

	Pathway: How Do I Correct Non-Eligibility for Section 8/Public Housing?
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Steps	<p>These steps are not all inclusive of every situation, nor are the timeframes and policies the same for every agency. Individuals should contact the agency where they are applying and ask for specifics.</p> <p>If a client has lost Section 8 or public housing they should proceed in the following general way:</p> <ol style="list-style-type: none"> 1. <u>Address the deficiency.</u> <ul style="list-style-type: none"> • If eviction was caused by abuse of alcohol or illegal drugs, start participating in a supervised drug/alcohol rehabilitation program. • If eviction was due to a payment delinquency or damages to the unit caused, you should contact that agency to set up a payment plan. Most agencies will require the full amount owed to another housing authority be paid in full before you will be eligible to participate in their housing program. • Some deficiencies require a specific amount of time to pass before you will be eligible for assistance. The following is a list of common deficiencies and the amount of time that must pass before your projected date of admission. <ul style="list-style-type: none"> ○ 1 year- eviction from assisted housing ○ 5 years- if you have 3 or more alcohol-related arrests, drug-related activity, violent criminal activity or a crime of a sexual nature, felony, eviction from assisted housing due to drug related criminal activity involving the illegal manufacture, sale, distribution, or possession with the intent to manufacture, sell, distribute a controlled substance, committed fraud, bribery, or any other corruption in connection with any housing assistance program or welfare program ○ Registered sex offenders are ineligible for as long as they are registered sex offenders; some agencies have a life time ban for sex offenders. 2. <u>Reapply</u> in the normal way. If denied again, applicants who are determined to be ineligible will be eligible for an informal review. Contact that agency to find out what their procedure is for requesting an informal review.
Local Resources	See the Subsidized Housing Resource for Housing Authority contact info and eligibility criteria.
Web Resources	<ul style="list-style-type: none"> • Landlord/Tenant Rights Handbook (Word doc). • Defending Against Eviction (pdf). • Legal aid contacts (web link).

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Other Information

Every housing authority has the same general guidelines from HUD but each housing authority can add to or delete eligibility and termination criteria. Anyone can apply for public housing/Section 8 and if they are denied assistance, the housing authority will mail them an explanation of why they were denied. If you already know you are not eligible for public housing/Section 8 there are some things that you can do while you are on their waiting list that might help you secure public housing/Section 8 when your name reaches the top of the list.

How can I lose Public Housing/Section 8? Housing authorities can end your lease if:

- Failure to report all changes in income or household composition within 10 days of change
- Failure to keep all scheduled appointments
- Failure to notify housing authority and property owner/land lord in writing before moving out of your unit
- Receives a court-ordered eviction from land lord
- Default on a repayment agreement
- Violate any of your family obligations
- If you, someone in your household, or a guest abuses alcohol or illegal drugs, breaks the law, or interferes with the health, safety, or right to peaceful enjoyment of neighbors
- Failure to pay your light or gas bill, and you lose your lights and gas service
- Failure to pay your rent on time
- Failure to keep your unit clean.

What rights do I have if the Housing Authority wants to evict me?

- The housing authority has to give you a written notice of lease termination that explains why you are being evicted.
- Most times, the housing authority must give you the right to ask for a hearing or conference
- You have a right to bring a lawyer to your hearing
- You have a right to ask the housing authority's witness questions
- You have the right to put on your own case
- If the housing authority says that you or another member of your household was involved in a crime that threatens the other tenant's health or safety, the housing authority does not have to give you a hearing
- Whether or not you get a hearing, you always have the right to defend yourself in court.

You must request a hearing within the timeframe listed on the written notice of lease termination, typically within 10 days of the date of the notice.

See the Legal Aid Network of KY for more info... <http://www.kyjustice.org/node/644>