

Keep Your Family's Home

In **NYCHA**, you can lose your home if you or your family is living there without permission. This guide explains what to do:

- When a family member wants to live with you
- When the head of household passes away or moves out



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IF YOU LIVE IN NYCHA, YOU HAVE THE RIGHT TO:

- Stay in your home until there is a final decision from Housing Court on your case.
- Bring an advocate or friend to any meeting with NYCHA.
- Review your tenant file. It may help your claim.

AND REMEMBER:

- ✓ Communicate with NYCHA in writing and send everything by certified mail.
- ✓ Get help and ask for materials in your language.
- ✓ Keep copies of all documents you give to NYCHA and have them date-stamped.
- ✓ Keep paying rent! If NYCHA won't take it, save your money. You may have to pay later.
- ✗ Don't let anyone use your mailing address without a good reason.
- ✗ **Having someone living in your apartment without permission can get you evicted!**

When you want someone to live with you...

File a Permission form with
your manager right away.

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*My granddaughter
is going to move
in with me.*

*You need to
get permission
to have her live
with you.*



If you want a family member to move in with you permanently, you have to file for **Permanent Permission**.

Who can get Permanent Permission?

- Spouses
- Domestic partners
- Parents/Stepparents
- Siblings/Stepsiblings
- Children/Stepchildren
- Grandchildren
- Grandparents
- In-laws
- Legal guardians/wards

Uncles, aunts, nieces, nephews, cousins, and friends can't get Permanent Permission unless there's a legal guardianship or they were on the original Family Composition!

Should I file for **Permanent** or **Temporary Permission** for my granddaughter?

If you file for **Permanent Permission**, your granddaughter could keep your apartment if you leave.

No, a resident with **Temporary Permission** is not eligible to keep the apartment.

If my son has **Temporary Permission**, does he have the right to keep my apartment?

Foster children and home-care attendants are examples of people who can apply to stay for more than one year.



If you want someone to stay in your apartment for up to one year, you have to file for **Temporary Permission**.

Who can get Temporary Permission?

- Anyone!

NYCHA OFFICE

How to file for Permission

- 1 Ask management for a Permission form

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- 2 Submit the form with the person's additional documents (see below)



If NYCHA doesn't respond, your application is considered denied.

ADDITIONAL DOCUMENTS

- Proof of your relationship
 - birth certificate
 - marriage certificate
 - legal custody papers
 - adoption papers
- Their Social Security Number
 - You can add an undocumented person. To do so, talk to a lawyer.

- Their proof of income
 - pay stubs
 - retirement income
 - public assistance records

Management can't refuse to give you forms!



- 3 After you submit your materials, management has **60 days** to make a decision. Before they decide, they may:

- a Ask for any documents they think are missing



- b Interview the person you want to add



- c Run a criminal background check if the person is 16 years or older



GRANTED

DENIED

Now I can live with you, Grandma!



- 4 You should write a letter asking for a **Grievance**. This is a process to challenge NYCHA's decision. For help, call **Housing Court Answers** at 212-962-4795.

When the head of household passes away or moves out...

You may have the right to stay in your home as a Remaining Family Member (RFM).

To qualify as an **RFM**, you have to:

Be at least **18 years old** or have a legal guardian.



Be on the lease or **Family Composition**, and on all **Income Affidavits** for at least one year.

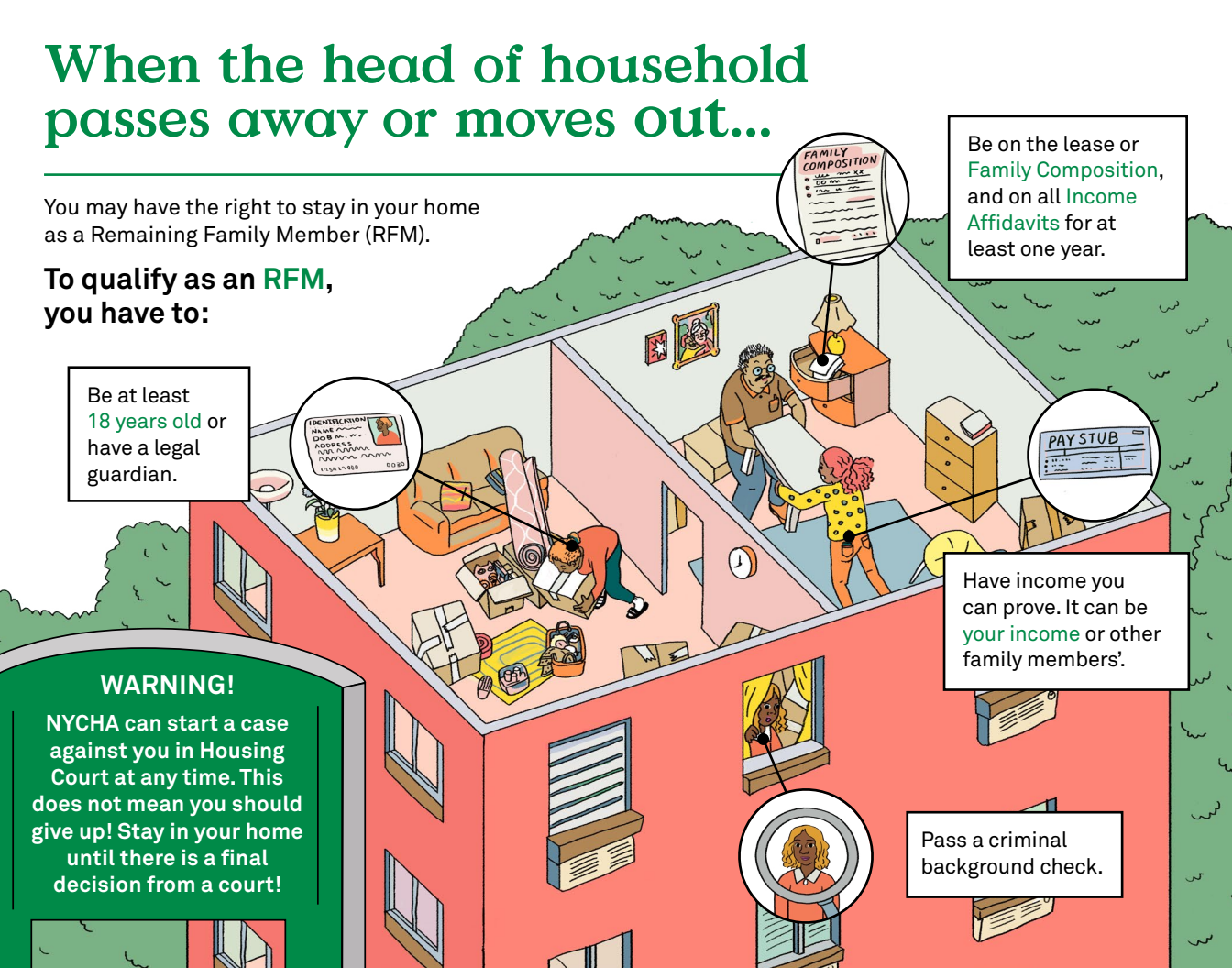


Have income you can prove. It can be **your income** or other family members'.

WARNING!

NYCHA can start a case against you in Housing Court at any time. This does not mean you should give up! Stay in your home until there is a final decision from a court!

Pass a criminal background check.



How to start a Remaining Family Member (RFM) Grievance

- 1** You have **10 days** to let management know that the head of household passed away or moved out. Management will give you an **RFM claim letter**.



- 2** After getting your RFM claim letter, you have **14 days** to write a letter to management requesting an **RFM Grievance**.



You have **14 days** to request an **RFM Grievance!**

- 3** Management may schedule an interview to decide if you have the right to keep your home.



MAKE SURE TO BRING:

- Death certificate or proof of the head of household's new address (lease, official mail)
 - Family Composition
 - All additional documents
- > See pg 6.

DENIED

GRANTED

- 4** You will get a letter from Borough Management saying that they are reviewing your **RFM Grievance**. You have **10 days** to turn in any additional materials. You may also request an interview.



Management should send your claim to Borough Management. Follow up to make sure that they do.

- 5** Borough Management will send you a written decision within **30 days**.



GRANTED

DENIED

Now I can stay in my family home!



- 6** You can file an **Impartial Hearing Request**. You only have **10 days** to do this! For help, call **Housing Court Answers** at **212-962-4795**. If you lose the hearing, you have 4 months to file an **Article 78** proceeding with the State Supreme Court.

Public housing is a vital affordable housing option for low-income families in NYC. Learn how to practice your rights and keep your family together!



This project was produced through **Public Access Design**, a program of the **Center for Urban Pedagogy (CUP)**. Public Access Design projects use design to make complex urban issues accessible to the New Yorkers most affected by them. publicaccessdesign.org

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Housing Court Answers is a nonprofit organization dedicated to empowering people who cannot afford an attorney in housing court. hcanswers.org

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