



LEGAL AID SOCIETY OF HAWAI'I

PUBLIC HOUSING TENANT RIGHTS:

How To Avoid Problems While Living In Public Housing

1. **PAY RENT ON TIME**

Failure to pay rent on time is the most common reason why tenants are evicted from public housing operated by the Housing and Community Development Corporation of Hawaii (HCDCH). *Pay your rent before you pay any other bills.* If you are evicted from public housing, it is nearly impossible to get back in. If you want to avoid being evicted, it is much better to borrow money from somewhere else than it is to owe rent to HCDCH.

2. **DO NOT WITHHOLD RENT**

NEVER withhold rent without first obtaining advice from an attorney. Even if your landlord did something wrong, you can still be evicted if you withhold your rent.

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3. REQUEST RENT ADJUSTMENTS PROMPTLY

If your income goes down, immediately request a rent adjustment—your rent should go down too so that you can continue to afford the rent. If you do not immediately request an adjustment, you will end up paying too much for rent and you will not be able to get that money back. You are also required to report *increases* in your income within 10 days of when they occur.

4. KNOW THE RULES AND FOLLOW THEM

Don't violate the rules of the lease and the house rules; you will eventually get evicted. Common violations include unauthorized guests or occupants, noise violations, and damaging the apartment. Read your lease and house rules before you move in.

5. CHOOSE YOUR GUESTS WISELY

You can get evicted for the actions of your household members and guests. For example, if someone brings drugs in your home, even if you did not know about it, your whole family can be evicted. Make sure that everyone in your family, even the children, knows the rules and the consequences of breaking them. Do not allow people to visit you if you think they will not follow the rules.

6. GET HELP

There are many organizations that you can go to for help such as Legal Aid, Island Tenants on the Rise, Salvation Army, and Catholic Charities—use them.

7. ACT PROMPTLY

Take prompt action where a problem arises pertaining to your tenancy. *It is not normal to get a letter saying you have violated your lease or failed to pay your rent. If that happens, something is wrong and you must act quickly.* Problems become much more difficult to solve as time passes. Contact others, such as Legal Aid, for help when problems first arise. You can also use the public housing Grievance Process to resolve problems, but you must act promptly to protect your rights.

8. KEEP GOOD RECORDS

It is importantly to keep track of all your rental documents (e.g., leases, house rules, rent receipts, etc.) in case you need to refer to them in the future. Keep the receipts for all payments that you make. Keep a file of all letters that you receive from HCDCH (with the envelopes).

9. MAKE A PAPER TRAIL

If problems arise (e.g., if you receive a rule violation notice, if HCDCH refuses to make requested repairs, etc.) send a letter to your project manager about the problems. If you are cited for a rule violation you did not commit, contest it in writing. Try to be cordial in your communications. *Make sure you keep a copy of everything you send your project manager. If you hand-deliver your letter, have the project office mark your copy as having been received.*

10. BE A GOOD NEIGHBOR

Most problems, other than those created by failure to pay rent, can be avoided by being pleasant with your neighbors and HCDCH staff. It is important to stand up for your rights—you should be courteous and respectful at the same time.

For More Information Or Assistance Call The Legal Aid Office In Your Community:

O`AHU:		536-4302	KAUA`I:	245-7580
BIG ISLAND:	Hilo	924-0678	LANA`I:	565-6089
	Kona	329-8331	MOLOKA`I:	553-3251
MAUI:		242-0724		

On the web at <http://www.legalaidhawaii.org>

REMEMBER: This pamphlet is meant to give you general information and not to give you specific legal advice about your case. The law often changes. Each case is different.