Public Housing: Community Service/Self-Sufficiency Requirement

Introduction

Adult tenants living in Public Housing must spend eight hours a month performing community service or taking part in an economic self-sufficiency program.

- In this publication, “tenant” means a tenant in Public Housing who is eighteen or older.
- This publication may also apply to you if you have a Section 8 voucher through King, Seattle, Tacoma or Vancouver Housing Authority. If this is you, check with your local housing authority about community service requirements.

Some tenants are exempt from this requirement. If you are exempt, you do not have to do the community service or take part in a self-sufficiency program.

- You are exempt if:
  - You are in the Housing Choice Voucher program
  - or
  - You live in other types of subsidized housing.

Why should I care about the community service requirement?

Tenants normally sign a twelve-month lease. Under 24 CFR § 960.603, the Housing Authority cannot evict you during this lease term for not doing the community service requirement. However, you will not be allowed to renew your lease when it expires unless you have met the service requirements or are exempt.

When it is time to renew your lease, if you have not completed your service requirement, you must sign a written agreement to make up any hours of community service if you still want to live in Public Housing. If you do not sign the agreement, you may be evicted. Some of the specific procedures that the Housing Authority must follow if it does not renew your lease are at 24 C.F.R. § 960.607(b).

Do I have to do the community service/self-sufficiency requirement?

It depends. You might be exempt.
Some exemptions apply to the entire family. Others apply only to the exempt individual. Some of the exemptions are easy to understand and prove. Others may not be.

First find out if you qualify for a family exemption. These are generally the easiest to claim and prove. If you do not qualify for a family exemption, check if you qualify for an individual exemption.

- Washington Basic Food Program

You do not have to get one of these benefits yourself. You are exempt if a member of your family does.

**Individual exemptions:** Even if your family is not getting assistance under one of the above programs, you may still qualify for an exemption if:

- You are 62 years or older;
- You are blind or disabled as defined by Social Security (you must sign a certification that you are unable to comply with the community service and self-sufficiency requirements because of this disability);
- You are a primary caretaker of someone who is blind or disabled;
- You are or would be exempt from having to engage in a work activity under TANF or any other Washington State welfare program (whether or not you or your family actually receive the benefit), such as the Washington Basic Food Program. Under this rule, you can be exempt from work activities if:
  - You are needed in the home to care for an infant under four months of age, a child with special needs or another related adult with a disability; ([WAC 388-310-0300](#))
  - You are 55 or older and caring for a child who is related to you but not yours; ([WAC 388-310-0350](#)) or
  - You have a severe and chronic disability expected to last at least twelve months ([WAC 388-310-0350](#)).

**Family exemptions:** You are exempt if someone in your family gets certain types of public assistance. If these benefits are from the Department of Social and Health Services (DSHS), the family is exempt as long as DSHS has not imposed any sanctions on a family member for noncompliance. This includes the following programs:

- Temporary Assistance for Needy Families (TANF)
- WorkFirst
- Working Connections Child Care (WCCC)
- Refugee Cash Assistance Program
- State Family Assistance (SFA)
- Aged, Blind or Disabled Assistance (ABD)Alcoholism and Drug Addiction Treatment and Support Act (ADATSA)
- Supplemental Security Income State Supplemental Payment

The federal laws and regulations that deal with these exemptions are [42 USC §1437j(c)(2)(A-E)](#) and [24 CFR §960.601(b)](#). You can read them at a law library or online.
• You are engaged in “work activities.” The federal law does not say how many hours you must take part in work activities to be exempt from the community service requirement. HUD has encouraged Housing Authorities to consider 30 hours per week as the minimum number of hours needed to qualify for a work activity exemption. Each Housing Authority is free to set its own standard.

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<tr>
<th>“Work activities” include the following:</th>
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<td>- Paid work</td>
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<td>- On-the-job training</td>
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<td>- Job search and job readiness</td>
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<td>- Vocational and job skills training</td>
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<td>(no more than twelve months’ worth)</td>
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<td>- Job-related education (such as GED), and</td>
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<td>- Providing paid or unpaid child care for someone who is participating in a community service program.</td>
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There is a more detailed description of work activities at RCW 74.08A.250 or 42 USC 607(d).

Under WAC 388-61-001, DSHS must waive WorkFirst requirements if:

- You are a victim of domestic violence and
- Taking part in the work activities would make it harder for you to flee the domestic violence, unfairly punish you or place you at further risk of family violence.

Under 24 CFR part 966, subpart B, you have the right to a hearing if you think you are exempt from the community service requirement but the Housing Authority says no. Our Public Housing Grievance Procedure publication explains the hearing process.

How do I claim an exemption?

Give the Housing Authority proof of your status as an exempt family or individual. Below is a list of common exemptions and how to prove them.

If you are not sure what the Housing Authority needs for you to prove you are exempt, ask them to tell you in writing what they need, and when they need it.
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<th>Claimed Exemption</th>
<th>Proof You Should Give to the Housing Authority</th>
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<tr>
<td>Family exemptions</td>
<td>A copy of an award letter or other proof from DSHS that someone in your household got the assistance during the time period in question.</td>
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<tr>
<td>Individual exemptions:</td>
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<td>You are disabled, or you are caring for someone who is disabled</td>
<td>The Social Security decision or a signed statement from a doctor explaining the disability.</td>
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<tr>
<td>You are 62 or older</td>
<td>Proof of your age, such as a birth certificate.</td>
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<tr>
<td>You are exempt from DSHS’s requirements</td>
<td>A copy of the letter or your IRP (Individual Responsibility Plan) saying you are exempt.</td>
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<tr>
<td>You are engaged in “work activities”</td>
<td>-Pay stubs OR</td>
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<td></td>
<td>-Your plan from ESD or DSHS OR</td>
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<td>-A copy of your school registration OR</td>
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<td>-A signed, dated statement of the person you are working for including the average time you spend on the job each week or month.</td>
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**How many community service or self-sufficiency hours must I complete if I am not exempt?**

You must complete eight hours of community service or in an economic self-sufficiency program each month. Or you can do a combination of both types of activities, at least eight hours a month.

To prove that you completed your hours, you must give the Housing Authority verification signed by someone other than you. Keep a written record of your hours for each month. Also, always keep a copy of the written verification signed by a third party. Have the housing authority stamp your copy “received” when you turn in the original. If you mail it in, write the date you sent the verification on your copy. This way, if the Housing Authority ever says that you did not complete your hours, you will have proof that you did.

If you cannot make the eight hours each month, the Housing Authority should allow you to make up missed hours. Under 24 CFR § 960.607, you can usually make up your hours within a reasonable period of time and before your lease expires.

**What counts as community service?**

“Community service” means voluntary work that has a public benefit. It should be work that serves to:

- Improve the quality of life,
- Enhance tenant self-sufficiency, or
- Increase tenant self-responsibility in the community.

Community service is not:
• Paid employment
• Political activity

The Housing Authority does not have to find you community service opportunities, unless its plan says it will. The Housing Authority cannot make you do a certain type of community service.

You do not have to do your service within your building or residential area. You can do it anywhere in the community.

If you need help finding a way to do your community service hours, the Housing Authority or your building manager may have a list of acceptable community service activities with contact information.

What activities count as part of the economic self-sufficiency program?

24 CFR § 5.603 describes an economic self-sufficiency program as anything designed to encourage or help the economic independence of the family. This includes:

• Job training
• Employment counseling
• Work placement
• Basic skills training
• Education
• English proficiency
• Financial or household management
• Apprenticeship
• Community service
• Substance abuse and mental health treatment programs needed for you to become ready to work

The program you choose does not need to be sponsored by the Housing Authority.

What happens if I do not comply with the community service requirement?

Under 24 CFR § 960.603, the Housing Authority cannot terminate your tenancy before your lease is up, even if you have not done your community service. But the Housing Authority will only renew your lease if you, and all members of your family who are subject to the service requirement, are currently complying with the requirement. If a member of your family did not complete the requirement but has since moved out, the Housing Authority should not refuse to renew your lease because of that.

If your lease is not renewed, you can be evicted. If you violated the service requirement but still want to live in Public Housing, you will have to sign a written agreement with the Housing Authority to make up any hours of community service over the term of the new lease.

The Housing Authority is threatening to evict me for failing to comply with the community service requirement. What can I do?

You must act quickly.

The Housing Authority must give you a written notice stating in detail the reasons it is relying upon to evict you. The notice must also tell you of:

• Your right to make a reply
• Your right to examine relevant documents in your file and
• Your right to request a hearing under its grievance procedure.
Discuss this notice with a lawyer. Pay careful attention to the dates the notice mentions. If you do not ask for a hearing by the deadline in the notice, you may lose your right to a grievance hearing.

Make your request for a hearing in writing. Make a copy of your request. Have the Housing Authority stamp it with the date they receive the original. Keep the copy for yourself as proof that you made the request by the deadline. If you do not request a hearing by the deadline and lose your right to a grievance hearing, you will still be able to defend yourself against the eviction in court. Our publications called Public Housing Evictions and Public Housing Grievance Procedure have more information.

Before refusing to renew your lease, the Housing Authority must notify you of your noncompliance with the requirement and give you a chance to comply. Generally, the agency will ask you to sign an agreement. The agreement should state that all non-exempt family members are currently in compliance with the requirement or that an adult resident who did not comply is no longer living in the unit. It should also state how many hours you or your family member must perform to make up for the prior noncompliance.

Where can I find my Housing Authority’s community service/self-sufficiency policy?
Each Housing Authority has some control over how their program is run. Get a copy of your Housing Authority’s Policy. Ask your Housing Authority for a copy. The policy should be attached to the Housing Authority’s Annual Plan, as well. Some Housing Authorities have attached their policy of past Public Housing Authority Annual Plans. You may find those policies on HUD’s website: http://www.hud.gov/offices/pih/pha/index.cfm.

I do not like my Housing Authority’s policy. What can I do?
You can be more involved in the choices your Housing Authority makes. Ask how you can take part in the “Public Housing Agency Plan.” Each Housing Authority must have such a plan. Your Housing Authority must:

- Give the residents notice,
- Hold a public hearing, and
- Consider the comments of the residents before approving its plan.

What if I need legal help?

- Apply online with CLEAR*Online - http://nwjustice.org/get-legal-help or
- Call CLEAR at 1-888-201-1014

CLEAR is Washington’s toll-free, centralized intake, advice and referral service for low-income people seeking free legal assistance with civil legal problems.

- **Outside King County**: Call 1-888-201-1014 weekdays from 9:10 a.m. until 12:25 p.m. CLEAR works with a language line to provide interpreters as needed at no cost to callers. If you are deaf or hard of hearing, please call 1-888-201-1014 using your preferred TTY or Video relay service.

- **King County**: Call 211 for information and referral to an appropriate legal services provider
Monday through Friday from 8:00 am – 6:00 pm. You may also call (206) 461-3200, or the toll-free number, which may be useful when calling from a pay phone, 1-877-211-WASH (9274). 211 works with a language line to provide interpreters as needed at no cost to callers. Deaf and hearing-impaired callers can call 1-800-833-6384 or 711 to be connected to a relay operator at no cost, who will then connect them with 211. Information on legal service providers in King County may also be accessed through 211’s website at www.resourcehouse.com/win211/.

- **Persons 60 and Over**: Persons 60 or over may call CLEAR Sr at 1-888-387-7111, regardless of income.