

RENTAL ASSISTANCE DEMONSTRATION (RAD)

FACT SHEET #1: RAD OVERVIEW

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 units across the country need 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 **rehabilitate**, or repair, units without depending on additional money from the government.

HOW DOES RAD WORK?

RAD allows PHAs to convert a public housing property's HUD funding to either:

- **Section 8 project-based voucher (PBV); or**
- **Section 8 project-based rental assistance (PBRA).**

This conversion of funding to Section 8 contracts lets PHAs borrow money to make needed repairs.

Only 185,000 public housing units can convert funding through RAD. PHAs must submit applications to HUD in order to get approval to convert some or all of their public housing funding to PBV or PBRA contracts.

WILL RAD AFFECT MY HOUSING ASSISTANCE?

You will **not lose your housing assistance** because of RAD. Even though owners of a RAD property can use private money to make repairs, owners will still receive money from HUD and must follow HUD's PBV and PBRA rules.

FACT SHEETS FOR PUBLIC HOUSING RESIDENTS

This series of fact sheets will help public housing residents learn about RAD. All fact sheets are posted on RAD's website at www.hud.gov/rad, under the 'Residents' tab. This fact sheet provides a summary of the program with a focus on elements that affect residents.

WILL RAD AFFECT MY RENT?

Since Section 8 programs also set rents at 30% of income like in public housing, **most residents will not have rent increases** because of RAD.

However, if you are paying a flat rent in public housing, you will most likely have to pay more in rent over time. In these cases, your new rent will be phased in over a few years, meaning that you will pay a little more each year.



Roundtable conversation with Fresno Housing Authority residents about RAD

HOW CAN I BE INVOLVED?

HUD encourages residents and their PHAs to work together during the RAD conversion process. Before PHAs can apply to participate in RAD, they must:

- Notify all residents at a property proposed for RAD conversion about their plans; and
- Conduct at least two meetings with residents.

During these meetings, you can **learn about the conversion plans, ask questions, express concerns, and provide comments**. The PHA must submit your comments and its response to them in the RAD application.

The PHA must have at least one more meeting with all residents of the property before HUD approves the conversion. This is another chance for you to ask questions and provide comments.

WILL I HAVE TO MOVE?

Most repairs made as part of RAD will allow you to stay in your home during construction. However, some apartments and buildings will require more work.

In these cases, you will be relocated and protected by RAD relocation rules. You will have the **right to return** to your development once construction is completed.

If construction at your property takes longer, the PHA may offer you other housing options, such as another public housing unit or a **Housing Choice Voucher (HCV)** that you can use to rent another affordable unit in the private market.

Whether you choose to move temporarily or to move permanently to other housing, the PHA will help you find the best possible option for you and pay for your moving expenses.

WILL RAD AFFECT MY RESIDENT RIGHTS & PARTICIPATION?

RAD keeps many of the resident processes and rights available under public housing, such as the ability to request a **grievance process** and the timelines for termination notification.

Residents will also have a **right to organize** and resident organizations will continue to **receive resident participation funds**, up to \$25 per occupied unit ever year.

DEFINITIONS

- **Housing Choice Voucher (HCV)** – Rental vouchers that let people choose their own housing in the private rental market.
- **Project-based Vouchers (PBV)** – Rental vouchers that are attached to specific units in a building. The voucher stays with the unit even after a tenant moves out.
- **Project-based Rental Assistance (PBRA)** – A rental assistance contracts that is tied to units in a specific building.
- **Rehabilitation** – The repairs needed to restore a unit or property to good condition.

WILL I STILL BE ABLE TO PARTICIPATE IN FSS AND ROSS?

You will be able to continue participating in the Family Self-Sufficiency (FSS) program. If your property converts assistance to PBV, you will be moved from the public housing FSS program to the HCV FSS program. The rules in both programs are very similar.

If your property converts assistance to PBRA, you may continue your participation in FSS until your current contract of participation ends.

If you are currently participating in the Resident Opportunities and Self Sufficiency (ROSS) program, you can participate until all of the program funding is used.

CAN I CHOOSE WHERE I LIVE?

In addition to improved, better quality housing, you will have **greater choice in where to live** through the RAD choice mobility option. Once the RAD conversion is complete, you may request a Housing Choice Voucher (HCV).

Under the PBV program, you can request an HCV after living in a RAD property for one year; under the PBRA program, you may request an HCV after living in a RAD property for two years.

RENTAL ASSISTANCE DEMONSTRATION (RAD)

FACT SHEET #10: THE DIFFERENCE BETWEEN PROJECT-BASED VOUCHERS AND PROJECT-BASED RENTAL ASSISTANCE

WHAT IS RAD?

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WHAT IS THE PROJECT-BASED VOUCHER (PBV) PROGRAM?

PBV PBV is part of the **Housing Choice Voucher (HCV)** program, which is operated by HUD's Office of Public and Indian Housing. PHAs with an HCV program provide rental vouchers that allow residents to choose their own housing in the private market.

PHAs can use some of their HCV funding for contracts that tied the HCV funding to a specific building, meaning that when a resident moves out, the housing assistance stays with that unit. These "project-based" contracts make up the PBV program.

FACT SHEETS FOR PUBLIC HOUSING RESIDENTS

This series of fact sheets will help public housing residents learn about RAD. All fact sheets are posted on RAD's website at www.hud.gov/rad, under the 'Residents' tab. This fact sheet explains the major difference between two types of HUD funding allowed for public housing RAD conversions: project-based vouchers (PBV) or project-based rental assistance (PBRA).

WHAT IS THE PROJECT-BASED RENTAL ASSISTANCE (PBRA) PROGRAM?

PBRA PBRA is another form of a project-based contract and is operated by HUD's Office of Multifamily Housing. In the PBRA program, like in PBV, rental assistance is tied to specific units in a property. Buildings with units assisted through PBRA are often owned and operated by private owners.

HOW MANY UNITS AT MY PROPERTY CAN CONVERT THROUGH RAD?

PBV Under RAD, PHAs will be allowed to receive funding for up to 50% of the units in a property. However, a PHA can receive funding for up to 100% of the units in a building if at least 50% of these units:

- House elderly or families with disabilities;
- House families receiving supportive services; or
- The unit is a single-family property.

PHAs converting public housing properties to the PBV program will often choose to make sure that at least 50% of the property's families are receiving supportive services.

PBRA There are no limits on how many units in a building can receive PBRA funding. Up to 100% of the units in a building can be assisted.

WILL MY PROPERTY REMAIN AFFORDABLE?

To receive PBV or PBRA funding, property owners will enter into a **Housing Assistance Payment (HAP) Contract**.

PBV For PBV, the initial HAP Contract term will be at least 15 years (or up to 20 years with the PHA's approval) and must be renewed.

PBRA For PBRA, the initial HAP Contract term will be 20 years and must be renewed.

When these contracts end, they must be renewed. Requiring that these contracts be renewed is a way to make sure these units will stay affordable for the long-term.

PROJECT BASED VOUCHERS (PBV)	PROJECT-BASED RENTAL ASSISTANCE (PBRA)
Operated by HUD's Office of Public and Indian Housing, as part of the Housing Choice Voucher (HCV) program	Operated by HUD's Office of Housing
50% of units in a building can be converted (or up to 100%)	100% of units in a building can be converted
Initial contract is 15 or 20 years and must be renewed	Initial contract is 20 years and must be renewed
You may request a Choice Mobility voucher after 1 year	You may request a Choice Mobility voucher after 2 years

WILL I BE ABLE TO CHOOSE WHERE I LIVE THROUGH RAD?

One of the goals of RAD is to give you a **greater choice in where to live**. If your property converts through RAD, after a certain amount of time, you may request a **Housing Choice Voucher (HCV)**. An HCV allows you to choose affordable housing in the private rental market, and the voucher stays with you when you move. This option in RAD is referred to as **Choice Mobility**.

PBV For PBV, you may request an HCV after living in a RAD property for one year. If your PHA does not have an HCV available at the time of your request, you will go on the waitlist to receive the next available HCV.

PBRA For PBRA, you may request an HCV after living in a RAD property for two years. If your PHA does not have an HCV available at the time of your request, you will go on the waitlist in the order your request was received.

DEFINITIONS:

- **Choice Mobility** – Through RAD, the option to obtain a Housing Choice Voucher (HCV) after a certain period of time.
- **Housing Assistance Payment (HAP) Contract** – A contract in which HUD agrees to provide funding for properties through PBV or PBRA.
- **Housing Choice Voucher (HCV)** – Rental vouchers that let people choose their own housing in the private rental market.
- **Project-Based Vouchers (PBV)** – Rental vouchers that are tied to a specific number of units in a building. The assistance stays with the unit after a tenant moves out.
- **Project-Based Rental Assistance (PBRA)** – A rental assistance contract tied to units in a specific building.
- **Turnover Voucher** – A voucher holder gives up their voucher and leaves the HCV program, making an HCV available for another person.

RENTAL ASSISTANCE DEMONSTRATION (RAD)

FACT SHEET #9: CHOICE MOBILITY

WHAT IS RAD?

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WHAT IS CHOICE MOBILITY?

In addition to improved, better quality housing, you will have a **greater choice in where to live**

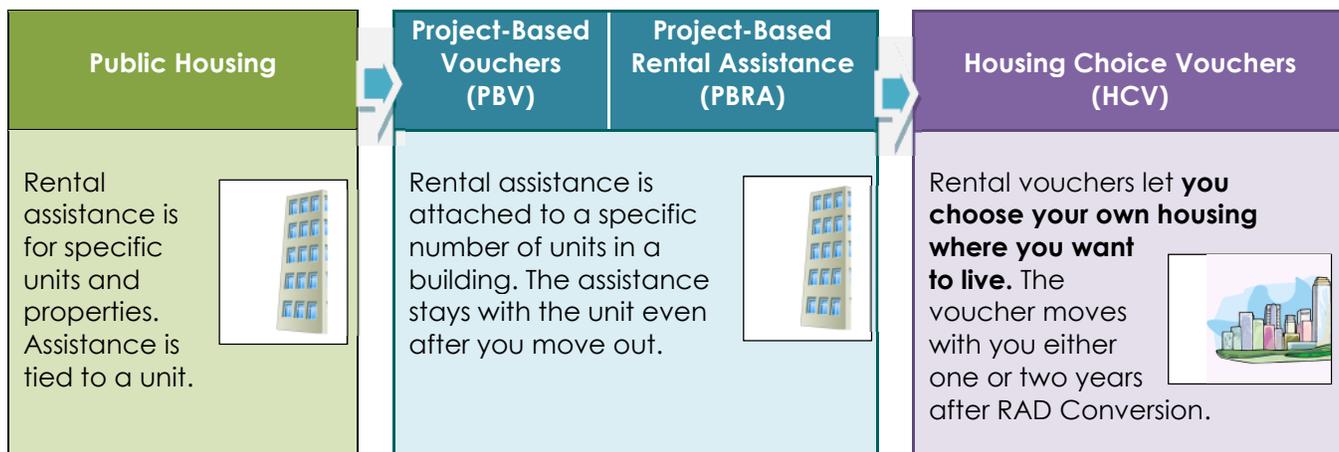
FACT SHEETS FOR PUBLIC HOUSING RESIDENTS

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through the RAD **Choice Mobility** option. In public housing, PBV, and PBRA, your rental assistance is tied to a specific unit and stays with the unit even after you move.

However, if your property converts through RAD, after one or two years, you may request a **Housing Choice Voucher (HCV)**. An HCV allows you to choose housing where you want to live, and the voucher moves with you when you move. This option is referred to as Choice Mobility.

Under the PBV program, you may request an HCV after living in a RAD property for one year; under the PBRA program, you can request an HCV after you have lived in a RAD property for two years.



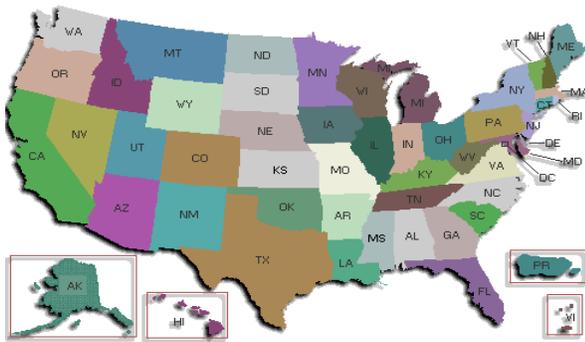
HOW DO HOUSING CHOICE VOUCHERS (HCVs) WORK?

With HCVs, you can choose to rent a unit in the private market with HUD assistance. If the rent for the unit is reasonable and an inspection of the unit shows that the unit meets HUD's housing quality standards, your PHA will approve the unit.

Once approved, (1) you sign a lease with the owner and pay about 30% of your income for rent, and (2) your PHA signs a contract with the owner to pay the difference between the rent you pay and the total rent for the unit.

WHERE CAN I LIVE WITH AN HCV?

With an HCV, you may rent a unit within your PHA's region, or you may choose to rent a unit in another part of the country where a PHA operates an HCV program. The ability to rent outside of your PHA's region is called **portability**.



When choosing a new place to live with an HCV, you can think about things like the quality of schools for your children, access to public transportation, and ability to get to and from places of work.

WILL I QUALIFY FOR AN HCV?

Although RAD allows residents to remain at a RAD property after conversion even if they are over-income, if you want to participate in RAD's

Choice Mobility feature, you will need to qualify for a HCV, including the program's income rules. Your PHA will need to make sure that your family qualifies for the HCV program, including meeting any income requirements.

IS THE PHA REQUIRED TO GIVE ME AN HCV?

The PHA will do the best it can to provide you with an HCV. However, the PHA may limit the use of its annual **turnover vouchers** used for Choice Mobility and it may limit moves by eligible households to meet other local housing needs.

HUD may allow certain PHAs not to offer residents the Choice Mobility option if they are:

- Public housing-only agencies – PHAs that do not operate an HCV program, or
- Combined agencies – PHAs that operate both public housing and HCV programs that have more than one-third of their turnover vouchers reserved for specific local housing needs, for example veterans or homeless populations.

DEFINITIONS:

- **Choice-Mobility** – Through RAD, the option to obtain a Housing Choice Voucher (HCV) after a certain period of time.
- **Housing Choice Voucher (HCV)** – Rental vouchers that let people choose their own housing in the private rental market.
- **Portability** – The ability to use a HCV to rent a unit within the United States where a PHA operates a voucher program.
- **Turnover Voucher** – A voucher holder gives up their voucher and leaves the HCV program, making an HCV available for another household.

RENTAL ASSISTANCE DEMONSTRATION (RAD)

FACT SHEET #8: RENEWING YOUR LEASE

WHAT IS RAD?

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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. In public housing,

FACT SHEETS FOR PUBLIC HOUSING RESIDENTS

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HUD requires that your lease contain certain information, including:

- The names of everyone living in the unit,
- The address of your unit,
- The start and end date of the lease,
- What you must pay the PHA, including rent, security deposit, late fees for unpaid rent, or excess utility charges,
- What the PHA must provide for you, such as making sure that your housing is decent, safe, and sanitary,
- What you must do, including following rules and maintaining a clean and safe unit,
- Rules for annual and interim reexaminations of your family income,
- Rules for any changes needed to the lease, and
- Rules for lease termination or eviction.

WHAT ARE THE PUBLIC HOUSING RULES FOR RENEWING MY LEASE?

In public housing, your PHA must renew your lease each year, unless you give your PHA good cause not to do so. A PHA can have good **cause** if you have seriously or repeatedly broken the rules in your lease. In this case, your PHA may either:

- (1) not renew your lease upon expiration; or
- (2) end your lease at any time (following required procedures).

In public housing, if your PHA does not renew your lease, 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.

HOW DOES RAD AFFECT THE LEASE RENEWAL PROCESS?

At conversion, you will be asked to sign a new lease. Under RAD, **your lease will continue to renew, unless good cause exists**. Under the PBV and PBRA programs, if the property owner needs to end your lease and has good cause, they must give you the same type of written notice as required in public housing.

Under RAD, if the property owner does not renew your lease, 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). These rules are similar to the public housing rules. The owner will also need to follow state and local laws related to evictions.

TO END YOUR LEASE, YOUR PHA MUST GIVE YOU WRITTEN NOTICE:

Number of Days	Reason for Ending Lease
Reasonable period of time, but no more than 30 days	The health or safety of other residents or PHA employees is threatened. Drug-related activity, violent criminal activity, or a felony conviction.
14 days	Nonpayment of rent
30 days	All other cases

WHAT IF MY PHA STARTED AN EVICTION BEFORE RAD?

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.

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.

RENTAL ASSISTANCE DEMONSTRATION (RAD)

FACT SHEET #7: FAMILY SELF-SUFFICIENCY (FSS) & RESIDENT OPPORTUNITIES AND SELF-SUFFICIENCY (ROSS)

WHAT IS RAD?

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HOW DOES RAD AFFECT MY FSS OR ROSS PARTICIPATION?

In public housing, your PHA could apply for funding for a Public Housing **Family Self-Sufficiency (PH FSS)** or **Resident Opportunities and Self-Sufficiency Service Coordinators (ROSS)** program. This funding helped connect you to resources and supportive services, such as education and employment programs and counseling services.

If you participated in these programs in public housing, **you may continue to participate in the FSS and ROSS programs** once your property is converted through RAD.

FACT SHEETS FOR PUBLIC HOUSING RESIDENTS

This series of fact sheets will help public housing residents 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 residents' participation in the Family Self-Sufficiency (FSS) and Resident Opportunities for Self-Sufficiency (ROSS) programs.

WHAT IS THE FSS PROGRAM?

The public housing FSS program helps families obtain and maintain living wage employment (jobs that provide enough income to cover a family's basic needs) by connecting residents to services such as:

- Child care,
- Transportation,
- Education,
- Job training and employment counseling,
- Job placement,
- Substance or alcohol abuse treatment or counseling, and/or
- Homeownership counseling.

If you chose to participate in the PH FSS program, you entered into a five-year **Contract of Participation**, which identified program rules, activities you would complete, and your program goals.

To operate the program, your PHA could have applied to HUD for one-year grants to fund a **Service Coordinator** who linked residents to resources. Your PHA would have also established an FSS **escrow account** for you.

If your earned income increased during the program, you paid increased rent to your PHA like any other resident, but your PHA put the additional rent into your escrow account. The

funds placed in the escrow account are yours and are available to you upon successful completion of the FSS program.

HOW DOES RAD IMPACT FSS?

As explained above, your PHA may convert your property to either **PBV** or **PBRA** through RAD.

PBV: PBV is part of HUD's Housing Choice Voucher (HCV) program. The HCV program also has a FSS program (called HCV FSS instead of PH FSS). **If you participate in the PH FSS program and:**

Your PHA also has a HCV FSS program	Your PHA does not have an HCV FSS program
Your PHA <u>must</u> convert you to the HCV FSS program.	Your PHA <u>must</u> establish a HCV FSS program and convert you to the program.
Your PHA can enroll new participants in the HCV FSS program if there is space.	Your PHA is not required to enroll any new participants in the HCV FSS program.

Current HCV FSS rules allow a PHA to terminate your rental assistance if you do not comply with your **Contract of Participation**. However, if you convert to the HCV FSS program through RAD, your PHA may not terminate your rental assistance for this reason.

PBRA: PBRA does not have an FSS program, although HUD is currently writing new rules for one. Currently, your PHA must continue to operate the PH FSS program for any participants in the PH FSS program. The PHA will continue to provide you with a **Service Coordinator** and make payments to your escrow account until the end of your Contract of Participation. However, your PHA may not enroll new participants in the PH FSS program.

WHAT IS THE ROSS PROGRAM?

The ROSS program provides public housing residents with coordinators to connect them to

supportive services and empowerment activities.

ROSS **Service Coordinators** work with:

- Families to increase income and become self-sufficient, and
- Elderly or residents with disabilities to improve living conditions to age-in-place.

In public housing, PHAs, resident councils, and nonprofit organizations can apply to HUD for three-year grants to fund ROSS **Service Coordinators**.

HOW DOES RAD IMPACT ROSS?

The PBV and PBRA programs do not have a ROSS program. If you currently participate in the ROSS program and your property converts to PBV or PBRA, you may continue participating until the current three-year grant funding for the ROSS program is spent. Once the funds are spent, your PHA cannot apply for a new grant.

DEFINITIONS:

- **Contract of Participation** – A five-year contract identifying the terms and conditions for you to participate in the FSS program.
- **Escrow Account** – An account for FSS participants. Your PHA makes deposits into this account when your earned income increases.
- **Family Self-Sufficiency (FSS)** – A program to help connect families to services that will lead to economic independence and self-sufficiency.
- **Resident Opportunities and Self-Sufficiency (ROSS)** – A grant that funds service coordinators to connect residents with supportive services, empowerment activities, and support in becoming self-sufficient.
- **Service Coordinator** – A person who links residents to resources and supportive services.

RENTAL ASSISTANCE DEMONSTRATION (RAD)

FACT SHEET #6: RESIDENT PARTICIPATION & FUNDING

WHAT IS RAD?

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WHAT IS RESIDENT PARTICIPATION?

HUD recognizes the importance of resident involvement in improving the quality of life for

FACT SHEETS FOR PUBLIC HOUSING RESIDENTS

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residents. Resident organizations and councils should work to improve resident satisfaction and participate in initiatives that enable residents to create a positive living environment for all families.

In the public housing program, residents are able to organize and form a resident council to represent their interests to the PHA. Resident councils are encouraged to meet regularly with your PHA to discuss issues, plan activities, and review progress.

To establish and operate a resident council, your PHA must allow you to:

- Contact other residents;
- Conduct surveys of residents to determine interest in establishing an organization or to offer information about an organization;
- Distribute leaflets in the lobby and common areas and place leaflets at or under residents' doors;
- Post information on bulletin boards;
- Hold regularly scheduled meetings in a location where residents can easily attend; and
- Conduct other reasonable activities.

Your resident organization may coordinate a response on behalf of residents to proposed PHA actions such as:

- Changing from PHA-paid utilities to resident-paid utilities;
- Reducing resident utility allowances;
- Rent increases; or
- Major construction or modernization work at your property.

Under public housing, your PHA had to recognize legitimate resident councils, provide funding to support these organizations, and give reasonable consideration to the concerns raised by these organizations.

WILL I HAVE A RIGHT TO ORGANIZE AFTER A RAD CONVERSION?

If your property participates in RAD, **you will have the right to establish and operate a resident organization.** The property owners must continue to recognize legitimate resident organizations, provide funding to support these organizations, and give reasonable consideration to the concerns raised by these organizations.

What makes a resident organization “legitimate”?

To be considered “legitimate,” your resident organization must:

- Be established by the residents of the property;
- Meet regularly;
- Operate democratically;
- Represent all residents at the property; and
- Be independent from the property owner.

If there is no legitimate resident organization at your property, HUD encourages your property owner to actively engage residents and develop a constructive working relationship.

WILL MY RESIDENT ORGANIZATION STILL RECEIVE RESIDENT PARTICIPATION FUNDING?

After a RAD conversion, your property owner must continue to provide resident participation funding in the amount of **\$25 per occupied unit per year.**

Your resident organization must receive at least \$15 of this amount to fund resident participation activities such as resident education, organizing around tenancy issues, and training activities. The owner may keep \$10 of this amount to pay for any costs to administer resident participation activities.

If your resident council had unused resident participation funds before participating in RAD, that money will still be available for your resident organization’s use after the conversion.

DEFINITIONS:

- **Resident Organization** – A group of residents with elected leaders that is responsible for representing resident interests to your property owner.
- **Resident Participation** – Organizing and forming a resident organization to improve residents’ quality of life and participate in initiatives that enable residents to create a positive living environment for all families of the property.
- **Resident Participation Funding** – Funding provided to a resident organization to fund activities such as resident education, organizing around tenancy issues, and training activities.

RENTAL ASSISTANCE DEMONSTRATION (RAD)

FACT SHEET #5: RESIDENT PROCEDURAL RIGHTS

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WHAT ARE PROCEDURAL RIGHTS AND HOW WILL RAD AFFECT THEM?

Sometimes your PHA has to take actions that can negatively affect you as a tenant, for example, when the PHA wants to terminate your lease for violations. No matter the situation, your PHA must follow certain steps or procedures when taking any action against you. In other words, your PHA must observe your **procedural rights**.

This fact sheet explains how RAD will affect the following procedural rights:

- (1) **Grievance process** - Steps the PHA must offer you to address a dispute, or **grievance**, you

FACT SHEETS FOR PUBLIC HOUSING RESIDENTS

This series of fact sheets will help public housing residents learn about RAD. All fact sheets are posted on RAD's website at www.hud.gov/rad, under the 'Residents' tab. This fact sheet explains your rights related to grievance procedures and lease termination under RAD.

have with your PHA about an action that negatively affects you.

- (2) **Termination notification** - Steps the PHA must take to inform you that it intends to terminate your lease.

RAD requires that you **keep many of the same procedural rights related to the grievance process and termination notification** that you had in public housing.

HOW WILL RAD AFFECT THE GRIEVANCE PROCESS?

A **grievance** is any dispute you may have with your PHA about an action involving your lease, or other PHA actions that you believe negatively affect you. The **grievance process** involves steps for you and your PHA to follow to resolve these disputes.

Whether your property is a part of the public housing program, or has converted to PBV or PBRA through RAD, you will receive a written notice of the reasons for an action and that you can request a hearing where you can present the reasons why you think an action might be unfair.

RAD requires that you receive a fair hearing and a written decision within a reasonable timeframe, just like you would under public housing. Your PHA must follow the grievance hearing decision unless it notifies you that the:

- Matter exceeded the authority of the grievance hearing; or
- Decision conflicts with laws or HUD regulations.

Requesting or participating in a hearing does not affect your right to take your case to trial if you think your dispute was not settled fairly.

The grievance process is for...

Any **individual disputes** between you the property owner, such as:

- Termination of your lease;
- Rent the owner claims you owe;
- Determination of your income;
- Determination of your unit size; or
- Determination of your utility allowance (if you have tenant-paid utilities).

The grievance process is not for...

- Disputes between tenants that do not involve the owner;
- Class grievances (in other words, grievances that multiple tenants/families have with the owner); or
- Negotiating policy changes between tenant groups and your owner.

TERMINATION NOTIFICATION:	
Number of days	Termination reason
A reasonable period of time, but no more than 30 days	<ul style="list-style-type: none"> • A threat to the health or safety of other residents or PHA employees. • Drug-related activity, violent criminal activity, or felony conviction.
No less than 14 days	Nonpayment of rent
No less than 30 days, unless State or local law require a shorter period	All other cases (*PBRA allows a longer notification period)

recertification, for example about your income or family size.

If your property owner wants to terminate your lease after the RAD conversion, it must give you a **termination notification**. This notification is advance notice that explains why and when your lease will be terminated and whether you can ask for a grievance hearing.

If the reason for your termination is very serious, for example being convicted of a crime on the property, you may not be eligible to request a hearing.

HOW WILL RAD AFFECT TERMINATION NOTIFICATION?

Similar to public housing, the property owner will be able to **terminate your lease** if it follows certain procedures and if it has **cause**. An owner has cause if you seriously or repeatedly violated your lease terms, including:

- Not making payments due under the lease, such as rent or utility payments;
- Not following the rules listed in the lease, such as keeping your unit clean and safe;
- Involvement in criminal activity or alcohol abuse, depending on the seriousness of the activity; or
- Making false statements in your initial application or during your annual

DEFINITIONS:

- **Cause** – Reason for not renewing your lease in cases when you seriously and repeatedly violate your lease terms.
- **Grievance** – Any dispute you may have with a property owner involving your lease or owner actions that you believe negatively affect you.
- **Grievance Process** – Steps the owner must take to address a dispute you have with it.
- **Procedural Rights** – Steps your property owner must follow when taking specific actions that may have a negative effect on you.
- **Termination of Lease** – The process of ending your lease.
- **Termination Notification** – Steps an owner must take to inform you of the decision to terminate your tenancy.

RENTAL ASSISTANCE DEMONSTRATION (RAD)

FACT SHEET #4: RESIDENT INVOLVEMENT

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 units across the country need 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 repair units without depending on additional money from the government.

RAD allows PHAs to convert a public housing property's HUD funding to either:

- **Section 8 project-based voucher (PBV); or**
- **Section 8 project-based rental assistance (PBRA).**

This conversion of funding type lets PHAs borrow money to make needed repairs.

HOW CAN I BE INVOLVED IN RAD?

Your PHA has to take several steps when it decides to participate in RAD.

First, your PHA will have to apply for RAD in order to get HUD's permission to convert public housing properties to Section 8 properties. Before



Fresno Housing Authority, CA residents and staff talk about RAD

FACT SHEETS FOR PUBLIC HOUSING RESIDENTS

This series of fact sheets will help public housing residents 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 opportunities for resident involvement in RAD.

submitting an application to HUD, your PHA will let you know which properties are proposed for **conversion** and invite you to at least **two** meetings to discuss the conversion plans.

You will have time to submit feedback to your PHA. After your comments and questions are received, your PHA will need to provide written responses to them. Both your comments and the PHA's written responses must be submitted to HUD as part of the RAD application.

If HUD approves your PHA's RAD plans, your PHA will have to provide HUD with more documents, each with a specific deadline. Most of them are submitted to HUD within about a year.

WHAT ARE OTHER OPPORTUNITIES FOR ME TO BE INVOLVED?

Every PHA has an Annual or Five Year Plan, which provides details about the programs and services the PHA offers. A RAD conversion is considered a significant part of the **PHA Plan** or a **Significant Amendment** to the Plan. Any changes that happen at your property because of RAD will have to be included in your PHA's Annual or Five Year Plan.

The new (amended) PHA Plan will have to be approved before the RAD conversion is completed. In addition to the general information

required in the PHA Plan, your PHA must include the following information about its RAD plans:

- A description of the number units to be converted, including bedroom size, and who lives in the units (families, elderly, or those with disabilities);
- Any change in the number of units;
- Any change in the bedrooms per unit;
- Any change in policies about who can live in the units; and
- If any of the units at the property will be moved to another site.

Resident Advisory Board Involvement and Public Hearing

Your PHA must work with the **Resident Advisory Board (RAB)** whenever it makes changes to the PHA Plan, and provide the RAB with information on the RAD conversion. The RAB must have enough time to review the RAD plans and provide comments.

Your PHA must submit these comments to HUD. While your PHA is required to consider these comments, it is not required to agree with them. However, if the RAB feels that the PHA did not provide adequate notice and opportunity for comment, the Board may ask HUD to determine whether the PHA met these requirements.

In addition to working with the RAB, your PHA must have a public hearing to discuss the PHA Plan and invite the public to comment.

Your PHA may only submit the PHA Plan to HUD once it has:

- Consulted the Resident Advisory Board;
- Conducted the public hearing; and
- Considered all comments received.

After your PHA has completed and submitted all the required documents, and the RAD plans for your property have been approved by HUD, the PHA will receive a **RAD Conversion Commitment (RCC)**. After receiving the RCC, the PHA must have another meeting with residents on the final RAD plans.

Resident Engagement in Lexington, KY

The Lexington Housing Authority (LHA) involved residents early and often in the RAD conversion process. LHA held all-resident meetings followed by smaller group meetings so that all residents could ask questions, speak with LHA staff about their concerns, and understand LHA's RAD goals. Representatives from the Lexington Fair Housing Council, a local non-profit, attended all of the resident meetings. LHA also invited local officials to attend the meetings. Throughout the RAD process, LHA made it a priority to provide regular updates and make sure that residents had complete information to help residents plan and make good decisions for their families.

WHAT IF I NEED REASONABLE ACCOMMODATIONS TO PARTICIPATE?

Your PHA must make materials available in accessible formats for persons with disabilities, and must make meetings accessible for persons with disabilities.

Your PHA must also provide language assistance to persons that have trouble understanding English so that they can read materials, participate in meetings, and provide comments on the proposed RAD conversion. This may include providing translation of written materials and providing interpreters at meetings.

DEFINITIONS:

- **Conversion** – The process of changing from the Public Housing program to a Project-Based Section 8 contract through RAD.
- **PHA Plan** – A document your PHA prepares in consultation with residents that outlines its basic goals and policies.
- **Resident Advisory Board** – A board of residents that work with the PHA on the PHA Plan.
- **RAD Conversion Commitment (RCC)** – An agreement between HUD and the PHA that describes the terms and conditions of the RAD conversion.
- **Significant Amendment** – A change that will need to be made to the PHA Plan before a RAD conversion can be completed.

RENTAL ASSISTANCE DEMONSTRATION (RAD)

FACT SHEET #3: RENT

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 units across the country need 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 repair units without depending on additional money from the government.

RAD allows PHAs to convert a public housing property's HUD funding to either:

- **Section 8 project-based voucher (PBV); or**
- **Section 8 project-based rental assistance (PBRA).**

This conversion of funding type lets PHAs borrow money to make needed repairs.

HOW IS RENT CALCULATED IN PUBLIC HOUSING?

In public housing, there are two ways to determine rent payments:

- **Income-based rent** is generally calculated at 30% of your household's income.
- **Flat rent** is based on the rent charged for similar units in the private market. It is not affected by income changes.

Most public housing residents already pay income-based rent, so **most residents will not have a rent increase because of RAD.**

However, households who currently pay a flat rent may have their rent change because the PBV and PBRA programs do not allow flat rents. Under PBV or PBRA, you will pay an income-based rent.

FACT SHEETS FOR PUBLIC HOUSING RESIDENTS

This series of fact sheets will help public housing residents learn about RAD. All fact sheets are posted on RAD's website at www.hud.gov/rad, under the 'Residents' tab. For most residents, your rent will not change as a result of RAD. This fact sheet describes changes in rent that are possible.

WILL MY RENT INCREASE UNDER RAD?

Most residents will not have a rent increase because of RAD. If you are paying a **flat rent** in public housing, you will most likely have to pay a bit more in rent over time.

In these limited cases, if your rent increases more than 10% and requires you to pay more than \$25 per month in additional rent, your new rent will be **phased in**. This means you will not have to start paying the full amount of the new rent immediately. Instead, your rent will increase a little each year. Your PHA must phase in the rent increase over at least 3 years, but may choose to phase in the increase over 5 years.

If the increase in your rent is less than 10% or not more than \$25 per month, this change in rent will be effective immediately.



Increase Less than 10% or \$25 No Phase-In	Increase Greater than 10% or \$25 Three-Year Option
<p>Change in Rent: In public housing, you paid a flat rent of \$400 per month. Your income was \$1,400 per month and remained the same after conversion.</p> <p>In PBV or PBRA, you will pay an income-based rent of 30% of your income, which calculates to \$420 per month ($\\$1,400 \times 30\% = \\$420$).</p> <p>This is a difference of \$20 per month ($\\$420 - \\$400 = \\20), which is a 5% increase.</p> <p>No Phase-in of Rent Increase: The new rent of \$420 per month <u>will not be phased-in</u>, because your rent did not increase by more than 10% and your additional rent was less than \$25. You will begin paying \$420 per month when your property converts to PBV or PBRA.</p>	<p>Change in Rent: In public housing, you paid a flat rent of \$400 per month. Your income was \$1,500 per month and remained the same after conversion.</p> <p>In PBV or PBRA, you will pay an income-based rent of 30% of your income, which calculates to \$450 per month ($\\$1,500 \times 30\% = \\$450$).</p> <p>This is a difference of \$50 per month ($\\$450 - \\$400 = \\50), which is a 12.5% increase.</p> <p>Phase-in of Rent Increase: The new rent of \$450 per month <u>will be phased-in</u> over 3 years, because your rent increased by more than 10% and you have to pay more than \$25 per month in additional rent as a result of RAD conversion.</p>

WHAT IF MY INCOME INCREASES AFTER A RAD CONVERSION?

When your property converts through RAD, you will sign a new lease. Any policies on income and rent increases will be included in your lease.

In the PBV program, PHAs set their own policy for evaluating income. Under PBRA, an owner must adjust your rent every time your adjusted income increases by \$200 or more per month.

During your next **annual reexamination** after the RAD conversion, your income and rent will be recalculated. If your income has increased, your rent payment will be adjusted.



RAD RESOURCES

For more information, please see the revised RAD Notice issued June 2015 available on RAD's website at www.hud.gov/rad, under the 'Library' tab. You will also find more resources, including RAD case studies under the 'Press Room' tab, on the RAD website.

DEFINITIONS

- **Annual reexamination** – A process that occurs each year where your income and family size are reviewed to ensure you are paying the correct rent and living in a right-sized unit.
- **Flat rent** – Rent set at a specific amount based on the rent charged for similar units in the private market. A flat rent does not increase or decrease when your income changes. Flat rents are only allowed in public housing.
- **Income** – Your total income is calculated by taking your total income, minus any exclusions or deductions like large medical expenses. Your income is determined at the time of admission and during any reexamination.
- **Income-based rent** – Rent generally calculated at 30% of your household's adjusted gross income. Project-based Section 8 programs only allow income-based rent.
- **Rent Phase-In** – If your rent increases by more than 10% because of RAD conversion and requires you to pay more than \$25 per month in additional rent, you will not have to pay this increase immediately. Instead, you will pay more in rent each year for either 3 or 5 years.

RENTAL ASSISTANCE DEMONSTRATION (RAD)

FACT SHEET #2: STEPS IN A RAD CONVERSION

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 units across the country need 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 repair units without depending on additional money from the government.

RAD allows PHAs to convert a public housing property's HUD funding to either:

- **Section 8 project-based voucher (PBV); or**
- **Section 8 project-based rental assistance (PBRA).**

This conversion of funding type lets PHAs borrow money to make needed repairs.

WHAT ARE THE STEPS IN A RAD CONVERSION?

When your PHA decided to consider RAD, your PHA had to start making plans, looking for funding, and talking to residents.

Before submitting an **application** to HUD, your PHA must have two meetings with residents. Your PHA must submit its response to any resident comments or questions as part of the application.

If HUD determined that your property could participate in RAD after reviewing its application, HUD awards your PHA a **Commitment to Enter into a Housing Assistance Payment Contract (CHAP)**.

After receiving a CHAP, your PHA has to provide HUD with more documents, each with specific deadlines. Most of them are submitted to HUD within about a year.

FACT SHEETS FOR PUBLIC HOUSING RESIDENTS

This series of fact sheets will help public housing residents 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 the steps that your PHA has to take in order to convert public housing assistance through RAD.

PHA PLAN SIGNIFICANT AMENDMENT

A RAD conversion is important enough that it has to be documented in the PHA's Annual or Five-Year Plan.

If the RAD conversion isn't already described in the PHA Plan, the PHA needs to prepare a **Significant Amendment to the PHA Plan**. Any changes to a PHA Plan must go through a public comment process, which includes a public meeting.

In addition to the information generally required in the PHA Plan, your PHA must include the following information specific to their RAD conversion plans:

- A description of the number units to be converted, including bedroom size, and who lives in the units (families, elderly, or those with disabilities);
- Any change in the number of units;
- Any change in the bedrooms per unit;
- Any change in policies about who can live in the units; and
- If any of the units at the property will be moved to another site.

FINANCING PLAN

HUD wants to make sure that your PHA has enough money to complete all the necessary repairs and to take care of the building after that.

To show that your PHA's plans make sense, your PHA will have to submit its **Financing Plan** to HUD for approval before conversion. The **Financing Plan** includes the following information:

- Type of conversion (PBV or PBRA)
- **Physical Condition Assessment (PCA)**
- Plans for rehabilitation or new construction
- Environmental Review
- Fair housing and relocation documents
- Development budget
- Development team
- Operating and maintenance costs

After HUD reviews and approves the Financing Plan, it will issue a **RAD Conversion Commitment (RCC)** to your PHA. Receiving an RCC means that HUD has approved your PHA's RAD plans and that the property is close to completing the conversion process.

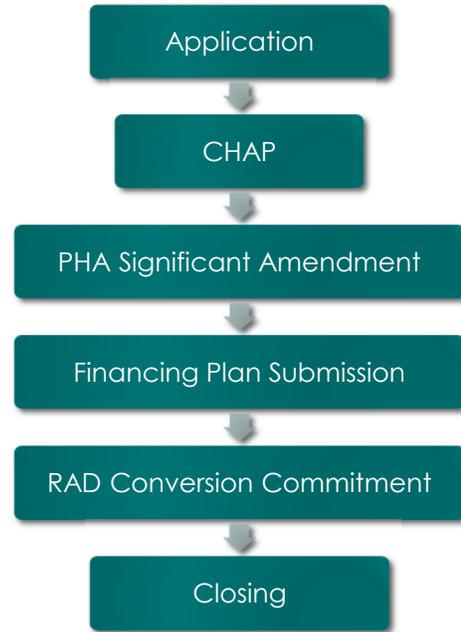


CLOSING

After receiving an RCC, your property will move toward **Closing**. After closing, your property will no longer be part of the public housing program.

The new Section 8 PBRA or PBV **Housing Assistance Payment** contract and the **RAD Use Agreement** will become effective after closing. At this point, your property is now under the **PBRA** or **PBV** programs. Your PHA will have to work on any repairs needed at the property and make sure to complete them within required timelines.

BASIC STEPS IN A RAD CONVERSION



DEFINITIONS:

- **Closing** – The final step in a real estate transaction. In RAD, this is one of the final steps in the conversion process. After closing, a property is no longer public housing.
- **Commitment to Enter into a Housing Assistance Payments (CHAP)** – After HUD reviews a PHA's RAD application, HUD issues a CHAP. The CHAP allows PHAs to begin their RAD conversion process.
- **Financing Plan** – The plan that shows the PHA has all the money needed for repairs and construction, and is ready to convert.
- **Housing Assistance Payment Contract** – The agreement between your PHA and HUD that states the amount of subsidy payments provided by HUD to PBV and PBRA contracts.
- **Physical Condition Assessment** – A detailed physical inspection of a PHA property that will list the repairs that the PHA will need to make as part of the RAD conversion.
- **RAD Conversion Commitment** – Agreement between HUD and the PHA, following HUD approval of the Financing Plan, that describes the terms and conditions of the conversion.
- **RAD Use Agreement** – Document requiring that the RAD property be used for affordable housing.