

Chapter 4

4.0 MANAGING THE WAITING LIST

4.1 OPENING AND CLOSING THE WAITING LIST

IHFA generally maintains an open waiting list, accepting applications for assistance on an ongoing basis.

In the event IHFA decides to close the waiting list, closing of the waiting list will be announced via public notice. The public notice will state the date the waiting list will be closed. The public notice will be published in a local newspaper of general circulation, and also by any available minority media.

Opening of the waiting list will be announced via public notice that applications for Section 8 will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation, and also by any available minority media. The public notice will state any limitations to who may apply.

The notice will state that applicants already on waiting lists for other housing programs must apply separately for this program, and that such applicants will not lose their place on other waiting lists when they apply for Section 8. The notice will include the Fair Housing logo and slogan and otherwise be in compliance with Fair Housing requirements.

4.2 TAKING APPLICATIONS

Families wishing to apply for the Section 8 HCV Program will be required to complete an application for housing assistance. Applications will be accepted during regular business hours at:

Twin Falls Branch Office
844 Washington Street North, Suite 300
Twin Falls, ID 83301
(208) 734-8531

Idaho Falls Branch Office
506 S. Woodruff
Idaho Falls, ID 83401
(208) 522-6002

Lewiston Branch Office
215 Tenth Street, Suite 101
Lewiston, ID 83501
(208) 743-0251

Coeur d' Alene Branch Office
610 W. Hubbard, Bay 219
Coeur d'Alene, ID 83814
(208) 667-3380

Applications are taken to compile a waiting list. Due to the demand for Section 8 assistance in IHFA's jurisdiction, IHFA may take applications on an open enrollment basis, depending on the length of the waiting list.

When the waiting list is open, completed applications will be accepted from all applicants. IHFA will later verify the information in the applications relevant to the applicant's eligibility, admission, and level of benefit.

Applications may be made in person at any of the branch offices listed above Monday through Friday, between the hours of 9 a.m. and 5 p.m. (with the exception of holidays). Applications will be mailed to interested families upon request, and are available on IHFA's website, www.IHFA.org/grants_rentalassapp.asp. Applications are listed on the website by branch office and must be printed, completed, and mailed or hand delivered by interested applicants.

The completed application will be dated and time stamped upon its receipt by IHFA.

Persons with disabilities who require a reasonable accommodation in completing an application may call IHFA to make special arrangements to complete their application. A Telecommunication Device for the Deaf (TDD) is available. The TDD telephone number is 1 (800) 545-1833 ext. 400. Applications are available in Spanish and interpretation services are available at no charge for other LEP persons.

The application process will involve two phases. The first phase is the initial application for housing assistance or the pre-application. The pre-application requires the family to provide limited basic information including names, social security numbers (SSN), addresses, phone number, family composition and family unit size, income category, and information establishing any preferences to which they may be entitled. The family will also be required to fill out applicable forms (i.e. Debts Owed to PHA's and Terminations, Emergency Contact, etc.). This first phase results in the family's placement on the waiting list.

Upon receipt of the family's pre-application, IHFA will make a preliminary determination of eligibility. IHFA will notify the family in writing of their placement on the waiting list and the approximate amount of time before housing assistance may be offered. If IHFA determines the family to be ineligible, the notice will state the reasons therefore and offer the family the opportunity for an informal review of this determination, if appropriate. The eligibility letter will be sent within five (5) business days after receiving the pre-application.

Families that are determined to be over-income based on HUD income guidelines will be considered ineligible and will not be placed on the waiting list. Also families that owe money to IHFA or another housing authority will not be eligible for assistance and will not be placed on the waiting list until the money owed to IHFA or another housing authority is paid in full. Families who have had their Section 8 assistance terminated will be denied admission to the waiting list until their termination period has been satisfied.

If any household member indicates, on the pre-application, they are a registered sex offender; the family will not be placed on the waiting list as long as the registered sex offender is still a part of the applicant family.

An applicant may at any time report changes in their applicant status including changes in family composition, income, or preference factors. IHFA will annotate the applicant's file and will

update their place on the waiting list. Confirmation of the changes will be communicated to the family in writing.

The second phase is the final determination of eligibility, referred to as the formal application process. The formal application process takes place when the family reaches the top of the waiting list. IHFA will ensure that verification of all preferences and eligibility selection factors are current in order to determine the family's final eligibility for admission into the Section 8 Program.

4.3 ORGANIZATION OF THE WAITING LIST

The waiting list will be maintained in accordance with the following guidelines:

- A. The application will be a permanent file;
- B. All applications will be maintained in order of preference and then in order of date and time of application.
- C. Any contact between IHFA and the applicant will be documented in the applicant file.

Note: The waiting list cannot be maintained by bedroom size under current HUD regulations.

4.4 FAMILIES NEARING THE TOP OF THE WAITING LIST

When a family appears to be **within approximately 2 months of being offered assistance**, the family will be invited to an interview and the verification process will begin. It is at this point in time that the family's waiting list preference will be verified. If the family no longer qualifies for the preference claimed, the family's name will be returned to the appropriate spot on the waiting list. IHFA must notify the family in writing of this determination and give the family the opportunity for an Informal Review.

During the formal application process, consent forms must be signed and the preference claimed must be verified. The family will be required to present SSN information, citizenship/eligible immigrant information, and all other documentation required to complete eligibility determination. At this time criminal background checks and a Former Tenant Search will be conducted on all household members 18 years old and older. If the Former Tenant Search shows the family was terminated from another PHA's program for adverse reasons, IHFA will honor the other PHA's termination timeframe. If verification of SSN information for all household members is not available, the family will be determined ineligible. If the family is otherwise eligible for the program, the family may request to be placed back on the waiting list until the next selection process. If verification of SSN information is not available at the next selection process, the family will be removed from the waiting list.

Family composition, income and allowances (and any changes that occur during the formal application process) will be verified and the family's final eligibility and tenant payment will be based on this information.

For information on changes that occur after the issuance of the Housing Choice Voucher see 6.6G.

4.5 MISSED APPOINTMENTS

All applicants who fail to keep a scheduled appointment in accordance with the paragraph below will be sent a notice of denial.

IHFA will allow the family to reschedule appointments for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities for extenuating circumstances. When an extenuating circumstance exists, IHFA will work closely with the family to find a more suitable time. Applicants will be offered the right to an informal review before being removed from the waiting list. (For Missed Briefings, see 6.2)

4.6 PURGING THE WAITING LIST

IHFA will update and purge its waiting list at least one time each year to ensure that the pool of applicants reasonably represents interested families. Purging also enables IHFA to update the information regarding address, family composition, income category and preferences.

4.7 REMOVAL OF APPLICANTS FROM THE WAITING LIST

IHFA will not remove an applicant's name from the waiting list unless:

- A. The applicant requests that the name be removed; or
- B. The applicant does not disclose and/or provide documentation of a SSN for each household member.
 - a. If an applicant is otherwise eligible, the family may request to be placed back on the waiting list until the next selection process. At the next selection, if the applicant is still unable to disclose or provide documentation of each member's SSN, the family will be removed from the waiting list; or
- C. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program or misses scheduled appointments. If an applicant household includes a person with disabilities and the family did not respond to a request for information or updates because of the family members' disability, IHFA must reinstate the applicant in the families' former position on the waiting list; or
- D. The applicant does not meet either the eligibility or screening criteria for the program. Applicants who are over the income guidelines and therefore not income eligible will not be admitted to the waiting list.

4.8 GROUNDS FOR DENIAL

IHFA may deny assistance to applicants who:

- A. Do not meet any one or more of the eligibility criteria;
- B. Do not supply information or documentation required by the application process;
- C. Fail to respond to a written request for information or a request to declare their continued interest in the program;
- D. Fails to complete any aspect of the application or lease up process;
- E. Violates any family obligation under the program;
- F. Has a member of the family has been evicted from federally assisted housing in the last five years;
- G. Has had assistance terminated under the program for any member of the family in the last two years (IHFA will honor timeframes from other PHA's who have longer terms);
- H. Has a member of the family that has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program;
- I. Currently owes rent or other amounts to IHFA or any other PHA in connection with Section 8 or Public Housing assistance;
- J. Has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;
- K. Breaches an agreement to pay amounts owed to IHFA, or amounts paid to an owner by IHFA;
- L. Has engaged in or threatened abusive or violent behavior towards IHFA personnel;
- M. Has a household member that IHFA determines is currently engaged in (for the purpose of this section, "currently engaged in" means the person has engaged in the behavior recently enough to justify a reasonable belief that the behavior is current), or has engaged in during a reasonable time before admission:
 - 1. Drug related criminal activity;
 - 2. Violent criminal activity;
 - 3. Other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity;

4. Other criminal activity which may threaten the health or safety of the owner, property management staff, IHFA staff, or persons performing a contract administration function or responsibility on behalf of IHFA;
 - Drug-related criminal activity is defined as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug;
 - If IHFA seeks to deny assistance because of illegal use, or possession for personal use of a controlled substance, such use or possession must have occurred within one year before the date that IHFA provides notice to the family of the determination to deny assistance;
 - IHFA will review criminal history for violent criminal activity and drug-related activity for the previous three years and may deny assistance based on the previous or current criminal history. Criminal history review will be based on the date of the criminal offense. IHFA will permanently ban persons convicted of manufacturing or producing methamphetamine (speed) in an assisted Section 8, Public Housing, or Mod Rehab unit, or those with a lifetime registration under a state sex offender registration program (denied for life);

N. Is a welfare-to-work (WTW) family who fails to fulfill its obligations under the welfare-to-work voucher program.

If a family member has been terminated under the Section 8 Certificate, HCV, or Mod-Rehab program for a violation of participant obligations, or has been evicted from the Low Rent Public Housing Program, they will not be admitted to the waiting list until such time as they have completed their two-year termination period. Those terminated for “lifetime” will not be admitted to the waiting list.

4.9 MANDATORY DENIAL OF ASSISTANCE

IHFA must deny assistance to an applicant for the following reasons:

- A. If any family member fails to sign and submit consent forms for obtaining information.
 1. The family must submit required evidence of citizenship or eligible immigration status.
 2. The family must meet the eligibility requirements concerning individuals enrolled at an institution of higher education.
- B. If any family member was evicted from federally assisted housing within three years of the projected date of admission because of drug-related criminal activity involving the illegal manufacture, sale, distribution, or possession with the intent to manufacture, sell, or distribute a controlled substance as defined in Section 102 or the Controlled Substance Act, 21 U.S.C. 802 (see section 15.3D) (except where such

drug use or convictions was methamphetamine-see item D). However, IHFA may admit the household if it determines that:

1. The evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by IHFA, or;
 2. That the circumstances leading to the eviction no longer exist (for example, the criminal household member has died or is imprisoned).
- C. If IHFA determines that a family member is currently engaging in illegal use of a drug or abuse of alcohol; or determines that it has reasonable cause to believe that a household member's illegal drug use or abuse of alcohol, or a pattern of illegal drug use or abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
- D. If the family has a member who has been convicted of manufacturing or producing methamphetamine (speed) in an assisted Section 8, Public Housing, or Mod Rehab unit (denied for life).
- E. If the family has a family member with a lifetime registration under a state sex offender registration program (denied for the duration of the lifetime registration).
- F. If verification of Social Security Numbers for all household members cannot be provided.

4.10 CONSIDERATION OF CIRCUMSTANCES

In determining whether to deny or terminate assistance for action or failure to act, IHFA may consider all relevant circumstances as to the seriousness of the case, the extent of participation or culpability of individual family members, mitigating circumstances related to the disability of a family member, and the effects of denial or termination on other family members who are not involved in the action or failure.

- A. In determining whether to deny admission for illegal use of drugs or alcohol abuse by a family member, or drug-related criminal activity, IHFA may consider whether:
1. The person demonstrates to IHFA's satisfaction that the person is no longer engaging in drug-related use, or abuse of alcohol;
 2. The person has successfully completed a supervised drug or alcohol rehabilitation program;
 3. The person has otherwise been rehabilitated successfully; or

4. The person is participating in a supervised drug or alcohol rehabilitation program.

4.11 NOTIFICATION OF NEGATIVE ACTIONS

Any applicant whose name is being removed from the waiting list will be notified by IHFA, in writing, that they have **ten (10) business days**, from the date of the written correspondence, to present mitigating circumstances or request an informal review. The letter will also indicate that their name will be removed from the waiting list if they fail to respond within the timeframe specified.

IHFA's system of removing applicants' names from the waiting list will not violate the rights of persons with disabilities. If an applicant's failure to respond to a request for information or updates was caused by the applicant's disability, IHFA will provide a reasonable accommodation. If the applicant indicates that they did not respond due to a disability, IHFA will verify that there is, in fact, a disability and that the accommodation they are requesting is necessary based on the disability. If their failure to respond was determined to be due to their disability, IHFA will reinstate the application to their former position on the waiting list.

4.12 INFORMAL REVIEW

If IHFA determines that an applicant does not meet the criteria for receiving Section 8 HCV assistance, IHFA will promptly provide the applicant with written notice of the determination. The notice must contain a brief statement of the reason(s) for the decision and state that the applicant may request an informal review of the decision **within ten (10) business days** of the denial. IHFA will describe how to obtain the informal review. The informal review process is described in Section 15.3 of this Plan.

NOTES