

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

CKHA 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 CKHA to receive preferential treatment.

HUD regulations require that CKHA 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 CKHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and PHA policies for accepting applications, managing the waiting list and selecting families from the waiting list. CKHA's policies for assigning unit size and making unit offers are contained in Chapter 5. Together, Chapters 4 and 5 of the ACOP comprise CKHA'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 CKHA will handle the applications it receives.

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

Part III: Tenant Selection. This part describes the policies that guide CKHA in selecting families from the waiting list as units become available. It also specifies how in-person interviews will be used to ensure that CKHA 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 CKHA'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 CKHA'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 CKHA 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 CKHA. However, CKHA must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of CKHA's application [Notice PIH 2009-36].

CKHA Policy

Depending upon the length of time between the date of application and the availability of housing, CKHA may use a one- or two-step application process.

A one-step process may 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 may 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, CKHA 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 CKHA's office during normal business hours. Families may also request – by telephone or by mail – an application form be sent to the family via first class mail. Applications may also be obtained from CKHA's website, www.charlestonhousing.com

Completed applications must be returned to CKHA by mail, by fax, by e-mail to the Application Coordinator or submitted in person during normal business hours. Applications must be filled out completely in order to be accepted by CKHA for processing. If an application is incomplete, CKHA will notify the family of the additional information required.

4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

CKHA must take a variety of steps to ensure that the application process is accessible to those people who might have difficulty complying with the standard PHA application process.

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

CKHA must provide reasonable accommodation as needed for persons with disabilities to make the application process fully accessible. The facility where applications are accepted and the application process must be fully accessible or CKHA must provide an alternate approach that provides equal access to the program. Chapter 2 provides a full discussion of CKHA'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 CKHA's policies related to ensuring access to people with limited English proficiency (LEP).

4-I.D. PLACEMENT ON THE WAITING LIST

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

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

CKHA Policy

If CKHA determines from the information provided that a family is ineligible, the family will not be placed on the waiting list. When a family is determined to be ineligible, CKHA will send written notification of the ineligibility determination within ~~10~~30 business days of receipt of the completed application. 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).

Eligible for Placement on the Waiting List

CKHA Policy

CKHA will send written notification of the preliminary eligibility determination within 10 business days of receiving a completed application. If applicable, the notice will also indicate the waiting list preference(s) for which the family appears to qualify.

Applicants will be placed on the waiting list according to PHA preference(s) and the date and time their complete application is received by CKHA.

CKHA 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 PHA 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.

Placement on the waiting list does not indicate that the family is, in fact, eligible for admission. When the family is selected from the waiting list, CKHA will verify any preference(s) claimed and determine eligibility and suitability for admission to the program.

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

CKHA must have policies regarding the type of waiting list it will utilize as well as how the waiting list will be organized and managed. This includes policies on notifying the public on the opening and closing of the waiting list to new applicants, updating family 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 CKHA may structure its waiting list and how families must be treated if they apply for public housing at a PHA that administers more than one assisted housing program.

4-II.B. ORGANIZATION OF THE WAITING LIST

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

CKHA 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)

- Admission preference, if any

- Race and ethnicity of the head of household

The specific site(s) selected (only if PHA offers site-based waiting lists) CKHA may adopt one community-wide waiting list or site-based waiting lists. CKHA 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)].

CKHA Policy

CKHA will maintain site-based waiting lists for its developments.

HUD requires that public housing applicants must be offered the opportunity to be placed on the waiting list for any tenant-based or project-based voucher or moderate rehabilitation program that CKHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs [24 CFR 982.205(a)(2)(i)].

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 [24 CFR 982.205(a)(1)].

CKHA Policy

CKHA will not merge the public housing waiting list with the waiting list for any other program CKHA operates.

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

Closing the Waiting List

CKHA is permitted to close the waiting list, in whole or in part, if it has an adequate pool of families to fully lease units in all of its developments. CKHA 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].

CKHA Policy

CKHA 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 CKHA has particular preferences or other criteria that require a specific category of family, CKHA 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. CKHA should publish a notice announcing the opening of the waiting list in local newspapers of general circulation, minority media, and other suitable media outlets. Such notice must comply with HUD fair housing requirements. CKHA should specify who may apply, and where and when applications will be received.

CKHA Policy

CKHA 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.

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

Charleston Daily Mail

Charleston Gazette

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

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

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

PHA 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

PHA 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

CKHA Policy

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

CKHA Policy

While the family is on the waiting list, the family must inform CKHA , within 10 business days, of changes in family size or composition, preference status, 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 CKHA to establish policies that describe the circumstances under which applicants will be removed from the waiting list [24 CFR 960.202(a)(2)(iv)].

Purging the Waiting List

The decision to remove 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 CKHA 's request for information or updates because of the family member's disability, CKHA 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.

CKHA Policy

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

To update the waiting list, CKHA 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 CKHA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

The family's response must be in writing and may be delivered in person, by mail, or by fax. Responses should be postmarked or received by CKHA not later than 10 business days from the date of CKHA letter.

If the family fails to respond within 10 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 10 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 CKHA from making an eligibility determination; therefore no informal hearing is required.

If a family is removed from the waiting list for failure to respond, CKHA may reinstate the family if the lack of response was due to PHA error, or to circumstances beyond the family's control.

Removal from the Waiting List

CKHA Policy

CKHA will remove an applicant from the waiting list upon request by the applicant family. In such cases no informal hearing is required.

If CKHA 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.

If a family is removed from the waiting list because CKHA has determined the family is not eligible for admission, 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 hearing regarding CKHA's decision (see Chapter 14) [24 CFR 960.208(a)].

PART III: TENANT SELECTION

4-III.A. OVERVIEW

CKHA must establish tenant selection policies for families being admitted to public housing [24 CFR 960.201(a)]. CKHA must not require any specific income or racial quotas for any developments [24 CFR 903.2(d)]. CKHA 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 CKHA and is impacted in part by any selection preferences that the family qualifies for. The availability of units also may affect the order in which families are selected from the waiting list.

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

CKHA Policy

When an applicant or resident family requests a copy of CKHA's tenant selection policies, CKHA will provide copies to them free of charge.

4-III.B. SELECTION METHOD

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that CKHA will use.

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 CKHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with CKHA 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)].

CKHA Policy

CKHA will use the following local preference:

In order to bring higher income families into public housing, CKHA will establish a preference for "working" families, where the head, spouse, cohead, or sole member is employed at least 20 hours per week earning at least minimum wage. 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)].

A local preference is provided to applicants who live, work or has been hired to work in CKHA's operating jurisdiction of Kanawha, Putnam and Clay Counties.

Relocation Preference is extended to those individuals who previously resided in public housing and were required to move under the Uniform Relocation Act due to a demolition/disposition activity of CKHA and are reapplying for an assisted unit.

Emergency housing preference

CKHA, working in cooperation with the American Red Cross, Charleston Police and Fire Departments or other duly recognized emergency services agency, will offer a preference for emergency housing assistance to individuals and families who have been involuntarily displaced. Involuntarily displaced applicants are individuals or families who have been involuntarily displaced and do not have safe, suitable and sanitary permanent housing due to circumstances beyond their control.

Families and individuals are considered to be involuntarily displaced if they are required to vacate housing, permanently or temporarily, as a result of one of the following situations:

- A natural disaster including but not limited to: fire, flood, hurricane, tornado, earthquake, etc. that has caused the unit to be uninhabitable; and/or
- Federal, State or local government action related to code enforcement, public improvement or development.

Upon notification or contact by a referring agent of an involuntarily displaced family or individual, CKHA will arrange to complete an application packet for the individual or family affected. Such applications shall be marked "Emergency Preference" and must describe the emergency as provided by the referring agent.

Subject to "fast-tracked" screening criteria which will include a criminal history review, and pending the availability of a vacant apartment, arrangements for temporary, transient housing will be made. If there is no Social Security Number (SSN) match relative to the criminal history review, the application will continue to be processed as quickly as possible. If there is a SSN match that requires a further check with the FBI, the application will be put on hold pending the receipt and review of the FBI check. Families may not be under-housed; however, management may waive over-housing criteria in an effort to meet immediate housing needs.

The referring agent shall be required to guarantee payment of the \$150 security deposit within thirty (30) days of initial placement.

The lease will be based upon a month-to-month basis, and a period of up to six (6) months will be provided to allow displaced individuals or families a period of time in which to repair and/or restore owned homes.

Rent for the initial six (6) month transient period may be based on unverified, gross household income as reported at the time of application. Should formula based rent exceed the established flat rent for the appropriate development and unit size, then

the flat rent shall be applied. The referring agent shall guarantee payment of temporary, transient housing expenses during the initial six (6) month period.

Displaced applicants in need of permanent housing will be subject to additional screening for eligibility and suitability following an initial ninety (90) day transient period. In this event, the referring agent must notify management of the individual's or family's preference to remain in the housing provided. All applicable eligibility screening criteria shall be applied. The emergency transient lease agreement shall stipulate that permanent occupancy shall be contingent upon the individual or family meeting all eligibility criteria. Should the individual or family fail to meet one or more of the eligibility criteria, a thirty (30) day vacate notice shall be issued.

In the event the individual or family is determined eligible to remain in the housing provided, management shall prepare the standard form of lease agreement for execution between lessee and management.

Income Targeting Requirement [24 CFR 960.202(b)]

HUD requires that extremely low-income (ELI) families make up at least 40 percent of the families admitted to public housing during CKHA's fiscal year. ELI families are those with annual incomes at or below the federal poverty level or 30 percent of the area median income, whichever number is higher [*Federal Register* notice 6/25/14]. To ensure this requirement is met, CKHA may skip non-ELI families on the waiting list in order to select an ELI family.

Since CKHA also operates a housing choice voucher (HCV) program, admissions of extremely low-income families to CKHA's HCV program during its fiscal year that exceed the 75 percent minimum target requirement for the voucher program, shall be credited against CKHA's basic targeting requirement in the public housing program for the same fiscal year. However, under these circumstances the fiscal year credit to the public housing program must not exceed the lower of: (1) ten percent of public housing waiting list admissions during the fiscal year; (2) ten percent of waiting list admissions to the housing choice voucher program during the fiscal year; or (3) the number of qualifying low-income families who commence occupancy during the fiscal year of public housing units located in census tracts with a poverty rate of 30 percent or more. For this purpose, qualifying low-income family means a low-income family other than an extremely low-income family.

CKHA Policy

CKHA 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 CKHA 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]. CKHA must give elderly and disabled families equal preference in selecting these families for admission to mixed population developments. CKHA 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, CKHA 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. CKHA 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]

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

Among the designated developments, CKHA 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, CKHA 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, CKHA 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 effect 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)].

CKHA Policy

As approved by HUD, CKHA has designated Lippert and Jarrett Terraces for elderly housing at this time.

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

CKHA'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 CKHA's deconcentration policies must be included in its annual plan [24 CFR 903.7(b)].

CKHA'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:

1. Developments operated by a PHA with fewer than 100 public housing units;
2. Mixed population or developments designated specifically for elderly or disabled families;
3. Developments operated by a PHA with only one general occupancy development;
4. Developments approved for demolition or for conversion to tenant-based public housing; and
5. 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, CKHA must comply with the following steps:

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

CKHA Policy

CKHA will determine the average income of all families in all covered developments on an annual basis.

Step 2. CKHA 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, CKHA has the option of adjusting its income analysis for unit size in accordance with procedures prescribed by HUD.

CKHA Policy

CKHA will determine the average income of all families residing in each covered development (not adjusting for unit size) on an annual basis.

Step 3. CKHA 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. CKHA 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, CKHA must include in its admission policy its specific policy to provide for deconcentration of poverty and income mixing.

Depending on local circumstances CKHA'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 CKHA in consultation with the residents and the community through the annual plan process to be responsive to local needs and PHA strategic objectives

A family has the sole discretion whether to accept an offer of a unit made under CKHA's deconcentration policy. CKHA must not take any adverse action toward any eligible family for choosing not to accept an offer of a unit under CKHA'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, CKHA will be considered to be in compliance with the deconcentration requirement and no further action is required.

Order of Selection [24 CFR 960.206(e)]

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

CKHA Policy

Families will be selected from the waiting list based on preference. Among applicants with the same preference, families will be selected on a first-come, first-served basis according to the date and time their complete application is received by CKHA.

When selecting applicants from the waiting list, CKHA will match the characteristics of the available unit (unit size, accessibility features, unit type) to the applicants on the waiting lists. CKHA will offer the unit to the highest ranking

applicant who qualifies for that unit size or type, or that requires the accessibility features.

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 CKHA Policy.

4-III.C. NOTIFICATION OF SELECTION

When the family has been selected from the waiting list, CKHA must notify the family.

CKHA Policy

CKHA 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

- Documents that must be provided at the interview to document eligibility for a preference, if applicable

- Other documents and information that should be brought to the interview

If a notification letter is returned to CKHA with no forwarding address, the family will be removed from the waiting list without further notice. Such failure to act on the part of the applicant prevents CKHA from making an eligibility determination; therefore no informal hearing will be offered.

4-III.D. THE APPLICATION INTERVIEW

HUD recommends that CKHA obtain the information and documentation needed to make an eligibility determination through a private interview. 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 CKHA 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 CKHA [Notice PIH 2012-10].

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)].

CKHA Policy

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

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 CKHA.

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.

Pending disclosure and documentation of social security numbers, CKHA will allow the family to retain its place on the waiting list for thirty (30) days. If not all household members have disclosed their SSNs at the next time a unit becomes available, CKHA will offer a unit to the next eligible applicant family on the waiting list.

If the family is claiming a waiting list preference, the family must provide documentation to verify their eligibility for a preference (see Chapter 7). If the family is verified as eligible for the preference, CKHA will proceed with the interview. If CKHA determines the family is not eligible for the preference, the interview will not proceed and the family will be placed back on the waiting list according to the date and time of their application.

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

If the family is unable to attend a scheduled interview, the family should contact CKHA in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, the family will have ten (10) days to request a rescheduled appointment. Applicants who fail to attend a scheduled interview will have their applications made withdrawn based on the family's failure to supply information needed to determine eligibility. The 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 withdrawn. Such failure to act on the part of the applicant prevents CKHA from making an eligibility determination; therefore CKHA will not offer an informal hearing.

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

CKHA must verify all information provided by the family (see Chapter 7). Based on verified information related to the eligibility requirements, including PHA suitability standards, CKHA 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)].

CKHA Policy

CKHA 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.

CKHA 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)].

CKHA Policy

If CKHA determines that the family is ineligible, CKHA 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 CKHA 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 CKHA can move to deny the application. See Section 3-III.G for CKHA's policy regarding such circumstances.

Upon making an eligibility determination, CKHA must provide the family a notice of VAWA rights as well as the HUD VAWA self-certification form (form HUD-50066) in accordance with the Violence against Women Act of 2013, and as outlined in 16-VII.C. The notice and self-certification form must accompany the written notification of eligibility determination. This notice must be provided in both of the following instances:

(1) when a family is notified of its eligibility; or (2) when a family is notified of its ineligibility.