

## Chapter 4

### ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

[24 CFR Part 5, Subpart D; 982.54(d)(1); 982.204, 982.205, 982.206]

#### **INTRODUCTION**

It is the PHA's objective to ensure that families are placed in the proper order on the waiting list and selected from the waiting list for admissions in accordance with the policies in this Administrative Plan.

By maintaining an accurate waiting list, the PHA will be able to perform the activities, which ensure that an adequate pool of qualified applicants will be available so that program funds are used in a timely manner.

#### **A. WAITING LIST** [24 CFR 982.204]

The PHA uses a single waiting list for admission to its Section 8 tenant-based assistance program.

Except for Special Admissions, applicants will be selected from the PHA waiting list in accordance with policies and preferences and income targeting requirements defined in this Administrative Plan.

The PHA will maintain information that permits proper selection from the waiting list.

The waiting list contains the following information for each applicant listed:

Applicant Name

Family Unit Size (number of bedrooms family qualifies for under PHA subsidy standards)

Date and time of application

Qualification for any local preference

Racial or ethnic designation of the head of household

Annual (gross) family income

Number of persons in family

Targeted program qualifications

**B. SPECIAL ADMISSIONS** [24 CFR 982.54(d)(e), 982.203]

If HUD awards a PHA program funding that is targeted for specifically named families, the PHA will admit these families under a Special Admission procedure.

Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. The PHA maintains separate records of these admissions.

The following are examples of types of program funding that may be designated by HUD for families living in a specified unit:

A family displaced because of demolition or disposition of a public or Indian housing project;

A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;

For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990;

A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; and

A non-purchasing family residing in a HOPE 1 or HOPE 2 project.

**C. LOCAL PREFERENCES** [24 CFR 982.207]

**Veteran Preference** will be given as required by the Ohio Revised Code and this Administrative Plan.

The PHA will give a local preference, as required by the Ohio Revised Code, to veterans and servicemen including the spouse of deceased veterans or servicemen.

Veteran means a person who has served in the active military or naval service of the United States and who was discharged or released there from under conditions other than dishonorable.

Serviceman means a person serving in the active military or naval service of the United States.

The Veteran Preference may be used by an individual or family once in applying for housing assistance at the PHA. Also, if an individual or family exits the program for any reason, the Veteran Preference cannot be used to apply for housing assistance at the PHA in the future.

**Treatment of Single Applicants**

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

#### **D. INCOME TARGETING**

In accordance with the Quality Housing and Work Responsibility Act of 1998, each fiscal year the PHA will reserve a minimum of seventy-five percent of its Section 8 new admissions for families whose income does not exceed 30 percent of the area median income. HUD refers to these families as “extremely low-income families.” The PHA will admit families who qualify under the Extremely Low Income limit to meet the income-targeting requirement, regardless of preference.

The PHA’s income targeting requirement does not apply to low income families continuously assisted as provided for under the 1937 Housing Act.

The PHA is also exempted from this requirement where the PHA is providing assistance to low income or moderate-income families entitled to preservation assistance under the tenant-based program as a result of a mortgage prepayment or opt-out.

#### **E. INITIAL DETERMINATION OF LOCAL PREFERENCE QUALIFICATION** (24 CFR 982.207)

At the time of application, an applicant’s entitlement to a Local Preference may be made on the following basis:

An applicant’s certification that they qualify for a preference will be accepted without verification at the initial application. When the family is selected from the waiting list for the final determination of eligibility, the preference will be verified.

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list without the Local Preference and given an opportunity for a meeting.

#### **F. EXCEPTIONS FOR SPECIAL ADMISSIONS** [24 CFR 982.54(d)(3)]

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A non-purchasing family residing in a HOPE 1 or HOPE 2 project.

**G. TARGETED FUNDING [24 CFR 982.203]**

When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the waiting list is searched for the first available family meeting the targeted funding criteria.

Applicants who are admitted under targeted funding which are not identified as a Special Admission are identified by codes in the automated system.

**H. PREFERENCE AND INCOME TARGETING ELIGIBILITY [24 CFR 982.207]**

**Change in Circumstances**

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the PHA when their circumstances change.

When an applicant claims a local preference, s/he will be placed on the waiting list in the appropriate order determined by the newly claimed preference.

If the family's verified annual income, at final eligibility determination, does not fall under the Extremely Low Income limit and the family was selected for income targeting purposes before family (ies) with a higher preference, the family will be returned to the waiting list.

**Other Housing Assistance [24 CFR 982.205(b)]**

Other housing assistance means a federal, State or local housing subsidy, as determined by HUD, including public housing.

The PHA may not take any of the following actions because an applicant has applied for, received, or refused other housing: [24 CFR 982.205(b)]

Refuse to list the applicant on the PHA waiting list for tenant-based assistance;

Deny any admission preference for which the applicant is currently qualified;

Change the applicant's place on the waiting list based on preference, date and time of application, or other factors affecting selection under the PHA selection policy; or

Remove the applicant from the waiting list.

However, the PHA may remove the applicant from the waiting list for tenant-based assistance if the PHA has offered the applicant assistance under the voucher program.

**I. ORDER OF SELECTION** [24 CFR 982.207(e)]

The PHA's method for selecting applicants from a preference category leaves a clear audit trail that can be used to verify that each applicant has been selected in accordance with the method specified in the administrative plan.

**Local Preferences**

Local preferences will be used to select families from the waiting list.

The PHA has selected the following system to apply local preferences:

1. Veteran's will be placed at the top of the waiting list and will be selected first.
2. All applicants with no preferences are placed on the waiting list in order based on the date and time they applied.

**Among Applicants with Equal Preference Status**

Among applicants with equal preference status, the waiting list will be organized by date and time.

The PHA will select all applicants for Vouchers from the Waiting List in the following order:

1. Applicant Families who are the holders of a local Preference (families of Veterans and Servicemen, including families of deceased Veterans or Servicemen).
2. Applicants who are not holders of a local preference.

Within the two categories of the Waiting List, as set forth above, Applicant Families will be ranked in order of application for Vouchers on a date and time, first-come, first-served basis, subject only to the local Preference Rule.

**J. FINAL VERIFICATION OF PREFERENCES** [24 CFR 982.207]

Preference information on applications will be updated as applicants are selected from the waiting list. At that time, the PHA will:

Obtain necessary verifications of preference at the interview and by third party verification.

**K. PREFERENCE DENIAL** [24 CFR 982.207]

If the PHA denies a preference, the PHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal review. If the preference denial is upheld as a result of the review, or the applicant does not request a review,

the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

If the applicant falsifies documents or makes false statements in order to qualify for any preference, they will be removed from the Waiting List.

**L. REMOVAL FROM WAITING LIST AND PURGING [24 CFR 982.204(c)]**

If an applicant fails to respond to a mailing from the PHA, the applicant will be sent written notification and given 10 days to contact the PHA. If they fail to respond within 10 days, they will be removed from the waiting list.

If the applicant did not respond to the PHA request for information or updates because of a family member's disability, the PHA will reinstate the applicant in the family's former position on the waiting list.

If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice, and the envelope and letter will be maintained in the file.

If a letter is returned with a forwarding address, it will be re-mailed to the address indicated.

If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement.

Applicants are required to contact the PHA every 6 months to confirm their continued interest. The PHA will give written notification to all applicants who fail to confirm their continued interest within 12 months. If they fail to respond to this notification, they will be removed from the waiting list.

Reserved