

Chapter 4

APPLICATIONS, WAITING LIST AND TENANT SELECTION

INTRODUCTION

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

A PHA is required to adopt clear policies and procedures for accepting applications, placing families on the waiting list, selecting families from the waiting list, and must follow these policies and procedures consistently. The actual order in which families are selected from the waiting list can be affected if a family has certain characteristics designated by HUD or the PHA that justify their selection. Examples of this are the selection of families for income targeting and the selection of families that qualify for targeted funding.

HUD regulations require that all families have an equal opportunity to apply for and receive housing assistance, and that the PHA affirmatively furthers fair housing goals in the administration of the program [24 CFR 982.53, HCV GB p. 4-1]. Adherence to the selection policies described in this chapter ensures that the PHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and PHA policies for taking applications, managing the waiting list and selecting families for 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 part describes the PHA policies for making applications available, accepting applications making preliminary determinations of eligibility, and the placement of applicants on the waiting list. This part also describes the PHA's obligation to ensure the accessibility of the application process to elderly persons, people with disabilities, and people with limited English proficiency (LEP).

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

Any family that wishes to receive HCV assistance must apply for admission to the program. HUD permits PHAs to determine the format and content of HCV applications, as well as how such applications will be made available to interested families and how applications will be accepted by the PHA. However, PHAs must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of the PHA's application.

CDA Policy

Depending upon the length of time that applicants may need to wait to receive assistance, the CDA may use a one- or two-step application process.

A one-step process may be used when it is expected that a family will be immediately offered assistance, or no other applicants are on the waiting list. At application, the family must provide all of the information necessary to establish family eligibility and level of assistance.

A two-step process will be used when it is expected that a family will not be selected from the waiting list immediately from the date of application. Under the two-step application process:

1. The CDA will conduct a lottery to accept pre-applications, where families will be required to provide the information needed to make an initial assessment of the family's eligibility. The lottery will be conducted via an on-line application system accessible through the CDA's website. Special provisions will be made to ensure that those who are disabled and cannot utilize a computer can apply. An exception to the on-line submittal process will be made for disabled families through an accommodation request. An accommodation request may be made in writing or verbally presented to the CDA. Upon completion of a random lottery drawing, those who were selected, and those who were not selected, will be notified of the outcome. Those who are selected in the random drawing will be placed on the wait list based on the random selection.
2. When the CDA is ready to select families from the waiting list, the family will be notified, and will be required to complete a full-application and provide all of the information necessary to establish family eligibility and level of assistance. Full-applications must be complete in order to be accepted by the CDA for processing. If an application is incomplete, the CDA will notify the family of the additional information required. The CDA will accept full-applications in person or by mail, and not by fax. The CDA will also accept full-applications via the internet

through its applicant portal system from applicants who create a CDA MyHousing portal account.

As part of the full-application, the CDA will include Form HUD-92006, *Supplement to Application for Federally Assisted Housing*, and *What You Should Know About EIV*, a guide to the Enterprise Income Verification (EIV).

The CDA will utilize digital or electronic signature alternatives as HUD permits.

4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

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

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

Limited English Proficiency

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

4-I.D. PLACEMENT ON THE WAITING LIST

A PHA must review each complete application received and make a preliminary assessment of the family's eligibility. The PHA must accept applications from families for whom the list is open unless there is good cause for not accepting the application (such as denial of assistance) for the grounds stated in the regulations [24 CFR 982.206(b)(2)]. Where the family is determined to be ineligible, the PHA must notify the family in writing [24 CFR 982.201(f)]. Where the family is not determined to be ineligible, the family will be placed on a waiting list of applicants.

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list [24 CFR 982.202(c)].

Ineligible for Placement on the Waiting List

CDA Policy

If the CDA 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 CDA will promptly send written notification of the ineligibility determination. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review and explain the process for doing so (see Chapter 16).

Eligible for Placement on the Waiting List

CDA Policy

The CDA will promptly send written notification of the preliminary eligibility determination upon receiving a complete application.

Placement on the waiting list does not indicate that the family is, in fact, eligible for assistance. A final determination of eligibility will be made when the family is selected from the waiting list.

Applicants will be placed on the waiting list according to the established application acceptance method (see 4-I.B.) and according to any preference(s) for which they qualify (See 4-III.C.)

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

The PHA must have policies regarding various aspects of organizing and managing the waiting list of applicant families. This includes opening the list to new applicants, closing the list to new applicants, notifying the public of waiting list openings and closings, updating waiting list information, purging the list of families that are no longer interested in or eligible for assistance, as well as conducting outreach to ensure a sufficient number of applicants.

In addition, HUD imposes requirements on how a PHA may structure its waiting list and how families must be treated if they apply for assistance from a PHA that administers more than one assisted housing program.

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

A PHA's HCV waiting list must be organized in such a manner to allow the PHA to accurately identify and select families for assistance in the proper order, according to the admissions policies described in this plan.

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

- Applicant name;
- Family unit size;
- Date and time of application;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household.

HUD requires the PHA to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. Such PHAs are permitted, but not required, to maintain a separate waiting list for each county or municipality served.

CDA Policy

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

HUD directs that a family that applies for assistance from the HCV program must be offered the opportunity to be placed on the waiting list for any public housing, project-based voucher or moderate rehabilitation program the PHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs.

HUD permits, but does not require, that PHAs maintain a single merged waiting list for their public housing, Section 8, and other subsidized housing programs.

A family's decision to apply for, receive, or refuse other housing assistance must not affect the family's placement on the HCV waiting list, or any preferences for which the family may qualify.

CDA Policy

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

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

Closing the Waiting List

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

CDA Policy

The CDA 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. Where the CDA has particular preferences or funding criteria that require a specific category of family, the CDA may elect to continue to accept applications from these applicants while closing the waiting list to others.

Reopening the Waiting List

If the waiting list has been closed, it cannot be reopened until the PHA publishes a notice in local newspapers of general circulation, minority media, and other suitable media outlets. The notice must comply with HUD fair housing requirements and must specify who may apply, and where and when applications will be received.

CDA Policy

The CDA will announce the reopening of the waiting list at least 10 business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice.

The CDA will give public notice by publishing the relevant information in suitable media outlets including, but not limited to:

- The City of Madison official website
- Other suitable electronic outlets that reach income eligible families and their supportive service providers (i.e. Dane County Homeless Consortium list serve)

When the CDA reopens its waiting list, the CDA will use a method that accommodates the needs of interested parties, takes into consideration staff resources and availability, and is efficient so as not to inconvenience families and cause interested parties to stand in long lines. Such methods may include specifically designated times and/or locations, an on-line computerized system, and/or a lottery approach.

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

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

Because HUD requires the PHA to admit a specified percentage of extremely low income families (see Chapter 4, Part III), the PHA may need to conduct special outreach to ensure that an adequate number of such families apply for assistance [HCV GB, p. 4-20 to 4-21].

PHA outreach efforts must comply with fair housing requirements. This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class

PHA outreach efforts must be designed to inform qualified families about the availability of assistance under the program. These efforts may include, as needed, any of the following activities:

- Submitting press releases to local newspapers, including minority newspapers
- Developing informational materials and flyers to distribute to other agencies
- Providing application forms to other public and private agencies that serve the low income population
- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities

CDA Policy

The CDA will monitor the characteristics of the population being served and the characteristics of the population as a whole in the CDA's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.

4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES

CDA Policy

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

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

HUD requires the PHA to establish policies to use when removing applicant names from the waiting list.

Purging the Waiting List

The decision to withdraw an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to a PHA request for information or updates, and the PHA determines that the family did not respond because of the family member's disability, the PHA must reinstate the applicant family to their former position on the waiting list [24 CFR 982.204(c)(2)].

CDA Policy

The waiting list will be updated periodically to ensure that all applicants and applicant information is current. To update the waiting list, the CDA will send an update request via first class mail to each family on the waiting list to determine whether the family continues

to be interested in, and to qualify for, the program. This update request will be sent to the last address that the CDA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

The family's response must be in writing and may be delivered in person, by mail, by fax, or by e-mail. Responses must be received by the CDA no later than 15 business days from the date of the CDA update letter (notice). If the family fails to respond within 15 business days, the family will be removed from the waiting list without further notice. If the notice is returned by the post office with or without a forwarding address, the applicant will be removed from the waiting list without further notice.

If a family is removed from the waiting list for failure to respond, a CDA Supervisor or qualified CDA eligibility staff person may reinstate the family if it is determined that the lack of response was due to CDA 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.** A determination of reinstatement will require verification.

The CDA may allow a grace period after completion of a waiting list purge. Applicants who respond during this grace period will be reinstated.

Removal from the Waiting List

CDA Policy

If at any time an applicant family is on the waiting list, the CDA 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 CDA has determined the family is not eligible for assistance, a notice will only be sent to the family's address of record. The CDA does not keep alternative addresses.

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 CDA's decision (see Chapter 16) [24 CFR 982.201(f)].

PART III: SELECTION FOR HCV ASSISTANCE

4-III.A. OVERVIEW

As vouchers become available, families on the waiting list must be selected for assistance in accordance with the policies described in this part.

The order in which families are selected from the waiting list depends on the selection method chosen by the PHA and is impacted in part by any selection preferences for which the family qualifies. The availability of targeted funding also may affect the order in which families are selected from the waiting list.

The PHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to the PHA's selection policies [24 CFR 982.204(b) and 982.207(e)].

4-III.B. SELECTION AND HCV FUNDING SOURCES

Special Admissions [24 CFR 982.203]

HUD may award funding for specifically-named families living in specified types of units (e.g., a family that is displaced by demolition of public housing; a non-purchasing family residing in a HOPE 1 or 2 projects). In these cases, the PHA may admit such families whether or not they are on the waiting list, and, if they are on the waiting list, without considering the family's position on the waiting list. These families are considered non-waiting list selections. The PHA must maintain records showing that such families were admitted with special program funding.

Targeted Funding [24 CFR 982.204(e)]

HUD may award a PHA funding for a specified category of families on the waiting list. The PHA must use this funding only to assist the families within the specified category. In order to assist families within a targeted funding category, the PHA may skip families that do not qualify within the targeted funding category. Within this category of families, the order in which such families are assisted is determined according to the policies provided in Section 4-III.C.

CDA Policy

When HUD awards housing assistance for a specified category of families, the CDA will select families from the waiting list in the specified categories. The CDA administers the following types of targeted funding:

- Family Unification Program (FUP)
- Mainstream Voucher Program (MVP)
- Moving Up Pilot Program (MUPP)
- Veterans Affairs Supportive Housing (VASH)

Regular HCV Funding

Regular HCV funding may be used to assist any eligible family on the waiting list. Families are selected from the waiting list according to the policies provided in Section 4-III.C.

4-III.C. SELECTION METHOD

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]

PHAs are permitted to establish local preferences, and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits the PHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with the PHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

CDA Policy

Local preferences will be used to select families from the waiting list. The CDA has selected the following system to apply local preferences:

The CDA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding. Next, the CDA will offer a preference to any family that has been referred under the Family Unification Program, the Moving Up Pilot Program, the Mainstream Voucher Program, or the Emergency Housing Voucher Program. Then,

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|--------------|---|
| 1st Priority | Involuntarily displaced by federally declared disaster or FUP Youth Assistance expiration |
| 2nd Priority | Elderly or disabled families or families with minor children, who live, work, or attend school within the City of Madison, and who are homeless or a victim of domestic abuse or have a rent burden |
| 3rd Priority | Elderly or disabled families or families with minor children, who live, work, or attend school within the City of Madison |
| 4th Priority | Applicants who live, work, or attend school within the City of Madison, and who are homeless or a victim of domestic abuse or have a rent burden |
| 5th Priority | Applicants who live, work, or attend school within the City of Madison |
| 6th Priority | Elderly or disabled families or families with minor children, who live outside of the City of Madison, but who live, work, or attend school in Dane County, and who are homeless or a victim of domestic abuse or have a rent burden |
| 7th Priority | Elderly or disabled families or families with minor children, who live outside of the City of Madison, but who live, work, or attend school in Dane County |
| 8th Priority | Applicants who live outside of the City of Madison, but who live, work, or attend school in Dane County, and are homeless or a victim of domestic abuse or have a rent burden |
| 9th Priority | Applicants who live outside of the City of Madison, but who live, work, or attend school in Dane County |

- 10th Priority Elderly or disabled families or families with minor children, who live outside of Dane County, and who are homeless or a victim of domestic abuse ~~or have a rent burden~~
- 11th Priority Elderly or disabled families or families with minor children, who live outside of Dane County
- 12th Priority Applicants who live outside of Dane County, and who are homeless or a victim of domestic abuse ~~or have a rent burden~~
- 13th Priority Applicants who live outside of Dane County

Definitions for CDA Preferences

Eligible applicants are assigned a place on the waiting list based upon their preference(s) and the date and time a complete application is received by the CDA. Preferences are categories for people with priority status and determine how quickly an applicant may move to the top of the waiting list. Claiming a preference does not automatically grant an applicant a preference. Obtaining a preference does not guarantee admission into the HCV program. Applicants must meet all qualifications in order to receive assistance, regardless of preference status. Preferences may be claimed at the time of application or at any time prior to admission. The CDA maintains the following preferences:

Family Unification Preference

The Family Unification Program (FUP) targets two different populations:

1. Families for whom the lack of adequate housing is the primary factor in:
 - The imminent placement of the family’s child(ren) in out-of-home care, or
 - The delay in the discharge of the child(ren) to the family from out-of-home care
2. Youth at least 18 years old and not more than 24 years old who:
 - Left foster care at age 15 or older, or who will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act; and
 - Are homeless or are at risk of homelessness

Moving Up Preference

The Moving Up Pilot program targets persons living in permanent supportive housing (PSH) who no longer need intensive services and want to move into affordable housing in the community.

An applicant receives a *Moving Up* preference when the applicant has been referred to the CDA by an assigned supportive housing agency partner (e.g. The Road Home Dane County) and per demonstrated self-sufficiency and housing stability, as defined by an assessment created for the pilot.

Mainstream Preference

Mainstream vouchers assist non-elderly persons with disabilities, under HUD’s definition of “persons with disabilities.” An applicant receives a Mainstream Preference when the family is

comprised of one or more non-elderly (age 18-61) person with disabilities who previously experienced homelessness and who are currently a client in permanent supportive housing or in a rapid rehousing project. An applicant receives a Mainstream Preference when the applicant has been referred to the CDA by an assigned supportive housing agency partner (e.g. The Road Home Dane County) who will provide supportive services. The CDA provides two Mainstream categories:

Mainstream Singles:

Non-elderly adult (age 18 – 61) with disabilities; and

Previously experienced homelessness; and

Currently a client living in permanent supportive housing for at least 4 years, or a rapid rehousing project for at least 6-months.

Mainstream Families:

At least one family household member is a non-elderly adult (age 18 – 61) with disabilities; and

Previously experienced homelessness; and

Currently a client living in permanent supportive housing for at least 2 years, or a rapid rehousing project for at least 6-months.

Involuntarily Displaced

An applicant may receive the *Involuntarily Displaced* preference when the applicant can verify that the applicant family has been involuntarily displaced within the last six (6) months, the displacement is due to extensive damages or a destroyed unit, and the un-inhabitability of the unit is a result of a federally declared natural disaster, such as a fire or flood.

FUP Youth Assistance Expiration

A FUP Youth voucher holder may receive preference to the CDA’s regular Section 8 Housing Choice Voucher (HCV) program wait list, if their Section 8 FUP assistance is expiring and they will have a lack of adequate housing as a result of their termination from the program due to the expiration of FUP assistance.

Residency Preference

An applicant receives a *City of Madison* preference when the applicant can verify that head-of-household, spouse, or co-head lives, works, has been hired to work, attends school, or participates in a training program in the City of Madison.

If an applicant does not live in the City of Madison, but lives within Dane County, Wisconsin, the applicant will receive a *Dane County* preference when the applicant can verify that head-of-household, spouse, or co-head lives, works, has been hired to work, attends school, or participates in a training program in Dane County.

Elderly/Disabled/Family Preference

An applicant may receive the *Elderly/Disabled/Family* preference, if the head-of-household, spouse, or co-head is 62 years of age or older; or the head-of-household, spouse, or co-head meets the HUD definition of disabled; or if the household composition includes any minor children (under the age of 18).

Homeless or Victim of Domestic Abuse Preference

An applicant may receive the *Homeless or Victim of Domestic Abuse* preference, if the applicant meets one of the following definitions (I or II):

I. “Homeless” or “homeless individual” means:

- 1.) An individual who lacks a fixed, regular, and adequate nighttime residence; and
- 2.) An individual who has a primary nighttime residence that is:
 - (i) A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 - (ii) An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - (iii) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

The term “homeless” or “homeless individual” includes someone who is living in doubled-up accommodations sharing the housing of another due to loss of housing, economic hardship, or a similar reason. The term “homeless” or “homeless individual” does not include any individual imprisoned or otherwise detained pursuant to federal, state, or local law (Source: 45 CFR 1080.2 and Sec. 725 of the McKinney-Vento Homeless Education Act of 2001).

II. Victim of Domestic Abuse – “Domestic Abuse” means:

The threat of or actual infliction of physical pain, physical injury or illness including a violation of Sec. 940.225(1), (2), or (3), Wis. Stats., sexual assault, between adult household members, by a minor household member against an adult household member, by an adult against his or her former spouse, or by an adult against an adult with whom the person has a child in common. (Source: Sec. 46.95(1)(a) and 813.12(1)(a), Wis. Stats.)

Rent Burden Preference

~~An applicant may receive the *Rent Burden* preference, if the applicant family household is paying more than 50% of their gross monthly family income for rent and utility cost for at least 90 consecutive days commencing before they were selected from the wait list and continuing through the verification of preference.~~

~~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 CDA 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 an applicant owns a mobile home, but rents the space upon which it is located, the “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 the case, “Rent” would mean the charges under the occupancy agreement.~~

~~For the purpose of this preference, “Family Income” is monthly income as defined under 24 CFR 5.609.~~

~~“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.~~

~~“Utility cost” includes amounts for essential services, including: electricity, heat, cooking, water heating, water, sewer, and garbage. For the purpose of determining the Rent Burden preference, utility costs do not include non-essential services such as telephone and cable television. Utilities must be in the name of the applicant or another adult or legally responsible party in the applicant’s family household.~~

~~“Utility cost” is defined as one of the following:~~

- ~~• The CDA’s reasonable estimate of the cost of such utilities, using the Section 8 Utility Allowance Schedule; or~~
- ~~• The average monthly amount due to the utility company(ies) in the most recent 12-month period without regard to the amount actually paid, 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 listed above to use to calculate utility expense.~~

~~If utility services are listed under a name not in the applicant household, the applicant may only claim the utility cost for the purpose of determining rent burden preference if receipts are provided that show that the applicant actually paid the utility bills, regardless of whose name the service is under.~~

~~If the utilities are in the landlord’s name and paid for by the tenant, they will be considered tenant-supplied utilities. The applicant must provide receipts showing they actually paid the utility charges.~~

~~An applicant does not qualify for the Rent Burden preference under the following situations:~~

- ~~• The applicant has been paying more than 50% of family income for rent for less than 90 days;~~
- ~~• The family is paying more than 50% of family income for rent because their housing assistance was terminated for failure to comply with applicable subsidized housing program policies, or lease or family obligations for tenant-based or project-based housing assistance programs.~~
- ~~• The family is paying more than 50% of family income to rent a unit as a result of the applicant’s refusal to comply with applicable program policies and procedures on the occupancy of under-occupied and overcrowded units~~

Change in Preference System

The CDA will give public notice when changing its preference system with opportunity for public comment

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 CDA when their circumstances change.

If the abuser returns to reside with the family or if the family returns to the abuser, the CDA may approve that change in condition only if the abuser has received therapy or counseling and an appropriate counselor, therapist, or physician recommends in writing that the abuser be allowed to reside with the family. If the abuser and family reside together without prior CDA approval, the CDA may deny assistance or terminate assistance.

When an applicant claims an additional preference, that applicant will be placed on the waiting list in the appropriate order determined by verification of the newly-claimed preference.

Equal Preference Status

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

Verification of Preferences [24 CFR 982.207]

When an applicant claims a preference, the applicant will be placed on the waiting list in the appropriate order determined by verification of the newly-claimed preference.

Preference information on applicants will be updated as applicants are selected from the waiting list. At that time, the CDA will verify current status of preferences claimed. See Chapter 7 for preference verification information.

If the applicant is no longer eligible for a preference, the applicant will lose that preference and be reassigned to the waiting list. For example, if an applicant no longer lives in the City of Madison or is no longer homeless, the applicant will lose the City of Madison *Residency* preference and the *homeless* preference.

Denial of Preference(s)

If the CDA denies a preference, the CDA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity to contact the CDA to discuss and/or resolve any concerns. If the preference denial is upheld as a result of a discussion between the applicant and an appropriate CDA staff person, or the applicant does not request an opportunity to resolve any concerns, the applicant will be placed on the waiting list without benefit of the preference.

If the applicant falsifies documents or makes false statements in order to qualify for any preference, the applicant will be denied HCV assistance.

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

HUD requires that extremely low-income (ELI) families make up at least 75% of the families admitted to the HCV program during the PHA's fiscal year. ELI families are those with annual incomes at or below the federal poverty level or 30% of the area median income, whichever number is higher. To ensure this requirement is met, a PHA may skip non-ELI families on the waiting list in order to select an ELI family.

Low income families admitted to the program that are "continuously assisted" under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

CDA Policy

The CDA will monitor progress in meeting the income targeting requirement throughout the fiscal year. Extremely low-income families will be selected ahead of other eligible families on an as-needed basis to ensure the income targeting requirement is met.

Order of Selection

The PHA system of preferences may select families based on local preferences according to the date and time of application or by a random selection process (lottery) [24 CFR 982.207(c)]. If a PHA does not have enough funding to assist the family at the top of the waiting list, it is not permitted to skip down the waiting list to a family that it can afford to subsidize when there are not sufficient funds to subsidize the family at the top of the waiting list [24 CFR 982.204(d) and (e)].

CDA Policy

Families will be selected from the waiting list based on the targeted funding or selection preference(s) for which they qualify, and in accordance with the CDA'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 CDA. Documentation will be maintained by the CDA 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 CDA does not have to ask higher placed families each time targeted selections are made.

4-III.D. NOTIFICATION OF SELECTION

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

CDA Policy

The CDA will notify the family by first class mail when the family has been selected from the waiting list. The selection-notice will inform the family of any final application requirements and may include an application interview.

If a selection-notification letter is returned to the CDA with or without a forwarding address, the family will be removed from the waiting list.

4-III.E. FINAL APPLICATION OR APPLICATION INTERVIEW

HUD recommends that the PHA obtain the information and documentation needed to make an eligibility determination through a face-to-face interview with a PHA representative [HCV GB, pg. 4-16]. Being invited to attend an interview does not constitute admission to the program.

Assistance cannot be provided to the family until all SSN documentation requirements are met. However, if the PHA determines that an applicant family is otherwise eligible to participate in the program, the family may retain its place on the waiting list for a period of time determined by the PHA [Notice PIH 2018-24]

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

CDA Policy

Families selected from the waiting list will be required to complete the CDA's final application process.

In the final application process, the family must provide the information necessary to establish the family's eligibility and determine the appropriate level of assistance, as well as the completion of required forms and documentation. The CDA will require the family to submit final application materials within 10 business days.

If the family does not meet the final application requirements, because the family submits only some of the required materials, the CDA will provide the family with a written list of missing items that must be submitted within 10 business days (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and eligible noncitizen status).

If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. Extensions may be provided for circumstances beyond the applicant's control and verification may be required before the CDA grants an extension. If the required documents and information are not provided within the required time frame (plus any extensions granted by the CDA), the family will be sent a notice of denial (See Chapter 3).

An advocate, interpreter, or other assistant may assist the family with the final application process.

Depending on staff resources, the CDA may require families who are selected from the waiting list to participate in an eligibility interview. The head of household and the spouse/co-head will be strongly encouraged to attend the interview together. However, either the head of household or the spouse/co-head may attend the interview on behalf of the family. Verification of information pertaining to adult members of the household not present at the interview will not begin until signed release forms are returned to the CDA.

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

The family must provide the information necessary to establish the family's eligibility and determine the appropriate level of assistance, as well as completing required forms, providing required signatures, and submitting required documentation. If any materials are missing, the CDA will provide the family with a written list of items that must be submitted.

Any required documents or information that the family is unable to provide at the interview must be provided within 10 business days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and eligible noncitizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. Extensions may be provided for circumstances beyond the applicant's control and verification may be required before the CDA grants an extension.

If the required documents and information are not provided within the required time frame (plus any CDA granted extension), the family will be sent a notice of denial (See Chapter 3).

An advocate, interpreter, or other assistant may assist the family with the application and the interview process.

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

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

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

4-III.F. COMPLETING THE APPLICATION PROCESS

The PHA must verify all information provided by the family (see Chapter 7). Based on verified information, the PHA must make a final determination of eligibility (see Chapter 3) and must confirm that the family qualified for any special admission, targeted funding admission, or selection preference that affected the order in which the family was selected from the waiting list.

CDA Policy

If the CDA determines that the family is ineligible, the CDA 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, selection preference), the family will be returned to its original position on the waiting list and the family will be re-ranked based on awarded preferences. The CDA will notify the family in writing that it has been returned to the waiting list, and will specify the reasons for it.

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