

# What Do I Do If I Disagree with Something NYCHA Does?

## WHAT IS THE NYCHA GRIEVANCE PROCEDURE?

The New York City Housing Authority (NYCHA) has a **grievance procedure** that gives you the right to **challenge almost any decision that NYCHA makes**. Some examples of the kinds of decisions for which you can use a grievance are:

- amount of your rent
- denial of an application to add someone to your household
- refusal to repair something that needs to be fixed
- fees for appliances or other charges

However, you cannot use the grievance procedure if you have been given a notice to vacate your apartment. If you have received such a notice, please refer to the MFY fact sheet “How Do I Handle NYCHA Termination-of-Tenancy Procedures”.

## HOW DOES IT WORK?

NYCHA’s grievance procedure has **VERY SHORT DEADLINES**. If you do not **make written requests on time** your grievance will be automatically rejected.

- If this happens, you can **ask that your request be reviewed even though it is late**, explaining why you could not submit it on time—unfortunately, NYCHA may refuse.

1. The first step is to **ask for a conference with the Project Manager**.

Tip: BE PREPARED for this and all later meetings. Bring any documents, photographs, logs, and any other proof you have. You may want to try to consult a lawyer or community representative about your rights before the meeting.

2. Within a reasonable time after the conference, the Project Manager should send you a form with a summary of the discussion, the decision, and an explanation of the decision and your right to appeal.
3. **Within 10 days** after you receive the Project Manager’s summary, you can make a **written request** for a **District review**.

4. If you do not agree with the District decision, the next step is to request a **formal hearing at NYCHA's central office**. Again this must be done in writing **within 10 days**. You will be notified of a date for the hearing.
5. At the formal hearing, a Hearing Officer will listen to your evidence and NYCHA's evidence and make a decision. The Hearing Officer is required by law to be impartial.

### **Rent and the Grievance Procedure**

You must **pay up all of your rent** in order to start a grievance and **continue to pay** all rent in full during the grievance procedure. Otherwise, NYCHA will dismiss the grievance.

If you are grieving a **rent increase** and you do it **quickly**, you will be allowed to pay the lower rent until the grievance is resolved. Otherwise, even if you are arguing that your rent should be lower, you must pay all of the rent that NYCHA says you owe. You may get a rent credit if your grievance goes well.

### **DO I HAVE THE RIGHT TO A LAWYER?**

You have the **right to be represented by a lawyer or someone else** you choose at the hearing, but the government will not pay for a lawyer for you.

### **WHAT IF I DO NOT LIKE THE HEARING OFFICER'S DECISION?**

If you are not satisfied with the result of the grievance procedure, you may be able to **take NYCHA to court**. Talk with a lawyer or community representative about your rights.

### **WHO CAN I CONTACT IF I HAVE QUESTIONS?**

You may call MFY Legal Services, Inc.'s Housing Projects on Mondays, Wednesdays, and Fridays from 2:00 p.m. to 4:30 p.m. at 212-417-3888.

Mental health consumers may also call MFY Legal Services, Inc.'s Mental Health Law Project on Mondays, Tuesdays, and Thursdays from 10:00 a.m. to 5:00 p.m. at 212-417-3830.

**DISCLAIMER: This fact sheet gives general information for NYC residents; it is NOT legal advice.**