

LANDLORDS DID YOU KNOW TAKING EXCESS PAYMENTS FROM CITY OF MIAMI RENT-ASSISTED TENANTS CAN GET YOU IN TROUBLE AND COST YOU THOUSANDS OF DOLLARS

- Your Housing Assistance Payments may be terminated.
- You may be referred to the HUD Office of Inspector General for criminal investigation.
- You may be sued by your tenant under the federal False Claims Act.

In 2005 Ms. Coleman sued her landlord in federal court. Ms. Coleman's rent was \$1,550. She was responsible for paying \$20 per month and the Housing Authority \$1,530. Ms. Coleman's landlord asked her to pay additional rent in the amount of \$60 for 6 months.

The Court ruled that under the False Claims Act the landlord would have to pay Ms. Coleman \$33,000 for taking excess payment in the amount of \$360. The False Claims Act allows the tenant to recover from the landlord the amount of the claim plus \$5,500-\$11,000 in penalties per claim. Each month that the landlord collected excess rent is a separate claim so the landlord was ordered to pay 6 x \$5,500=\$33,000 in penalties. Coleman v. Hernandez, 490F. Supp.2d 278 (D. Conn. 2007)

IS IT WORTH THE RISK?