

QUESTION #3: AFFORDABILITY AND OWNERSHIP

Why is my building being converted to RAD?

The funding for public housing has been inadequate for many years. The RAD program was developed to create a new source of funding so that there will be enough money to operate your housing development and make the repairs that are needed.

Why is my building being transferred to a new owner?

Private owners, unlike public housing authorities, have access to additional sources of money for affordable housing that will help pay for some of the needed repairs and renovations and sustain the housing.

Who will own my building after the conversion?

Teams of affordable housing providers will become the new owners and managers of your buildings.

In your Resident Took Kit, see the List of San Francisco's RAD Housing Developments to see who will manage and own your building. The new owners and managers include community-based groups such as Tenderloin Neighborhood Development Corporation, California Housing Partnership, Chinatown Community Development Corporation, and Bernal Heights Neighborhood Center who have decades of experience developing, owning and managing affordable housing in San Francisco.



For more information and help, contact:

Housing Rights Committee of San Francisco, 415-703-8634 Ext. 111 or candy@hrscsf.org
Bay Area Legal Aid, 415-982-1300

Will my housing still be affordable housing? Will it still house people who are very low- and extremely low-income?

Yes.

Under the RAD program, the funding of your building under project-based vouchers will make the units affordable to very low-income and extremely low-income families. The City will also have legal agreements with the housing developers (your new owners) requiring that they must keep the housing affordable, and the SFHA will continue to own the land that your building is on and restrict its use for affordable housing.

How long will my housing stay affordable to very low- and extremely low-income families?

There are multiple agreements and contracts in place to keep your housing affordable for the long term.

When the RAD conversion happens, the SFHA will sign an initial 20-year contract with HUD for the project-based vouchers that make the housing affordable to these families and another contract with each of the new owners. At the end of the first 20-year term and the end of every contract after that, HUD must offer to renew its contract, and as long as the funding is available from HUD, SFHA must accept. Likewise, the owners are also obligated to renew their contracts. The City and the SFHA will also have local guarantees of affordability through the City's loan agreement and SFHA's lease of the land to the owners. As part of their land lease from SFHA, the new owners are required to keep it affordable for 99 years.

What if there is foreclosure or bankruptcy? Will I lose my housing?

No.

The RAD law has special protections for situations such as foreclosure and bankruptcy, so that the housing and rental assistance is preserved. HUD will require that the property first goes to a government agency that commits to keeping the property affordable or second to a capable private owner. The property will continue have affordable rents. HUD also can transfer the project-based vouchers to another owner if need be.

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Can my building be sold by the new owners?

No.

The owner cannot transfer the property without approval from HUD, the SFHA, and the City.

Who is in charge of making sure the laws are followed and things go as planned?

Although the property will be no longer owned by the SFHA, the new owners will have to follow a number of laws, rules, and regulations and will have to comply with legally binding contracts and agreements. Just as there are public housing rules that SFHA has to follow, the new owners will also have to follow HUD's rules for the project-based voucher program as well as local rules. The SFHA and the City will also require certain things as a condition of the land lease with the new owners and contracts for funding for the properties. HUD and the City will need to approve other agreements such as the relocation plan and the management agreements.

Things that will continue to be regulated include: rents, tenant rights, relocation rights and the right to return to your unit, eligibility, grievance rights, right to establish tenant associations and requirements for affordability. The agencies that will oversee these include HUD, the Housing Authority, the Mayor's Office of Housing and other City, state and federal agencies.

The new owners will also have to meet federal housing quality standards as well as local building codes and will be regulated by the City Departments of Building Inspections and Public Health. The owners will have to follow local, state, and federal fair housing laws enforced by the Human Rights Commission, the state and HUD.

If you feel that there are violations of any of your rights under these or other laws or you feel there is a need for more enforcement or oversight on a particular issue, contact Housing Rights Committee of San Francisco at 415-703-8634 X111 or by email: candy@hrssf.org OR Bay Area Legal Aid at 415-982-1300. These organizations can advise you about how to raise issues and push for better accountability and oversight.

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