

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 WMHA to create a waiting list for the families, and select families from this waiting list in accordance with HUD and WMHA policies.

The WMHA 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 WMHA 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 WMHA affirmatively further fair housing goals in the administration of the program [24 CFR 982.53, HCV GB p. 4-1]. The WMHA 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 WMHA 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 WMHA 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 WMHA policies for the application process, preliminary determinations of eligibility and preferences. This part will also describe fair housing requirements and the WMHA 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 WMHA must accept 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.

WMHA Policy

A pre-application process will be used for families.

The family will be required to provide all of the information necessary to establish family eligibility and level of assistance when the family is selected from the waiting list and briefed on the program rules and regulations.

Families will complete an application online, unless the waiting list is closed. Families may also request a Reasonable Accommodation for the following:

- Families who are considered but not limited to elderly or disabled may request a Reasonable Accommodation. [Refer to 4-I.C.]

Completed applications must be submitted online or returned to the PHA by mail, via email or in person. Applications must be complete in order to be accepted by the PHA for processing. If an application is incomplete, the PHA will return the application for completion. At no time will an application that is incomplete be accepted.

4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

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

WMHA is required to make the application process accessible to elderly and disabled populations. The WMHA's application site must be accessible, unless making it accessible would result in an undue financial or administrative burden. If the application site cannot be made accessible, the WMHA 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 WMHA must make available an alternative application process for these populations.

Limited English Proficiency

The WMHA 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 and plan and description for policies and fair housing requirements for (LEP).

4-I.D. PLACEMENT ON THE WAITING LIST

The WMHA must review and assess eligibility for each application they receive. If the waiting list is open, WMHA will accept applications from eligible families unless there is good cause for not accepting the application, such as denial of assistance because of action or inaction by members of the family for the grounds stated in the "Denial or Termination of Assistance" chapter of this Administrative Plan. [24 CFR 982.206(b)(2)]. When the WMHA determines a family is ineligible, the family must be notified in writing [24 CFR 982.201(f)]. Eligible families will be placed on the waiting list.

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)].

Ineligible for Placement on the Waiting List

WMHA Policy

When the WMHA determines a family is ineligible they will not be placed on the waiting list. Ineligible families will be sent written notice within 10 business days of the application determination.

This written notice will specify the reasons for ineligibility and inform the family their right for an informal review and the procedures. (See Chapter 16).

Eligible for Placement on the Waiting List

WMHA Policy

The WMHA will send written notification of the preliminary eligibility determination within 10 business days of receiving a complete application.

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 WMHA preferences, date and time.

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

As per HUD requirements, the WMHA 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 WMHA 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 WMHA shall restore the application to the original date and time, and reinstate the applicant to any other preference factors that the WMHA has adopted. If the legal decision is rendered that the person did not meet the eligibility factors, the WMHA 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 WMHA must maintain information that permits the WMHA to select participants from the waiting list in accordance with the WMHA admission policies. The waiting list must contain the following information for each applicant listed:

- Change in preference status
- Changes in family size and composition
- Change of address
- Withdrawal from the waiting list
- Determination of ineligibility

The WMHA HCV waiting list must be organized in such a manner to allow the WMHA 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:

1. Applicant name;
2. Family unit size;
3. Date and time of application;
4. Qualification for any local preference;
5. Racial or ethnic designation of the head of household.

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

WMHA Policy

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

The WMHA will place families on the waiting list for any public housing, project-based voucher or moderate rehabilitation programs if:

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

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

WMHA Policy

The WMHA 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 WMHA 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 WMHA may choose to close only a portion of its waiting list instead of the entire waiting list. For example, the WMHA 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.

WMHA Policy

The WMHA may close the waiting list when applications far exceed the number of vouchers WMHA can administer. The WMHA may accept applications for families that have a specific local preference.

Reopening the Waiting List

The WMHA waiting list may only be reopened once a notice has been published in the local newspapers, local media 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

WMHA Policy

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

The WMHA will publish the announcements in the following media outlets.

- **Local Media**
- **Agency Website**

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 WMHA 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.

WMHA Policy

All WMHA 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 or as defined by HUD. 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 WMHA must meet its income targeting requirement over the course of the WMHA’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.

WMHA 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

WMHA 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.
- Print mail-in applications in local newspapers, including minority papers.
- Request community service announcements through local television and radio.
- Purchase advertising on subways and buses.
- 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.

WMHA Policy

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

4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES

WMHA Policy

Families must immediately report or update any change of contact information to the WMHA. These changes include:

- Contact information
- Mailing Address
- Telephone number
- Email Address

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

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

Purging the Waiting List

The WMHA 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 WMHA request for information or updates because of the family member's disability, the WMHA will reinstate the applicant in the family's former position on the waiting list. [24 CFR 982.204(c)(2)].

WMHA Policy

The WMHA waiting list will be updated **annually**

To complete the update, the WMHA will send an email or 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 10 business days either in email, online, writing, fax, or in person will be removed from the waiting list.

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

Letters returned to the WMHA with a forwarding address will be resent with another 10 days for the family to respond.

WMHA may reinstate applicants if it determined the family's unresponsiveness was due to WMHA error to extenuating circumstances.

Removal from the Waiting List

WMHA Policy

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

The WMHA 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 WMHA policies, preferences and available funding.

The order in which families receive assistance from the waiting list depends on the selection method chosen by the WMHA 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 WMHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to the WMHA 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 WMHA program funding that is targeted for families living in specified units, the WMHA must use the assistance for the families in these units and the WMHA may admit a family that is not on the WMHA waiting list, or without considering the family's waiting list position. The WMHA 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 WMHA program funding for a specified category of families on the waiting list, the WMHA 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 WMHA policies in Section 4-III.C. OTHER ADMISSIONS to WMHA/SUPPORTIVE SERVICES VOUCHERS

WMHA does not have special allocations for supportive service vouchers.

Supportive Service Referral Process:

Contingent upon funding availability, WMHA will make vouchers available for tenant-based assistance through referrals from outside agencies that provide supportive services for the disabled, veterans and special voucher allocations, including Mainstream II and VASH eligible families. In addition, referrals can be entered into with other outside agencies to assist with housing services of the community. They will be identified as “Special Programs”.

When a family is referred to WMHA through “Special Programs” they will receive a voucher if they meet all of the eligibility requirements enumerated in this plan, and a voucher is available for the program. Only families residing in non-subsidized housing may be referred, unless the family has successfully completed housing counseling training, through a program recognized by WMHA.

Vouchers will be made available to families who are referred, regardless of whether the family is on the regular voucher waiting list, regardless of the family’s current waiting list position, and regardless of whether the waiting list is closed. When a family is referred to WMHA through the “Special Programs”, WMHA will search its regular voucher waiting list to determine whether the referred family is on that list. If the referred family’s name is on the regular WMHA waiting list,

their name will be removed when they receive a voucher through the “Special Programs”, and the family will be counted toward the “Special Programs” vouchers.

“Special Programs” are responsible for referring families to WMHA in the order deemed acceptable by the participating agencies and may have a specific MOU. Though not required by WMHA, the MOU will also specify the other responsibilities of the participating agencies.

4-III.C. SELECTION METHOD

The WMHA must admit applicants for participation in accordance with HUD regulations and other requirements, and with WMHA policies stated in the WMHA administrative plan and the WMHA plan. The WMHA 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 WMHA may establish a system of local preferences for selection of families admitted to the program. WMHA selection preferences must be described in the WMHA administrative plan. The WMHA system of local preferences must be based on local housing needs and priorities, as determined by the WMHA. The WMHA will use generally accepted data sources to determine such needs and priorities.

WMHA Policy

The WMHA has established local preferences and will use date and time for determining placement on the waiting list after those with a preference. The following preference will be given equal weight.

- Tenants terminated from the HCV program due to insufficient funding.

Preferences Defined

WMHA Policy

- Elderly and Disabled
- Veterans and Servicemen
- Referral from partnering agencies

Elderly/Disabled/Handicapped (15 points):

Families with a head, spouse or sole member at least 62 years of age and/or qualifies as a person with a disability will receive this preference, unless the family is currently living in a Federally Subsidized unit. (Must supply supporting documentation)

Veterans and Servicemen (20 points):

Veterans and Servicemen, including families of deceased veterans or servicemen. (must supply supporting documentation)

Referral from partnering agency (10 points): Individuals or families who are referred by a partnering service organization. Referrals are not limited to an agency, organization, or consortia.

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

At least 75% of the families who are admitted to WMHA'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 WMHA may skip non-ELI families for an 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 WMHA administrative plan. Such additional WMHA criteria must be consistent with the WMHA plan and with the consolidated plans for local governments in the WMHA jurisdiction;
- 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.

WMHA Policy

The WMHA will monitor applicants throughout the year to meet the HUD ELI requirements. If it is found that the WMHA 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 WMHA will conduct a marketing outreach to meet HUD requirements.

Order of Selection [HCV GB 4-12]

As vouchers are expected to become available, the WMHA 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 WMHA must select participants from the waiting list in accordance with HUD regulations and requirements and in compliance with admission policies in the WMHA's administrative plan.

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

If the WMHA does not have sufficient funds to subsidize the family unit size of the family at the top of the waiting list, the WMHA 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 WMHA program funding for a specified category of families on the waiting list, the WMHA must select applicant families in the specified category [24 CFR 982.204(d) and (e)].

WMHA Policy

WMHA families will be selected on a first-come, first serve basis according to the time and date the completed application is received by the WMHA. Documentation of the time and date will be recorded.

If the WMHA uses preferences or targeted funding, families will be selected according to the local hierarchy of preferences or targeting funding in which families are eligible. All local preferences will need to be verified, and if not met, will result in repositioning on the waiting list. The verified preferences will be valid for 120 days.

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

4-III.D. NOTIFICATION OF SELECTION

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

WMHA Policy

The WMHA will notify the family by email, first class mail, and online when selected from the waiting list.

The notice will inform the family of the following:

-
- Documents that must be provided to document the legal identity of household members, including information about what constitutes acceptable documentation; and
 - Other documents and information that are requested by WMHA.

Notification letters returned to the WMHA 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.E. COMPLETING THE APPLICATION PROCESS

The WMHA must verify all information provided by the family (see Chapter 7). Based on verified information, the WMHA 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.

WMHA Policy

If the WMHA determines the family is ineligible, the WMHA will send an email or 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, preferences), the family will be returned to the waiting list. The WMHA will notify the family by email or in writing that it has been returned to the waiting list and will specify the reasons for it.

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