

## Chapter 4

### MAINTAINING THE WAITING LIST

[24 CFR Part 5, Subpart D; 982.54(d)(1); 982.204, 982.205, 982.206, 983.203, 66FR 3609]

#### **INTRODUCTION**

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

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

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

The PHA uses two waiting lists for admission to its Section 8 tenant-based assistance program. Persons eligible for the Housing Choice Voucher Program or the Mainstream Housing Opportunities Program are maintained on one list. The other list is for families who have been referred to the Family Unification Program (FUP) by the State of Connecticut Department of Children and Families (DCF). The DCF referral form serves the same purpose in the FUP as the pre-application form serves in the other tenant-based programs.

The PHA maintains separate site specific waiting lists for admission to its Section 8 project-based assistance program.

Except for special admissions, applicants will be selected from the PHA waiting list in accordance with policies defined in this administrative plan.

The PHA will maintain information that permits proper selection from the waiting list. The waiting list contains the following information for each applicant listed:

- Applicant name
- Racial or ethnic designation of the head of household
- Targeted program and preferences qualifications
- Annual (gross) family income
- Number of persons in family

The waiting list will be maintained in accordance with the following guidelines:

1. The application will be a permanent file.
2. All applicants must meet very low-income eligibility requirements as established by HUD. Any exceptions to these requirements, other than those outlined in chapter 2 of this administrative plan, "Eligibility for Admission," must have been approved previously by the HUD field office.

**Special Admissions** [24 CFR 982.54(d)(e), 982.203]

Applicants who are admitted under special admissions, rather than from the waiting list, are identified by codes in the automated system and are not maintained on separate lists.

**The State of Connecticut Department of Social Services will obligate 20 Housing Choice Vouchers in 2010 and 2011 for homeless families enrolled in the *Study of the Impact of Housing and Services for Homeless Families* . This is a one-time commitment. See order of selection for details.**

**Order of Selection**

**The State of Connecticut Department of Social Services will obligate 20 vouchers for homeless families enrolled in the U.S. Department of Housing and Urban Development's *Study of the Impact of Housing and Services for Homeless Families* conducted by Abt Associates Inc. Applications for these vouchers, referred to as the "Homeless Families Impact Study" vouchers, will be provided to families who are: enrolled in the study in the Bridgeport/New Haven study site, randomly assigned to the subsidy intervention, and referred to the State of Connecticut Department of Social Services by the Abt Associates study team.**

**Applicants for the "Homeless Families Impact Study" vouchers must meet the same eligibility requirements as applicants for the tenant-based voucher program. Vouchers will be issued to eligible families in the order in which the qualifying applications are received until the specified number of "Homeless Families Impact Study" vouchers are leased.**

**After the completion of the Homeless Families Impact Study, vacancies in the "Homeless Families Impact Study" vouchers will be filled from the Section 8 program waiting list.**

**B. WAITING LIST PREFERENCES** [24 CFR 982.207]

**Tenant-based program preferences:**

Pre-applications for admission to the tenant-based program will be selected in lottery-determined order, with the following exception:

## **1.) The family unification preference**

Families who qualify for the family unification preference are families for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child or children in out-of-home care, or in the delay of discharge of a child or children to the family from out-of-home care, will have their referral/pre-application forms from the Department of Children and Families (DCF) to the PHA date- and time-stamped and placed on the Family Unification Program (FUP) waiting list in chronological order, and the PHA will determine if the families are eligible for Section 8 rental assistance.

If a family for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child or children in out-of-home care, or in the delay of discharge of a child or children to the family from out-of-home care is determined eligible by the PHA to receive a housing choice voucher, the family will be invited to participate in the program in accordance with HUD regulations and other requirements, and with policies stated in the DSS administrative plan.

All persons interested in utilizing this preference must be referred to the PHA by DCF. The PHA will accept referrals/pre-applications only from DCF staff. DCF will designate gatekeepers to identify and refer eligible families to the PHA. The PHA will determine if the families are eligible for Section 8 rental assistance.

This preference will enhance the State of Connecticut's continuing efforts to maintain intact families and to provide decent, safe, and sanitary housing for families. The Section 8 FUP waiting list will remain open for this preference and the PHA will accept referrals/pre-applications until further notice. The FUP waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

### **Project-based program preferences:**

Applicants for admission to the project-based program will be selected in chronological order, subject to the availability of assisted dwelling units that are appropriate to the size of the family. Priority will be given to families who qualify for the following preferences:

**1. The supportive housing preference.** This preference is given to an applicant on the PBV-based voucher project waiting list who qualifies for the targeted CT Department of Mental Health and Addiction (DMHAS) funded supportive services linked through the Supportive Housing RFP process to the PBV-funded supportive housing units.

**2. Displaced families' preference.** If a unit to be placed under contract by DSS as part the department's agreement to project-based HCVs in support of the Interagency Pilots Supportive Housing Initiative is occupied by an eligible low-income family on the proposal selection date, the in-place family will be offered the opportunity to lease an appropriately sized project-based

assisted unit in that project.

The PHA may place a family referred by an owner of assisted dwelling units on its waiting list, subject to the provisions in chapter 3 of this administrative plan, “Applicant Status While on the Project-Based Waiting List.”

**C. DENIAL OF PREFERENCE [5.410(C)(3)]**

No preference of any kind will be given to an applicant if a member of the applicant’s family was evicted during the past three years from housing assisted under the 1937 Housing Act Program because of drug-related criminal activity, except that the PHA may give an admissions preference if the PHA determines that the evicted person:

1. has successfully completed a rehabilitation program approved by the PHA, or
2. clearly did not participate in or know about the drug-related criminal activity, or
3. no longer participates in any drug-related criminal activity.

**D. CHANGES IN PREFERENCE STATUS**

Occasionally applicants on the waiting list who did not qualify for a preference at the time they applied for rental assistance will experience a change in circumstances that now qualifies them for a preference. In such cases:

1. It is the applicant’s responsibility to contact the PHA.
2. Applicants certifying that they now qualify for a preference will be re-positioned on the waiting list in accordance with their preference and their date and time of application.
3. Applicants will then be informed in writing of their change in status and place on the waiting list.

**E. EXCEPTIONS FOR SPECIAL ADMISSIONS [24 CFR 982.203, 982.54(d)(3)]**

If HUD awards the PHA program funding that is targeted for families living in specified units, the PHA will admit these families under a special admission procedure/will use the assistance for the families living in these units.

These special admissions families will be admitted outside of the regular waiting list process. They are not required to be on the waiting lists. The PHA will maintain separate records of these admissions.

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

1. A family displaced because of demolition or disposition of a public or Indian housing project;
2. A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;
3. For housing covered by the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (41 U.S.C. 4101 et seq.);
4. A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term;
5. A non-purchasing family residing in a project subject to a homeownership program (under 24 CFR 248.173);
6. A family displaced because of mortgage prepayment or voluntary termination of a mortgage insurance contract (as provided in 24 CFR 248.165); or
7. A non-purchasing family residing in a HOPE 1 or HOPE 2 project.

In addition, the PHA may select the following families for admission to the project-based program without prior placement on the waiting list:

- In-place existing occupants of dwelling units selected by the PHA to receive project-based rental assistance and who are eligible for Section 8 assistance. [24 CFR 983.203(6)(b)]

The PHA may select the following families for tenant-based rental assistance without prior placement on the waiting list:

A family that moves after twelve (12) months of occupancy (in good standing) from a dwelling unit assisted under the PHA project-based program. If tenant-based rental assistance is not available at the time that the family moves, the family will receive priority for the next available tenant-based voucher. [66 FR 3609]

#### **F. FUNDING FOR SPECIFIED CATEGORY OF WAITING LIST FAMILIES**

[24CFR 982.204 (e), 206 (a)(b)]

When HUD awards funding for a specified category of families meeting specific requirements, the waiting list is searched for eligible families. If there is not a sufficient number of eligible families on the waiting list, the waiting list will be opened to applicants eligible for the specified category. When the pre-application is submitted to the PHA, it will be date- and time-stamped to determine placement order on the waiting list.

Applicants who meet the criteria for a specified category and are admitted under targeted

funding, and who are not identified as a special admission, are identified by codes in the automated system and, except for Family Unification Program families, are not maintained on separate waiting lists.

The PHA has the following programs funded for specified categories of waiting list families:

Certain Developments Program for Non-Elderly Persons with Disabilities

Family Unification Program

Mainstream Housing Opportunities Program for Persons with Disabilities

### **Family Unification Program**

#### **Program Description and Referrals:**

Through the linkage of the Department of Social Services and the Department of Children and Families (DCF), the Family Unification Program (FUP) will provide a comprehensive array of services to families that have been identified and referred to the PHA by DCF. DCF will refer families for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child or children in out-of-home care, or in the delay of discharge of a child or children to the family from out-of-home care, and the PHA will determine if the families are eligible for Section 8 rental assistance.

#### **Waiting List and Tenant Selection Process:**

A separate waiting list will be maintained for the Family Unification Program. Referrals/pre-applications will be placed at the bottom of the Family Unification Program waiting list with the date and time of receipt noted.

When an FUP voucher becomes available a family will be selected from the list. After the family is determined eligible to receive a Section 8 subsidy, the family will be admitted to participate in the program in accordance with HUD regulations and other requirements, and with policies stated in the DSS administrative plan.

The PHA's Section 8 FUP waiting list is open and will accept referrals/pre-applications until further notice. The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

The PHA will regularly review the extent of need for FUP vouchers. The PHA will apply a preference for 250 additional housing choice vouchers (i.e., beyond our allocation of 300 FUP vouchers from HUD) from its current allocation as FUP vouchers. This is because DCF has demonstrated that a lack of adequate affordable housing is preventing eligible families from finding suitable housing, thus obstructing unification with a child or children or causing a child or children to be placed out of the home.

### **Mainstream Housing Opportunities Program for Persons With Disabilities**

#### Program Description:

The Mainstream Housing Opportunities Program for Persons With Disabilities (Mainstream Program) will enhance the State of Connecticut's continuing efforts to provide, decent, safe, and sanitary housing to persons with disabilities.

#### Waiting List and Tenant Selection Process:

The PHA will identify eligible disabled persons on its waiting list. After the family is determined eligible to receive a Section 8 subsidy, the family will be admitted to participate in the program in accordance with HUD regulations and other requirements, and with policies stated in the DSS administrative plan. If any vouchers remain, the PHA will open its waiting list to disabled persons who have not applied for the PHA's Section 8 Housing Choice Voucher Program.

The PHA may stop accepting applications if there are enough applicants to fill anticipated openings. The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

The PHA will announce the last date applications on which will be accepted in the same notice that advertises the opening of the list.

### **Veterans Affairs Supportive Housing (VASH)**

#### **Program Description**

**The HUD-VASH Program combines the Section 8 HCV Program with case management and clinical services provided by the Department of Veteran's Affairs Medical Centers (VAMC).**

**Generally, the HUD-VASH HCV program will be administered in accordance with Section 8 HCV program requirements however Federal Register /Vol. 73, No. 88 allows HUD to waive or specify alternative requirements for any provision of any statute or regulation that HUD administers in connection with this program in order to effectively deliver and administer HUD-VASH voucher assistance. The HUD-VASH Operating Requirements (including the waivers and alternative requirements from HCV program rules) were published in the Federal Register on May 6, 2008.**

#### **Referrals, and Waiting List**

**The VAMC will refer HUD-VASH eligible families to the PHA for the issuance of vouchers. Written documentation of these referrals must be maintained in the tenant file at the PHA. Therefore, the PHA will not have the authority to maintain a waiting list or apply local preferences for HUD-VASH vouchers. Accordingly, section 8(o)(6)(A) of the USHA of 1937, 42 U.S.C. 1437f(o)(6)(A), in regard to preferences, has been waived to provide for the effective administration of the program. In addition, 24 CFR 982.202, 982.204, and 982.207, relating to applicant selection from the waiting list and local preferences, are also waived.**

Sections 982.203, 982.205, and 982.206 regarding special admissions, cross listing of the waiting list, and opening and closing the waiting list do not apply to the HUD-VASH program. The VAMC will screen all families in accordance with its screening criteria. By agreeing to administer the HUD-VASH program, the PHA is relinquishing its authority to determine the eligibility of families in accordance with regular HCV program rules and PHA policies.

#### Denial of Applicants

Specifically, under the HUD-VASH program, PHAs will not have the authority to screen potentially eligible families or deny assistance for any grounds permitted under 24 CFR 982.552 (broad denial for violations of HCV program requirements) and 982.553 (specific denial for criminals and alcohol abusers), with one exception. PHAs will still be required to prohibit admission if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program. Accordingly, the Department is exercising its authority to waive 42 U.S.C. 1437d(s); 42 U.S.C. 13661(a), (b), and (c); and 24 CFR Sections 982.552 and 982.553, with the exception of 982.553(a)(2)(i), which requires denial of admission to certain registered sex offenders.

#### Voucher Term

Recognizing the challenges that HUD-VASH participants may face with their housing search, HUD-VASH vouchers must have an initial search term of at least 120 days. Therefore, § 982.303(a), which states that the initial search term must be at least 60 days, shall not apply, since the initial term must be at least 120 days.

One 60-day extension to participants will be granted upon written request. No further extensions will be approved. The total search time will be for a maximum of 180 days.

#### Case Management Requirements

As a condition of rental assistance the HUD-VASH family must receive case management services from the VAMC. Failure to participate, without good cause will result in termination of HUD-VASH voucher assistance as verified by the VAMC. However, if the VAMC determines the family no longer requires case management services, the family will be offered continued HCV assistance and transferred to a Housing Choice Voucher pending funding availability so the HUD-VASH voucher may be used by another family referred by the VAMC.

With the exception of the above statements, all other provisions of the Housing Choice Voucher Program apply.

## **G. INCOME TARGETING**

In accordance with the Quality Housing and Work Responsibility Act of 1998, each fiscal year the PHA will reserve a minimum of seventy-five percent (75%) of its Section 8 new admissions for families whose income does not exceed 30 percent of the area median income. HUD refers to these families as "extremely low-income families." The PHA will admit families who qualify under the extremely low-income limit to meet the income targeting requirement, regardless of preference.

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

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

## **H. INCOME TARGETING ELIGIBILITY** [24 CFR 982.207]

### **Change in Circumstances**

If the family's verified annual income, at final eligibility determination, does not fall under the extremely low-income limit and the family was selected for income targeting purposes before a family or families with a higher preference, the family will be returned to the waiting list.

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

The PHA will periodically send applicants an update inquiry to ensure the applicant's continued interest in, and need for, housing. The PHA will conduct this process at least every three years. An applicant who does not return the inquiry by the requested deadline date will have his or her name removed from the waiting list.

The project-based waiting lists will be purged at least annually.

An extension of ten (10) days to respond will be granted, if requested and needed as a reasonable accommodation for a person with a disability.

Any mailings to the applicant which require a response will state that failure to respond within 15 days will result in the applicant's name being dropped 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 a family is removed from the waiting list for failure to respond, the Housing Director may reinstate the family if s/he determines the lack of response was due to PHA error or family

medical disability. The PHA will reinstate the applicant in the family's former position on the waiting list.