



# Renters Organizing in Subsidized Housing

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June 10, 2021

## T Organizing – Why Bother?

- ▶ Might work where nothing else has
- ▶ Landlords are organized so...
- ▶ Avoid Landlord Avoidance
- ▶ Strength = #s + Unity of Purpose
  - ▶ Goals: (1) Getting a home, (2) security of tenure, (3) keeping that home – all in a system that treats housing as commodity not a right requires influence and participation in decisions affecting those 3 goals
- ▶ Success Breeds Success
- ▶ Conditions? Harassment? Occupancy Rules? Disappearing stock? Yes ... and more... school conditions/public safety/economic opp/health/voter suppression...Everything is a housing issue

## ORGANIZING TIPS

- ▶ Learn From Others
- ▶ Be Open
- ▶ Be Democratic
- ▶ Keep an Eye on Process
- ▶ Be Informed
- ▶ Know Your Elected Officials
- ▶ Find a Location to Hold Meetings and Access Community Resources
- ▶ Set a Goal or Goals as a Group
  
- ▶ *FROM* National Low Income Housing Coalition 2021 Advocates' Guide

# FEDERALLY SUBSIDIZED RENTAL HOUSING BIG THREE

- ▶ PUBLIC HOUSING
- ▶ PRIVATE MULTIFAMILY HUD-ASSISTED (PROJECT-BASED RENT ASSISTANCE)
- ▶ SECTION 8 HOUSING CHOICE VOUCHERS

# PUBLIC HOUSING

- ▶ Resident organizers must be allowed to distribute leaflets and post information on bulletin boards, contact residents, help residents participate in the organization's activities, hold regular meetings, and respond to a PHA's revision of lease terms, request to increase rent, reduce utility allowances, or make major capital additions
- ▶ Resident Councils (24 CFR Part 964) –bldg-wide or jurisdiction-wide
  - \$25/occ unit/yr fr PHA budget for res participation activities
  - \$15/occ unit/yr minimum from PHA to res council for trng and resident organizing
  - HUD Guidance Notice PIH 2013-21 re: uses for \$\$
- ▶ Resident Commissioner – at least 1 PH resident or HCV participant
- ▶ RAD – RES Information Notices and meetings -- \$25 continues in RAD ppties
- ▶ PHA Plan Process -- Resident Advisory Boards (RABs); Hearings; Comments

# PRIVATE MULTIFAMILY HUD-ASSISTED (PROJECT-BASED RENT ASSISTANCE)

- ▶ 24 CFR Part 245, Subpart B: owners must recognize tenant organizations established by tenants
- ▶ Organization must represent all tenants//operate democratically// meet regularly//operate completely independent of owners and management
- ▶ Organization has right to distribute leaflets, canvass, post notices, and convene meetings without management present and without prior notice or permission from management
- ▶ Organization can invite outside organizers to assist them
- ▶ civil money penalties regulation allows HUD to assess fines on owners or management agents for major violations of tenants' right to organize (24 CFR Part 30)

# SECTION 8 HOUSING CHOICE VOUCHER

- ▶ PHA Annual Plan process -- HCV RAB if HCVs are at least 20% of all PHA's households

# USDA – RURAL DEVELOPMENT

- ▶ A landlord cannot develop or adopt occupancy rules that infringe on the rights of tenants to organize an association of tenants.
- ▶ A landlord cannot unreasonably withhold the use of community rooms and other spaces for organizing activities when requested by a resident organization or residents seeking to organize.
- ▶ See RHS Handbook 3560-2, sec. 6.15(C), at p. 6-23.
- ▶ <https://www.rd.usda.gov/files/3560-2chapter06.pdf>. Regulatory authority for this Handbook guidance can be found in 7 CFR Sec. 3560.157(f) & (g).



# LOW INCOME HOUSING TAX CREDIT (LIHTC) (SECTION 42)

- ▶ No federal rule or statute addresses organizing in LIHTC properties. No LIHTC terms impacting tenant organizing either way.
- ▶ But if a property has Public Housing or Project-Based Section 8 or Housing covered under HUD Handbook 4350.3, the rules on organizing from those non-LIHTC programs would apply because of that funding.
- ▶ The allocating agency (MN HA aka MNHFA) *could* impose requirement protecting tenant organizing in its QAP -- but not found in MN or other states reviewed.
- ▶ If no other funding that provides protections, then must rely on MN or local law.