



Section 8 Voucher Inspections

WHAT ARE HOUSING QUALITY STANDARDS?

The goal of the Section 8 Housing Choice Voucher Program is to provide “decent, safe and sanitary” housing at an affordable cost to low-income families. All units must meet housing quality standards (HQS) before the housing authority can approve the rental and pay on behalf of a family. HQS are the minimum standards necessary for the health and safety of the family.

HOW OFTEN WILL MY RENTAL UNIT BE INSPECTED?

The housing authority will inspect your rental before move-in, and then re-inspect at least once every 2 years. If you make a complaint about the condition of the home, the housing authority will conduct an “audit inspection.” The housing authority should give you notice before it inspects the unit. If your unit needs repairs, the housing authority will notify you and your landlord and ask the landlord to make the repairs.

WHAT IF FIND PROBLEMS WITH THE RENTAL UNIT?

If there is a problem with your unit, you should notify your landlord. If the landlord fails to make timely repairs, you should contact the housing authority and request an “audit inspection.”

If your landlord fails to meet its obligations under the lease and HAP contract, the housing authority has the right to suspend or terminate its contract with the landlord. If the housing authority terminates the contract, the housing authority will issue you a new voucher so you can apply it to a new unit.

WHO IS RESPONSIBLE FOR THE CONDITION OF THE RENTAL UNIT?

A tenant is responsible for any damages beyond the ordinary wear and tear caused by the tenant, family members, and guests.

The housing authority inspector will write a report listing any problems that must be repaired. The inspector will list in the report which repairs the landlord must make, and which repairs a tenant must make.

WHAT IF THE TENANT OR THE LANDLORD CANNOT MAKE THE REPAIRS ON TIME?

The housing authority may give a tenant or the landlord extra time to make repairs in special circumstances. If you need more time to make repairs, give the housing authority a written request asking for more time, explaining why more time is needed. Keep a copy of your request for your records.

If the violations in the inspection report are a tenant’s responsibility, and the tenant does not fix them, the housing authority may try to terminate the tenant from the Section 8 program. If the tenant does not fix the problems by the deadline, the tenant should still fix the problems as soon as possible. Immediately after the problems are fixed, the tenant should contact the housing

authority inspection office, and ask for another inspection. If the housing authority has already started the termination process, the tenant should request a grievance hearing in writing, keeping a copy of the request. At the hearing, the tenant should give proof that the problem was fixed.

WHAT SHOULD I DO IF I THINK THE INSPECTOR MADE A MISTAKE?

Notify the housing authority inspection office, after receiving the inspection report, if you think the inspector was wrong about a condition needing repair, or wrong about who must fix the problem. Explain why you think the inspector is wrong. Ask to send proof you have to support your position. Make a copy of everything you send to the inspection office. The supervisor at the inspection office will review your case. If the supervisor agrees with you, the inspector may reinspect your unit or write a new report.

WHAT HAPPENS IF THE LANDLORD DOES NOT MAKE REPAIRS AND THE UNIT FAILS THE REINSPECTION?

If the landlord does not fix the items listed on the report, the housing authority may stop paying its part of the rent. This is called “abatement” of the Housing Assistance Payment (HAP).

The housing authority may start to pay the rent again if a follow-up inspection finds that the landlord made the repairs. In some cases, the housing authority may agree to only pay the rent going forward after the landlord makes the repairs.

Regardless, a landlord cannot ask a tenant to pay the housing authority’s part of the rent if the inspection failed the HQS inspection. Even though this is the law, the landlord may still try to force a tenant to pay the full rent, or threaten to evict the tenant. If the landlord tries to make a tenant pay for the housing authority’s part, or threatens to evict the tenant, the landlord is breaking federal law and its contract with the housing authority. If the landlord tries to make you pay or evict you, you should immediately let the housing authority know. Ask the housing authority to contact your landlord about its illegal threats. Then, contact a lawyer for advice.

If the landlord continues to refuse to make the repairs, the housing authority will terminate its contract with the landlord, and the housing authority will issue the tenant a new voucher so the tenant can apply it to a new unit. The housing authority will inform the tenant of the date by which the tenant should move from the unit.

This fact sheet is for general education only it is not intended to be used to solve individual problems. If you have specific questions contact a lawyer. The laws described here may change without notice. You may find additional resources at: <https://www.jaxlegalaid.org/get-help/self-help/pamphlets-videos/>. Revised October 2023.

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