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Expanding Tenants Rights: Advocating for Voucher Reform with your Local Housing Authority

Barriers to Families in Housing Voucher Programs

- There are a number of structural issues with the Housing Choice Voucher (Section 8) program that harm all participants but may be especially affect families with children:
 - Insufficient supply of vouchers
 - Rent caps that keep families out of higher opportunity neighborhoods
 - Use-it-or-lose-it pressures to find housing in far too short a search time
 - Limits on portability that prevent families from using vouchers in other Public Housing Authority (PHA) jurisdictions
- There are also other disparities that specifically affect families with children:
 - Discrimination against families with children by landlords
 - Inadequate allocation methods to get vouchers to neediest families
 - PHA “Local Preferences” that do not include families with children
- Organizing Section 8 voucher holders has historically been difficult given that they are spread diffusely across buildings and even neighborhoods – but it is vital for them to have a voice in local housing issues!

Know Your Rights

- Your PHA should give you enough time to search for housing, especially if you are looking in lower poverty neighborhoods. If you have a disability that extends your search time, your PHA is required to reasonably accommodate your search needs. Tenants should also demand that their PHA extend voucher search times for everyone.
- If you experience lengthy delays in the approval of your Section 8 voucher rental or with the inspection process, report this to your local fair housing office or legal services office.
- You have a right **to use your voucher in lower poverty neighborhoods**. If your PHA is giving you listings, they are required to include units in lower poverty neighborhoods. If your PHA is failing to give you such listings, report this to your local fair housing office or legal services office.
- Housing authorities are required to let you transfer your voucher to another PHA jurisdiction using “portability” within a reasonable period of time.
 - If there are significant delays with your portability transfer voucher report this to your local fair housing office or legal services office.
- You have the right to a safe and secure unit that meets HUD’s *housing quality standards*
(https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/hqs)
 - For example: doors and windows must be lockable, ceilings cannot have large holes or loose materials in danger of falling, and there must be either two working outlets or one outlet and a permanent lighting fixture per room.
 - If you have a problem with your unit and/or it is not up to code, you should contact your local housing authority.
- Procedural Rights:
 - All PHAs must tell you if you are on the housing voucher list or not. Many PHAs also have their own processes for telling you your exact place on the list.

- If you are denied a Section 8 voucher, you have the right to appeal a denial. The exact details about how to apply vary according to your local PHA, but often involves filing a request for review within 10 days.

Things and People to Know

- To advocate effectively, you should have the names and contact information for:
 - Your PHA's Executive Director
 - Your PHA's Board Members
 - Your PHA's Housing Voucher Director
- You should also have copies of:
 - Your local Section 8 Administrative Plan
 - Your PHA's MTW Agreement (if your local PHA is an "MTW" agency)
- Other questions to ask:
 - Does your city or state have a Source of Income law to protect Section 8 voucher holders from discrimination by landlords?
(<https://prrac.org/pdf/AppendixB.pdf>)
 - Ask your PHA if they offer security deposit assistance and/or assistance with moving expenses.
 - For families with children: learn about the local preferences your PHA uses to select tenants off of the waitlist (this can be found in your PHA's Section 8 Administrative Plan).
 - Does your local PHA have Section 8 participant advisors?

Sample Reforms to Advocate for with your PHA

- Extending Search Times
 - PHAs should ensure that all families have enough time to adequately find suitable housing. This is particularly true when looking in lower poverty neighborhoods where rents are likely to be higher and thus voucher housing harder to find. A reasonable search time is 120 days with the right to additional extensions for good cause (for example, difficulty in finding affordable units).
- Shortening Inspection Times

- Landlords are more likely to discriminate against Section 8 voucher holders if they associate Section 8 renters with lengthy inspection delays. Well-run PHAs should schedule an inspection within no more than 5 days and process the request shortly thereafter.
- Security Deposit Assistance
 - Advocate for your PHA to provide assistance with moving expenses and security deposit payments.
- Increased Exception Payment Standards
 - Under the Section 8 Housing Voucher program, residents pay approximately 30% of their income towards their rent and utilities, and the rest is paid by the voucher, up to the payment standard set by the PHA. Traditionally, these payment standards cap the voucher at between 90%-110% of the area's Fair Market Rent (FMR). The problem is that in most metro areas the FMR is too low to give families access to a wide range of neighborhoods.
 - Small Area Fair Market Rent (SAFMR) is based on zip code within a larger metropolitan region. This allows vouchers to pay more in higher rent neighborhoods.
 - In 2016, a HUD rule mandated SAFMRs in 24 metro areas. Non-mandated cities and town may still use SAFMRs if they choose to. If your city does not use SAFMRs, you should advocate with your local PHA to adopt SAFMRs in selected zip codes using "exception payment standards."
- Make Families with Children a Local Preference
 - If you find that families with children are on wait lists for exceptionally long periods of time, they are likely not designated as a "local preference" category by your local PHA and are not given preferences when selecting voucher recipients off the waitlist. If this is the case, advocate with your PHA to make families with children a local preference category.
- If your PHA does not have a Housing Mobility program, you should advocate for one.

- Mobility programs assist families interested in moving to lower poverty neighborhoods.
- Advocate for Community Development Block Grant (CDBG) funding for a mobility program, or demand funding from the state legislature and state department of housing.