

What is RAD?



Component 1 of the Rental Assistance Demonstration (RAD) allows public housing authorities to convert public housing to Section 8 rental assistance (project-based vouchers (PBV) or project-based rental assistance (PBRA)). Below are the top issues that advocates and tenants should be aware of during a RAD conversion. For more information, please contact RAD@nhlp.org.

No Permanent Displacement

1 Public housing residents cannot be involuntarily displaced at the time of the RAD conversion, except for "transfers of assistance" (where tenants have the right to live at another affordable housing property).

Right to Remain/Return

2 Public housing tenants living at the property before the RAD conversion have the right to remain at the property. If tenants are required to temporarily relocate because of construction work at the property, they have the right to return to the property after the repairs are done.

No Rescreening

3 Residents cannot be rescreened with more restrictive requirements at the time of the RAD conversion or when they return to their property.

1-for-1 Unit Replacement

4 When public housing properties are demolished and then rebuilt (or substantially rehabilitated) because of RAD, the property owner cannot reduce the number of units at the property ("one-for-one unit replacement") – with some exceptions.

Long-Term Affordability

5 When public housing developments convert to PBV or PBRA, HUD and the owner must sign Housing Assistance Payment (HAP) contract that initially runs for 15 or 20 years. As long as there is federal funding, the HAP contract must always be renewed so that units will always be affordable.

Change in Ownership

6 If the public housing authority (PHA) plans to use federal tax credits to repair the property, they may select a new private landlord to manage the property, with some restrictions. If there will be a private property manager instead of the PHA after the RAD conversion, the PHA must maintain an interest in the property.

Rent

7 After the RAD conversion, most residents will continue to pay 30% of their income for rent and utilities. However, for some residents who pay flat rents, they may see a rent increase. If that rent increases by more than 10% of the original rent or \$25, whichever is greater, the rent increase must be phased in over 3 or 5 years.

Evictions for Good Cause Only

8 Owners of RAD-converted properties must renew a resident's lease, unless there is "good cause" not to, such as if tenants seriously or repeatedly break the rules in their lease.

Grievance and Terminations

9 Residents must continue to have the same protections provided under federal public housing laws (Section 6 of the U.S. Housing Act of 1937), which include public housing grievance procedures and termination protections.

Resident Participation Funding

10 All properties that convert under RAD, whether converting to PBV or PBRA, will continue to receive \$25 per occupied unit for resident participation activities. Just like in public housing, at least \$15 of the \$25 must be provided to resident councils.

Resident Participation Rights

11 After a RAD conversion, residents still have the right to establish and operate a resident organization to address issues related to the living environment, such as the physical conditions of the property.

