

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 Housing Authority of Myrtle Beach (MBHA) with the information needed to determine the family's eligibility. HUD requires MBHA to place all families that apply for assistance on a waiting list. When HCV assistance becomes available, MBHA must select families from the waiting list in accordance with HUD requirements and MBHA policies as stated in the administrative plan and the annual plan.

MBHA 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 MBHA 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 MBHA 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 MBHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and MBHA 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 MBHA 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 MBHA'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 MBHA 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 MBHA. MBHA must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of MBHA's application.

MBHA Policy

MBHA will open an online waiting list lottery. Families will apply online to the lottery by completing a pre-application. MBHA will partner with local organizations to assist in completion of the pre-application. As a reasonable accommodation MBHA office staff will be available to assist with completing the pre-application. All pre-applications will be taken online.

Pre-applications must be complete in order to be accepted by MBHA for processing. If a pre-application is incomplete the pre-application will not be accepted and the online software will notify the family of the additional information required.

When the waiting list is open, completed pre-applications will be accepted from all applicants. MBHA will later verify the information relevant to the applicant's eligibility, admission, and level of benefit.

Persons with disabilities who require a reasonable accommodation in completing a pre-application may call MBHA to make special arrangements to complete their pre-application. A Telecommunication Device for the Deaf (TDD) is available. The TDD telephone number is **(800-735-2905)**.

Phase 1,online pre-application This process requires the family to provide limited basic information including name, address, phone number, racial or ethnic designation of the head of household, and information establishing any preferences to which they may be entitled.

Phase 2: When the online pre-application process is closed, all of the pre-applications received will be placed in a lottery pool. There are no preferences in the lottery pool. MBHA will select up to 1000 pre-applications drawn randomly by utilizing Random.org or a similar online e number randomizer to be placed on the pre-application list and

mailed a confirmation that they have been chosen. Preferences will be established when the pre-applications is placed on the pre-application list.

Phase 3 Call-In. When MBHA determines that vouchers are available to be issued, MBHA will select pre-applications drawn randomly from the pre-application list by utilizing Random.org or a similar online number randomizer. Fifty percent (50%) of the pre-applications will be chosen by preference, and fifty percent (50%) will be chosen from the general pre-application list. The chosen applicants are placed on the HCV waiting list. The number of pre-applications drawn will be determined by the number of vouchers available.

When a family is has been selected a packet will be mailed to the them including the full application. MBHA will ensure that verification of all preferences, eligibility; suitability selection factors are current in order to determine the family's final eligibility for admission into the HCV Program.

If the family is determined eligible they will be issued a voucher.

An applicant may at any time report changes in their applicant status including changes in family composition, income, or preference factors. MBHA ~~Housing Authority~~ will annotate the applicant's file and will update their place on the waiting list.

4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

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

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

Limited English Proficiency

MBHA is 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 MBHA's policies related to ensuring access to people with limited English proficiency (LEP).

MBHA Policy

The pre-application will be available in English and Spanish.

4-I.D. PLACEMENT ON THE WAITING LIST

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

MBHA Policy

If MBHA can determine from the information provided that a family is ineligible, the family will not be placed on the pre-application list or on the waiting list. Where a family is determined to be ineligible, MBHA will send written notification of the ineligibility determination within 14 calendar 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

MBHA Policy

Placement on the pre-application list or 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 pre-application list and waiting list according to any preference(s) for which they qualify.

If the applicant refuses the voucher offer at anytime after being selected from the waiting list, but request their application to remain active, they will be returned to the pre-application list.

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

MBHA 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]

MBHA's HCV waiting list must be organized in such a manner to allow MBHA 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 MBHA to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. Such MBHA are permitted, but not required, to maintain a separate waiting list for each county or municipality served.

MBHA Policy

MBHA will maintain a pre-application list and a waiting list for the HCV program.

MBHA's pre-application list will contain the following information for each applicant listed:

- Applicant Name and Address;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household

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 MBHA 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 MBHA 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.

MBHA Policy

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

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

Closing the Waiting List

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

MBHA Policy

MBHA will close the pre-application list or waiting list when the estimated waiting period for housing assistance for applicants on the list reaches 24 months for the most current applicants. Where MBHA has particular preferences or funding criteria that require a specific category of family, MBHA 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 MBHA 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.

MBHA Policy

MBHA will announce the reopening of the pre-application or waiting list at least 14 calendar 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.

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

The Sun News

City of Myrtle Beach Information Channel (TV)

Agencies Serving the Disabled Population

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

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

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

MBHA 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

MBHA 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

MBHA Policy

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

MBHA Policy

While the family is on the waiting list, the family must immediately inform MBHA 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 MBHA 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 MBHA request for information or updates, and MBHA determines that the family did not respond because of the family member's disability, MBHA must reinstate the applicant family to their former position on the waiting list [24 CFR 982.204(c)(2)].

MBHA Policy

The pre-application list may be updated annually to ensure that all applicants and applicant information is current and timely.

To update the waiting list, MBHA will send an update request via first class mail to each family on the pre-application list to determine whether the family continues to be interested in, the program. This update request will be sent to the last address that MBHA 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 pre-application list.

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

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

If the notice is returned by the post office with no forwarding address, the applicant will be removed from the pre-application list without further notice.

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have 15 business days to respond from the date the letter was re-sent.

If a family is removed from the pre-application list for failure to respond, MBHA may reinstate the family if it is determined that the lack of response was due to MBHA error, or to circumstances beyond the family's control.

Removal from the Waiting List

MBHA Policy

If at any time an applicant family is on the pre-application list or waiting list, MBHA determines that the family is not eligible for assistance (see Chapter 3), the family will be removed from the pre-application or waiting list.

If a family is removed from the pre-application or waiting list because MBHA has determined the family is not eligible for assistance, a notice will be sent to the family's address of record. The notice will state the reasons the family was removed from the pre-application list or waiting list and will inform the family how to request an informal review regarding MBHA'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 MBHA 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.

MBHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to MBHA'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, MBHA 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. MBHA must maintain records showing that such families were admitted with special program funding.

Targeted Funding [24 CFR 982.204(e)]

HUD may award MBHA funding for a specified category of families on the waiting list. MBHA 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.

MBHA Policy

MBHA administers the following types of targeted funding:

Mainstream, VASH, Regular HCV Funding, Project Based Vouchers

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.

Shortfall

If MBHA is identified as at risk or potentially at risk for a shortfall, the following actions must be taken upon instruction by the Shortfall Prevention Team: 1) continue to work with the Field Office or Shortfall Prevention Team; 2) cease issuing vouchers as of the date notified of the potential shortfall; 3) rescind vouchers that were issued to applicant families and stop leasing rescinded vouchers as of the date MBHA is notified of the potential shortfall; 4) Cease absorbing portable vouchers; and 5) stop issuing vouchers for households that have project-based vouchers, but want to voluntarily move with tenant-based assistance.

4-III.C. SELECTION METHOD

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

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

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

MBHA Policy

MBHA will use the following local preferences:

1. MBHA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding. At the time of termination the participant family will be offered the opportunity to reapply regardless of the waiting list being open or closed.
2. MBHA will offer a preference to families that include victims of domestic violence, dating violence, sexual assault, or stalking who are seeking an emergency transfer under VAWA from any other covered housing program operated by MBHA. The applicant must certify that the abuser will not reside with the applicant. MBHA will offer the family an opportunity to submit an application as part of the request.

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

Additional preferences:

Families containing a disabled family member -----30 points
Alliance Inn Graduates, -----100 points
Villas @ Swansgate, Carver Grove-----100 points
VASH Participants being transferred to HCV-----100 points

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 MBHA'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 MBHA 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)].

MBHA Policy

MBHA 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

MBHA system of preferences may select families based on local preferences according to the date and time of application or by a random selection process [24 CFR 982.207(c)]. If MBHA 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)].

MBHA Policy

Families will be selected from the pre-application list ~~waiting list~~ based on the targeted funding or selection preference(s) for which they qualify, and in accordance with MBHA's hierarchy of preferences, if applicable. Within each targeted funding or preference category, MBHA will select pre-applications drawn randomly from the pre-application list by utilizing Random.org or a similar online number randomizer.

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

If the applicant refuses the voucher offer at anytime after being selected from the waiting list, but request their application to remain active, they will be returned to the pre-application list.

4-III.D. NOTIFICATION OF SELECTION

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

[24 CFR 982.554(a)].

MBHA Policy

MBHA will notify the family by first class mail when it is selected from the waiting list. This notice will include a full application and HUD 92006 and 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.

If a notification letter is returned to MBHA with no forwarding address, the family will be removed from the waiting list. A notice of denial (see Chapter 3) will be sent to the family's address of record.

4-III.E. THE APPLICATION INTERVIEW

HUD recommends that MBHA obtain the information and documentation needed to make an eligibility determination through a face-to-face interview with an MBHA 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 2012-10**].

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

MBHA Policy

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

The head of household and the spouse/cohead will be strongly encouraged to attend the interview together. However, both the head of household, the spouse/cohead and all adult family members must attend the briefing. 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 MBHA.

The head of household or spouse/cohead must provide acceptable documentation of legal identity. (Chapter 7 provides a discussion of proper documentation of legal identity). If the family representative does not provide the required documentation, at the time of the interview, he or she will be required to provide it within 10 business days.

Pending disclosure and documentation of social security numbers, MBHA will allow the family to retain its place on the waiting list for 10 business days. If not all household members have disclosed their SSNs at the next time MBHA is issuing vouchers, MBHA 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, MBHA 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 14 calendar 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, MBHA will provide translation services in accordance with MBHA's LEP plan.

If the family is unable to attend a scheduled interview, the family should contact MBHA in advance of the interview to schedule a new appointment. MBHA will allow the family to reschedule appointments for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities for good cause. When a good cause exists, MBHA will work closely with the family to find a more suitable time. Any further rescheduling would require approval of Supervisor or Executive Director.

Applicants who fail to attend two scheduled interviews without MBHA 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 and then applicants will be dropped from the waiting list. Applicants will be offered the right to an informal review.

Notification requesting action from an applicant or participant will have a deadline in which to reply. In no instance will the allowed response time exceed 30 days.

If the applicant refuses the voucher offer at anytime after being selected from the waiting list, but request their application to remain active, they will be returned to the pre-application list.

4-III.F. COMPLETING THE APPLICATION PROCESS

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

MBHA Policy

If MBHA determines that the family is ineligible, MBHA will send written notification of the ineligibility determination within 14 calendar 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, the family will be returned to the pre-application list. MBHA will notify the family in writing that it has been returned to the pre-application list; and will specify the reasons for it.

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