

Housing Rights **ADVOCATE**

Austin Tenants' Council • Issue 74, Summer 2014

Section 8 Waitlist Opening

The waitlist for the Housing Authority of the City of Austin's Housing Choice Voucher Program, or Section 8 for short, hasn't been opened since July 2006. However, the Housing Authority has announced that it will be opening the list to new applications! From October 22-29 the Section 8 waitlist will be open to new applicants. This opening is for online applications ONLY. No hand delivered, mailed, or any medium other than online applications will be accepted. The website in order to apply is: <https://Austin.Apply4Housing.com>.

Prospective applicants may submit an online form from any home, community, or partner location, using any device that is Internet capable. A computer, tablet, or smartphone will all be able to submit an application. This means that putting in an application is easier than ever!

The Housing Authority is working with many locations around Austin to organize assistance for those who need help with the application. For those who need

guidance, a list of participating locations will be made available by the Housing Authority prior to opening. The Austin Tenants' Council is partnering to assist clients with the application. Anyone needing assistance with Internet access, computer access, or guidance in submitting or filling out the Section 8 waitlist application may come by the ATC office at 1640-B East 2nd Street, Austin, Tx 78702.

If you are unable to make it to a partner location and need assistance, please call HACA at 1-888-262-3949.

HACA will use a random lottery process to select the 2,500 families that will be placed on the waitlist. The day you apply does not matter as long as you make the deadline of 11:59 p.m. on October 29.

Tenants Struggle Against Bed Bug Infestation

The Bendris family spent this year throwing out nearly all of the family's furniture in an attempt to rid their apartment of a bed bug infestation. The Bendrises feared that keeping anything that could potentially harbor the

pests would put their children's health and safety in danger.

When the issue was brought to their attention, Blunn Creek Apartments was quick to act. They began by scheduling

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Tenant Retains Safe, Affordable Housing

In July 2013, Ramona Pavlas moved to Main Street Commons, a new affordable housing community located in Taylor. The Texas Department of Housing and Community Affairs awarded Main Street Commons \$10 million in federal tax credits and a \$1-million HOME Investment Partnership Loan to finance the development. Because the complex provides affordable housing, residents must have an income less than 30 to 60 percent of the area median income (\$15,840 to \$31,680 for one person).

Some apartments at Main Street Commons have hardwood flooring, but all of these units are occupied. Pavlas' apartment was carpeted. Carpet can be difficult for wheelchair and walker maneuvering. Pavlas, who uses a walker, was having trouble ambulating and had fallen several times inside her apartment because of the thick carpet. In December 2013, Pavlas gave the manager letters from her doctor and her occupational therapist. Both medical professionals recommended that the carpet be replaced with tile or laminate flooring. The manager told Pavlas that she could replace the carpet with hardwood-plank flooring (to match flooring used elsewhere in the complex) at her own expense. Pavlas could not afford the esti-

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multiple pest control appointments with the Bendrises. The pest control company came in and sprayed for the pests; however, even with the pest control treatment and removal of furniture, the infestation remained.

Renters Rights Assistance Program

ATC's Renters Rights Assistance Program helps low-income renters who live in Austin to request repairs for issues that affect the health and safety of an average tenant. The RRAP service is free for Austin residents who meet or fall below income guidelines. For more information about the service, call 512-474-1961.

To resolve the issue, the Bendrises contacted the ATC for assistance in communicating their unresolved pest issues with management. On the Bendrises behalf, an ATC housing specialist sent Blunn Creek Apartments a certified letter requesting that more be done to remove the infestation. Blunn Creek agreed to replace the carpet would be the most promising course of action in removing the pests from the unit.

Blunn Creek Apartments then promptly replaced the Bendrises carpet. Following completion of all pest control visits, the Bendrises thankfully no longer have a bed bug infestation.

Mailbox Key Needed

When Sonia Barrera first moved into Coppertree Apartments, she thought it was a good fit for her and her roommate. But after only a few days, they began having issues. Neither she nor Leonard her roommate, had received a key to their unit's mailbox. Both had asked verbally and been confused by Coppertree management's responses. First, they were referred to the complex's maintenance man, who notified them that he did not have a key to provide them. After asking management again, they were told that they would have to wait until it had been rekeyed to receive one. About three months passed with neither roommate receiving a key from the manager. Frustrated, and worried that being without their mail could lead to much greater consequences, they called ATC's counseling line to receive some advice

for their issue.

ATC's Social Service Mediations help low-income renters who live in Travis County to receive emergency assistance to maintain their tenancy. Social Service Mediations are free for Travis County residents who meet or fall below income guidelines. For more information, call 512-474-1961.

On Ms. Barrera's behalf, an ATC housing specialist contacted Coppertree Apartment's and requested that they provide a key. Management stated that Leonard had already been given a key for the unit's mailbox and that the roommates were satisfied. The counselor checked with the tenants and learned that Leonard had not received a key, so the counselor called management again. After the second call from ATC, Coppertree Apartments provided a key to Ms. Barrera and her roommate.

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mated \$3,000 to \$8,000 it would have cost to install hardwood flooring.

ATC helped Pavlas make a request for reasonable accommodation, asking the manager to replace the carpet at no charge to Pavlas. Generally, a tenant is responsible for paying the cost of a modification. However, in an agreement with TDHCA, Main Street Commons agreed to abide by Section 504 of the Rehabilitation Act. Under Section 504 and TDHCA's rules: "When a resident or applicant requires an accessible unit, feature, space or element, or a policy modification, or other reasonable accommodation to accommodate a disability, the recipient must provide and pay for the requested accommodation, unless doing so would result in a fundamental alteration in the nature of the program

or an undue financial and administrative burden."

The manager still refused to replace the carpeting and responded to Pavlas' request for reasonable accommodation by stating the company policy: It is our standard to pay up to \$250 per approved reasonable modification, and then the balance is paid by the resident.

ATC contacted the TDHCA Compliance Division on behalf of Pavlas. TDHCA informed the property owner that offering \$250 toward a modification was not in compliance with TDHCA regulations related to reasonable accommodations. The owner quickly responded to TDHCA and agreed to grant Pavlas' request. About one month later, the carpet in Pavlas' apartment was replaced with hardwood flooring at no cost to her.

Inquilina mantiene vivienda segura y económica

En julio 2013, Ramona Pavlas se mudó a Main Street Commons, una nueva comunidad de viviendas económicas ubicada en Taylor. El Departamento de Viviendas y Asuntos Comunitarios de Texas otorgó a Main Street Commons \$10 millones en créditos impositivos federales y un Préstamo de Asociación de Inversiones HOME por \$1 millón para financiar el complejo. Como son viviendas económicas, los residentes deben tener un ingreso del 30 al 60 por ciento inferior al ingreso medio del área (\$15,840 a \$31,680 por persona).

Algunos apartamentos de Main Street Commons tienen piso de madera, pero estas unidades están todas ocupadas. El apartamento de Pavlas era alfombrado. La alfombra dificulta el uso de sillas de rueda y andadores. Pavlas, que usa un andador, tenía problemas para moverse y se había caído varias veces en su apartamento debido a la gruesa alfombra. En diciembre 2013, Pavlas presentó al administrador car-

tas de su doctor y terapeuta ocupacional. Los dos profesionales recomendaban que la alfombra fuera reemplazada con piso de mosaico o laminado. El administrador le dijo a Pavlas que ella podía reemplazar la alfombra por piso de madera (igual al usado en el resto del complejo) y pagarlo de su propio bolsillo. Pavlas no podía pagar de \$3,000 a \$8,000 que hubiera costado instalar piso de madera.

ATC ayudó a Pavlas a hacer una solicitud de adaptación razonable, pidiendo al administrador que reemplace la alfombra sin costo para Pavlas. Generalmente, el inquilino es responsable de pagar el costo de una modificación. Sin embargo, en un acuerdo con TDHCA, Main Street Commons aceptó basarse en la Sección 504 del Acta de Rehabilitación. Bajo esta Sección 504 y reglas de TDHCA: "Cuando un residente o solicitante requiere una unidad, instalación, espacio o elemento accesible, o una modificación en las normas u otro cambio razonable para adaptarse a una discapacidad, el beneficia-

rio debe proveer y pagar por la adaptación solicitada, a menos que hacerlo resulte en una alteración fundamental en la naturaleza del programa, o una carga financiera y administrativa indebida."

El administrador se negaba a cambiar la alfombra y respondió al pedido de adaptación razonable de Pavlas mencionando los lineamientos de la compañía: Es nuestra norma pagar hasta \$250 por una modificación razonable aprobada, y el resto lo paga el residente.

ATC se comunicó con la División de Cumplimiento de TDHCA en representación de Pavlas. TDHCA informó al propietario que ofrecer \$250 por una modificación no cumplía con las regulaciones de TDHCA relativas a adaptación razonable. El propietario respondió a TDHCA rápidamente y aceptó el pedido de Pavlas. Un mes después, la alfombra en el apartamento de Pavlas fue reemplazada con piso de madera sin costo alguno para ella.

Se abre lista de espera para viviendas de Sección 8

La lista de espera para el Programa de Vouchers de Opción de Vivienda de la Autoridad de Viviendas de la Ciudad de Austin (conocido como Sección 8) está cerrada desde julio 2006. Sin embargo, la Autoridad de Viviendas ha anunciado que ¡abrirá la lista a nuevas solicitudes! Del 22 al 29 de octubre, se habilitará la lista de espera de Sección 8 para nuevos solicitantes. Esta apertura es SOLO para solicitudes presentadas electrónicamente. No se aceptarán entregas personales, por correo o ningún otro medio más que por Internet. El sitio para enviar la solicitud es: <https://Austin.Apply4Housing.com>.

Los solicitantes deben completar y enviar el formulario electrónico desde el hogar

o cualquier otro lugar con conexión a Internet, ya sea por computadora, tableta o teléfono capaz. Esto significa que ¡presentar la solicitud es más fácil que nunca!

La Autoridad de Viviendas está trabajando con varios lugares en la ciudad de Austin para poder asistir a aquellos que necesitan ayuda para llenar el formulario. Para aquellos que necesiten asistencia, habrá disponible una lista de lugares dispuestos por la Autoridad de Viviendas, antes de abrir la lista de espera. ATC --el Consejo de Inquilinos de Austin-- participará asistiendo a clientes con la solicitud. Las personas que necesiten ayuda en acceder a Internet, acceder a computadoras o guía

para completar y enviar la solicitud para la lista de espera de la Sección 8 pueden comunicarse con la oficina de ATC en 1640-B East 2nd Street, Austin, Tx 78702.

Si no pueden acudir a una oficina para asistencia, llamen por favor a HACA al 1-888-262-3949.

HACA hará un sorteo para elegir a las 2,500 familias que serán incluidas en la lista de espera. No importa la fecha en que se envía la solicitud, siempre y cuando sea antes del plazo del 29 de octubre a las 11:59 de la noche.

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If your agency would like to receive additional copies of this newsletter or if you have any changes to the mailing list, contact Andrew at 512-474-7007 or Andrew@housing-rights.org. If you prefer to view our newsletter online, we will gladly remove your name from our mailing list.

This service is certified as a lawyer referral service as required by the State of Texas under Chapter 952, Occupations Code.

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The Austin Tenants' Council, as a subrecipient of the City of Austin, is committed to compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, as amended. Reasonable modifications and equal access to communications will be provided upon request. Please call 512-474-1961 (voice) or Relay Texas at 1-800-735-2989 (TDD) for assistance. The City does not discriminate on the basis of disability in the admission or access to, or treatment or employment in its programs and activities. Dolores Gonzalez has been designated as the City's Section 504/ADA Coordinator. Her office is located at 505 Barton Springs Road, Suite 600. If you have any questions or complaints regarding your Section 504/ADA rights, please call the Section 504/ADA Coordinator at 974-3256 (voice) or 974-2445 (TTY). This publication is available in alternative formats. Please call 512-474-1961 (voice) or Relay Texas at 1-800-735-2989 (TDD) for assistance.

Fair Housing Program / Programa de Vivienda Justa This program helps any person in the Austin metropolitan area who has been discriminated against in the rental, sale, financing, or appraisal of housing. FHP investigates complaints and coordinates legal services to assist victims of discrimination when their rights under state and federal fair housing laws have been violated. Este programa ayuda a cualquier persona en el area metropolitana de Austin que se ha enfrentado con discriminación en la renta, compra, financiamiento, o evaluación de vivienda. El FHP investiga las quejas y coordina servicios legales para las victimas de discriminación cuando sus derechos están violados bajo las leyes estatales y federales de vivienda justa. Call / llame al 474-7007.

Telephone Counseling / Consejos por Telefono Trained counselors answer tenant-landlord questions and make appropriate referrals. However, ATC offers no legal advice. Consejeros contestan preguntas acerca de inquilinos-propietarios y hacen referencias necesarias. Sin embargo, ATC no ofrece consejos legales. Call / llame al 474-1961.

In-House Counseling / Consejos en la Oficina Counseling information and materials are provided to clients in need of more in-depth assistance. Se provee información y materiales a los clientes que necesitan mayor información. Call for an appointment / llame para una cita al 474-7007.

Crisis Intervention / Intervencion Crisis Counselors mediate on behalf of tenants to resolve emergencies that threaten their housing. Consejeros median en nombre del inquilino a resolver una emergencia que amenaza su vivienda. Call / llame al 474-1961.

Rental Repair Assistance / Ayuda con Reparaciones en su Vivenda The Renters' Rights Assistance Program helps low-income renters enforce their rights for repairs through advocacy and mediation. El Programa de Asistencia con los Derechos de Inquilinos ayuda a los inquilinos de bajo ingreso da fuerza a sus derechos para reparaciones por medio de negociación y mediación. Call / llame al 474-7007.

Lease Forms / Contratos ATC sells lease packets and brochures describing landlord and tenant rights and responsibilities to landlords for a small fee. ATC vende paquetes de contratos y folletos, por una cuota nominal, describiendo los derechos y las responsabilidades del propietario y del inquilino. Call for more information / llame para mayor información al 474-7007.

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