

Chapter 4

ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

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

INTRODUCTION

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

This chapter explains the local preference which the PHA has adopted to meet local housing needs, defines the eligibility criteria for the preference and explains the PHA's system of applying the preference. See also PHA Policy Procedure Manual Chapter on Waiting Lists or Special Voucher Types (i.e., Project-Based Vouchers, Mainstream) for more detailed policy.

By maintaining an accurate waiting list, the PHA will be able to perform the activities which 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 a separate waiting list for admissions to the tenant-based assistance program for each County within the PHA jurisdiction. Additional, separate waiting lists may exist for each individual special program or Project-Based Voucher development located in the County.

Except for Special Admissions, applicants will be selected from the PHA waiting list in accordance with policies and preferences and income targeting requirements defined in this Administrative Plan **and MSHDA policy.**

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

Family unit size (number of bedrooms family qualifies for under PHA subsidy standards)

Date and time of application

Qualification for any local preference

Racial or ethnic designation of the head of household

Annual (gross) family income

Number of persons in family

B. SPECIAL ADMISSIONS [24 CFR 982.54(d)(e), 982.203]

If HUD awards a PHA program funding that is targeted for specifically named families, the PHA will admit these families under a Special Admission procedure.

Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. The PHA maintains 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:

A family displaced because of demolition or disposition of a public or Indian housing project;

A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;

For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990;

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; and

A non-purchasing family residing in a HOPE 1 or HOPE 2 project.

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.**

C. LOCAL PREFERENCES [24 CFR 982.207]

The PHA will offer public notice when changing its preference system and the notice will be publicized using the same guidelines as those for opening the waiting list.

The PHA uses the following local preference system:

Families will be selected based on date and time of receipt (first-come, first-served) of a completed application if waiting lists are open; or selected in numerical order based on the number that was assigned to each application via a computer-generated lottery system in larger, metropolitan counties where waiting lists are generally closed.

Residency preference for families who live, work, or have been hired to work in the County.

Homeless preference in all 83 counties.

Applicants who have PHA (MSHDA) Tenant Based Rental Assistance (TBRA) which is certified by a participating Lead Agency and on a Waiting List will be offered assistance before other homeless families within the Waiting List.

In Wayne County, where a large number of persons qualifying for the homeless preference within the waiting list exists, PHA will continue to pull names from the Wayne County waiting list with a homeless preference until the names with a homeless preference are exhausted at which point PHA will pull names without the homeless preference.

In the Project-Based Voucher Program, the PHA has an admission preference to Veterans in specified developments. In some of the developments selected for PBV, Veterans would have an equal preference to homeless families for a project-based voucher unit in a Veteran's project-based voucher award.

In the Project-Based Voucher Program, the PHA has an admission preference for the elderly in specified developments. In elderly designated developments that are selected for PBV awards, elderly persons would have first ranking preference for a project-based voucher award in an elderly development. In addition, elderly persons being placed in such PBV designated elderly developments must meet all of the specified PBV selection criteria for the development such as elderly, homeless, chronically homeless, disabled, persons with special needs, or domestic violence survivor.

In the Project-Based Voucher Program overall, the PHA has admission preferences for homeless, chronically homeless individuals, veterans, elderly, homeless youth, domestic violence survivors, and special needs.

In the Project-Based Voucher Program, the PHA may award up to 35 Project-Based Vouchers specifically dedicated to the Hamtramck R-31 Project in the City of Hamtramck, Michigan. These 35 units will be located within the boundaries of the City of Hamtramck, Michigan in order to assist the City to become fully compliant with an order of the Federal Court (Sarah Sims Garret et al v. City of Hamtramck et al, Case #32004). The waiting list for persons to be served by this project will be restricted to those parties and heirs specifically covered by the court order. After all the initially stipulated persons have been assisted under the HCV Project-Based Voucher Program, the waiting list will be opened to interested families in Wayne County, Michigan that meet the eligibility criteria.

The following admission preferences are given for the following programs within the HCV program at the PHA for specified program vouchers awarded to the PHA:

Veteran Applicants who are receiving assistance through the HUD/VA Veterans Administration Supportive Housing (VASH) Program in partnership with VA Detroit Medical Center, Aleda Lutz VA Medical Center in Saginaw, and the Oscar Johnson VA Medical Center in Iron Mountain, Michigan.

Moderate Rehabilitation/Single Room Occupancy Program (MRP/SRO) families who are currently residing in a MRP/SRO unit which is overcrowded or under-occupied and there is no applicable unit available in the Moderate Rehabilitation/SRO development.

Waiting list preference (on a pilot basis) to eligible families in Macomb, Oakland, Washtenaw, and Wayne Counties who are eligible for a special-purpose voucher (“Medicaid Waiver” through the Affordable Assistance Housing Program [AAHP].) The preference allows MSHDA to maintain a special waiting list for those applicants with a Medicaid Home and Community Services Waiver.

Mainstream Program family participants assist non-elderly persons with disabilities in designated counties (Kalamazoo, Allegan, Oakland).

Treatment of Single Applicants

Single applicants will be treated as any other eligible family on the waiting list.

D. 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 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.

The PHA has established the following income requirements for admission into the PHA's Housing Choice Voucher program: (a) 85% of new admissions must have annual adjusted incomes at or below 30% of area median income, and up to 15% of new admissions may have annual adjusted incomes at or below 50% of area median income.

E. INITIAL DETERMINATION OF LOCAL PREFERENCE QUALIFICATION[24 CFR 982.207]

At the time of application, an applicant's entitlement to a local preference may be made on the following basis.

The PHA will verify all preference claims at the time of application pull.

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list without the local preference and given an opportunity for a meeting.

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

If HUD awards a PHA program funding that is targeted for specifically named families, the PHA will admit these families under a Special Admission procedure.

Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. The PHA maintains 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:

A family displaced because of demolition or disposition of a public or Indian housing project;

A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;

For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990;

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; and

A non-purchasing family residing in a HOPE 1 or HOPE 2 project.

G. TARGETED FUNDING [24 CFR 982.203]

When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the waiting list is searched for the first available family meeting the targeted funding criteria.

Applicants who are admitted under targeted funding which are not identified as a Special Admission **are identified by codes in the automated system.** The PHA has the following "Targeted" Programs:

HCV Project-Based Vouchers

Mainstream for Persons with Disabilities

Veterans Administration Supportive Housing (VASH)

H. PREFERENCE AND INCOME TARGETING ELIGIBILITY [24 CFR 982.207]

Change in Circumstances

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the PHA in writing when their circumstances change.

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(ies) with a higher preference, the family will be returned to the waiting list.

Cross-Listing of Different Housing Programs and Section 8 [24 CFR 982.205(a)]

If the waiting list for the PHA's or Moderate Rehabilitation Program is open at the time an applicant applies for Section 8, the PHA must offer to place the family on its waiting lists for the Mod Rehab Program.

Other Housing Assistance [24 CFR 982.205(b)]

Other housing assistance means a federal, State or local housing subsidy, as determined by HUD, including public housing.

The PHA may not take any of the following actions because an applicant has applied for, received, or refused other housing: [24 CFR 982.205(b)]

Refuse to list the applicant on the PHA waiting list for tenant-based assistance;

Deny any admission preference for which the applicant is currently qualified;

Change the applicant's place on the waiting list based on preference, date and time of application, or other factors affecting selection under the PHA selection policy; or

Remove the applicant from the waiting list.

However, the PHA may remove the applicant from the waiting list for tenant-based assistance if the PHA has offered the applicant assistance under the voucher program.

I. ORDER OF SELECTION [24 CFR 982.207(e)]

The PHA's method for selecting applicants from a preference category leaves a clear audit trail that can be used to verify that each applicant has been selected in accordance with the method specified in the administrative plan.

Local Preferences

Local preferences will be used to select families from the waiting list.

The PHA has selected the following system to apply to local preferences:

- 1. Date and time, or numeric order of electronically generated lottery when required;**
- 2. Residency**
- 3. Homeless persons receiving MSHDA TBRA**
- 4. Homeless persons**
- 5. Housing Choice Voucher**

The PHA has selected the following local preferences to apply to Special Voucher Awards such as Project Based Vouchers and Mainstream;

- 1. Date and time, or numeric order of electronically generated lottery when required;**
- 2. Residency**
- 3. Homelessness**
- 4. For Project Based Vouchers, barrier free unit requirements**

Among Applicants with Equal Preference Status

Among applicants with equal preference status, the waiting list will be organized by **date and time or electronically generated lottery**. This would apply to waiting lists such as **Project Based Waiting Lists**. Those equal preference status for **Project Based Vouchers** would include:

- a. **Veterans (specified project-based voucher developments only)**
- b. **Elderly (specified project-based voucher developments only)**
- c. **Homeless, chronically homeless, and homeless youth**
- d. **Domestic Violence Survivors**
- e. **Special Needs**

All of the above equal preferences would be stated in the targeted population being served by the development and identified in the Memo of Understanding for Supportive Services.

J. FINAL VERIFICATION OF PREFERENCES [24 CFR 982.207]

To verify that an applicant is a resident, the PHA will require one of the following documents: drivers license, state identification card, lease with the applicant's name on it, utility bill with applicant's name on it, employer or agency records, school record, voters registration records, rent receipts or other proof of residence address. For families who have been hired to work in the PHA's jurisdiction, a statement from the employer will be required.

Veteran's preference for VASH or PBV specified Veteran Developments will require U.S. government documents which indicate that the applicant is a veteran member of the U.S. Military Armed forces.

Homeless preference will require certification from the approved County Lead Agency.

Homeless with TBRA preference will require certification from the approved County Lead Agency/TBRA Lead Agency.

K. PREFERENCE DENIAL [24 CFR 982.207]

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If the PHA denies a preference, the PHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal meeting with the person who made the decision. 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 removed from the waiting list.

L. REMOVAL FROM WAITING LIST AND PURGING [24 CFR 982.204(c)]

The Waiting List will be purged approximately every two years by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for confirmation of continued interest.

Any mailings to the applicant which require a response will state that failure to respond within 14 calendar days will result in the applicant's name being dropped from the waiting list.

An extension of **14 calendar** days to respond will be granted, if requested and needed as a reasonable accommodation for a person with a disability.

If the applicant did not respond to the PHA request for information or updates because of a family member's disability (**verified**) or due to a reasonable accommodation, the PHA will reinstate the applicant in the family's former position on 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 Resource Specialist determines there were circumstances beyond the person's control, i.e., verified hospitalization.