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What's Public Housing?



Public Housing

Public housing refers to NYC apartment buildings built and maintained by the federal government between 1935-1970 to provide affordable housing.

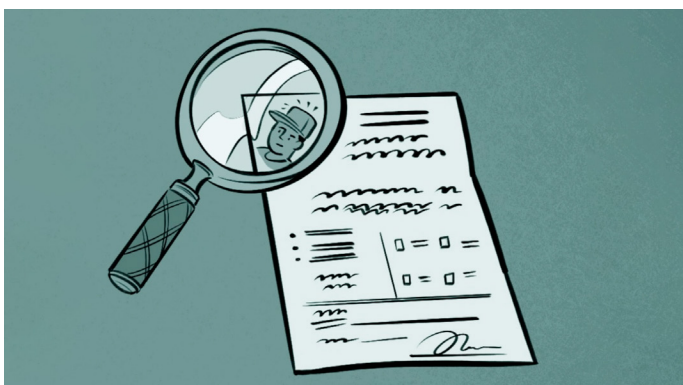
Section 9 of the U.S. Housing Act of 1937 established the federal public housing program, which is why public housing is sometimes called “Section 9” housing. The money to build public housing came from a federal agency called the U.S. Department of Housing and Urban Development or HUD.

The New York City Housing Authority (NYCHA) is the name of the agency that owns and operates all the public housing in NYC.



HUD (U.S. Department of Housing and Urban Development)

HUD is the agency responsible for federal housing policy and programs in the United States. HUD provides money to NYCHA and sets rules that NYCHA has to follow to operate public housing.



Standards of Admission

You have to meet certain requirements, or **standards of admission**, to live in NYCHA. Some of the requirements are around income, while others are around immigration status and criminal background.

If you're a non-citizen or have a criminal record, you **can** still live in NYCHA!

To learn more about Public Housing...

- Watch the *What is NYCHA?* Video: tinyurl.com/WhatisNYCHA

What programs support Public Housing?

Sections 8 and 9 are two different housing programs run by HUD that support low-income families.



Section 9

Section 9 is the federal housing program that originally built, and now maintains, NYC's public housing.

The federal government has been reducing funding for Section 9, making it hard for NYCHA to cover necessary repairs and day to day maintenance.



Section 8

Section 8 is another federal housing program that tenants can use to obtain affordable housing. Section 8 households are given a voucher that helps them afford rent in the private housing market. Voucher-holders pay 30% of their income on rent, and HUD pays the other 70% to the landlord.

Some NYCHA developments have converted from Section 9 public housing to Section 8 to access additional funding for repairs and maintenance.



Project-Based Voucher (PBV)

Section 8 issues two kinds of vouchers:

1. **Tenant-Based Vouchers**, which are tied to the family and can be used at any eligible apartment in the private market.
2. **Project-Based Vouchers**, which are tied to specific apartments.

NYCHA developments that have converted from public housing to Section 8 use project-based vouchers. This means the subsidy stays with the apartment, not the family.

If the family were to move, they would lose their project-based voucher and have to pay the full rent for another apartment unless they obtain a different subsidy.



Housing Quality Standards (HQS)

Before you can move into an apartment using your Section 8 Tenant-Based Voucher, NYCHA must do an inspection to make sure the apartment meets basic safety and living standards.

Housing Quality Standards require apartments to have functioning windows, adequate space, heat and hot water, working appliances, and safe conditions.

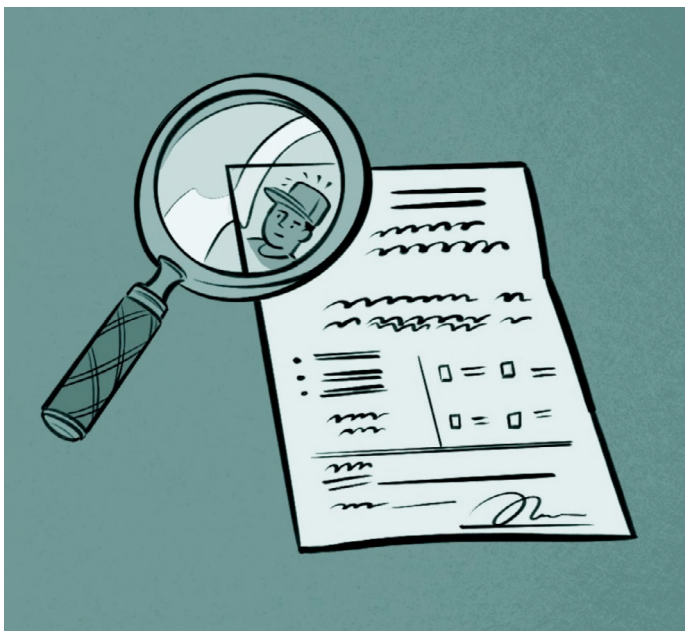
To learn more about these programs...

- Watch the *What is NYCHA?* Video: tinyurl.com/WhatisNYCHA
- Watch the *Your Home! Your Vote!* Video: tinyurl.com/YourHomeYourVotevideo
- Read *Your Home! Your Vote!*: tinyurl.com/your-home-your-vote
- Review NYCHA's Housing Quality Standards: tinyurl.com/NYCHAhqs

How does NYCHA decide who can live in Public Housing?

Once your application is approved and you pass NYCHA's eligibility screening, you become a certified applicant. This means NYCHA will add you to the waiting list.

The waiting list to get an apartment in NYCHA is many years long. Because the waiting list is so long, NYCHA has a system that helps them prioritize the order in which applicants are offered apartments that become available.

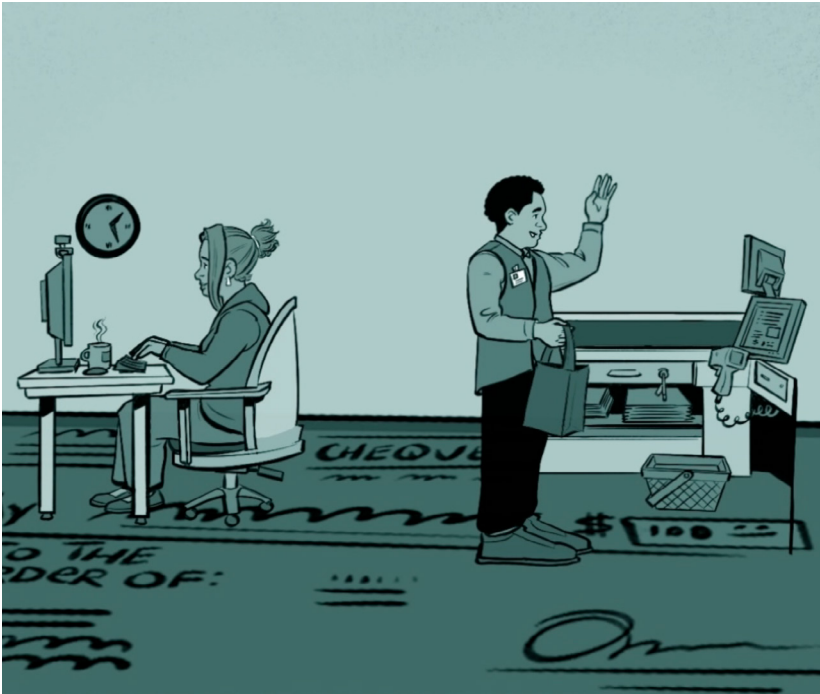


Preferences

NYCHA has two **preferences** they consider in their waiting list:

- If you're an elderly person or person with a disability, you will be selected over other one-person households who are not elderly or disabled.
- If you live or work in NYC, you will be selected over applicants who aren't based in NYC.

If you meet these preferences, NYCHA will next consider applications in order of priority.



Working Family Priority

If you live in or work in NYC, you can qualify for the **Working Family Priority**.

NYCHA will look at the size of your family, income, age, disability status, and whether you're currently unhoused to determine your priority level on the waiting list.

Need-based Priority

If you live in or work in NYC, you can qualify for a **Need-based Priority**.

NYCHA will look at your living conditions and consider your risk of homelessness, if you're a victim of intimate partner violence, if you're in substandard housing, or experiencing rent burden, and some other factors to determine your priority level on the waiting list.

To learn more about how NYCHA decides who can live in Public Housing...

- Read more about Local Preferences, Working Family Priority, and Need-based Priority: tinyurl.com/NYCHAlocalpreferences

What are the rules around income when living in NYCHA?



Income Limits

NYCHA sets **income limits** on how much a household can make to be eligible for public housing.

To apply to live in NYCHA, the total family income must not exceed 80% of area median income (AMI). HUD updates AMI annually, so income limits change each year and change depending on the size of your household.

Over-Income Limit

If you already live in NYCHA, the total family income can be higher – up to 120% AMI, which is the **over-income limit**.

If a household makes more than 120% of AMI, NYCHA considers the family to be over-income.

If a household remains over-income for 24 consecutive months, NYCHA is required by HUD to have the household sign a non-public housing lease. The household will have to pay Fair Market Rent (FMR), set annually by HUD. The rent will no longer be based on income.

Rent Hardship

If you're having difficulty paying your rent, you may qualify for a rent reduction or **rent hardship**. You must show that:

- you've had at least a five percent reduction to your gross income
- the reduction in income has lasted for 2 months or longer
- your current rent is more than 30 percent of your gross income

You need to meet all three of these criteria to qualify for a rent hardship.

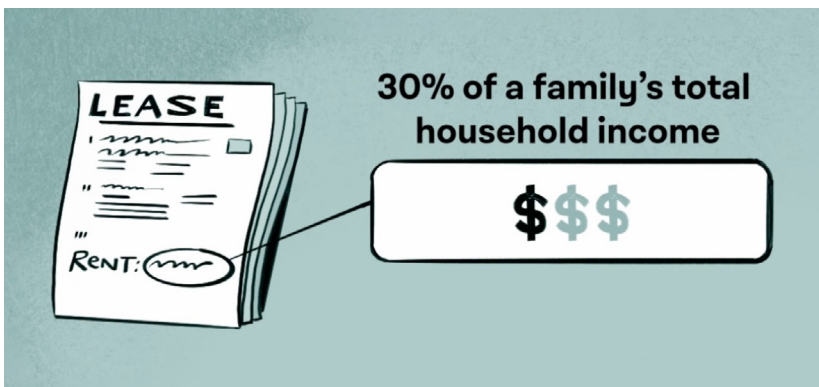
To learn more about how your income impacts your ability to live or stay in NYCHA...

- Read about Area Median Income (AMI) and Fair Market Rent (FMR): tinyurl.com/nycharent
- Read *Let the Papers Do the Talking*: tinyurl.com/letthepapersdothetalking

How does rent work in Public Housing?

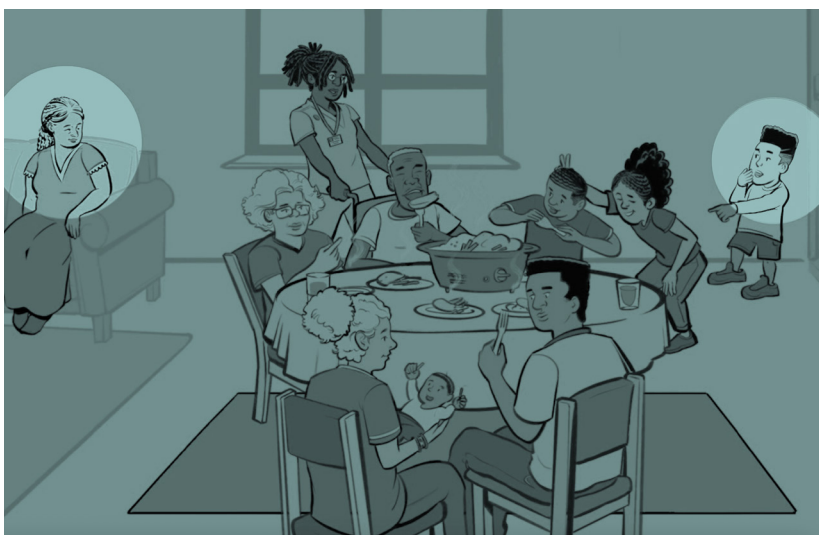
Rent in public housing should be 30% of a family's annual income before taxes. If your family starts making less money and you provide documentation of that change to NYCHA, your rent will go down. But if your family starts making more money, your rent will go up.

In public housing, your rent gets adjusted based on your income. In private housing, your rent stays the same regardless of income changes.



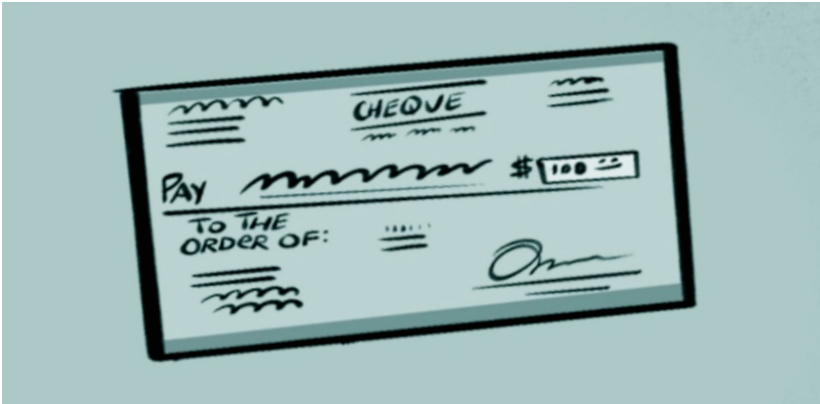
Annual Income

To calculate your rent, NYCHA looks at your **annual income**. This includes income and assets for everyone in the household.



Adjusted Income

If you have dependents, childcare expenses, are elderly or disabled (or have an elderly or disabled household member), or have a certain amount of medical expenses, you can claim some deductions to lower your rent. These deductions **adjust** your **income** and affect how much you'll pay in rent.



Security Deposit

When you move into your apartment, NYCHA requires a returnable **security deposit**, in case of any unpaid rent or damage to the apartment.

Security deposits accrue interest. The interest gets credited to your tenancy account yearly.



Utilities Charges

You may also be charged a fee for the appliances you have in your home, like an air conditioner or a washing machine. These additional charges will be listed in your lease.

To learn more about how income impacts your rent...

- Read *Let the Papers Do the Talking*: tinyurl.com/letthepapersdothetalking

When my income changes, how does NYCHA know to change my rent?



Recertification

Every year you live in NYCHA, the Head of Household needs to report total household income and household size to NYCHA to make sure you're paying the correct amount of rent and are still eligible to live in NYCHA. The process of sharing your income and household composition is called **recertification**. Heads of Household need to do this every year.

Affidavit of Income (AOI)

The Head of Household reports income to NYCHA on the **Affidavit of Income (AOI)** form, which they'll receive during the annual recertification process.



Interim Recertification

If something happens during the year, like you lose income, or your household composition changes, you must submit an **interim recertification**. This can help adjust your rent in the middle of the year, before the usual annual recertification period.

To learn more about how NYCHA adjusts your rent...

- Read *Let the Papers Do the Talking*: tinurl.com/letthepapersdothetalking

What's the Household Composition?



Lease

A **lease** is a written agreement between a landlord and a tenant to rent a housing unit. NYCHA is the landlord for public housing residents.



Household Composition

When you get a lease from NYCHA, it includes a **Household Composition** section, which lists all the people authorized to live in the apartment. Each person falls into one of four categories:

1. The **Head of Household**, or *Co-Heads of Household*, also known as *Tenant(s) of Record*, are the leaseholders. They're responsible for paying rent, recertification, adding/removing household members, and following the rules in the lease. Only the Heads of Household can make changes to the household composition.



2. **Authorized Permanent Household Members** must be family of the Heads of Household. They can live in the apartment permanently and their income is included in calculating the rent. If the Head of Household moves out or dies, Authorized Household Members **ARE eligible** to become the new Head of Household, as long as they've been an Authorized Household Member for at least one year.



3. **Authorized Temporary Household Members** can be added to the lease for a set period of time. They don't have to be family of the Head of Household, and their income isn't included in calculating the rent. This could be someone like a friend staying for the summer. If the Head of Household moves out or dies, temporary household members **ARE NOT eligible** to become the new Head of Household.

4. **Authorized Conditional Household Members** can be added to the lease and are authorized to live in NYCHA as long as they're serving in a specific role, like a...



- **Live-in Guardian:** A person who has legal guardianship of a minor or incapacitated adult and moves into a NYCHA apartment to provide care for that person. The person they're caring for is referred to as a "ward."

A Live-in Guardian's income **IS** included in calculating the rent.

- **Live-in Aide:** A person who lives with an elderly person or a person with disabilities and is essential to their care and well-being. They aren't obligated to financially support the person(s) they're caring for.

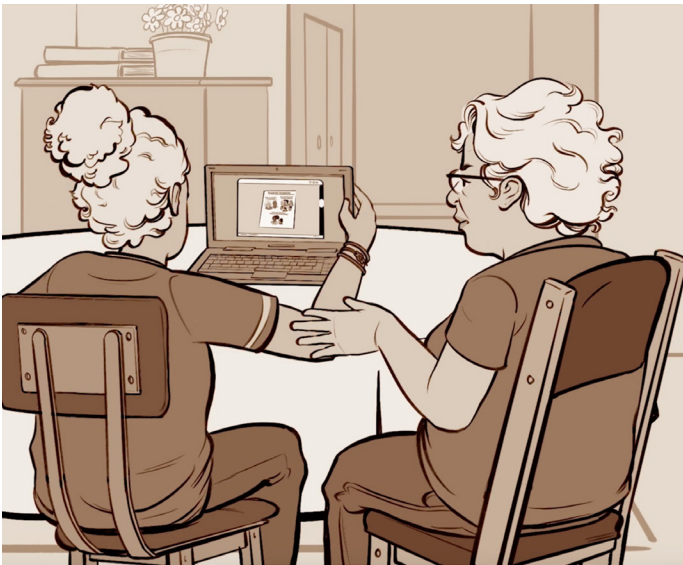
A Live-in Aide's income **IS NOT included** in calculating the rent.

If the Head of Household moves out or dies, conditional household members **ARE NOT eligible** to become the new Head of Household.

To learn more about NYCHA Household Composition...

- Watch the *Rights for Remaining Family Members in NYCHA* Video: tinyurl.com/rightsforRFM

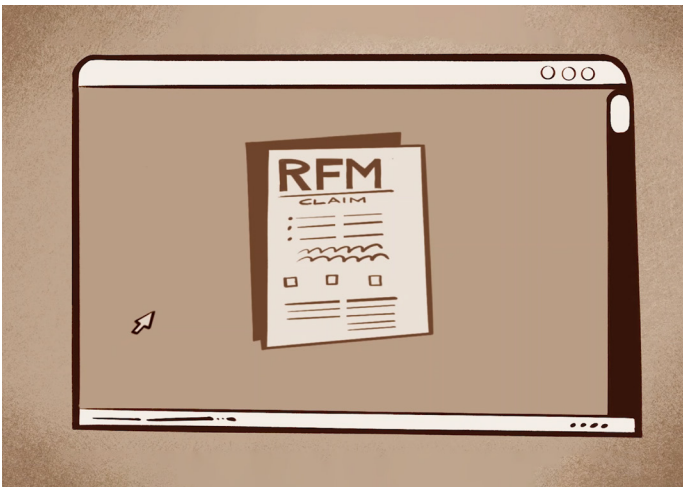
What's RFM?



Remaining Family Member (RFM)

If you live in NYCHA and the Head of Household of your apartment moves out or dies, NYCHA considers you a **Remaining Family Member** and eligible to be the new Head of Household if you...

- were listed as an Authorized Household Member on the lease for at least 12 months.
- lived in the apartment continuously, and your name is included on all Affidavits of Income.
- are legally allowed to sign a lease.
- pass a criminal background screening.
- can provide verifiable income information.
- pay “use and occupancy” while your RFM claim is being reviewed. (You are not responsible for any back rent from the previous leaseholder).



Succession

If the Head of Household moves out or passes away, the process to become the new Head of Household is called **succession**.



Use and Occupancy

While NYCHA is reviewing your RFM claim, you need to pay **use and occupancy**. It's not called rent because there is no existing lease between you and NYCHA.

NYCHA can deny your RFM claim, even if you are otherwise eligible, if you're not paying use and occupancy while your RFM claim is being reviewed.

The amount you pay should be based on your income, or the previous Head of Household's, whichever is lower. If the previous Head of Household owes any rent, you're not responsible for that.

Licensee

A **Licensee** is someone living in NYCHA without a lease and who isn't listed on the Household Composition.

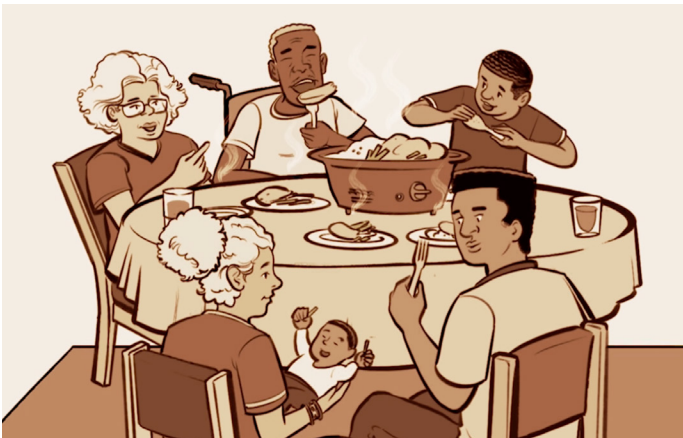
NYCHA will start what is called a "licensee holdover" eviction proceeding in Housing Court against household members that were not on the household composition for one year at the time the Head of Household moves out or passes away.

To learn more about the RFM process...

- Watch the *Rights for Remaining Family Members in NYCHA* Video: tinyurl.com/rightsforRFM

What does ‘family’ mean in NYCHA?

In January 2024, NYCHA expanded their definition of family. Before, NYCHA defined family very narrowly as a group of immediate family members. Now, family can include cousins, aunts, partners, and others.



Family

To live in NYCHA with other people, you have to be **family**. NYCHA defines family as two or more people related by...

- blood
- marriage or domestic partnership
- adoption or guardianship, or
- who have an interdependent relationship with each other.

A family does not include roommates living together as friends.

If you were living in the apartment but weren't listed on the Household Composition in 2023 or earlier, NYCHA will use its previous, narrower definition of family when considering your succession claim.

Natural Family Growth

If your family grows in size due to birth, adoption, or court-awarded custody of a minor, this is called **natural family growth**.

Elderly Family

If the head, co-head, spouse, or sole member of the household is at least 62 years of age, you're considered an **elderly family**.



To learn more about NYCHA's definition of a family...

- Watch the *Rights for Remaining Family Members in NYCHA* video: tinyurl.com/rightsforRFM

How many people can live in a NYCHA apartment?



Occupancy Standards

NYCHA has rules around how many people can live in a NYCHA apartment. These rules are based on the number of bedrooms in the apartment and the family composition, age, and gender of family members.

Occupancy Standards are intended to promote safe, decent, and adequate living conditions, and to ensure that public housing is being used efficiently.

Overcrowded

An apartment is **overcrowded** when more people live in the apartment than the maximum number allowed by occupancy standards. In other words, there aren't enough bedrooms for the number of people living there.

An apartment with more than two people per bedroom and living room is considered **extremely overcrowded** resulting in a higher transfer priority code than assigned to an overcrowded household.

Under-Occupied

An apartment is **under-occupied** when fewer people live in the apartment than the minimum number allowed by occupancy standards. In other words, the apartment has one more bedroom than they qualify for.

An apartment with two or more bedrooms more than what the family qualifies for is **extremely under-occupied**. An apartment that's extremely under-occupied could lead to a mandatory transfer to a smaller apartment.

To learn more about occupancy standards...

- Read Chapter 5, Section C Occupancy Standards: tinyurl.com/nychaoccupancystandards

Can I live in NYCHA if I'm undocumented?

Yes, you can still live in NYCHA! At least one member of your household must have an eligible immigration status.



As of February 2026, the following immigration statuses are eligible to live in NYCHA:

- U.S. Citizen
- Permanent Resident
- Adjudicated Refugee/Asylee
- VAWA self-petitioner
- T-Visa Holder



Mixed Status Family

Families made up of some members who have eligible immigration status and some who don't are called **Mixed Status Families**.



Prorated Rent

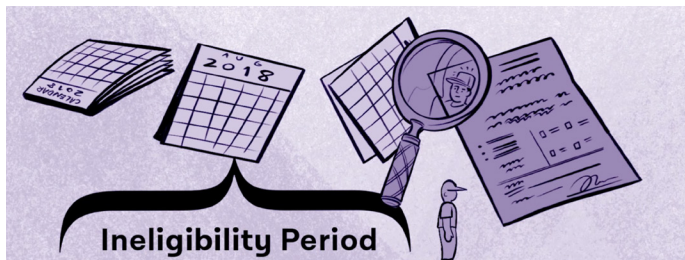
Mixed Status Families receive less rental assistance because the government reserves rental assistance for people with eligible immigration status. The **rent** gets **prorated** to account for those without status.

To learn more...

- Watch the *What is NYCHA?* Video: tinyurl.com/WhatisNYCHA

Can I live in NYCHA if I have a criminal record?

YES, you can still live in NYCHA! There are very few offenses that make you permanently ineligible, and NYCHA overlooks most offenses that are nonviolent and aren't related to drugs, weapons, or abuse.



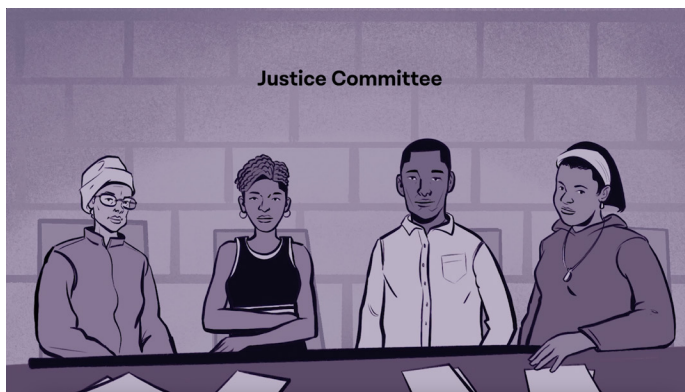
Ineligibility Period

Depending on whether the crime was a misdemeanor or a felony, you could be ineligible to live in NYCHA for 3-6 years. This is called the **ineligibility period**.



Criminal Background Check

A **Criminal Background Check** is a search into a person's criminal history. NYCHA runs a criminal background check when you match with an apartment. That could be months or years after you apply. By then, your criminal background may not matter because you could have already completed the ineligibility period.



Justice Committee

If NYCHA runs a criminal background check while you're still in the ineligibility period, you can submit evidence to the **Justice Committee**, which is a group made up of NYCHA staff members. They'll review the evidence to decide if your criminal record should impact your eligibility to live in NYCHA.



Mitigating Evidence

You can submit information or **mitigating evidence** that explains what else was going on for you at the time of the conviction to explain why you were in a tough situation, like...

- your age, if you were young at the time
- having issues at home or in your life at the time
- doing something in self-defense
- or the fact that it was your first conviction



Rehabilitative Evidence

You can submit information or **rehabilitative evidence** that shows why the conviction shouldn't prevent you from living in public housing, like maybe you...

- completed an anger management course or a drug rehabilitation program
- got a positive report from your probation officer
- returned to school
- have a stable job
- or are looking after kids

To learn more about how a criminal record can impact your eligibility to live in NYCHA...

- Watch the *Applying to NYCHA with a criminal background* video: tinyurl.com/apply-criminalbackground

Support and Accessibility at NYCHA



Self Service Portal

NYCHA's online platform where residents can submit maintenance requests, complete recertifications and transfer requests, view their rent balance, and access important documents is called the **self service portal**.

You can access the self-service portal at: selfserve.nycha.info



Housing Assistant

Housing Assistants are designated NYCHA staff members who help tenants navigate various aspects of public housing—from completing recertification forms to addressing maintenance requests and answering questions about NYCHA policies.

Reasonable Accommodation

If you have a disability, you can ask for a **reasonable accommodation** to help you participate equally in NYCHA programs. Examples include...

- Physical modifications to apartments
- Changes in policies or procedures
- Alternative methods of communication
- Transfer to accessible units

These accommodations could be a change, exception, or adjustment to a NYCHA rule, policy, practice, or service.



Accessible Apartments

Apartments that are specially equipped for people with impaired mobility are considered **accessible apartments**. The applicant or family member must permanently use a wheelchair, walker, crutch, cane, or other adaptive device or must otherwise need the special features provided to qualify for an accessible apartment. These apartments are also referred to as *504 apartments*.

To learn more about support and accessibility in NYCHA...

- Read about reasonable accommodations here: tinyurl.com/reasonable-accomodation

When might NYCHA try to terminate a lease?



If there are serious or repeated lease violations, NYCHA may start a legal process to terminate a tenant's lease in their apartment. Some of those violations might be:

- **Repeated violations of NYCHA's rules and regulations.** These are listed in your lease agreement and in the resident handbook.
- **Chronic Rent Delinquency**, or the failure or refusal to pay rent within the month due. If this happens at least three times during any 12-month period, NYCHA may take action.
- **Non-verifiable income:** If you don't provide NYCHA with the required income documentation for you and your family members, this is considered a breach of NYCHA's rules.
- **Non-Desirability:** NYCHA sometimes brings termination cases based on what they term "non-desirability", which they define as conduct or behavior of the resident, their guest, or any other person occupying the apartment that constitutes:
 - A danger to the health and safety of neighbors
 - Conduct on or near NYCHA premises involving sex or moral offenses
 - A source of danger to NYCHA employees, premises, or property
 - A source of danger to the peaceful occupation of other residents
 - A common law nuisance

NYCHA can start this type of case regardless of whether the household member or guest was arrested or convicted of a crime. In other words, a conviction is not required for termination. If you have been convicted, that doesn't mean automatic termination of your lease.



Permanent Exclusion

NYCHA can bar or **permanently exclude** a person from residing in or visiting a NYCHA tenant in their apartment for posing an alleged danger to the tenant and/or other residents.

The exclusion is automatically lifted if the person excluded has been “crime free” for five years. You can also apply to lift the exclusion based on evidence of “positive change.”



Eviction

If NYCHA wants to end a tenant’s lease in an apartment, they will start an eviction process.

During an **eviction** process, NYCHA must follow established procedures to protect both resident and community interests.

To learn more about why NYCHA may want to end your tenancy...

- Read the Public Housing Resident Handbook: tinyurl.com/nuchahandbook