

Frequently Asked Questions

Will I be required to lower my rent?

No. Landlords will not be required to lower rents.

Can I charge a higher rent for voucher holders?

Landlords can set their rent based on various factors; however, charging a higher rent solely based on the income of the applicant (i.e. those with vouchers or any other form of lawful payment) is a discriminatory practice and would violate the fair housing ordinance.

Will I be required to take Housing Choice Vouchers?

Property owners/managers set the applicant screening policies. If an applicant meets the screening criteria and has a voucher, the landlord would be expected to accept the voucher.

Can a landlord refuse to rent to a voucher holding applicant if the applicant's portion and the voucher provided combined do not cover the full amount of rent?

The landlord would not be put in a situation where the Housing Authority and tenant portion does not meet the full amount of rent. The process is that a landlord would submit, to the Housing Authority, the proposed rent for the unit. If the rent is higher than what the voucher can support, the landlord will be provided with a counteroffer which the applicant qualifies for. If the landlord does not accept a lower rental amount, the applicant will have to find a different unit.

Will I be able to deny a tenant with a Housing Choice Voucher for other reasons?

Landlords may continue to use other legal screening criteria, including relevant criminal background or other rental and credit history. The City encourages landlords to consider revising policies that have historically disadvantaged persons of color and those who come from backgrounds of poverty, such as by

providing second chances to persons who have nonviolent drug convictions related to substance use and those who have served time in jail/prison. The City needs landlords ready to help these Phoenixians who are ready to rebuild their lives.

What are signs of possible source of income discrimination?

Example of comments that may be evidence of discrimination include: “No housing vouchers.” “No Section 8.” “There is a waitlist for people with vouchers.” “Your income doesn’t cover three times the rent, so you don’t meet the minimum income requirement.” Requiring a criminal history check only for voucher holders.

Will I be able to evict a tenant with a Housing Choice Voucher?

Yes. The Housing Choice Voucher Program always has provided the landlord the ability to enforce the lease up to and including eviction. City staff are ready and able to assist landlords by addressing issues with the tenant should there be nonpayment or other lease violations. Should the tenant be evicted for serious or repeated lease violations, the Housing Choice Voucher Program does consider termination from the program for those participants that abuse the lease.

When will source of income be protected?

The Equal Opportunity Department began enforcing the amendment to Chapter 18 of the City Code on April 6, 2023. The amendment was designed to address housing discrimination against persons who receive various kinds of sources of income including but not limited to: child support, spousal support, foster care subsidies, rental assistance, security deposit or down payment assistance, income derived from social security or disability insurance, veterans’ benefits, Housing Choice (Section 8) vouchers, and other forms of governmental assistance.

How will it be enforced?

The City first will focus on education for landlords that unknowingly violate the ordinance. The enforcement process, if necessary, will be consistent with other prohibited discrimination under the Human Relations Ordinance.

Does the source of income ordinance apply to me?

Yes, if you own or have any partial interest in dwellings sold or rented in the City, unless: You are renting 3 or fewer of your own dwellings without the help of someone in the business of selling or renting dwellings (i.e. a real estate broker, agent, or salesman); You are renting 4 or fewer additional rooms or units in living quarters you also occupy." See Phoenix City Code §§ 18-11 for additional information.

What are the inspection requirements? How long does an inspection take?

Rental units must pass a HUD-approved inspection. These are basic requirements established by HUD and include things such as functioning smoke detectors, a refrigerator in working order, bathroom ventilation, and no roof leaks and other requirements. More information about inspections can be found at <https://www.phoenix.gov/housing/section-8-resources/inspections>. Inspections should occur within 7 calendar days once completed paperwork is received and rental amount is confirmed with the landlord. The inspection can only be done when the unit is ready for occupancy and utilities are turned on.

How are rental payments made to a landlord and when are they made?

Rental payments are made by direct deposit on the first business day of the month.

When are Housing Choice Vouchers issued?

The City regularly issues vouchers to those who move from their current unit or, as needed, to new applicants off the waiting list. There can generally be anywhere between 300 to 600 households searching for a unit at any given time.

What is the average search time for a voucher holder to find housing?

The voucher holders are generally given up to 180 days to find a unit and it depends on the voucher holder's ability to find a unit within the parameters of the program and ability to pass a landlord screening criteria. It varies by participant how long it takes them to find a unit.