

INDEX

A

- Abstention
 - Eviction proceedings 13.5.1.1
 - Younger* abstention 13.5.1
- Accessible units 2.2.2.7, 2.6.4
- Administrative Procedure Act
 - Abuse of discretion 13.8.2.1
 - Contrary to law 13.8.2.1
 - HUD directives 13.8.2.1
 - HUD mini-APA regulation 13.8.2.1
 - Maintenance claims 7.6.4.7.1
 - Procedural challenge 13.8.2.1
 - Relief available 13.8.2.1
 - Rulemaking requirements 13.8.2.1
 - Sovereign immunity 13.6
 - Statutory duty 13.8.2.1
 - Unreviewable agency decisions 13.8.2.1
- Administrative relief 7.5.1.7.3, 10.2.4.2, 13.2
- Admission and Continued Occupancy Plan (ACOP) 8.3
- Affirmative Fair Housing Marketing Plan (AFHMP) 2.3.1.2, 2.8.1
- Affirmatively furthering fair housing
 - Administrative Procedure Act 13.8.2.1.3
 - Analysis of Impediments 8.5.2
 - Consolidated Plan 8.5.1
 - Demolition and disposition 12.2.1.3
 - PHA Plan 8.2
 - Section 1983 claim 18.2.2.3
- Alcohol abuse 2.5.3, 11.2.1.1, 11.2.1.2, 11.4.1.6, Appendix 11B
- Americans with Disabilities Act (ADA) 13.12, Appendix 13A
- Analysis of Impediments 8.5.1.1, 8.5.2
- Annual Contributions Contract (ACC)
 - Duties under 7.6.2.1, 13.8.1.4.1
 - Enforceability 13.8.2.4.2
 - Management provisions 7.5.1.3,
 - Overview 1.2.1
 - Voucher program 1.2.5.1
- Annual Plan 2.3.8, 4.4.3.1.1, 7.5.1.4, 8.2, 13.8.1.4.2

- Anti-Injunction Act 13.5.7
- Appliances 3.2.8, 5.3.2, 6.2.2.2
- Asset management 1.2.1, 7.5.1.2
- Assets
 - for Eligibility 2.2.1.3
 - for Rent 4.3.4
- Assistive animals 3.2.3, 11.2.3.2.2
- Attorney's fees
 - Civil rights statutes 13.10.1
 - Equal Access to Justice Act 13.10.2
 - Eviction action 11.3.11
 - Leases 3.2.8
 - Lodestar 13.10.1.4
 - Necessary and reasonable 13.10.1.4
 - Record-keeping 13.10.1.4
 - Settlement 13.10.4

B

- Bankruptcy
 - Evictions 11.2.3.1.11, 11.2.3.6.12
 - Jurisdiction 13.4.9
 - Multifamily foreclosure 12.3.2.2
- Banning-and-trespass policies 3.2.2, 11.2.3.2.3, 13.8.1.1.2.4
- Bedbugs 7.6.3.2
- Bivens* action 13.8.2.3.1
- Board of directors (PHA) 1.2.1, 7.5.1.7.1, 8.2.5, 9.2.5
- Brooke Amendment 4.1.1, 5.3.2, 6.2.2.1, 13.8.2.2.3
- Business use of dwelling 3.2.5, 11.2.3.5.4

C

- Capital fund 7.5.1.1, 7.5.1.2, 7.5.1.4, 8.2, 8.2.1.1
- Chevron* deference 13.8.1.2.1
- Child custody 2.2.2.3
- Choice Neighborhoods Initiative (CNI) 1.2.19, 8.4, 12.2.2.2
- Civil rights certification 8.2, 12.2.1.2
- Class action
 - Adequacy of representation 13.7.3.1.4

INDEX

- Class action (cont.)
 - Certification 13.7.5
 - Commonality 13.7.3.1.2
 - Injunctions 13.7.2
 - Mootness 13.7.6
 - Numerosity 13.7.3.1.1
 - Settlement 13.7.7
 - Typicality 13.7.3.1.3
 - Community service requirements 3.4.2, 8.5.4, 11.2.3.2.13
 - Consent decrees 13.9.5.3
 - Consolidated Plan 1.2.12, 1.2.15, 8.5.1
 - Contract administrators 1.2.5.5
 - Conversions
 - Mandatory 12.2.4.1
 - Mortgage maturity 12.3.1.4
 - Notice and comment 9.5.2, 12.2.4.1.1, 12.2.4.2.1, 12.3.2.2
 - Prepayment 12.3.1.2, 12.3.1.3
 - Section 8 “opt out” 12.4.1
 - Voluntary 12.2.4.2
 - Cooperatives, HUD-subsidized or assisted
 - Evictions 11.2.1.2
 - Membership fees 6.1.4
 - Occupancy agreements 3.5.2
 - Resident participation 9.5.4
 - Criminal background 2.5.2, Appendix 2B
 - Curfews 3.2.8
- ## D
- Damages to unit 6.2.3.2, 7.6.1, 11.2.2.1, 11.2.3.2.4, 11.4.1.8
 - Declaratory relief 13.9.3
 - Deconcentration policy 8.2, 8.2.6
 - Demolition
 - Applications 12.2.1.1, 12.2.1.2
 - Civil rights 12.2.1.2
 - De facto 12.2.5.2
 - De facto 12.2.5.2
 - De minimis 12.2.1.2
 - Legal claims 12.2.1.3
 - Designated housing
 - Elderly 2.2.2.6, 2.3.8.5.3
 - People with disabilities 2.2.2.7, 2.3.8, 8.5.3
 - Pet deposits 6.2.3.5
 - Pets 3.2.3
 - PHA plans 2.3.8, 8.5.3
 - Destruction of unit 11.2.3.5.3
 - Disabilities, housing for people with
 - Accessible units 2.2.2.7, 2.6.4
 - Eligibility 2.2.2.7
 - Pet deposits 6.2.3.5
 - Pets 3.2.3
 - PHA plan for designating 2.3.8, 8.5.3
 - Disability, definition of 2.2.2.7, 13.12.1
 - Disabled families 2.2.2.7
 - Displacement 11.2.3.5.9, 11.3.1.2.3, 12.2.1.3, 12.3.2.2, 12.8
 - Disposition
 - Applications 12.2.1.1, 12.2.1.2
 - Civil rights 12.2.1.2
 - Legal claims 12.2.2.1.3
 - Resident purchase opportunity 12.2.1.2
 - Domestic violence (*see Violence Against Women Act*)
 - Drug testing 2.5.2.3
 - Due process
 - Adequate procedures 11.3, 13.8.1.1.2.1
 - Admission, denial of 2.8
 - Evictions 11.3.1
 - Extra charges, adopting 6.2.5
 - Protected property interest 13.8.1.1.2.1
 - Section 1983 claims 13.8.2.2.3
 - Voucher terminations 11.4
 - Duties of
 - HUD 13.8.2.1.1
 - Landlord 3.5.1, 7.6.1.2
 - Public housing authority 3.4.2, 7.6.1.1
 - Tenants 3.4.2, 3.5.1, 7.6.1.1, 7.6.1.2
- ## E
- Earned Income Disregard (EID) 4.3.7.3
 - Elderly families 2.2.2.6
 - Elderly housing
 - Eligibility 2.2.2.6, 2.3.8
 - Pet deposits 6.2.3.5
 - Pets 3.2.3
 - PHA plan for designating 2.3.8, 8.5.3

HUD HOUSING PROGRAMS: TENANTS' RIGHTS (4th ed. 2012)

- Emergency Low-Income Preservation Act (ELIHPA) 12.3.1.1
- Energy Performance Contract 5.3.5
- Enforcement of
 - Annual Contributions Contract 7.6.4.2, 13.8.1.4.1, 13.8.2.4.2
 - Eviction procedures 11.3.12
 - HAP contract 7.6.4.2, 13.8.1.4.1, 13.8.2.4.2
 - Lease 7.6.4.1, 13.8.1.1.2.1
 - Maintenance requirements 7.6.4
 - Management responsibilities 7.5.1.7
 - Notice-and-comment requirements 9.2.2, 13.8.2.1.1
 - PHA Plan process 8.2.6
 - Regulatory agreement 7.6.4.2, 13.8.1.4.1, 13.8.2.4
 - Resident participation rules 9.2.3, 9.2.5, 9.5.3
 - Sub-regulatory issuances 13.8.1.3
- Enhanced Vouchers 2.2.1.1, 4.4.1.2.5, 12.6.2
- Environmental review 12.2.1.3
- Escrow, public housing evictions 10.2.3.4.2, 11.3.1.2.5
- Eviction
 - Absence from unit 11.2.3.2.8
 - Arrest 11.2.3.4.2, 11.4.1.6
 - Bankruptcy stay 11.2.3.6.12, 13.4.9
 - Business reasons 11.2.3.5.7
 - Community service requirements 11.2.3.2.13
 - Criminal activity 11.2.3.4, Appendix 11B
 - “Drug-related” definition 11.2.3.4.3
 - Guest 11.2.3.4.5
 - Invitee 11.2.3.4.5
 - Juvenile offenses 11.2.3.4.3
 - Knowledge of 11.2.3.4.5
 - Location of 11.2.3.4.3, 11.2.3.4.5
 - Nature of 11.2.3.4.3
 - Timing of 11.2.3.4.4
 - Criminal history 2.5.2, Appendix 2B
 - Damage to unit 11.2.3.2.4
 - Denial of admission because of 2.5.21
 - Disturbance of other tenants 11.2.3.2.1
 - Domestic violence 11.2.3.4.5, 11.2.3.6.14, 13.11
 - Estoppel defense 11.2.3.6.7
 - Extra charges 6.2.1
 - Fraud 11.2.3.2.9
 - Hoarding 11.2.3.2.4
 - Housekeeping deficiencies 11.2.3.2.4
 - Immigration status 11.2.3.2.12
 - Income, failure to report 11.2.3.2.9
 - Late rent payments 11.2.3.2.6
 - Lease violations
 - Material 11.2.1.2, 11.2.1.3, 11.2.2.1, 11.2.3.2
 - Minor, non-serious 11.2.2.1
 - Repeated 11.2.2.1
 - Marijuana 11.2.3.4.3
 - Mitigating factors 11.2.3.6.9
 - Nonpayment of rent 11.2.3.1
 - Absence of tenant fault 11.2.3.1.7
 - Bankruptcy 11.2.3.1.11, 11.2.3.6.12, 13.4.9
 - De minimis breach 11.2.3.1.6
 - Grievance rights 11.3.1.2.4
 - Other charges 6.2.1, 11.2.3.1.4
 - Termination of subsidy 11.2.3.1.9
 - Warranty of habitability 11.2.3.1.8
 - Occupancy standards 11.2.3.2.11
 - “One strike” policy 11.2.3.4
 - Overcrowding 11.2.3.2.11
 - Preemption 11.2.3.4.6, 13.8.1.5
 - Procedures
 - Enforcement of 11.3.12
 - HOME 11.3.7.1
 - HOPWA 11.3.7.2
 - HUD-subsidized housing 11.3.2
 - Judicial 11.3.10
 - LIHTC 11.3.6
 - Notice requirements Appendix 11A
 - Public housing 11.3.1
 - Shelter Plus Care 11.3.7.3
 - State and local law 11.3.8
 - Vouchers 11.3.5
 - Recertification 4.8.1.2, 11.2.3.2.10
 - Refusal to allow landlord entry 11.2.3.2.7
 - Retaliatory 11.2.3.6.1
 - Rucker* decision 11.2.3.4
 - Sex offender 11.2.3.4.4

INDEX

Eviction (cont.)
State and local laws 11.2.3.4.6, 13.8.1.5
Termination of HAP contract 11.2.3.1.9,
11.4.4.3
Unauthorized occupant 11.2.3.2.3
“Undesirability” 11.2.3.5.5
Utilities disconnected 11.2.3.2.5
Waiver defense 11.2.3.6.7
Extremely low-income, definition of 2.2.1.1

F

Fair Housing Act
Admissions 2.2.2.2, 2.2.2.3
Affirmatively furthering fair housing (*see supra*)
Anti-Injunction Act 13.5.7.1
Attorney's fees 13.10.1
Demolition or disposition 12.2.1.3
Enforceability 13.8.2.2.3
Eviction defense 11.2.3.6.3, 11.2.3.6.4,
11.2.3.6.6,
Overview of provisions Appendix 13A
Reasonable accommodation 13.12
Section 8 opt-out 12.4.1.1
Sovereign immunity 13.6
Standing 13.3
Fair Market Rent 4.2.2.2.2, 4.9.4
False Claims Act 6.2.4, 7.6.4.7.2, 13.1.6
Family breakup 7.1
Family, definition of 2.2.2
Family Self-Sufficiency (FSS)
Account 4.4.3.3
Eviction for noncompliance 11.2.3.2.13
Overview 1.2.6, 4.2.3
Plan 8.5.5, 9.4
Rents 4.4.3.3
Family Unification Program 1.2.5.2.3
First Amendment 13.8.1.1.2.4
Five-Year Plan 7.5.1.4, 8.2
“Flexible authority” 12.3.2.3
Foreclosure
Impact on Section 8 contract 12.3.2.3
Multifamily housing 12.3.2, Appendix 12B

Multifamily Mortgage Foreclosure Act
12.3.2.3
Sale 12.3.3
Tenants in 11.2.3.6.11
Foster children 2.2.2.2
Freedom of Information Act
Exemptions 13.1.4
Fees 13.1.5
Overview 13.1.1
Requests 13.1.3

G

Good cause requirement
Enhanced Vouchers 11.2.1.4
HOME 11.2.1.5
HOPWA 11.2.1.5
HUD-subsidized housing 11.2.1.2
Criminal activity 11.2.1.2
Material noncompliance with lease
11.2.1.2
“Other good cause” 11.2.1.2
LIHTC 11.2.1.5
Project-based Section 8 11.2.1.3
Criminal activity 11.2.1.3
Material noncompliance with lease
11.2.1.3
“Other good cause” 11.2.1.3
Public housing 11.2.1.1
“Alcohol abuse” definition 11.2.1.1
“Criminal activity” definition
11.2.1.1
Lease violation 11.2.1.1
“Other good cause” definition
11.2.1.1
Shelter Plus Care 11.2.1.5
Supportive housing 11.2.1.5
Voucher program 11.2.1.4
Criminal activity 11.2.1.4
During lease term 11.2.1.4
End of lease term 11.2.1.4
“Other good cause” definition
11.2.1.4

HUD HOUSING PROGRAMS: TENANTS' RIGHTS (4th ed. 2012)

Grievance (public housing)

- Adding a household member 10.2.2.3
- Administrative appeal 10.2.4.2
- Amending procedures 10.2.5.1
- Continuance 10.2.3.4.7
- Criminal activity 10.2.2.5, 11.3.1.2.1
- Cross-examination 10.2.3.4.7
- Decision, requirements 10.2.3.4.8
- Discovery 10.2.3.4.6
- Displacement 11.3.1.2.3
- Eligible grievant 10.2.3.2
- Enforcing right to 13.8.2.2.3
- Escrow requirement 10.2.3.4.2
- Evictions 11.3.1.2
- Exceptions 10.2.2.5, 11.3.1.2.1
- Exhaustion 10.2.4.1, 13.2.2
- Expedited process 10.2.2.5
- File, right to review 10.2.3.4.6
- Grievable actions 10.2.2
- Hearing officer selection 10.2.3.4.4
- Informal conference 10.2.3.3
- Judicial review 10.2.4.3
- Modification of 9.2.2, 10.2.5.1
- Nonpayment of rent 11.3.1.2.4
- Notice 10.2.3.1
- Order of presentation 10.2.3.4.7
- Reasonable accommodation 10.2.3.4.7
- Remaining family members 10.2.3.2
- Rent escrow 10.2.3.4.2
- Rent increase 4.6.3
- Representation, right to 10.2.3.4.5
- Request for hearing 10.2.3.4.1
- Scheduling 10.2.3.4.3
- Time for request 10.2.3.4.1
- Waiver 10.2.3.4.1

Guest policies 2.2.2.10, 3.2.2, 11.2.3.2.3, 11.4.1.4

H

Habitability

- Eviction, defense to 11.2.3.1.8
- Lease requirements 3.4.2
- Warranty of (federal) 7.6.4.1
- Warranty of (state) 7.6.4.3

HAP contract

- Contents 7.6.2.2
 - Enforcement 7.6.4.2, 13.8.1.4.1, 13.8.2.1.3, 13.8.2.4.2
 - Overview 1.2.5.1, 1.2.5.5
 - Termination of 11.4.4
 - Third-party beneficiary claim 13.8.2.4.2
- ### Hearing officer
- Impartiality 10.2.3.4.7, 11.4.3.3.3
 - Selection 10.2.3.4.4
- ### Hearsay 10.2.3.4.7, 11.4.1.4, 11.4.1.6, 11.4.3.3.5
- ### HOME Program 1.2.11, 4.2.8, 11.2.1.5, 11.3.7.1
- ### Homeless prevention funds 1.2.15
- ### HOPE VI
- Demolition and redevelopment 12.2.2.1
 - Plan 8.2.8
 - Resident participation 9.2.2
- ### House rules 3.2.1, 3.2.4., 3.2.5, 3.2.8, 6.2.3.3
- ### Household composition, changes 2.2.2.11, 4.5.3, 11.2.3.2.3, 11.4.1.2, 11.4.1.4
- ### Housing Quality Standards (HQS) 2.6.3, 3.6.1, 3.6.2, 7.6.1, 11.4.1.7

I

Immigration status

- Eligibility 2.2.3
 - Failure to establish 11.2.3.2.12
 - Hearing procedure 10.5
 - Proration of rent 4.4.3.2
 - Verification of 4.7.2
- ### Implied rights of action 13.8.2.3

Income

- Absent family members 4.3.3
- Adjusted 4.3.8
- Annual 4.3.1
- Anticipated 4.3.2
- Assets 4.3.4
- Certification 4.7
- Changes in household 4.2.1
- Child support 4.3.1
- Deductions from 4.3.8
- Eligibility 2.2.1
- Enterprise Income Verification 4.7.4.3

INDEX

- Exclusions 4.3.7.1, Appendix 4C
 - Fluctuating 4.3.2
 - Gifts or contributions 4.3.1
 - Imputed 4.3.6
 - Lump sum 4.3.5
 - Not received by family 4.3.1
 - Reduction in 11.2.3.1.2
 - Reporting 4.6.1, 4.8.2, 11.2.3.2.9, 11.4.1.2
 - Temporary 4.3.2
 - Verification 4.7
 - Informal hearing (Voucher)
 - Administrative review of 11.4.3.5
 - Decision 11.4.3.4
 - Discovery 11.4.3.3.2
 - Enforcement of right to 13.8.2.2.3
 - Evidentiary requirements 11.4.3.3.5
 - Hearing officer 11.4.3.3.3
 - Hearsay 11.4.3.3.5
 - Judicial review of 11.4.3.6
 - Notice 10.4.2.2.1, 11.4.3.2
 - PHA actions that can be reviewed 10.4.2.2
 - Representation 11.4.3.3.1
 - Timing 10.4.2.2.2
 - Informal meeting (HUD-subsidized housing)
 - Applicant rejection 10.3
 - Eviction 10.3, 11.3.2.1.2, 11.3.2.2.2
 - Notice 11.3.2.1.2, 11.3.2.2.2
 - Recertifications 10.3
 - Tenant file 10.3
 - Timing 10.3
 - Informal review (Voucher) 2.8.7.2
 - Injunction
 - Anti-Injunction Act 13.5.7
 - Permanent 13.9.1.5
 - Preliminary 13.9.1.2
 - Substandard conditions 7.6.4.8.3
 - Inspections 3.2.6, 6.1.1, 6.1.2, 6.1.3, 7.6.1.1, 7.6.1.2
- L**
- Landlord access to tenants' residences 3.2.6, 11.2.3.2.7
 - Language access
 - Admissions process 2.1.2, 2.8.1
 - Enforcement 13.13
 - HUD guidance 13.13
 - Interpretation at hearings 10.2.3.4.7, 11.4.3.3.4, 13.13
 - Language access plans 13.13
 - Lease 3.2.9
 - Notices 10.2.3.4.7, 10.4.2.2.1, 11.3.1.1, 11.4.3.2
 - Title VI 13.13
 - Translation of documents 13.13
 - Vital documents 13.13
- Late fees 6.2.3.1, 11.2.3.1.4
 - Lead paint 7.6.3.1
 - Enforceability 7.6.3.1, 13.8.2.2.3, 13.8.2.3.3
 - Lead-based Paint Poisoning Prevention Act 7.6.3.1
 - Lead Safe Housing Rule 7.6.3.1
 - Residential Lead-Based Paint Hazard Reduction Act 7.6.3.1
 - Title X of the Housing and Development Act of 1992 7.6.3.1
 - Leases
 - Addenda 3.6.1, 3.6.2,
 - Amendments of 3.2.1, 3.2.4, 3.4.2, 3.5.1, 3.5.2
 - Clauses
 - Ambiguous 3.3
 - Fraudulent 3.3
 - Imposing liability for others' acts 3.2.7, 11.2.3.4.5
 - Prohibited 3.2.8, 3.6.1, 3.6.2
 - Required 3.4.2, 3.5.1, 3.5.2, 3.6.1, 3.6.2
 - Restricting tenants' ability to redecorate 3.2.8
 - Unconscionable 3.3
 - Unfair business practices 3.3
 - Unreasonable 3.2.1, 3.2.2, 3.2.8, 3.3
 - Enforcement 7.6.4.1
 - Expiration 11.2.3.5.6, 13.8.1.1.2
 - Inequitable provisions 3.2.8
 - Modifications of 3.2.1, 3.2.4, 3.4.2, 3.5
 - Notice-and-comment requirements 3.2.1, 3.2.4, 3.4.2
 - Owner's duties 7.6.1.2
 - PHA's duties 7.6.1.1

HUD HOUSING PROGRAMS: TENANTS' RIGHTS (4th ed. 2012)

Leases (cont.)
 “Reasonable” terms 3.2.8
 Tenant’s duties 7.6.1.1
 Translation of 3.2.9, 13.13
Legal fees 6.2.3.4
Limited English proficiency (LEP) (*see Language access*)
Live-in aides 2.2.2.10, 4.3.7.1, 11.3.1.2.2,
 Appendix 4C
Low-income, definition of 2.2.1
Low-Income Housing Tax Credit Program
 Good cause eviction 11.2.1.5
 Income eligibility 1.2.13, 2.2.1.1
 Loss of units 12.7
 Overview 1.2.13
 Qualified Allocation Plan 1.2.13, 13.8.1.4.3
 Rents 1.2.13, 4.2.9
 Voucher holders, nondiscrimination 1.2.13

M

Marijuana 2.5.2.3, 11.2.3.4.3
Mark-to-Market 12.4.4
Material lease violation 6.2.1, 11.2.1.2, 11.2.1.3,
 11.2.2.1, 11.2.3.2
Meal programs 6.2.3.7
Minimum rent 4.1.1, 4.2.1, 4.2.2, 4.4.1.2
Mobility 7.4
Modifications to
 Grievance (*see Grievance, Modification of*)
 Leases (*see Leases, Modifications of*)
 Schedule of charges 6.2.5
 Security deposit 6.1.1
Mootness 13.3, 13.7.6
Mortgage
 Foreclosure 12.3.2
 Maturity/expiring 12.3.1.4
 Prepayment 12.3.1.2, 12.3.1.3
 Sale 9.5.2, 12.3.3
Moves with continued assistance 7.3
Moving to Work demonstration
 Overview 1.2.7
 Rents 4.9.1

Section 18 12.2.1
Waivers 1.2.7, 7.5.1.1, 8.2, 9.2.1, 9.2.4

N

Native American housing programs 1.2.14
Notice
 Demolition 12.2.1.2
 Denial of admission 2.8.6
 Disposition 12.2.4.1.1
 Eviction 11.3.1.1, 11.3.2.1.1, 11.3.2.2.1,
 Appendix 11A
 Foreclosure of HUD-subsidized housing
 12.3.2.2
 PHA Plan process 8.2.2
 Prepayment 12.3.1.2, 12.3.1.6
 Recertification 4.5.1
 Relocation 12.8
 Rent increase 4.5.2, 4.9.2.1
 Resident Advisory Board formation 8.2.1.1
 Section 8 opt-out 12.4.1.2
 Section 18 12.2.1.2
 Termination 11.4.3.2, Appendix 11A
 Uniform Relocation Act (URA) 12.8.1
Notice-and-comment requirements
 Conversions 12.2.4.1.1
 Federal agency rulemaking 13.8.2.1
 Fees for appliances 6.2.2.2
 Grievance procedure 10.2.5.1
 HUD-subsidized housing 9.5.2
 Leases 3.2.1, 3.2.4, 3.4.2
 PHA actions 9.2.2
 Rent increases 4.9.2.1
 Rental Assistance Demonstration 12.2.3
 Security deposits 6.1.1
 Utility allowances 5.4.3
 Utility metering conversions 5.4.6

O

“One strike” policy 2.5.2.5, 11.2.3.4
Operating funds 7.5.1.2
“Opt-out” of Section 8 contract 12.4.1

INDEX

P

Payment standard 1.2.5.1, 4.2.2.2.2
Pets 3.2.3, 6.2.3.5, 11.2.3.2.2
PHA Plan
 Amending 8.2.7
 Demolition and disposition 12.2.1.2
 Enforcement of 8.2.6
 Exemptions from 8.2
 HOPE VI 12.2.2.1
 Management practices 7.5.1.4
 Notice of 8.2.2
 Process 8.2
Preemption
 Affirmative claims 13.8.2.3.2
 Conflict preemption 13.8.1.5
 Local rent control 4.9.2.7, 13.8.1.5
 State and local preservation laws 11.2.3.4.6,
 13.8.1.5
 State and local notice laws 12.3.1.6
Portability 7.3
Preferences 2.3
Prepayment of mortgage (*see Mortgage*)
Principal residence
 Use for commercial purposes 3.2.5
 Use of unit as 3.2.5
Program contracts 7.6.2, 7.6.4.2, 13.8.1.4.1,
13.8.2.4.2
Project Rental Assistance (PRA and PRAC) 1.2.4.3
Proration of assistance 2.2.3, 4.4.3.2
Protecting Tenants at Foreclosure Act 11.2.3.6.11
Public Housing Assessment System (PHAS) 7.5.1.1
Public participation in PHA Plan 8.2.2, 8.2.4,
8.2.5, 8.2.7

R

Rapid re-housing assistance 1.2.15, 1.2.16
Real Estate Assessment Center (REAC) 7.5.3.2,
7.5.3.3, 7.5.3.4, 7.5.4
Reasonable accommodation
 Admissions 2.5.1
 Definition of disability 13.12.1
 Definition of reasonable 13.12.2

Direct threat exception 13.12.1
Eviction defense 11.2.3.6.6
Grievance hearing 10.2.3.4.7
Illegal drug use 13.12.1
Interactive process 13.12.2
Pet deposits 6.2.3.5
Pets 3.2.3
Transfer 7.2.3
Utility allowance 5.3.3, 5.6.2
Verification 13.12.2
Voucher termination 11.4.2.4
Receivership 7.5.1.7.4, 13.9.5.2
Recertification
 Changes in household 4.5.3
 Errors 4.8, 11.2.3.2.10, 11.4.1.2
 Failure to complete 4.8.1.1, 11.2.3.2.10,
 11.4.1.3
 Fraud or misrepresentation 4.8.3.3, 11.4.1.2
 HUD Multifamily 4.5.1
 Immigration status 4.7.2
 Interim 4.6
 LIHTC 4.2.9
 Public housing 4.5.1
 Rent changes 4.6.3
 Rent increases 4.8.1.1
 Social Security Numbers 4.7.1
 Voucher 4.5.1
Refusal to renew lease 11.2.1.5, 11.2.3.5.6,
13.8.1.1.2
Regulatory agreement
 Enforcement 7.6.2.2
 Overview 13.8.1.4.1
 Rent levels 4.9.6
 Terminations 12.3
 Third-party beneficiary 13.8.2.4
Release of information 4.7.4.2
Religious exercise 13.8.1.1.2.4
Relocation
 Choice Neighborhoods Initiative 12.2.2.2
 HOPE VI 12.2.2.1.2
 HUD-owned property or HUD-held
 mortgage 12.3.2.2
 Section 18 of USHA 12.2.1.2
 Section 33 of USHA 12.2.4.1.1
 Section 104(d) of HCDA 12.8.2

HUD HOUSING PROGRAMS: TENANTS' RIGHTS (4th ed. 2012)

- Relocation (cont.)
 - Uniform Relocation Act (URA) 11.2.3.5.9, 12.8.1
 - Remaining family member 2.2.2.12, 11.2.3.5.1, 11.3.1.2.2
 - Removal to federal court 13.4.6
 - Rent
 - Abatement 3.4.2, 7.6.1.1, 7.6.4.8.1
 - Adjustments 4.6.2, 4.9.5
 - Budget-based 4.9.2
 - Contract rent 4.9.5
 - Decreases 4.6.2, 4.6.3
 - Effective date of rent change 4.6.3
 - Enhanced vouchers 4.4.1.2.5
 - Fair market rent 4.2.2.2.2, 4.9.4
 - Family self-sufficiency 4.4.3.3
 - Flat rent 4.4.3.1, 6.2.2.1
 - Gross rent 4.2
 - Hardship exemption 4.4.1.2.2
 - Increases 4.9
 - Local laws 4.9.2.7
 - Mandatory charges 4.2
 - Minimum rent 4.1.1, 4.2.1, 4.2.2, 4.4.1.2
 - Non-citizens 4.1.1, 4.2.2.2.4, 4.4.3.2
 - Notice-and-comment requirements 4.9.2.1
 - Notice of new rent 4.5.2
 - Overcharges 6.2.4
 - Proration 4.4.3.2
 - Reasonableness 4.2.2.2
 - Reductions 4.6.2, 7.6.4.8.1
 - Restrictions 4.2.9, 4.9.6, 12.3
 - Right to dispute 4.5.2
 - Strikes 7.6.4.8.2
 - Welfare rent 4.4.1.3
 - Withholding 7.6.4.8.2
 - Rental Assistance Demonstration (RAD) 12.2.3
 - Replacement housing
 - Choice Neighborhoods Initiative 12.2.2.2
 - Demolition under Section 18 12.2.1.3
 - Destruction of unit 11.2.3.5.3
 - Uniform Relocation Act (URA) 12.8.1
 - Reporting obligations of tenant
 - Errors 4.8.3.2, 11.4.1.2
 - Failure to report 4.8.2, 11.2.3.2.9, 11.4.1.2
 - Fraud or misrepresentation 4.8.3.3, 11.2.3.2.9, 11.4.1.2
 - Household changes 4.6.1, 11.2.3.2.3
 - Income 4.6.1, 11.2.3.2.9, 11.4.1.2
 - Omissions 4.8.3.2, 11.4.1.2
 - Resident Advisory Board (RAB)
 - Funding 9.2.4
 - Notice of formation 8.2.1.1
 - PHA Plan process 8.2.1
 - Resident consultation
 - Choice Neighborhoods Initiative 12.2.2.2
 - Conversion 12.2.4.1.1
 - Demolition and disposition 12.2.1.2
 - Foreclosure or disposition of HUD-subsidized housing 12.3.2.3, 12.4.2
 - HOPE VI 12.2.2.1.3
 - Rental Assistance Demonstration 12.2.3
 - Section 18 of USHA 12.2.1.2
 - Resident council 8.2.1.1, 9.2.3
 - Resident management 9.2.6
 - Resident participation (*see also* *Notice-and-comment requirements*)
 - First Amendment 13.8.1.1.2.4
 - Funding 9.2.4
 - Governing Board (PHA) 9.2.5
 - HUD-owned projects 9.5.5
 - Meeting space 9.2.4, 9.5.3
 - PHA Plan process 8.2
 - Rental Assistance Demonstration 12.2.3
 - Restitution 13.9.2
 - Right to associate 13.8.1.1.2.4
 - Ripeness 13.3
- ## S
- Schumer Amendment 12.4.2
 - Section 3 of the Housing and Urban Development Act 8.2.8, 8.5.6
 - Section 8 administrative fees 7.5.2.3
 - Section 8 Administrative Plan 2.7, 8.3, 13.8.1.4.2
 - Section 8 Management Assessment Program (SEMAP) 7.5.2.2
 - Section 214 of the Housing and Community Development Act 2.2.3

INDEX

Section 250 of the National Housing Act 12.3.1.3
Section 504 of the Rehabilitation Act 2.5.1, 3.2.3,
11.2.3.6.6, 13.12, Appendix 13A
Section 1983 actions 11.4.3.6.2, 13.8.2.2
Service animals 3.2.3, 11.2.3.2.2
Settlement 13.7.7, 13.9.5.3
Sexual harassment 11.2.3.6.4
Side payments 6.2.4, 11.4.1.5
Smoking policies 3.2.4
Social Security Number (SSN) 2.2.4, 4.7.1,
11.2.3.2.10
Source of income discrimination 2.7.6, 11.2.3.6.5
Sovereign immunity 7.6.4.5, 7.7.2, 13.6
Standing
 Evictions 11.3.10.2
 Injury requirement 13.3
 Organizational standing 13.3, 13.7.2
 Third parties 13.3
State actor 13.8.1.1.1, 13.8.2.2.1
Students
 Eligibility 2.2.5
 Employment income 4.3.7.3
 Financial assistance 4.3.7.2
Substandard conditions 7.6
Sub-regulatory materials 13.8.1.3
Supremacy Clause 13.8.2.3.2

T

Targeting 2.4
Temporary restraining orders 13.9.1.3
Tenant management (*see Resident management*)
Tenant organization (*see Resident participation*)
Tenant organizers 9.5.3
Tenant Protection Vouchers 12.6.1
Termination of Housing Assistance Payments
 During eviction process 11.4.4.1
 Eviction due to 11.2.3.1.9
 Expiration of transfer Voucher 11.4.4.5

 Housing Quality Standards violation
 11.4.4.2, 13.8.2.2.3, 12.4.2
 Insufficient funding 11.4.4.4
 Owner opt-out 11.4.4.3
Termination of project-based subsidy

 Grounds 11.2.3.1.9
 Procedures 11.2.3.1.9
 Replacement assistance 11.2.3.5.8
Termination of Voucher
 Grounds 11.4.1
 Absence from unit 11.4.1.9
 Criminal activity 11.4.1.6
 Damage to unit 11.4.1.8
 Eviction 11.4.1.1
 Fraud 11.4.1.2
 Income, failure to report 11.4.1.2
 Income, ineligibility 11.4.10
 Lease violation 11.4.1.1
 Recertification, failure to cooperate
 11.4.1.3
 Side payments 11.4.1.5
 Unauthorized occupant 11.4.1.4
 Utility shut-off 11.4.1.7
 Mitigating circumstances 11.4.2.1
 Notice of 11.4.3.2
 Procedural requirements 11.4.3
 Reasonable accommodation defense
 11.4.2.4
 Waiver of right to terminate 11.4.2.5
Third-party beneficiary rights 13.8.2.4
 Exclusionary clauses 13.8.2.4.2
 HUD program contracts 13.8.2.4.2
 LIHTC regulatory agreements 13.8.2.4.3
Transfer 7.2
Trespass (*see Banning-and-trespass policies*)
“Troubled” PHAs 7.5.2.2, 8.2

U

Under-the-table payments 6.2.4, 11.4.1.5
Underutilization
 Project-based Section 8 12.4
 Voucher 12.5.1

Uniform Relocation Act (URA) 11.2.3.5.9, 12.8.1,
13.8.2.2.3
Use Agreement 12.3.1.3, 12.7, 13.8.1.4.1, 13.8.2.4.2
Utility allowance
 Adjustments 5.2.5, 5.3.4, 5.4.3, 5.6.3, 5.7.3
 Air conditioning 5.3.2, 5.6.2

HUD HOUSING PROGRAMS: TENANTS' RIGHTS (4th ed. 2012)

Utility allowance (cont.)

Appliances 6.2.2.2

Definition 5.1

Disability 5.3.3, 5.6.2

Effect on rent 4.4.2

Notice-and-comment requirements 5.3.4,
5.4.3, 9.5.2

Reasonable consumption 5.2.4

Utility metering conversions 5.3.6, 5.4.6,

Utility reimbursements 4.4.2, 5.4.5

Utility surcharges 5.3.2, 5.4.2

V

Very low-income, definition of 2.2.1

Veterans Affairs Supportive Housing Program
(VASH) 1.2.5.2.6

Violence Against Women Act (VAWA)

Admission, denials of 2.5.1, 13.11

Confidentiality 13.11

Coverage 13.11

Documentation 13.11

Eviction 11.2.3.2.1, 11.2.3.4.5, 11.2.3.6.14,
13.11

Family breakup 7.1.3

Lease 3.4.2, 3.5.1, 3.6.1

PHA Plan process 8.2

Transfer of unit 7.2.3

Voucher termination 11.4.2.6, 13.11

W

Waiting list 2.8.5