



What Kind of Behavior Can Get Me Evicted From My NYCHA Apartment?

You can be evicted because of your misconduct. You can also be evicted because of the misconduct of someone who lives with you or someone who visits you frequently.

HOW SERIOUS IS THIS TYPE OF PROBLEM?

A charge of misbehavior against you or someone who lives with you--called **non-desirability**—is very serious.

You can be evicted for bad behavior **even if you personally did nothing wrong.**

NYCHA can evict you because of misconduct by someone who **lives with you**, who **claims to live with you**, or who **visits frequently**. This is true **even though your rent is paid up.**

- Do not let others use your address if they do not live with you. Tell them, especially your children or grandchildren who no longer live with you, that **they must NOT use your address.**
- If someone used to live with you, but has now moved out, **NOTIFY NYCHA in writing** that person does not live there anymore.
- You may want to consider a **protective order** if the person continues to come to your apartment and you do not want them to.

WHAT DOES NYCHA MEAN BY “NON-DESIRABILITY”?

NYCHA defines non-desirability as behavior by you or anyone living in your apartment that is

- (1) a **danger** to your neighbors' **health, safety, or enjoyment** of their apartment
- (2) a **sex or morals offense** in or near a NYCHA project
- (3) a danger or cause of damage to **NYCHA's employees or property**

WHAT KINDS OF THINGS MAY GET ME EVICTED?

WHAT: bad conduct, including constant **loud noise, smoking pot**, using or possessing any kind of **drugs**, prostitution, vandalism or damaging property (including your apartment), burglary or other crimes, and similar things

WHERE: in your apartment, on project grounds, or near project grounds

WHO: by you, your family members (including children, grandchildren, spouse, or partner) or your regular visitors

WHAT DO I DO IF NYCHA ACCUSES ME OF NON-DESIRABILITY?

See the separate MFY Fact Sheet “How Do I Handle NYCHA Termination of Tenancy Procedures?”
Read the notices carefully. NYCHA must tell you why it is trying to evict you and you have the right to explain why their charges are not true or why you should be allowed to stay. Try to talk to a lawyer or a community representative about your rights. **Don't miss appointments or hearings** without notifying NYCHA with a good reason.

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.