

Chapter 4

APPLICATIONS, WAITING LIST AND TENANT SELECTION

INTRODUCTION

When a family wishes to receive Section 8 HCV assistance under the HCV program, the family must submit an application that provides the PHA with the information needed to determine the family's eligibility. If the family is eligible, they will be placed on the PHA's waiting list. When HCV assistance becomes available, the PHA must select families from the waiting list in accordance with HUD requirements and PHA policies as stated in the administrative plan and the annual plan.

The PHA is required to adopt clear policies and procedures for accepting applications, placing families on the waiting list, and selecting families from the waiting list, and must follow these policies and procedures consistently. The actual order in which families are selected from the waiting list can be affected if a family has certain characteristics designated by HUD or the PHA that justify their selection. Examples of this are the selection of families for income targeting and the selection of families that qualify for targeted funding.

HUD regulations require that all families have an equal opportunity to apply for and receive housing assistance, and that the PHA affirmatively further fair housing goals in the administration of the program [24 CFR 982.53, HCV GB p. 4-1]. Adherence to the selection policies described in this chapter ensures that the PHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and PHA 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 part provides an overview of the application process, and discusses how applicants can obtain and submit applications. It also specifies how the PHA will handle the applications it receives.

Part II: Managing the Waiting List. This part presents the policies that govern how the PHA's waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for assistance. It also discusses the process the PHA will use to keep the waiting list current.

Part III: Selection for HCV Assistance. This part describes the policies that guide the PHA in selecting families for HCV assistance as such assistance becomes available. It also specifies how in-person interviews will be used to ensure that the PHA has the information needed to make a final eligibility determination.

PART I: THE APPLICATION PROCESS

4-I.A. OVERVIEW

This part describes the PHA policies for making applications available, accepting applications, making preliminary determinations of eligibility, and the placement of applicants on the waiting list. This part also describes the PHA's obligation to ensure the accessibility of the application process to elderly persons, people with disabilities, and people with limited English proficiency (LEP).

4-I.B. APPLYING FOR ASSISTANCE [HCV GB, pp. 4-11 – 4-16, Notice PIH 2009-36]

Any family that wishes to receive HCV assistance must apply for admission to the program. HUD permits the PHA to determine the format and content of HCV applications, as well how such applications will be made available to interested families and how applications will be accepted by the PHA. The PHA must include Form HUD-92006, Supplement to Application For Federally Assisted Housing, as part of the PHA's application.

UHA Policy

Depending upon the length of time that applicants may need to wait to receive assistance, the UHA may use a one- or two-step application process.

A one-step process will be used when it is expected that a family will be selected from the waiting list within 60 days of the date of application. At application, the family must provide all of the information necessary to establish family eligibility and level of assistance.

A two-step process will be used when it is expected that a family may not be selected from the waiting list for at least 60 days from the date of application. Under the two-step application process, the UHA initially will require families to provide only the information needed to make an initial assessment of the family's eligibility and to determine the family's placement on the waiting list. This information will be obtained from the family via a pre-application form. Information needed to make an initial assessment of eligibility and determine placement on the waiting list includes:

Current residence address: the family may not provide another address or a mailing-only address, such as a P.O. Box, in lieu of the physical address of their place of residence. A P.O. Box or mailing-only address will be accepted only if the Postal Service will not deliver mail to the physical address;

At time of selection from the waiting list the family will be required to provide all of the information necessary to establish family eligibility and level of assistance. The information will be obtained from the family via a full application form.

Pre-applications must be submitted online, unless the applicant requests and is approved for a reasonable accommodation for a person with disabilities (see 4-I.C. - Accessibility of the Application Process). Pre-applications must be submitted to the UHA in the format prescribed by the UHA in the instructions provided to applicants. Instructions may be provided via the pre-application form and/or accompanying documents, the public

announcement regarding the waiting list opening, the UHA's website, flyers, and/or other forms of announcement.

The UHA will deny any pre-application that does not include all information required by the UHA and/or program regulations. The UHA shall have the discretion to determine the information that is required to be provided.

4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

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

The PHA must take steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard PHA application process. This could include people with disabilities, certain elderly individuals, as well as persons with limited English proficiency (LEP). The PHA must provide reasonable accommodation to the needs of individuals with disabilities. The application-taking facility and the application process must be fully accessible, or the PHA must provide an alternate approach that provides full access to the application process. Chapter 2 provides a full discussion of the PHA's policies related to providing reasonable accommodations for people with disabilities.

UHA Policy

If a person with disabilities is unable to complete the online pre-application process due to the nature of their disability, they may request a reasonable accommodation for assistance with the application process. UHA will accept reasonable accommodation requests from the time that the formal announcement of the waiting list opening is made until the waiting list closes. Requests for reasonable accommodations received before or after this time period will not be approved. In order to prevent delay in the pre-application process for these individuals, UHA will not verify with a third party the individual's need for a reasonable accommodation.

As a reasonable accommodation, UHA may allow the applicant to submit a pre-application using a paper copy of the pre-application form. The applicant will be required to use the UHA's pre-application form. The applicant must return the completed paper pre-application form to UHA by mail before the deadline specified by the UHA.

Limited English Proficiency

PHAs are required to take reasonable steps to ensure equal access to their programs and activities by persons with limited English proficiency [24 CFR 1]. Chapter 2 provides a full discussion on the PHA's policies related to ensuring access to people with limited English proficiency (LEP).

4-I.D. PLACEMENT ON THE WAITING LIST

The PHA must review each complete application received and make a preliminary assessment of the family's eligibility. The PHA must accept applications from families for whom the list is open unless there is good cause for not accepting the application (such as denial of assistance) for the grounds stated in the regulations [24 CFR 982.206(b)(2)]. Where the family is determined to be ineligible, the PHA must notify the family in writing [24 CFR 982.201(f)]. Where the family is not determined to be ineligible, the family will be placed on a waiting list of applicants.

No applicant 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)].

Ineligible for Placement on the Waiting List

UHA Policy

If the UHA can determine from the information provided via the pre-application that a family is ineligible for assistance, such as if the family's reported annual income exceeds the income limit for the family, UHA will deny the family and the family will not be placed on the waiting list. Where a family is determined to be ineligible, the UHA will notify the family in writing of the denial in accordance with Chapter 3-III of this policy. The notice will state the reasons for denial, and will inform the family of its right to request an informal review and explain the process for doing so.

Eligible for Placement on the Waiting List

UHA Policy

If the UHA determines from the information provided via the pre-application that a family appears to be eligible for assistance, the family will be placed on the waiting list. 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.

Eligible applicants will be placed on the waiting list according to any preference(s) which they claim at the time of pre-application. New pre-applications will be merged with existing pre-applications in a single waiting list.

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

The PHA must have policies regarding various aspects of organizing and managing the waiting list of applicant families. This includes opening the list to new applicants, closing the list to new applicants, notifying the public of waiting list openings and closings, updating waiting list information, purging the list of families that are no longer interested in or eligible for assistance, as well as conducting outreach to ensure a sufficient number of applicants.

In addition, HUD imposes requirements on how a PHA may structure its waiting list and how families must be treated if they apply for assistance from a PHA that administers more than one assisted housing program.

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

The PHA's HCV waiting list must be organized in such a manner to allow the PHA 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;
- Family unit size;
- Date and time of application;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household.

HUD requires the PHA to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. Such PHAs are permitted, but not required, to maintain a separate waiting list for each county or municipality served.

UHA Policy

The UHA will maintain a single waiting list for the HCV program.

HUD directs that a family that applies for assistance from the HCV program must be offered the opportunity to be placed on the waiting list for any public housing, project-based voucher or moderate rehabilitation program the PHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs.

HUD permits, but does not require, that PHAs maintain a single merged waiting list for their public housing, Section 8, and other subsidized housing programs.

A family's decision to apply for, receive, or refuse other housing assistance must not affect the family's placement on the HCV waiting list, or any preferences for which the family may qualify.

UHA Policy

The UHA will not merge the HCV waiting list with the waiting list for any other program the UHA operates.

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

Closing the Waiting List

A PHA is permitted to close the waiting list if it has an adequate pool of families to use its available HCV assistance. Alternatively, the PHA may elect to continue to accept applications only from certain categories of families that meet particular preferences or funding criteria.

UHA Policy

The UHA may close the waiting list when the estimated waiting period for housing assistance for applicants on the list reaches 24 months for the most current applicants. Where the UHA has particular preferences or funding criteria that require a specific category of family, the UHA may elect to continue to accept applications from these applicants while closing the waiting list to others.

Reopening the Waiting List

If the waiting list has been closed, it cannot be reopened until the PHA publishes a notice in local newspapers of general circulation, minority media, and other suitable media outlets. The notice must comply with HUD fair housing requirements and must specify who may apply, and where and when applications will be received.

UHA Policy

The UHA will announce the reopening of the waiting list at least 15 calendar days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice.

The UHA will give public notice by publishing the relevant information in suitable media outlets including, but not limited to:

- Daily Bulletin Newspaper
- Department of Public Social Services
- Employment Development Department
- Social Security Administration
- Other PHA Offices in the area
- Other social services agencies in the area, such as Inland Valley Recovery Services

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

The PHA must conduct outreach as necessary to ensure that the PHA has a sufficient number of applicants on the waiting list to use the HCV resources it has been allotted.

Because HUD requires the PHA to admit a specified percentage of extremely low income families to the program (see Chapter 4, Part III), the PHA may need to conduct special outreach to ensure that an adequate number of such families apply for assistance [HCV GB, p. 4-20 to 4-21].

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

- Analyzing the housing market area and the 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

PHA 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:

- Submitting press releases to local newspapers, including minority newspapers
- Developing informational materials and flyers to distribute to other agencies
- Providing application forms to other public and private agencies that serve the low income population
- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities

UHA Policy

The UHA will monitor the characteristics of the population being served and the characteristics of the population as a whole in the UHA's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.

4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES

UHA Policy

While the family is on the waiting list, the family must immediately inform the UHA of changes in contact information (including current residence and phone number). The changes must be submitted in writing within fifteen (15) calendar days of the date of the change using the form prescribed by UHA. When an applicant reports a change in contact information, the waiting list will be updated accordingly.

The family may also report other changes at any time while on the waiting list, including changes to household size or composition, preference status, and/or household income

The family will not be permitted to report changes in household size or composition (add new household members not included on the family's pre-application or updates to the family's pre-application) after the family has been selected from the waiting list, except:

The family may add children who joined the family as a result of birth, adoption, or court-awarded custody;

The family may add other household members who were residing with the family prior to the date the family was selected from the waiting list. The family will be required to provide acceptable evidence that the additional household members

resided with the family prior to the date the family was selected from the waiting list.

Failure to report changes may result in denial or the family being placed back on the waiting list if the family does not qualify for the selection preference or targeted funding category for which they were selected.

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

HUD requires the PHA to establish policies to use when removing applicant names from the waiting list.

Purging the Waiting List

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

UHA Policy

The waiting list will be purged and updated at UHA's discretion to ensure that applicant information is current.

To purge and update the waiting list, the UHA will send a notice to all families currently listed as active on the waiting list. The notice will be sent to the family's address of record and will indicate that the family is active on the UHA's waiting list.

The notice will also provide instructions for the family to follow if they wish to be removed from the waiting list.

If the notice is returned by the Post Office, the family will be removed from the waiting list.

When a family is removed from the waiting list during the update process for failure to respond, no informal review will be offered. Such failures to act on the part of the applicant prevent the PHA from making an eligibility determination; therefore no informal review is required.

The PHA may reinstate a family to the waiting list if the family was removed due to UHA error.

Removal from the Waiting List

UHA Policy

The UHA will remove an applicant from the waiting list upon request by the applicant family. In such cases no informal review is required. UHA will send a letter to the family confirming that they have been removed from UHA's waiting list per the family's request.

If, at any time while an applicant family is on the waiting list, the UHA determines that the family is not eligible for assistance (see Chapter 3), the family will be removed from the waiting list. If a family is removed from the waiting list because the UHA has

determined the family is not eligible for assistance, a notice of denial will be sent to the family's address of record. The notice will state the reason(s) the family was removed from the waiting list and will inform the family of its right to request an informal review regarding the UHA's decision and explain the process for doing so [24 CFR 982.201(f)].

PART III: SELECTION FOR HCV ASSISTANCE

4-III.A. OVERVIEW

As vouchers become available, families on the waiting list must be selected for assistance in accordance with the policies described in this part.

The order in which families are selected from the waiting list depends on the selection method chosen by the PHA and is impacted in part by any selection preferences for which the family qualifies. The availability of targeted funding also may affect the order in which families are selected from the waiting list.

The PHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to the PHA's 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]

HUD may award funding for specifically-named families living in specified types of units (e.g., a family that is displaced by demolition of public housing; a non-purchasing family residing in a HOPE 1 or 2 project). In these cases, the PHA may admit such families whether or not they are on the waiting list, and, if they are on the waiting list, without considering the family's position on the waiting list. These families are considered non-waiting list selections. The PHA must maintain records showing that such families were admitted with special program funding.

Targeted Funding [24 CFR 982.204(e)]

HUD may award a PHA funding for a specified category of families on the waiting list. The PHA must use this funding only to assist the families within the specified category. In order to assist families within a targeted funding category, the PHA may skip families that do not qualify within the targeted funding category. Within this category of families, the order in which such families are assisted is determined according to the policies provided in Section 4-III.C.

UHA Policy

The UHA does not administer targeted funding.

Regular HCV Funding

Regular HCV funding may be used to assist any eligible family on the waiting list. Families are selected from the waiting list according to the policies provided in Section 4-III.C.

4-III.C. SELECTION METHOD

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that the PHA will use [24 CFR 982.202(d)].

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

PHAs are permitted to establish local preferences, and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits the PHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with the PHA plan and the consolidated

plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

UHA Policy

The UHA will offer a local preference to families meeting the following definitions:

Preference	Point Value
<u>Residents of the City of Upland:</u> <ul style="list-style-type: none"> • A family whose permanent residence is in the City of Upland; • A family whose head of household, spouse or co-head member(s) of the family is/are employed in the City of Upland or has accepted employment in the City of Upland is also eligible for this preference. 	50
<u>Veterans:</u> <ul style="list-style-type: none"> • “Veteran” means a person who served in the active military, naval, or air service, and who was discharged or released there from under conditions other than dishonorable. A complete definition of veteran is located at 38 U.S.C. 101; • The surviving spouse of a veteran as defined at 38 U.S.C. 101 is also eligible for this preference. 	20
<u>Previously Terminated Due to Insufficient Funding:</u> Any eligible household that was previously terminated from UHA’s HCV program due to insufficient program funding.	80

Note: a family may only receive each preference one time, regardless of the number of household members eligible for the preference.

Income Targeting Requirement [24 CFR 982.201(b)(2)]

HUD requires 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.

Low income families admitted to the program that are “continuously assisted” under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

UHA Policy

The UHA will monitor progress in meeting the income targeting 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.

Order of Selection

The PHA system of preferences may select families based on local preferences according to the date and time of application, or by a random selection process (lottery) [24 CFR 982.207(c)]. If a PHA does not have enough funding to assist the family at the top of the waiting list, it is not permitted to skip down the waiting list to a family that it can afford to subsidize when there are not sufficient funds to subsidize the family at the top of the waiting list [24 CFR 982.204(d) and (e)].

UHA Policy

Families will be selected from the waiting list based on the income targeting and/or local preference(s) for which they qualify at the time of selection, if applicable. Within each targeted funding or preference category, families will be randomly selected using UHA's computer waiting list system via a lottery ranking number that is randomly assigned by the computer waiting list system at the time of selection.

4-III.D. NOTIFICATION OF SELECTION

When a family has been selected from the waiting list, the PHA must notify the family.

UHA Policy

The UHA will notify the family by first class mail when it is selected from the waiting list. The notice will inform the family of the following:

- Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview

- Who is required to attend the interview

- All documents that must be provided at the interview, including information about what constitutes acceptable documentation

- Documents that must be provided at the interview to document eligibility for a preference, if applicable

If a notification letter is returned to the UHA by the Post Office, the family will be removed from the waiting list and a notice of denial will be sent in accordance with the procedures in Chapter 3. The notice of denial will be sent to the family's address of record or to the family's forwarding address, if one is provided by the Post Office with the returned notification letter.

The Executive Director may reinstate a family to the waiting list if s/he determines the family was removed was due to UHA error or to circumstances beyond the family's control.

4-III.E. THE APPLICATION INTERVIEW

HUD recommends that the PHA obtain the information and documentation needed to make an eligibility determination through a private interview [HCV GB, pg. 4-16]. Being invited to attend an interview does not constitute admission to the program.

Assistance cannot be provided to the family until all SSN documentation requirements are met. However, if the PHA determines that an applicant family is otherwise eligible to participate in

the program, the family may retain its place on the waiting list for a period of time determined by the PHA [Notice PIH 2012-10].

UHA Policy

UHA will not return the family to its place on the waiting list pending disclosure and documentation of Social Security Numbers.

If the family is unable to disclose and provide the required documentation of SSN at the time of the interview, they will be given 15 calendar days to provide it. If the family is unable to obtain the documentation within the required time frame, the family may request an extension. UHA will grant an extension only as a reasonable accommodation for a person with disabilities or for other good cause. If the required documents and information are not provided within the required time frame (plus any approved extensions), the family will be sent a notice of denial and removed from the waiting list (See Chapter 3).

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

UHA Policy

Families selected from the waiting list are required to participate in an eligibility interview.

All adult household members will be required to attend the interview together.

The interview will be conducted only if the head of household and spouse/cohead, if applicable, provide appropriate documentation of legal identity. (Chapter 7 provides a discussion of proper documentation of legal identity). If the family does not provide the required documentation, a second appointment will be scheduled for the family no less than 15 days and no more than 30 days from the date of the original appointment. If the family fails to provide appropriate documentation of legal identity at the second scheduled appointment, the family 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. The UHA will provide a third appointment only as a reasonable accommodation for a person with disabilities or for other good cause.

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 UHA 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 15 calendar days of the interview. UHA will grant an additional extension of time only as a reasonable accommodation for a person with disabilities or for other good cause. 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).

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An advocate, interpreter, or other assistant may assist the family with the application and the interview process.

Interviews will be conducted in English. For limited English proficient (LEP) applicants, the UHA will provide translation services in accordance with the UHA's LEP plan.

If the family misses or is unable to attend a scheduled interview, a second appointment will be scheduled for no less than 15 days and no more than 30 days from the date of the original appointment. Applicants who fail to attend two scheduled interviews for any reason 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. The UHA will provide a third appointment only as a reasonable accommodation for a person with disabilities or for other good cause.

4-III.F. COMPLETING THE APPLICATION PROCESS

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

UHA Policy

If the UHA determines that the family is ineligible, the UHA will send written notification of the ineligibility 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, local preference), the family will be returned to the waiting list. The UHA will notify the family in writing that it has been returned to the waiting list, and will specify the reasons for it.

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

If UHA determines that the family knowingly provided false or fraudulent information on the application form, UHA will deny the family assistance and will not return the family to the waiting list. A notice of denial will be issued in accordance with policies contained in Chapter 3.