



IMPORTANT INFORMATION FOR SECTION 8 TENANTS AND LANDLORDS

The U.S. Department of Housing and Urban Development (HUD) issued PIH 2009-52 on December 15, 2009, in response to the Protecting Tenants at Foreclosure Act signed into law on May 20, 2009, which provides that:

- The new owner assumes the existing Housing Assistance Payment (HAP) contract with the Housing Authority.
- The new owner can only terminate the tenancy during the term of the lease if the new owner will occupy the unit as a primary residence, and has provided the tenant a notice to vacate at least 90 days before the effective date of such notice. This is the only exception to the rule that the tenant may not be evicted during the term of the lease.
- If the lease ends in less than 90 days, the new owner may not evict the tenant without giving the tenant at least a 90-day notice.
- Upon receipt of a notice to vacate that is less than 90 days before the lease expiration date, the tenant should advise the new owner in writing that an eviction cannot be served until at least 90 days before the current lease expires. The written notice must cite the provision of the Law "Protecting Tenants at Foreclosure Act" Pub. L. No. 111-22 & 702 (2009).
- The tenant must continue to pay their portion of the rent, and the Housing Authority will continue to pay its portion of the rent to the legal owner of the property.

The provisions of the law expire on December 31, 2012.

If you have question, concerns, or issues, contact Legal Aid at (408) 850-7066.