

## Chapter 4

### **TENANT SELECTION AND ASSIGNMENT PLAN** (Includes Preferences and Managing the Waiting List) [24 CFR 960.204]

#### **INTRODUCTION**

It is RCRHA's policy that each applicant shall be assigned an appropriate place on a jurisdiction-wide Waiting List unless the applicant has applied for a development subject to a Site-based Waiting List. Applicants will be listed in sequence based upon size and type of unit required, preference, date and time the application is received, and the Site in which they wish to reside for applicable designated developments. In filing actual or expected vacancies, RCRHA will offer the dwelling unit to an applicant in the appropriate sequence, with the goal of filling units timely, and accomplishing deconcentration of poverty and income-mixing objectives. RCRHA will offer the unit in the proper applicant sequence until it is accepted. This chapter describes RCRHA's policies with regard to the number of unit offers that will be made to applicants selected from the Waiting List.

#### **RCRHA's Objectives**

RCRHA policies will be followed consistently and will affirmatively further HUD's fair housing goals.

It is RCRHA's objective to ensure that families are placed in the proper order on the waiting list so that the offer of a unit is not delayed to any family unnecessarily or made to any family prematurely. This chapter explains the policies for the management of the waiting list.

When appropriate units are available, families will be selected from the waiting list in their preference-determined and date and time sequence.

By maintaining an accurate waiting list, RCRHA will be able to perform the activities that ensure that an adequate pool of qualified applicants will be available to fill unit vacancies in a timely manner. Based on the RCRHA's turnover and the availability of appropriate sized units, groups of families will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on completion of verification.

#### **Site-Based Waiting Lists**

Per the Quality Housing and Work Responsibility Act of 1998, RCRHA is now allowed to implement site-based waiting lists upon approval of the Annual Plan or upon HUD's approval to the PHA's request before the submission of the Annual Plan.

RCRHA currently does not use site-based waiting lists.

**A. MANAGEMENT OF THE WAITING LIST**

RCRHA will administer its waiting list as required by 24 CFR Part 5, Subparts E and F, Part 945 and 960.201 through 960.215. The waiting list will be maintained in accordance with the following guidelines:

- The application will be a permanent part of the file.
- All applicants in the pool will be maintained in order of preference and in order of date and time of application receipt.
- Applications equal in preference will be maintained by date and time sequence.
- All applicants must meet applicable income and other eligibility requirements as established by HUD and RCRHA.

**Opening and Closing the Waiting Lists**

RCRHA, at its discretion, may restrict application intake, suspend application intake, and close waiting lists in whole or in part.

The decision to close the waiting list will be based on the number of applications available for a particular size and type of unit, and the ability of RCRHA to house an applicant in an appropriate unit within a reasonable period of time.

When RCRHA opens the waiting list, RCRHA will advertise through public notice in the following newspapers, minority publications and media entities. Location(s), and program(s) for which applications are being accepted in the local paper of record, "minority" newspapers, and other media including:

- The Farmville Enterprise
- The Daily Reflector
- Housing Authority Newsletter

To reach persons with disabilities, RCRHA will provide notice to local organizations representing the interests and needs of the disabled. Local organizations serving the disabled population include, but are not limited to, the following:

- Department of Social Services
- Greenville Housing Authority
- Hunter's Ridge Apartments
- All Area Churches
- Forest Village Apartments
- Area Council on Aging
- Farmville Benevolent Ministries

The notice at a minimum will contain:

- The dates, times, and the locations where families may apply.
- Any system of site-based waiting list offered by RCRHA. (not applicable)
- The programs for which applications will be taken.
- A brief description of the program.
- Limitations, if any, on who may apply.

The notices will be made in an accessible format if requested. They will provide potential applicants with information that includes the RCRHA address and telephone number, how to submit an application, and information on eligibility requirements.

Upon request from a person with a disability, additional time, not to exceed 30 days, will be given as an accommodation for submission of an application after the closing deadline. This accommodation is to allow persons with disabilities the opportunity to submit an application in cases when a social service organization provides inaccurate or untimely information about the closing date.

#### **When Application Taking is Suspended**

RCRHA may suspend the acceptance of applications if there are enough applicants to fill anticipated openings for the next twelve (12) months.

The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

During the period when the waiting list is closed, RCRHA will not maintain a list of individuals who wish to be notified when the waiting list is open.

Suspension of application taking is announced in the same way as opening the waiting list.

The open period shall be long enough to achieve a waiting list adequate to cover projected turnover over the next twelve (12) months. RCRHA will give at least five (5) days' notice prior to closing the list. When the period for accepting applications is over, RCRHA will add the new applicants to the list by:

Unit size, local preferences priority and date and time of application receipt.

RCRHA will update the waiting list at least annually by removing the names of those families who are no longer interested, no longer qualify for housing, or cannot be reached by mail or

telephone. At the time of initial intake, RCRHA will advise families of their responsibility and requirement to notify RCRHA when mailing address or telephone numbers change.

### **Reopening the List**

If the waiting list is closed and RCRHA decides to open the waiting list, RCRHA will publicly announce the opening.

Any reopening of the list is done in accordance with the HUD requirements. The waiting list can also be open for specific bedroom sizes or to address special need or underserved populations.

### **Limits on Who May Apply**

When the waiting list is open,

Any family asking to be placed on the waiting list for Public Housing rental assistance will be given the opportunity to complete an application.

When the application is submitted to RCRHA:

It establishes the family's date and time of application for placement order on the waiting list.

### **Multiple Families in Same Household**

When families apply that consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

## **B. SITE BASED WAITING LISTS**

**RCRHA does not offer a system of site-based waiting lists. RCRHA does not have a system of preference for designated housing.**

## **C. WAITING LIST PREFERENCES**

A preference does not guarantee admission to the program. Preferences are used to establish the order of placement on the Waiting List. Every applicant must meet RCRHA's Selection Criteria as defined in this policy.

### **Broad Range of Income/Deconcentration of Poverty**

RCRHA's preference system will work in combination with requirements to match the characteristics of the family to the type/size of unit available. Order of preference of applications on the Waiting List will be applied to selection as follows, except those persons requiring units with accessibility features for person with disabilities. (See Chapter 1, E, Other Accommodations.)

RCRHA shall assure a mixed range of incomes and deconcentration of its public housing units

by selecting from the list of qualified applicants, households whose incomes would promote deconcentration of poverty. As such, RCRHA shall select from the List of qualified applicants, those applicants whose income reflect a Broad Range of Income as defined by RCRHA's most current Broad Range of Income/Rent Range policy promoting deconcentration and income targeting requirements.

RCRHA shall admit to public housing in each fiscal year, at least forty percent (40%) of households whose income does not exceed 30% of the area median income.

Gross annual income is used for income limits at admission, income targeting, and for income-mixing purposes.

Skipping a family on the Waiting List specifically to reach another family with a lower or higher income is not to be considered an adverse action to the family. Such skipping will be uniformly applied until the target threshold is met.

Admission policies related to the deconcentration efforts do not impose specific quotas since Broad Range of Income imposes specific quotas aimed at maintaining a mix of incomes within each development in order to achieve budgetary viability.

**Singles Preference and Designated Senior Units**

Although no longer mandated by statute, RCRHA will continue to select applicants from the Waiting List in the following order in regard to single person households Preference for available units shall be given to:

A family whose Head or spouse or single member is an elderly or disabled person over a single person who is not elderly or disabled.

Furthermore, RCRHA shall not admit single person households consisting of non-elderly, non-disabled persons before other single person households in designated senior units within family public housing developments. A mixed population development is a public housing development, or portion of a development, that is reserved for elderly families and disabled families at its inception and has retained that character.) In accordance with a local preference, elderly families whose Head, spouse or sole member is at least 62 years of age, and disabled families whose Head, co-head, spouse, or sole member is a person with disabilities, will receive preference to such units.

RCRHA has the following properties that have been designated elderly only properties:

- none

Designated senior public housing developments and units are subject to HUD's definition of "senior" and may include (1) age-qualified elderly, and (2) disability qualified "elderly". In the designated elderly only developments, new admission priority shall be given to Elderly Families that qualify for the unit over non-elderly families. If no Elderly Families are on the

waiting list, then the RCRHA will prioritize the “near elderly” for the development in accordance with the elderly only designation plan.

#### **D. DENIAL OF PREFERENCE**

RCRHA shall not give preference and shall permanently deny admission to public housing units and other federally assisted housing programs, individuals convicted of manufacturing or producing methamphetamine (“speed”) as required by the Quality Housing and Work Responsibilities Act of 1998.

Furthermore, if RCRHA denied a preference, RCRHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal review. The applicant will have ten (10) working days to request the meeting in writing. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, 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 an applicant falsifies documents or makes false statements in order to qualify for a preference, they will be denied housing and withdrawn from the Waiting List with notification to the family.

#### **E. INCOME TARGETING**

RCRHA will monitor its admissions to ensure that at least 40 percent of families admitted to public housing in each fiscal year shall have incomes that do not exceed 30% of area median income of RCRHA’s jurisdiction.

Hereafter families whose incomes do not exceed 30% of area median income will be referred to as "extremely low income families."

#### **Very Low-Income Family Admissions**

As long as RCRHA has met the 40% targeted income requirement for new admissions of extremely low-income families, RCRHA will fill the remainder of its new admission units with families whose incomes do not exceed 80% of the HUD approved area median income.

#### **F. MIXED POPULATION UNITS**

A mixed population development is a public housing development, or portion of a development that was reserved for elderly families and disabled families at its inception (and has retained that character). In accordance with local preferences, elderly families whose head spouse or sole member is at least 62 years of age, and disabled families whose head, co-head or spouse or sole member is a person with disabilities, will receive equal preference to such units.

No limit will be established on the number of elderly or disabled families that may occupy a mixed population property. RCRHA maintains no mixed population development:

- none

### **G. GENERAL OCCUPANCY UNITS**

General occupancy units are designed to house all populations of eligible families. In accordance with RCRHA's occupancy standards, eligible families not needing units designed with special features or units designed for special populations will be admitted to RCRHA's general occupancy units.

All families with children, elderly families and disabled families, will have an admission preference over "Other Singles."

### **H. DECONCENTRATION OF POVERTY AND INCOME-MIXING**

RCRHA's admission policy is designed to provide for deconcentration of poverty and income-mixing.

Gross annual income is used for income limits at admission, income targeting, and for income-mixing purposes.

Skipping of a family on the waiting list specifically to reach another family with a lower or higher income is not to be considered an adverse action to the family. Such skipping will be uniformly applied until the target threshold is met and in order to comply with RCRHA's Broad Range of Income policy.

#### **Deconcentration and Income-Mixing Goals**

RCRHA's deconcentration and income-mixing goal, in conjunction with the requirement to target at least 40 percent of new admissions to public housing in each fiscal year to "extremely low-income families", will be to admit higher income families to lower income developments, and lower income families to higher income developments.

#### **Project Designation Methodology**

RCRHA will determine and compare tenant incomes at all general occupancy developments. Skipping of families for deconcentration purposes will be applied uniformly to all families.

### **I. PROMOTION OF INTEGRATION**

Beyond the basic requirement of nondiscrimination, RCRHA shall affirmatively further fair housing to reduce racial and national origin concentrations. RCRHA shall not require any specific income or racial quotas for any development or developments.

RCRHA shall not assign persons to a particular section of a community or to a development or building based on race, color, religion, sex, disability, familial status or national origin for purposes of segregating populations.

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

#### **J. PREFERENCE DENIAL**

If RCRHA denies a preference, RCRHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for a review. The applicant will have ten (10) working days to request the meeting in writing. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, 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 denied housing and removed from the waiting list with notification to the family.

#### **K. OFFER OF PLACEMENT ON THE SECTION 8 WAITING LIST**

All programs owned, operated, managed by RCRHA maintain a common Waiting List. Applicants will be chosen and positioned by the programs priorities and preferences. When waiting lists are open, the RCRHA will encourage the applicant to apply for any housing that is available and that they qualify.

#### **L. REMOVAL FROM WAITING LIST AND PURGING**

The waiting list will be purged at least once a year by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for current information and confirmation of continued interest.

If an applicant fails to respond to the request for confirmation and continued interest, s/he will be removed from 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 unless a person with a disability requests a reasonable accommodation for being unable to reply with the prescribed period and verification of such is received by RCRHA.

---

Notices will be made available in accessible format upon the request of a person with a disability. An extension to reply to the purge notification will be considered as an accommodation if requested by a person with a disability.

### **M. OFFER OF ACCESSIBLE UNITS**

RCRHA has a limited number of units designed for persons with mobility, sight and hearing impairments, referred to as accessible units.

No non-mobility impaired families will be offered these units until all eligible mobility-impaired applicants have been considered.

Before offering a vacant accessible unit to a non-disabled applicant, RCRHA will offer such units:

First, to a current occupant of another unit of the same development, or other public housing developments under RCRHA's control, who has a disability that requires the special features of the vacant unit.

Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

When offering an accessible/adaptable unit to a non-disabled applicant, RCRHA will require the applicant/tenant to agree to move to an available non-accessible unit within thirty- (30) days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant/tenant. This requirement will be a provision of the lease agreement.

See "Leasing" chapter.

### **N. PLAN FOR UNIT OFFERS**

The RCRHA plan for selection of applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion, or national origin is:

RCRHA shall select, assign and offer the first qualified applicant in sequence on the waiting list will be made three offers of a unit of the appropriate size.

If more than one unit of the appropriate type and size is available, the first unit to be offered will be the first unit that is ready for occupancy. If the unit is rejected, the applicant will be offered the second unit that is ready for occupancy. If the unit is rejected, the applicant will be offered the third unit that is ready for occupancy. Failure to accept the third offer will result in the application to be removed from the waiting list. The family will also lose any priority status.

---

RCRHA will maintain a record of units offered, including location, date and circumstances of each offer, each acceptance or rejection, including the reason for the rejection.

**O. CHANGES PRIOR TO UNIT OFFER**

Changes that occur during the period between certification of eligibility and an offer of a suitable unit may affect the family's eligibility or Total Tenant Payment and must be re-verified prior to making the offer. The family will be notified in writing of changes in their eligibility or level of benefits and offered their right to an informal review when applicable (See Chapter on Complaints, Grievances, and Appeals)

**P. APPLICANT STATUS AFTER FINAL UNIT OFFER**

When an applicant rejects the final unit offer RCRHA will:

Remove them from the waiting list.

**Q. TIME-LIMIT FOR ACCEPTANCE OF UNIT**

Applicant must accept a unit offer within two (2) working days of the date the offer is made.

**Applicants Unable to Take Occupancy**

If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "good cause," the applicant will not be removed or repositioned on the waiting list.

Examples of "good cause" reasons for the refusal to take occupancy of a housing unit include, but are not limited to:

An elderly or disabled family makes the decision not to occupy or accept occupancy in designated housing. [24 CFR 945.303(d)]

Inaccessibility to source of employment or children's day care such that an adult household member must quit a job, drop out of an educational institution or a job training program;

The family demonstrates to RCRHA's satisfaction that accepting the offer will result in a situation where a family member's life, health or safety will be placed in jeopardy. The family must offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency. The reasons offered must be specific to the family. Refusals due to the location of the unit alone are not considered to be good cause.

A qualified, knowledgeable, health professional verifies the temporary hospitalization or

recovery from illness of the principal household member, other household members, or a live-in aide necessary to care for the principal household member.

The unit is inappropriate for the applicant's disabilities.

**Applicants With a Change in Family Size or Status**

Changes in family composition, status, or income between the time of the application and the offer of a unit will be processed. RCRHA shall not lease a unit to a family whose occupancy will overcrowd or underutilize the unit.

The family will take the appropriate place on the waiting list according to the date they first applied.

**R. REFUSAL OF OFFER**

If the unit offered is inappropriate for the applicant's disabilities, the family will retain their position on the waiting list.

If the unit offered is refused for other reasons, RCRHA will follow the applicable policy as listed in the "Plan for Unit Offers" section and the "Applicant Status After Final Offer" section.