

## Advocating for Voucher Tenants - special edition

Section 8 vouchers are supposed to protect IPN's low-income tenants. But ever since this program began in June 2004 tenants have had problems. Sometimes losing, without a hearing, the voucher a tenant depends on to stay in his or her home. Removal of a voucher without a hearing is against the law – but it has happened. While the Mayor's Office talks about creating affordable housing, affordable housing is lost when low-income tenants lose their vouchers out of public view.

In March, IPNTA reps and voucher tenants met with Borough President Scott Stringer and representatives from Assemblywoman Deborah Glick's office asking for assistance in solving voucher tenants' problems with HPD. These problems have included missing and misplaced papers, misfiled applications, and miss-spelled names. To make matters worse tenants cannot reach anyone at HPD on the phone or get an appointment for a time certain. A tenant lucky enough to get an appointment can wait for hours – and then not be seen. Tenants who made mistakes on their applications had their vouchers cancelled before any hearing took place. There was no remedy accepted.

Borough President Stringer promised to call together our elected officials to ask HPD to stop treating voucher tenants so poorly and to generally improve voucher processing. We have given him information about 30 tenants' experiences with HPD. If you have been denied assistance in preparing your re-certification papers, denied an opportunity to make an appointment, lost your voucher without a hearing, have a hearing scheduled and need assistance – please give your information to IPNTA so we can pass it on to the Borough President. Leave a copy of your complete file (HPD correspondence, your summary, contact numbers for you & email) attention: V.P. Marnee May 80 N.Moore Street - Apartment 23B . Do not ring her bell. Leave in the lobby. We will contact you. This must be done immediately. In advance, you should email [info@IPNTA.org](mailto:info@IPNTA.org) to let us know to expect your file – and give a summary. No email? Leave a note

in the tenant box to let us know how to reach you and what the problem is.

### What Voucher Tenants Can Do

1. Report *all* household income to HPD including money earned by any member of the household, even if they are not the tenants of record – no matter how small their earnings. HPD follows HUD regulations to decide which income or assets they consider.
2. Failure to report all household income can result in termination of the voucher. This has happened to some of our tenants already.
3. If HPD says that your voucher is in jeopardy, you must request an "informal hearing" within 10 days.
4. If after an informal hearing you have been told that your voucher is being terminated you can appeal that decision by filing an Article 78 proceeding in New York Supreme Court. You have four months to file. An Article 78 proceeding is a request that a judge review HPD's decision. A judge can overturn HPD's decision if there is no basis in the record pursuant to HUD's regulations to support the termination of your voucher.
5. If you need legal assistance but cannot afford a lawyer contact Ellen B. Davidson, Legal Aid Society Civil Law Reform Unit. 199 Water Street, 3rd Floor, New York, NY 10038, Tel: (212) 577-3339, Fax: (212) 509-8753, [ebdavidson@legal-aid.org](mailto:ebdavidson@legal-aid.org). She will decide whether she can handle or refer your case. She has already handled several cases for IPN tenants.
6. If you can afford to pay for legal services contact our attorney Seth Miller. The IPNTA *cannot* pay for such services. Call Collins, Dobkin and Miller at (212) 587-2400 x17. Of course you can use your own attorney who has experience in housing issues.

## IMPORTANT NOTES:

**YEARLY RECERT:** Believe it or not, recertification will begin again some time in April. Tenants should begin NOW to get their papers in order. The T.A. is organizing a team of people who are very capable to be trained to understand the recertification process. If you are able to help and capable, please contact us asap and volunteer. We'll let you know if we need you: [info@ipnta.org](mailto:info@ipnta.org))

## OVERSTATING INCOME:

Some tenants were charged additional rent because they listed certain IRA's or annuities or assets as INCOME.

When you attach papers to show these assets, (which you are required to do) you should also put a note that explains these assets are not used and do not constitute income. Notarizing this statement would be a good idea.

We have helped two tenants with this issue. We just heard of a third. If you have an accountant, he or she should write the letter. If you don't, write the letter clearly and be sure to pay attention to your rent breakdown when it returns to see if those assets were used to determine your income.

HPD will determine what income is and what it is not based on HUD regulations. However, if you report something as income that is not – they probably will not catch the mistake. You need to check this yourself.

If a mistake was made, you need to go back to HPD and discuss as quickly as possible. Those tenants who came to us for help have had their rents reduced. At this time, they have NOT reimbursed tenants the additional money paid in rent before the correction was made. We're working on that, but we do not know the end result.

## SUMMARY:

We repeat: Everything must be submitted. Your formula for household income must reflect everything that IS income.

Certain items do not constitute income, others do. Read the instructions or ask us for help. Annuities or IRA's are not income until they are liquidated. You may be charged a small percentage on bank accounts that bear interest.... (see HUD rules online.)

*If you submit the papers for assets, note it is not income – but by all means submit the papers.*

Membership is due for 2007.  
IPNTA is the tenants advocate.  
Membership allows you to vote in the summer election for officers.  
Membership supports newsletters like this which cost \$\$\$ to print.  
A strong membership adds power.  
Non-members have been asking for help....  
it's time to join the IPNTA!

## IPNTA MEMBERSHIP 2007

The IPNTA advocates for tenants – all tenants. Membership is \$25.00 per tenant in an envelope (or \$15.00 per senior tenant). Please put your membership dues into the IPNTA lobby box today. Be sure it's not the rent collection box and give info requested below:

NAME:

ADDRESS:

EMAIL:

PHONE:

Senior or regular membership: \_\_\_\_\_

## TRIBECA FILM FESTIVAL IS COMING:

New tenants: The organization will leave information in lobbies about parking restrictions and access to the garages for their Saturday Family Street Fair (May 5<sup>th</sup>.) The Fair uses Greenwich from Duane to Hubert; Harrison is blocked off as well. Lasts from 10AM –6PM.

The neighborhood is packed with people. Tickets are discounted for residents.  
<http://www.tribecafilmfestival.org/> for info.

IPNTA Board: Diane Lapson – President, Judy Bernstein – Secy; Jean Hartman – Treasurer; VPs: Ed Rosner, (bldg1-80NM) Diane Stein (bldg3-40 Harrison), Manuel Cabrero,(TH) Kathleen McGovern (Bldg9-310 Greenwich); VP's at large: (all buildings).Marnee May, John Lynch