



CITY OF EAST PROVIDENCE

East Providence Housing Authority

99 GOLDSMITH AVENUE
EAST PROVIDENCE, RI 02914-2240

NOTICE TO ALL HOUSING CHOICE VOUCHER (SECTION 8) LANDLORDS

New Protection for Tenant in Foreclosed Properties

On May 20, 2009, the President signed into law the Protecting Tenant in Foreclosure Act which requires that new owners, who take possession of property through foreclosure, must take possession subject to any existing Housing Choice Voucher (Section 8) Lease Agreement and Housing Assistance Payments Contract attached to that property.

The new person or corporation, who owns residential property as a result of foreclosure, must follow these rules:

- Sec 8 tenants who have a lease for a fixed term, such as one year, and the lease has not yet expired, have a right to remain in the unit and cannot be evicted (except for good cause actions that apply to any lease) until the end of the lease term.
- If a tenant's lease ends in less than 90 days, the new owner may not evict the tenant without giving a minimum of **90 days' notice**.
- Wanting the apartment vacant is not a legal reason for terminating or evicting a tenant.

There is no exception to the above rule. If the new owner who acquired the property at foreclosure wants to occupy the unit as his or her primary residence, that owner may provide a 90-day notice to the tenant to vacate the unit even if the tenant's lease extends longer than 90 days.

Please note that the law expired on December 31, 2014 but was made permanent by Congress in May 2018.

If you would like to read more about the Protecting tenants in Foreclosure Act, you may do so at: https://nlihc.org/sites/default/files/AG-2020/6-06_Protecting-Tenants-at-Foreclosure.pdf
<https://www.narpm.org/legislative/protecting-tenants-at-foreclosure-act/>