

*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.*

## **Minimum Rent In Public Housing: Does it Apply To You?**



Tenants in public housing or tenants using a section 8 voucher are required to pay a minimum rent which the housing authority can set between \$0 and \$50.

Some PHA's charge a minimum rent of \$0 and some charge a \$50 minimum rent. In Section 8 project-based units the minimum rent is rent \$25. Each tenant must pay at least the minimum rent, even if they have no income. Effective March 2000, a tenant may request not to pay the minimum rent if they are unable to pay it due to long-term financial hardship such as:

1. When the family has lost eligibility for welfare benefits or is waiting on an eligibility decision. This includes when a family has

lost eligibility because a member is a non citizen lawfully admitted but not eligible for benefits.

2. When the family would be evicted because it is unable to pay the minimum rent
3. When there is a death in the family
4. When income decreases due to change in circumstances, such as when income decreases due to change in circumstances, such as loss of employment
5. Other circumstances as established by the PHA.

**In Public Housing:** Once the hardship exemption is requested the minimum rent is suspended beginning the month following the request, and continuing until the PHA issues a decision on the existence of hardship: whether it is a qualifying hardship and whether temporary or long term. No eviction for nonpayment of minimum rent during the 90 days beginning the month

following the request for an exemption, even if the exemption is not granted. If the hardship is denied and found only to be temporary, the minimum rent is assessed back to date suspended but the PHA must offer a reasonable repayment plan. In both public housing and section 8, if the exemption is granted the minimum rent is not charged as long as the hardship continues, beginning the month following the request. A family denied a hardship exemption can appeal through the grievance procedure without being requires to pay the minimum rent into an escrow deposit as a condition of the grievance.

**In Section 8 Voucher Program:** Once the exemption is requested, the minimum rent is suspended beginning the month following the request until a decision on the hardship. If not granted, the minimum rent is not charged for ninety days, even if the hardship is found to be temporary. The tenant will have to repay the minimum rent through repayment agreement.