

RAD Grievance Procedures and Choice Mobility Rights



Grievance Procedures

A grievance is any dispute a tenant may have with a PHA that adversely affects their rights. The dispute can be any issue that is related to the tenant's lease or the PHA's regulations including: evictions, terminations of assistance, guests, rent disputes, and reasonable accommodations.



Tenants in RAD properties are protected by the rights given to people in public housing and also have additional rights just for RAD tenants.

Public Housing Protections

Each PHA must have eviction procedures that include:

- Written notices of termination.
- Opportunity for an informal hearing.
- Opportunity for a formal grievance hearing.
- Written notices to inform tenants of these rights.

RAD Specific Grievance Requirements

Tenant has the right to:

- Notice of specific grounds of owner's adverse action.
- Notice of the right to an informal hearing with the owner.
- An informal hearing with an impartial member of the owner's staff.
- The right to representation.
- A copy of any evidence used to support the owner's action.
- A written decision within a reasonable time.



For additional information about the Rental Assistance Demonstration (RAD) program, please contact RAD@NHLP.org

Choice Mobility

Choice Mobility gives RAD residents the right to get tenant based assistance (after a certain period of time) that will allow them to choose where they would like to live. The rules are different depending on if the RAD property involves Project Based Vouchers (PBV) or Project Based Rental Assistance (PBRA).

Choice Mobility and PBVs

- After 12 months tenants have a right to tenant based assistance.
- If no assistance is immediately available, the tenant goes to the top of the waiting list.
- Some limitations may apply.

Choice Mobility and PBRA

- Residents have a right to move with tenant-based rental assistance either:
 - 24 months after the RAD conversion, or
 - 24 months after the tenant's move-in date.
- Some limitations may apply.

Transparency

Both PBV and PBRA owners must cooperate with any reasonable HUD request for data regarding choice mobility utilization.

