

Housing Quality Standards Inspections

Ensuring that CoC-Funded Housing in Santa Clara County
Meets Federal Standards

Why are HQS Inspections Important?

- Ensures safe, suitable homes regardless of income
- HQS inspections incentivize better housing stock
- Inadequate housing is a public health issue
- Ensure housing quality is standardized across environments and housing types
- Remember: These standards are a FLOOR, not a ceiling!



Background on HQS Requirements: CoC Program Interim Rule

The CoC Interim Rule tells us:

- What must be inspected: All units receiving leasing dollars and rental assistance through the CoC Program
- When units must be inspected: Prior to move-in and annually thereafter
- Owners must correct deficiencies within 30 days to continue receiving payment

These requirements are CRITICAL – programs can lose funding if not in compliance!!!

CoC Program Interim Rule Recordkeeping Requirements

- Programs must maintain HQS inspections records for **5 years** to demonstrate compliance
- Note: it is advisable to maintain lead-paint inspection records indefinitely to show due diligence if issue arises

Recordkeeping is vital – if you can't show HUD that you conducted these inspections, then they didn't happen!

Background on HQS Requirements: Other Regulations

- CoC Interim Rule incorporates HQS that apply to HUD's Housing Choice Voucher Program
- HQS regulations are vague and general
- To fill in the blanks, look to:
 - Local and State laws and codes
 - Housing Authority Administrative Plan



Other Regulations (cont.)

Know what your local laws say about:

- Lead paint hazards
- Fire codes
- Carbon monoxide detector requirements
- Water and air temperature standards

Where there is a discrepancy between local laws and HQS that have to do with safety, use whichever is the stricter requirement

Definitions

- **Pass** = item/unit passes inspection
- **Pass with comment** = item/unit passes inspection, but note is added about an issue that must be addressed
- **Inconclusive** = requires more information before decision is made about item/unit
- **Fail** = item/unit poses serious health/safety issue → **If any item in the unit fails, the whole unit fails and the household cannot move in!**
- **Left/Right** = standardized approach for documenting and communicating locations in unit

Discretion and Tenant Preference

- HQ standards are general
- Decisions are often based on YOUR judgment
- BUT.... Tenant preference rules if not a safety issue
- HUD may be able to provide a waiver in some situations

IS IT....

SAFE?

DECENT?

SANITARY?

The Effective Inspector

- Has technical knowledge
- Communicates concerns well with landlords and tenants
- Has sound judgment
- Is objective
- Is thorough
- Documents issues and bases for decisions



Unit Requirements

- Every unit must have a living room, bathroom, and kitchen
 - Living room can be used as a sleeping area by no more than two people
- Must have at least one bedroom or living/sleeping room for each two persons
- Cannot require older children of the opposite sex to share sleeping room



Each Room Used for Living Must...



Have adequate:

- Electricity
- Security
- Windows (depending on room)
- Ceilings, walls, and floors

And be free of lead-based paint hazards

Illumination and Electricity

- Each room must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of occupants
- Electricity must be in working order
- **Living room:** Two separate outlets OR one outlet and one permanently installed ceiling or wall fixture
- **Kitchen:** One outlet and one permanently installed ceiling or wall fixture



Illumination and Electricity (cont.)



- **Bathroom**

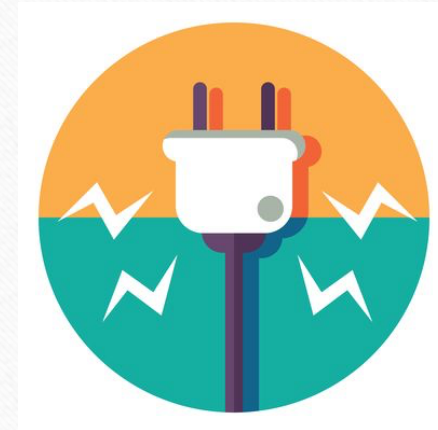
- Must have a permanent ceiling or wall-mounted light fixture in proper operating condition
- No separate outlet required

- **Rooms used for sleeping**

- Two outlets OR one outlet and one permanently installed ceiling or wall fixture

Illumination and Electricity (cont.)

- Watch out for electrical hazards!
 - Exposed, uninsulated, or frayed wires
 - Improper connections
 - Improper grounding
 - Overloading capacity
 - Wires located in an unsafe place



Window Safety and Adequacy

- Basement/first-floor windows, or windows that can be reached from the ground (i.e., on a fire escape) that are designed to be opened must have a lock
- Windows with sill less than 6 feet from the ground are considered accessible
- Must keep the elements out



Windows (cont.)

- **Bathrooms** need one openable window OR other adequate ventilation
- **Living rooms** need at least one window, does not need to be openable (unless necessary for fire escape, ventilation, or will be a sleeping room)
- **Kitchens** do NOT need windows
- **Sleeping rooms** need at least one window and it MUST be openable
- Other rooms not mentioned do not need windows

Ceilings, Floors, and Walls



- Check for basic soundness and condition
- Cannot have
 - Such serious structural issues that could collapse
 - Severe bulging/buckling
 - Large holes
 - Danger of loose/falling materials

Lead-Based Paint

- Important part of HQS inspections!!!
- Lead paint common in homes built before 1978 law that banned consumer usage
- **Children 6 and under who are exposed are at risk of developmental delays, behavioral issues, hearing problems, anemia, and other health issues**



Lead-Based Paint and Rental Assistance



- If **pre-1978** unit with family with **children 6 and under**, conduct visual assessment of **ALL SURFACES** (interior and exterior) for deteriorated paint surfaces
- Owner must stabilize deteriorated surfaces before move in, or if there is a tenant, within 30 days of notification
- If affected areas were more than 20 sq. ft. on the exterior or more than 2 sq. ft. on the interior, then certified inspector must clear unit
- Owner has to provide notice of any lead-based paint in the building

Lead-Based Paint and Leasing

- The same requirements apply to leasing programs
- EXCEPT that the program is responsible for
 - Stabilizing and fixing paint defects
 - Ongoing maintenance of any lead-based paint issues
 - Providing disclosure of lead-based paint or lead-based paint hazards in housing built prior to 1978, to all prospective residents
 - The program and the landlord must determine how to divide the costs of these efforts

Lead-Based Paint and Other Project Types

Note: There are different compliance requirements for:

- Units where a child already has elevated lead levels
- Project or sponsor-based rental assistance
- Properties rehabilitated using CoC funding
- Properties acquired using CoC funding
- Properties used for operations or to provide services

Kitchen

- Must have a kitchen (an area for preparing food) – can be an extension of another room
- Must have stove or range with oven
 - All burners must work
 - Must have knobs
- Refrigerator must be the appropriate size for the family & must maintain a temperature low enough to prevent food spoilage (above 32° F, but generally below 40° F)



Kitchen (cont.)



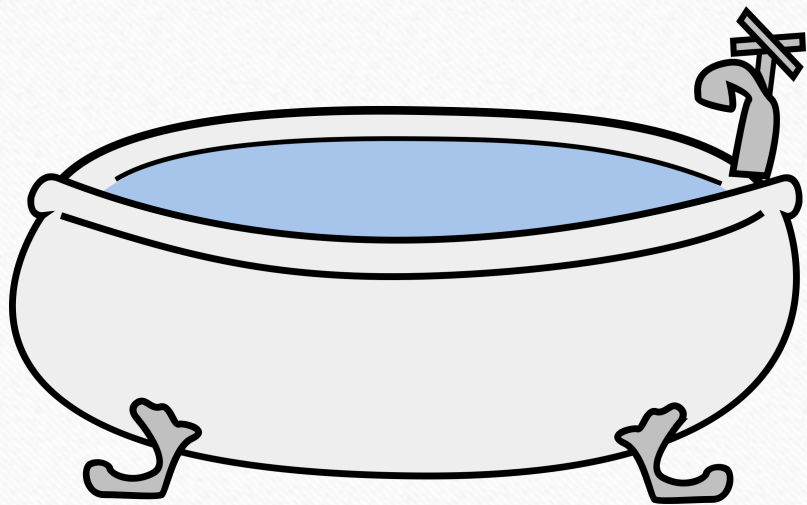
- Permanent sink fixture
 - Must have a gas trap to prevent sewer gas from entering the unit
 - Must have cold and hot water
- Space for food storage, preparation, and serving of food
- Tenants can bring their own passing appliances
- Check for hazards: gas leaks, major leaks, broken appliances

Bathroom



- Must be available for exclusive use of occupant
- Must be in a separate, enclosed room
- Flush toilet
- Fixed sink
 - Must have hot and cold water
 - Must have a gas-trap

Bathroom (cont.)



- Tub or shower
- Hot and cold water
 - Temperature determined by local law
- Ventilation
- Appliances in “proper operating condition”
- Hazards to look for: clogging, major leaks, electric wires close to water source, improper plumbing connection

Other Rooms Used for Living and Halls

- Rooms that fall into this category:
 - Bedroom or any other room used for sleeping (regardless of room type)
 - Dining room
 - Second living room, family room, den, playroom
 - Entrance halls, halls, staircases
 - Additional bathrooms
- See prior specific guidance on windows, electricity, and walls/floors/ceilings

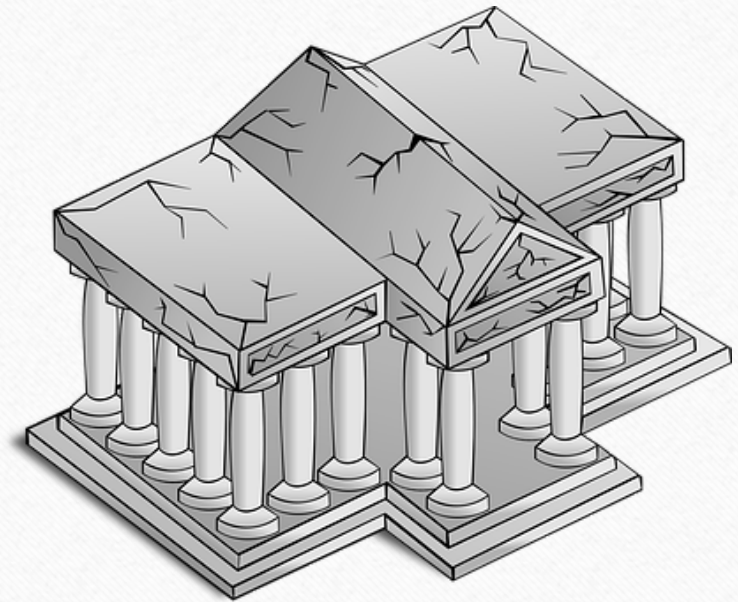
Building Exterior

- Condition of foundation and walls -- hazards:
 - Serious leaning
 - Buckling,
 - Large holes
- Condition of stairs, rails, and porches -- hazards:
 - Rotting or missing elements
 - Handrails required when 4 or more consecutive steps



Building Exterior

- Condition of roofs/gutters if present
 - Do not go on the roof - observe from ground!
- Condition of chimney
- Lead-based paint hazards if building built before 1978 and children 6 and under in household
- Tie downs for manufactured homes



Heating & Cooling

- Adequacy and safety of heating/cooling equipment
 - Including water heater
- Look for hazards:
 - Proper connections for fuel and exhaust
 - Location of fuel tank
 - Fumes
 - Fuel shut off valves
 - Water pressure release valve



Plumbing

- Water quality
- Water supply: check for severe corrosion
- Plumbing must be in good working order
- Sewer connection must be connected to city or town system

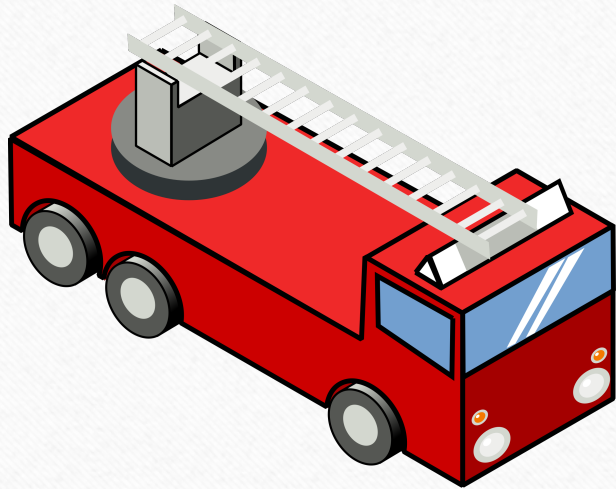


General Health and Safety



- Access to unit
 - Exterior doors lockable
 - Must be use and access unit without having to go through other properties
- Fire exits
 - Building must have alternate exit (e.g., fire stairs, window with ladder)

General Health and Safety (cont.)



- Smoke detector must be on each level of dwelling
 - Installed in accordance with National Fire Protection Association Standards
 - Check local fire code for more detail
- Note: HQS do not require carbon monoxide detectors, but local laws often do
- Elevators must be working if present
- Interior stairs and common halls free of hazards

General Health and Safety (cont.)

- Evidence of infestation: check for droppings and gnaw marks
- Garbage and debris: look for large piles inside and outside of unit
- Refuse disposal must have “adequate covered facilities”
- Interior air quality: check for gas, mold, excessive dust, pollutants
- Site and neighborhood conditions: confirm general safety and habitability of area

Special Housing Types

- HQS applies to “special housing types”
 - **Shared housing** = a building occupied by two or more families with a private space for the family and shared common areas
 - **Single Room Occupancy (SRO)** = private living and sleeping space, shared bathroom and kitchen. Can only be occupied by one person.
 - **Congregate housing** = for the elderly and persons with disabilities with food service provided, private living area and private bathroom.
 - **Group homes** = State-licensed facility for the elderly or persons with disabilities. Units can be shared by two people. No requirements on privacy of bathroom or kitchen.

Special Housing Types: SROs

- Private sleeping/living space for one occupant
 - Must be at least 110 sq. ft with at least 4 s. ft. of closet space
 - Must be accessible without going through another unit
 - Must have two or more means of exiting building
 - Exterior doors and windows must be lockable



Special Housing Types: SROs (Cont.)

- Building must have sprinkler system and smoke detectors
- Shared bathroom
 - At least one toilet, sink, and bath or shower per six persons
 - Must not be located more than one floor above or below the SRO unit
- Shared kitchen
- All components must meet HQS
- Lead paint requirements do not apply

Special Housing Types: Shared Housing



- Private unit with common areas shared by other residents
 - Unit must have one bedroom per 2 persons
 - Unit must have “adequate space and security”
- Must have access to shared or private
 - Kitchen and bathroom
- HQS applies to all components

Inspection Checklist: Items to Bring



- Camera
- Measuring tape
- An extendable item to help you push buttons on detectors
- Electrical tester
- Gloves
- Water & air temperature
- measure
- Batteries for tenant or owner to install
- Lightbulbs to test light fixtures
- Extra smoke and carbon-monoxide detectors
- Flashlight

Tips

- Use annual inspections as selling point to landlords
- Use minor issues as bargaining chip to lower rent
- When in doubt, consult supervisor or expert
- If an annual inspection:
 - Speak with tenant in advance about issues
 - Remember that you are in someone's home!
- **Document and record thoroughly!**



Resources

- HUD's "A Good Place to Live" (<http://www.irccdd.com/rental/good-place-to-live.pdf>)
- HUD Housing Choice Voucher Program Guide, Chapter 10: Housing Quality Standards
(https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/forms/guidebook)
- HCV Inspection Form HUD-52580-A
(https://www.hud.gov/sites/documents/DOC_11742.PDF)

Remember that much of HUD's guidance is specific to the HCV program – so may not apply to CoC-funded programs!