

Adopt Comprehensive Written Succession Policy

Make sure you're covering all your bases by comparing your written succession policy with this sample one. It summarizes the occupancy and remaining family member policies of the New York City Housing Authority.

MODEL POLICY

OCCUPANCY & SUCCESSION POLICY

I. OCCUPANCY: No one is permitted to reside in a Housing Authority apartment during the course of a tenancy unless he/she is:

- A.** An authorized family member, as follows:
 - a)** An original family member;
 - b)** Added through family growth (birth or adoption); or
 - c)** Receives the development housing manager's written permission to reside in the apartment (the permission can be temporary, usually not more than one year, or permanent); and
- B.** Remains continuously in the apartment, meaning on all affidavits of income. If a family member moves out, he/she needs Housing Authority's written permission to return to the apartment.

II. SUCCESSION: After a tenancy ends (that is, the tenant(s)/lessee(s) move out or die), a person can succeed to a Housing Authority lease if he/she qualifies as a Remaining Family Member (RFM) and is Otherwise Eligible for the Housing Authority apartment, as follows:

- A.** Remaining Family Member (RFM): A person can be considered an RFM if he/she:
 - ☐ Was an authorized family member during the course of the tenancy, as follows:
 - 1)** An original family member;
 - 2)** Added through family growth; or
 - 3)** Received the development housing manager's written permission to permanently reside in the apartment; and
 - ☐ Remained continuously in the apartment, meaning on all affidavits of income.
- B.** Otherwise Eligible: An RFM is otherwise eligible to succeed to a Housing Authority apartment if he/she:
 - 1)** Has the legal capacity to sign a lease;
 - 2)** Is not undesirable (must pass a criminal background check); and

- 3)** The RFM or one or more of the RFM's family members must have a verifiable income on which to calculate a rent.

An RFM family who qualifies to succeed to a Housing Authority apartment must also move to an apartment of correct size, if required based on the Housing Authority's Occupancy Standards.

III. GRIEVANCE REMEDY

- During the course of a tenancy, a tenant may request a grievance hearing to review a development housing manager's decision to deny an occupancy permission request.
- After a tenancy ends, an RFM claimant may request an RFM grievance hearing if he/she is not granted a lease to the apartment. The RFM grievance is a three-step process as follows:
 - 1)** An initial grievance hearing with the development housing manager;
 - 2)** An automatic review of the manager's decision by the Housing Authority's management department; and
 - 3)** If during the previous steps the RFM claimant made any showing to support his/her claim to succession but he/she is still denied a lease, then the claimant may appeal to the Impartial Hearing Office for an administrative grievance hearing concerning the claim.

In all steps of the grievance process, the RFM claimant has the burden to prove that he/she is eligible to succeed to the Housing Authority lease.

All documents submitted and representations made in connection with this policy are subject to the Housing Authority's independent verification.