

Indiana Legal Services, Inc

www.indianalegalservices.org

General Information about Subsidized Housing

What is Subsidized Housing?

The government pays for part of a family's rent when they live in subsidized housing. The most common types of subsidized housing are Section 8 and Public Housing. (There are some other less common types also).

What is the difference between Public Housing and Section 8?

Public Housing is owned and operated by the government. It is usually apartment complexes. Public Housing is for eligible low-income, elderly, and disabled persons. Typically, you apply for housing through your local Housing Agency. If you are accepted, the agency will either place you on the waiting list or place you in housing if it is currently available. If you are denied, you can appeal and ask for a hearing to discuss the denial.

There are two common kinds of Section 8. The first is tenant-based Section 8. Tenant based Section 8 gives you a "voucher" which can be used to rent any kind of housing (house, apartment or condominium) and with any landlord that is willing to accept it. If you receive a voucher, you then have to go look for a home yourself. There are time limits for finding a home and the voucher can expire if you do not find a home in time. If you find someplace you want to rent and the landlord is willing to accept your Section 8 voucher, you then notify Section 8. If the home meets housing quality standards, reasonable rent standards, and other program requirements, then Section 8 should accept the home you found. If you decide to move out of this type of Section 8, your voucher goes with you and you can look for a new home to rent.

Project-based Section 8 is a privately owned apartment complex where some or all of the units are for Section 8 tenants. If you move out of this type of Section 8, the voucher does not go with you.

If you don't know what kind of Section 8 you receive, contact the agency that approved you for Section 8.

How much rent will I have to pay?

If you live in public housing or receive Section 8, your rent is generally 30% of your income. Certain expenses are deducted from your income. You may be charged a minimum rent set by the housing program even if you have little or no income. The minimum rent can be up to \$50.

What deductions can be taken from my income to reduce my rent?

There are three kinds of earnings that can be deducted from your income:

- earnings received as part of a training program,
- earnings received as part of subsidized employment, and
- earnings used to pay for childcare.

There are also deductions for children, elderly or disabled people in the household, and for some medical expenses. These things should be deducted from your family's gross income before calculating your rent.

What if I can't afford minimum rent?

You may not have to pay minimum rent if you have one or more of these hardships:

- You just lost your job or your public benefits (like TANF or SSI);
- You applied for public assistance but you are not yet receiving it; or
- You are being evicted or are at risk of being evicted for not paying the minimum rent.

If any of these conditions apply to you, your rent is reduced to \$0. However, if the hardship is temporary, you will stop paying minimum rent only for a while and you will have to repay the minimum rent at a later time.

Will my rent go down if I lose my welfare benefits?

If you live in public housing, or you live in tenant-based Section 8, your rent will not go down if you lose your welfare benefits for failure to do welfare work requirements or a self-sufficiency program. However, your rent can go down if you lose your welfare benefits because your time limit has passed.

If you live in project-based Section 8, your rent will go down if your income goes down, no matter what the reason.

What if I don't agree with the amount of rent I am being charged?

You can appeal to the agency if you disagree with your rent. You can also contact a private attorney or your local legal services agency for help.

What are my responsibilities if I live in subsidized housing?

Pay your part of the rent on time and report all changes in income, source of income, family size, and resources as soon as possible. You also must follow the other terms of your lease.

What can I do if the Public Housing Authority tries to evict me?

You can ask for an informal hearing. You should also contact a private attorney or your local legal services agency for help. Your housing will continue through the informal hearing process.


What can I do if my Section 8 or private landlord wants to evict me?

You should contact a private attorney or your local legal services for help. You should try to avoid an eviction, because it can make it hard to get subsidized housing, or to find a private landlord willing to rent to you.

Where do I go to apply for subsidized housing?

Contact your local Public Housing Authority or Community Action Program (CAP) Office.

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