

Q: What happens if I have a dispute concerning my community service requirement?

Each PHA must adopt a grievance procedure for residents to use to resolve disagreements resulting from PHA's action or inaction, and for contesting PHA decisions affecting their continued occupancy. Tenants can use the grievance procedure if they dispute the PHA's decision not to exempt them from the CSR or if they disagree with the PHA's finding that they failed to comply with the CSR. A copy of your PHA's grievance procedure should be attached to your lease and posted in the PHA office lobby. There are two parts to the grievance process: an informal conference and then, if the dispute is not resolved, a grievance hearing. Tenants can be represented, by an attorney or other person, at the grievance hearing and most PHAs allow tenants to bring representatives to the informal conference.

If a tenant has a dispute with the PHA the first step is to request an informal conference. You must check your PHA's grievance procedure to determine how to request the conference. Normally, the request must be made at the PHA office either orally or in writing. The request must be made quickly after the notice of action by the PHA. At the informal conference, the tenant will meet with a member of the PHA staff to discuss the tenant's disagreement. After the informal conference, the tenant should be sent a summary of the discussion, specifying the names of the participants, date of the meeting, the action the PHA intends to take, and explaining how the tenant can request a

grievance hearing. If the informal conference is unable to resolve the dispute, the tenant can request a grievance hearing.

The tenant must make written request for a hearing within a reasonable time after receiving the informal conference summary. The hearing request must be filed within the specified time period of the PHA and must include the reasons for the grievance and the relief sought. Failure to request a hearing will result in the decision from the informal conference becoming final. If you failed to properly request a hearing or requested on too late, and you are able to show good cause as to why, a hearing may be granted.

The grievance hearing will be held in front of a hearing officer or a hearing panel. You have the right to examine any documents or records relied on by the PHA, prior to the hearing. You have the right to be represented by a representative of your choice and to have your representative make statements on your behalf. Finally, you have the right to present evidence in support of your position, and to cross-examine witnesses presented by the PHA.

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.

Public Housing Authorities and the Community Service Requirement



Q: What is the Community Service Work Requirement (CSR)?

Beginning October 1, 2000, all public housing authorities (PHAs) must required that all adult public housing residents, who are not working, satisfy a community service requirement (CSR) in which they:

- contribute 8 hours per month of community service; *or*
- participate in an economic self-sufficiency program for 8 hours per month; *or*
- perform a combination of the previous two requirements for a total of 8 hours per month.

Community service should either serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. The CSR is not intended to punish tenants but to assist them in improving their community and their own economic and social well-being.

Q: Who is exempt from the CSR?

The community service requirement does not apply to adult individuals who are:

- Under 18 years of age;
- 62 years or older;
- Blind or disabled, *and* who certify that because of this disability he or she is

unable to comply with the CSR;

- Primary caretaker for a blind or disabled individual who has certified that they are unable to comply with the CSR;
- Working or engaged in work activities
- Exempt from performing work activities under the Temporary Assistance for Needy Families (TANF) Program;
- Members of a family receiving assistance, benefits or services under TANF, and found by DFCS to be in compliance with the TANF program work requirements.

Q: Can meeting the work activity requirement for TANF excuse me from the community service requirement imposed by the PHA?

Yes, you are exempt from the CSR if you receive TANF and are engaged in work activities as required by Department of Family and Children Services (DFCS), **or** if you *meet* an exemption under TANF work requirements. Persons exempt from the TANF work requirements include individuals who have a child under the age of one; (it is important to note that this exemption may only be used once). A member of a family which receives TANF benefits and is in compliance with TANF work requirements, is also exempt from the PHA's community service requirement. However, the PHA will not make its own decision on whether the TANF work requirements are satisfied. The PHA will follow DFCS decisions on exemptions for TANF.

Q: What happens if I or a member of my household fails to perform our CSR?

If you or a member of your household fails to satisfy the CSR it will not immediately cause your lease to be terminated. However, it may prevent you from having your lease renewed at the end of its twelve month term. Normally, all PHA leases are automatically renewed. If a family is found to have failed to comply with the community service requirement their lease will not be renewed and the household will be evicted from the unit. Before the PHA refuses to renew a family's lease because of noncompliance it must send the head of household a written notice which:

1) contains a short description of the violation which should include identifying the member of the household who failed to complete their community service requirement over the past twelve months;

2) states that the PHA will not renew the lease at the end of the current term unless

a) the head of household and the family member who failed to satisfy the CSR, sign a written agreement with the PHA to cure the noncompliance, and then in fact satisfy the agreement; *or*

b) the head of household provides written documentation that the member of the household violating the CSR no longer resides in the unit; and

3) states that the tenant has the right to use the grievance procedure to appeal the matter and, if unsuccessful, that the tenant may exercise any judicial remedy.

The agreement to cure the violation will obligate the household member who failed to

satisfy the CSR requirement for the past year to 1) meet the 8 hour per month requirement under the new lease and 2) agree to work additional hours each month to make up the unworked CSR hours remaining under the old lease.

Q: What are the PHA's Duties and Responsibilities?

Each PHA is required to develop a local policy to administer the community service requirement (CSR). The PHA may administer the policy directly or contract with an organization which agrees to take responsibility for the CSR. *No matter how the CSR is operated, tenants should always document in writing the community service they perform.*

Before requiring tenants to perform the CSR, the PHA must provide the family with a written description of the program. Each household should receive a notice identifying which family members must comply with the CSR and describing how a tenant can request an exemption from the CSR. Furthermore, residents of PHAs should be adequately informed of the process for changing their status as either exempt or non-exempt from the CSR.

In order to assure that residents are performing their service requirement, PHAs are required to verify compliance once a year. When the CSR is administered by an organization other than the PHA, the PHA must verify with that agency that residents are in compliance. The PHA must keep reasonable documentation of either performance or exemption from the CSR