

RENTAL ASSISTANCE DEMONSTRATION (RAD)

FACT SHEET #8: RENEWING YOUR LEASE

WHAT IS RAD?

The **Rental Assistance Demonstration (RAD)** is a program of the Department of Housing and Urban Development (HUD) that seeks to **preserve affordable housing**.

Public housing across the country needs more than \$26 billion in repairs and many public housing agencies (PHAs) do not have enough money to keep units in good condition. RAD provides PHAs a way to stabilize, **rehabilitate**, or replace properties.



WHAT IS A LEASE?

A **lease** is a legally binding contract between your PHA and you, the tenant. The lease explains the rules for living in your unit. At conversion, your public housing lease will be terminated and you will be asked to sign a new Section 8 lease. The property owner cannot rescreen you as a condition to sign this lease, as you have a right to remain in your unit.

WHAT IF MY PHA STARTED AN EVICTION BEFORE RAD?

FACT SHEETS FOR PUBLIC HOUSING RESIDENTS

This series of fact sheets is intended to help residents of public housing learn about RAD. All fact sheets are posted on RAD's website at www.hud.gov/rad, under the 'Residents' tab. This fact sheet discusses RAD rules related to the renewal of your lease.

If your PHA sent you a lease termination notice and began your **eviction** process prior to RAD, the PHA must continue to follow all required procedures, such as allowing you to file a **grievance** and request a **hearing**. RAD does not allow the PHA to skip these steps and immediately evict you.

WHAT ARE THE RULES FOR RENEWING MY LEASE?

In public housing, as well as for PBV and PBRA, your lease will renew each year, unless **good cause exists** not to renew the lease. If your lease is not renewed, you have the right to file a **grievance** and request a hearing, unless the right is not provided under the terms of the lease, usually for criminal activity.



YOUR LEASE MAY NOT BE RENEWED OR MAY BE ENDED IF YOUR PHA HAS GOOD CAUSE, THAT IS IF YOU...

- **Fail to make payments** due under the lease, such as rent or utility payments.
- **Fail to follow the rules** listed in the lease, such as keeping your unit clean and safe.
- Are involved in **criminal activity or alcohol abuse**, depending on the type of the crime.
- Made **false statements** in your initial application or during your annual re-examination.
- **Do not accept changes** to an existing lease. For example, you fail to sign a lease addendum which increases late fees for a late rental payment.

Under the PBV and PBRA programs, if the property owner has good cause to end your lease, they must give you the same type of written notice as required in public housing.

They will notify you of your ability to request an **informal hearing**, except in a few cases where the right is not provided under the lease (for example, for criminal activity). The owner will also need to follow state and local laws related to evictions.

DEFINITIONS:

- **Cause** – Reason for not renewing your lease in cases when you seriously and repeatedly violate your lease terms.
- **Eviction** – The termination or non-renewal of your lease by the property owners. This action requires the tenant to leave your unit.
- **Grievance** – Any dispute you may have with a property owner involving your lease or owner actions that you believe negatively affect you.
- **Informal Hearing** – A hearing held when you, the tenant, do not agree with a decision made about your lease. The hearing is conducted by a neutral person.
- **Lease** - A legally binding contract between a property owner and you, the tenant, that explains the terms for living in your unit.
- **Lease Termination** – The process of ending your lease.
- **Renewal of Lease** - The process of making your lease effective for another year.