

Chapter 4

APPLICATIONS, WAITING LIST AND TENANT SELECTION

INTRODUCTION

When a family wishes to receive Section 8 HCV assistance, the family must submit an application that provides LMHA with the information needed to determine the family's eligibility. HUD requires LMHA to place all families that apply for assistance on a waiting list. When HCV assistance becomes available, LMHA must select families from the waiting list in accordance with HUD requirements and LMHA policies as stated in the Administrative Plan and the Annual Plan.

LMHA is required to adopt a clear approach to accepting applications, placing families on the waiting list, selecting families from the waiting list and must follow this approach 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 LMHA to 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 LMHA 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 LMHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and LMHA 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 LMHA will handle the applications it receives.

Part II: Managing the Waiting List: This part presents the policies that govern how LMHA'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 LMHA will use to keep the waiting list current.

Part III: Selection for HCV Assistance: This part describes the policies that guide LMHA in selecting families for HCV assistance as such assistance becomes available. It also specifies how in-person interviews will be used to ensure that LMHA has the information needed to make a final eligibility determination.

PART I: THE APPLICATION PROCESS

4-I.A. OVERVIEW

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

LMHA Policy

Depending upon the length of time that applicants may need to wait to receive assistance, LMHA may use a one- or two-step application process.

A one-step process will be used when it is expected that a family will be selected from the waiting list within 60 days of the date of application. At application, the family must provide all of the information necessary to establish family eligibility and level of assistance.

A two-step process will be used when it is expected that a family will not be selected from the waiting list for at least 60 days from the date of application. Under the two-step application process, LMHA initially will require families to provide only the information needed to make an initial assessment of the family's eligibility, and to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and level of assistance when the family is selected from the waiting list.

Families may apply online when the waiting list is open. Applications must be complete in order to be accepted by LMHA for processing. If an application is incomplete, LMHA will notify the family of the additional information required.

4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

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

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

Limited English Proficiency

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

4-I.D. PLACEMENT ON THE WAITING LIST

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

LMHA Policy

If the PHA can determine from the information provided that a family is ineligible, the family will not be placed on the waiting list. Where a family is determined to be ineligible, LMHA will send written notification of the ineligibility determination within 10 business 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

LMHA Policy

LMHA will send written notification of the preliminary eligibility determination and family's placement on the waiting list within 10 business days of receiving a complete application.

Placement on 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.

Prior to the opening of the waiting list, LMHA will select one of the following methodologies for determining placement on the waiting list:

- Applicants will be placed on the waiting list according to any preference(s) for which they qualify, and the date and time their complete application is received by LMHA.
- Applicants will be placed on the waiting list using a lottery system. Once each application has been randomly assigned a number, the applications will be placed on the waiting list in order of the assigned numbers and according to LMHA preference(s).

Instructions for completing the application will indicate which methodology has been chosen by LMHA.

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

LMHA 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 LMHA may structure its waiting list and how families must be treated if they apply for assistance from LMHA that administers more than one assisted housing program.

4-II.B. ORGANIZATION OF THE WAITING LIST [24 CFR 982.204 and 205]

LMHA's HCV waiting list is organized in such a manner to allow LMHA to accurately identify and select families for assistance in the proper order, according to the admissions policies described in this plan.

The waiting list contains 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 LMHA to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. As such LMHA is permitted, but not required, to maintain a separate waiting list for each county or municipality served.

LMHAPolicy

LMHA will maintain a single waiting list for the tenant-based HCV program. LMHA will also maintain separate waiting lists for each project-based voucher project and for the Moderate Rehabilitation program.

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 LMHA 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 LMHA may 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.

LMHAPolicy

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

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

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

LMHAPolicy

LMHA will close the list only if it determines that the existing waiting list contains an adequate pool for use of available program funding. Where LMHA has particular preferences or funding criteria that require a specific category of family, the LMHA 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 LMHA 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.

LMHAPolicy

LMHA will announce the reopening of the waiting list at least 10 business 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.

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

- Local papers of general circulation
- Minority papers of general circulation
- LMHA website

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

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

Because HUD requires LMHA to serve a specified percentage of extremely low-income families (see Chapter 4, Part III), LMHA 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].

LMHA 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

LMHA outreach efforts are 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

LMHAPolicy

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

LMHAPolicy

While the family is on the waiting list, the family must immediately inform LMHA of changes in contact information, including current residence, mailing addresses, and phone number. The family must additionally report any changes that might occur in their preference eligibility. The changes must be promptly submitted online or in writing promptly.

4-II.F. UPDATING THE WAITING LIST [24 CFR 982.204]

HUD requires LMHA 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 LMHA request for information or updates because of the family member's disability, LMHA must reinstate the applicant family to their former position on the waiting list [24 CFR 982.204(c)(2)].

LMHAPolicy

The waiting list will be updated regularly to ensure that all applicants and applicant information is current and timely.

To update the waiting list, LMHA will send an update request via first class mail to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program. This update request will be sent to the last address that LMHA 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 waiting 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 LMHA not later than 15 days from the date of LMHA letter.

If the family fails to respond within 15 days, the family will be removed from the waiting list without further notice. If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting 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 days to respond from the date the letter was re-sent.

If a family is removed from the waiting list for failure to respond, a member of LMHA's management team may reinstate the family if s/he determines the lack of response was due to LMHA error, or to circumstances beyond the family's control. However, in these instances, the time frame to be reinstated to the list will not exceed one year from the date the family's name was removed from the list.

Removal from the Waiting List

LMHAPolicy

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

If a family is removed from the waiting list because LMHA has determined the family is not eligible for assistance, a notice will be sent to the family's address of record provided on the initial application. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal review regarding LMHA'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 receive assistance from the waiting list depends on the selection method chosen by LMHA and is impacted in part by any selection preferences for which the family qualifies. The availability of targeted funding may also affect the order in which families are selected from the waiting list. LMHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to LMHA'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. In these cases, LMHA may admit 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. LMHA must maintain records showing that such families were admitted with special program funding.

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 housing project or substantial renovation of public housing through the Rental Assistance Demonstration program;
- (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.):
 - (i) A non-purchasing family residing in a project subject to a homeownership program, (under 24 CFR 248.173); or
 - (ii) A family displaced because of mortgage prepayment or voluntary termination of a mortgage insurance contract, (as provided in 24 CFR 248.165);
- (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 HOPE 1 or HOPE 2 project; and
- (6) Shelter Plus Care.

Targeted Funding [24 CFR 982.204(e)]

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

LMHAPolicy

LMHA currently administers the following types of targeted funding:

- Family Unification Program **Vouchers**
- Mainstream **Disabled Vouchers** ~~for Persons with a Disability~~
- Mainstream (Section 811) **Vouchers**
- ~~Vouchers~~ Veterans Affairs Supportive Housing **Vouchers**
- Non-Elderly Disabled **Vouchers**
- Non-Elderly Disabled II (Money Follows the Person Initiative) **Vouchers**
- Regular HCV ~~Funding-Funded~~ **Vouchers**

Mainstream Vouchers and Non-Elderly Disabled Vouchers

LMHA will offer a preference to non-elderly persons with disabilities. LMHA will maintain one waiting list for all tenant-based assistance, which includes Mainstream and Non-Elderly Disabled (NED 1 or 2) voucher assistance. When issuing a Mainstream or Non-Elderly Voucher, LMHA will choose the Mainstream or Non-Elderly Disabled-eligible family from its tenant-based waiting list, first. When all Mainstream/Non-Elderly eligible families are served from the LMHA main waiting list, LMHA will accept referrals through established partnering service agencies that are identified by Memorandums of Understanding (MOU's), who are seeking to house Mainstream/Non-Elderly Disabled eligible families.

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.

OTHER ADMISSIONS

Supportive Housing:

Contingent upon funding availability, LMHA will make up to 328 Housing Choice vouchers available for tenant-based assistance through referrals from Toledo Lucas County Homelessness Board (TLCHB), the Toledo Lucas County Continuum of Care, and The Ridge Project. ~~and the LHSC Bridge to Independence and Success Program.~~ Agencies, identified by TLCHB or the Ridge Project, must provide ongoing supportive services to the families served.

LMHA will make up to 165 Housing Choice vouchers available for either homeless or chronically homeless families through the Housing First model and up to 140 Housing Choice vouchers available for families experiencing homelessness or unstable housing who are either pregnant or have a child(ren) 12 months of age or younger through the Getting to 1 **Infant Mortality** Housing project.

LMHA will also make up to 20 Housing Choice vouchers available for previously incarcerated citizens participating in a reentry program developed and operated by The Ridge Project in an effort to reduce recidivism and keep families together after incarceration, as determined and referred by the Coordinator of The Ridge Project (also referred to as Reentry vouchers).

~~LMHA will make up to 3 Housing Choice Vouchers available for the Bridge to Independence and Success Transition Age Youth (TAY) Pilot through LHSC. They will be identified as “Supportive Housing.”~~

When a family is referred to LMHA through “Supportive Housing” they will receive a voucher if they meet the eligibility requirements in this plan, and a voucher is available for the program.

Preference will be given to families who are referred, regardless of whether the family is on the regular voucher waiting list, regardless of the family’s current waiting list position, and regardless of whether the waiting list is closed. When a family is referred to LMHA through “Supportive Housing”, LMHA will search its regular voucher waiting list to determine whether the referred family is on that list. If the referred family’s name is on the regular LMHA waiting list, the “Supportive Housing” preference will be added to applicants waiting list preferences, and the family will be counted toward the ~~203~~ 328 “Supportive Housing” vouchers.

“Supportive Housing” providers are responsible for referring families to LMHA, via the above identified entities, in the order deemed acceptable by the participating agencies and as specified in the executed MOU. The MOU will specify all other responsibilities of the participating agencies.

Supportive Housing is defined as: “A combination of housing and wrap-around services, provided directly by the proposer or through acquired services providers, aimed at providing supportive services for individuals or families without housing alternatives due to homelessness or unstable housing. Supportive housing can be coupled with social services such as, but not limited to (at LMHA’s discretion), as job training, life skills training, alcohol and drug abuse programs, community support services (e.g., childcare, educational programs, etc.), and case management to the populations in need of assistance.”

Emergency Housing Vouchers [PIH Notice 2021-15;2023-14]:

EHVs are tenant-based vouchers under Section 8(o) of the United States Housing Act of 1937. Unless expressly waived, all statutory and regulatory requirements and HUD directives regarding the HCV program are applicable to EHVs, including the use of all HUD-required contracts and other forms. The administrative policies adopted in LMHA’s written administrative plan apply to the EHV vouchers unless such local policy conflicts with the requirements of the American Rescue Plan (ARP), the requirements of applicable PIH notice(s), or other waivers and alternative requirements.

LMHA administered 123 Emergency Housing Vouchers (EHV) in partnership with the local Continuum of Care (CoC) the Toledo Lucas County Homelessness Board. ~~EHVs are available for individuals~~

~~and families who were: homeless; at risk of homelessness; fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking; or recently homeless and for whom providing rental assistance prevented the family’s homelessness or having high risk of housing instability.~~

EHV's were administered in accordance with the Administrative Plan and operating requirements established in HUD Notice PIH 2021-15 (HA) and subsequent notices and requirements pertaining to EHV's.

EHV Re-Issued Turnover Vouchers Prohibited after 9/30/23 [PIH Notice 2023-14].

When an EHV family's participation in the EHV program ends, (i.e., the family is no longer under a HAP contract or in the process of moving to another unit, including under the portability procedures), any subsequent issuance of that voucher to another family is a reissuance.

HUD identifies whether a voucher issuance is a turnover voucher or a voucher that has never been leased by counting the number of cumulative EHV lease-ups. (Note that cumulative leased vouchers is equal to all households leased since the start of the EHV program—this includes households that have left the program.)

Once LMHA's total cumulative leased EHV count reaches their total EHV voucher allocation, any EHV issuance is considered a reissuance.

- PHAs that have reached their cumulative EHV lease-up count may not reissue any EHV voucher after September 30, 2023.
- All EHV's under lease on or after October 1, 2023, may not under any circumstances be reissued to another family when the participant leaves the program for any reason.

~~Verification that the individual or family meets one of these four eligibility categories is conducted by the CoC that makes direct referrals to LMHA. The CoC must provide supporting documentation to LMHA of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance.~~

~~LMHA must enter into a Memorandum of Understanding (MOU) with the CoC to establish a partnership for the administration of the EHV's. The MOU is a complete statement of the responsibilities of the parties and evidence of a commitment of resources to the EHV program. The MOU may be subsequently amended to add or change the services that the CoC may provide but must always retain the direct referral responsibility of the CoC.~~

~~EHV Services Fees~~

~~LMHA will use the services fee(s) it receives as part of EHV's in accordance with requirements established in HUD Notice PIH 2021-15(HA) and subsequent notices and requirements pertaining to EHV's, and,~~

~~where necessary, in consultation with the CoC. LMHA may use the services fee to provide any or all of the defined eligible uses to assist families to successfully lease units with the EHV's.~~

~~As described in HUD Notice PIH 2021-15 (HA), the services fees fall into four main components comprised of specific activities:~~

- ~~i. — Housing Search Assistance~~
- ~~ii. — Security Deposit/Utility Deposit/Rental Application/Holding Fee Uses~~

~~Application fees/non-refundable administrative or processing fees/refundable application deposit assistance.~~

~~b. Holding fees~~

~~e. Security deposit assistance~~

~~d. Utility deposit assistance/utility arrears iii. Owner Related Uses~~

~~a. Owner recruitment and outreach~~

~~b. Owner incentive and/or retention payments iv. Other eligible uses:~~

~~a. Moving expenses (including move in fees and deposits)~~

~~b. Tenant readiness services. c. Essential household items~~

~~d. Renter's insurance if required by the lease~~

Permissive Prohibitions on PHA Denial of Assistance to an EHVapplicant

~~LMHA will administer administered~~ EHV's include mandatory and permissive prohibitions, in accordance with the Administrative Plan, operating requirements established in HUD Notice PIH 2021-15 (HA) and subsequent notices and requirements pertaining to EHV's, and the MOU with the CoC.

~~LMHA may prohibit admission of a family for the grounds stated below. LMHA may choose not to prohibit admission for these grounds or may establish a more permissive policy than LMHA's policy for admission to the regular HCV program. LMHA may not establish a permissive prohibition policy for EHV applicants that is more prohibitive than the policy established for admissions to the regular HCV program. LMHA policy on EHV permissive prohibitions must be described in the PHA's administrative plan.~~

~~If LMHA intends to establish permissive prohibition policies for EHV applicants, LMHA must consult with its CoC partner to understand the impact that the proposed prohibitions may have on referrals and must take the CoC's recommendations into consideration. The LMHA policy on EHV permissive prohibitions must be described in the PHA's administrative plan.~~

Determinations must be made based on an individualized assessment of relevant mitigating information. The permissive prohibitions are:

- (1) If the PHA determines that any household member is currently engaged in, or has engaged in within the previous 12 months:
 - a. Violent criminal activity.
 - b. Other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity.

- (2) If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program within the previous 12 months.
- (3) If the family engaged in or threatened abusive or violent behavior toward PHA personnel within the previous 12 months.

Moderate Rehabilitation Admissions:

A family may be admitted to the voucher program if they are a family in the Moderate Rehabilitation Program and it has been determined by LMHA that the family must relocate because the family is under housed or the family has a disabled member and there are not available Moderate Rehabilitation units of the appropriate size or type.

Applicants are required to complete an application and be placed on the Moderate Rehabilitation program waiting list. A voucher will be issued to the family immediately upon verifying the family's need for more suitable housing.

Eligible families are placed on LMHA's Moderate Rehabilitation waiting list. When vacancies occur in Moderate Rehabilitation projects, LMHA refers eligible families for participation in the Moderate Rehabilitation program from its waiting list to owners. Owners select families for occupancy of a particular unit after screening each family.

Involuntarily Displaced by Government Action or Natural Disaster:

Involuntarily displaced by government action is limited to the following: Current LMHA housing programs which are not approved for renewal funding, FUP participants (youth aging out of Foster care) who have reached their voucher life limitation, families in the Moderate Rehabilitation Program who must relocate because the family is under housed or the family has a disabled member who needs to relocate due to a reasonable accommodation and there are not available Moderate Rehabilitation units of the appropriate size or type, a project based voucher contract which is terminated, etc.

Involuntarily displaced by natural disaster- With proper documentation, families who are victims of a natural disaster are eligible to be added to the waiting list. Natural disasters include, but are not limited to floods, tornadoes, hurricanes, earthquakes and tsunamis. Proper documentation includes, but is not limited to, written statements from disaster relief agencies such as Federal, State or local Emergency Management Agencies, the Red Cross and other Federal, State or local agencies either within or outside the jurisdiction where the natural disaster occurred. Vouchers will be made available to these families, regardless of whether the family is on the regular voucher waiting list, regardless of the family's current waiting list position, and regardless of whether the waiting list is closed.

VASH Program Graduates:

Under the VASH Program, when the VA determines that the participant family no longer requires case management, this is not grounds for termination of assistance. In such a case, at LMHA's option, and if available, LMHA will offer the family continued voucher program

assistance through one of its regular vouchers, to free up the HUD-VASH voucher for another eligible family referred by the VA.

4-III.C. SELECTION METHOD

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

Local Preferences [24 CFR 982.202;207; HCV p. 4-16]

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

LMHA Policy

LMHA will select families from their standard (and special purpose waiting list) based on the following preferences, by priority:

Priority Types	Waiting List Selection Preference	Description
Homeless Admissions, Re-entry, and Supportive Housing Participants	1	TLCHB and the Ridge Project (for Reentry), will refer to LMHA families that meet the above criteria.
Involuntarily Displaced	2	Families involuntarily displaced (defined above) due to natural disaster or government action.
Insufficient Funding	3	LMHA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding.
Disabled Persons and Their Families.	4	Mainstream 811 or Non-Elderly Disabled (NED 1 or 2):
<u>Verification of Selection Method:</u> The method for selecting applicants from a preference category must leave 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 [24 CFR 982.207, e.]		

Homeless individuals and families, and Reentry participants to include Supportive Housing (limited to up to 203 vouchers); TLCHB, the Ridge Project (for Reentry), or the LHSC Bridge to Independence and Success Program (for Bridge to Independence and Success TAY Pilot) will refer to LMHA families that meet the above criteria.	1
Involuntarily Displaced Families involuntarily displaced (defined above) due to natural disaster or government action.	2
Insufficient Funding LMHA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding.	3
Disabled persons and their families.	4

Homeless Definitions [24 CFR 578.3; PIH Notice 2023-13]

The definition of homelessness has been revised for the purpose of reporting in the Inventory Management System/Public Housing Information Center (IMS/PIC) or its successor system and: Outlines new guidance on how PHAs and CoCs can share data derived from IMS/PIC or its successor system and the Homeless Management Information System (HMIS), Provides updated guidance on:

- Waiting list management and preferences
- Screening policies regarding criminal activity, substance use, and rental history,
- program termination and eviction policies, and information regarding pairing project-based vouchers with CoC Supportive Services to create Permanent Supportive Housing.

Homeless – The Continuum of Care (CoC) program definition of homeless at 24 CFR 578.3 includes the following four “homeless” categories. Categories 1 through 3 are based on section 103(a) of the McKinney-Vento Homeless Assistance Act, whereas Category 4 is based on section 103(b) of that Act. PHAs should keep this distinction in mind when determining whether an individual or family is homeless as defined by section 103(a) of the McKinney-Vento Homeless Assistance Act.

Category 1:

Individual or family who lacks a fixed, regular, and adequate night-time residence, meaning:

- Has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.
- Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, and local government programs); or
- Exiting an institution where the individual or family resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

Category 2:

Individual or family who will imminently lose their primary nighttime residence, provided that:

- Residence will be lost within 14 days of the date of application for homeless assistance;
- No subsequent residence has been identified; and
- The individual or family lacks the resources or support networks needed to obtain other permanent housing.

Category 3:

Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who are defined as homeless under the other listed federal statutes:

- Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application.
- Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
- Can be expected to continue in such a situation for an extended period of time due to certain special needs or barriers.

Category 4:

Any individual or family who:

- Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence.
- Has no other residence; and
- Lacks the resources or support networks to obtain other permanent housing

Chronic Homelessness:

A homeless individual with a disability, as defined in section 401(9) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(9)), is an individual who:

- Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and
- Has been homeless continuously for at least 12 months or on at least 4 separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described in paragraph.
- An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in the preceding bullets of this definition before entering that facility: or
- A family with an adult head of household (or if there is no adult in the family, a minor head of household who meets all of the criteria in paragraphs 1 and 2 including a family whose composition has fluctuated while the head of household has been homeless.

LMHA Policy

In accordance with establishing local preferences, LMHA will verify the selection of participants and families through established eligibility requirement documentation that may require the use of third-party verifications to validate that each applicant has been selected in accordance with the method specified in the Administrative Plan.

Income Targeting Requirement [24 CFR 982.201(b)(2)]

HUD requires that extremely low-income (ELI) families make up at least 75% of the families admitted to the HCV program during LMHA's fiscal year. ELI families are those with annual incomes at or below the federal poverty level or 30% of the area median income, whichever is higher. To ensure this requirement is met, LMHA 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)].

LMHA Policy

LMHA will monitor progress in meeting the ELI 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. If there are not enough ELI families on the waiting list, LMHA shall conduct special outreach to attract ELI families to the program to meet the statutory requirements.

Continuously assisted is defined as families that reside in and are receiving assistance under a federally subsidized program.

Order of Selection

LMHA 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 a PHA 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)].

LMHAPolicy

Families will be selected from the waiting list based on the targeted funding or selection preference(s) for which they qualify, and in accordance with LMHA's hierarchy of preferences. Within each targeted funding or preference category, families that have applied electronically through the lottery process will be selected in a random order assigned by the computer. This random order will serve as the established date and

time of application. LMHA may choose to limit the number of pre- applications accepted through the lottery process and those pre- applications not randomly chosen will be discarded.

Applications received for the moderate rehabilitation, project based and special programs/special admission process, will be placed on the waiting list within each targeted funding or preference category, and then on a first-come, first-served basis according to the date and time the application is received by LMHA.

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

4-III.D. NOTIFICATION OF SELECTION

When a family has been selected from the waiting list, LMHA will notify the family.

LMHAPolicy

LMHA will notify the family by first class mail when it is selected from the waiting list. The notice will inform the family of the following:

- Where to obtain the full application package
- The date: 14 calendar days from date of selection notice the completed application must be submitted

All documents that must be provided at the interview, including information about what constitutes acceptable documentation

4-III.E. THE APPLICATION INTERVIEW

HUD recommends that LMHA obtain the information and documentation needed to make an eligibility determination through a private interview [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.

LMHA Policy

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

- The head of household and all household members eighteen (18) and older

must be present for the application interview. Verification of information pertaining to adult members of the household not present at scheduled meetings will not begin until signed release forms are returned to LMHA.

- The head of household and the spouse/cohead will be strongly encouraged to attend the interview together. However, either the head of household or the spouse/cohead may attend the interview on behalf of the family. 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 the PHA.
- 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.
- 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, LMHA 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 10 days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and 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, LMHA will provide translation services in accordance with the PHA's LEP plan.
- If the family is unable to attend a scheduled interview, the family should contact ~~the PHA~~ LMH in advance of the interview to schedule a new appointment.
- In all circumstances, if a family does not attend a scheduled interview, LMHA will send another notification letter with a new interview appointment time. The second interview appointment will usually be scheduled within thirty days of the initial appointment.

- Applicants who fail to attend two scheduled interviews without LMHA approval, or if the second notification letter is returned to LMHA with no forwarding address, 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.

4-III.F. COMPLETING THE APPLICATION PROCESS

LMHA must verify all information provided by the family (see Chapter 7). Based on verified information, LMHA must make a final determination of eligibility (see Chapter 3) and must confirm that the family qualified for any special admission, targeted admission, or selection preference that affected the order in which the family was selected from the waiting list.

LMHA Policy

If LMHA determines the family is ineligible, LMHA will send written notification of the ineligibility determination within 10 business 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, extremely low-income), the family will be returned to its original position on the waiting list. LMHA will notify the family in writing that it has been returned to the waiting list and will specify the reasons for it.

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