

Chapter 4

APPLICATIONS, WAITING LIST AND TENANT SELECTION

INTRODUCTION

Families wishing to receive Section 8 HCV assistance must submit an application and information to determine eligibility. HUD then requires IHA to create a waiting list for the families, and select families from this waiting list in accordance with HUD and IHA policies.

The IHA is required to adopt a clear plan for accepting applications, placing and selecting families from the waiting list, and must follow this approach consistently. The order by which families are selected must be in accordance with HUD regulations and IHA policy as well as following any preferences. Funding earmarked exclusively for families with particular characteristics may also alter the order in which families are served.

HUD regulations require all families have an equal opportunity to apply for and receive housing assistance, and that the IHA affirmatively further fair housing goals in the administration of the program [24 CFR 982.53, HCV GB p. 4-1]. The IHA must follow the fair housing requirements as described in Chapter 2 and remain in compliance with the selection policies as described throughout the Administrative Plan.

This chapter describes HUD and IHA policies for taking applications, managing the waiting list and selecting families for HCV assistance. The policies outlined in this chapter are organized into three sections, as follows:

Part I: The Application Process. This provides an overview of the application process; how applicants can obtain and submit applications; and how the IHA will manage applications.

Part II: Managing the Waiting List. This presents policies that govern, waiting list structure, opening and closing of the waiting list, community outreach and updating of the waiting list.

Part III: Selection for HCV Assistance. This describes family selection from the waiting list and interviewing families to determine final eligibility.

PART I: THE APPLICATION PROCESS

4-I.A. OVERVIEW

This is a description of the IHA policies for the application process, preliminary determinations of eligibility and preferences. This part will describe fair housing requirements and the IHA obligation for application accessibility for elderly, disabled and people with limited English proficiency (LEP).

4-I.B. APPLYING FOR ASSISTANCE [HCV GB, pp. 4-11 – 4-16]

All families must first apply for assistance before admission into the HCV program. The IHA must accept a pre-applications from families for whom the waiting list is open. Even when it's apparent to staff that a particular family may be found ineligible, any family requesting an application when the list is open must be allowed to apply.

IHA Policy

Families wishing to apply for any of the IHA's programs must complete a pre-application when application taking is open.

The application process will be undertaken in two phases:

- Applicants will complete a pre-application to have their name placed on the lottery system when the waiting list is open.
- When the family comes to the top of the waiting list, the IHA will call the applicant in to verify the information provided and determine final eligibility.

All pre-application forms must be completed online via the IHA's website when the waiting list is open. Families needing special accommodations, may request – by telephone or by mail – a form be sent to the family via first class mail.

4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

Elderly and Disabled Populations [24 CFR 8 and HCV GB, pp. 4-11 – 4-13]

IHA is required to make the pre-application and application process accessible to elderly and disabled populations. The IHA's pre-application and application site must be accessible, unless making it accessible would result in an undue financial or administrative burden. If the site cannot be made accessible, the IHA must offer a reasonable accommodation that provides full access to the application process. If the method chosen does not accommodate the elderly or disabled populations, the IHA must make available an alternative application process for these populations.

Limited English Proficiency

The IHA is required to take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency (LEP). This chapter will provide a description for policies and fair housing requirements for (LEP).

4-I.D. PLACEMENT ON THE WAITING LIST

If the waiting list is open, IHA will accept pre-applications from all families unless there is good cause for not processing the application, such as incomplete pre-application.

No applicant family has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list [24 CFR 982.202(c)].

Eligible for Placement on the Waiting List

IHA Policy

Placement on the waiting list does not indicate that the family is, in fact, eligible for assistance. A final determination of eligibility will be made when the family is selected from the waiting list.

Applicants will be placed on the waiting list according to any preference(s) for which they qualify, and the date and time their complete application is received by the IHA.

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

As per HUD requirements, the IHA has designed policies for organizing and managing the waiting list. The policies will cover opening and closing of the list, marketing and community outreach, updating of the waiting list and purging ineligible or non-interested families from the waiting list. These policies also aim at keeping a proper number of families on the waiting list to ensure sufficient occupancy levels.

In the case of disputes on eligibility/ineligibility criteria that are pending the outcome of legal proceedings (i.e., currently under appeal in a court of law), the IHA will determine the family to be ineligible at that time. If the legal decision is rendered that the person did meet the eligible factors, the IHA shall restore the application to the original date and time, and reinstate the applicant to any other preference factors that the IHA has adopted. If the legal decision is rendered that the person did not meet the eligibility factors, the IHA shall only provide the applicant with access to the grievance process in accordance with applicable requirements.

4-II.B. ORGANIZATION OF THE WAITING LIST [24 CFR 982.204 and 205]

The IHA must maintain information that permits the IHA to select participants from the waiting list in accordance with the IHA admission policies. The waiting list must contain the following information for each applicant listed:

- Change in preference status
- Change of address
- Withdrawal from the waiting list
- Determination of ineligibility

The IHA HCV waiting list must be organized in such a manner to allow the IHA to accurately identify and select families for assistance in the proper order, according to the admissions policies described in this plan.

The waiting list must contain the following information for each applicant listed:

- Applicant name;
- Date and time of application;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household.

HUD requires the IHA to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. As such IHA is permitted, but not required, to maintain a separate waiting list for each county or municipality served.

IHA Policy

The IHA will maintain a single waiting list for the HCV program. The IHA will maintain one waiting list for applicants.

The IHA will place families on the waiting list for any project-based voucher program if:

- The waiting lists are open, and;
- Family is eligible for the program and available unit sizes (project-based)

Families that apply for, receive or refuse other types of assisted housing will not effect their placement on the HCV waiting list or any preferences for which they may qualify.

IHA Policy

The IHA will not merge the HCV waiting list with any other waiting lists for assisted housing

4-II.C. OPENING AND CLOSING THE WAITING LIST [24 CFR 982.206]

Closing the Waiting List

The IHA should consider closing its waiting list when it has insufficient funds available to assist all applicants on the waiting list over a reasonable period of time. The IHA may choose to close only a portion of its waiting list instead of the entire waiting list. For example, the IHA may continue to receive applications from families qualifying for a specific local preference category, i.e. homeless families, while closing its waiting list to all other groups.

IHA Policy

The IHA will open the waiting list until management determines there is sufficient applicants to pull from.

The IHA may close the waiting list at any time when the wait reaches a sufficient number of applicants. The IHA may open the waiting list for families that have a specific local preference.

Reopening the Waiting List

The IHA waiting list may only be reopened once a notice has been published in the local newspapers or other suitable outlets. The notice will comply with Fair Housing requirements and will contain the following:

- Who may apply
- Where families apply for assistance
- When applications will be accepted

IHA Policy

The opening of the waiting list will be announced 10 business days prior to the actual opening of the waiting list. If the IHA has elected to only allow families with a specific local preference, this will be announced.

The IHA will publish the announcements on/in the following media outlets:

- Independence Housing Authority Website – Public Notice Section
- Local newspapers of general circulation
- Minority Media
- Other suitable means

4-II.D. FAMILY OUTREACH [HCV GB, pp. 4-2 to 4-4]

There are many approaches to informing the public about an upcoming application period. The goal of the outreach must be to make the information available to every eligible family. Basic outreach objectives for the IHA include:

- Stimulate and sustain interest in the program; and
- Provide helpful information to potential participants
- Ensure the waiting list has sufficient number of applicant families

Fair Housing Requirements [HCV GB, pp. 4-2]

All outreach, advertising and public notices announcing the opening or closing of a waiting list must include efforts to ensure that the information will reach those populations that are considered to be “least likely to apply” for assistance under the housing choice voucher program. Outreach must also include efforts to reach persons with disabilities. All advertising and outreach literature must include the equal housing opportunity logo and non-discrimination in the advertising message.

IHA Policy

All IHA outreach efforts will comply with the Fair Housing guidelines

Extremely Low Income (ELI)

At least 75 percent of the families who are admitted to a PHA’s housing choice voucher program during the PHA fiscal year must be extremely low-income. Extremely low-income families are those with incomes at or below 30 percent of the area median income. Income limits are posted on the internet through HUDUSER. The annual gross income of the applicant family is used for income-targeting purposes. Annual income must have been verified within the 60 days prior to issuance of the voucher. The IHA must meet its income targeting requirement over the course of the IHA’s fiscal year. In other words, deviations from the 75 percent extremely low-income target are allowed during the year as long as the target is met by the year’s end.

IHA outreach efforts must comply with fair housing requirements. This includes:

- Analyzing housing market area and populations currently being served to identify underserved populations
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class

IHA outreach efforts must be designed to inform qualified families about the availability of assistance under the program. These efforts may include, as needed, any of the following activities:

- Submit press release to local newspapers, including minority newspapers.
- Write and submit a human-interest story with photographs to a local newspaper.
- Distribute flyers or applications through schools, community agencies, welfare offices, employers, union offices, neighborhood groups, hospitals, commercial establishments (supermarkets, discount stores, laundromats), libraries, and churches.
- Request community service announcements through local television and radio.
- Purchase advertising in local newspapers, including minority papers.

- Ask supportive service organizations to participate in the outreach effort.
- Solicit referrals from agencies working with families least likely to apply.
- Ask current participants to inform friends, family, and neighbors.

IHA Policy

The IHA will monitor the populations being served or underserved. If it is found populations are underserved a targeted out reach effort will be conducted.

4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES

IHA Policy

Families must immediately report in **writing** any change of contact information to the IHA. These changes include:

- Contact information
- Mailing Address

The changes must be submitted in **writing**.

4-II.F. UPDATING THE WAITING LIST [24 CFR 982.204]

As per HUD requirements the IHA has established policies in regards to purging and updating of the waiting list.

Purging the Waiting List

The IHA decision to withdraw from the waiting list the name of an applicant family that includes a person with disabilities is subject to reasonable accommodation in accordance with 24 CFR part 8. If the applicant did not respond to the IHA request for information or updates because of the family member's disability, the IHA will reinstate the applicant in the family's former position on the waiting list. [24 CFR 982.204(c)(2)].

IHA Policy

The IHA waiting list will be updated **as needed**

To complete the update, the IHA will send a letter via first class mail to the applicant's family last address. The letter will provide the proper forms and deadlines the family must comply.

If the family does not respond within 30 days either in writing, fax, or in person will be removed from the waiting list.

IHA letters returned with no forwarding address will result in family's removal from the waiting list.

Letters returned to the IHA with a forwarding address will be resent with the deadline for the family to respond.

IHA may reinstate applicants if it determined the family's unresponsiveness was due to IHA error to extenuating circumstances or as a documented reasonable accommodation or mitigating circumstances.

Removal from the Waiting List

IHA Policy

If a family is determined ineligible they will be removed from the waiting list.

The IHA must give an applicant prompt written notice of a decision denying admission to the program (including a decision that the applicant is not eligible or denying assistance for other reasons). The notice must give a brief statement of the reasons for the decision. The notice must also state that the applicant may request an informal review of the decision, and state how to arrange for the informal review. [24 CFR 982.201(f)].

PART III: SELECTION FOR HCV ASSISTANCE

4-III.A. OVERVIEW

Families determined eligible will be selected for assistance according to IHA policies, preferences and available funding.

The order in which families receive assistance from the waiting list depends on the selection method chosen by the IHA and is impacted in part by any selection preferences that the family qualifies for. The source of HCV funding also may affect the order in which families are selected from the waiting list.

The IHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to the IHA selection policies [24 CFR 982.204(b) and 982.207(e)].

4-III.B. SELECTION AND HCV FUNDING SOURCES

Special Admissions [24 CFR 982.203]

If HUD awards the IHA program funding that is targeted for families living in specified units, the IHA must use the assistance for the families in these units and the IHA may admit a family that is not on the IHA waiting list, or without considering the family's waiting list position. The IHA must maintain records showing that the family was admitted with HUD-targeted assistance.

The following are examples of types of program funding that may be targeted for a family living in a specified unit:

- A family displaced because of demolition or disposition of a public housing project;
- A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;
- A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term;
- Mainstream Vouchers
- Veterans Assistance of Supportive Housing (VASH)
- A non-purchasing family residing in a HOPE 1 or HOPE 2 project. and
- For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990 (41 U.S.C. 4101 et seq.):
 - A non-purchasing family residing in a project subject to a homeownership program (under 24 CFR 248.173); or
 - A family displaced because of mortgage prepayment or voluntary termination of a mortgage insurance contract (as provided in 24 CFR 248.165);

Targeted Funding [24 CFR 982.204(e)] (Not Applicable)

When HUD awards the IHA program funding for a specified category of families on the waiting list, the IHA must select applicant families in the specified category. The order of selection from these categories will be in accordance with Section 4-III.C.

Regular HCV Funding

Regular HCV funding may be used to assist any eligible families on the waiting list in accordance with IHA policies.

4-III.C. OTHER ADMISSIONS to IHA/SUPPORTIVE SERVICES VOUCHERS

IHA does not have special allocations for supportive service vouchers.

4-III.D. SELECTION METHOD

The IHA must admit applicants for participation in accordance with HUD regulations and other requirements, and with IHA policies stated in the IHA administrative plan and the IHA plan. The

IHA admission policy must state the system of admission preferences that the PHA uses to select applicants from the waiting list, including any residency preference or other local preference.[24 CFR 982.202(d)].

Local Preferences [24 CFR 982.207; HCV p. 4-16]

The IHA may establish a system of local preferences for selection of families admitted to the program. IHA selection preferences must be described in the IHA administrative plan. The IHA system of local preferences must be based on local housing needs and priorities, as determined by the IHA. The IHA will use generally accepted data sources to determine such needs and priorities.

IHA Policy -

- A. Preference 1:** Veteran anyone how has served in any branch of the military and has been honorably discharged

- B. Preference 2:** Displaced person(s): Individuals or families displaced by government action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. This preference for Displaced by Natural Disaster can access IHA's voucher waiting list immediately upon request from a HUD Field Office and the voucher can be ported to whatever location is needed, as long as the receiving PHA is willing to bill for the first year.

- C. Preference 3:** Homeless

Income Targeting Requirement [24 CFR 982.201(b)(2), HCV GB pp. 4-19]

At least 75% of the families who are admitted to IHA's housing choice voucher program during the PHA fiscal year must be extremely low-income. Extremely low-income families are those with incomes at or below 30 percent of the area median income. The IHA may skip non-ELI families for a ELI family to satisfy this requirement.

Eligibility Requirement

To be income eligible the families must fall under the following categories:

- Considered a "Very-low Income" Family
- A low-income family that meets additional eligibility criteria specified in the IHA administrative plan. Such additional IHA criteria must be consistent with the IHA plan and with the consolidated plans for local governments in the IHA jurisdiction;

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- Low-income family that is “continuously assisted” under the 1937 Housing Act;
 - Low-income or moderate-income family that is displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing as defined in (§248.101);
 - Low-income family that qualifies for voucher assistance as a non-purchasing family residing in a project subject to a resident homeownership program under §248.173 of this title; or
 - Low-income family that is eligible under the student rule provisions.

IHA Policy

The IHA will monitor applicants throughout the year to meet the HUD ELI requirements. If it is found that the IHA needs to assist more ELI families, these families will be select over a non-ELI family on the waiting list. If the waiting list does not have enough ELI families, the IHA will conduct a marketing outreach to meet HUD requirements.

Order of Selection [HCV GB 4-12]

As vouchers are expected to become available, the IHA selects eligible applicants from the waiting list in order to begin the eligibility determination, voucher issuance, and leasing processes. Except for special admissions, participants must be selected from the housing choice voucher program waiting list. The IHA must select participants from the waiting list in accordance with HUD regulations and requirements and in compliance with admission policies in the IHA’s administrative plan.

The IHA’s admission policy must describe the IHA’s system of preferences that is used to select applicants from the waiting list, including any residency or other local preference. The IHA must organize its waiting list and maintain the information necessary to select according to its policies.

If the IHA does not have sufficient funds to subsidize the family unit size of the family at the top of the waiting list, the IHA may not skip the top family to admit an applicant with a smaller family unit size. Instead, the family at the top of the waiting list will be admitted when sufficient funds are available. When HUD awards the IHA program funding for a specified category of families on the waiting list, the IHA must select applicant families in the specified category [24 CFR 982.204(d) and (e)].

IHA Policy

Families will be selected based upon preferences. Preference 1 will take first precedent, Preference 2 will take 2nd precedent.

If a family higher on the waiting list is not eligible or is uninterested in targeted funding documentation will be noted in the file so the IHA does not need to ask these families each time a targeted family is selected.

4-III.E. NOTIFICATION OF SELECTION

The IHA will notify the family when they are selected from the waiting list.

IHA Policy

The IHA will notify the family by first class mail when selected from the waiting list.

The notice will inform the family of the following:

- Date, time, and location of the scheduled application interview,
- Procedures for rescheduling the interview;
- Who is required to attend the interview;
- Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation; and
- Other documents and information that should be brought to the interview.

Notification letters returned to the IHA with no forwarding address will result in the family's removal from the waiting list. A notice of denial (see Chapter 3) will be sent to the family's address of record, as well as to any known alternate address or contact.

4-III.F. THE APPLICATION INTERVIEW

HUD recommends the application is best taken in a private interview situation. The interview is to help the IHA determine eligibility and does not mean the applicant has been admitted to the program.

A reasonable accommodation must be made for persons with disabilities who are unable to attend an interview due to their disability.

IHA Policy

- Families selected from the waiting list are required to attend an eligibility interview.
- All adult members must attend the interview.
- The head of household, spouse and/or co-head must provide identity. (see Chapter 7 about proper documentation of legal identity). If the family is unable to provide documentation of legal identity the interview will be rescheduled.
- Families must provide necessary information to the IHA as to eligibility requirements, complete all of the necessary forms, including any signatures. The IHA will have a list of everything the families needs to submit before assistance can be rendered.
- Families must provide any documentation or information within 10 business days of the interview. Families may request an extension, if the family cannot provide the information within the given timeframes a notice of denial will be sent.

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- The family must provide the information necessary to establish the family's eligibility and determine the appropriate level of assistance, as well as completing required forms, providing required signatures, and submitting required documentation. If any materials are missing, the IHA will provide the family with a written list of items that must be submitted.
 - Any required documents or information that the family is unable to provide at the interview must be provided within 10 business days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and eligible noncitizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial (See Chapter 3).
 - An advocate, interpreter, or other assistant may assist the family with the application and the interview process. The IHA will provide the HUD form informing the family of the right to have assistance.
 - Interviews will be conducted in English. For limited English proficient (LEP) applicants, the IHA will provide translation services in accordance with the IHA policy.
 - Families should contact the IHA if they need to reschedule an interview. If a family misses a scheduled appointment the IHA will send a letter with a new interview time.

Applicants failing to attend two scheduled interviews without IHA approval

Applicants who fail to attend two scheduled interviews without IHA approval will be denied assistance based on the family's failure to supply information needed to determine eligibility. A notice of denial will be issued in accordance with policies contained in Chapter 3.

4-III.G. COMPLETING THE APPLICATION PROCESS

The IHA must verify all information provided by the family (see Chapter 7). Based on verified information, the IHA must make a final determination of eligibility (see Chapter 3) and must confirm that the family qualified for any special admission, targeted admission, or selection preference that affected the order in which the family was selected from the waiting list.

IHA Policy

If the IHA determines the family is ineligible, the IHA will send written notification of the ineligibility determination within 10 business days of the determination. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review (Chapter 16).

If a family fails to qualify for any criteria that affected the order in which it was selected from the waiting list (e.g. targeted funding, extremely low-income), the family will be returned to its original position on the waiting list. The IHA will notify the family in writing that it has been returned to the waiting list, and will specify the reasons for it.

If the IHA determines that the family is eligible to receive assistance, the IHA will invite the family to attend a briefing in accordance with the policies in Chapter 5.