

Grounds for Termination of Assistance

As a participant in the Housing Choice Voucher Program, you have the responsibility to follow the rules and requirements of the program. Your assistance and tenancy may be terminated because of your actions or your failure to act.

Termination by the Housing Authority of DeKalb County (HADC)

In determining whether to terminate your assistance, HADC has the discretion to consider the circumstances in your particular case. These circumstances include the seriousness of the case, the extent that individual family members participated in or were responsible for the actions leading to termination, and the effects that termination of assistance will have on other family members who were not involved in the action or failure to act. As a condition of continuing your assistance, HADC may prohibit family members who participated in or were responsible for the action or failure to act from living in your subsidized unit.

HADC must terminate your assistance if:

- HADC has not made a HAP payment on your behalf for 180 days or more because your portion of the rent equals the contract rent (this is commonly referred to as “no rent hardship” or “zero subsidy”)
- Any family member has ever been convicted of manufacturing or producing methamphetamine on the premises of federally-assisted housing
- Any family member is subject to a lifetime registration requirement under a state sex offender registration program
- Any family member fails to sign and submit consent forms for obtaining information that HUD requires
- No member of your family is either a U.S. citizen or eligible immigrant. Your assistance will not be terminated while verification of immigration status is pending
- The family is evicted from a unit assisted under the HCV Program for serious or repeated violations of the lease
- Family fails to disclose the complete and accurate social security number of each household member and provide the documentation necessary to verify each social security number
- The sole member of a single family household is deceased
- Any family member is subject to a lifetime registration requirement under a state sex offender registration program

HADC may terminate your assistance if:

- Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program
- Any family member is currently engaging in illegal drug use
- Any family member commits drug-related criminal activity or violent criminal activity
- There is reasonable cause to believe that a family member’s alcohol or illegal drug use or a pattern of alcohol or illegal drug use may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents
- Your family currently owes rent or another amount to a public housing authority in connection with the HCV Program or public housing assistance
- Your family has breached a repayment agreement with HADC or another public housing authority
- Anyone in your family has engaged in or threatened abusive or violent behavior toward HADC personnel
- Anyone in your family has misrepresented income, household members, or other reported information on or accompanying the HCV application, your annual recertification, or any other official communication with HPD
- Your family has violated one of the family obligations (these are listed on your voucher, in this Briefing Book, and in the HADC’s Administrative Plan)

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- Your family has failed to provide requested information, has failed to attend a scheduled briefing session with HADC, or has failed to attend a mandatory conference scheduled by HADC
- Your family has failed to reimburse a public housing authority for amounts paid to an owner under a HAP contract for rent, damage to a unit, or any other amounts owed under the lease
- A family member has engaged in criminal activity that may threaten the health or safety of the owner, property management staff, or anyone acting on behalf of HADC, including an HPD employee, contractor, or agent
- You have vacated the unit without notifying HADC

Termination by the Owner

The **owner** may only **terminate your tenancy** in accordance with the lease and HUD requirements. The owner may only evict you by court action.

During the term of your lease the owner may only terminate your tenancy because of:

- Serious or repeated violations of the lease
- Disturbance of neighbors
- Destruction of property
- Living or housekeeping habits that cause damage to the unit or premises
- Violations of federal, state, or local law regarding your obligations for occupancy or use of the unit
- Criminal activity or alcohol abuse
- Other good cause

Lease Renewal

- After the initial lease term, if lease renewal is not required under the terms of the lease or the law the owner may choose not to renew your lease.

Grounds for Subsidy Termination

Lease Violations

Your assistance will be terminated for serious or repeated violations of the lease if:

- The owner terminates your tenancy through court action for serious or repeated violation of the lease.
- The owner notifies you of termination of the lease for a serious or repeated lease violation, you move from the unit prior to the completion of court action for termination, and HADC determines that the cause of your move is a serious or repeated violation of the lease.
- You fail to provide the owner or management agent with access to the unit to repair HQS deficiencies as required by HADC
- There are police reports, neighborhood complaints, or other third-party information verified by HADC that establish serious or repeated violations of the lease.
- The owner provides HPD with documentation that you have not paid your family share of the rent. HPD can terminate your assistance for non-payment of rent even if you have not received a court order of eviction for non-payment.

Criminal Activity

The owner may **terminate your tenancy** any time during the term of your lease **if any member of your household, any guest, or any other person that you have allowed on the premises engages in any criminal activity**, regardless of whether that person has been arrested or convicted. This includes:

- Any criminal activity that threatens the health or safety of, or the right to peaceful enjoyment of the premises by, other residents (including property management staff residing on the premises)
- Any criminal activity that threatens the health or safety of, or the right to peaceful enjoyment of their residences by, persons residing in the immediate vicinity of the premises

Grounds for Termination of Assistance

- Any violent criminal activity on or near the premises
- Any drug-related criminal activity on or near the premises

The owner may **terminate your tenancy** during the term of the lease if **any member of the household is**:

- Fleeing to avoid prosecution, custody, or confinement after conviction for a crime, or an attempt to commit a crime, that is a felony under the laws of the place from which the individual flees.
- Violating a condition of probation or parole under federal or state law

Alcohol Abuse

The owner may **terminate your tenancy** if the **abuse of alcohol** by any household member threatens the health, safety, or right to peaceful enjoyment of the premises by the residents.

Good Cause Reasons

After the initial lease term, the owner may **terminate your tenancy** for the following **good cause reasons**:

- Disturbance of neighbors
- Destruction of property
- Living or housekeeping habits that cause damage to the unit or premises

Missed Appointments and Deadlines

It is your obligation to attend all scheduled appointments and to supply HADC with all information, documentation and certification needed by the deadlines specified.