**INTRODUCTION**

This chapter describes HUD and PHA policies for taking applications, managing the waiting list and selecting families for HCV assistance. The policies outlined in this chapter are organized into three sections, as follows:

Part I: The Application Process. This part provides an overview of the application process, and discusses how applicants can obtain and submit applications. It also specifies how the PHA will handle the applications it receives.

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

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

**PART I: THE APPLICATION PROCESS**.

**4-I.A. OVERVIEW**

This section is a brief overview of the key issues discussed in Part I. **No policy decisions are required.**

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

HUD gives a PHA the latitude to determine how the PHA will take applications, within certain constraints. HUD does not mandate the format or content of the application, or the method for processing applications. However, the policies that govern the application process must be set out in the administrative plan.

**☑ Decision Point: Will the PHA use a one-step or a two-step application-taking process?**

Things to Consider

* Generally, when accepting applications, the PHA would use either a one-step or a two-step application process.
* A one-step application process is typically most appropriate for PHAs that have short waiting lists (e.g., less than 60 days). In this type of situation, the family completes a full application, providing complete information when it applies for assistance. Collecting complete information only when the waiting list is short reduces the risk of having the information become out-of-date before the PHA is able to provide assistance.
* A two-step application process is more appropriate and effective for PHAs that have longer waiting lists, or whose waiting lists fluctuate in length. The two-part process requires the family to provide only the information required to place the family correctly on the waiting list at initial application (step one). The PHA then requests complete information when the family is selected from the waiting list (step two).
* The model policy language is written to accommodate either a one-step or a two-step application process. The language gives the PHA the flexibility to use one process or the other, depending upon the family’s expected wait time. If your PHA consistently uses either a one- or a two-step process and prefers not to include this flexibility, you will need to edit the model plan accordingly.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

Depending upon the length of time that applicants may need to wait to receive assistance, the PHA 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 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, 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 information necessary to establish family eligibility and level of assistance when the family is selected from the waiting list.

🞎 *Option 2:* *Edit the model plan language below by filling in the blanks.*

Depending upon the length of time that applicants may need to wait to receive assistance, the PHA 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 \_\_\_ days of the date of application. At application, the family must provide all 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 \_\_\_ 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 information necessary to establish family eligibility and level of assistance when the family is selected from the waiting list.

🞎 *Option 3: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**☑ Decision Point: How may applicants obtain and return applications?**

Things to Consider

* The model plan specifies how application forms can be obtained, and how they must be submitted to the PHA. The model policy allows the family to pick an application form up in person, or to ask the PHA to mail the application. It permits the PHA to accept applications delivered 1) in person, 2) by mail, 3) electronically, or 4) by fax.
* Depending on the technical systems and expertise available in your office, you may choose to either expand or limit these options. For example, a PHA might choose not to accept applications by fax if it has experienced difficulty obtaining legible documents this way. Another PHA with a sophisticated website might offer families the option of obtaining an application online and submitting it by email or another way electronically. If you wish to distribute or accept applications through other means, you must edit the model plan accordingly.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

Families may obtain application forms from the PHA’s office during normal business hours. Families may also request – by telephone, mail, or email – that an application be mailed to them via first class mail.

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

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

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

The PHA 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 PHA application process. This could include people with disabilities, certain elderly individuals, as well as persons with limited English proficiency (LEP). Policies related to reasonable accommodations for persons with disabilities, and people with limited English proficiency are contained in Chapter 2.

**No policy decisions are required.**

**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.

**Ineligible for Placement on the Waiting List**

**☑ Decision Point: How and when will the PHA notify a family that has been determined ineligible and will not be placed on the waiting list?**

Things to Consider

HUD requires the PHA to provide written notice to let the family know when the PHA has determined the family to be ineligible. The model plan states what the notice must include.

The model plan states that the PHA will notify a family of its ineligibility within 10 business days of receiving a complete application. This time frame (10 business days) is consistent with policies elsewhere in the plan.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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 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).

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**Eligible for Placement on the Waiting List**

**☑ Decision Point: How will the PHA inform the family of their apparent eligibility and placement on the waiting list?**

Things to Consider

* No requirement exists to provide a written notice to families where the PHA has determined the family to be *eligible* and has placed the family on the waiting list. However, the HCV Guidebook, pg. 4-14, instructs PHAs to “inform” those applicants that are determined potentially eligible of their status. The model plan calls for informing families in writing to minimize phone calls and confusion for applicants. If your PHA does not inform applicants of apparent eligibility, substitute your own policy under Option 3 below.
* The model plan offers only what the Guidebook states – informing the family of their apparently eligible status and placing them on the waiting list. However, the PHA may wish to provide families that are determined to be eligible for assistance with some additional information not required by HUD regulations.
* The PHA may wish to specify the approximate wait-time for eligible families to be selected from the waiting list. This information can help give the family a realistic expectation about how long it will have to wait for assistance.
* If the PHA has preferences, they may wish to inform the family of the preferences for which it qualifies. Errors in assigning preferences can have a profound impact on a family’s wait for assistance. By providing this information, the PHA allows the family to verify that it has made an accurate assessment of the preferences for which the family qualifies. Generally, however, the PHA will not be verifying preference status at the time of initial application, and will simply be relying on the information provided by the family on the application.
* Although the model plan does not include a provision for informing apparently eligible families of their relative “place” on the waiting list, approximate wait time, preference status, etc., Option 2 provides alternative policy language. Your PHA may need to revise this language to reflect any additional actions your PHA takes in relation to communicating with apparently eligible applicant families.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

The PHA 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.

🞎 *Option 2: Delete the model plan language on apparently eligible applicants. Substitute the language shown below. Edit this language to include PHA-specific policies on communication with eligible applicants.*

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

For apparently eligible families that are placed on the waiting list, the notice will indicate the family’s relative place on the waiting list and the approximate length of time that the family can expect to wait before being selected from the waiting list. If applicable, it also will indicate whether the family is eligible for any preferences that the PHA uses when selecting families from the waiting list.

🞎 *Option 3: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**☑ Decision Point: What system will the PHA use for placing apparently eligible families on the waiting list?**

Things to Consider

* The model plan states that applicants will be placed on the waiting list according to preference, and date and time of application.
* PHAs may also use a lottery system to place families on the waiting list, instead of date and time. In this case, PHAs usually accept applications for a designated period of time. After applications are no longer being accepted, the PHA takes the applications that were submitted and by lottery assigns a number to each application. The applications are then placed on the waiting list in order of the numbers they were assigned (see Option 2).
* If you are using date and time of application without any local preferences, see Option 3. If you are using a lottery system without any local preferences, see Option 4.
* If a PHA chooses to replace the model plan by selecting another option, the policy in Section 4-III.C., Order of Selection, will need to be changed to match the policy here.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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.

🞎 *Option 2: Delete model plan language and substitute language as shown below.*

Applicants will be placed on the waiting list using a lottery system. Once each application has been randomly assigned a number, the applications will be placed on the waiting list in order of the assigned numbers and according to PHA preference(s).

🞎 *Option 3: Delete model plan language and substitute language as shown below.*

Applicants will be placed on the waiting list according to the date and time the complete application is received by the PHA.

🞎 *Option 4: Delete model plan language and substitute language as shown below.*

Applicants will be placed on the waiting list using a lottery system. Once each application has been randomly assigned a number, the applications will be placed on the waiting list in order of the assigned numbers

🞎 *Option 5: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**PART II: MANAGING THE WAITING LIST**

**4-II.A. OVERVIEW**

This section provides a brief overview of the key issues discussed in Part II.

**No policy decisions are required.**

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

**☑ Decision Point: Will the PHA have separate HCV waiting lists or will the PHA have a single HCV waiting list?**

Things to Consider

* HUD requires the PHA to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. The policy in the model plan calls for a single waiting list, and is appropriate for those PHAs that do not serve more than one county or municipality.
* PHAs that manage the HCV program in more than one county or municipality must decide whether to maintain a single HCV waiting list for the entire program, or separate HCV waiting list for each county/municipality (or combinations of counties/ municipalities). The PHA must base this decision on factors such as the PHA’s organizational structure, resources, administrative procedures, and relationships between the various counties and municipalities.
* The model plan calls for a single HCV waiting list. If your PHA operates in more than one county or municipality and uses more than one waiting list, selectOption 2.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed. Delete model plan language and substitute language as shown below.*

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

🞎 *Option 2:* *If your PHA operates in more than one county or municipality and you use more than one waiting list, delete model plan language and substitute language as shown below.*

The PHA will maintain a separate waiting list for each of the following counties/municipalities within the PHA’s jurisdiction:

***[List here counties for which you have established a separate waiting list]***

🞎 *Option 3: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**☑ Decision Point: Will the HCV waiting list be merged with other waiting lists?**

Things to Consider

* The PHA can either keep the HCV waiting list separate and independent, or merge it with other waiting lists. Keeping the lists separate enables the PHA to quickly and easily identify only those applicants that are interested in and eligible for a particular program.
* However, the PHA must establish procedures to ensure that no family is inadvertently omitted from a waiting list for a program the family is qualified for and interested in.
* Merging the waiting lists eliminates the administrative challenge of placing families on multiple lists. However, it could complicate the selection process by requiring the PHA to sort through families who are not interested in HCV assistance, in order to find the next family who is interested, when HCV assistance becomes available.
* The model plan language calls for a separate, non-merged HCV waiting list. Your PHA may need to alter this language to fit your particular circumstances.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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

🞎 *Option 2: Delete model plan language and substitute language as shown below.*

The HCV waiting list is merged with the following program(s):

***[List the programs with which your HCV waiting list is merged]***

🞎 *Option 3: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

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

**Closing the Waiting List**

**☑ Decision Point: How will the PHA determine when to close its waiting list?**

Things to Consider

* HUD permits the PHA to close the waiting list if it has an adequate pool of families to use its available funding, but does not define what constitutes an “adequate pool.” The HCV Guidebook suggests that application-taking should stop when the anticipated wait reaches between 12 and 24 months. There is no HUD requirement for a public notice to close the waiting list. It may be added at PHA option (see Option 2).
* PHAs may elect to continue accepting applications from certain categories of families that meet particular preferences or funding criteria, despite the fact that they are closing the waiting list to other families. Generally, the PHA would exercise this option when the number of applicants on the waiting list that meet the specific preference or funding criteria, is not sufficient to use the HCV funding that will become available during the period the PHA expects the waiting list to be closed.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

The PHA will close the waiting list when the estimated waiting period for housing assistance for applicants on the list reaches 24 months for the most current applicants. The PHA may choose to continue to accept applications from families meeting certain criteria while closing the waiting list to others.

🞎 *Option 2: Edit the model plan language by filling in the blanks below.*

The PHA will close the waiting list when the estimated waiting period for housing assistance for applicants on the list reaches \_\_\_ months for the most current applicants. The PHA may choose to continue to accept applications from families meeting certain criteria while closing the waiting list to others.

The PHA will announce by public notice the closing of the waiting list. If the list remains open to certain categories of families, this information will be contained in the notice. The notice will be published at least \_\_\_ days prior to the PHA closing the list.

🞎 *Option 3: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**Reopening the Waiting List**

**☑ Decision Point: How will the PHA announce that the waiting list will be reopened?**

Things to Consider

* HUD requires that the PHA give public notice before reopening the waiting list. The notice must comply with HUD fair housing requirements and must specify who may apply, and where and when applications will be received.
* The plan should specify how the PHA will notify the public when the waiting list is to be reopened by listing the media outlets the PHA will always use. Including this list in the plan does not prevent the PHA from giving notice in additional media outlets

**CAUTION:** **You must insert information here. The model plan does not contain language that can be adopted as-is.**

🞎 *Option 1:* *Use the model plan language shown below. Insert the list of media outlets as indicated.*

The PHA will announce the reopening of the waiting list at least 10 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:

***[List here newspapers/other media where notices will be published]***

🞎 *Option 2: Edit the model plan language by filling in the blanks below.*

The PHA will announce the reopening of the waiting list at least \_\_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:

***[List here newspapers/other media where notices will be published]***

🞎 *Option 3: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

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

HUD requires the PHA to make certain types of outreach efforts, simply to ensure that the PHA has a sufficient number of applicants on the waiting list to use the HCV resources it has been allotted. However, HUD leaves open the possibility that the PHA may elect to undertake additional outreach activities.

**☑ Decision Point: How will the PHA determine what outreach is appropriate and what specific strategies should be undertaken?**

Things to Consider

* If the PHA has a standard list of other media outlets that it uses, those may be included in a local policy on outreach. However, in general, additional outreach efforts are usually very purpose-specific. In other words, the PHA is undertaking additional outreach in order to meet specific objectives of reaching underserved populations, reaching extremely low income families, furthering fair housing objectives, among others. For this reason, PHAs are better served to consider the situation and assess the appropriateness of various media outlets on an as-needed basis.
* The policy in the model plan states that the PHA will monitor the characteristics of the HCV-assisted family population, and will undertake outreach as needed and in order to fit the specific situation. It does not list specific outreach strategies, since such strategies must be adapted on an ongoing basis, based on the market area analyses and information about the success or failure of past outreach efforts.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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.

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

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

The family should be required to notify the PHA when there are changes in the information provided on the application in order to allow the PHA to select families from the waiting list accurately and efficiently.

**☑ Decision Point: What types of changes must the family report to the PHA?**

Things to Consider

* The model plan specifies that the family must report changes in contact information including current residence, mailing address, and phone number. This policy does not prevent a family from reporting other changes.
* Your PHA may wish to adopt additional reporting requirements, such as changes in family size or composition, changes in preferences, and changes in income or income source. In deciding whether to require families to report other changes, the PHA would need to balance the burden, both for the family and the PHA, of reporting and processing multiple changes while on the waiting list against the value and usefulness of that information for selection purposes.
* Keep in mind, an applicant family’s information will generally be updated on a regular basis when the PHA purges the waiting list. It will also be updated at the time the family is selected from the waiting list.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

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

An out-of-date waiting list can hamper the PHA’s efforts to process applicants efficiently when funding becomes available. To keep the waiting list current, the PHA is permitted to contact families on the waiting list periodically to reconfirm their interest, and to “purge” the list of families that are no longer interested, no longer eligible, or no longer reachable.

**Purging the Waiting List**

**☑ Decision Point: How often will the PHA purge the waiting list?**

Things to Consider

* HUD does not specify how often the waiting list should be updated.
* Purging should occur often enough to ensure that the waiting list is as current as possible, so that when the PHA contacts families at the top of the waiting list with invitations to attend an interview, the PHA is able to accurately predict the number of responses it will receive. However, purging the list too frequently results in unnecessary effort for both the PHA and the families.
* The appropriate frequency for updating the waiting list will depend in part on the size of the waiting list, and in part on the nature of the community. As local conditions may vary, the model plan states that the list will be updated as needed. The PHA may wish to instead set a regular period, such as every six months, or annually.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**☑ Decision Point: How will families be notified of the update request and what will the request contain?**

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

To update the waiting list, the PHA will send an update request via first class mail or email 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 or email 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.

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**☑ Decision Point: How much time does the family have to respond to the update request and what will happen if the family doesn’t respond within the specified time frame?**

Things to Consider

* HUD leaves it to the PHA to determine the amount of time families will be given to respond to an update request, and the number of contact attempts that will be made.
* The model plan allows 15 business days for an applicant family to respond to the purge letter. This response time is longer than the standard response time of 10 business days used throughout much of this plan. An increased response time is advisable in this circumstance due to the seriousness of the consequences if the family’s response is not received in a timely manner.
* Although a shorter time frame is not recommended, PHAs may want to allow more than 15 business days to respond (e.g. 30 calendar days). If you choose to do this, simply edit the number of days in the model plan.
* The model plan states that responses may be delivered in person, by mail, by email, or fax. If your PHA accepts other methods, the model plan will need to be edited to reflect this.
* The model plan states that families will only be contacted once for each purge of the waiting list. If a family doesn’t respond to the purge letter, the family will be removed from the waiting list without further notice.
* If a PHA wants to send more than one update notice prior to removing the family from the waiting list, the model plan will need to be edited accordingly (see Option 2).

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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

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

🞎 *Option 2: Delete model plan language and substitute language as shown below.*

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

If the family fails to respond within 15 business days, the family will be sent a second notice giving them 10 business days to respond in writing. If they fail to respond to the second notice within the required time frame, the family will be removed from the waiting list without further notice.

🞎 *Option 3: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**☑ Decision Point: What will the PHA do if the update notice is returned by the post office?**

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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.

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**☑ Decision Point: Under what circumstances will the PHA allow families, who do not respond to the update request within the required time frame, to be reinstated to the waiting list?**

Things to Consider

* The model plan allows the PHA to reinstate someone to the waiting list but limits the reinstatement to cases of PHA error, circumstances beyond the family’s control, and to include disability and VAWA protections. To ensure consistency, we recommend that this authority be limited to one position.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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, as a result of a family member’s disability, or as a direct result of status as a victim of domestic violence, dating violence, sexual assault, stalking, or human trafficking, including an adverse factor resulting from such abuse.

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**Removal from the Waiting List**

**☑ Decision Point: What will the PHA do when it receives information that a family is ineligible for assistance after the family has already been placed on the waiting list?**

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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 16) [24 CFR 982.201(f)].

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**PART III: SELECTION FOR HCV ASSISTANCE**

**4-III.A. OVERVIEW**

This section identifies the key issues discussed in Part III. **No policy decisions are required.**

**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 PHA may admit families that are not on the waiting list, or without considering the family’s position on the waiting list. **No policy decisions are required.**

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

**☑ Decision Point: What types of targeted funding does the PHA have available?**

Things to Consider

* Your PHA may have such targeted funding (e.g. welfare-to-work, family unification, etc.). When the PHA receives targeted funding, the availability of such funding may affect the order in which families are admitted to the program. This information should be made available to families by including it in the plan.

On the other hand, your PHA may not have such targeted funding. If so, you should specify explicitly that the PHA does not have such funding. The model plan assumes that targeted funding is available.

* **Note:** If the PHA administers any of the following types of targeted funding listed under Option 1, additional policies corresponding to these programs will need to be further defined in Chapter 19 of this policy:
  + Family Unification Program (FUP)
  + Foster Youth to Independence (FYI) program
  + Veterans Affairs Supporting Housing (VASH)
  + Mainstream
  + Non-Elderly Disabled (NED)

**CAUTION:** **You must insert information here. The model plan does not contain language that can be adopted as-is.**

🞎 *Option 1:* *Use the model plan language shown below. Insert the list of active targeted funding as indicated.*

The PHA administers the following types of targeted funding:

***[Insert list of all types of targeted funding here]***

🞎 *Option 2: Delete the model plan language and insert the text below.*

The PHA does not currently administer any type of targeted funding.

🞎 *Option 3: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**Regular HCV Funding**

Regular HCV funding may be used to assist any eligible family on the waiting list. **No policy decisions are required.**

**4-III.C. SELECTION METHOD**

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

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

The PHA is permitted, but not required, to establish local preferences.

**☑ Decision Point: What local selection preferences will the PHA use?**

Things to Consider

* The model plan includes a local preference for families who have been terminated by the PHA due to insufficient funding:
* PIH Notice 2005-9, Public Housing Agency (PHA) Flexibility to Manage the Housing Choice Voucher Program in 2005, states that PHAs should include in their administrative plan termination policies due to insufficient funding, as well as policies related to the resumption of assistance for the impacted families.
* Except for special admissions (for which HUD provides specific funding), participants must be selected from the PHA waiting list. Therefore, families that are terminated due to insufficient funding must reapply for assistance and be selected from the waiting list. If a PHA wishes to resume assistance to these families prior to assisting others on the waiting list, a preference must be given as in the model policy.
* If a PHA does not want to resume assistance of families terminated due to insufficient funding prior to providing assistance to other families on the waiting list, select Option 2 below.
* It is important to note that even though families terminated due to insufficient funding may be given a preference; they will still be subject to the PHA’s eligibility requirements.
* HUD regulations specifically authorize the PHA to establish certain types of preferences.
* A “residency” preference for a family that resides in a specified geographic area, or includes a family member who works, or has been notified that they are hired to work, in that geographic area. The preference cannot have the effect of disproportionately delaying or denying assistance to members of protected classes. A residency requirement is prohibited.
  + Note that if the PHA administers Mainstream vouchers, a residency preference may prevent an otherwise eligible applicant from accessing Mainstream vouchers. Mainstream vouchers are intended to facilitate access to housing for individuals with disabilities, including for individuals who reside in institutional or other segregated settings that may not be located in the geographic area that is typically served by a PHA. Consequently, HUD waived 24 CFR 982.207(b)(1) and established an alternative requirement under which a PHA cannot apply a residency preference to Mainstream voucher applicants.
* A preference for “working” families, where the head, spouse or sole member is employed. However, an applicant where the head and spouse or sole member is a person age 62 or older, or is a person with disabilities, must also be given the benefit of this preference.
* A preference for a family that includes a family member who is a person with disabilities. However there cannot be a preference for a specific disability.
* A preference for a family that includes a family member who is a victim of domestic violence, dating violence, sexual assault, stalking, or human trafficking.
* A preference for a family whose sole family member is elderly, displaced, homeless, or a person with disabilities, over other single-person families.
* The model policy also chooses to adopt a preference for a family that includes a family member who is a victim of domestic violence, dating violence, sexual assault, stalking, or human trafficking who has either been referred by a partnering service agency or consortia or is seeking an emergency transfer from the PHA’s public housing program or other covered housing program operated by the PHA under VAWA.
* Although VAWA does not require such a preference, the law as well as HUD regulations and notices encourage PHAs to affirmatively address the needs of victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking. Adopting a preference for such victims is one way to address these needs.
* While the PHA’s system of local preferences must be based on local housing needs and priorities, HUD recommends that a PHA’s local housing needs assessment specifically include people experiencing domestic violence, dating violence, sexual assault, stalking, or human trafficking.
* The model policy addresses two categories of victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking. First, by addressing the needs of participants seeking an emergency transfer from the PHA’s public housing or other covered housing programs under VAWA, the policy allows victims who are assisted by the PHA to more quickly access an available unit without being placed on the bottom of the HCV waiting list.
* Further, the model policy also establishes a preference for individuals who are referred by a partnering service organization or consortia or organization. Notice PIH 2017-08 makes clear that in selecting partnering organizations, the PHA may not limit the source referrals to an agency, organization, or consortia that denies services to members of any federally protected class such as an agency that limits referrals only to female victims. Since these agencies will be specific to the PHA’s area, the model policy must be edited to include the names of service agencies with which the PHA is partnering.
* Notice PIH 2025-19 is applicable to PHAs with an Emergency Housing Voucher (EHV) program. If the PHA has EHVs and wishes to transition EHV families to the PHA’s regular HCV program, the family must be selected through the PHA’s HCV waiting list. PHAs may establish a local preference for families participating in EHV. The following are considerations in establishing such a preference:
* Only current EHV participants are eligible for the preference. For example, the preference could state that it is for currently assisted EHV families whose assistance is at risk of termination due to lack of program funding.
* In establishing an EHV preference, PHAs will need to consider how the preference methods they currently employ will impact the desired goal of moving EHV families to the top of the PHA’s waiting list to expediently transition EHV families.
* Some PHAs may only have available HCVs to transition a portion of their EHV families. PHAs in this situation may want to consider adopting multiple EHV preferences to first prioritize the most vulnerable households. For example, PHAs could adopt a preference for EHV families with a head of household, spouse, or cohead who is elderly or disabled, and a second preference for all other EHV families.
* PHAs with Mainstream vouchers available may consider adopting a preference for EHV families that meet Mainstream eligibility requirements. To transition families into Mainstream, families must be Mainstream-eligible, and the family must be properly added to the waiting list consistent with statutory, regulatory, and other requirements. This option does not apply to Special Purpose Voucher (SPV) programs other than Mainstream.
* Note that a PHA may not transition a family from the EHV program to the HCV program until it verifies documentation of SSN and eligible noncitizen status.
* The PHA is free to establish other preferences not addressed in the regulation, as long as they are based on local housing needs and priorities. The PHA is also free to limit the number of families that qualify for any given preference.
* If your PHA chooses to establish additional preferences, you must add them to the model plan. Examples of additional local preferences a PHA may wish to adopt are:
* Veterans or surviving spouses of veterans
* Graduates of transitional housing programs
* Families who have been involuntarily displaced
* Families who are homeless or living in substandard housing
* Families paying more than 50% of their income for rent and utilities
* Families who have been involuntarily displaced:
* If a PHA offers a preference for families who have been involuntarily displaced, this term must be defined by the PHA. The preference could be broad and include displacement due to a disaster (e.g., fire, flood, earthquake), government action (e.g. code enforcement, public improvement), action by a housing owner that is beyond an applicant’s ability to control (e.g., conversion of a unit to non-residential use, owner wants the property for personal use), or it could be more narrowly defined.
* For example, such a preference could be restricted to families who have been displaced due to a natural disaster or other national emergency. It could be limited to families involuntarily displaced in federally declared disaster areas, or to those involuntarily displaced within the PHA’s jurisdiction, locality, or state.
* A PHA could adopt a preference for victims of a specific disaster (e.g., Hurricane Katrina) at the time of the disaster, and then remove the preference when it is no longer needed. It is important to note that this option is only practical if this type of change does not qualify as a significant amendment to the PHA plan, and the change can be made quickly enough to have the desired impact.
* Establishing preferences allows the PHA to target assistance to the populations most in need of assistance in the community. However, selection preferences make the waiting list management process more complex, make the process harder for families to understand, and may prevent families without preferences from ever being selected from the waiting list.
* If a PHA adopts multiple preferences, the policy should also specify the relationship between preferences. For example, do some preferences carry more weight than others? Should all preferences be treated equally regardless of preference? Is a family that qualifies for more than one preference assisted before a family that qualifies for only one of the preferences (compounding preferences)?
* PHAs that adopt additional preferences must be sure that all preferences are clearly defined, and that the system (or hierarchy) of selection preferences is also clear. If adopted, these policies should appear in this section of the plan. Policies related to the verification of preferences must also be adopted and should be added to Section 7-II.H. of this plan.
* For options on local preference policies, systems of selection preferences, and preference verification policies, please refer to Exhibit 4-1 at the end of this Chapter.

**CAUTION:** **You must insert information here. The model plan does not contain language that can be adopted as-is.**

🞎 *Option 1:* *Use the model plan language shown below. Insert the names of agencies with which the PHA will partner.*

The PHA will use the following local preferences:

1. The PHA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding.
2. The PHA will offer a preference to families that include victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking who have either been referred by a partnering service agency or consortia or who are seeking an emergency transfer under VAWA from the PHA’s public housing program or other covered housing program operated by the PHA.

The PHA will work with the following partnering service agencies:

**[Insert name(s) of agencies]**

The applicant must certify that the abuser will not reside with the applicant unless the PHA gives prior written approval.

The PHA will first assist families that have been terminated from the HCV program due to insufficient funding and then assist families that qualify for the VAWA preference.

🞎 *Option 2:* *Delete the model plan language and insert the language below.*

No local preferences have been established.

🞎 *Option 3: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

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

**☑ Decision Point: How will the PHA ensure that it meets the extremely low-income (ELI) targeting requirements?**

Things to Consider

* HUD requires that extremely low-income (ELI) families make up at least 75 percent of the families admitted to the HCV program during the PHA’s fiscal year [24 CFR 982.201(b)(2)]. 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.
* Low-income families that have been “continuously assisted” under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families that have been 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)].
* In order to ensure that the PHA will meet its income-targeting requirement by the end of the fiscal year, the PHA will need to regularly monitor the income levels of its waiting list applicants and new admissions to the program. If the PHA finds that it is at risk of failing to meet this requirement, the PHA will need to select ELI families over non-ELI families.
* The model plan states that a PHA will select ELI families over other eligible families on an as-needed basis, in order to meet the income targeting requirement. This policy allows the PHA to ensure compliance with the targeting requirement, without adopting ELI as a preference category.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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.

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**Order of Selection**

**☑ Decision Point: How will families be selected from the waiting list**?

Things to Consider

* While both the first-come, first-served and random choice methods are acceptable, most PHAs provide assistance on a first-come first-served basis. Therefore, this is the approach taken in the model plan.
* PHAs are required to use targeted funding to assist only those families that qualify. Therefore, the model language makes it clear that when selecting families for admission using targeted funding, families that do not qualify may be skipped. Among families that do qualify, the PHA will select based on date/time of application. The plan also makes clear that documentation is required to note when a family is not qualified for or is not interested in the targeted funding so that those families do not have to be asked numerous times when targeted funding is available and can be skipped when targeted selections are made.
* Options 1 and 2 are for PHAs that have adopted one or more local preferences. For PHAs with no local preferences the model plan language must be edited or replaced. See Options 3 and 4, or adopt your own policy language.
* The policy in this section must be consistent with the policy in Section 4-I.D.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed (Only for PHAs with local preferences and selecting using date and time).*

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 the PHA’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 the PHA. Documentation will be maintained by the PHA 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 PHA does not have to ask higher placed families each time targeted selections are made.

🞎 *Option 2: Delete the model plan language and insert the text below (Only for PHAs with local preferences and selecting using a lottery system).*

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 the PHA’s hierarchy of preferences, if applicable. Within each targeted funding or preference category, families will be selected in numerical order based on the numbers that were assigned to each application, by lottery, at the time the applications were placed on the waiting list. Documentation will be maintained by the PHA 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 PHA does not have to ask higher placed families each time targeted selections are made.

🞎 *Option 3: Delete the model plan language and insert the text below (Only for PHAs with no local preferences and selecting by date and time).*

Families will be selected from the waiting list on a first-come, first-served basis according to the date and time their complete application is received by the PHA.

Families that qualify for a specified category of program funding (targeted funding) may be selected from the waiting list ahead of higher placed families that do not qualify for the targeted funding. However, within any targeted funding category, applicants will be selected on a first-come, first-served basis according to the date and time their complete application is received. Documentation will be maintained by the PHA 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 PHA does not have to ask higher placed families each time targeted selections are made.

🞎 *Option 4: Delete the model plan language and insert the text below (Only for PHAs with no local preferences and selecting using a lottery system)*.

Families will be selected from the waiting list in numerical order based on the numbers that were assigned to each application, by lottery, at the time the applications were placed on the waiting list.

Families that qualify for a specified category of program funding (targeted funding) may be selected from the waiting list ahead of higher placed families that do not qualify for the targeted funding. However, within any targeted funding category, applicants will be selected in numerical order based on the numbers that were assigned to each application, by lottery, at the time the applications were placed on the waiting list.

🞎 *Option 5: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

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

Once the family is selected from the waiting list, the PHA must notify the family and provide clear information about what the family must do to continue the application process [24 CFR 982.554(a)]. The model plan lists the information the PHA must provide to the family.

**☑ Decision Point: How will the PHA notify the family that it has been selected from the waiting list, and clarify the next steps the family must take?**

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

The PHA will notify the family by first class mail or email 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.

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**4-III.E. THE APPLICATION INTERVIEW**

HUD recommends, but does not require, the PHA to hold an interview with families selected from the waiting list. The interview allows the PHA to collect the information necessary to make a final eligibility determination and calculate the amount of subsidy the family will receive. The PHA must develop its own policies regarding whether to hold such interviews, and if so, the requirements for attending them.

**☑ Decision Point: Will the PHA require an in-person interview?**

Things to Consider

* The model plan calls for in-person interviews as recommended by HUD. If you choose not to hold in-person interviews, you should add your own policy discussion on how you will ensure that the PHA obtains complete information and all required signatures and documentation from the family.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**☑ Decision Point: Who must attend the in-person interview?**

Things to Consider

* The policy should specify who must attend the interview. When there is no spouse or cohead, the head of household must attend the interview. If there is a spouse or cohead, the model plan encourages, but does not require, the head of household and the spouse/cohead to attend together, and permits the spouse/cohead to attend in lieu of the head of household.
* An alternative approach would be to require any spouse/cohead to attend the interview with the head of household, and make exceptions when this poses problems for the family. Encouraging but not requiring joint attendance relieves staff of the responsibility for determining when an exception should be made. In any case, forms that require signatures from adult family members who do not attend the interview must be returned to the PHA after the interview.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

The head of household and the spouse/cohead will be strongly encouraged to attend the interview together. However, either the head of household or the spouse/cohead 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 the PHA.

🞎 *Option 2: Delete model plan language and substitute language as shown below.*

The head of household is required to attend the interview. 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 the PHA.

🞎 *Option 3: Delete model plan language and substitute language as shown below.*

All adult family members are required to attend the interview.

🞎 *Option 4: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**☑ Decision Point: What proof of legal identity must be provided at the in-person interview?**

Things to Consider

* The PHA must ensure that that the family selected and scheduled for the interview, and family actually attending the interview, are one and the same. To address this issue, the model plan requires proof of legal identity for a family representative – head, spouse, or cohead – at the interview. If your PHA has encountered significant problems in this area, you may wish to consider more stringent requirements for proof of identity for all family members at the time of interview.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

The head of household or spouse/cohead must provide acceptable 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 at the time of the interview, they will be required to provide it within 10 business days.

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**☑ Decision Point: How long will the PHA allow an applicant family who is otherwise eligible to retain its place on the waiting list pending disclosure and documentation of social security numbers?**

Things to Consider

* Notice PIH 2018-24, issued February 15, 2012, reiterates that the PHA must deny the eligibility of an applicant family unless each member of the household discloses an SSN and provides documentation of each SSN. However, the notice also states that if the 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, which should be described in the PHA’s policies.
* Because the maximum amount of time that would be reasonable for a PHA to allow will vary, the model policy does not include a specified timeframe. The PHA’s application process and the family’s expected wait time, among other factors such as the PHA’s general practices, procedures, funding, and other time limits, all need to be considered in determining what a reasonable amount of time would be.
* Regardless of the maximum time a PHA allows, the notice states that if all household members have not disclosed their SSNs at the time a unit becomes available, the PHA must offer the available unit to the next eligible applicant family on the waiting list. The model policy contains language adapted to the voucher program that follows this requirement.

**CAUTION:** **You must insert information here. The model plan does not contain language that can be adopted as-is.**

🞎 *Option 1: Use the model plan language shown below. Insert the specified timeframe as needed.*

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

🞎 *Option 2: Use PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**☑ Decision Point: How long does the family have to provide any missing information?**

Things to Consider

* Although the PHA informs the family what documents must be brought to the interview and gathers all of the information it can from the family at the interview, additional information or documentation may be required. In this case, the PHA must clearly inform the family about what additional items need to be provided and by when. Providing a list of missing documents in writing will help facilitate the process.
* The model plan uses the 10 business day time frame used elsewhere in the plan as the time frame for returning the required materials. However, this is an area where some flexibility may be required, since some documents may be difficult to obtain, and families may misunderstand exactly what documents were required. The model plan provides a clear deadline, but gives the PHA the flexibility to grant extensions to families that require them.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

The family must provide the information necessary to establish the family’s eligibility and determine the appropriate level of assistance, and must complete required forms, provide required signatures, and submit 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 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).

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**☑ Decision Point: What kind of assistance can the family have at the interview?**

Things to Consider

* Some families may wish to bring an advocate, interpreter, or other assistant with them to the interview. The model plan permits such a person to attend but requires the family and the PHA to execute a certification attesting to the role and assistance of the third-party in the application interview process.
* Depending on local conditions and the PHA’s resources, interviews may be conducted only in English, or the PHA may provide interviews in other languages, either routinely, or upon special request. A PHA with bi-lingual staff might establish a policy offering interviews in another language. The model plan limits the PHA’s commitment to providing interviews in English, with services provided for limited English proficiency (LEP) applicants, under the PHA’s LEP plan.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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.

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**☑ Decision Point: What happens if the family cannot attend a scheduled interview?**

Things to Consider

* The PHA should have a policy for rescheduling the interview if a family is unable to attend, as well as policies concerning how to handle families who do not attend scheduled interviews. The model plan requires the PHA to deny assistance if the family fails to attend two scheduled interviews without PHA approval. Denial of assistance requires that the family be offered an informal review, which would give the PHA the opportunity to offer an additional interview date to a family that encountered exceptional circumstances.

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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 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.

🞎 *Option 2: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

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

**☑ Decision Point: How will the PHA treat a family determined to be ineligible or a family that fails to qualify for targeted funding or a selection preference?**

Things to Consider

* If the PHA determines that a family is ineligible, the family must be notified and given the opportunity for an informal review (see Chapter 16).
* If the PHA determines that a family is eligible, but was selected from the waiting list based on criteria for which it does not qualify, the PHA must inform the family of this determination and return the family to the waiting list. A PHA may offer an applicant family the right to an informal review when they are placed back on the waiting list, but since the PHA is not denying assistance, an informal review is not required.
* If a PHA has local preferences and a family is selected from the waiting list based on a preference(s) that the PHA is unable to verify, the family must be placed back on the waiting list. However, in this case, the family will not be returned to their original position. Instead, they will be placed back on the waiting list according to the date and time or lottery number of their application, but in the preference or non-preference category for which the family now qualifies (see Option 2 below).

🞎 *Option 1:* *Use the model plan language shown below. No changes to the model plan are needed.*

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 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 PHA will notify the family in writing that it has been returned to the waiting list, and will specify the reasons for it.

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

🞎 *Option 2: Delete model plan language and substitute language as shown below (Only for PHA with local preferences).*

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 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, local preference, extremely low-income), the family will be returned to the waiting list, taking into account any change in the family’s preference status. The PHA will notify the family in writing that it has been returned to the waiting list, and will specify the reasons for it.

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

🞎 *Option 3: Use another PHA-established policy. Edit the model plan language or delete it and insert the PHA’s policy.*

**FINALIZING THE DOCUMENT**

Take a final look at the changes you have made in this chapter of the administrative plan.  
Have you:

(1) Added or subtracted any exhibits at the end of the chapter?  Yes  No.

(2) Added, subtracted or reordered any major sections (at the A, B, or C level?)  Yes  No

If you answered yes to either of these questions, you must adjust the chapter to match your changes.

**☑ Decision Point: Are any changes required to this chapter?**

No. No changes to the model plan are needed.

Yes. Edits only. Edit and insert PHA language as appropriate.

Yes. PHA changed the organization of the chapter. Adjust the chapter to reflect your changes **and** review the rest of the document to make sure that any references to section numbers are correct.

**☑ Decision Point: Are changes required in other chapters as a result of changes to this chapter?**

Check the “Things to Consider” under each decision point to identify if changes to the model plan policy will require changes to policies in other chapters of the plan.

No. Changes to other chapters are not necessary.

Yes. Changes to the following chapters are also required:

**EXHIBIT 4-1: LOCAL PREFERENCES – POLICY OPTIONS**

* **Residency Preference**: For families who live, work, or have been hired to work **[or who are attending school]** in the jurisdiction.
* **Veteran’s Preference**: This preference is available to current members of the U.S. Armed Forces, veterans, or surviving spouses of veterans.
* **Disability Preference**: This preference is extended to disabled persons or families with a disabled member as defined in this plan.
* **Working Preference**: Families where the head, spouse/cohead, or sole member is employed at least **[number]** hours per week **[or who are active participants in accredited educational and training programs designed to prepare the individual for the job market]**. This preference is automatically extended to an applicant family if the head and spouse, or sole member is age 62 or older, or is a person with disabilities.
* **Educational/Training Participants**: This preference is available for families **[whose head and/or spouse/cohead][with adult member(s) who]** are graduates of or active participants in educational and training programs designed to prepare the individual for the job market.
* **Certain Moderate Rehabilitation Families**: Families who are currently residing in a mod rehab unit which is overcrowded or under-occupied and there is no applicable unit available in the moderate rehabilitation development **[or other moderate rehabilitation developments within the PHA’s jurisdiction]**.
* **Graduates of Transitional Housing Programs**: Families who have graduated from transitional housing programs for **[homeless/substance abusers/victims of domestic abuse]**.
* **Victims of Domestic Violence**: The PHA will offer a preference to families that include victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking who have either been referred by a partnering service agency or consortia or are seeking an emergency transfer under VAWA from the PHA’s public housing or other covered housing program operated by the PHA.

The PHA will work with the following partnering service agencies:

**[Insert name(s) of agencies]**

The applicant must certify that the abuser will not reside with the applicant unless the PHA gives prior written approval.

* **Involuntary Displacement**: Involuntarily displaced applicants are applicants who have been involuntarily displaced and are not living in standard, permanent replacement housing, or will be involuntarily displaced within no more than six months from the date of **[preference status certification by the family/verification by the PHA]**.

Families are considered involuntarily displaced if they are required to vacate housing as a result of:

1. A disaster (fire, flood, earthquake, etc.) that has caused the unit to be uninhabitable.

2. Federal, state or local government action related to code enforcement, public improvement or development.

3. Action by a housing owner which is beyond an applicant's ability to control, and which occurs despite the applicant's having met all previous conditions of occupancy, and is other than a rent increase.

If the owner is an immediate family relative 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.

For purposes of this definitional element, reasons for an applicant having to vacate a housing unit include, but are not limited to:

Conversion of an applicant's housing unit to non-rental or non-residential use;

Closure of an applicant's housing unit for rehabilitation or non-residential use;

Notice to an applicant that s/he must vacate a unit because the owner wants the unit for the owner's personal or family use or occupancy;

Sale of a housing unit in which an applicant resides under an agreement that the unit must be vacant when possession is transferred; or

Any other legally authorized act that results, or will result, in the withdrawal by the owner of the unit or structure from the rental market.

4. To avoid reprisals because the family provided information on criminal activities to a law enforcement agency and, after a threat assessment, the law enforcement agency recommends rehousing the family to avoid or reduce risk of violence against the family.

The family must be part of a Witness Protection Program, or the HUD Office or law enforcement agency must have informed the PHA that the family is part of a similar program.

The PHA will take precautions to ensure that the new location of the family is concealed in cases of witness protection.

5. By hate crimes if a member of the family has been the victim of one or more hate crimes, and the applicant has vacated the unit because of the crime or the fear of such a crime has destroyed the applicant's peaceful enjoyment of the unit.

A hate crime is actual or threatened physical violence or intimidation that is directed against a person or his property and is based on the person's race, color, religion, sex, national origin, disability or familial status **[including sexual orientation]** and occurred within the last **[number of]** days or is of a continuing nature.

6. Displacement by non-suitability of the unit when a member of the family has a mobility or other impairment that makes the person unable to use critical elements of the unit and the owner is not legally obligated to make changes to the unit.

Critical elements are: **[entry and egress of the unit and building/a sleeping area/a full bathroom/a kitchen if the person with a disability must do their own food preparation/other]**.

7. Due to HUD disposition of a multifamily project under Section 203 of the Housing and Community Development Amendments of 1978.

In order to receive the displacement preference, applicants who have been displaced must not be living in “standard, permanent replacement housing.”

Standard replacement housing is defined as housing that is decent, safe and sanitary **[according to Housing Quality Standards/local housing code/other]**, that is adequate for the family size according to **[Housing Quality Standards/local/state/BOCA code]**, and that the family is occupying pursuant to a written or oral lease or occupancy agreement.

Standard replacement housing does not include transient facilities, hotels, motels, temporary shelters, and (in the case of Victims of Domestic Violence) housing occupied by the individual who engages in such violence.

It does not include any individual imprisoned or detained pursuant to State Law or an Act of Congress. Shared housing with family or friends **[is/is not]** considered temporary and **[is/is not]** considered standard replacement housing.

* **Substandard Housing**: Applicants who live in substandard housing are families whose dwelling meets one or more of the following criteria **[provided that the family did not cause the condition]**:

Is dilapidated, **[as cited by officials of local code enforcement office]** and 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 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 usable bathtub or shower in unit for 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. (Single Room Occupancy (SRO) Housing is not substandard solely because it does not contain sanitary and/or food preparation facilities in the unit).

Has been declared unfit for habitation by a government agency.

Is overcrowded according to **[HQS/local/state/BOCA code]**.

Persons who reside as part of a family unit shall not be considered a separate family unit for substandard housing definition preference purposes.

Applicants living in public housing **[or publicly assisted housing]** shall not be denied this preference if unit meets the criteria for the substandard preference.

An applicant who is a “homeless family” is considered to be living in substandard housing. *Homeless families:*

Lack a fixed, regular and adequate nighttime residence; and

Have a primary nighttime residence that is a supervised public or private shelter providing temporary accommodations (including welfare hotels, congregate shelters and transitional housing), 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.

Any individual or family who is fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual’s or family’s current housing situation, including where the health and safety of the children are jeopardized, and who have no other residence and lack the resources or support networks to obtain other permanent housing are also considered homeless under this definition [FR Notice 1/4/23].

Homeless families may maintain their place on the waiting list while completing a transitional housing program.

Families who are residing with friends or relatives on a temporary basis **[will/will not]** be included in the homeless definition.

Persons who reside as part of a family unit shall not be considered a separate household.

* **Rent Burden**: This preference applies to families paying more than 50% of their income for rent and utilities for at least 90 days **[commencing before they were selected from the Waiting List/and continuing through the verification of preference].**

For purposes of this preference, "family income" is gross monthly income as defined in the regulations.

"Rent" is defined as the actual amount due under a lease or occupancy agreement calculated on a monthly basis without regard to the amount actually paid, plus the monthly amount of tenant-supplied utilities which can be either:

The PHA's reasonable estimate of the cost of such utilities, using the Section 8 Utility Allowance Schedule; or

The average monthly payments the family actually made for these utilities in the most recent 12-month period, or if information is not obtainable for the entire period, the average of at least the past **[number of/any representative sampling of]** months.

An applicant family may choose which method to use to calculate utilities expense. Any amounts paid to or on behalf of a family under any energy assistance program must be subtracted from the total rent burden if included in family income. The applicant must show that they actually paid the utility bills, regardless of whose name the service is under.

To qualify for the rent burden preference, the applicant must pay rent directly to the landlord or agent.

If the applicant pays their share of rent to a cohabitant and is not named on the lease, the PHA will require both verification from the landlord that the applicant resides in the unit, and verification from the cohabitant of the amount of rent paid by the applicant.

If the applicant is subletting, the lessor must have the legal right to sublet.

If an applicant owns a mobile home, but rents the space upon which it is located, then "rent" must include the monthly payment made to amortize the purchase price of the home.

Members of a cooperative are "renters" for the purposes of qualifying for the preference. In this case, "rent" would mean the charges under the occupancy agreement.

* **Single Applicants**: *Select only one of the following:*

Single applicants will be treated as any other family on the waiting list.

Single applicants who are elderly, disabled, or displaced will be given a selection priority over all “Other Single” applicants regardless of preference status. "Other Singles" denotes a one-person household in which the individual member is not elderly, disabled, or displaced by government action. Such applicants will be placed on the waiting list in accordance with any other preferences to which they are entitled, but they can not be selected for assistance before any one-person elderly, disabled or displaced family regardless of local preferences.

All families with children and families who include an elderly person or a person with a disability (see 24 CFR 100.80) shall be given a selection priority over all other applicants.

**SYSTEMS OF PREFERENCES – POLICY OPTIONS**

*Select only one of the following:*

1. All local preferences will be treated equally.

2. Local preferences will be numerically ranked, with number 1 being the highest preference, in the following order: **[list]**

3. Local preferences will be aggregated using the following system: (select only one system of aggregating):

Two preferences outweigh one, three outweigh two, etc.

Each preference will be equal to **[number]** points. The more preference points an applicant has, the higher the applicant’s place on the waiting list.

**[list preferences offered and indicate the number of points allotted each preference]**

Each preference will receive an allocation of points. The more preference points an applicant has, the higher the applicant’s place on the waiting list.

**[list preferences offered and indicate the number of points allotted each preference]**

**VERIFICATION OF WAITING LIST PREFERENCES – POLICY OPTIONS**

* **Residency Preference**: For families who live, work or have been hired to work in the jurisdiction of the PHA.

In order to verify that an applicant is a resident, the PHA will require a minimum of **[specify number]** of the following documents: rent receipts, leases, utility bills, employer or agency records, school records, drivers licenses, voters registration records, credit reports, statement from household with whom the family is residing.

For families who have been hired to work in the jurisdiction of the PHA, a statement from the employer will be required.

**Veterans Preference**: This preference is available to current members of the U.S. Armed Forces, veterans, or surviving spouses of veterans.

The PHA will require U.S. government documents which indicate that the applicant qualifies under the above definition.

**Disability Preference**: This preference is extended to disabled persons or families with a disabled member as defined in this plan.

The PHA will require appropriate documentation from a knowledgeable professional. The PHA will not inquire as to the nature or extent of the disability.

An award letter or other proof of eligibility for Social Security Disability or Supplemental Security Income will be acceptable.

**Working Preference**: This preference is available for families with at least one member who is employed or to families whose head and spouse, or sole member is elderly or disabled.

The PHA will require a statement from the employer, or verification of the age or disability status of the head and spouse, or sole member.

**Educational/Training Participants**: This preference is available for families **[whose head and/or spouse/cohead][with adult member(s) who]** are graduates of or participants in educational or training programs designed to prepare the individual for the job market.

The PHA will require a statement from the agency or institution providing the education or training.

**Victims of Domestic Violence**: The PHA will offer a local preference to families that include victims of domestic violence.

The PHA will require written verification from the police, a social service agency, the court, a clergyperson, a physician, and/or a public or private facility giving shelter and/or counseling to victims. The documentation must verify that the family has been displaced as a result of fleeing violence in the home or they are currently living in a situation where they are being subjected to or victimized by violence in the home, and identify when the actual or threatened physical violence against the applicant last occurred.

The family must certify that the abuser will not return to the household without the advance written approval of the PHA.

* **Involuntary Displacement**: Families who claim they are being or have been displaced due to either a disaster or government action: written verification by the displacing unit or agency of government, **[or by a service agency such as the Red Cross]**.

Families who claim they are being or have been displaced because of actions taken by the owner/agent of the unit the family is renting: Notification by owner to family of the action/ written verification by the owner or agent/documents such as sales agreements, foreclosure notices or building permits.

Families who claim they have been or are about to be displaced to avoid reprisals for providing information to assist police in a criminal investigation:

Certification of threat assessment by a law enforcement agency

Oral or written recommendation from law enforcement agency or HUD.

Families who claim to be displaced by hate crimes:

A written statement from law enforcement agency, HUD, Fair Housing or other agency responsible for non-discrimination advocacy. The statement should contain the approximate number of occurrences and the date of last occurrence.

Displacement by inaccessibility of unit:

A statement from the owner of the critical elements that are inaccessible, and that the owner is not going to make the needed modifications, or permit the family to make the modifications

Inspection by the PHA to verify inaccessibility of critical elements

A statement from the owner of the building that the accommodations required will not be made

If the owner permits the tenant to make the modifications, verification that the family cannot afford the expense

Displacement by HUD disposition of a project: Written verification from HUD.

Determination of Standard Replacement Housing: Inspection by a **[PHA/other inspector/certification by landlord]**.

* **Substandard Housing**:

Families who claim to be living in a substandard housing unit:

Written **[or oral]** verification by a government agency

PHA inspection

Landlord's statement of unit condition

Inspection form completed and certified by family head of household

Homeless Families:

Written certification by a public or private facility providing shelter, the police, or a social services agency.

**[List the agencies from which the PHA will accept certifications]**.

The PHA designates agencies for this purpose. Any suitable agency may verify.

Prior to processing the application, the PHA requires a second certification from the same source that the applicant is not yet permanently housed and has been continuously homeless or temporarily housed since claiming the preference.

A PHA inspector may verify that the applicant is living in a place not normally used for human habitation.

If a family is in transitional housing and wishes the PHA to hold the family’s place on the waiting list, a statement is required from the agency providing the transitional housing.

* **Rent Burden**: Paying more than 50% of income for rent:

Families will be required to verify their income, the amount of rent and utilities they are obligated to pay, and the period of time they have been residing in the unit.

Families must furnish copies of rental receipts/the lease/canceled checks/money orders.

The PHA **[may/must]** contact the landlord directly by mail or telephone.

The PHA compares the address with address(es) used on other documents in the file.

In cases where the family pays rent to a co-renter or sublets the unit, the PHA requires a certification from the person who receives the money from the applicant, and verification from the owner that the family resides in the unit.

If there is no rental agreement, and no other landlord verification, the PHA will require documentation for **[specify number of]** months

If there is no lease or occupancy agreement and the family is receiving public assistance, the PHA may verify the amount of rent and address of the unit with the appropriate social service agency.

If there is no lease or occupancy agreement, and the family is not receiving public assistance, the PHA will require receipts and other forms of identification which indicate the residence. Such documents include receipts, telephone bills, utility bills, driver's license, and school records.

To verify the amount due to amortize the purchase price of a manufactured home, copies of the most recent payment receipts, canceled checks or money order receipts, or a copy of the current purchase agreement.

At the family's option, the PHA can use either the actual cost of utilities or the PHA's Section 8 Existing utility allowance schedule. To verify the amount the family actually paid for utilities not included in the rent (if the Section 8 Utility Allowance Schedule is not used):

Copies of receipts, canceled checks, bills showing previous utility payments

Written verification of consumption costs directly from the utility or service supplier

Verification must be provided for a minimum period of **[specify number]** months

Documentation of the amount of rent due must be provided for a period of **[specify number]** months.