



Public Housing and Subsidized Housing

Public Information Pamphlet #17

What is public housing?

What is subsidized housing?

How can I get into public or subsidized housing?

Do tenants of public housing have any say in Housing Authority matters?

REMEMBER. The law often changes. Each case is different. This pamphlet is meant to give you general information and not to give you specific legal advice.

Please use the information found in this brochure carefully since the law is constantly changing and the information may not accurately reflect any changes in the law that occurred following the creation and publication of the brochure.

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Revised 08/08 This public information pamphlet was edited by Neighborhood Legal Services Association and produced by Pennsylvania Legal Aid Network, Inc.

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■ **PUBLIC HOUSING** and subsidized housing are government programs which provide decent and affordable homes to people of lower incomes. These programs provide housing, help pay rent, or provide low cost mortgage loans to buy or repair a home.

What is public housing?

Public housing is housing owned and run by a government body such as a local Housing Authority. To be eligible to live in public housing, you must have low income and meet certain other requirements. Your rent and utilities are generally lower than in private housing. In most cases, rent in public housing will be no more than 30 percent of your adjusted gross income.

What is subsidized housing?

Housing is subsidized when the government pays part of the tenant's rent or mortgage. To get subsidized housing, you must have a low or moderate income. Under the HUD (Housing and Urban Development) Section 8 Program and the Rural Economic and Community Development (formerly FmHA) Rental Assistance Program, part of the rent of qualifying lower income people is paid by the government. Under these programs, tenants usually pay no more than 40 percent of their adjusted gross income. There are two distinct programs—tenant-based section 8 vouchers and project-based section 8 vouchers. Unfortunately, the number of people needing

these two programs is far greater than federal funding for the programs.

In rural areas, there are additional housing opportunities for lower income persons. As a rural resident you may qualify for very low interest rate mortgages to purchase or repair a home. Contact your local county housing authority for further information.

How can I get into public or subsidized housing?

There are usually waiting lists to get a Section 8 voucher or to get into public or subsidized housing. You may be entitled to preference on the waiting list for such things as

- living in substandard housing;
- paying more than 50 percent of your income for rent;
- being homeless or involuntarily displaced; or
- having earned income.

Check with your local Housing Authority to find out the policy in your area.

If you are denied admission to public or subsidized housing, you have a right to get a written notice that tells you the reasons. You also have the right to ask for a meeting, or in some cases an informal administrative hearing, to discuss why your application was denied and to attempt to get the denial reversed.

Do tenants of public housing have any say in Housing Authority matters?

Most housing authorities are required to have a public housing resident or a Section 8 certificate or voucher holder on its Board of Directors. Housing authorities will also be required to have Resident Advisory Boards to assist with developing a five-year plan.

What if I have a complaint or a disagreement with the management?

As a public housing tenant, you have the right to request a grievance hearing if you have a complaint or disagreement with the management. Tenants in subsidized housing may request a meeting with management.

Can I be evicted from public or subsidized housing?

You can be evicted from public and most subsidized housing only for good cause. However, for tenant-based Section 8, the good cause provision is in effect only during the term of the lease. When the lease expires, the landlord may refuse to renew it, whether or not there is good cause. Tenant-based Section 8 leases must have an initial term of one year. The length of the term of any renewals is left to the parties to decide. Examples of good cause for eviction are

- not paying the rent;
- serious or repeated violations of the lease;
- criminal activity that threatens the health and safety of other tenants or disturbs the peace.

To evict you, your landlord must give you a written eviction notice and then take you to court. You have the right to go to court and tell your side of the story. Ask for the separate pamphlet *Tenants: Being Evicted?* for more information about evictions.

To learn more about public housing and subsidized housing in your county and your rights under these programs, call your local Housing Authority, HUD, Rural Economic and Community Development, or your local Legal Services office.

To find the legal aid office near you, use the legal help finder section of the statewide website at www.PALawHELP.org.