



No Extra Payments: HUD Rules on Tenant Share Only

Plain rule: Owners may not demand or accept any payment from the tenant above the tenant's share of the approved rent to owner. If an owner receives more than the approved amount, the excess must be returned.

Where it comes from:

- HAP Contract (24 CFR §982.451) – The tenant's portion cannot exceed the approved rent minus the SHA's HAP; owners may not accept any amount over that maximum and must refund any overpayment.
- HUD Tenancy Addendum (form HUD-52641-A) – The family pays only the tenant share of rent (as calculated under the program) to the owner; the lease must follow the addendum and cannot require other charges.

What Counts as a Prohibited "Side Payment"?

Any payment outside the approved lease and rent, for example: extra cash to "hold" the unit, monthly surcharges, unapproved "amenity" fees, or paying part of the SHA portion, is **not** allowed. Only charges listed in the lease and approved by Springfield Housing Authority (SHA) (e.g., tenant-paid utilities per the lease) may be collected.

Owner Reminders

Collect only the tenant's authorized share. Do not charge separate or add-on amounts. Return any excess immediately.

Under 24 CFR §982.451, an owner may not demand or accept any payment from the tenant that exceeds the tenant's share of the rent as determined by the PHA.

