

Public Housing

Community Service/Self-Sufficiency Requirement

Introduction

Adult tenants living in Public Housing are required to spend eight hours a month performing community service or participating in an economic self-sufficiency program. When we say “tenant” in this brochure, we mean a tenant in Public Housing who is 18 years old or older. As explained below, some tenants are exempt from this requirement. If you are exempt, you do not have to do the community service or participate in a self-sufficiency program. The community service requirement does not apply to you if you are in the Section 8 Voucher program. It also does not apply to tenants who live in other types of subsidized housing.

If you are an adult living in Public Housing, and you are not exempt from the requirement, then you must spend eight hours a month performing community service or participating in an economic self-sufficiency program. This requirement is part of the Quality Housing and Work Responsibility Act of 1998 and HUD’s regulations at 42 USC §1437j(c). The requirement was temporarily suspended by Congress from October 1, 2002 to October 31, 2003. HUD reinstated the requirement, effective November 1, 2003.

Tenants normally sign a twelve-month lease. Under 24 CFR § 960.603, the Housing Authority can’t evict you during this lease term for failing to complete the community service requirement. However, you will not be allowed to renew your lease unless you have met the service requirements or are exempt. When it is time to renew your lease, if you have not completed your service requirement, you must sign a written agreement to make up any hours of community service if you still want to live in Public Housing. If you do not sign the agreement, you may be evicted. You can find some of the specific procedures that the Housing Authority must follow at 24 C.F.R. § 960.607(b).

This brochure explains the community service requirement and exemptions. However, each Housing Authority has some choice about how to implement the requirement. For example, each agency can decide how many hours of “work activities” will be required before a resident is exempt from the requirement. If you want to be more involved in the choices your Housing Authority makes, you should ask how you can participate in the “Public Housing Agency Plan.” Each Housing Authority is required to have such a plan. Your Housing Authority must give the residents notice, hold a public hearing, and consider the comments of the residents before approving its plan.

Do I have to do the Community Service/Self-Sufficiency Requirement?

Most tenants will be exempt from the community service and self-sufficiency requirements. If you are exempt, you don’t have to do the community service or self-sufficiency activities. There are many different ways you might be exempt. Some

exemptions apply to the entire family and others apply only to the exempt individual. Some of the exemptions are easy to understand and prove. Others may be more complicated.

You should first find out if you qualify for a family exemption. These are generally the easiest to claim and prove. If you do not qualify for a family exemption, you should consider whether you qualify for an individual exemption. The federal laws that deal with these exemptions are 42 USC §1437j(c)(2)(A-E) and 24 CFR §960.601(b). If you want to read them, you can go to a law library or you may try to find these laws online.

Family exemptions: You are exempt if someone in your family receives certain types of public assistance from federal or state programs. If these benefits are from the Department of Social and Health Services (DSHS), the family is exempt as long as DSHS has not imposed any sanctions on a family member for noncompliance with that program's requirements. This includes the following programs:

- Temporary Assistance for Needy Families (TANF)
- WorkFirst
- Working Connections Child Care (WCCC)
- Refugee Cash Assistance Program
- State Family Assistance (SFA)
- General Assistance Unemployable (GAU) and General Assistance Unemployable with Expedited Medicaid (GAX)
- Alcoholism and Drug Addiction Treatment and Support Act (ADATSA)
- Supplemental Security Income State Supplemental Payment
- Washington Basic Food Program

You do not have to be receiving one of these benefits yourself as long as a member of your family gets help under one of these programs.

Individual exemptions: You may still qualify for an exemption even if your family is not receiving assistance under one of the above programs. You are **exempt** if:

- You are **62 years or older**;
- You are **blind or disabled** as defined by Social Security (you must sign a certification that you are unable to comply with the community service and self-sufficiency requirements because of this disability);
- You are a **primary caretaker** of someone who is blind or disabled;
- You are or would be **exempt from having to engage in a work activity under TANF or any other Washington State welfare program**, (whether or not you or your family actually receive the benefit) such as the Washington Basic Food Program. Under this rule, you can be exempt from work activities if:
 - You are needed in the home to care for an infant under four months of

- age, a child with special needs or another related adult with a disability; ([WAC 388-310-0300](#))
- You are 55 or older and caring for a child who is related to you but not yours; ([WAC 388-310-0350](#)) or
- You have a severe and chronic disability expected to last at least twelve months ([WAC 388-310-0350](#).)
- You are engaged in “work activities. The federal law does not specify how many hours per week you must participate in work activities to be exempt from the community service requirement. HUD has encouraged Housing Authorities to consider 30 hours per week as the minimum number of hours needed to qualify for a work activity exemption, but each Housing Authority is free to set its own standard.

“Work activities” include the following:

- paid work,
- on the job training,
- job search and job readiness,
- vocational and job skills training (not to exceed 12 months),
- job-related education (such as GED), and
- providing paid or unpaid child care for someone who is participating in a community service program.

A more extensive and thorough description of work activities can be found at RCW 74.08A.250 or [42 USC 607](#)(d).

Additionally, under [WAC 388-61-001](#), DSHS must waive WorkFirst requirements if you are a victim of domestic violence and participating in the work activities would make it more difficult for you to flee the domestic violence, unfairly penalize victims of family violence or place victims at further risk of family violence.

Under 24 CFR part 966, subpart B, you have the right to a hearing if you think you are exempt from the community service requirement and the Housing Authority says that you are not. The hearing process is explained in our [Public Housing Grievance Procedure](#) publication.

How Do I Claim an Exemption?

In order to claim an exemption, you should give the Housing Authority proof of your status as an exempt family or individual. Below is a list of common exemptions and ways of proving them.

If you are not sure what documentation the Housing Authority needs for you to prove you are exempt, ask them to give you something in writing specifying what they need from you, and by what date they need it.

<u>Claimed Exemption</u>	<u>Proof You Should Give to the Housing Authority</u>
Family exemptions	A copy of an award letter or other proof from DSHS that someone in your household received the assistance during the time period in question.
Individual exemptions:	
-you are disabled or you are caring for someone who is	The Social Security decision or a signed statement from a doctor explaining the disability.
-you are 62 or older	Proof of your age, such as a birth certificate.
-you are exempt from DSHS's requirements	A copy of the letter or your IRP (Individual Responsibility Plan) saying you are exempt.
-you are engaged in "work activities"	Pay-stubs, your plan from ESD or DSHS, a copy of your school registration or a signed, dated statement of the person you are working for including the average time you spend on the job each week or month.

How Many Community Service or Self-Sufficiency Hours Must I Complete If I am Not Exempt from this Requirement?

If you are not exempt from the requirement, you must complete 8 hours of community service or participation in an economic self-sufficiency program each month. If you complete at least 8 hours of self-sufficiency training a month, then you have met the requirement and don't have to do any community service. You can also do a combination of these two types of activities, as long as your participation totals at least 8 hours per month. To prove that you completed your hours, you must give the Housing Authority verification signed by someone other than you. You should keep a written record of your hours for each month. Also, you should always keep a copy of the written verification signed by a third-party. It is best to have the housing authority stamp your copy "received" when you turn in the original. If you mail it in, write the date you sent the verification on your copy. This way, if the Housing Authority ever says that you didn't complete your hours, you will be able to show them proof that you did.

The general expectation is that each tenant will participate in these activities every month for 8 hours. However, if you cannot meet this requirement each month, the Housing Authority should allow you to make up missed hours. Under 24 CFR § 960.607, you can usually make up your hours as long as you do so within a reasonable period of time and before your lease expires.

What Kind of Activities Count as Community Service?

Community service means **voluntary work that has a public benefit**. It should be work that serves to improve the quality of life, enhance tenant self-sufficiency, or increase tenant self-responsibility in the community. **Community service is not paid employment and cannot include political activities**. The housing authority is not

required to find you community service opportunities, unless its plan says it will. The Housing Authority cannot require that you perform a certain type of community service. You do not have to perform your service within your building or residential area, you can do it anywhere in the community. If you need help finding a way to do your community service hours, the Housing Authority or your building manager may have a list of acceptable community service activities with relevant contact information.

What Kind of Activities Count as Part of the Economic Self-Sufficiency Program?

As described in 24 CFR § 5.603, an economic self-sufficiency program includes anything designed to encourage or help the economic independence of the family. This includes:

- Job training
- Employment counseling
- Work placement
- Basic skills training
- Education
- English proficiency
- Financial or household management
- Apprenticeship
- Community service
- Substance abuse and mental health treatment programs necessary for an individual to become ready to work

The program you choose does not need to be sponsored by the housing authority.

What Happens If I Do Not Comply with the Community Service Requirement?

Under 24 CFR § 960.603, the Housing Authority cannot terminate your tenancy before your lease is up even if you haven't done your community service. But the Housing Authority will not renew your lease unless you, and all members of your family who are subject to the service requirement, are currently complying with the requirement. If a member of your family did not complete the requirement but has since moved out, you should not be prevented from renewing your lease because of that. If your lease is not renewed, you can be evicted. If you violated the service requirement but still want to live in Public Housing, you will have to sign a written agreement with the Housing Authority to make up any hours of community service over the term of the new lease.

What Should I Do If the Housing Authority Threatens to Evict Me For Failing to Comply with the Community Service Requirement?

If the Housing Authority threatens to evict you because of the community service

requirement, you must act quickly to fight the eviction. The Housing Authority must give you a written notice stating in detail the reasons the agency is relying upon to evict you. The notice must also tell you of your right to make a reply, your right to examine relevant documents in your file, and your right to request a hearing under its grievance procedure. If possible, you should discuss this notice with a lawyer. Pay careful attention to the dates mentioned in the notice. **If you do not ask for a hearing by the deadline in the notice, you may lose your right to a grievance hearing.**

Your request for a hearing should be in writing. Make a copy of your request and have the Housing Authority stamp it with the date they receive the original. You should keep the copy for yourself as proof that you made the request by the deadline. If you don't request a hearing by the deadline and lose your right to a grievance hearing, you will still be able to defend yourself against the eviction in court. To learn more about evictions, you should get a copy of our [Public Housing Evictions](#) and [Public Housing Grievance Procedure](#) publications.

Before refusing to renew your lease, the Housing Authority must notify you of your noncompliance with the requirement and give you a chance to comply. Generally, the agency will ask you to sign an agreement. The agreement should state that all non-exempt family members are currently in compliance with the requirement or that an adult resident who did not comply is no longer living in the unit. It should also state how many hours you or your family member must perform to make up for the prior noncompliance.

Where Can I Find My Housing Authority's Community Service/Self-Sufficiency Policy?

Because each Housing Authority has some control over how their program is run, it is often necessary to get a copy of your Housing Authority's Policy. You can ask your Housing Authority for a copy of its Community Service/Self-Sufficiency Policy. The policy should be available as a supporting document to the Housing Authority's Annual Plan, as well. Some Housing Authorities have attached their policy of prior Public Housing Authority Annual Plans and those policies may be available on HUD's website at <http://www.hud.gov/offices/pih/pha/index.cfm>.

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