

## 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 the GRHC with the information needed to determine the family's eligibility. HUD requires the GRHC to place all families that apply for assistance on a waiting list. When HCV assistance becomes available, the GRHC must select families from the waiting list in accordance with HUD requirements and GRHC policies as stated in the administrative plan and the annual plan.

The GRHC 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 the GRHC to receive preferential treatment. Funding earmarked exclusively for families with particular characteristics may also alter the order in which families are served.

HUD regulations require that all families have an equal opportunity to apply for and receive housing assistance, and that the GRHC 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 GRHC will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

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

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

Part III: Selection for HCV Assistance. This part describes the policies that guide the GRHC 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 GRHC has the information needed to make a final eligibility determination.

## **PART I: THE APPLICATION PROCESS**

### **4-I.A. OVERVIEW**

This part describes the policies that guide the GRHC's efforts to accept applications, and to make preliminary determinations that affect placement of the family on the waiting list. This part also describes the GRHC'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 GRHC 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 GRHC. However, the GRHC must include Form HUD-90026, Supplement to Application for Federally Assisted Housing, as part of the GRHC's application.

#### GRHC Policy

The Grand Rapids Housing Commission will utilize an electronic pre-application form. The information is to be filled out by the applicant whenever possible. The application will be available on the GRHC's website. Applications will be made available in a Spanish format for non-English speaking applicants. In order to ensure access to the application process, the GRHC will set up a call center as an appropriate alternative to the on-line method.

The GRHC initially will require families to provide only the information needed 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.

Applications must be complete in order to be accepted by the GRHC for processing. If an electronic pre-application is incomplete, the GRHC will not be able to transmit it.

### **4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS**

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

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

## **Limited English Proficiency**

GRHC 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 the GRHC's policies related to ensuring access to people with limited English proficiency (LEP).

### **4-I.D. PLACEMENT ON THE WAITING LIST**

The GRHC must review each pre-application received and using a lottery system, assign the family a place on the waiting list. The GRHC must accept applications from families for whom the list is open. Where the family is not selected under the lottery system, the GRHC must notify the family in writing [24 CFR 982.201(f)]. Where the family is selected by lottery system, 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)].

#### **Non-selection for Placement on the Waiting List**

##### GRHC Policy

If the GRHC 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 not selected by the lottery system, the GRHC will send written notification of the non-selection

#### **Selection for Placement on the Waiting List**

##### GRHC Policy

The GRHC will send written notification of the lottery selection after closing the application period.

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

## **PART II: MANAGING THE WAITING LIST**

### **4-II.A. OVERVIEW**

The GRHC 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 GRHC's HCV waiting list must be organized in such a manner to allow the GRHC 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;
- Applicant address;
- Applicant date of birth;
- Applicant social security number;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household.

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

##### **Closing the Waiting List**

###### GRHC Policy

The GRHC will close the waiting list when the estimated waiting period for housing assistance for applicants on the list reaches 36 months for the most current applicants. Where the GRHC has particular preferences or funding criteria that require a specific category of family, the GRHC 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 GRHC 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.

###### GRHC Policy

The GRHC will announce the reopening of the waiting list at least 10 business 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.

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

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

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

GRHC 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
- GRHC 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
  - Providing application access 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

#### **4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES**

##### GRHC Policy

While the family is on the waiting list, the family must immediately inform the GRHC of changes in contact information, including current residence, mailing address. The changes must be entered electronically into the family's application file.

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

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

##### GRHC Policy

To update the waiting list, the GRHC will send an update request via first class mail to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program. This update request will be sent to the last address that the GRHC has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

The family's response must be in writing and may be delivered in person, by mail, or by fax. Responses should be postmarked or received by the GRHC not later than 15 business days from the date of the GRHC letter.

If the family fails to respond within 15 business days, the family will be removed from the waiting list without further notice.

If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice.

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have 15 business days to respond from the date the letter was re-sent.

If a family is removed from the waiting list for failure to respond, the Director of Program Management may reinstate the family if s/he determines the lack of response was due to GRHC error, or to circumstances beyond the family's control.

### **Removal from the Waiting List**

#### GRHC Policy

If at any time an applicant family is on the waiting list, the GRHC 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 GRHC 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 GRHC'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 GRHC 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 GRHC must maintain a clear record of all information required to verify that the family is selected from the waiting list according to the GRHC'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 GRHC may admit families that are not on the waiting list, or without considering the family's position on the waiting list. The GRHC must maintain records showing that such families were admitted with special program funding.

### **Targeted Funding [24 CFR 982.204(e)]**

HUD may award a GRHC funding for a specified category of families on the waiting list. The GRHC 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.

#### GRHC Policy

The GRHC administers the following types of targeted funding:

- *Mainstream Vouchers*
- *Enhanced Vouchers*

### **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**

When funding is available, families will be selected from the waiting list in their determined sequence, regardless of family size, subject to income targeting requirements.

When there is insufficient funding available for the family at the top of the list, the Housing Commission will not admit any other applicant until funding is available for the first applicant.

Based on the Housing Commission's turnover and availability of funding, groups of families will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on completion of verification.

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

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

#### GRHC Policy

The GRHC will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding.

Residents of Hope Community will be given a preference over other applicants on the waiting list.

Residents in Project Based units who become eligible for the HCV program.

For the Project Based Program, the GRHC will give preference for barrier free units to applicants that require barrier free units.

Moderate Rehabilitation families who are currently residing in a unit which is over-crowded or under-occupied and there is no applicable unit available in the Moderate Rehabilitation development.

Residents who are displaced by government action.

Residents of Kent County will be given a preference over non-residents of Kent County.

Residents with Veterans honorable discharge status or surviving spouses will be given preference over non-veterans.

### **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 GRHC'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)].

#### GRHC Policy

The GRHC 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 GRHC system of preferences will be assigned prior to selecting families by a random lottery process [24 CFR 982.207(c)]. When selecting families from the waiting list GRHC is required to use targeted funding to assist only those families who meet the specified criteria, and GRHC 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)].

#### GRHC 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 GRHC's hierarchy of preferences, if applicable. Documentation will be maintained by the GRHC 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 the GRHC does not have to ask higher placed families each time targeted selections are made.

The GRHC will use the lottery method to select applicants for placement on the waiting list.



#### **4-III.D. NOTIFICATION OF SELECTION**

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

##### GRHC Policy

The GRHC will notify the family by first class mail when it is selected from the waiting list.

If a notification letter is returned to the GRHC 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.

The Housing Commission utilizes a full application review to discuss the family's circumstances in greater detail.

A certification packet will be sent to the family for completion as well as a request for documents that must be provided to document the legal identity of household members, including information about what constitutes acceptable documentation.

The family will be given 15 days to return all required documentation so eligibility can be determined.

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).

#### **4-III.F. COMPLETING THE APPLICATION PROCESS**

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

##### GRHC Policy

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

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

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