

MODEL LEASE CLAUSE

Ban Sublets in Lease

To prevent compliance problems and protect the owner's tax credits, get your low-income households to agree in the lease that they won't sublet their units. The following clause bars a household from subletting or assigning the unit or any part of it. And it says that failure to comply with the clause is a material violation of the lease that can lead to eviction. Talk with your attorney before using this clause in your lease.

NO SUBLETTING

- a. Certification Requirement.** Household acknowledges that the tax credit program requires income certifications to determine Household's eligibility to occupy the Unit. The Household must live in the Unit and the Unit must be the Household's only place of residence. The Head of Household shall use the Unit only as a private dwelling for himself/herself and the individuals listed on the Lease.
- b. No sublet or assignment.** The Household agrees not to sublet or assign the Unit, or any part of the Unit. Household shall not permit any roomer or boarder occupancy of any portion of the Unit, nightly or otherwise.
- c. Failure to Comply.** Any failure by Household to comply with this provision is a material breach of the Lease that can lead to eviction.