

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 COC with the information needed to determine the family's eligibility. HUD requires COC to place all families that apply for assistance on a waiting list. When HCV assistance becomes available, COC 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.

COC is required to adopt clear policies and procedures for accepting applications, placing families on the waiting list, and selecting families from the waiting list, and must follow these policies and procedures consistently. The actual order in which families are selected from the waiting list can be affected if a family has certain characteristics designated by HUD or COC 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 COC affirmatively further fair housing goals in the administration of the program [24 CFR 982.53, HCV GB p. 4-1]. Adherence to the selection policies described in this chapter ensures that COC 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 COC will handle the applications it receives.

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

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

PART I: THE APPLICATION PROCESS

4-I.A. OVERVIEW

This part describes COC 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 COC'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 COC to determine the format and content of HCV applications, as well how such applications will be made available to interested families and how applications will be accepted by COC. COC must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of COC's application.

COC Policy

Depending upon the length of time that applicants may need to wait to receive assistance, COC 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 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 for at least 60 days from the date of application. Under the two-step application process, COC initially will require families to provide only the information needed to make an initial assessment of the family's eligibility, and to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and level of assistance when the family is selected from the waiting list.

Families may obtain application forms from COC's office during normal business hours or from COC's website. Families may also request – by telephone, mail, email and fax.

Completed applications must be returned to COC by mail, email, fax or submitted in person during normal business hours. Only one application will be accepted per family. Applications must be complete in order to be accepted by COC for processing. If an application is incomplete, COC will deny the application and inform the applicant by mail.

An applicant whose application has been denied for being incomplete or for not meeting the published application criteria will be provided with the opportunity to appeal PHA's decision that the application was incomplete or for not meeting the published application criteria within 10 business days of the notice of application denial.

4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

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

COC 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). COC must provide reasonable accommodation to the needs of individuals with disabilities. The application-taking facility and the application process must be fully accessible, or COC must provide an alternate approach that provides full access to the application process. Chapter 2 provides a full discussion of COC'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 COC's policies related to ensuring access to people with limited English proficiency (LEP).

4-I.D. PLACEMENT ON THE WAITING LIST

COC must review each complete application received and make a preliminary assessment of the family's eligibility. COC 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, COC 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

COC Policy

If COC 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, COC will send written notification of the ineligibility determination within 30 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).

Eligible for Placement on the Waiting List

COC Policy

COC will send written notification of the preliminary eligibility determination within 30 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.

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 COC or by lottery selection. COC

COC may opt to place applicant on the waiting list according to COC preference(s) and 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 within their respective preference categories.

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

COC 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]

COC's HCV waiting list must be organized in such a manner to allow COC 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 COC 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.

COC Policy

COC 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 COC 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.

COC Policy

COC will not merge the HCV waiting list with the waiting list for any other program COC 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, COC may elect to continue to accept applications only from certain categories of families that meet particular preferences or funding criteria.

COC Policy

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

COC 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 14 days prior to COC closing the list.

COC will announce by public notice the closing of the waiting list only if the list remains open to certain categories of families, this information will be contained in the notice. The media outlets may include, but are not limited to:

Stamford Advocate
Local community service providers
Local Community Centers
COC web site

Reopening the Waiting List

If the waiting list has been closed, it cannot be reopened until COC 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.

COC Policy

COC will announce the reopening of the waiting list at least 14 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.

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

Stamford Advocate
Local community service providers
Local Community Centers
COC website

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

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

Because HUD requires COC to admit a specified percentage of extremely low-income families to the program (see Chapter 4, Part III), COC 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

COC Policy

COC will monitor the characteristics of the population being served and the characteristics of the population as a whole in COC'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

COC Policy

While the family is on the waiting list, the family must inform COC within 30 business days of changes in family size or composition, preference status, or contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing.

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

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

HUD requires COC 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 COC determines that the family did not respond because of the family member's disability, COC must reinstate the applicant family to their former position on the waiting list [24 CFR 982.204(c)(2)].

COC Policy

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

To update the waiting list, COC will send an update request via first class mail and or by 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 and or email address that COC 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 email. Responses should be postmarked or received by COC not later than 15 business days from the date of COC letter.

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

If the notice is returned by the post office, 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, COC 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.

Removal from the Waiting List

COC Policy

COC will remove an applicant from the waiting list upon request by the applicant family. In such cases no informal hearing is required.

If at any time an applicant family is on the waiting list, COC 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 COC 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 COC'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 COC 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.

COC must maintain a clear record of all information required to verify that the family is selected from the waiting list according to COC'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, COC 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. COC 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. COC must use this funding only to assist the families within the specified category. In order to assist families within a targeted funding category, COC 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.

COC Policy

COC administers no targeted funding.

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

COC Policy

COC will use the following preferences for all programs, unless otherwise noted, in the following order. Preference eligibility must be valid at the time of unit/assistance offer. If a preference is found to no longer be valid, applicants will be placed on the waiting list by date of time of application received.

Insufficient Funding (HCV Only)

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

Displaced Category I

Families displaced or scheduled for displacement due to COC redevelopment efforts.

Displaced Category II

Families displaced due to other state/local governmental action for reasons beyond resident control and/or declared natural disasters within no more than six months from the date of verification by COC.

Families are considered displaced if they are required to vacate housing as a result of one of the following:

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

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

VAWA

COC will offer a preference to families that include victims of domestic violence, dating violence, sexual assault, or stalking who have either been referred by a partnering service agency or consortia or is seeking an emergency transfer under VAWA from COC's public housing program or other covered housing program operated by COC.

COC will work with the following partnering service agencies:

Domestic Violence Crisis Center

The applicant must certify that the abuser will not reside with the applicant unless COC gives prior written approval. After six months, COC may require an update of the preference documents.

Family Protection

This preference extends to victims of domestic violence and families who must vacate their current unit because a court or law enforcement agency has determined a need for relocation is required as a matter of public safety (includes victims of hate crimes and households that are part of a witness protection program).

A hate crime is an 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, gender identity and marital status occurred within the last 90 days or is of a continuing nature.

Chronic Homelessness and Other Vulnerable Homeless Persons

COC will offer a chronic homelessness preference to any family that meets the HUD definition of chronic homelessness. If there are no chronic homeless families at the time of vacancy, the opportunity will be offered to the next most vulnerable homeless person in accordance with prioritization established by the Coordinated Access Network "CAN". The family must be referred to COC by a homeless service provider through the CAN based on their vulnerability. Referring agencies must have an executed Memorandum of Understanding with COC in coordination with the Stamford Housing First Collaborative, outlining the provider's responsibility to provide services for the referred household.

The referral must include a commitment by the homeless service provider to provide housing search assistance and supportive services to help the household transition from homelessness to permanent housing, including complying with the Housing Choice Voucher program rules.

One of every five vouchers issued from the waiting list will be made available to a chronically homeless or other vulnerable homeless person applicant.

For the Project Based Vouchers, SRO and Moderate Rehabilitation Program, one of every five applicants selected from the wait list will be a chronically homeless applicant or other vulnerable homeless applicant.

Mainstream Vouchers (Mainstream Vouchers Only)

A mainstream voucher preference is given to those who are non-elderly persons with disabilities transitioning out of institutional and other segregated settings, at serious risk of institutionalization, currently experiencing homelessness, previously experienced homelessness and currently a client in a permanent supportive housing or rapid rehousing project, or at risk of experiencing homelessness.

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

HUD requires that extremely low-income (ELI) families make up at least 75 percent of the families admitted to the HCV program during COC's fiscal year. 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. 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)].

COC Policy

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

Order of Selection

COC 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)].

COC Policy

Lottery Method:

Families may be selected from the waiting list based on selection preference(s) for which they qualify, and in accordance with COC's hierarchy of those preferences.

Within each 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.

First come/First served:

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

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

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

4-III.D. NOTIFICATION OF SELECTION

When a family has been selected from the waiting list, COC must notify the family [24 CFR 982.554(a)].

COC Policy

COC will notify the family by first class mail, and 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 COC with no forwarding address, the family will be removed from the waiting list without further notice. Such failure to act on the part of the applicant prevents COC from making an eligibility determination; therefore no informal hearing will be offered.

4-III.E. THE APPLICATION INTERVIEW

HUD recommends that COC 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 COC 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 COC [Notice PIH 2018-24].

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

COC Policy

Families selected from the waiting list are required to participate in an eligibility interview. All adult household members are required to attend the eligibility interview appointment.

Exceptions may be made for students attending school out of state or for members for whom attendance would be a hardship. The family must provide written documentation providing the reason that prevented them from attending the appointment.

Reasonable Accommodations may be granted for a person with a disability.

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 COC.

The head of household, spouse/co-head, and other adult members 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, he or she will be required to provide it within 10 business days.

Pending disclosure and documentation of social security numbers, COC will allow the family to retain its place on the waiting list for 90 calendar days. If not all household members have disclosed their SSNs at the next time COC is issuing vouchers, COC will issue a voucher to the next eligible applicant family on the waiting list.

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, COC will provide the family with a written list of items that must be submitted.

Any required documents or information that the family is unable to provide at the interview must be provided within 10 business days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of eligible noncitizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial (See Chapter 3).

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

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

If the family is unable to attend a scheduled interview, the family should contact COC in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, COC 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.

4-III.F. COMPLETING THE APPLICATION PROCESS

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

COC Policy

If COC determines that the family is ineligible, COC 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. claimed preference, extremely low-income), the family will be returned to its proper position on the waiting list. COC will notify the family in writing that it has been returned to the waiting list, and will specify the reasons for it.

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