

## **What is Public Housing?**

Public Housing is a program that provides low-cost housing to low-income people. Public Housing rentals are apartments or houses owned and managed by a local Housing Authority. A public housing tenant generally pays rent that is about 30% of his/her household's adjusted income. The U.S. Department of Housing and Urban Development (HUD) makes the rules that apply to Public Housing.

## **What is the Housing Choice Voucher (HCV) Program?**

The HCV program, also called Section 8, is a different federal housing program. Low-income people in the HCV program choose their own private rental, instead of living in a Public Housing building. That means the landlord is a private person or company, not a housing authority. An HCV tenant pays rent that is usually about 30% of his/her household's adjusted income. The rest of the rent (if any) is paid by HUD, not by the tenant.

## **How are Public Housing and the HCV program different?**

A Public Housing tenant must live in a rental that is owned and managed by a local Housing Authority. If the tenant moves out, the tenant will lose the rental assistance. In Public Housing, the rental assistance stays with the rental unit, not with the tenant.

An HCV tenant may choose any rental on the private market, and is not limited to only rentals owned by the Housing Authority. If the tenant moves out, the tenant does not lose the rental assistance. With HCV, the assistance stays with the tenant.

The two programs have separate waiting lists. You can be on both waiting lists at the same time.

## **How do I get into Public Housing or get a HCV?**

To be eligible, your household income must be at or below 80% of your county's Area Median Income (AMI). Contact your local Housing Authority to find out if you are eligible.

## **How do I apply?**

To apply for Public Housing, you must go to your local Housing Authority and fill out an application. To apply for the HCV program, you can apply online at <http://housing.mt.gov/S8Apply>. Some Housing Authorities in Montana run their own HCV programs. Check with your local Housing Authority about applying for HCV as well. If you have questions about the HCV program or Public Housing, call the Public and Indian Housing Resource Center at 1-800-955-2232.

## **What happens if I get selected?**

If you are selected for the HCV program, you have to find a rental where the

landlord agrees to accept HCV tenants. The rental must be affordable and must pass a physical inspection. If you are selected for Public Housing, you will be offered a rental in a Public Housing property.

## **What will my rent be in Public Housing or if I get a HCV?**

You will have to pay the highest of:

- 30% of your monthly adjusted income (income after taxes and other deductions)
- 10% of your monthly gross income
- Up to \$50 (even if you have no income, you may be required to pay a "minimum rent" of up to \$50)

Once your rent is calculated, you will sign a contract that states the amount.

## **What if my landlord refuses to keep my house in livable condition?**

Hundreds of landlords have been fined or stopped from doing business with the federal government because they did not provide safe and decent housing.

If your landlord isn't providing you with safe and decent housing, call 1-800-685-8470.

## **Are there other housing programs?**

To find out, visit the Montana Department of Housing website. The site is at: <http://housing.mt.gov>. Or call the Public and Indian Housing Resource Center at 1-800-955-2232.

### **What do I do if I've been discriminated against?**

Federal law prohibits housing discrimination based on your race, color, national origin, religion, sex, family status, or disability. If you suspect that you have been treated differently by a housing service-provider based on one or more of these factors, you can file a fair housing complaint for free.

### **How to file a complaint:**

Call HUD's Fair Housing Hotline at 1-800-669-9777

- Call Montana Fair Housing at 1-800-929-2611;
- Call Montana Human Rights Bureau at 1-800-542-0807

### **How do I get more help?**

Montana Legal Services Association (MLSA) provides free civil legal help to low-income people. Contact us to see if you qualify:

- Apply anytime online at [mtlsa.org](http://mtlsa.org);
- Call our Helpline at 1-800-666-6899 (Helpline hours are limited).

### **What help can I find at MLSA?**

- Legal advice and representation;
- Referrals to volunteer attorneys and other providers;
- Self-help clinics and materials.

### **[www.MontanaLawHelp.org](http://www.MontanaLawHelp.org)**

Need legal information or forms? Visit [www.MontanaLawHelp.org](http://www.MontanaLawHelp.org).

Can't find what you want? Use LiveHelp. Click on the LiveHelp picture and get help finding the information you need.

### **[www.MTLSA.org](http://www.MTLSA.org)**

Find copies of all our brochures online. They are all available for free download!

This pamphlet is meant to give basic legal information, not legal advice about your problem. The law changes often and each case is different. We recommend you talk to an attorney about your legal problem.

# **Montana Legal Services Association**

## **Public Housing and the Housing Choice Voucher Program**



Providing, protecting, and enhancing access to justice.

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