



HOUSING QUALITY STANDARDS (HQS)

HQS INSPECTIONS

Part I – General Information

24 CFR 982.401 & 405



HQS – minimum quality standards for tenant-based programs

Types of Inspections

- Move-in (Initial) Inspections
- Yearly (Annual) Inspections
- Complaint Inspections
- Critical Inspections
- Follow-up (Re-inspections)
- Quality Control (QC) Inspections
- Lead Based Paint (LBP) Inspections
- Occupancy check inspections



Inspection Process

- Document any deficiencies found during an inspection that do not meet HQS standards.
- A list of these deficiencies will be sent to the Tenant & Owner after the failed inspection.
- Tenants and Owners will have no more than 30 days to make corrections before the re-inspection is conducted.
- Critical Deficiencies involving Health and Safety must be corrected within 24 to 48 hours.



Inspection Process cont.

- ❑ Tenants and Owners must allow inspections to take place at reasonable times and with advanced notice.
- ❑ An owner or tenant or their adult representative must be present during the inspection.
- ❑ If no adult (18 years or older) is present during for an inspection, it will not take place and be called an inconclusive inspection.
- ❑ Two inconclusive inspections will cause the Tenant and Owner to be in violation of the program.



Initial Inspections

- Are used to determine if the unit meets HQS standards.
- Are used to document the current condition of the unit for future evaluations of normal wear and tear.
- Are used to document the information for determining market rate rent.



Initial Inspections cont.

- If the unit has more than 12 deficiencies the inspection will be terminated and not re-inspected for 30 days.
- Initial inspections with more than 12 deficiencies do not require a deficiency list sent to the Tenant or Landlord.
- The owner is allowed one re-inspection.
- All utilities must be in proper service for all inspections.



Initial Inspections cont.

- If the unit fails a 2nd inspection, the family must select another unit.
- Marginal units that are likely to fail in less than a year are considered unacceptable.
- All deficiencies must be corrected within 30 days.



Annual Inspections

- Inspections conducted within 12 months, or less, from the last inspection.
- Written notice with the time & date of each inspection will be given to the Landlord/Owner & Tenant before an inspection.
- Families, and owners, must allow access for all inspections.
- An Owner, Tenant or their Adult (18 or older) representative must be present during each inspection.



Annual Inspections cont.

- ❑ If no adult (18 years or older), is present during an inspection, it will not take place and be called an inconclusive inspection.
- ❑ Inconclusive inspections are considered Failed inspections if the unit failed the previous inspection.
- ❑ If the annual inspection does not meet HQS standards it is considered a Failed inspection.
- ❑ Annual inspections will only be rescheduled once.
- ❑ Landlords/Owners and Tenants will receive a written deficiency list as well as a time and date for the next re-inspection.



Annual Inspections cont.

- ❑ All Owner or Tenant deficiencies must be corrected prior to a rescheduled inspection.
- ❑ 2 failed inspections by the Tenant will cause the Tenant be terminated from the program.
- ❑ 2 failed inspections by the Owner will cause the contract to be terminated and the unit banned from the Section 8 program for 1 year.
- ❑ All deficiencies must be corrected within 30 days.



Special/Complaint Inspections

- ❑ Any time a unit does not meet HQS standards an Owner or Tenant may request a special or complaint inspection.
- ❑ An Owner or Tenant must allow the special inspection to take place.
- ❑ The complaining party must be present at the inspection for the complaint to be considered valid.
- ❑ If the complaint is that a required utility is not on, that utility company can be used as 3rd party verification of this complaint.



Special/Complaint Inspections cont.

- A contract may be terminated if another agency certifies that the unit is unsafe for a family to live in.
- Deficiencies that endanger the family's health and safety are considered critical and must be corrected by the Owner or Tenant within 24 to 48 of the cited inspection.
- All non-critical deficiencies must be corrected within 7 to 30 days, depending on severity as determined by the Housing Authority.



Third (3rd) Inspections

- ❑ A 3rd inspection must be requested in writing within 10 calendar days of the 2nd failed inspection. A statement that “***all deficiencies have been corrected***”, must be included.
- ❑ 3rd inspections are not a right but an appeal by the owner or tenant that may or may not be approved.
- ❑ Each request for a 3rd inspection will be considered on a case-by-case basis.

Third (3rd) Inspections cont.

- The 2nd inspection must show improvement from the 1st inspection.
- The 2nd deficiency list must have less than half the deficiencies of the 1st list and no more than 3 deficiencies for an owner or tenant.
- 3rd inspections will be approved or denied within 10 days of receiving the request.
- If the owner fails to correct all the cited deficiencies within 30 days of the beginning of the abatement period, the HAP contract will be terminated.



Repair Times

- ❑ All non-emergency deficiencies must be made within 30 days.
- ❑ Time extensions or rescheduling must be requested in writing by the owner and demonstrate a need for the extension request to be considered.
- ❑ Good reasons for extensions include: serious medical problems, difficulties in obtaining parts, third party contractor delays.
- ❑ All requests must have 3rd party documentation to be considered for approval.



Emergency Repair Items

- Lack of security
- Waterlogged ceiling
- Major plumbing leaks
- Natural gas fumes
- Danger of electrical shock
- No heat when outside temperature is below 50
- Utilities not in service
- No running hot water
- Broken glass causing a risk of injury
- Obstacles that prevent exit from the unit
- Lack of working toilet
- Serious mold conditions
- Furnace, Water Heater, Air conditioning, Stove, Refrigerator not working
- No working smoke detectors.



Responsibility For Repairs

- Family Responsibilities
 - Tenant paid utilities
 - Tenant supplied appliances
 - Damages to unit beyond normal wear & tear
- Owner Responsibilities
 - Owner paid utilities
 - Owner supplied appliances
 - Normal wear and tear of unit
 - Any vermin or insect infestation
 - Paint deterioration



Abatement

- ❑ If the owner fails to make repairs by the 2nd inspection, rent will be abated. Owners and/or tenants must request a 3rd inspection in writing within 10 calendar days of the 2nd failure.
- ❑ The Tenant will not be responsible for the HAP portion of the rent.(paid to owner)
- ❑ If the Tenant is responsible for repairs, the owner's rent will not be abated
- ❑ Abatement of the owner's rent will begin the date of the 2nd failed inspection.



Abatement cont.

- Only one inspection will be conducted after the unit goes into abatement.
- Abatement will remain in effect until the unit passes an HQS inspection.
- If the owner passes the 3rd inspection, payment will resume upon the date of the 3rd inspection.
- No retroactive payments will be made during the period of abatement.



Termination of Contract

- ❑ If the Owner fails to request a 3rd inspection within 10 calendar days of the 2nd failed inspection, the HAP contract will be terminated, the tenant issued a voucher to move, and the owner's property placed on the banned unit list for one year.
- ❑ If the Owner fails the 3rd inspection, the HAP contract will be terminated, the tenant issued a voucher to move, and the owner's property placed on the banned unit list for one year.



Termination cont.

- ❑ If the Tenant fails the 3rd inspection, the HAP contract will be terminated and the tenant given 30 days to move out of the unit.
- ❑ No payments will be made between the 2nd failed and the 3rd passed inspection.
- ❑ After passing a 3rd inspection, payment to the owner will resume.
- ❑ No retroactive payments will be made to the owner after passing a 3rd inspection.