

THE FACTS ABOUT PACT

PLANNING FOR PACT



Permanent Affordability Commitment Together (PACT) is a program that allows NYCHA to unlock funding to complete comprehensive repairs and provide enhanced property management, public safety, and social services. Through PACT, developments transition to a more stable, federally funded program called Project-Based Section 8.

WHAT IS THE DIFFERENCE BETWEEN SECTION 9 AND PROJECT-BASED SECTION 8?


	PUBLIC HOUSING (SECTION 9)	PACT (PROJECT-BASED SECTION 8)
PROPERTY OWNERSHIP	NYCHA owns the land and buildings. NYCHA manages the property.	NYCHA continues to own the land and buildings and will enter into an agreement with the PACT partner so that they can carry out the required improvements and manage the property.
RENT CALCULATION	Rent is calculated based on 30% of adjusted gross household income. Some residents with higher incomes qualify for the Flat Rent. These households pay less than 30% of their income towards rent.	Rent is calculated based on 30% of adjusted gross household income. There is no Flat Rent in the Section 8 program. Households pay 30% of their income towards rent.*
FUNDING	Funding provided by the federal government does not adequately support the cost of maintenance and repairs. Funding amounts can fluctuate from year to year.	NYCHA receives significantly more funding for maintenance and repairs. This funding source is also more stable because it comes with a 20-year contract guaranteeing a set amount of funding each year, and Federal regulations require that the contract be renewed.


* Exceptions may apply to households who pay flat rent; are current tenant-based Section 8 participants; are a mixed family as defined by HUD; or who signed a non-public housing over-income lease.

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We are aware that external groups have been circulating a significant amount of inaccurate information regarding NYCHA's PACT program. This document reviews some of the myths you might have been hearing about and answers them with our fact-checked explanations.

 **MYTH:** Residents will lose rights in the conversion from Section 9 to Section 8.

 **FACT:** **All resident rights and protections are preserved.** In 2012, the Obama administration created the Rental Assistance Demonstration (RAD) program to allow public housing authorities to transition their properties to a better funded and more stable program called Project-Based Section 8. The RAD program requires public housing authorities to preserve all resident rights and also grants some new rights.

NYCHA's implementation of the RAD program is called PACT, and PACT offers additional rights and protections above and beyond what the federal government requires. Following the transition to Project-Based Section 8, lease agreements automatically renew, residents cannot be evicted without cause, and households continue to pay 30% of their adjusted gross income towards rent. These and other key rights and protections are codified in the new tenant lease, the RAD Statute and Implementing Notices, and other federal regulations.



Originally, Eastchester Gardens residents were fearful and skeptical of the PACT program. We were concerned that our rent would increase and that we would lose our rights. **However, through an extensive education process that allowed the Eastchester Gardens Resident Review Committee to do thorough due diligence and learn about the process step by step, we came to the conclusion that PACT can positively transform Eastchester Gardens.** Our partnership with this team is an exciting step towards addressing urgent repairs and critical upgrades, and enabling residents to actively shape the future of Eastchester Gardens while **ensuring our rights are preserved."**


Keith Ramsey
Eastchester Gardens
Resident Association President


Photo: Eastchester Gardens Design Center, completed in 2024.





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 **MYTH:** Current NYCHA residents won't qualify for Project-Based Section 8.

 **FACT:** Per federal regulations, all currently authorized households must be offered a new tenant lease and will automatically qualify for the Project-Based Section 8 program regardless of their income or household composition.


 **MYTH:** If temporary moves are required, residents won't have the right to return.


 **FACT:** Federal regulations provide relocation protections and a right to return. Households that are temporarily moved will sign a temporary move agreement that guarantees the right to return to their apartment once the renovation is complete. The temporary move agreement also provides additional benefits, including free packing and moving support.

 **MYTH:** Residents' rent will go up and be more than 30% of their household income.

 **FACT:** As required by federal regulations, households continue to pay 30% of their adjusted gross income towards rent. In fact, residents do not have to pay any additional fees, charges, or utility expenses that are greater than what they currently pay. The one exception is for households who currently pay flat rent; these households are currently paying less than 30% of their income towards rent. After the transition to Project-Based Section 8, households will pay 30% regardless of their income level.*


* Exceptions may apply to households who pay flat rent; are current tenant-based Section 8 participants; are a mixed family as defined by HUD; or who signed a non-public housing over-income lease.


 **MYTH:** The Section 8 subsidy may only last a few years.


 **FACT:** Under the Project-Based Section 8 program, NYCHA receives significantly more funding for maintenance and repairs. It is also a more stable source of funding because it comes with a 20-year contract guaranteeing a set amount of funding each year, and federal regulations require that the contract be renewed.


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 **MYTH:** Project-Based Section 8 leases will be terminated, and residents will not be able to add people to their households.

 **FACT:** Lease agreements automatically renew every year and cannot be terminated except for good cause, which includes criminal activity and nonpayment. Following conversion to Project-Based Section 8, residents can continue to add people to their household, and permanent members will have succession rights.

 **MYTH:** The new property manager won't allow residents to organize.

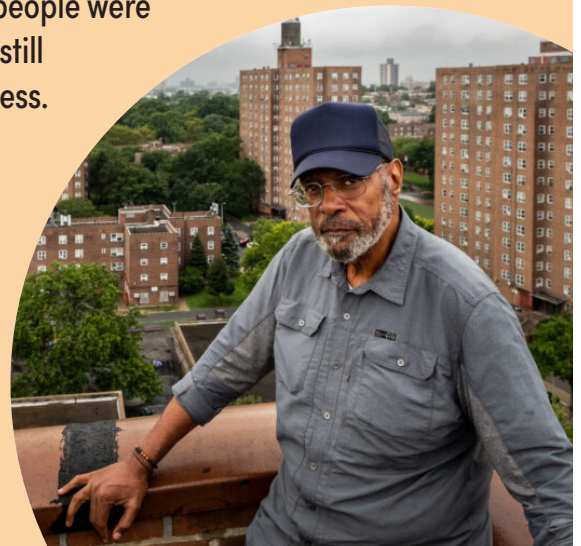
 **FACT:** Residents will continue to have the right to organize, and a duly elected resident association will continue to receive funding from the new property manager. NYCHA will continue to meet regularly with all resident associations, confirm that Tenant Participation Activity (TPA) funds are being distributed, and support their election process. Under PACT, resident associations receive an increase in TPA funding – from \$15, which is what NYCHA currently provides, to \$25 per apartment.



The Resident Association (RA) was involved in all the meetings. The meetings were hosted by the PACT team and RA. The RA was educated so we could educate the residents about what was going on and the transition that we were going through. NYCHA provides information through town hall meetings, door-dropped materials, office hours, and the PACT hotline. Information is always available in multiple languages. We appreciated that because a lot of people were still skeptical about the PACT program. They were still nervous and scared about going through the process. **The PACT process made us feel that the RA was involved in the design of the apartments, and it made residents feel included in what was going on in the development.**


Walter McNeill
Edenwald Houses
Resident Association President


Photo credit: Adi Talwar, City Limits





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 **MYTH:** Residents can't file grievances after the conversion to Project-Based Section 8.


 **FACT:** **Residents will continue to have the right to initiate grievance hearings** against NYCHA or the PACT property manager with an independent hearing officer.


 **MYTH:** The new property manager will increase rents and bring in market-rate tenants.

 **FACT:** **The new property manager is not permitted to set rents or disqualify households from the Project-Based Section 8 program.** NYCHA will continue to perform residents' annual income certifications and determine each household's rent. In addition, any vacant apartments at PACT developments must be leased to qualifying Section 8 households from a site-based waiting list, which is managed by NYCHA.

 **MYTH:** Residents won't have access to jobs created by the PACT program.


 **FACT:** **PACT is subject to federal Section 3 requirements, which ensures that residents will have opportunities to apply for jobs created by the PACT project.** PACT partners often host job fairs, provide OSHA certification training, and partner with the construction trades to conduct local hiring outreach and achieve Section 3 goals.


 **MYTH:** Residents may not be able to change apartments.

 **FACT:** **Residents will continue to be able to request transfers within their development.** In addition, PACT partners will make efforts to ensure households are provided appropriately sized apartments based on their family size. The process of "right-sizing" takes place over time given the availability of vacant apartments within the development. "Right-sizing" is a federal requirement that applies to both the public housing (Section 9) and Project-Based Section 8 programs.

Lastly, PACT residents can request a Housing Choice Voucher 10 months after converting to the Project-Based Section 8 program. The Housing Choice Voucher program allows residents to move anywhere in the United States where Section 8 vouchers are accepted. This offer is completely voluntary and subject to funding availability.


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 **MYTH:** Evictions at PACT sites are higher than at NYCHA Public Housing developments.

 **FACT:** There is no data backing up this claim. In fact, a study conducted by Enterprise Community Partners found that the PACT program does not result in an increase in eviction rates. See the report here: enterprisecommunity.org/resources/stability-nyc-public-housing-conversions-closer-look-nychas-permanent-affordability.

The PACT program, in accordance with federal rules and regulations, provides strong anti-displacement protections for residents. At the time of conversion to Project-Based Section 8, all authorized residents will be offered a new lease – regardless of whether they owe back rent. NYCHA requires our PACT partners to work with on-site social service coordinators to conduct proactive outreach to help connect families with resources, such as accessing public benefits or setting up payment installment plans. PACT partners must make every effort to avoid bringing a lease issue to the Housing Court, and NYCHA closely monitors these outreach efforts.

For more information, including eviction rates at PACT sites, visit our PACT progress page here: my.nycha.info/publicsite/pactprogress.

 **MYTH:** The Section 8 voucher is not transferable.

 **FACT:** Residents can apply to add relatives to their household before or after the PACT conversion. Household members with permanent permission will have succession rights to the Project-Based Section 8 subsidy and can continue residing in their homes.

For more detailed information about PACT resident rights and protections, please scan the QR code.



LEARN MORE ABOUT PACT!

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 on.nyc.gov/nycha-pact

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