **Alcohol/Personal Use of a Controlled Substance.** The Housing Authority will deny participation in the program in cases where the Housing Authority determines there is reasonable cause to believe that the person is illegally using a controlled substance, or **abuses alcohol** in a way that may interfere with the health, safety or right to peaceful occupancy by other residents. This includes cases where the Housing Authority determines that there is a pattern of illegal use of a controlled substance, or of alcohol abuse.
- **Gangs.** Gang activity by any family member will not be tolerated.
- **Violence.** Violence of any kind is strictly prohibited. There will be no tolerance for the use or threatened use of physical force against any individual inside or outside the residence. This includes assault, battery, child abuse, domestic violence, murder, or any other kind of violence against another person or their property.
- **Sex Crimes.** Sexual offenses are prohibited.

Section 8 housing assistance may be terminated for a breach of any of the items listed above or any other activity deemed criminal in nature. Those violating these rules may be referred to the San Diego County District Attorney's Office for possible prosecution.

Program Review and Tenant Integrity Program

The Housing Authority of the County of San Diego (Housing Authority) administers a Program Review and Tenant Integrity Program. The purpose of the program is to assure that public funds are paid on behalf of qualified and eligible participants. Program Review staff investigates suspected program abuse or misconduct.

In addition to conducting investigations into suspected program abuse, conferences are conducted with participants suspected of violating program requirements. These conferences reinforce the housing assistance participants' obligation to comply with program regulations. Program Review staff conducts independent inspections and random audits of housing assistance files. Confirmation and verification of participant information and housing quality standards is obtained by visual inspection of units and file examination.

It is important that you understand that all information provided to the Housing Authority must be true and complete and is subject to additional review by Program Review staff. You should understand the purpose of the Program Review and Tenant Integrity Program and you must agree to cooperate with any required verifications, inspections, and/or conferences. Do not risk losing your Section 8 rental assistance by providing false, incomplete, and/or inaccurate information on your application and recertification forms.

Informal Hearing Process

If the Housing Authority sends a "Notice of Termination" to you, the notice will contain a brief explanation of the reasons for termination of program participation. You have 14 days from the date of the notice to request an informal hearing if you disagree with the notice.

You must request an informal hearing in writing and state why you are requesting an informal hearing. At the hearing, you will be given an opportunity to present written or oral objections. The hearing officer will notify you of the final decision and provide a brief explanation for the decision.



You may request an Informal Hearing to discuss any of the following issues:

- A determination of the family's annual or adjusted income and the use of such income to compute the housing assistance payment.
- A determination of the appropriate utility allowance for tenant-paid utilities from the Housing Authority utility allowance schedule.
- A determination of the family unit size under the Housing Authority subsidy standards.
- A determination to terminate assistance for a participant family because of the family's action or failure to act.
- A determination to terminate assistance because the participant family has been absent from the assisted unit for a period of time that is greater than 30 consecutive days.

Important Note:

The Housing Authority is not bound by the decision of the hearing officer if the decision exceeds the authority of the hearing officer or if it is contrary to HUD regulations or federal, state, and/or local laws.

Annual Activities

Annual Recertification

HUD requires that all families be reviewed annually to determine continued program eligibility and the appropriate amount of assistance. This process is called the annual “recertification.” Approximately eight months after you are first approved for assistance, you will receive a recertification letter and packet from the Housing Authority. It is important that you promptly complete and return your packet and all requested information by the deadline. If you fail to return the requested information by the deadline, you will be notified that your assistance will be terminated. It is important that you promptly contact your housing authority representative if you receive a notice to terminate benefits.



Annual Inspection

The Housing Authority must inspect your housing unit at least annually. Approximately eight months after you are first approved for assistance, you will be notified by letter or telephone of the date and time of your annual inspection. It is your responsibility to make sure that the head of household or spouse is available to allow the inspector to enter the premises. You must cooperate to avoid an interruption in or termination of your housing assistance. The inspector may not be able to answer questions regarding your case. You should contact your assigned housing representative to report changes in your situation or to ask questions about your case.

Interim Review

Certain changes in your status may require a review by the Housing Authority. A review of your eligibility and the level of your benefits may take place when your household composition or your income changes. In addition, the Housing Authority may review your status when it receives information indicating that you have violated your program obligations.

Enterprise Income Verification System

Income and employment information reported by assisted households is compared to the income and employment information reported to HUD’s Enterprise Income Verification (EIV) System. If there is a discrepancy between the income and employment information reported by you to the Housing Authority and the income and employment information reported to HUD’s EIV System by employers and agencies providing benefits, the Housing Authority will research the discrepancies and take the appropriate action if it is found that income and employment information was not reported, underreported, or reported late. The action that will be taken as a result of unreported or underreported income may include termination of program participation and/or repayment of overpaid housing assistance benefits.

Moving Procedures



Before you move, you must notify the Housing Authority and the landlord in compliance with state law and the lease. The Housing Authority must approve your move in advance and the Housing Authority will not transfer your assistance more than once in a 12-month period.

Follow these steps to transfer your assistance:

- After your lease term and with Housing Authority approval, give your landlord an advance thirty to sixty (30-60) day written notice as required by State law and send a copy to your housing representative.
- If your landlord gives you notice to move, send a copy to your housing representative right away. The Housing Authority does not advise on tenant-landlord law. If you believe your notice is deficient and you intend to not comply with the notice, you should seek legal advice and notify the Housing Authority of your intention.
- Make sure all of your belongings are removed from your unit by the end of the notice period.
- Leave the unit clean and in good condition.
- Never allow yourself to be evicted because you may lose your assistance.

The Housing Authority must conduct a criminal history and sex offender background check before your rental assistance can be started in a new location.

Deciding where you want to live.

As you search for suitable housing, try to select a place that meets your family's needs because you must remain at the new location at least one year. Here are some suggestions to consider:

Schools. If you have school-aged children, consider the various school districts that are available, as well as the distance from the housing unit to the school.

Safety. Consider the neighborhood and its surroundings. Avoid high crime areas.

Work. Consider the distance between your workplace and the location of the housing unit.

Child Care. Consider child care availability in the area of the housing unit. If you work, what is the distance between the housing unit, the child care provider, and your work location?

Public Transportation. If you do not have a vehicle, what is the access to public transportation in the area of the housing unit?

Premises and Neighborhood. Is there a place for children to play outside safely? Is the unit in a high crime area? What is the general condition of the neighborhood? Are you close to essential services (e.g., medical, police, fire)? Is there a church nearby? Is there adequate parking for you and your guests? Is the area/building well lit at night?

If you live in a high-poverty area, you should consider searching for a housing unit in another area. A low-poverty area may provide possible advantages to your family, such as improved employment and educational opportunities.

New Unit

- Pay the full security deposit and your portion of the rent to your new landlord.
- All moving costs and utility hookup charges are your responsibility.
- The initial lease period must be for a minimum of six (6) months.
- The Housing Authority will not transfer your assistance more than once in a 12-month period, so make sure that you are willing to stay at least one year.
- The Housing Authority cannot begin assistance on a new unit until it inspects and passes the unit and executes a contract with the landlord. If you move into a unit before this is done, you are responsible for full rent until the unit is approved.

Releasing Information To Prospective Owners. The Housing Authority will, upon request, provide the prospective landlord/manager your current address and the name and address of your current and previous owners. The Housing Authority will, upon request, also provide any documentation in your file reflecting a history of eviction, damage to rental units, or drug trafficking.

Jurisdiction. The Housing Authority of the County of San Diego serves the following communities:

Alpine	Bonita	Bonsall	Borrego Springs
Boulevard	Chula Vista	Coronado	Del Mar
Descanso	Dulzura	El Cajon	Escondido
Fallbrook	Guatay	Imperial Beach	Jamul
Julian	Lakeside	La Mesa	Lemon Grove
Lincoln Acres	Pala	Pauma Valley	Pine Valley
Potrero	Poway	Ramona	San Marcos
Santa Ysabel	Santee	Solana Beach	Spring Valley
Tecate	Valley Center	Vista	Warner Springs
Unincorporated			

Important: Cities that lie outside the jurisdiction of the County Housing Authority are: Carlsbad, Encinitas, National City, Oceanside, and the City of San Diego.

Portability. Portability is the HUD term for the ability to move outside your housing agency's jurisdiction with continued rental assistance.



You can usually use your voucher across town or anywhere in the United States that has a housing authority to accept your voucher.

The Housing Authority may limit moves under portability, so contact your housing representative regarding the portability feature.

Facts About Portability. Keep in mind that different housing authorities may have different policies and deadlines. Different housing authorities may have different voucher payment standards and utility allowances that could affect the amount you pay for rent. You may also receive a different size voucher based on the new housing authority's occupancy standards.

As a new admission to the program, you may find you are not eligible for assistance in another jurisdiction due to different income limits. It is important that you find this out before you take advantage of portability.

Portability and FSS. If you are participating in a Family Self-Sufficiency (FSS) program, make sure that you discuss your move with your housing representative. If you cannot fulfill your FSS obligations in the new location, your FSS contract may be terminated and you may lose your escrow balance.



Inspection Checklist

It is necessary for the unit where you plan to receive rental assistance pass a housing quality standards (HQS) inspection before payments will be made. The unit will also need to pass inspection each year for rental assistance payments to continue. A failed inspection could delay the start of payments or endanger the continuation of payments. You must notify your housing representative if your landlord fails to make repairs within a reasonable period of time to conditions that affect the habitability of your assisted unit.

The Housing Authority will inspect the following eight areas for Housing Quality Standards (HQS) compliance:

- Living Room
- Kitchen
- Bathroom(s)
- Other Rooms Used for Living
- Secondary Rooms
- Outbuildings
- Building Exterior
- Heating and Plumbing
- General Health and Safety
- Garage

The following is a listing of the conditions that must be verified by the Housing Inspector:

- All major utilities (electricity, gas, water) must be turned on.
- The cooking stove and oven must be clean and in working condition. There must be burner control knobs.
- The refrigerator must be clean and in working condition.
- The heating unit must be properly installed and vented and otherwise in good working order. Check with SDG&E to ensure safety of the heating system. Heater must be operational.
- There must be hot and cold running water in the kitchen and bathroom(s).
- There must be a shower or bathtub that is in good working condition.
- There must be a flush toilet that works and does not leak.
- The bathroom must have a window or working ventilation fan.
- There must be no plumbing leaks or plugged drains.
- All accessible outside doors and windows must have working locks.
- At least one exit door must be without a double-keyed deadbolt lock.
- All electrical outlets must have cover plates in good condition with no cracks.
- There must be no missing, broken or badly cracked windows/window panes.
- The roof must not leak.
- The hot water tank for the unit must have a pressure relief valve and a downward discharge pipe.
- There can be no tears, holes, or loose seams in carpeting or linoleum.
- Stairs and railings, inside and out, must be secure. A stairway of four or more steps requires a railing.
- There can be no mice, rats, or insect infestation.
- There **MUST** be a properly operating smoke detector on every level of the unit.
- No cracking, chipping, scaling, or loose paint anywhere, inside or outside the unit if a child under the age of six resides or is expected to reside in the unit.
- No excessive debris in or around the unit, such as an accumulation of boxes, paper, trash, wood, tires, machine or auto parts, batteries, paint cans, or old appliances. Derelict vehicles must be removed from the premises.

For more detailed inspection standard information, read the HUD publication, "A Good Place to Live," in the Landlord Information section of the Housing Authority website at www.sdhcd.org.

Lead-Based Paint Hazard

Be aware that your family can be poisoned by lead based paint. Lead poisoning causes serious physical harm, particularly to small children.



Your children may be suffering from lead poisoning if they show the following symptoms:

- Crankiness or irritability over a long period of time.
- Little or no appetite.
- Frequent stomach aches.
- Frequent vomiting.

Sometimes your children may not appear sick at all, but they are being poisoned in a way that could damage their minds and bodies. If you believe your children have been exposed to lead-based paint, seek immediate medical attention. Your health care provider can test your children for lead poisoning.

Your family may be at greatest risk if:

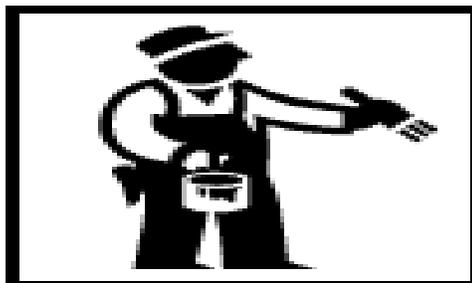
- You have children under the age of six;
- You have selected a unit built prior to January 1, 1978; and,
- Your pre-1978 unit has chipping, peeling, scaling, and/or loose paint inside or outside.

If you live in a pre-1978 unit, be aware of the conditions of the unit. Although not all pre-1978 units contain lead-based paint, lead poisoning of your children may occur if the unit contains lead-based paint and:

- Your children eat paint chips;
- Your children chew on painted surfaces such as moldings or window frames;
- Your children play in soil underneath painted areas, such as eaves or painted siding that are, or had been deteriorating; and,
- Your children breathe dust created by deteriorating painted surfaces.

You may receive Section 8 rental assistance in a pre-1978 unit, but the Housing Authority will not approve the unit if your children are under the age of six, and the unit's paint surfaces show signs of deterioration as indicated by cracking, scaling, chipping or peeling paint.

If the unit fails a Housing Authority inspection, your landlord will be given information on how to correct the problems. Your landlord must make the repairs in accordance with special lead-based paint rules and regulations. Your landlord must take all necessary steps to keep your family safe from harm.



Federal Privacy Statement

The U. S. Department of Housing and Urban Development (HUD) collects and discloses data on applicants and participants in the Section 8 HCV Program in accordance with the U. S. Privacy Act of 1974 . The information is released to appropriate federal, state, or local agencies to verify information relevant to participation in the rental assistance programs and, when applicable, to other civil, criminal, or regulatory bodies.

For every participant, the Housing Authority completes a data collection form (HUD 50058) with information about household size, cost of rent, income and assets, and social security numbers. This information is used by HUD to

develop budgets, evaluate, plan, monitor programs, and prepare reports to the President and Congress. The information is also used to verify accuracy and completeness of income information and detect fraud.

HUD is permitted to ask for the information by the U. S. Housing Act of 1937 as amended, 42 USC, 1437 et. seq., the Housing and Community Development Act 1981, Public Law 97-35, 85 Stat., 348, 408.

Failure to disclose information or social security numbers constitutes grounds for denying eligibility or continued eligibility pursuant to Title 24 Code of Federal Regulations.

Proof of Citizenship Status

Section 214, Part 812 of the Code of Federal Regulations states:

- All family members must submit evidence of citizenship or eligible immigration status for verification.
- Verification or evidence of citizenship or eligible immigration status must be submitted at the point of eligibility determination.



Violence Against Women Act

On January 6, 2006, President Bush signed into law the Violence Against Women and Department of Justice Reauthorization Act of 2005. The law prohibits the denial of admission, termination of assistance, or termination of tenancy for lease violations, criminal activities, or other good cause if the violations occurred as a direct result of a family member being the victim of domestic violence, dating violence, or stalking. The restrictions are described in the Tenancy Addendum, which is the document provided by the housing authority that supplements the lease agreement.

Family Self Sufficiency Program

The Family Self Sufficiency (FSS) Program helps families develop and continue educational and career goals. Participants are encouraged to seek training or education that will enable them to work or improve their current employment situation. The program is available to Section 8 HCV Program participants. There is a waiting list for the FSS Program. Those admitted to the FSS Program enter into five-year contracts with goals to achieve economic independence. As participants increase their earned income and pay more of their rent, the Housing Authority saves money by paying less of their rent. Families may be eligible to the money saved if they meet their goals by the end of their five-year contract.

For Your Protection



Landlords/Managers Have A Responsibility To:

- Consider all qualified applicants equally;
- Indicate no preference when advertising or showing units;
- Give all applicants accurate and complete information about available units, occupancy dates, rental terms, and conditions;
- Refrain from making written or verbal inquiries about an applicant's ethnicity, religion, sex, disability, marital or familial status; and,
- Be consistent in applying rental policies.



Landlords/Managers Must Never:

- Ask for money from tenants beyond the rental contract and standard credit check charges;
- Offer money and/or gifts to Housing Authority employees for favors; or,
- Pay or offer payment for "referral or finder fees" to Housing Authority employees for steering Section 8 recipients to vacant units.

If you should have information about a landlord or manager engaging in any of the above activities, please call the Program Review Coordinator at (858) 694-4832.

If you have reason to believe you are a victim of housing discrimination, you have the right to file a housing discrimination complaint. A complaint form is available from any HUD office. You should also report all information about violations of the Federal Fair Housing Law to HUD, even if you do not file a formal complaint.

To file a report with HUD, please call:
Fair Housing Complaint Hotline: 1-800-669-9777.

Hearing Impaired: **(TDD) 1-800-543-8294**

Beware of the following fraud schemes:

- Requesting money in return for filing a rental assistance application;
- Requesting money to move someone up on the rental assistance waiting list.

Important. For your protection, always get a receipt for money paid out by you, whether by cash, check, or money order. Always request a written explanation for non-rent payments .

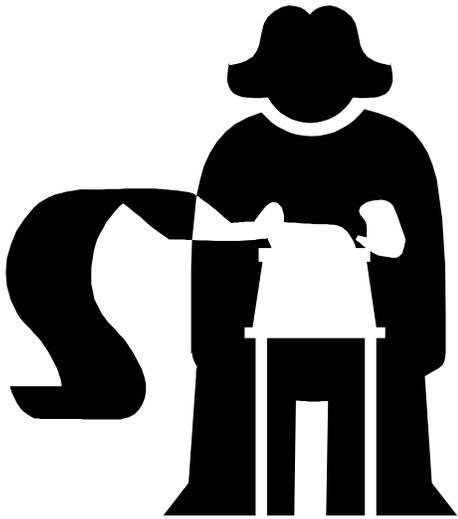
Federal and State Laws

Fair Housing Laws

It is a violation of federal law for a housing provider to refuse to rent or sell a home, to offer unequal terms, quote different prices, or apply different policies on the basis of race, color, religion, disability or handicap, sex, familial status, or national origin. State law prohibits discrimination on the basis of marital status, ancestry, age, or familial status. Some of these laws are described below.



State of California



Fair Employment and Housing Act (Rumford Fair Housing Act of 1963) prohibits discrimination on the basis of race, color, religion, sex, national origin, ancestry, and marital status. A complaint may be filed with the Department of Fair Employment and Housing.

Unruh Civil Rights Act (1893, AMENDED 1959) prohibits discrimination in all public accommodations including rental housing and adds arbitrary discrimination to bases covered by the Fair Employment and Housing Act.

Ralph Civil Rights Act (1976) prohibits violence or the threat of violence against protected classes in the exercise of their fair housing rights.

Federal Government

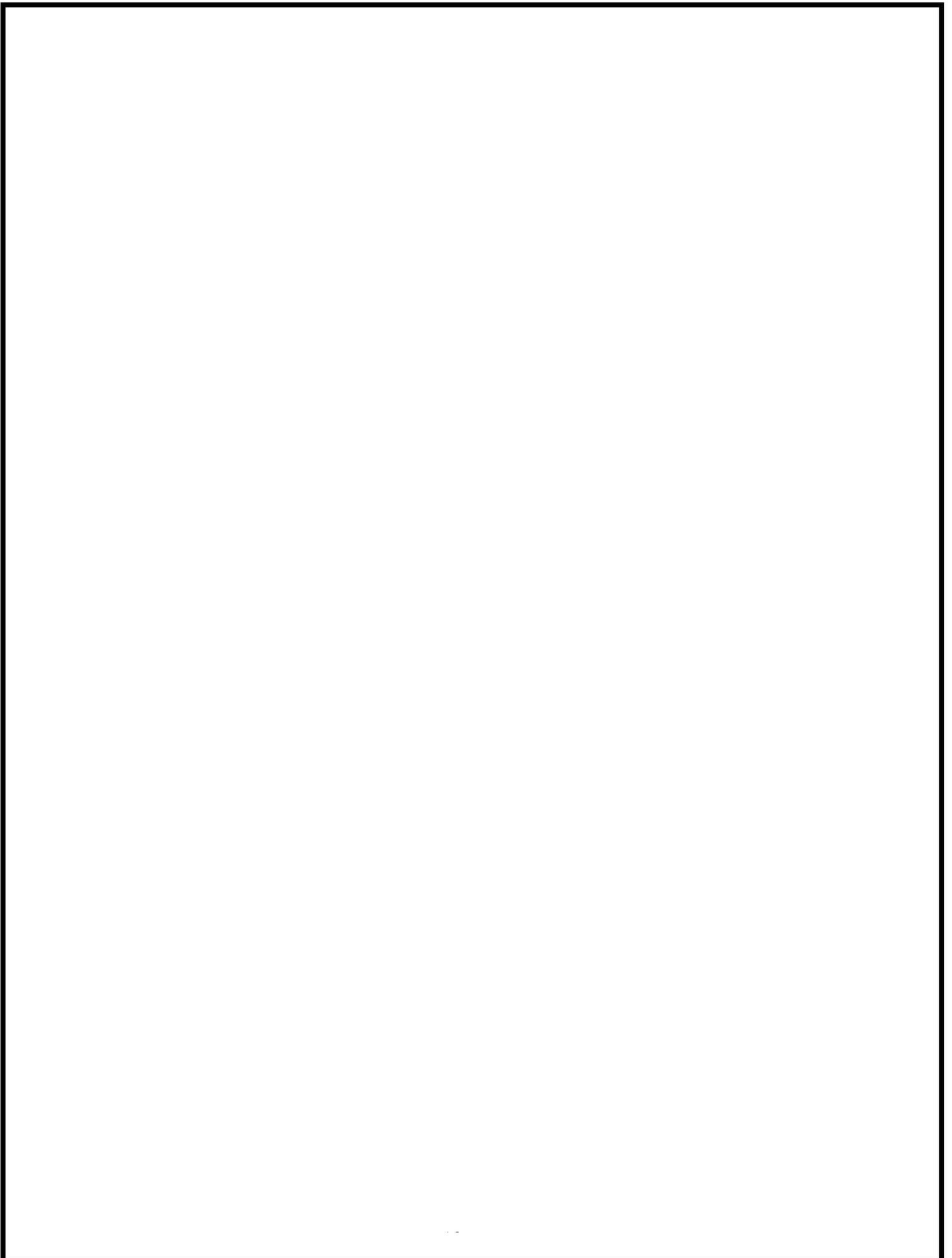
Civil Rights Act of 1866 protects the right of all persons to “inherit, purchase, lease, sell, hold, and convey” real and personal property. Bases covered are race and national origin.

Civil Rights Act of 1968, Title VIII prohibits discrimination based on race, color, national origin, religion, and sex.

Fair Housing Amendments Act of 1988 bars discrimination in the sale or rental of housing on the basis of a disability or because there are children in the family, but exempts housing for older persons.



*Sample
Documents*





County of San Diego

CATHERINE TROUT
LICHTERMAN
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
3989 RUFFIN ROAD, SAN DIEGO, CALIFORNIA 92123-1815

TELEPHONE: (619) 491-5000
FAX: (619) 491-5000
TDD: (858) 694-5000
Toll-free: 1-877-478-5000

Sample Document

IMPORTANT POINTS TO REMEMBER

I understand that the following points may be grounds for rental assistance termination:

1. If I or any household member engages in drug-related criminal activity, that includes the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use of a controlled substance.
2. If I or any household member engages in violent criminal activity, that includes the use, attempted use, or threatened use of physical force against a person or property.
3. If I, any household member or guest causes any damage to the unit or any other property on the premises.
4. If I or any household member fails to report, **in writing**, **within 14 days** of any changes in:
 - Household Income (increases or decreases of earning, benefits, etc.)
 - Sources of Income (start or stop of employment, benefits, etc.)
 - Household's Assets (open or close bank account, business, etc.)
 - Household Composition (addition or deletion of household members)
 - Adult Household Member's Full-time Student Enrollment Status
 - Absence of Any Family Member from the Unit
 - Any Other Changes in the Household – If in doubt, call your Housing Specialist!
5. If I or any household member allows unauthorized person(s) to reside/stay in the subsidized unit.
6. If I or any household member permits any person(s) not of my household to use my address as a mailing address or for any other purposes.
7. If I or any household member uses bank accounts for the purposes of cashing or writing checks for, or shares/jointly owns any other assets with, any person(s) not of my Section 8 household.
8. If I or any household member fails to disclose that the parent, child, grandparent, grandchild, sister or brother of anyone in my household owns or has any interest in the subsidized unit.
9. If I vacate the unit or move to any other unit (even within the same complex) without prior approval from the Housing Authority.

I/we have read and understand every ground for rental assistance termination detailed above:

Signature of Head of Household

Date

Signature of Spouse/Other Adult

Date

Signature of Other Adult

Date

Signature of Other Adult

Date

Do you require a specific accommodation to fully utilize the Agency's services? Yes No



County of San Diego

CATHERINE TROUT
LICHTERMAN
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

3989 RUFFIN ROAD, SAN DIEGO, CALIFORNIA 92123-1815

TEL: (858) 694-4801
FAX: (858) 694-4871
TDD: (858) 694-4884
Toll-free: 1-877-478-5478

TENANT TERMINATED FROM SECTION 8 RENTAL ASSISTANCE PROGRAM

Date:

«Tenant_Name»
«Tenant_Address»
«Tenant_CityStZip»

Sample Document

The Housing Authority of the County of San Diego has made a decision to **terminate your participation** in the Section 8 Rental Assistance Program effective «Termination_Eff_Date». The reason for this termination is as follows:

[Note to Housing Rep. Delete items that do not apply so notice is on one page. Additional termination items on second page. ALWAYS EXPLAIN AND DESCRIBE FULLY THE CIRCUMSTANCES AND REASON FOR TERMINATION.]

- A. *We have determined that you have provided false or misleading information in an apparent effort to receive benefits you would not otherwise be entitled to. (24CFR982.551 (k) Fraud; 24CFR982.552 Termination of Assistance)*
- B. *You failed to provide the following information requested on (DATE). Note: If the Housing Authority receives the required documentation within 14 days of the date of this notice this action will be rescinded (24CFR982.551 Obligations of Participant; 24CFR 982.552 Termination of Assistance)*
- C. *You have engaged in drug-related criminal activity or violent criminal activity which includes criminal activity by any family member (24CFR982.551 Obligations of the Family; 24CFR982.552 Termination of Assistance; 24CFR982.553 Crime by family members; 24CFR982.553 (a) (1) Drug related criminal activity; 24CFR982.553 (a) (2) Violent criminal activity) (describe criminal activities)*
- D. *You refused to allow the Housing Authority Staff or its representative to inspect your subsidized unit. (24CFR 982.551 (d) Allow Inspection 24CFR982.552 Termination of Assistance)*
- E. *The Housing Authority has received a written notice from you indicating your intention to terminate your tenancy. Pursuant to your lease, you cannot move during the first year of the lease (24CFR 982.309 (d) Lease termination by family; 24CFR 982.314 Move with continued assistance.)*

Do you require a specific accommodation to fully utilize the Agency's services? Yes No

- F. You have failed to repay monies owed to (**Housing Authority name added by H.S.**) (24CFR 982.552 Termination of Assistance; 24CFR982.551 Obligation of the family; 24CFR982.551 (b) (7) Failed to repay; 24CFR982.551 (b) (8) Breach of Agreement).
- G. Your subsidized unit has failed to meet minimum Housing Quality Standards. (24CFR 982.404 (b) Maintenance: Family obligation; 24CFR982.552 Termination of assistance).
- H. You have elected a unit which does not qualify for participation in the Rental Assistance Program (24CFR 882.110 Types of Housing; 982.552 Termination of Assistance.)
- I. You have violated your family obligations by:
- Having unauthorized person(s) reside with you.
 - Providing information that is not true and complete.
 - Causing a breach of housing quality standards.
 - Not allowing an inspection.
 - Seriously or repeatedly violating the lease.
 - Moving or terminating the lease without notice.
 - Not promptly providing a copy of an owner eviction notice.
 - Having another residence in addition to the assisted unit.
 - Allowing unauthorized people to stay in your unit.
 - Not promptly providing notice that a family member no longer resides in the unit.
 - Operating an unauthorized or illegal business in the unit.
 - Subleasing or letting the unit.
 - Being absent from the unit in violation of the program or not properly providing notice of absence from the unit
 - Having an ownership or other interest in the unit.
 - Receiving another duplicative housing subsidy for the assisted unit or another unit.
 - Adding an individual to your household who had been terminated from another housing agency.
 - A member of your household abusing alcohol thus interfering with the health, safety, or right to peaceful enjoyment of the premises by other residents.
 - A member of your household is or was engaging in drug-related or violent criminal activities.
 - Committing fraud, bribery, or another corrupt or criminal act regarding any federal housing program.
 - Engaging in or threatening abuse or violent behavior towards Housing Authority personnel.
 - Other:
(24CFR 982.551 and 982.552). (24CFR 982.551 (h) Use and Occupancy of unit; 24CFR982.552 Termination of assistance).
- J. You left (or will leave) this jurisdiction and you did not request approval to transfer your participation to another Housing Agency (24CFR 982.35) Jurisdiction.
- K. You failed to notify the Housing Authority before vacating your unit. (24CFR 982.551 (F) Notify before vacating).
- L. You voluntarily requested termination of assistance by telephone or in writing (24CFR 982.552 Termination of Assistance)
- M. The Housing Authority received notice that the assisted person is deceased. (24CFR 982.552 Termination of Assistance). **[Note: Also send to Contact Person]**
- N. You have committed serious and/or repeated violations of your lease (24CFR 982.552).
- O. You have remained in Zero assistance status for 180 days without any change. Your 180 days expired. (24CFR982.551 Obligations of the Family).
- P. A member of your household is subject to a lifetime registration requirement under a state sex offender registration program. This person is (name) (24CFR 982.553).

Sample Document

Q. *You failed to comply with special program requirements set by sponsor(s)/advocate(s) and/or social worker(s).*

R. *Other:* _____

If it is determined that the HACSD has overpaid benefits, on your behalf, the HACSD may permit you to repay the overpayment in increments pursuant to a written agreement between you and the HACSD.

(Use the following only when tenant is being evicted.)

In accordance with 24CFR Part 966, Subparts A and B, you have the right to present written or oral objections if you believe this action to be in violation of program policy and regulations. You also have a right to request a hearing in court which provides the basic elements of due process before eviction from the dwelling unit. **See the reverse side of this form for a description of how to obtain a grievance hearing.**

(For other charges, use the following:)

In accordance with 24CFR 982.555(a), you have the right to present written or oral objections if you believe this decision to be in violation of program policy and regulations. You also have a right to request an informal hearing of this decision. **See the reverse side of this notice or attached form for a description of how to obtain an informal hearing.**

Housing Representative: «HS_Name»

Phone Number: (858) «HS_Phone»

*Sample
Document*

1. You have the right to call and talk about this decision with representatives of the Housing Authority at any time.
2. You also have the **right to request an Informal Hearing** and decision by an impartial Hearing Officer (see form below). Your request must be written and must state that you want a Hearing. **The Housing Authority must receive your request for a Hearing within 14 calendar days of the date of this notice.**
3. Once the Housing Authority receives your request for a Hearing, specific regulations and procedures governing Informal Hearings will be mailed to you with a "Notice of Informal Hearing" appointment.
4. If you wish to request an Informal Hearing, please send this page to:

San Diego County Housing Authority
 Informal Hearing Request
 3989 Ruffin Road
 San Diego, CA 92123-1890

Sample Document

REQUEST FOR INFORMAL HEARING

I, _____ Phone _____
 Name

 Address

hereby request an Informal Hearing by a Hearing Officer regarding the decision made by the Housing Authority of the County of San Diego with respect to my application for rental assistance.

My request is made based on these written objections:

Signed: _____ Date _____

CaseName: _____ Case SSN _____

VOUCHER
Housing Choice Voucher Program

**US Department of Housing
and Urban Development**
Office of Public and Indian Housing

OMB No. 2577-0169
(exp. 07/31/2007)

Public Reporting Burden for this collection of information is estimated to average 0.05 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This collection of information is authorized under Section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f). The information is used to authorize a family to look for an eligible unit and specifies the size of the unit. The information also sets forth the family's obligations under the Housing Choice Voucher Program.

Please read entire document before completing form Fill in all blanks below. Type or print clearly.		Voucher Number
1. Insert unit size in number of bedrooms. (This is the number of bedrooms for which the Family qualifies, and is used in determining the amount of assistance to be paid on behalf of the Family to the owner.)		1. Unit Size
2. Date Voucher Issued (mm/dd/yyyy) Insert actual date the Voucher is issued to the Family.		2. Issue Date (mm/dd/yyyy)
3. Date Voucher Expires (mm/dd/yyyy) Insert date sixty days after date Voucher is issued. (See Section 6 of this form.)		3. Expirationn Date (mm/dd/yyyy)
4. Date Extension Expires (if applicable)(mm/dd/yyyy) (See Section 6. of this form)		4. Date Extension Expires (mm/dd/yyyy)
5. Name of Family Representative	6. Signature of Family Representative	Date Signed (mm/dd/yyyy)
7. Name of Public Housing Agency (PHA)	HOUSING AUTHORITY OF THE COUNTY OF SAN DIEGO 3989 RUFFIN RD., SAN DIEGO CA 92123-1890, FAX: (858) 694-8706	
8. Name and Title of PHA Official	9. Signature of PHA Official	Date Signed (mm/dd/yyyy)

1. Housing Choice Voucher Program

- A. The public housing agency (PHA) has determined that the above named family (item 5) is eligible to participate in the housing choice voucher program. Under this program, the family chooses a decent, safe and sanitary unit to live in. If the owner agrees to lease the unit to the family under the housing choice voucher program, and if the PHA approves the unit, the PHA will enter into a housing assistance payments (HAP) contract with the owner to make monthly payments to the owner to help the family pay the rent.
- B. The PHA determines the amount of the monthly housing assistance payment to be paid to the owner. Generally, the monthly housing assistance payment by the PHA is the difference between the applicable payment standard and 30 percent of monthly adjusted family income. In determining the maximum initial housing assistance payment for the family, the PHA will use the payment standard in effect on the date the tenancy is approved by the PHA. The family may choose to rent a unit for more than the payment standard, but this choice does not change the amount of the PHA's assistance payment. The actual amount of the PHA's assistance payment will be determined using the gross rent for the unit selected by the family.

- B. The voucher does not give the family any right to participate in the PHA's housing choice voucher program. The family becomes a participant in the PHA's housing choice voucher program when the HAP contract between the PHA and the owner takes effect.
- C. During the initial or any extended term of this voucher, the PHA may require the family to report progress in leasing a unit at such intervals and times as determined by the PHA.

3. PHA Approval or Disapproval of Unit or Lease

- A. When the family finds a suitable unit where the owner is willing to participate in the program, the family must give the PHA the request for tenancy approval (on the form supplied by the PHA), signed by the owner and the family, and a copy of the lease, including the HUD-prescribed tenancy addendum. **Note: Both documents must be given to the PHA no later than the expiration date stated in item 3 or 4 on top of page one of this Voucher.**
- B. The family must submit these documents in the manner that is required by the PHA. PHA policy may prohibit the family from submitting more than one request for tenancy approval at a time.
- C. The lease must include, word-for-word, all provisions of the tenancy addendum required by HUD and supplied by the PHA. This is done by adding the HUD tenancy addendum to the lease used by the owner. If there is a difference between any provisions of the HUD tenancy addendum and any provisions of the owner's lease, the provisions of the HUD tenancy addendum shall control.

2. Voucher

- A. When issuing this voucher the PHA expects that if the family finds an approvable unit, the PHA will have the money available to enter into a HAP contract with the owner. However, the PHA is under no obligation to the family, to any owner, or to any other person, to approve a tenancy. The PHA does not have any liability to any party by the issuance of this voucher.

- D. After receiving the request for tenancy approval and a copy of the lease, the PHA will inspect the unit. The PHA may not give approval for the family to lease the unit or execute the HAP contract until the PHA has determined that all the following program requirements are met: the unit is eligible; the unit has been inspected by the PHA and passes the housing quality standards (HQS); the rent is reasonable; and the landlord and tenant have executed the lease including the HUD-prescribed tenancy addendum.
- E. If the PHA approves the unit, the PHA will notify the family and the owner, and will furnish two copies of the HAP contract to the owner.
 - 1. The owner and the family must execute the lease.
 - 2. The owner must sign both copies of the HAP contract and must furnish to the PHA a copy of the executed lease and both copies of the executed HAP contract.
 - 3. The PHA will execute the HAP contract and return an executed copy to the owner.
- F. If the PHA determines that the unit or lease cannot be approved for any reason, the PHA will notify the owner and the family that:
 - 1. The proposed unit or lease is disapproved for specified reasons, and
 - 2. If the conditions requiring disapproval are remedied to the satisfaction of the PHA on or before the date specified by the PHA, the unit or lease will be approved.

4. Obligations of the Family

- A. When the family's unit is approved and the HAP contract is executed, the family must follow the rules listed below in order to continue participating in the housing choice voucher program.
- B. The family must:
 - 1. Supply any information that the PHA or HUD determines to be necessary including evidence of citizenship or eligible immigration status, and information for use in a regularly scheduled reexamination or interim reexamination of family income and composition.
 - 2. Disclose and verify social security numbers and sign and submit consent forms for obtaining information.
 - 3. 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.
 - 4. Promptly notify the PHA in writing when the family is away from the unit for an extended period of time in accordance with PHA policies.
 - 5. Allow the PHA to inspect the unit at reasonable times and after reasonable notice.
 - 6. Notify the PHA and the owner in writing before moving out of the unit or terminating the lease.
 - 7. Use the assisted unit for residence by the family. The unit must be the family's only residence.
 - 8. Promptly notify the PHA in writing of the birth, adoption, or court-awarded custody of a child.
 - 9. Request PHA written approval to add any other family member as an occupant of the unit.

- 10. Promptly notify the PHA in writing if any family member no longer lives in the unit.
- 11. Give the PHA a copy of any owner eviction notice.
- 12. Pay utility bills and provide and maintain any appliances that the owner is not required to provide under the lease.
- C. Any information the family supplies must be true and complete.
- D. The family (including each family member) must not:
 - 1. Own or have any interest in the unit (other than in a cooperative, or the owner of a manufactured home leasing a manufactured home space).
 - 2. Commit any serious or repeated violation of the lease.
 - 3. Commit fraud, bribery or any other corrupt or criminal act in connection with the program.
 - 4. 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.
 - 5. Sublease or let the unit or assign the lease or transfer the unit.
 - 6. Receive housing choice voucher program housing assistance while receiving another housing subsidy, for the same unit or a different unit under any other Federal, State or local housing assistance program.
 - 7. Damage the unit or premises (other than damage from ordinary wear and tear) or permit any guest to damage the unit or premises.
 - 8. Receive housing choice voucher program housing 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.
 - 9. 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.

5. Illegal Discrimination

If the family has reason to believe that, in its search for suitable housing, it has been discriminated against on the basis of age, race, color, religion, sex, disability, national origin, or familial status, the family may file a housing discrimination complaint with any HUD Field Office in person, by mail, or by telephone. The PHA will give the family information on how to fill out and file a complaint.

6. Expiration and Extension of Voucher

The voucher will expire on the date stated in item 3 on the top of page one of this voucher unless the family requests an extension in writing and the PHA grants a written extension of the voucher in which case the voucher will expire on the date stated in item 4. At its discretion, the PHA may grant a family's request for one or more extensions of the initial term.

Tape here to close

_____ Fold here

Fold here _____

FROM: _____

PLACE
STAMP
HERE

HOUSING AUTHORITY OF THE
COUNTY OF SAN DIEGO
3989 RUFFIN ROAD
SAN DIEGO, CA 92123-1815

Resources

General Information

2-1-1 San Diego
San Diego 211
(858) 300-1211
www.211.org

Legal Information

Legal Aid Society of San Diego
San Diego (619) 262-0896
North County (760) 722-1935

San Diego Volunteer Lawyer Program
(619) 235-5656
www.sdipla.org/sdvp

Domestic Violence Legal Advisory Program (YMCA)
(619) 239-2341
www.ywcasandiego.org

Domestic Violence Hotline (888) 385-4657

Debt/Credit Counseling

Management International Credit
Counseling Services (619) 497-0200
(800) 308-2227
www.moneymanagement.org

Fair Housing

North County Lifeline (760) 726-4900, Ext. 321
www.nclifeline.org

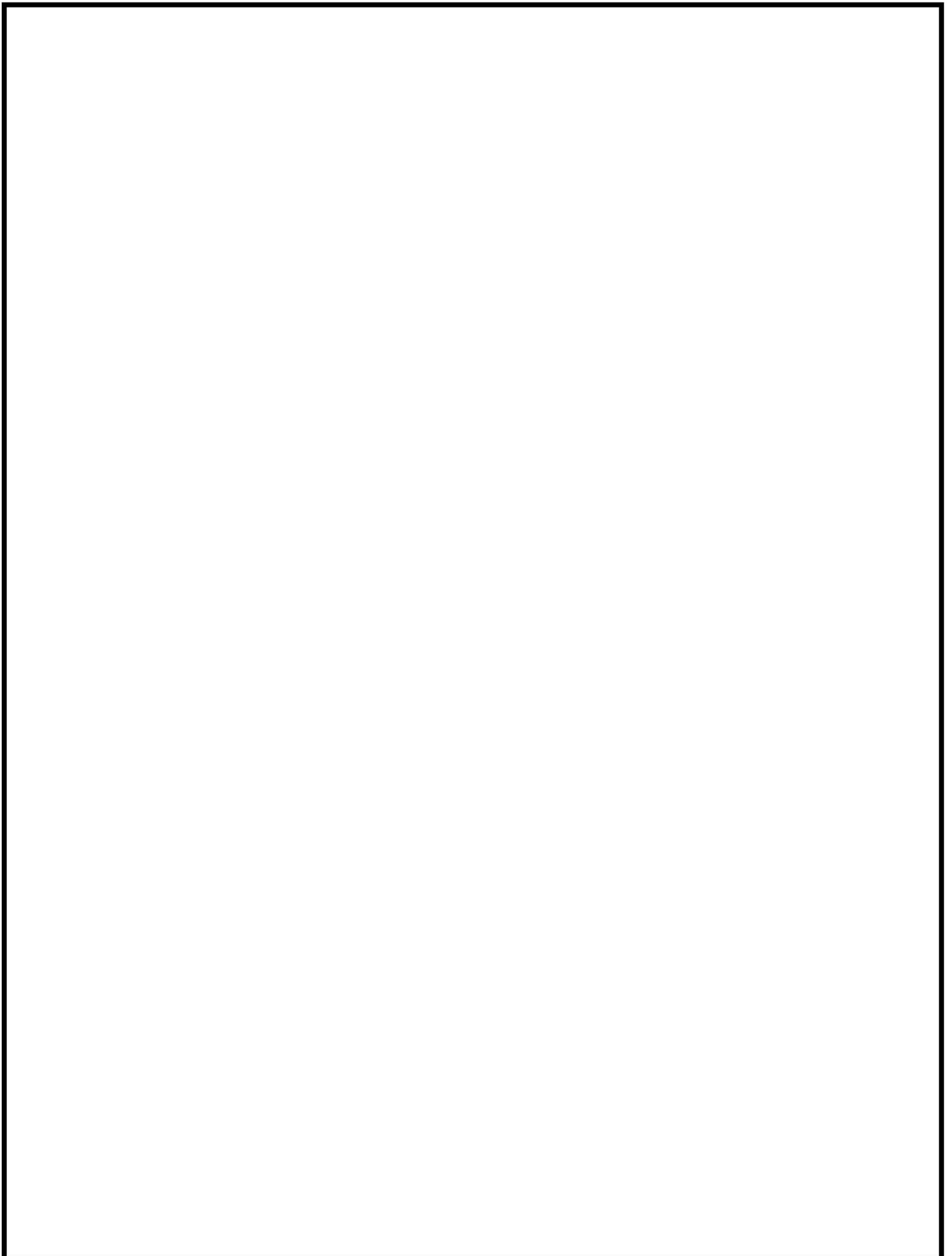
South Bay Community Services
(619) 420-3620 Ext. 140
www.southbaycommunityservices.org

The Center for Social Advocacy
(619) 444-5700
www.hhrfha.org

Housing Discrimination Hotline
(800) 669-9777

Mediation Services

National Conflict Resolution Center
(619) 238-2400 / (760) 494-4728
www.ncrconline.com



Housing Authority of the County of San Diego

**Administered by the
County of San Diego
Department of Housing and Community Development
3989 Ruffin Road
San Diego, CA 92123-1815**

(858) 694-4801

www.sdhcd.org

