

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]

(Revised and Adopted by Board Of County Commissioners in 2007 Action Plan)
(Revised September 2012)
(Revised September 2014)
(Revised August 29, 2015)

INTRODUCTION

The Johnson County Housing Authority objective is 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.

By maintaining an accurate waiting list, Johnson County Housing Authority 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.

This chapter explains the three (3) local preferences which Johnson County Housing Authority has adopted to meet local housing needs, defines the eligibility criteria for the preferences and explains the PHA's system of applying them.

A.WAITING LIST [24 CFR 982.204]

Johnson County Housing Services uses a single waiting list for admission to its Section 8 Housing Choice Voucher tenant based assistance program.

Except for Special Admissions, Applicants will be selected from the PHA waiting list in accordance with policies and preferences and income targeting requirement defined in this Administrative Plan.

Johnson County Housing Authority 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 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 Johnson County Housing Authority special program funding that is targeted for specifically names families, the housing authority 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. Johnson County Housing Authority 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 special unit:

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

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

For housing covered by the Low Income Housing Preservation and Residential 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.

Applicant 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]

Johnson County Housing Authority uses the following local preference system:

- Date and time of receipt of completed pre-application.
- Residency Preference for families who live, work or have been hired to work in the jurisdiction. The residency preference will not be based on how long an applicant has resided or worked in the residency preference area; and the residency preference will not have the purpose or effect of delaying or otherwise denying admission to the program

based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family.

- **Elderly/Disability Preference:** An applicant who is at least 62 years of age (verified by Birth Certificate) or disabled (verified by the Social Security Administration, Social Rehabilitative Services or by a medical doctor or mental health assessor).
- **Victims of Domestic Violence:** Domestic violence means actual or threatened violence by a member of a household directed at him/herself or another member of his/her household. The domestic violence should have occurred recently or be of a continuing nature. An applicant may qualify for a preference for victims of domestic violence if the applicant vacated a unit because of domestic violence or lives in a unit with a person who engages in violence. An applicant who qualifies for this preference should certify that the person who engaged in the violence will not reside with the applicant family unless the PHA gives advance written approval. If the family is admitted, Johnson County Housing Authority may terminate assistance for breach of the agreement.
 - Eligibility for this preference will be determined by a partnering domestic violence shelter utilizing established criteria, including victims counseling for a minimum 30 days, for referring victims of domestic violence. There will be a set-aside of 10 vouchers for this preference and as referrals are made and a voucher becomes available, domestic violence clients will be issued a voucher immediately and considered the highest preference on the waiting list. All other HUD regulated and Johnson County policy related eligibility requirements will apply.

Rapid Rehousing Program Clients

- Eligibility for this preference will be determined by Catholic Charities (CC) utilizing an established criteria including comprehensive case management which provides: regular case manager meetings, financial education and asset development, nutritional programming, food assistance and assessment and connection with safety net and mainstream benefit programs as appropriate for a minimum agreed upon period, which will include post permanent supportive housing counseling for referred CC clients.
- A maximum 10 vouchers will be set-aside for this preference and as referrals are made and a voucher becomes available, Catholic Charities Rapid Rehousing Program clients will be issued a voucher immediately and considered a preference on the waiting list. All other HUD regulated and Johnson County policy related eligibility requirements will apply

All other vouchers are considered equal in weight.

D. INCOME TARGETING

In accordance with the Qualify Housing and Work Responsibility Act of 1998, each fiscal year the PHA will reserve a minimum of 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 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.

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:

- An applicant’s certification that they qualify for a preference will be accepted without verification at the initial application. When the family is selected from the waiting list for the final determination of eligibility, the preference will be verified.
- The PHA will verify all preference claims at the time they are made. The PHA will reverify a preference claim, if the PHA feels that family’s circumstances have changed, at time of selection from the waiting list.
- If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list without local preference and given an opportunity for a meeting.
- If at the time the family applied, the preference claim was the only reason for placement of the family on the list and the family cannot verify their eligibility for the preference as of the date of application, the family will be removed from the list.

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 names families, the PHA will admit these families under a Special Admission procedure.

Special admission 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. TARGETING FUNDING [24 CFR 982.203]

When HUD awards special funding for certain types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the waiting list is search 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:

*Mainstream for Persons with Disabilities

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.

***When an applicant claims an additional preference, s/he will be placed on the waiting list in the appropriate order determined by the newly-claimed preference.**

***The exception to this is, if at the time the family applied, the waiting list was only open to families who claimed that preference. In such case, the applicant must verify that they were eligible for the first preference before they are returned to the waiting list with the new preference.**

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

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.

Among Applicants with Equal Preference Status

Among applicants with equal preference status, the waiting list will be organized by date and time.

J. FINAL VERIFICATION OF PREFERENCES [24 CFR 982.207]

Preference information on applications will be updated as applicants are selected from the waiting list. At that time, the PHA will:

*Mail a Preference Verification letter to the applicant's last known address, requesting verification of the family's preference claim and mail third party verification as applicable.

*Obtain necessary verifications of preference at the interview and by third party verification.

K. PREFERENCE DENIAL [24 CFR 982.207]

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/a review with the Housing Program Manager. 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 not more than one time each year by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing list ask for confirmation of continued interest.

*Any mailings to the applicant which require a response will state the 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 an applicant fails to respond to a mailing from the PHA, the applicant will be sent written notification and given 7 calendar days to contact the PHA. If they fail to respond within 7 calendar days, they will be removed from the waiting list.

If the applicant did not respond to the PHA request for information or updates because of a family member's disability, 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 the Housing Program Manager determines there were circumstances beyond the person's control.