

## Proposed Significant Amendment to Annual Plan

The following proposed modification to the Administrative Plan affects the Wait List Procedures, and meets the housing authority's definition of significant amendment and substantial deviation/modification to annual plan.

Proposed deletions are struck-out and proposed additions are underlined.

1. Changes to section 4-II.B. *Organization of the Waiting List* to use grouped wait lists for the Project-Based Voucher program rather than site-specific wait lists.

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

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

A waiting list must contain the following information for each applicant listed as a minimum:

- Applicant name;
- Date and time of application;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household.

In addition to the HCV tenant-based wait list, the AHA maintains ~~site-based waiting lists for its project-based assisted properties~~ project-based waiting lists grouped by common unit types and similar bedroom size. All PBV wait lists will be referred to as "grouped" even if the list only covers one site. The AHA maintains the following waiting lists:

- HCV Program (Section 8 tenant-based programs)
- PBV Program — ~~Alameda Point Collaborative property~~ Elderly Properties (Anne B. Diament Plaza and Lincoln/Willow)
- ~~PBV Program —~~ Supportive Services for Disabled (Jack Capon Villa)
- ~~PBV Program -~~ Supportive Services (Park Alameda Apartments)
- ~~PBV Program -~~ Supportive Services for Homeless (Alameda Point Collaborative Property)
- ~~PBV Program - Single/Family units sized 0 to 2 bedrooms~~ (Shinsei Gardens ~~property~~)
- ~~PBV Program —~~ Breakers at Bayport ~~property~~
- ~~PBV Program —~~ Anne B. Diament Plaza
- ~~PBV Program —~~ China Clipper Plaza
- ~~PBV Program —~~ Esperanza
- ~~PBV Program —~~ Lincoln/Willow

- ~~PBV Program — Parrot Village~~
- ~~PBV Program —, and Stanford House)~~
- ~~PBV Program — Park Alameda Apartments~~
- ~~PBV Program — Jack Capon Villa~~
- PBV Program - Family units sized 3 and above (Shinsei Gardens, Breakers at Bayport, China Clipper, Esperanza, Parrot Village, and Stanford House)

If a family applies for assistance under the HCV program, the family will be offered the opportunity to be placed on the waiting list for any project-based voucher or moderate rehabilitation program the AHA operates if:

- 1) The other program's waiting lists are open, and
- 2) The family is qualified for the other programs.

A family's decision to apply for, receive, or refuse other housing assistance must not affect the family's placement on the HCV waiting list, or any preferences for which the family may qualify.

The AHA will not merge the HCV waiting list with the waiting list for any other program the AHA operates. The AHA will offer applicants on the HCV waiting list the opportunity to be added to newly created site- or program-specific waiting lists. HCV applicants will be notified of the opportunity. E-mail notification can fulfill this requirement.

2. Changes to section 4-II.C. *Opening and Closing the Waiting List, Closing the Waiting List* section to clarify the meaning of the Family Unification Program section (FUP) and to clarify that the wait list structure is changing.

### **Closing the Waiting List**

The AHA will close a waiting list if it has an adequate pool of families for the applicable program. Generally, this will be when the wait for applicants reaches 12 months for the most current applicants. Alternatively, the AHA will continue to accept applications only from certain categories of families that meet particular preferences or funding criteria.

The tenant-based waiting list is always open to an otherwise eligible applicant that:

- is eligible as set forth by a HUD award of funding to the AHA for a targeted category of Section 8 eligible families (see Section 4-III.B. Targeted Funding); or
- is an emancipated youth currently receiving housing assistance from AHA pursuant to HUD's Family Unification Program (FUP) regulations effective 2009 or later who, as determined by the Alameda County Social Services Agency, has successfully graduated from FUP and has been referred to the AHA by Alameda County Social Services;
  1. Eligible FUP graduates must be in good standing with the AHA. Good standing is defined as not in violation of Program regulations, not delinquent in paying rent to owner and does not owe a PHA money.

2. Eligible FUP graduates must be in good standing with the Alameda County Social Services Agency and have met all case management obligations.

3. Qualifies for the Terminated Preference (see 4-III.C)). Subject to the approval of the Executive Director, FUP eligible graduates will be certified for HCV participation 60 days prior to the end date of the 18-month FUP participation deadline. The Housing Choice Voucher will be effective on the first day following the 18-month FUP participation deadline.

Formatted: Indent: Left: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1", Don't allow hanging punctuation, Don't adjust space between Latin and Asian text, Don't adjust space between Asian text and numbers, Font Alignment: Baseline

FUP graduates must request HCV participation within thirty (30) days from the end of the 18-month FUP participation deadline. Failure to request HCV participation within this time period may result in denial of assistance.

The project-based voucher grouped site-based waiting lists are always open to an otherwise eligible applicant that:

- is Displaced as defined in Section 4.III.C of this chapter, or
- is a *PBV In-Place Family* living in a Project-Based Voucher contract unit approved by the AHA:

3. Changes to section 4-II.F. *Updating a Waiting List, Purging the Waiting List* section to remove the a requirement that the Housing Authority re-mail documents to a forwarding address that was not reported to the Housing Authority.

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

The AHA has established policies to use when removing applicant names from a waiting list.

##### **Purging the Waiting List**

The waiting list will be updated periodically to ensure that all applicants and applicant information are current and timely.

HUD rules do not describe specific procedures to purge a waiting list. However a purge begins with a standardized mailing or e-mailing to waiting list applicants, requiring a verification of continued interest. Applicants must comply with the instructions in the notice and provide all requested information needed for continued placement on the waiting list, such as address and phone number, household composition, income, type of preference claimed and minority designation of the head of household. The update request will provide a deadline by which the requested form or information must be returned, and clearly explain what will happen if the application is not received by the deadline date. The collection of this form may be in an electronic format at the AHA's prerogative. If no response is received by the deadline, the applicant is removed from the waiting list. If a notice is returned by the post office ~~with no forwarding address~~, the applicant will be removed from the waiting list without further notice.

~~If a notice is returned by the post office with a forwarding address, a notice will be re-sent to the address indicated.~~ If a family is removed from the waiting list for failure to respond, the family may be reinstated if they submit a written request within 90 days of the date of

the update request letter. If more than 90 days have passed, the Executive Director or his/her designee may reinstate the family if s/he determines the lack of response was due to AHA error, or to circumstances beyond the family's control.

4. Changes to section 4-III.C. *Selection Method* to clarify the new grouped PBV wait list structure and to add additional options in chapter 16 for PBV wait list management.

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

The AHA will describe below the method for selecting applicant families from the waiting list, including the system of admission preferences that will be used [982.202(d)].

When a vacancy exists at a PBV site, the AHA will notify the next families on the applicable waiting list. The AHA's letter to the applicants also will state that if the applicant is interested in residing in the vacant PBV unit, that the applicant will not lose her or his place on the AHA's HCV waiting list.

All applicants indicating interest in the PBV unit will be prescreened by the AHA for Section 8 eligibility and referred to the owner in the order in which the screening has been completed. However, if the tenant selection criteria of the owner include screening for credit and criminal background, these procedures may be performed prior to completion of the full eligibility process. If, on the basis of property owners screening for suitability, including, the credit and criminal background screening process, the owner will not offer tenancy to the applicant, the AHA will not complete the voucher eligibility process and the applicant will be removed from the selected grouped site-based project-based waiting list and sent a notice to this effect.

Wait list referrals to the PBV owner will remain active for consideration for a PBV vacancy for a period of 120 days from the date of selection from the wait list. Referred tenants will be screened by the owner and readied for occupancy. First ready, is first referred back to the AHA for eligibility determination and leasing. Readiness is defined to mean having met all of the owner's screening criteria and accepted for tenancy.

In the event that multiple families are made ready for a PBV unit, as a tie breaker for who is assigned the unit, the family who has the highest rank from the referral list of all "ready" families will be processed by the AHA for eligibility determination and offered the available unit.

An owner may continue to work on suitability screening for up to three families from the latest referral list in anticipation of any additional vacancies that may arise during the 120-day referral period. The AHA will also continue the eligibility process for any family made ready by the owner.

If no unit is scheduled to be vacated by an existing tenant or there are no impending vacancies prior to the expiration of the 120-day period, all unassigned referrals will be returned to the project's PBV wait list.

If the AHA referrals do not provide the PBV owner with a suitable tenant for the unit and the wait list is exhausted, the owner may refer a Section 8 eligible individual or family to the AHA's grouped site-based PBV waiting list if it is open. The referred family must meet

the AHA's Section 8 eligibility criteria. See chapter 16 for other options when the wait list is exhausted.

If any PBV wait list has been exhausted, and prior to opening the wait list for targeted outreach, the AHA may query HCV tenants to see if any tenant-based assisted household is interested in a PBV unit. Admission to the PBV program for HCV Tenants will be on a first ready, first served basis. Any additional HCV tenant families interested in PBV units will be informed that the unit(s) has been leased and no further action will be taken on their behalf.

PBV Wait List applicants shall have priority over all HCV assisted tenants for PBV units.

5. Changes to section 4-III.C. *Local Preferences and Point Values* to revise the ways to verify residency in case of homelessness to remove a possible disparate impact due to the limited number of shelters in the City of Alameda.

Residency. This residency preference is limited to the jurisdictional boundaries of the city of Alameda. Use of the residency preference will not have the purpose or effect of delaying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family. Applicants who live or work in Alameda, or applicant families including at least one adult member who lives or works in Alameda, at the time of application qualify for this preference. Time of application is based upon the original submission of the application or pre-application (subject to verification), or, if the applicant's status has changed since original submission, is based upon verified status at time full eligibility is processed. For homeless applicants, this preference will apply if the applicant ~~is living in a shelter or transitional housing located in Alameda or~~ had been living in Alameda prior to becoming homeless.

6. Changes to section 4-III.C. *Order of Selection* to group the site-based wait lists and to remove the optional policy of offering multiple units off one wait list.

### **Order of Selection**

For families placed on a wait list, under the AHA system of preferences, the AHA will select families with the highest number of preference points and then by the random selection process [24 CFR 982.207(c)] or date/time of application as specified in the notice of wait list opening. The AHA will select families from the targeted funding or selection preferences for which they qualify, and in accordance with the AHA's hierarchy of preferences [24 CFR 982.204(b) and (e)]. Based on the pre-determined methodology at the time of application, within each targeted funding or aggregate preference total, families will either be selected from the waiting list on a first-come, first-served basis according to the date and time their complete application is received by the AHA or by their randomly selected order at the time of application. When there is a funding shortage, PBV units will be filled prior to issuance of new vouchers under the HCV program.

The AHA will maintain documentation as to whether families on the list qualify for and are interested in targeted funding. If a higher placed family on the waiting list is not qualified or not interested in targeted funding, there will be a notation maintained so that the AHA does not have to ask higher placed families each time targeted selections are made.

For grouped site-based wait lists (i.e., PBV), applicants will be removed from the wait list if they are non-responsive to or refuse an offer of a unit for ~~that site/sites housed under the wait list~~. Exceptions will be considered on a case by case basis by the Executive Director or designee for various reasons to include: lease commitment issues, sequestered jurors, medical emergencies that prevent moving at that time, or death of a family member. All requests for exceptions must be made in writing.

~~For PBV or AHA's Property Management wait lists serving multiple sites, applicants shall not be removed from the wait list until such time as the household either accepts a unit offer or has not responded to or rejected one housing offer at each of the available properties served by the wait list.~~

7. Changes to section 4-III.D. *Notification of Selection* to allow for families who do not report an address change to be removed from the Wait List

#### **4-III.D. NOTIFICATION OF SELECTION**

When a family/applicant has been selected from the waiting list, the AHA must notify the family/applicant.

The AHA will notify the family/applicant by first class mail or e-mail when it is selected from the waiting list. The family/applicant will be sent a packet of forms to be completed and returned by a specified date.

If a notification letter is returned to the AHA ~~with no forwarding address~~, the family/applicant will be removed from the waiting list. A notice of denial (see Chapter 3) will be sent to the family's address of record.

If the family/applicant does not respond to the selection notification letter, the family/applicant will be removed from the waiting list from which they were selected. A notice of denial (see Chapter 3) will be sent to the family's address of record.

8. Changes to section 16-VI.B. *Eligibility for PBV Assistance, Tenant Referrals to PBV Units* section to allow for alternatives when a waiting list is exhausted and a new list is being formed.

#### **Tenant Referrals to PBV Units**

When a vacancy exists at a PBV site, the AHA will notify the next families on the applicable waiting list. The AHA's letter to the applicants also will state that if the applicant is interested in residing in the vacant PBV unit, that the applicant will not lose her or his place on the AHA's HCV waiting list.

All applicants indicating interest in the PBV unit will be referred to the owner in the order in which they appear on the appropriate wait list. If the tenant selection criteria of the owner include screening for credit and criminal background, these procedures may be performed prior to completion of the full eligibility process. If, on the basis of the credit and/or criminal background screening process, the owner will not offer tenancy to the applicant, the AHA will not complete the voucher eligibility process and the applicant will be removed from the selected grouped site-based project-based wait list and sent a notice to this effect.

In the event that the PBV wait lists are exhausted, the AHA ~~shall query~~ may outreach to the following:

1. Applicants on other PBV wait lists

1.2. HCV wait list or tenant-based assisted households known to be seeking new units (i.e. newly-issued voucher holder, current participants who have given notice or otherwise indicated interest in seeking a new unit) to determine if there is interest in a HCV family moving to a PBV unit. However, voucher holders porting into the AHA jurisdiction may not be offered a PBV unit because HCVP provisions on portability under 24 CFR Part 982 do not apply to the project-based program under 24 CFR Part 983. PBV applicants shall always have priority over HCV tenants for available PBV units. Interested HCV tenants shall be considered for PBV units on a first ready, first served basis. Any additional HCV tenant families interested in PBV units will be informed that the unit(s) have been leased and no further action will be taken on their behalf.

PBV Wait List applicants shall have priority over all HCV assisted tenants for PBV units.

9. Changes to section 16-VI.D. *Selection from the Wait List* to

**16-VI.D. SELECTION FROM THE WAITING LIST [24 CFR 983.251(c)]**

Applicants who will occupy units with PBV assistance will be selected from the AHA's ~~or from the property's site-based~~ PBV Wait Lists. The AHA will place families referred by the PBV owner on its grouped or single site-based PBV waiting list, as appropriate, when the waiting list is open.

Wait list referrals to the PBV owner will remain active for consideration for a PBV vacancy for a period of 120 days from the date of selection from the wait list. Referred tenants will be screened by the owner and readied for occupancy. First ready, is first referred back to the AHA for eligibility determination and leasing. Readiness is defined to mean having met all of the owner's screening criteria and accepted for tenancy.

In the event that multiple families are made ready for a PBV unit, as a tie breaker for who is assigned the unit, the family who has the highest rank from the referral list of all "ready" families will be processed by the AHA for eligibility determination and offered the available unit.

An owner may continue to work on suitability screening for up to three families from the latest referral list in anticipation of any additional vacancies that may arise during the 120-day referral period. The AHA will also continue the eligibility process for any family made ready by the owner.

If no unit is scheduled to be vacated by an existing tenant or there are no impending vacancies prior to the expiration of the 120-day period, all unassigned referrals will be returned to the ~~project's~~ PBV wait list.

If the AHA referrals do not provide the owner with a suitable tenant for the unit and the wait list is exhausted, the owner may refer a Section 8 eligible individual or family to the AHA's grouped site-based PBV waiting list if it is open. The referred family must meet the AHA's Section 8 eligibility criteria.