

## CHAPTER 4

### APPLICATIONS, WAITING LIST AND TENANT SELECTION

#### INTRODUCTION

When a family wishes to reside in public housing, the family must submit an application that provides the Housing Authority of Danville with the information needed to determine the family's eligibility. HUD requires the Housing Authority of Danville to place all eligible families that apply for public housing on a waiting list. When a unit becomes available, the Housing Authority of Danville must select families from the waiting list in accordance with HUD requirements and Housing Authority of Danville policies as stated in its Admissions and Continued Occupancy Policy (ACOP) and its annual plan.

The Housing Authority of Danville is required to adopt a clear approach to accepting applications, placing families on the waiting list, and 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 the Housing Authority of Danville to receive preferential treatment.

HUD regulations require that the Housing Authority of Danville comply with all equal opportunity requirements and it must affirmatively further fair housing goals in the administration of the program [24 CFR 960.103, PH Occ GB p. 13]. Adherence to the selection policies described in this chapter ensures that the Housing Authority of Danville will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and Housing Authority of Danville policies for taking applications, managing the waiting list and selecting families from the waiting list. The policies for assigning unit size and making unit offers are contained in Chapter 5. Together, Chapters 4 and 5 of the ACOP comprise the Housing Authority of Danville's Tenant Selection and Assignment Plan (TSAP).

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 the Housing Authority of Danville will handle the applications it receives.

Part II: Managing the Waiting List. This part presents the policies that govern how the Housing Authority of Danville's waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for public housing. It also discusses the process the Housing Authority of Danville will use to keep the waiting list current.

Part III: Tenant Selection. This part describes the policies that guide the Housing Authority of Danville in selecting families from the waiting list as units become available. It also specifies how in-person interviews will be used to ensure that the Housing Authority of Danville 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 the Housing Authority of Danville'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 the Housing Authority of Danville's obligation to ensure the accessibility of the application process.

### **4-I.B. APPLYING FOR ASSISTANCE**

Any family that wishes to reside in public housing must apply for admission to the program [24 CFR 1.4(b)(2)(ii), 24 CFR 960.202(a)(2)(iv), and PH Occ GB, p. 68]. HUD permits the Housing Authority of Danville to determine the format and content of its applications, as well how such applications will be made available to interested families and how applications will be accepted by the Housing Authority of Danville.

#### Housing Authority of Danville Policy

Depending upon the length of time that applicants may need to wait to be housed, the Housing Authority of Danville 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 the amount of rent the family will pay.

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, the Housing Authority of Danville 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 the amount of rent the family will pay when selected from the waiting list.

Families may obtain application forms from the Housing Authority of Danville's office during normal business hours or off of the Housing Authority of Danville's web site at [danvillehousingagency.com](http://danvillehousingagency.com). Families may also request – by telephone or by mail – that a form be sent to the family via first class mail.

Completed applications must be returned to the Housing Authority of Danville and the applicant must attend a personal interview with the housing manager on Mondays or Tuesday or by appointment. Applications can be submitted by mail, by fax, or in person during normal business hours and arrangements will be made to perform the personal interview. Applications must be complete in order to be accepted by the Housing Authority of Danville for processing. If an application is incomplete, the Housing Authority of Danville will notify the family of the additional information required.

If the applicant fails to provide the documentation within the time frame provide, the application will be withdrawn and the family removed from the waiting list. When a family is removed from the waiting list during the initial process for failure to respond,

no informal hearing will be offered. Such failures to act on the part of the applicant prevent the Housing Authority of Danville from making an eligibility determination; therefore no informal hearing is required.

If a family is removed from the waiting list for failure to respond, the Executive Director may reinstate the family if she determines the lack of response was due to Housing Authority of Danville error, or to circumstances beyond the family's control.

#### **4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS**

The Housing Authority of Danville 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 Housing Authority of Danville application process.

##### **Disabled Populations [24 CFR 8; PH Occ GB, p. 68]**

The Housing Authority of Danville must provide reasonable accommodation to the needs of individuals with disabilities. The application-taking facility and the application process must be fully accessible, or the Housing Authority of Danville must provide an alternate approach that provides equal access to the application process. Chapter 2 provides a full discussion of the Housing Authority of Danville'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 the Housing Authority of Danville's policies related to ensuring access to people with limited English proficiency (LEP).

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

The Housing Authority of Danville must review each completed application received and make a preliminary assessment of the family's eligibility. The Housing Authority of Danville must place on the waiting list families for whom the list is open unless the Housing Authority of Danville determines the family to be ineligible. Where the family is determined to be ineligible, the Housing Authority of Danville must notify the family in writing [24 CFR 960.208(a); PH Occ GB, p. 41]. 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.

##### **Ineligible for Placement on the Waiting List**

###### Housing Authority of Danville Policy

If the Housing Authority of Danville 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, the Housing Authority of Danville will send written notification of the ineligibility determination within 10 business days of receiving documentation that determines the applicant ineligible. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal

hearing and explain the process for doing so (see Chapter 14). Applicants denied admission will have to wait twelve months before the Housing Authority of Danville will process another application for admissions. Applicants denied admission will have to wait twelve months before the Housing Authority of Danville will process another application for admissions.

In cases where the applicant has failed to provide information in the time frame provided, the application will be withdrawn and the family will be removed from the waiting list. When a family is removed from the waiting list for failure to respond, no informal hearing will be offered. Such failures to act on the part of the applicant prevent the Housing Authority of Danville from making an eligibility determination; therefore no informal hearing is required.

If a family is removed from the waiting list for failure to respond, the Executive Director may reinstate the family if she determines the lack of response was due to Housing Authority of Danville error, or to circumstances beyond the family's control.

### **Eligible for Placement on the Waiting List**

#### Housing Authority of Danville Policy

The Housing Authority of Danville will send written notification of the preliminary eligibility determination within 10 business days of receiving documentation determining the applicant initially eligible. If applicable, the notice will also indicate the waiting list preference(s) for which the family appears to qualify.

Placement on the waiting list does not indicate that the family is, in fact, eligible for admission. A final determination of eligibility and qualification will be made when the family is selected from the waiting list.

Applicants will be placed on the waiting list according to Housing Authority of Danville preference of the date and time their complete application is received by the Housing Authority of Danville.

The Housing Authority of Danville will assign families on the waiting list according to the bedroom size for which a family qualifies as established in its occupancy standards (see Chapter 5). Families may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines (as long as the unit is not overcrowded according to Housing Authority of Danville standards and local codes). However, in these cases, the family must agree not to request a transfer for two years after admission, unless they have a change in family size or composition. Working families may exercise the right to an incentive by requesting to be placed on the waiting list for a unit size larger than designated by the occupancy guidelines.

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

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

The Housing Authority of Danville must have policies regarding the type of waiting list it will utilize as well as the 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 public housing, and conducting outreach to ensure a sufficient number of applicants.

In addition, HUD imposes requirements on how the Housing Authority of Danville may structure its waiting list and how families must be treated if they apply for public housing at a Housing Authority that administers more than one assisted housing program.

#### **4-II.B. ORGANIZATION OF THE WAITING LIST**

The Housing Authority of Danville's public housing waiting list must be organized in such a manner to allow the Housing Authority of Danville to accurately identify and select families in the proper order, according to the admissions policies described in this ACOP.

##### Housing Authority of Danville Policy

The waiting list will contain the following information for each applicant listed:

- Name and social security number of head of household
- Unit size required (number of family members)
- Amount and source of annual income
- Accessibility requirement, if any
- Date and time of application or application number
- Household type (family, elderly, disabled)
- Race and ethnicity of the head of household

The Housing Authority of Danville may adopt one community-wide waiting list or site-based waiting lists. The Housing Authority of Danville must obtain approval from HUD through submission of its Annual Plan before it may offer site-based waiting lists. Site-based waiting lists allow families to select the development where they wish to reside and must be consistent with all applicable civil rights and fair housing laws and regulations [24 CFR 903.7(b)(2)].

##### Housing Authority of Danville Policy

The Housing Authority of Danville will maintain one single community-wide waiting list for its developments. Within the list, the Housing Authority of Danville will designate subparts to easily identify who should be offered the next available unit (i.e. mixed populations, general occupancy, unit size, and accessible units).

The Housing Authority of Danville will not adopt site-based waiting lists.

#### **4-II.C. OPENING AND CLOSING THE WAITING LIST**

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

The Housing Authority of Danville is permitted to close the waiting list, in whole or in part, if it has an adequate pool of families to fill its developments. The Housing Authority of Danville may close the waiting list completely, or restrict intake by preference, type of project, or by size and type of dwelling unit. [PH Occ GB, p. 31].

### Housing Authority of Danville Policy

The Housing Authority of Danville will close the waiting list when the estimated waiting period for housing applicants on the list reaches 24 months for the most current applicants. Where the Housing Authority of Danville has particular preferences or other criteria that require a specific category of family, the Housing Authority of Danville 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 may be reopened at any time. The Housing Authority of Danville should publish a notice in local newspapers of general circulation, minority media, and other suitable media outlets that the Housing Authority of Danville is reopening the waiting list. Such notice must comply with HUD fair housing requirements. The Housing Authority of Danville should specify who may apply, and where and when applications will be received.

### Housing Authority of Danville Policy

The Housing Authority of Danville 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. The notice will specify where, when, and how applications are to be received.

The Housing Authority of Danville will give public notice by publishing the relevant information in suitable media outlets including, but not limited to: The Advocate Messenger (the local Danville newspaper), Channel 6 (the local public notice TV channel), and the Housing Authority of Danville web site at [danvillehousingagency.com](http://danvillehousingagency.com).

### **4-II.D. FAMILY OUTREACH (24 CFR 903.2(d); 24 CFR 903.7(a) and (b))**

The Housing Authority of Danville should conduct outreach as necessary to ensure that the Housing Authority of Danville has a sufficient number of applicants on the waiting list to fill anticipated vacancies and to assure that the Housing Authority of Danville is affirmatively furthering fair housing and complying with the Fair Housing Act.

Because HUD requires the Housing Authority of Danville to serve a specified percentage of extremely low income families, the Housing Authority of Danville may need to conduct special outreach to ensure that an adequate number of such families apply for public housing.

Housing Authority of Danville 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

Housing Authority of Danville outreach efforts must be designed to inform qualified families about the availability of units 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

#### Housing Authority of Danville Policy

The Housing Authority of Danville will monitor the characteristics of the population being served and the characteristics of the population as a whole in the Housing Authority of Danville'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**

#### Housing Authority of Danville Policy

While the family is on the waiting list, the family must inform the Housing Authority of Danville, within 10 business days, of changes in family size or composition or contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing.

Changes in an applicant's circumstances while on the waiting list may affect the family's qualification for a particular bedroom size or entitlement to a preference. When an applicant reports a change that affects their placement on the waiting list, the waiting list will be updated accordingly.

### **4-II.F. UPDATING THE WAITING LIST**

HUD requires the Housing Authority of Danville to establish policies to use when removing applicant names from the waiting list [24 CFR 960.202(a)(2)(iv)].

#### **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 the Housing Authority of Danville's request for information or updates because of the family member's disability, the Housing Authority of Danville must, upon the family's request, reinstate the applicant family to their former position on the waiting list as a reasonable accommodation [24 CFR 8.4(a), 24 CFR 100.204(a), and PH Occ GB, p. 39 and 40]. See Chapter 2 for further information regarding reasonable accommodations.

#### Housing Authority of Danville Policy

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

To update the waiting list, the Housing Authority of Danville 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 the Housing Authority of Danville 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 either oral or in writing. Responses should be postmarked or received by the Housing Authority of Danville not later than 15 business days from the date of the Housing Authority of Danville letter. The Housing Authority of Danville may require the family to come into the office for an update interview.

If the family fails to respond within 15 business 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 business days to respond from the date the letter was re-sent. If the family fails to respond within this time frame, the family will be removed from the waiting list without further notice.

When a family is removed from the waiting list during the update process for failure to respond, no informal hearing will be offered. Such failures to act on the part of the applicant prevent the Housing Authority of Danville from making an eligibility determination; therefore no informal hearing is required.

If a family is removed from the waiting list for failure to respond, the Executive Director may reinstate the family if she determines the lack of response was due to Housing Authority of Danville error, or to circumstances beyond the family's control.

### **Removal from the Waiting List**

#### Housing Authority of Danville Policy

The Housing Authority of Danville will remove applicants from the waiting list if they have requested that their name be removed. In such cases no informal hearing is required.

Applicants must wait 6 months before re-applying for housing if their application was removed from the waiting list for any reason other than ineligibility.

If the Housing Authority of Danville determines that the family is not eligible for admission (see Chapter 3) at any time while the family is on the waiting list, the family will be removed from the waiting list. The family may not re-apply for the period of one year from the date of removal from the waiting list.

If a family is removed from the waiting list because the Housing Authority of Danville has determined the family is not eligible for admission, a notice will be sent to the family's address of record. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal hearing regarding the Housing Authority of Danville's decision (see Chapter 14) [24 CFR 960.208(a)].

## **PART III: TENANT SELECTION**

### **4-III.A. OVERVIEW**

The Housing Authority of Danville must establish tenant selection policies for families being admitted to public housing [24 CFR 960.201(a)]. The Housing Authority of Danville must not require any specific income or racial quotas for any developments [24 CFR 903.2(d)]. The Housing Authority of Danville must not assign persons to a particular section of a community or to a development or building based on race, color, religion, sex, disability, familial status or national origin for purposes of segregating populations [24 CFR 1.4(b)(1)(iii) and 24 CFR 903.2(d)(1)].

The order in which families will be selected from the waiting list depends on the selection method chosen by the Housing Authority of Danville. The availability of units also may affect the order in which families are selected from the waiting list.

The Housing Authority of Danville must maintain a clear record of all information required to verify that the family is selected from the waiting list according to the Housing Authority of Danville's selection policies [24 CFR 960.206(e)(2)]. The Housing Authority of Danville's policies must be posted any place where the Housing Authority of Danville receives applications. The Housing Authority of Danville must provide a copy of its tenant selection policies upon request to any applicant or tenant. The Housing Authority of Danville may charge the family for providing a copy of its tenant selection policies [24 CFR 960.202(c)(2)].

#### Housing Authority of Danville Policy

When an applicant or resident family requests a copy of the Housing Authority of Danville's tenant selection policies, the Housing Authority of Danville will provide copies to them at cost. Applicant will be advised that the policy can be viewed on-line at the Housing Authority of Danville's web site [www.danvillehousingagency.com](http://www.danvillehousingagency.com).

### **4-III.B. SELECTION METHOD**

The Housing Authority of Danville must describe the method for selecting applicant families from the waiting list.

#### **Local Preferences [24 CFR 960.206]**

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 the Housing Authority of Danville to establish other local preferences, at its discretion. Any local preferences established must be consistent with the Housing Authority of Danville plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources [24 CFR 960.206(a)].

#### Housing Authority of Danville Policy

In order to bring higher income families into public housing, the housing authority will establish a preference for "working" families, where the head, spouse, cohead, or sole member is employed at least 32 hours per week and has had steady employment for a minimum of 6 months. Working Singles will be treated with the same local preference as

a working family. VISTA-AmeriCorps volunteers will be given a priority preference over all working singles. As required by HUD, families where the head and spouse, or sole member is a person age 62 or older, or is a person with disabilities, will also be given the benefit of the working preference [24 CFR 960.206(b)(2)].

### **Income Targeting Requirement [24 CFR 960.202(b)]**

HUD requires that extremely low-income (ELI) families make up at least 40% of the families admitted to public housing during the Housing Authority of Danville'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, the Housing Authority of Danville may skip non-ELI families on the waiting list in order to select an ELI family.

#### Housing Authority of Danville Policy

The Housing Authority of Danville will monitor progress in meeting the ELI requirement throughout the fiscal year. ELI families will be selected ahead of other eligible families on an as-needed basis to ensure that the income targeting requirement is met.

### **Mixed Population Developments [24 CFR 960.407]**

A mixed population development is a public housing development or portion of a development that was reserved for elderly families and disabled families at its inception (and has retained that character) or the Housing Authority of Danville at some point after its inception obtained HUD approval to give preference in tenant selection for all units in the development (or portion of a development) to elderly and disabled families [24 CFR 960.102]. Elderly family means a family whose head, spouse, cohead, or sole member is a person who is at least 62 years of age. Disabled family means a family whose head, spouse, cohead, or sole member is a person with disabilities [24 CFR 5.403]. The Housing Authority of Danville must give elderly and disabled families equal preference in selecting these families for admission to mixed population developments. The Housing Authority of Danville may not establish a limit on the number of elderly or disabled families that may occupy a mixed population development. In selecting elderly and disabled families to fill these units, the Housing Authority of Danville must first offer the units that have accessibility features for families that include a person with a disability and require the accessibility features of such units. The Housing Authority of Danville may not discriminate against elderly or disabled families that include children (Fair Housing Amendments Act of 1988).

### **Units Designated for Elderly or Disabled Families [24 CFR 945]**

The Housing Authority of Danville may designate projects or portions of a public housing project specifically for elderly or disabled families. The Housing Authority of Danville must have a HUD-approved allocation plan before the designation may take place.

Among the designated developments, the Housing Authority of Danville must also apply any preferences that it has established. If there are not enough elderly families to occupy the units in a designated elderly development, the Housing Authority of Danville may allow near-elderly families to occupy the units [24 CFR 945.303(c)(1)]. Near-elderly family means a family whose head, spouse, or cohead is at least 50 years old, but is less than 62 [24 CFR 5.403].

If there are an insufficient number of elderly families and near-elderly families for the units in a development designated for elderly families, the Housing Authority of Danville must make

available to all other families any unit that is ready for re-rental and has been vacant for more than 60 consecutive days [24 CFR 945.303(c)(2)].

The decision of any disabled family or elderly family not to occupy or accept occupancy in designated housing shall not have an adverse affect on their admission or continued occupancy in public housing or their position on or placement on the waiting list. However, this protection does not apply to any family who refuses to occupy or accept occupancy in designated housing because of the race, color, religion, sex, disability, familial status, or national origin of the occupants of the designated housing or the surrounding area [24 CFR 945.303(d)(1) and (2)].

This protection does apply to an elderly family or disabled family that declines to accept occupancy, respectively, in a designated project for elderly families or for disabled families, and requests occupancy in a general occupancy project or in a mixed population project [24 CFR 945.303(d)(3)].

#### Housing Authority of Danville Policy

The Housing Authority of Danville does not have designated elderly or designated disabled housing at this time.

#### **Deconcentration of Poverty and Income-Mixing [24 CFR 903.1 and 903.2]**

The Housing Authority of Danville's admission policy must be designed to provide for deconcentration of poverty and income-mixing by bringing higher income tenants into lower income projects and lower income tenants into higher income projects. A statement of the Housing Authority of Danville's deconcentration policies must be included in its annual plan [24 CFR 903.7(b)].

The Housing Authority of Danville's deconcentration policy must comply with its obligation to meet the income targeting requirement [24 CFR 903.2(c)(5)].

Developments subject to the deconcentration requirement are referred to as 'covered developments' and include general occupancy (family) public housing developments. The following developments are not subject to deconcentration and income mixing requirements: developments operated by a Housing Authority of Danville with fewer than 100 public housing units; mixed population or developments designated specifically for elderly or disabled families; developments operated by a Housing Authority of Danville with only one general occupancy development; developments approved for demolition or for conversion to tenant-based public housing; and developments approved for a mixed-finance plan using HOPE VI or public housing funds [24 CFR 903.2(b)].

#### ***Steps for Implementation [24 CFR 903.2(c)(1)]***

To implement the statutory requirement to deconcentrate poverty and provide for income mixing in covered developments, the Housing Authority of Danville must comply with the following steps:

Step 1. The Housing Authority of Danville must determine the average income of all families residing in all the Housing Authority of Danville's covered developments. The Housing Authority of Danville may use the median income, instead of average income, provided that the Housing Authority of Danville includes a written explanation in its annual plan justifying the use of median income.

### Housing Authority of Danville Policy

The Housing Authority of Danville will determine the average income of all families in all covered developments on an annual basis.

Step 2. The Housing Authority of Danville must determine the average income (or median income, if median income was used in Step 1) of all families residing in each covered development. In determining average income for each development, the Housing Authority of Danville has the option of adjusting its income analysis for unit size in accordance with procedures prescribed by HUD.

### Housing Authority of Danville Policy

The Housing Authority of Danville will determine the average income of all families residing in each covered development (adjusting for unit size) on an annual basis.

Step 3. The Housing Authority of Danville must then determine whether each of its covered developments falls above, within, or below the established income range (EIR), which is from 85% to 115% of the average family income determined in Step 1. However, the upper limit must never be less than the income at which a family would be defined as an extremely low income family (30% of median income).

Step 4. The Housing Authority of Danville with covered developments having average incomes outside the EIR must then determine whether or not these developments are consistent with its local goals and annual plan.

Step 5. Where the income profile for a covered development is not explained or justified in the annual plan submission, the housing authority must include in its admission policy its specific policy to provide for deconcentration of poverty and income mixing.

Depending on local circumstances the Housing Authority of Danville's deconcentration policy may include, but is not limited to the following:

- Providing incentives to encourage families to accept units in developments where their income level is needed, including rent incentives, affirmative marketing plans, or added amenities
- Targeting investment and capital improvements toward developments with an average income below the EIR to encourage families with incomes above the EIR to accept units in those developments
- Establishing a preference for admission of working families in developments below the EIR
- Skipping a family on the waiting list to reach another family in an effort to further the goals of deconcentration
- Providing other strategies permitted by statute and determined by the Housing Authority of Danville in consultation with the residents and the community through the annual plan process to be responsive to local needs and Housing Authority of Danville strategic objectives

A family has the sole discretion whether to accept an offer of a unit made under the Housing Authority of Danville's deconcentration policy. The Housing Authority of Danville must not take any adverse action toward any eligible family for choosing not to accept an offer of a unit under the Housing Authority of Danville's deconcentration policy [24 CFR 903.2(c)(4)].

If, at annual review, the average incomes at all general occupancy developments are within the EIR, the Housing Authority of Danville will be considered to be in compliance with the deconcentration requirement and no further action is required.

Housing Authority of Danville Policy

For developments outside the EIR the Housing Authority of Danville will take the following actions to provide for deconcentration of poverty and income mixing:  
Establishing a preference for admission of working families and working singles in developments below the EIR

**Order of Selection [24 CFR 960.206(e)]**

The Housing Authority of Danville system of preferences may select families either according to the date and time of application or by a random selection process.

Housing Authority of Danville Policy

Families will be selected on a first-come, first-served basis according to the date and time their complete application is received by the Housing Authority of Danville with preferences given to Vista workers, working families, working singles and elderly/disabled.

When selecting applicants from the waiting list the Housing Authority of Danville will match the characteristics of the available unit (unit size, accessibility features, unit type) to the applicants on the waiting lists.

By matching unit and family characteristics, it is possible that families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application or higher preference status.

Factors such as deconcentration or income mixing and income targeting will also be considered in accordance with HUD requirements and Housing Authority of Danville policy.

**4-III.C. NOTIFICATION OF SELECTION**

When the family has been selected from the waiting list, the Housing Authority of Danville must notify the family.

Housing Authority of Danville Policy

Notification of families will provide the maximum period of notification possible. Families will be notified as soon the housing authority has been advised that as a suitable unit will be available.

The Housing Authority of Danville may notify the family by phone and followed by first class mail when it is selected from the waiting list.

The notice will inform the family of the following:

- Location of the unit being offered
- Rent and security deposits required at move-in

Families selected from the waiting list are required to participate in an interview if the information provided with the application exceeds 90 days at the time the offer of a unit is made.

If a notification letter is returned to the Housing Authority of Danville with no forwarding address, or the family indicates that they are no longer interested in being housed, the family will be removed from the waiting list without further notice. Such failure to act on the part of the applicant prevents the Housing Authority of Danville from making an eligibility determination; therefore no informal hearing will be offered. Removal from the waiting list will require a six month waiting period prior to re-applying.

#### **4-III.D. THE APPLICATION INTERVIEW**

HUD recommends that the Housing Authority of Danville obtain the information and documentation needed to make an eligibility determination through a private interview. The private interview will usually be performed at the time the personal declaration is completed and returned to the office. Being invited to attend an interview does not constitute admission to the program.

Reasonable accommodation must be made for persons with disabilities who are unable to attend an interview due to their disability [24 CFR 8.4(a) and 24 CFR 100.204(a)].

##### Housing Authority of Danville Policy

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 Housing Authority of Danville.

The interview will be conducted only if the head of household or spouse/cohead 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.

The family must provide the information necessary to establish the family's eligibility, including suitability, and to determine the appropriate amount of rent the family will pay. The family must also complete required forms, provide required signatures, and submit required documentation. If any materials are missing, the Housing Authority of Danville 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 non-citizen 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, the Housing Authority of Danville will provide translation services in accordance with the Housing Authority of Danville's LEP plan.

If the family is unable to attend a scheduled interview, the family should contact the Housing Authority of Danville in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, the Housing Authority of Danville will send another notification letter with a new interview appointment time. Applicants who fail to attend two scheduled interviews without Housing Authority of Danville approval will have their applications made inactive based on the family's failure to supply information needed to determine eligibility. The second appointment letter will state that failure to appear for the appointment without a request to reschedule will be interpreted to mean that the family is no longer interested and their application will be made inactive. Such failure to act on the part of the applicant prevents the Housing Authority of Danville from making an eligibility determination, therefore the Housing Authority of Danville will not offer an informal hearing.

#### **4-III.E. FINAL ELIGIBILITY DETERMINATION [24 CFR 960.208]**

The Housing Authority of Danville must verify all information provided by the family (see Chapter 7). Based on verified information related to the eligibility requirements, including Housing Authority of Danville suitability standards, the Housing Authority of Danville must make a final determination of eligibility (see Chapter 3).

When a determination is made that a family is eligible and satisfies all requirements for admission, including tenant selection criteria, the applicant must be notified of the approximate date of occupancy insofar as that date can be reasonably determined [24 CFR 960.208(b)].

##### Housing Authority of Danville Policy

The Housing Authority of Danville will notify a family in writing of their eligibility within 10 business days of the determination and will provide the approximate date of occupancy insofar as that date can be reasonably determined.

The Housing Authority of Danville must promptly notify any family determined to be ineligible for admission of the basis for such determination, and must provide the applicant upon request, within a reasonable time after the determination is made, with an opportunity for an informal hearing on such determination [24 CFR 960.208(a)].

##### Housing Authority of Danville Policy

If the Housing Authority of Danville determines that the family is ineligible, the Housing Authority of Danville 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 hearing (see Chapter 14).

If the Housing Authority of Danville uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of a denial, a copy of the record must precede the notice to deny, with an opportunity for the applicant to dispute the accuracy

and relevance of the information before the Housing Authority of Danville can move to deny the application. See Section 3-III.F. for the Housing Authority of Danville's policy regarding such circumstances.