

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

This chapter explains the local preferences that the NBHA has adopted to meet local housing needs, defines the eligibility criteria for the preferences, and explains the NBHA's system of applying them.

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

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

##### **Cross-Listing of Different Housing Programs and Housing Choice Voucher**

If an applicant is placed on a waiting list, they shall be given the option to apply for all other Housing Authority-administered housing programs that also have an open waiting list.

##### **Other Housing Assistance**

The NBHA may not take any of the following actions because an applicant has applied for, received, or refused other housing assistance:

- Refuse to list the applicant on the NBHA waiting list for tenant-based assistance;
- Deny any admission preference for which the applicant is currently qualified;

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

When the NBHA issues an applicant a Housing Choice Voucher, the applicant's name will be removed from all tenant-based voucher waitlists, but will remain on all other waitlists unless the family makes a written request to withdraw from a particular waitlist.

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

Except for special admissions, applicants will be selected from the NBHA- Housing Choice Voucher Program waiting list in accordance with policies and preferences and income targeting requirements defined in this Administrative Plan.

The waiting list contains the following information for each applicant listed:

- Applicant name
- Social Security Number
- Date of Birth
- Family unit size (number of bedrooms family qualifies for under NBHA subsidy standards)

- Date and time of application
- Racial or ethnic designation of the head of household
- Annual (gross) family income
- Targeted program qualifications
- Qualification for any local preference

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 the NBHA’s selection criteria as defined in this Plan. An applicant's certification that they qualify for a preference will be accepted without verification during their pre-application period. When the family is selected from the waiting list for the determination of eligibility, the preference will be verified at the full application.

**Local Preferences**

Local preferences will be used to select families from the waiting list. Each preference will receive an allocation of points so that the computer software can put an order to the families on the waiting list. The applicant’s cumulative points will determine the preference status and position on the wait list.

First: **Preference for Victim(s) of Domestic Violence and Human Trafficking (40 points):**

The NBHA will offer a preference to families that include Victims of Domestic Violence and Human Trafficking, in accordance with NBHA Policies and Procedures. (See Addendum #1, found in last chapter of this policy).

Second: **Preference for those who are involuntarily displaced or homeless (30 points):**

The NBHA has a preference for admission for persons who are involuntarily displaced or homeless [24 CFR 960.206(b)(5)]. Families are considered involuntarily displaced if they are, or have been required to vacate housing as a result of (i) a disaster that has caused the unit to be uninhabitable; (ii) victims of domestic violence; (iii) government action; (iv) action by the housing owner which is beyond the applicant’s ability to control.

Third: **Preference for Veterans (1 point):**

The NBHA has a preference for Veterans. Proper documentation must be provided.

Among applicants with equal preference status, and among applicants with no preferences, the waiting list will be organized by date and time of the application

The NBHA'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.

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

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 will be notified in writing of the determination.

If the NBHA denies a preference, the NBHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal review (see Chapter– Complaints and Appeals). If the preference denial is upheld, as a result of the review, or the applicant does not request a meeting, the applicant will be placed on the waiting list without the benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

If the applicant falsifies documents or knowingly makes false statements in order to qualify for any preference, they will be removed from the waiting list. The NBHA will notify the applicant in writing of the reasons why they were removed from the waiting list and offer the applicant an opportunity for a meeting with designated staff through the informal review process.

Changes in an applicant's circumstances, while on the waiting list may affect the family's eligibility for a preference. Applicants are required to notify the NBHA, in writing, of relevant changes in their circumstances within 30 days of the change. When an applicant claims an additional preference, the applicant will be placed on the waiting list in the proper order of their newly claimed preference.

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

The waiting list will be purged approximately 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 within thirty days, the applicant 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 is granted Reasonable Accommodation for inability to reply within a prescribed period.

Persons on the wait list will be notified that it is their responsibility to notify the NBHA with any address changes.

**E. INCOME TARGETING**

In accordance with the Quality Housing and Work Responsibility Act of 1998, each fiscal year the NBHA will reserve seventy-five percent of its Housing Choice Voucher Program new

admissions for families whose income does not exceed 30 percent of the area median income (AMI). HUD refers to these families as "extremely low-income families." The NBHA will admit families who are extremely low income to meet the income-targeting requirement. The NBHA's income targeting requirement does not apply to low-income families continuously assisted as provided for under the 1937 Housing Act. The NBHA is also exempted from this requirement where the NBHA 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.

To the extent that the NBHA's admission of extremely low-income families in the tenant-based assistance program exceeds seventy-five percent of all admissions during the fiscal year, the NBHA may choose to admit less than the minimum forty percent of its extremely low-income families in a fiscal year to its public housing program under QHWRA "fungibility provisions."

#### **F. 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 (based on date and time of application) 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.

#### **G. SPECIAL ADMISSIONS [24 CFR 982.54(d)(e), 982.203]**

If HUD awards the NBHA program funding that is targeted for families living in specific units, the NBHA 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 NBHA maintains separate records of these admissions.

1. Current residents of public housing who; (1) need to move to address their medical or physical needs of the family; and (2) need to move as their family is over-housed and public housing cannot accommodate the family.

This option will only be used when appropriate public units are not available, or cannot reasonably be expected to be available within one year. A voucher would have to be available for use. The Executive Director must give final approval.

2. 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 Home-

Ownership 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.

Special admissions include a special local needs exception authority for up to ten percent of the admissions for families who meet specific criteria as determined by the Housing Authority Director, or his/her designee.

Applicants who are admitted under the above special admissions, rather than from the waiting list, are identified by codes in the automated system.