

How Can I Tell If My NYCHA Rent Is Correct?

HOW DOES THE HOUSING AUTHORITY SET RENTS?

Rents for New York City Housing Authority (NYCHA) apartments are based on **family income**. Your rent is calculated when you first move in and then once a year after that. Your rent will usually be one of the following amounts:

- If you are receiving **public assistance**, the higher of
 - 30 percent of your family's monthly income, after allowable deductions, OR
 - the scheduled welfare rent.
- If you are **not receiving public assistance**, then 30 percent of your family's monthly income, after allowable deductions.

All projects have **flat or ceiling rents**--that is, limits on how high the rent can go. You can **opt to pay the flat rent** instead of the rent as calculated by your income. A few state or city funded projects have minimum rents, but most projects do not.

You can estimate what the flat rate for your apartment should be by looking at the flat rate schedules for the current year. A link for the schedule can be found [at http://www1.nyc.gov/site/nycha/about/annual-plan-financial-information.page](http://www1.nyc.gov/site/nycha/about/annual-plan-financial-information.page).

NOTE: If one or more members of your household does not have **U.S. citizenship** or an immigration status that makes them eligible for public benefits, your rent will be higher, but should not exceed the ceiling rent.

WHAT QUALIFIES AS FAMILY INCOME?

Family income generally includes income from all sources received by household members during the past 12 months. **Annual income** includes most types of ongoing income--for example, wages and salaries, pensions, child-support payments, and government benefits, such as social security, public assistance, and SSI.

Some types of income are not counted in the rent-setting process, such as income for an initial period after you start working after being on public assistance. **Some deductions from income**, such as child-care expenses, **are allowed**. The Management Office should have a list of these items.

HOW DOES NYCHA KNOW MY INCOME?

NYCHA asks you to provide proof of your income every year. **If you do not verify your income for the annual review, your rent will go up sharply.** NYCHA will also **check your income in other ways.** If you do not verify your income, or if you misrepresent it, NYCHA is likely to start proceedings to **evict** you.

You can avoid higher rent, penalties, and possibly eviction by responding to the annual income review and reporting changes in income immediately.

WHAT IF MY INCOME CHANGES DURING THE YEAR?

Be sure to report any changes in your family income when they occur. You may be penalized by having to pay a higher rent or a surcharge if you do not report such changes **within 30 days.**

Notify NYCHA of income changes **IMMEDIATELY IN WRITING** by bringing a letter to the Management Office.

KEEP COPIES of every piece of paper that you give to the Office.
Insist on **proof of delivery**, such as having the office date stamp your copy.

After you report a change in income or NYCHA discovers it, your rent will be adjusted up or down to reflect the change. If you report the change promptly, NYCHA will raise your rent later, or lower it earlier, than if you wait to report.

If you conceal or misrepresent your family income NYCHA will raise your rent and charge you rent plus interest back to the date when you should have reported it. This also may be a reason for NYCHA to start termination proceedings to **evict** you.

WHAT DO I DO IF I THINK MY RENT IS INCORRECT?

If you think that your rent is wrong, you have the right to file a **grievance.** You must pay up your rent to file a grievance. If you are challenging a **rent increase** and you bring your grievance **quickly**, usually within **10 days**, you should be allowed to pay the lower rent until the grievance is resolved.

The first step is to bring your grievance to the Management Office personally, **either orally or in writing**, for an informal discussion. If you are not satisfied with the result, you can ask for a review by the District Manager and then a Hearing Officer. **At each level, you must request review in writing within 10 days.** See the separate MFY Fact Sheet "What Do I Do If I Disagree with Something NYCHA Does?"

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.