

PUBLIC HOUSING

YOUR RIGHTS AND RESPONSIBILITIES

This brochure gives information to people who live in public or subsidized housing. It is also for people who get housing through voucher programs, such as the Housing Choice Voucher Program (formerly the Section 8 Voucher Program).

If you have a landlord, you may have to work with both your Housing Authority and your landlord. Make sure you understand this. You need to understand your lease. This brochure will help you understand some of your rights and responsibilities. It does not take the place of your lease or any other agreement you make with a landlord or Housing Authority. If you have questions about your rights, you should talk to a lawyer. The South Carolina Residential Landlord Tenant Act protects both landlords and Housing Choice Voucher participants.

INCOME

What income should I report to the Housing Authority?

It is your responsibility to report all family income to the Housing Authority. Income includes your paycheck, and also child support, Social Security or other benefits you get for any household member (including children), and other money household members get for working. In most cases, your rent is a percentage of yearly income. Not all of your income will necessarily be counted towards determining your rent but you need to report it. The Housing Authority will explain to you how they have calculated your rent.

When should I report income to the Housing Authority?

You must report income when you first apply for housing. The Housing Authority will conduct an annual review of your income. You must inform the Housing Authority any time your income changes. It is usually in your interest to report any decrease in income right away.

Will an increase in income change my rent or my housing assistance?

It may. Some types of income will not increase your rent, but if you fail to report them, you may be breaking the law. Also, if your income decreases, your rent may decrease, too. The Housing Authority will determine that. You must keep paying the full rent amount unless the Housing Authority tells you to pay a different amount. If you disagree with this amount, you have the right to request a hearing.

GUESTS

Am I allowed to have guests at my house?

Yes. You may have guests. However, you should follow Housing Authority rules about telling the Housing Authority or your landlord about guests, including relatives and overnight guests.

Am I responsible for my guests?

Yes. What your guests do while visiting you could cause you to be evicted or cause you to lose your housing assistance. You are responsible for the criminal activity of your guests, even if you did not know about the activity. The exception to this rule is if you are a victim of domestic violence, dating violence, or stalking and your guest tries to or does abuse you. In that case, the landlord or Housing Authority cannot use domestic abuse against you as a reason to end your lease or to evict you. Report trespassers to the police.

When does a guest become a household member?

Sometimes a guest may stay long enough to become a household member. Most types of public or subsidized housing require you to report changes in your household. If you do not report these changes, it may lead to your landlord or the Housing Authority taking negative action against you. So, you should be sure to ask about rules regarding guests and make sure that all members of your household are listed on the lease.

MAINTENANCE

Who do I call if something in my house or apartment breaks?

If your landlord is not the Housing Authority, contact the landlord for repairs. If your landlord is the Housing Authority, call the Housing Authority. Remember that South Carolina law does not allow you to withhold your rent just because the landlord does not make repairs.

Do I have to keep the utilities turned on?

Yes. To keep your housing or assistance, you must keep your utilities, including electricity and/or gas, turned on. Ask the Housing Authority about programs that help you pay for utilities, like utility subsidies or the Low Income Heating Assistance Program (LIHEAP).

Do I need a smoke alarm?

Yes. Keep batteries in your smoke alarms. (The Housing Authority might replace batteries for free.) Also, do not disconnect the smoke alarm because the Housing Authority or landlord might charge a penalty if you do.

Who is responsible for damage to the house or apartment?

You are responsible if the damage was caused by you, your household members, or your guests. This includes damage to the house or apartment and to the grounds. Before you move in, inspect the house or apartment carefully and make a list of anything that is wrong. Keep a copy of this list for yourself and give one to the Housing Authority and the landlord. Have them sign something saying that they received a copy of the list. This will help make sure you get your security deposit back (if you paid one) and keep you from being charged money for damages you did not cause. If you can, you should take pictures of the apartment before you move in. Also, make sure that trash is removed from the yard and parking lots.

WORKING WITH AGENCIES & LANDLORDS

Annual Re-Examination and Re-Certification

At least once per year, the Housing Authority will need to complete a recertification. A recertification is when the Housing Authority determines your household size and how much your rent will be. You will usually receive a letter from them with an appointment time. You can lose your assistance if you do not show up, so call to reschedule if you cannot attend a particular appointment.

Leases and Other Documents

Make sure you read and understand your lease and any other documents from the landlord or Housing Authority. Always keep the lease and other important documents in a safe place where you can find them. Have someone you trust explain the lease or any other documents that you do not understand.

Paying Rent and Security Deposits

You should pay rent to your landlord just as your lease says. The landlord cannot make you pay more than what the lease says. Make sure to get a receipt from the landlord for your security deposit and for rent payments.

Questions

If you have questions about your housing, ask the Housing Authority. They will work with you in many cases. If you are having a problem with the Housing Authority or your landlord and need legal assistance, contact your local legal services office. The number for legal services is on the back of this brochure.

GETTING INVOLVED

What is a Public Housing Administrative Plan?

A Public Housing Administrative Plan is a guide to the Housing Authority's rules, policies and programs. It is where the Housing Authority lists its policies and goals for the next year and the next five years.

How can I be involved?

You can try to join the Resident Advisory Board. The Board is involved in the planning process. The Housing Authority can tell you about other residents who are involved and may provide a place for you and other residents to meet.

Why should I be involved?

Residents on the Board can talk to the Housing Authority about its policies about rent, eligibility, admissions, pets, and other matters.

*This brochure is for information only.
It does not apply to all types of rental housing or all rental situations.*

If you have problems with your housing, a housing authority, your lease, or your landlord, you may want to contact a lawyer. If you have a very low income, your local legal services office may be able to help you. To get in touch with them, call the Legal Aid Telephone Intake Service for a referral at 1-888-346- 5592 statewide or (803) 744-9430 in Columbia.

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