



## PHA GUIDE TO EVICTION-PREVENTION STRATEGIES FOR PHA RESIDENTS

### Background

PHA assisted households, who are typically extremely low-income and often have disabilities, are particularly vulnerable to homelessness if they are evicted. Additionally, when PHAs terminate assistance, such households not only lose affordable housing but may also become ineligible to return to public housing or receive other types of housing assistance in the future.

PHAs can balance enforcement of rules and responsible property management with efforts to prevent homelessness by partnering with service providers to help ensure that vulnerable households are provided with the support they need to successfully maintain housing. PHAs have considerable discretion in determining their policies regarding evictions from public housing and the termination of assistance for tenants who participate in the Housing Choice Voucher Program.

Federal law and HUD regulations specify only limited instances in which a PHA **must** terminate assistance or evict a household. Outside of these instances, a PHA or owner **may** evict a household only for serious or repeated violations of lease requirements. Many of the policies for termination of assistance and eviction, including those related to non-payment of rent or housekeeping standards, are at the discretion of the PHA or owner.

Evictions are costly for PHAs and for landlords participating in the voucher program. Additionally, these evictions can have negative consequences, including homelessness, not only for the individual who is responsible for violating lease conditions or program rules, but also for other household members who were not responsible for the behavior that led to the termination of assistance.

In June 2013, HUD issued [PIH Notice 2013-15: Guidance on housing individuals and families experiencing homelessness through the Public Housing and Housing Choice Voucher \(HCV\) programs](#). In this notice HUD encourages PHAs to review their termination and eviction policies in light of their discretionary authority. Individual considerations should be the basis for a PHA's decision to evict or terminate assistance to a household.

Before deciding to evict or terminate assistance to a household, PHAs should consider a range of relevant circumstances and factors, including the seriousness of the case, the effect of eviction on the entire household, mitigating circumstances related to the disability of a family member, and the possibility that the offending behavior can be resolved through the mediation of community service providers.

For example a PHA may work with a tenant to set up a rent repayment plan that allows the tenant to spread out payments for missed rent over a period of several months. For tenants who may be having difficulty complying with housekeeping standards, a supportive services partner may be able to offer help with clean-up and reducing clutter, in order to prevent eviction.

Additionally, PHAs can work with landlords either directly or through community partners to mediate landlord-tenant conflicts before they lead to eviction.

## Implementation Tips

- Understand the requirements of federal law, and the flexibility for PHAs to adopt reasonable policies. For example, [federal law requires](#) all PHAs to establish standards for occupancy in public housing and assistance in the HCV program whereby the PHA **may** evict a family if a household member's use of illegal drugs or the use of alcohol that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. While PHAs *can* evict entire households for the activities of any member or the household, they are not *required* to do so.

In fact, HUD encourages PHAs to consider a range of factors before deciding to evict/terminate assistance. PHAs may consider relevant circumstances such as the seriousness of the case, the effect of eviction on family members not involved in the action that led to a potential eviction, and the willingness of the head of household to remove the wrongdoing household member from the lease in exchange for continued occupancy.

- Establish collaborative partnerships. PHAs should consider partnering with community providers that can [provide Housing Stabilization Supports and Case Management Services](#) to help tenants address problem behaviors, such as noise, disruptive visitors, or housekeeping issues that can result in lease violations. This is often a cost-effective alternative to eviction.

Additionally, PHAs with Moving to Work status can sponsor-base a portion of their vouchers. In sponsor-based arrangements, a non-profit organization holds a master lease and can work directly with landlords to prevent evictions.

- [Protect victims of domestic violence](#). PHAs should be aware of protections for the victims of domestic violence to ensure that they do not face eviction because of lease violations committed by their abusers. The [Violence Against Women Act](#) protects victims of domestic violence, dating violence or stalking from eviction or termination of assistance resulting from acts of violence perpetuated against them.

## Where Can PHAs Do This?

All PHAs can adopt policies and programs designed to reduce evictions that might result in homelessness. This strategy is particularly recommended for:

- PHAs with high numbers of evictions.
- Communities where large numbers of families and individuals are becoming homeless or are entering the homeless services system from subsidized housing.

## Who Can PHAs Assist?

- PHAs can amend their policies to make terminations a last resort for all assisted households.
- PHAs can work with community partners to provide case management and landlord mediation for public housing or HCV tenants with highly unstable housing history and/or very limited resources who are at high risk of eviction and potential homelessness.
- PHAs can also implement policies to [prevent homelessness for victims of domestic violence](#).

## Additional Resources

- [Safe at Home: a Reference Guide for Public Housing Officials on the Federal Housing Laws Regarding Admission and Eviction Standards for People with Criminal Records](#)
- [National Reentry Resource Center](#)

### Examples

- **The Columbus Metropolitan Housing Authority** works with community partners to prevent homelessness for assisted households that are at risk of eviction. This can include working with case managers to address underlying issues that are creating challenges in maintaining housing, working with households during a probationary period, or moving households to another housing unit that better suits their needs.
- The **King County Housing Authority** has an eviction prevention program for all assisted households. As part of this program, the PHA has a client assistance fund that can help households that are behind on their rent or utility payments. The PHA also provides referrals to service agencies to address behavioral issues. Additionally, all property managers receive special training on eviction prevention. As a result of such efforts, the PHA evicts fewer than eight households each year.