

## Chapter 4

### APPLICATION, WAITING LIST, AND TENANT SELECTION

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#### INTRODUCTION

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

GHURA 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 GHURA to receive preferential treatment. Funding earmarked exclusively for families with particular characteristics may also alter the order in which families are served.

HUD regulations require that all families have an equal opportunity to apply for and receive housing assistance, and that GHURA affirmatively further fair housing goals in the administration of the program [24 CFR 982.53, HCV Guidebook p. 4-1]. Adherence to the selection policies described in this chapter ensures that GHURA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

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

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

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

## PART I: THE APPLICATION PROCESS

### 4-I.A. OVERVIEW

This part describes the policies that guide GHURA's efforts to distribute and accept applications, and to make preliminary determinations of applicant family eligibility that affect placement of the family on the waiting list. This part also describes GHURA'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 Guidebook, 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 GHURA 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 GHURA. However, GHURA must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of GHURA's application.

#### **GHURA Policy**

Depending upon the length of time that applicants may need to wait to receive assistance, GHURA 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, GHURA 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 obtain application forms from GHURA's office during normal business hours. Families may also apply online.

Completed applications must be returned to GHURA by mail, by fax, or submitted in person or online during normal business hours. Applications must be complete in order to be accepted by GHURA for processing. If an application is incomplete, GHURA 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 Guidebook, pp. 4-11 – 4-13]**

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

##### **Limited English Proficiency**

PHAs are required to take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency [24 CFR 1]. Chapter 2 provides a full discussion on GHURA's policies related to ensuring access to people with limited English proficiency (LEP).

#### 4-I.D. PLACEMENT ON THE WAITING LIST

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

###### **GHURA Policy**

If GHURA 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, GHURA will send written notification of the ineligibility determination within 20 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**

### **GHURA Policy**

GHURA will send written notification of the preliminary eligibility determination within 20 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.

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 GHURA.

### **Placement of Applicants through a Lottery System**

As an alternative to Section 4-I.D, GHURA may use a lottery system as an alternative method to placing applicants on a waiting list and to determine the order in which to place each applicant. The date and time of the when the lottery is held must recorded on the waiting list. No selection preferences shall apply and applicants shall be selected from the waiting list in chronological order. Those applicants who's names were not selected shall be discarded and only those selected shall be notified in writing.

### **GHURA Policy**

GHURA may use the lottery system as an alternative to establishing and placing applicants on a waiting list. Interested applicant will be required to submit only one entry card with the family's name, social security number, contact number, email address and mailing address. The date and time of the lottery must be recorded on the waiting list and families shall be selected from the wait list in chronological order. Families selected shall be notified in writing and shall have 10 working days to notify GHURA of accepting or declining their selection.

## **PART II: MANAGING THE WAITING LIST**

### **4-II.A. OVERVIEW**

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

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

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

The waiting list must contain 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 GHURA to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. Such PHAs are permitted, but not required, to maintain a separate waiting list for each county or municipality served.

##### **GHURA Policy**

GHURA will maintain a two separate waiting list; one wait list for the HCV tenant-based program and another for the Project-based 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 GHURA 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 PHAs 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.

##### **GHURA Policy**

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

#### 4-II.C. OPENING AND CLOSING THE WAITING LIST [24 CFR 982.206]

##### **Closing the Waiting List**

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

##### **GHURA Policy**

GHURA will continue to accept applications until it deems fit to close the list.

## **Reopening the Waiting List**

If the waiting list has been closed, it cannot be reopened until GHURA 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.

### **GHURA Policy**

GHURA 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.

GHURA will announce the availability and nature of the Section 8 program for extremely low-income and very low income families in a newspaper of general circulation, minority media, and by other suitable means.

To reach persons who cannot or do not read newspapers, GHURA will initiate contact through village mayors, community service personnel and non-profit organizations. GHURA will also try to utilize public service announcements.

GHURA will communicate the status of program availability to their service providers in the community and advise them of housing eligibility factors and guidelines so that they can make proper referral of their clients to the program.

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

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

Because HUD requires PHAs to serve a specified percentage of extremely low income families (see Chapter 4, Part III), GHURA may need to conduct special outreach to ensure that an adequate number of such families apply for assistance [HCV Guidebook, p. 4-20 to 4-21].

GHURA 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

GHURA outreach efforts must be 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

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- 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.

#### **GHURA Policy**

GHURA will monitor the characteristics of the population being served and the characteristics of the population as a whole in GHURA's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.

To reach the underserved population, GHURA will implement aggressive outreach and awareness programs designed to educate elderly, disabled, and extremely low- and very low-income families about existing GHURA programs. GHURA will use a widely circulating media source that includes Guam newspapers, radio, television, websites, and magazines, as well as distributing informational publications, brochures, pamphlets to non-profit organizations that directly serve the targeted population.

#### 4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES

##### **GHURA Policy**

While the family is on the waiting list, the family must immediately inform GHURA of changes in contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing via a change form.

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

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

##### **GHURA Policy**

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

To update the waiting list, GHURA 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 GHURA 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 may be via telephone or in writing and may be delivered in person, by mail, or by fax. Responses should be received within the designated month GHURA indicates in its letter.

If the family fails to respond within the designated time period, 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 to respond within a designated time period set by GHURA from the date the letter was re-sent.

If a family is removed from the waiting list for failure to respond, the Executive Director or his/her designee may reinstate the family if he or she determines the lack of response was due to GHURA error, or to circumstances beyond the family's control.

## **Removal from the Waiting List**

### **GHURA Policy**

If at any time an applicant family is on the waiting list, GHURA 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 GHURA has determined the family is not eligible for assistance, a notice will be sent to the family's address of record as well as to any alternate address 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 GHURA'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 GHURA and is impacted in part by any selection preferences that the family qualifies for. The source of HCV funding also may affect the order in which families are selected from the waiting list.



GHURA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to GHURA'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 (e.g., a family that is displaced by demolition of public housing; a non-purchasing family residing in a HOPE 1 or 2 projects). In these cases, GHURA may admit families that are not on the waiting list, or without considering the family's position on the waiting list. GHURA must maintain records showing that such families were admitted with special program funding.

##### **Targeted Funding [24 CFR 982.204(e)]**

HUD may award GHURA funding for a specified category of families on the waiting list. GHURA must use this funding only to assist the families within the specified 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.

##### **GHURA Policy**

GHURA administers the following types of targeted funding:

**Family Unification Program (FUP):** The Family Unification Program is a Section 8 voucher program that provides assistance to families for whom the lack of adequate housing is a primary factor in the potential separation, or imminent placement, or delay of discharge of the family's child or children from an out-of-home care. GHURA administers the FUP program through a partnership with the Department of Public Health and Social Services' Child Welfare Division.

**Non Elderly Persons With Disabilities (NED):** The Non elderly persons with disabilities provides Section 8 housing assistance to a family whose head of household, spouse or co-head has a disability. The program provides tenant-based voucher to lease affordable private housing of their choice. The mainstream program is partnership with Department of Mental Health and Substance Abuse, Developmental Disabilities Counsel, Guma Mami, and Department of Integrated Services for individuals with Disabilities (DISID).

**Veterans Affairs Supportive Housing (VASH) Program:** VASH is a Section 8 housing assistance program that combines housing assistance and case management for homeless veterans. The Department of Veteran's Affairs provides referral for housing assistance and case management through through the VA's community-based outreach clinic.

### **Project-based Funding**

Project-based funding for assistance may be used to assist eligible families on the project-based waiting list. Families selected from the waiting list shall be in accordance with policies provided in Chapter 17.

### **Regular HCV Funding**

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.

#### 4-III.C. SELECTION METHOD

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

#### **Local Preferences [24 CFR 982.207; HCV p. 4-16]**

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

#### **Preferences applicable only to Guam [24 CFR 5.506 (c)]**

Citizens of the Republic of Marshall Islands, the Federated States of Micronesia, and the Republic of Palau who are eligible for assistance under paragraph (a) (2) of the is section are entitled to receive local preferences for housing assistance, except that, within Guam, such citizens who have such local preferences will not be entitled to housing assistance in preference to any United States citizen or national resident therein who is otherwise eligible for such assistance.

#### **GHURA Policy**

GHURA has adopted the following preferences for its HCV tenant-based Program:

**Category #1:** A family residing in Public Housing who have been a victim of a crime of violence or meets the criteria under the Victim Against Women Act (VAWA) **(3 points)**.

**Category #2:** An applicant family who have been involuntarily displaced due to government action or as the result of fire or natural disaster **(2 points)**; and/or

**Category #3:** An applicant family who resides or work in Guam; **OR** who have been offered a full-time permanent, non-temporary employment on Guam. **(1 point)**.

### **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 GHURA's fiscal year. ELI families are those with annual incomes at or below 30% of the area median income. To ensure this requirement is met, a PHA 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)].

#### **GHURA Policy**

GHURA 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.

### **Order of Selection**

GHURA system of preferences may select families either according to the date and time of application, or by a random selection process [24 CFR 982.207(c)]. When selecting families from the waiting list, PHAs are required to use targeted funding to assist only those families who meet the specified criteria, and PHAs are 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)].

#### **GHURA Policy**

Families will be selected from the waiting list on a first-come, first-served basis according to the date and time their complete application is received by GHURA or in accordance with targeted funding requirements. Documentation will be maintained by GHURA 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 GHURA 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, GHURA must notify the family.

#### **GHURA Policy**

GHURA 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:

Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview

Who is required to attend the interview

Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation

Other documents and information that should be brought to the interview

If a notification letter is returned to GHURA with no forwarding address, the family will be removed from the waiting list. A notice of denial (see Chapter 3) will be sent to the family's address of record, as well as to any known alternate address.

#### 4-III.E. THE APPLICATION INTERVIEW

HUD recommends that housing authorities obtain the information and documentation needed to make an eligibility determination through a private interview [HCV Guidebook, 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 GHURA 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 GHURA [Notice PIH 2010-3].

Reasonable accommodation must be made for persons with disabilities who are unable to attend an interview due to their disability.

#### **GHURA Policy**

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

The head of household, spouse/co-head and all other adult family members will be strongly encouraged to attend the interview together. However, either the head of household or the spouse/co-head 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 GHURA.

At the initial interview documents will be requested. The second meeting will be conducted only if the head of household or spouse/co-head provides appropriate 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, the appointment may be rescheduled when the proper documents have been obtained.

Pending disclosure and documentation of social security numbers, GHURA will allow the family to retain its place on the waiting list for **60 days**. If not all household members have disclosed their SSNs at the next time GHURA is issuing vouchers, GHURA will issue a voucher to the next eligible applicant family on the waiting list.

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, GHURA 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 business 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, GHURA will provide translation services in accordance with GHURA's LEP plan.

If the family is unable to attend a scheduled interview, the family should contact GHURA in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, GHURA will send another notification letter with a new interview appointment time. Applicants who fail to attend two scheduled interviews without GHURA approval 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

GHURA must verify all information provided by the family (see Chapter 7). Based on verified information, GHURA 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.

##### **GHURA Policy**

If GHURA determines that the family is ineligible, GHURA will send written notification of the ineligibility determination within 20 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. GHURA will notify the family in writing that it has been returned to the waiting list, and will specify the reasons for it.

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