Rental Assistance Demonstration (RAD)

FACT SHEET #2

Overview of Resident Rights after a RAD Conversion

RAD was designed with a strong set of resident rights and protections to ensure that current residents benefit from the RAD conversion.

Will I Still Have Rental Assistance After a RAD Conversion?

Yes. Each resident in good standing at the public housing property has a right to live in the property after a RAD conversion. In some cases, a resident may need to be relocated temporarily to facilitate rehabilitation but will have a right to return to an assisted unit at the property once rehabilitation or construction is complete. **No resident can be displaced permanently against their wishes.**

Residents under lease in the public housing program cannot be re-screened for income or criminal background when the property comes under a Section 8 contract. Each resident will be offered a new lease that cannot be terminated and must be renewed, unless there is good cause. (For more information, see **Fact Sheet #9: RAD and Relocation**)

Will I Need to Move Out of My Home?

It depends on the construction that will occur at your property. If relocation is necessary, the housing authority must provide you with advanced written notice. Relocation assistance will be provided and relocation costs will be covered. Residents will continue to pay the same amount of rent during the temporary relocation. You will also have the right to return to an assisted unit at the property when repairs are completed. (For more information, see **Fact Sheet #9: RAD and Relocation**)

Will My Rent Change?

Most residents' rent will remain the same. As in most public housing, rents at RAD (Section 8) properties are set at 30% of your adjusted household income.

However, If you currently pay a flat rent that is less than 30% of your income, your rent will increase until you are paying 30% of your adjusted income towards rent. The increase may be phased in over 3 or 5 years. As in public housing, you will have to recertify your income annually and report any changes. Further, if your income decreases, you have a right to request an interim recertification and an adjustment in your rent. (For more information, see **Fact Sheet #6: Rent**)

Will I Have a New Lease?

After HUD has fully approved a property for conversion, you will need to sign a new Section 8 lease and other paperwork regarding your rights and responsibilities under the Section 8 program. Make sure that everyone in your household is on your public housing lease to ensure that they have the right to remain or return to the property after conversion. (For more information, see **Fact Sheet #7: Your Lease**)

Will Residents Continue to Be Able to Form Resident Organizations or Associations After a RAD Conversion?

As with public housing, after a property converts through RAD, residents have the right to form and maintain a resident organization. The resident organization will be eligible to receive at least $15 per occupied apartment each year to support resident organizing and participation activities. (For more information, see **Fact Sheet #8: Resident Organizing and Funding**)

May I Request a Reasonable Accommodation After Conversion?

If you or a member of your household has a disability or medical condition, you may request a reasonable accommodation, such as a larger apartment or an alternative form of communication for the blind, visually impaired, deaf or hearing impaired. To request a reasonable accommodation, you should contact the property manager.

Can I Be Evicted or Lose My Housing Assistance Because of RAD?

After a RAD conversion your lease must be renewed each year. The only reason a lease can be ended is for "good cause." This means that the owner must have a good reason for eviction, usually that a tenant has seriously and repeatedly broken the rules in their lease. Under RAD, you maintain the rights you had related to eviction from public housing. Any eviction must include a written notice of termination and an opportunity for a hearing (unless the eviction is related to criminal activity). Your lease will describe these rights. You may only be evicted through court action. All state and local regulations regarding eviction must also be followed. (For more information, see **Fact Sheet #7: Your Lease** and **Fact Sheet #10: Resident Grievance and Termination Rights**)

Am I Able to Receive a Tenant-Based Voucher After RAD Conversion?

Any household that has lived at the RAD property for least one year (if the property converted to Project-based Vouchers, or PBV) or two years (if the property converted to Project-based Rental Assistance, or PBRA) has the option to request a tenant-based (or Choice Mobility) voucher. A Choice Mobility voucher can be used to rent a home in the private market. If a voucher is not immediately available, the household will be placed at the top of the waitlist. (For more information, see **Fact Sheet #12: Choice Mobility**)

North Bern, Victor Taylor: *Mr. Taylor stands in front of the newly renovated unit where he was born. Mr Taylor, a veteran and former City Alderman who continues to advocate for the community, was excited to see the upgrades and new community center.*