Chapter 4

APPLICATIONS, WAITING LIST AND TENANT SELECTION

INTRODUCTION

When a family wishes to receive Section 8 HCV assistance, the family must submit an application that provides CCHA with the information needed to determine the family's eligibility. HUD requires CCHA to place all families that apply for assistance on a waiting list. When HCV assistance becomes available, CCHA must select families from the waiting list in accordance with HUD requirements and CCHA policies as stated in the administrative plan and the annual plan.

CCHA is required to adopt a clear approach to accepting applications, placing families on the waiting list, selecting families from the waiting list and must follow this approach 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 CCHA 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 CCHA 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 CCHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and CCHA 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 CCHA will handle the applications it receives.

Part II: Managing the Waiting List. This part presents the policies that govern how CCHA'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 CCHA will use to keep the waiting list current.

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

PART I: THE APPLICATION PROCESS

4-I.A. OVERVIEW

This part describes the CCHA 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 CCHA'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 CCHA 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 CCHA. However, CCHA must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of CCHA's application.

CCHA Policy

Depending upon the length of time that applicants may need to wait to receive assistance, CCHA 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 will not be selected from the waiting list for at least 60 days from the date of application. Under the two-step application process, CCHA 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. 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.

Families may obtain application forms online, or from CCHA's office during normal business hours, although availability for the latter option is not always guaranteed. Families may also request – by telephone or by mail – that an application be sent to the family via first class mail.

Completed applications must be returned to CCHA by mail, by fax, or submitted in person during normal business hours. Applications must be complete in order to be accepted by CCHA for processing. If an application is incomplete, CCHA will notify the family of the additional information required.

4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

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

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

Limited English Proficiency

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

4-I.D. PLACEMENT ON THE WAITING LIST

CCHA must review each complete application received and make a preliminary assessment of the family's eligibility. CCHA 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, CCHA 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

CCHA Policy

If CCHA can determine from the information provided that a family is ineligible, the family will not be placed on the waiting list. Where a family is determined to be ineligible, CCHA will send written notification of the ineligibility determination within 10 business days of receiving a complete application. The notice will specify the reasons for ineligibility and will inform the family of its right to request an informal review and explain the process for doing so (see Chapter 16).

Eligible for Placement on the Waiting List

CCHA Policy

CCHA 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 any preference(s) for which they qualify, and the date and time their complete application is received by CCHA.

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

CCHA 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 CCHA 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]

CCHA's HCV waiting list must be organized in such a manner to allow CCHA 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 CCHA 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.

CCHA Policy

CCHA 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 CCHA 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 CCHA 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.

CCHA Policy

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

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

Closing the Waiting List

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

CCHA Policy

CCHA's waiting list will remain open.

Reopening the Waiting List

If the waiting list has been closed, it cannot be reopened until CCHA 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.

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

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

Because HUD requires CCHA to serve a specified percentage of extremely low-income families (see Chapter 4, Part III), CCHA 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].

CCHA 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

CCHA 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 people with disabilities

  CCHA Policy

  CCHA will monitor the characteristics of the population being served and the characteristics of the population as a whole in CCHA'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

CCHA Policy

While the family is on the waiting list, the family must promptly inform CCHA of changes in contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing.

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

HUD requires CCHA 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 CCHA's request for information or updates because of the family member's disability, CCHA must reinstate the applicant family to their former position on the waiting list [24 CFR 982.204(c)(2)].

Removal from the Waiting List

CCHA Policy

If at any time an applicant family is on the waiting list, CCHA 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 CCHA has determined the family is not eligible for assistance, a notice will be sent to the family's address of record as well as to any alternate address provided on the initial application. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal review regarding CCHA's decision (see Chapter 16) [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 receive assistance from the waiting list depends on the selection method chosen by the CCHA and is impacted in part by any selection preferences that the family qualifies. The availability of targeted funding also may affect the order in which families are selected from the waiting list.

CCHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to CCHA'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 projects). In these cases, the CCHA 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 CCHA must maintain records showing that such families were admitted with special program funding.

Targeted Funding [24 CFR 982.204(e)]

HUD may award CCHA funding for a specified category of families on the waiting list. CCHA must use this funding only to assist the families within the specified 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.

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

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

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

CCHA is 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 CCHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with CCHA plan and the consolidated plan and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

CCHA Policy

1. CCHA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding ("Insufficient funding preference")
2. CCHA will offer a preference to any family with a Head of Household and/or spouse/co-head that is living or working in Del Norte County. Verification will be required for applicants who claim this preference.

Applicants who qualify for the Insufficient Funding Preference will be given highest priority, currently assisted EHV families at risk of termination will be given second-highest priority, and applicants qualifying for Residency Preference will be given third-highest priority.

Qualification for the Insufficient Funding Preference will be determined by CCHA and will not require additional verification from the applicant.

Qualification for the currently assisted EHV family preference will be determined by CCHA and will not require additional verification from the family.

The applicant's eligibility for the Residency Preference will need to be verified before a voucher can be issued. Applicants will be required to certify as to their eligibility for the Residency Preference at the time of the initial application, and CCHA will place the applicant on the waiting list according to the information provided by the applicant. CCHA will begin the verification process at the time of the initial eligibility interview. Qualification for the Residency Preference will be based on current circumstances at the time of verification.

If the applicant is determined to be ineligible for the Residency Preference, the application will be placed back on the waiting list with non-preferred status, and CCHA will provide a written notice to the applicant stating the reasons for the determination. The notice will be sent to the applicant within 10 business days of the determination.

For applicants claiming the Residency Preference, CCHA will require two proofs of residency. Applicants claiming the Residency Preference must be able to provide verification of legitimate employment or a legal residence (domicile) in Del Norte County. A PO Box or "mailing only" address will not be considered adequate proof of residency. The following are acceptable forms of residency:

Copy of current residential lease

Valid CA driver's license or identification card

Copy of current utility bill

Verification of benefits statement from Del Norte County Health and Human Services

Verification of benefits statement from Social Security Administration

Voter registration card

Current credit report

Documentation from employer confirming that applicant (head, spouse, or co-head) is employed, or will be employed, including start date, in Del Norte County

Current paycheck stub with employer's address showing the business is located in Del Norte County

Verification of services from one of the local homeless advocacy organizations (Del Norte Mission Possible, Del Norte County Department of Health and Human Services, NorCal Continuum of Care)

Other proof of residence address deemed acceptable by CCHA management

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 CCHA's fiscal year. ELI families are those with annual incomes at or below the federal poverty level or 30 percent of the area median income, whichever number is higher. To ensure this requirement is met, CCHA 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)].

CCHA Policy

CCHA 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.

Order of Selection

The CCHA system of preferences may select families either according to the date and time of application, or by a random selection process [24 CFR 982.207(c)]. When selecting families from the waiting list, CCHA is required to use targeted funding to assist only those families who meet the specified criteria, and CCHA 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)].

CCHA Policy

Families will be selected from the waiting list based on the targeted funding or selection preference(s) for which they qualify, and in accordance with CCHA's hierarchy of preferences, if applicable. Within each targeted funding or preference category, families will be selected on a first-come, first-served basis according to the date and time their complete application is received by CCHA. Documentation will be maintained by CCHA as to whether families on the list qualify for and are interested in targeted funding. If a higher placed family on the waiting list is not qualified or not interested in targeted funding, there will be a notation maintained so that CCHA does not have to ask higher placed families each time targeted selections are made.

4-III.D. NOTIFICATION OF SELECTION

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

CCHA Policy

CCHA 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

Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation

Other documents and information that should be brought to the interview

If a notification letter is returned to CCHA with no forwarding address, the family will be removed 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.

4-III.E. THE APPLICATION INTERVIEW

HUD recommends that CCHA obtain the information and documentation needed to make an eligibility determination though 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 CCHA 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 CCHA [Notice PIH 2010-3].

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

CCHA Policy

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

The head of household and the spouse/co-head will be strongly encouraged to attend the interview together. However, either the head of household or the spouse/co-head may attend the interview on behalf of the family. Verification of information pertaining to adult members of the household not present at the interview will not begin until signed release forms are returned to CCHA.

The interview will be conducted only if the head of household or spouse/co-head provides appropriate documentation of legal identity. (Chapter 7 provides a discussion of proper documentation of legal identity). If the family representative does not provide the required documentation, the appointment may be rescheduled when the proper documents have been obtained.

Pending disclosure and documentation of social security numbers, CCHA will allow the family to retain its place on the waiting list for 30 days. If not all household members have disclosed their SSNs at the next time CCHA is issuing vouchers, CCHA will issue a voucher to the next eligible applicant family on the waiting list.

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, CCHA 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.

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

If the family is unable to attend a scheduled interview, the family should contact CCHA in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, CCHA will send another notification letter with a new interview appointment time. Applicants who fail to attend two scheduled interviews without CCHA 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.F. COMPLETING THE APPLICATION PROCESS

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

CCHA Policy

If CCHA determines that the family is ineligible, CCHA 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. CCHA will notify the family in writing that it has been returned to the waiting list and will specify the reasons for it.

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