

authority when calculating their rent. This allows the public housing tenant to keep more of their earned income. The earned income disregard is not available to voucher holders.

No Community Service Requirement in the Voucher Program

Unless exempt, each public housing resident is required to perform 8 hours per month of community service or participate in economic self-sufficiency activities or some 8 hour combination of the two. Community service is defined as the performance of voluntary work or duties that are a public benefit, and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. There is no community service requirement in the voucher program.

The information contained in this brochure applies only in the State of Georgia. In November of 2007 the information contained in this brochure was correct. The law changes and the information in this brochure may no longer be correct. The information in this brochure is intended only as information and does not constitute legal advice. Anyone seeking specific legal advice should contact an attorney. This information was created by the Georgia Legal Services Program.

Differences Between Public Housing and the Voucher Program



The Housing Voucher Program and Public Housing are similar but there are several important differences. Both programs are designed to provide affordable housing. In public housing, tenants live in one central location with other public housing residents. In the voucher program, the voucher can be used to rent many different types of housing in many different locations.

Voucher Holder can Select Their Housing

You can use a voucher to lease a single-family house, townhouse, or an apartment. If you live in privately owned housing, you may be able to use your voucher to rent where you currently live. You are not limited to units located in subsidized housing projects. However, the

landlord where you want to rent must agree to participate in the voucher program. Any unit you select must be approved by the voucher provider which will inspect the dwelling.

Vouchers Can Be More Expensive

Unlike public housing tenants, voucher holders can end up paying more than 30% of their monthly income to rent their unit. In both programs, tenants must report any changes in their income or family circumstances to the voucher provider.

Voucher Tenants Can Be Required to Move More Often

In public housing, you are required to move only if you violate the lease or program rules. As long as you follow the rules and pay your rent, you can stay in your apartment. If you are evicted from public housing, you lose your housing assistance.

The rules are different in the voucher program. In the voucher program, during the first year of the lease and any time after, you can be required to move for violating your lease or failing to pay your rent. After the first year of the lease, the landlord may refuse to renew the lease and you may have to move even if you did nothing wrong.

If your landlord does renew your lease after the first year, he may still terminate your tenancy

with a 30-day notice even though you have not done anything wrong. After the first year of the lease the landlord can terminate the renewed lease for a recognized business reason such as sale of the property, need for a higher rent, renovations, or needing the apartment for a family member.

If a voucher holder has to move for reasons that are not their fault, they will be able to keep the housing assistance and use the voucher to move to a new apartment. If a voucher holder is evicted for a reason that is their fault, the housing assistance will be terminated.

Repairs Can Be More Expensive and Difficult to Obtain

In public housing, the housing authority is required to make repairs and maintain the units. The federal government provides housing authorities with money to perform regular maintenance and necessary repairs. Housing authorities often employ full-time maintenance persons. Federal law states that if the tenant is charged for a repair the charges must be reasonable and the list of charges made available to the public. Such rules do not apply to the voucher program.

In the voucher program, the unit is owned by a private individual or business. The federal government does not regulate how these private landlords perform repairs or maintenance. The federal government does not

pay the private landlord to perform repairs or maintenance. Most private landlords do not employ full-time maintenance persons. As a result, each time a private landlord is required to make a repair, he must hire a repair person. If the tenant's conduct required the repair, the full cost is charged to the tenant. These repair charges are likely to be higher than what you would see in public housing.

No Grievance Procedure to Challenge Landlord in Voucher Program

In public housing, if you disagree with action that the housing authority has taken, you can use the grievance procedure to resolve your dispute. In public housing, the grievance procedure consists of an informal conference and a hearing. In the voucher program, you cannot use the grievance procedure to resolve conflicts with your landlord. In the voucher program, you have the right to a hearing to dispute actions taken by the voucher provider but only certain actions can be challenged.

No Earned Income Disregard in Voucher Program

In public housing, tenants are eligible for the earned income disregard when they start working after receiving TANF or after a period of unemployment or working only a few hours. Under the earned income disregard, tenants who have work income can have their earned income excluded by the public housing