

**Community Board 4**

# **PACT Resident Rights + Protections: Fulton & Elliott-Chelsea**

**October 5, 2023**



# PACT Resident Protections

- To facilitate the project at Fulton and Elliott-Chelsea, NYCHA will utilize the PACT program – the same tool that was recommended by the Working Group.
- Through PACT, NYCHA uses a blend of HUD tools – specifically, the **Rental Assistance Demonstration (RAD)** and **Section 18** – to convert to a more stable, federally funded program called Project-Based Section 8.
- PACT unlocks funding to complete comprehensive repairs or build new modern homes, while keeping rent permanently affordable and preserving all resident rights and protections.

Federal rules, including the **RAD Statute and Implementing Notices** and the **Project-Based Voucher Section 8 Program Regulations**, together with Federal requirements such as the **Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA)**, **Fair Housing Act** and **Uniform Federal Accessibility Standards**, among others, set the parameters under which RAD and Section 18 are implemented.

Public Housing Authorities build upon Federal rules and adapt them for the local context. NYCHA’s implementation of the RAD and Section 18 programs is called “PACT.”

PACT has continuously evolved since its inception in 2016, including through efforts such as the **RAD Roundtable** and **Chelsea NYCHA Working Group**.

Resident rights and protections are required per the above rules and enforced through **legal agreements**, including between HUD, NYCHA, the development team, and residents.

# PACT Resident Protections

- Anyone who is temporarily moved has a **right to return** to their development.\*
- **Rent** will be **30% of a household's income**.\*\*
- Residents will have the right to **organize**.
- **Resident associations** will continue to receive funding.
- The PACT lease will automatically **renew each year**.
- Household applications will **not be re-screened** upon conversion.
- Residents will be able **to add relatives** to their household.
- Residents will continue to have **succession rights**.
- Residents will be able to have **grievance hearings**.
- All residents will have the opportunity to **apply for jobs** created by PACT.

\* The right to return is to an appropriately sized unit at the household's original campus.

\*\* Exceptions may apply to households who pay flat rent, are current tenant-based Section 8 participants, or a mixed family, as defined by HUD.

# Chelsea NYCHA Working Group Recommendations

- The Working Group report included a series of recommendations to ensure resident rights and protections are preserved or expanded as the properties transition to Project-Based Section 8 and are comprehensively modernized.
- NYCHA has committed to implementing these recommendations and intends to incorporate them into our plans for the redevelopment of the Fulton and Elliott-Chelsea campuses.

## Guiding Principles

The Working Group aimed to create recommendations that would ensure residents have the same or greater protections after a PACT conversion as they do under the Public Housing program. There are four guiding principles that drove the Working Group's review:

- **Rent & Fees:** Ensure residents do not see higher rents or non-rent charges as a result of a PACT conversion.
- **Legal Protections:** Ensure residents have greater, or at minimum the same, legal rights to stay in their homes, and protection against eviction or loss of subsidy.
- **Tenant Placement & Selection:** Ensure residents have better, or at least similar, rules when it comes to succession rights, apartment size, entering the development, or requesting to move.
- **Development Rules:** Ensure that residents have a meaningful and enforceable right to participate in decisions made about the development and an opportunity to challenge decisions they oppose.

*Excerpt from Working Group Report, p. 47*