

## Chapter 4

### ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

[24 CFR Part 5, Subpart D; 982.54(d)(1); 982.204, 982.205, 982.206-207]

#### **INTRODUCTION**

It is the PHA's objective to ensure that families are placed in the proper order on the waiting list and selected from the waiting list for admissions in accordance with the policies in this Administrative Plan.

This chapter explains the local preferences which the PHA has adopted to meet local housing needs, defines the eligibility criteria for the preferences and explains the PHA's system of applying them.

By maintaining an accurate waiting list, the PHA will be able to perform the activities which ensure that an adequate call in of qualified applicants will be available so that program funds are used in a timely manner.

#### **WAITING LIST** [24 CFR 982.204]

The PHA uses a single waiting list for admission to its Section 8 tenant-based assistance program.

Except for Special Admissions, applicants will be selected from the PHA waiting list in accordance with policies and preferences and income targeting requirements defined in this Administrative Plan.

The PHA will maintain information that permits proper selection from the waiting list.

The waiting list contains the following information for each applicant listed:

Applicant name

Family unit size (number of bedrooms family qualifies for under PHA subsidy standards)

Date and time of application

Qualification for any local preference

Racial or ethnic designation of the head of household

Annual (gross) family income

Number of persons in family

#### **SPECIAL ADMISSIONS** [24 CFR 982.54(d)(e), 982.203]

If HUD awards a PHA program funding that is targeted for specifically named families, the PHA will admit these families under a Special Admission procedure.

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Special admissions families will be admitted outside of the regular waiting list process. They may or may not have to qualify for any preferences, but are required to be on the program waiting list. The PHA maintains separate records of these admissions.

Bridge Subsidy is referred by the local Mental Hygiene Administration, Development Disabilities Administration specified Centers for Independent Living, the Coordinating Center and the Department of Aging

25 Family Unification Vouchers that are selected by a referral from Department of Social Services must meet preferences. FUP vouchers are for families whom lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home care; or the delay in the discharge of the child or children, to the family from out-of-home care and for youths of at least 18 years old and not more than 21 who left foster care at age 16 or older who do not have adequate housing. A FUP voucher issued for a youth must not exceed 18 months.

Applicants who are admitted under Special Admissions, rather than from the waiting list, are identified by codes in the automated system and are not maintained on separate lists, but must apply to the Housing Choice Voucher waiting list.

Carroll County Housing has established a pilot program which would allow a homeless admissions preference on the Housing Choice Voucher waiting list for a limited amount of vouchers. Carroll County has been working with the Continuum of Care, local homeless shelter and Westminster City Housing office to address local housing needs identified by the community. The pilot program will set aside 2 Housing Choice Vouchers for this preference

Carroll County will receive referrals only from the Human Services Program of Carroll County for families to allow two vouchers to go under lease that meet the criteria for the Housing Choice Voucher Program. The families must be able to verifying prior residency in Carroll County for at least six months prior to the families admission into the shelter program. The Human Services Program will submit a referral to the Housing Authority indicating that they have met all of the criteria outlined for the preference as well as basic criteria for determining eligibility for the Housing Choice Voucher Program. Verification of residency must accompany the referral form. The referral will also include an expiration date of the referral. HSP will ask for information pertaining to the following criteria in order to determine from the family if they will be eligible which will include asking if the family owes any money to any Federal Housing Program or have been terminated from any federally assisted housing for at least a five year period prior to determining eligibility; if any adult family members are on the National Sex Offenders Registry. The family must not currently be engaged in illegal drug use or have reasonable cause to believe that the members use or pattern of abuse may threaten the health, safety or right to peaceful enjoyment of the premises by other residents. The families must apply to the Housing Choice Voucher waiting list if they are not currently on the list. Human Services Program will continue to work with these families to remain housed and to assist in locating a unit and following up on all aspects of the program and leasing. The referring agency will verify the client meets all of the Housing Choice Voucher criteria as well as obtaining verification of the preference prior to making the referral.

#### **WAITING LIST PREFERENCES** [24 CFR 982.207]

An applicant will not be granted any local preference if any member of the family has been evicted from housing assisted under a 1937 Housing Act program during the past five years because of drug-related criminal activity.

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The PHA will grant an exception to such a family if:

The responsible member has successfully completed a rehabilitation program.

The evicted person clearly did not participate in or know about the drug related activity.

If an applicant makes a false statement in order to qualify for a local preference, the PHA will deny admission to the program for the family.

### **LOCAL PREFERENCES** [24 CFR 982.207]

The PHA uses the following local preference system:

Date and time of receipt of a completed application.

Residency preference for families who live, work, or have been hired to work or who the head of household is attending school with at least 12 credit hours in the jurisdiction.

Disability preference: This preference is extended to disabled persons or families with a disabled head or spouse. Proof of disability will be required at time of selection. \* HUD regulations prohibit admission preferences for specific types of disabilities and they must still meet living and/or working preference

Victims of domestic violence: The PHA will offer a local preference to families that have been subjected to or victimized by a member of the family or household within the past 6 months. The PHA will require evidence that the family has been displaced as a result of fleeing violence in the home. Families are also eligible for this preference if there is proof that the family is currently living in a situation where they are being subjected to or victimized by violence in the home. The following criteria are used to establish a family's eligibility for this preference:

Actual or threatened physical violence directed against the applicant or the applicant's family by a spouse or other household member who lives in the unit with the family.

The actual or threatened violence must have occurred within the past 180 days or be of a continuing nature.

An applicant who lives in a violent neighborhood or is fearful of other violence outside the household is not considered involuntarily displaced.

To qualify for this preference, the abuser must still reside in the unit from which the victim was displaced. The applicant must certify that the abuser will not reside with the applicant unless the PHA gives prior written approval.

The PHA will approve the return of the abuser to the household under the following conditions:

A counselor, therapist or other appropriate professional recommends in writing that the individual be allowed to reside with the family.

If the abuser returns to the family without approval of the PHA, the PHA will deny or terminate assistance for breach of the certification.

### **Treatment of Single Applicants**

#### Singles Preference

Applicants who are elderly, disabled, or displaced families of no more than two person families will be given a selection priority over all "Other Single" applicants regardless of preference status. Other Singles" denotes a one-person household in which the individual member is not elderly, disabled, or displaced by government action. Such applicants will be placed on the waiting list in accordance with any other preferences to which they are entitled, but they can not be selected for assistance before any one or two person elderly, disabled or displaced family regardless of local preferences.

### **INCOME TARGETING (24CFR 982.201(b)(2))**

HUD required that extremely low-income (ELI) families make up at least 75% of the families admitted to the HCV program during the PHA's fiscal year. ELI families are those with annual incomes at or below 30% of the area median income. To ensure this requirement is met, a PHA may skip non-ELI families on the waiting list in order to select an ELI family.

The PHA will monitor progress in meeting the ELI requirement throughout the fiscal year. Extremely low-income families will be selected ahead of other eligible families on an as-needed basis to ensure the income targeting requirement is met.

The PHA's income targeting requirement does not apply to low income families continuously assisted as provided for under the 1937 Housing Act.

The PHA is also exempted from this requirement where the PHA is providing assistance to low income or moderate income families entitled to preservation assistance under the tenant-based program as a result of a mortgage prepayment or opt-out.

### **INITIAL DETERMINATION OF LOCAL PREFERENCE QUALIFICATION [24 CFR 982.207] .**

At the time of application, an applicant's entitlement to a local preference may be made on the following basis.

An applicant's certification that they qualify for a preference will be accepted without verification at the initial preapplication. When the family is selected from the waiting list for the final determination of eligibility, the preference will be verified.

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list without the local preference.

### **TARGETED FUNDING** [24 CFR 982.203]

When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the waiting list is searched for the first available family meeting the targeted funding criteria.

Applicants who are admitted under targeted funding which are not identified as a Special Admission are kept in a special file.

Family Unification Program

NED Vouchers

Bridge Subsidy Participants

Beginning at the participants 2<sup>nd</sup> year on the Bridge Subsidy Program, if they have not already come to the top of the waiting list, will be called in for an eligibility briefing to receive the next available voucher.

### **PREFERENCE AND INCOME TARGETING ELIGIBILITY** [24 CFR 982.207]

#### **Change in Circumstances**

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the PHA in writing when their circumstances change.

When an applicant claims an additional preference, s/he will be placed on the waiting list in the appropriate order determined by the newly-claimed preference.

If the family's verified annual income, at final eligibility determination, does not fall under the Extremely Low Income limit and the family was selected for income targeting purposes before family(ies) with a higher preference, the family will be returned to the waiting list.

#### **ORDER OF SELECTION** [24 CFR 982.207(e)]

The PHA's method for selecting applicants from a preference category leaves a clear audit trail that can be used to verify that each applicant has been selected in accordance with the method specified in the administrative plan.

#### **PREFERENCE DENIAL** [24 CFR 982.207]

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If the PHA denies a preference, the PHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for a review with the Housing Program Manager. If the preference denial is upheld as a result of the review, or the applicant does not request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

If the applicant falsifies documents or makes false statements in order to qualify for any preference, they will be removed from the waiting list.

**REMOVAL FROM WAITING LIST AND PURGING** [24 CFR 982.204(c)]

The Waiting List will be purged not more than one time each year by mailing to all applicants on the waiting list for over 1 year to ensure that the waiting list is current and accurate. The mailing will ask for confirmation of continued interest in the form of an update that was included in the mailing to be completely filled out by the applicant.

Any mailings to the applicant which require a response will state that failure to respond within ten (10) working days will result in the applicant's name being dropped from the waiting list.

An extension of ten (10) working days to respond will be granted, if requested and needed as a reasonable accommodation for a person with a disability.

If an applicant fails to respond to a mailing from the PHA, the applicant will be sent final written notification and given ten (10) working days to contact the PHA. If they fail to respond within ten (10) working days, they will be removed from the waiting list.

If the applicant did not respond to the PHA request for information or updates because of a family member's disability, the PHA will reinstate the applicant in the family's former position on the waiting list.

If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice, and the envelope and letter will be maintained in the file.

If a letter is returned with a forwarding address, it will be re-mailed to the address indicated.

If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless the Program Manager determines there were circumstances beyond the person's control. The following exceptions, if determined to exist, will be acceptable to warrant reinstatement: difficulty with U.S. Mail service and domestic issues.

Applicants are required to contact the PHA in writing when contacted in writing by the PHA to confirm their continued interest. The PHA will give written notification to all applicant who fail to respond at the required times. If they fail to respond to this notification, they will be removed from the waiting list.

Reserved