

## Chapter 4

### APPLICATIONS, WAITING LIST AND TENANT SELECTION

#### INTRODUCTION

When a family wishes to reside in public housing, the family must submit an application that provides the PHA with the information needed to determine the family's eligibility. HUD requires the PHA to place all families that apply for public housing on a waiting list. When a unit becomes available, the PHA must select families from the waiting list in accordance with HUD requirements and PHA policies as stated in the Admittance and Continued Occupancy 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 960.103, PH Occupancy GB p. 13]. 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 from the waiting list. 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 public housing. It also discusses the process the PHA will use to keep the waiting list current.

Part III: Tenant Selection. This part describes the policies that guide the PHA in selecting families from the waiting list as such units become 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 [24 CFR 1.4(b) (2) (ii), 24 CFR 960.202(a) (2) (IV), PH Occupancy GB, p. 68]**

Any family that wishes to reside in public housing must apply for admission to the program. HUD permits the PHA to determine the format and content of its 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. [Notice PIH 2009-36]

#### **WHA Policy**

Depending upon the length of time that applicants may need to wait for a unit to become available, the PHA may use a two-step application process.

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, the PHA 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 the amount of rent the family will pay when selected from the waiting list

All wait list applications must be submitted electronically. A link is available on the WHA website [www.wildwoodhousing.org](http://www.wildwoodhousing.org). Once the applicant family successfully submits their application, they will be assigned a unique control number which they can use to check their application status online.

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

##### **Elderly and Disabled Populations [24 CFR 8 and PH Occupancy GB, p.68]**

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.

##### **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 the PHA agency determines the family is ineligible. Where the family is determined to be ineligible, the PHA must notify the family in writing [24 CFR 960.208(a); PH Occupancy GB, p. 41]]. 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.

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

###### **WHA Policy**

If the PHA 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, the PHA 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 a grievance hearing and explain the process for doing so (see Chapter 14).

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

### **WHA Policy**

The PHA will send written notification of the preliminary eligibility determination.

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 the PHA. The PHA will assign families on the waiting list according to the site and bedroom size for which the family qualifies as established in the PHA's occupancy standards.

## **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 public housing 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 Admittance and Continued Occupancy Plan.

The waiting list must contain the following information for each applicant listed:

- Applicant name;
- Unit size required (number of family members);
- Amount and source of income;
- Accessibility requirements, if any;
- Household type (family, elderly, disabled);
- Date and time of application;
- Qualification for any local preference;
- The specific property site(s) selected;
- Racial or ethnic designation of the head of household.

The PHA may adopt one community wide waiting list or site based waiting lists. Site based waiting lists require HUD approval. Site based waiting lists allow families to select developments where they wish to reside and must be consistent with all applicable civil rights and fair housing laws and regulations [24 CFR 903.7(b)(2)].

### **WHA Policy**

The Wildwood Housing Authority will maintain a site based waiting list system, with separate waiting lists for each of the following sites with the Wildwood Housing Authority's public housing stock:

- Sandman Tower
- Commissioner Court

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 [24 CFR 982.205(a)(2)(i)].

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 [24 CFR 982.205(a)(1)].

### **WHA Policy**

The PHA will not merge the public housing waiting list with the waiting list for any other program the PHA operates.

## **4-II.C. OPENING AND CLOSING THE WAITING LIST**

### **Closing the Waiting List**

A PHA is permitted to close the waiting list if it has an adequate pool of families to fully lease units in all of its developments. Alternatively, the PHA may elect to restrict intake by preference, type of project, or by size and type of dwelling unit [PH Occupancy GB, p. 31].

### **WHA Policy**

The PHA will close the waiting list when the number of applicants exceeds more than double the number of units on the property. Where the PHA has particular preferences or other criteria that require a specific category of family, the PHA 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.

### **WHA Policy**

The PHA 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.

The PHA will give public notice by publishing the relevant information in suitable media outlets including, but not limited to: local newspapers, social service agencies, and the WHA website.

#### **4-II.D. FAMILY OUTREACH [24 CFR 903.2(d); 24 CFR 903.7(a) and (b)]**

The PHA must conduct outreach as necessary to ensure that the PHA has a sufficient number of applicants on the waiting list to fill anticipated vacancies.

Because HUD requires the PHA to admit a specified percentage of extremely low income, the PHA may need to conduct special outreach to ensure that an adequate number of such families apply for public housing.

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

### **WHA Policy**

The PHA will monitor the characteristics of the population being served and the characteristics of the population as a whole in the PHA'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**

### **WHA Policy**

While the family is on the waiting list, the family must inform the PHA immediately of changes in family size or composition, preference status, or contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing.

Changes in the applicant's circumstances while on the waiting list may affect the family's qualification for a particular bedroom size or entitlement or preference. When an applicant reports a change that affects their placement on the waiting list, the waiting list will be updated accordingly.

## **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 8.4(a), 24 CFR 100.24(a), PH Occupancy GB, pp. 39-40].

### **WHA Policy**

The waiting list will be updated annually to ensure that all applicants and applicant information is current and timely.

To update the waiting list, the PHA 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 PHA 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 delivered by mail, by email, by fax or dropped off in person during regular business hours. Responses should be postmarked or received by the PHA not later than 10 business days from the date of the PHA letter.

If the family fails to respond within 10 business days, the family will be removed from the waiting list without further notice. Such failures to act on the part of the applicant prevent the PHA from making an eligibility determination; therefore no informal review is required.

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. Such failures to act on the part of the applicant prevent the PHA from making an eligibility determination; therefore no informal review is required.

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 10 business days to respond from the date the letter was re-sent. Such failures to act on the part of the applicant prevent the PHA from making an eligibility determination; therefore no informal review is required.

If a family is removed from the waiting list for failure to respond, the PHA may reinstate the family if it is determined that the lack of response was due to PHA error, or to circumstances beyond the family's control. These are defined as serious illness or death in the family.

## **Removal from the Waiting List**

### **WHA Policy**

The PHA will remove an applicant from the waiting list upon an applicant family's request.

If at any time an applicant family is on the waiting list, the PHA 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 PHA 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 the PHA's decision (see Chapter 14) [24 CFR 960.208(a)].

## **PART III: TENANT SELECTION**

### **4-III.A. OVERVIEW**

As public housing units 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 units 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 960.206(e) (2)].

### **4-III.B. 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.

#### **Local Preferences [24 CFR 960.206]**

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 [24 CFR 960.1206(a)].

#### **WHA Policy**

The Wildwood Housing Authority will use the following local preference:

#### **Sandman Tower**

**Assisted living preference:** Those families that qualify for the state of New Jersey assisted living designation. This preference will be weighted higher than any other preference in these buildings. It will function as a “super preference” which will move families who qualify to the top of the list.

When a family qualifies for this preference and also qualifies for the working and disability preferences, that family will be placed on the top of the list. If more than one family qualifies for all three preferences, date and time of application will be used. Next, families who qualify for the assisted living preference and the disability preference will be listed. If more than one family qualifies for the same preferences, then selection will

be based on date and time of application. Finally, families who qualify for none of these preferences will be listed.

**In ALL buildings**

**Working/Elderly Preference (35 Points)**

The PHA will establish a preference for “working” families, where the head, spouse, co-head, or sole member is employed at least 30 hours per week.

As required by HUD, families where the head and spouse, or sole member is a person age 62 or older, or is a person with disabilities, will also be given the benefit of the working preference [24 CFR 960.206(b)(2)].

**Disability Preference (30 Points)**

A preference for families that includes a family member who is a person with disabilities. However, there cannot be a preference for a specific disability.

**Near Elderly Preference (20 Points)**

A preference for families where the head and spouse or sole member of the family is a person age 50 to 61.

**Displaced/Substandard Housing (10 Points)**

***Involuntary Displacement***

Applicants who have vacated housing as a result of:

- a. A disaster (fire, flood, etc.)
- b. Federal, State or local government action related to code enforcement, public improvement or development.
- c. Action taken by a housing owner which is beyond an applicant's control, and occurs despite the applicant's having met all previous condition of occupancy, and is other than a rent increase. If the owner is an immediate family relative (grandparent, parent, and sibling) and there has been no previous rental agreement and the applicant has been part of the owner's family immediately prior to application, the applicant will not be considered involuntarily displaced.
- d. Applicant, or a member of applicant family, has mobility or other impairment that makes the person unable to use critical elements of the unit in which the family resides, and the owner is not legally obligated to make changes to the unit that would make critical elements accessible to the disabled person as a reasonable accommodation.

Applicants who have actually been displaced must not be living in "standard, permanent replacement housing," which is defined as housing that is decent, safe, and sanitary that is adequate for the family size (according to code/Housing Quality Standards), and that the family is occupying pursuant to a lease or occupancy agreement.

Such housing does not include transient facilities, hotels, motels, temporary shelters, and (in the case of victims of domestic violence) does not include housing in which the applicant lives with the individual who engages in such violence.

Verification of Involuntary Displacement will be made by the following documentation:

- Certification from a unit of government concerning displacement due to disaster;
- Certification from a unit of government concerning displacement due to code enforcement, public improvement or development;
- Certification from an owner concerning displacement due to owner action; or
- Certification from present landlord or social service agency concerning displacement as a result of mobility or other impairment.

### ***Substandard Housing***

A family is considered to be living in substandard housing if the residence of the family:

Is dilapidated (does not provide safe, adequate shelter; has one or more critical defects or a combination of defects requiring considerable repair; endangers the health, safety, and well-being of a family;

- Does not have operable indoor plumbing;
- Does not have usable flush toilet in the unit for the exclusive use of the family;
- Does not have a usable bathtub or shower in the unit for the exclusive family use;
- Does not have adequate, safe electrical service;
- Does not have an adequate, safe source of heat;
- Should, but does not, have a kitchen;
- Has been declared unfit for habitation by a government agency.

Single Room Occupancy (SRO) is not substandard solely because it does not contain sanitary and/or food preparation facilities.

A family who resides as part of another family unit shall not be considered a separate family from the family unit for substandard housing definition preference purposes.

"Homeless Families" are considered to be living in substandard housing. A "Homeless Family" is defined as one whom:

- Lacks a permanent, regular, adequate nighttime residence, and also

- Has a primary nighttime residence that is a supervised public or private shelter providing temporary accommodations, or an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not ordinarily used as a sleeping accommodation for human beings.
- A Homeless Family does **not** include anyone imprisoned or detained pursuant to Federal, State, or local law or an Act of Congress.

Verification of Substandard Housing: Includes certification from a unit of government or from the applicant's current landlord that the unit's condition meets the definition of substandard. For "Homeless Families" verification is certification of this status from a public or private facility providing shelter to the family, or from local police or a social service agency.

### **Veteran Preference (5 Points)**

The Wildwood Housing Authority defines “veteran” as a Head of Household who was honourably discharged or who is currently on active duty with the following branches of service: Army, Navy, Air Force, Marines, Coast Guard and the National Guard (if deployed during war). This definition also includes the spouse of a veteran who is currently on active duty, or the widow of a veteran who was killed in action.

### **Wildwood Resident (5 Points)**

Applicant households with a permanent physical residence in the City of Wildwood, New Jersey. Eligibility for Wildwood Resident Preference must be demonstrated by having a permanent physical residence within the jurisdictional area. Physical residence shall be defined as a domicile with a mailing address, other than a post office box, for which the applicant can produce one or more of the following: a lease or a purchase agreement, utility bills showing the claimed residence address, or two pieces of first class mail addressed to a member of the applicant household at the claimed address

### **Ranking Preferences**

Families who qualify will be placed on the wait list according to number of total preference points for which they are eligible. Those families who are eligible for the highest number of preference points will be listed first and so on. Among families who qualify for the same amount of preference points, date and time of application will be used. Finally, those families who do not qualify for any preferences will be listed. Among those families, selection will be based on date and time of application.

### **Income Targeting Requirement [24 CFR 960.202(b)]**

HUD requires that extremely low-income (ELI) families make up at least 40% of the families admitted to the public housing 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.

If a PHA also operates a housing choice voucher (HCV) program, admissions of extremely low income families to the PHA's HCV program during a PHA fiscal year that exceed the 75% minimum target requirement for the voucher program, shall be credited against the PHA's basic targeting requirement in the public housing program for the same fiscal year. However, under these circumstances the fiscal year credit to the public housing program must not exceed the lower of: (1) ten percent of public housing waiting list admissions during the PHA fiscal year; (2) ten percent of waiting list admissions to the PHA's housing choice voucher program during the PHA fiscal year; or (3) the number of qualifying low income families who commence occupancy during the fiscal year of PHA public housing units located in census tracts with a poverty rate of 30 percent or more. For this purpose, qualifying low income family means a low income family other than an extremely low income family.

### **WHA Policy**

The PHA 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 [24 CFR 960.206(e)]**

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)].

### **WHA Policy**

Families will be selected from the waiting list based on preference. Among applicants with the same preference, families will be selected on a first come first serve basis according to the date and time their complete application is received by the PHA.

When selecting applicants from the waiting list, the PHA will match the characteristics of the available unit (unit size, accessibility features, unit type) to the applicants on the waiting lists. The PHA will offer the unit to the highest-ranking applicant who qualifies for that unit size or type, or that requires the accessibility features.

By matching unit and family characteristics, if is possible that families who are lower

on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application of higher preference status.

Factors such as deconcentration or income mixing and income targeting will also be considered in accordance with HUD requirements and PHA policy.

### **Units Designated for Elderly or Disabled Families [24 CFR 945]**

The PHA may designate projects or portions of a public housing project specifically for elderly or disabled families. The PHA must have HUD approved allocation plan before the designation may take place.

Among the designated developments, the PHA must also apply any preferences that is has established. If there are not enough elderly families to occupy the units in a designated elderly development, the PHA may allow near elderly families to occupy the units [24 CFR 945.33(c) (1)]. Near elderly family means a family whose head, spouse, or co-head is at least 50 years old, but is less than 62 [24 CFR5.403].

If there are an insufficient number of elderly families and near elderly families for the units in a development designated for elderly families, the PHA must make available to all other families any unit that is ready for re-rental and has been vacant for more than 60 consecutive days [24 CFR 945.303(c)(2)].

The decision of any disabled family or elderly family not to occupy or accept occupancy in designated housing shall not have an adverse effect on their admission or continued occupancy in public housing or their position on or placement on the waiting list. However, this protection does not apply to any family who refuses to occupy or accept occupancy in designated housing because of the race, color, religion, sex, disability, familial status, or national origin of the occupants of the designated housing or the surrounding area [24 CFR 945.303(d)(1) and (2)].

This protection does apply to an elderly family or disabled family that declines to accept occupancy, respectively, in a designated project for elderly families or for disabled families, and requests occupancy in a general occupancy project or in a mixed population project [24 CFR 945.303(d)(3)].

### **WHA Policy**

The Wildwood Housing Authority has designated housing. The Wildwood Housing Authority's developments with designated housing are as follows:

- Elderly developments include: Sandman Tower

- When there are insufficient elderly families on the waiting list who wish to reside in a designated elderly development, near elderly families will receive a preference over other families for designated elderly units.

### **Deconcentration of Poverty and Income Mixing [24 CFR 903.1 and 903.2]**

The PHA's admission policy must be designed to provide for deconcentration of poverty and income mixing by bringing higher income tenants into lower income projects and lower income tenants into higher income projects. A statement of the PHA's deconcentration policies must be included in its annual plan [24 CFR 903.7(b)].

The PHA's deconcentration policy must comply with its obligation to meet the income targeting requirement [24 CFR 903.2(c)(5)].

Developments subject to the deconcentration requirement are referred to as "covered developments" and include general occupancy (family) public housing developments. The following developments are not subject to deconcentration and income mixing requirements: developments operated by a PHA with fewer than 100 public housing units; mixed population or developments designated specifically for elderly or disabled families; developments operated by a PHA with only one general occupancy development; developments approved for demolition or for conversion to tenant based public housing; and developments approved for a mixed finance plan using HOPE VI or public housing funds [24 CFR 903.2(b)]

The PHA system of preferences may select families either according to the date and time of application or by a random selection process.

### **WHA Policy**

Families will be selected from the waiting list based on preference. Among applicants with the same preference, families will be selected on a first come first served basis according to the date and time their complete application is received by the PHA.

When selecting applicants from the waiting list, the PHA will match the characteristics of the available unit (unit size, accessibility features, unit type) to the applicants on the waiting lists. The PHA will offer the unit to the highest ranking applicant who qualifies for that unit size or type, or that requires the accessibility features.

By matching unit and family characteristics, it is possible that the families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application or higher preference status.

Factors such as income targeting will also be considered in accordance with HUD requirements and PHA policy.

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

When a family has been selected from the waiting list, the PHA must notify the family [24 CFR 960.208].

##### **WHA Policy**

The PHA 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.

If a notification letter is returned to the PHA 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.D. THE APPLICATION INTERVIEW**

HUD recommends that the PHA obtain the information and documentation needed to make an eligibility determination through a face-to-face interview with a PHA representative. 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 2018.24].

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

##### **WHA Policy**

Families selected from the waiting list are required to participate in an eligibility interview. All adult family members will be required to attend the interview.

All adult family members must provide acceptable documentation of legal identity. (Chapter 7 provides a discussion of proper documentation of legal identity.) If the family does not provide the required documentation at the time of the interview, he or she will be required to provide it within 10 business days.

Pending disclosure and documentation of social security numbers, the PHA will allow the family to retain its place on the waiting list for 30 calendar days. If not all household members have disclosed their SSNs, at the next time a unit becomes available, the PHA will offer a unit to the next eligible applicant family on the waiting list.

If the family is claiming a waiting list preference, the family must provide documentation to verify their eligibility for the preference. If the family is verified as eligible for the preference, the PHA will proceed with the interview. If the PHA determines the family is not eligible for the preference, the interview will not proceed and the family will be placed back on the waiting list according to the date and time of application.

The family must provide the information necessary to establish the family's eligibility and determine the amount of rent the family will pay, as well as completing required forms, providing required signatures, and submitting required documentation. If any materials are missing, the PHA 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 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, the PHA will provide translation services in accordance with the PHA's LEP plan.

If the family is unable to attend a scheduled interview, the family should contact the PHA in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, the PHA will send another notification letter with a new interview appointment time. Applicants who fail to attend two scheduled interviews without PHA approval will have their applications made inactive based on the family's failure to supply information needed to determine eligibility. The second appointment letter will state that failure to appear for the appointment without a request to reschedule will be interpreted to mean that the family is no longer interested, and their application will be made inactive. Such failure to act on the part of the applicant prevents the PHA from making an eligibility determination, therefore the PHA will not offer an informal.

#### **4-III.E. FINAL ELIGIBILITY DETERMINATION [24 CFR 960.208]**

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.

When a determination is made that a family is eligible and satisfies all requirements for admission, including tenant selection criteria, the applicant must be notified of the approximate date of occupancy insofar as that date can be reasonably determined [24 CFR 960.208(b)].

##### **WHA Policy**

The PHA will notify the family in writing of their preliminary eligibility (pending criminal background check and landlord verification) within 10 business days of the determination and will provide the approximate date of occupancy insofar as that date can reasonably be determined. A final eligibility determination will be made at the time of unit offer.

The PHA must provide the family a notice of VAWA rights (form HUD 5380) as well as the HUD VAWA self-certification form (form HUD 5382) in accordance with the Violence Against Women Reauthorization Act of 2013, and as outlined in 16-VII.C, at the time the applicant is provided assistance, or at the time the applicant is denied assistance. This notice must be provided in both of the following instances: (1) when a family actually begins receiving assistance (lease execution); or (2) when a family is notified of its ineligibility.

The PHA must promptly notify any family determined to be ineligible for admission of the basis for such determination, and must provide the applicant upon request, within a reasonable time after the determination is made, with an opportunity for an informal hearing on such determination [24 CFR 960.28(a)]

##### **WHA Policy**

If the PHA determines that the family is ineligible, the PHA 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 14).

If the PHA uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of denial, a copy of the record must precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the

information before the PHA can move to deny the application. See Section 3-III.G for the PHA's policy regarding such circumstances.

Upon making an eligibility determination, the PHA must provide the family a notice of VAWA rights as well as the HUD VAWA self-certification form (form HUD-50066) in accordance with the Violence Against Women Reauthorization Act of 2013, and as outlines in 16-VII.C. The notice and self-certification form must accompany the written notification of eligibility determination. This notice must be provided in both of the following instances: 1). When a family is notified of its eligibility; or 2). When a family is notified of it ineligibility.