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Admissions and Continued Occupancy Policy (ACOP) and Housing Choice Voucher (Administrative Plan)

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**Public Comment Period
April 20, 2022-June 3, 2022**

Highlights of the changes FY22

Admissions and Continued Occupancy Policy

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

The HACDB 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 the HACDB may structure its waiting list and how families must be treated if they apply for public housing at a HACDB that administers more than one assisted housing program.

4-II.B. ORGANIZATION OF THE WAITING LIST

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

HACDB 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
Identification of the need for an accessible unit, including the need for accessible features and unit for visual or hearing impairment.

Date and time of application or application number

Household type (family, elderly, and disabled)

Admission preference, if any

Race and ethnicity of the head of household

The specific site(s) selected (only if HACDB offers site-based waiting lists)

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The HACDB may adopt one community-wide waiting list or site-based waiting lists. The HACDB 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)].

HACDB Policy

The HACDB will maintain one single community-wide waiting list for its developments. within the list, the HACDB 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 HACDB will adopt site-based waiting lists, however, the mixed finance developments maintain separate site-based waiting list at each property.~~

~~HACDB site-based waiting lists, include:~~

~~Caroline Village~~

~~Palmetto Park~~

~~Northwood Village~~

~~Walnut Oak~~

~~Northwood H~~

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 the HACDB 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 HACDB maintain a single merged waiting list for their public housing, Section 8, and other subsidized housing programs [24 CFR 982.205(a)(1)].

HACDB Policy

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

Commented [NSW1]: HACDB adopted a site based waiting list January 16, 2019 by Resolution 2019-15

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

Closing the Waiting List

The HACDB 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. The HACDB 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].

HACDB Policy

The HACDB may 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 HACDB has particular preferences or other criteria that require a specific category of family, the HACDB may elect to continue to accept applications from these applicants while closing the waiting list to others.

Based on the number of one bedroom units in the family inventory, the one bedroom waiting list is closed for applications for all family developments. Families may apply for any other unit based on occupancy standards.

Reopening the Waiting List

If the waiting list has been closed, it may be reopened at any time. The HACDB 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. The HACDB should specify who may apply, and where and when applications will be received.

HACDB Policy

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

HACDB

Website

Daytona Beach News Journal

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

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

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

HACDB 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

HACDB 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

HACDB Policy

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

HACDB Policy

While the family is on the waiting list, the family must inform the HACDB, within 7 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 [or update in Rent Café](#).

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 HACDB 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 the HACDB's request for information or updates because of the family member's disability, the HACDB 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.

HACDB Policy

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

To update the waiting list, the HACDB 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 HACDB 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 the HACDB not later than 15 business days from the date of the HACDB letter.

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 HACDB 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 HACDB may reinstate the family if the lack of response was due to HACDB error, or to circumstances beyond the family's control.

Removal from the Waiting List

HACDB Policy

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

The HACDB upon housing applicants within the portfolio will provide the resident with the option of remaining on other HACDB waitlist however, transfer policy applies to resident family. (see Chapter 12-III.C)

If the HACDB 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 the HACDB 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 pre-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 the HACDB's decision (see Chapter 14) [24 CFR 960.208(a)].

PART III: TENANT SELECTION

4-III.A. OVERVIEW

The HACDB must establish tenant selection policies for families being admitted to public housing [24 CFR 960.201(a)]. The HACDB must not require any specific income or racial quotas for any developments [24 CFR 903.2(d)]. The HACDB 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 HACDB 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.

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

HACDB Policy

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

4-III.B. SELECTION METHOD

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

Local Preferences [24 CFR 960.206]

HACDB is 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 HACDB to establish other local preferences, at its discretion.

Any local preferences established must be consistent with the HACDB 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)].

Residency Preference -50 Points

Applicants who reside and/or work in Daytona Beach, FL. Family must live or have one family member who must have a job within the limits of the City of Daytona Beach, Florida or one adult member must be enrolled in a Daytona Beach institution of higher learning.

Involuntary Displacement/Repositioning – 99 Points

HACDB Residents of Section 8, Project-based, Public Housing, VASH, or other HACDB Housing Program who are in good standing; as of the date the property was HUD approved for demolition/disposition, repositioning and due to no fault of their own are displaced. HACDB may waive the good standing provisions on a case-by-case basis for repositioning. Involuntary Displacement due to repositioning shall have the highest level of preference.

1. HACDB residents due to repositioning, modernization, rehabilitation, demolition/disposition, or loss of funding, are displaced from a HACDB housing program.
2. Victims of federally-declared natural disasters who are displaced and HACDB receives verification from a 3rd party city, state, or federal agency of displacement.

Homeless Preference – 10 Points A local preference will be established in the Affordable (Public) Housing Program to annually assist up to 50 homeless or chronically homeless individuals or families. The preference will give priority to:

1. homeless individuals and families,
2. chronically homeless,
3. individuals graduating from or aging out of the foster care program administered by the Florida Department of Protective and Regulatory Services; and
4. Currently or formerly homeless applicants who are ready to transition from

supportive housing program(s).

To qualify for the homeless preference applicants must be referred by a service agency that has a partnered with HACDB as a homeless service provider through a Memorandum of Agreement (MOU). The service provider will agree to provide HACDB with signed certification that the applicant meets the current HUD definition of homelessness, and is qualified to apply for housing under these criteria. In addition, the service provider will verify the number of types of supportive and/or case management referral services to be provided and the duration of services. Individuals referred that are chronically homeless, with co-occurring psychiatric, substance abuse, and chronic medical conditions may be referred after documented completion of receiving 12-24 months of rental assistance and intensive case management

Applicants graduating or aging out of the foster care, or transitional housing must be referred, and certified as homeless under the terms and conditions of the agency Memorandum of Agreement. Currently HACDB has agreements in place with the following agencies:

SMA BEHAVIORAL HEALTH SERVICES, INC CITY OF DAYTONA BEACH
DEVEREAUX FOUNDATION

HALIFAX URBAN MINISTRIES

DOMESTIC ABUSE COUNCIL

COALITION ON HOMELESSNESS

FAMILY RENEW.

Previous residents, of the Affordable Housing Program, and/or the Housing Choice Voucher Program, may not be certified eligible for a preference, within 36 months of the date of any qualifying termination from any housing program. Placement on the waiting list does not indicate that the family is, in fact, eligible for assistance. In all cases a final determination of eligibility and qualification for preference will be made when the family is selected from the waiting list.

The HACDB has a limited number of 1-bedroom units in its inventory; therefore, the waiting list for 1-bedroom units is closed. Applicants who are not elderly or disabled may apply for any unit they may qualify for based on occupancy standards regardless of the age of the children.

Preferences will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, sexual orientation or age of any member of an applicant family.

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 the HACDB'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, the HACDB may skip non-ELI families on the waiting list in order to select an ELI family.

If HACDB also operates a housing choice voucher (HCV) program, admissions of extremely low- income families to the HACDB's HCV program during a HACDB fiscal year that exceed the 75 percent minimum target requirement for the voucher program, shall be credited against the HACDB'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 HACDB fiscal year; (2) ten percent of waiting list admissions to the HACDB's housing choice voucher program during the HACDB fiscal year; or (3) the number of qualifying low-income families who commence occupancy during the fiscal year of HACDB 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.

HACDB Policy

The HACDB 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 HACDB 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, co-head, or sole member is a person who is at least 62 years of age. Disabled family means a family whose head, spouse, co-head, or sole member is a person with disabilities [24 CFR 5.403]. The HACDB must give elderly and disabled families equal preference in selecting these families for admission to mixed population developments. The HACDB 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 HACDB 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 HACDB 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 HACDB may designate projects or portions of a public housing project specifically for elderly or disabled families. The HACDB must have a HUD-approved allocation plan before the designation may take place.~~

~~Among the designated developments, the HACDB 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 HACDB 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 co-head 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 HACDB 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)].~~

HACDB Policy

~~The HACDB does have designated elderly and designated disabled housing at this time, at Windsor (Elderly Only) and Maley (Elderly/Disabled) Housing Developments.~~

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

The HACDB's admission policy must be designed to provide for de-concentration 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 HACDB's de-concentration policies must be included in its annual plan [24 CFR 903.7(b)].

The HACDB's de-concentration policy must comply with its obligation to meet the income targeting requirement [24 CFR 903.2(c)(5)].

Developments subject to the de-concentration requirement are referred to as 'covered developments' and include general occupancy (family) public housing developments. The following developments are not subject to de-concentration and income mixing requirements: developments operated by a PHA with fewer than 100 public housing units; mixed population or developments designated specifically for elderly or disabled families; developments operated by a PHA 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 HACDB must comply with the following steps:

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

HACDB Policy

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

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

HACDB Policy

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

Step 3. The HACDB 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 (federal poverty level or 30 percent of median income, whichever number is higher).

Step 4. The HACDB 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 HACDB must include in its admission policy its specific policy to provide for de-concentration of poverty and income mixing.

Depending on local circumstances the HACDB's de-concentration 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 de-concentration
- Providing other strategies permitted by statute and determined by the HACDB in consultation with the residents and the community through the annual plan process to be responsive to local needs and HACDB strategic objectives

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

If, at annual review, the average incomes at all general occupancy developments are within the EIR, the HACDB will be considered to be in compliance with the de-concentration requirement and no further action is required.

HACDB Policy

For developments outside the EIR the HACDB will take the following actions to provide for de-concentration of poverty and income mixing:

All developments within the HACDB Affordable Housing inventory have 100 units or less ~~with the exception of the Windsor and Maley Apartments which are specifically designated for elderly and elderly mixed.~~

Order of Selection [24 CFR 960.206(e)]

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

HACDB 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 the HACDB.

When selecting applicants from the waiting list, the HACDB will match the characteristics of the available unit (unit size, accessibility features, unit type) to the applicants on the waiting lists. The HACDB 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 de-concentration or income mixing and income targeting will also be considered in accordance with HUD requirements and HACDB policy.

4-III.C. NOTIFICATION OF SELECTION

When the family has been selected from the waiting list, the HACDB must notify the family [24 CFR 960.208].

HACDB Policy

The HACDB will notify the family by first class mail or electronic correspondence 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 the HACDB 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 the HACDB from making an eligibility determination; therefore, no informal hearing will be offered.

Highlights of the changes FY22 Housing Choice Voucher Administrative Plan

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PART VI: SELECTION OF PBV PROGRAM PARTICIPANTS 17-VI.A.

OVERVIEW

Many of the provisions of the tenant-based voucher regulations [24 CFR 982] also apply to the PBV program. This includes requirements related to determining eligibility and selecting applicants from the waiting list. Even with these similarities, there are requirements that are unique to the PBV program. This part describes the requirements and policies related to eligibility and admission to the PBV program.

17-VI.B. ELIGIBILITY FOR PBV ASSISTANCE [24 CFR 983.251(a) and (b)]

The HACDB may select families for the PBV program from those who are participants in the HACDB's tenant-based voucher program and from those who have applied for admission to the voucher program. For voucher participants, eligibility was determined at original admission to the voucher program and does not need to be redetermined at the commencement of PBV assistance. For all others, eligibility for admission must be determined at the commencement of PBV assistance.

Applicants for PBV assistance must meet the same eligibility requirements as applicants for the tenant-based voucher program. Applicants must qualify as a family as defined by HUD and the HACDB, have income at or below HUD-specified income limits, and qualify on the basis of citizenship or the eligible immigration status of family members [24 CFR 982.201(a) and 24 CFR 983 .2(a)]. In addition, an applicant family must provide social security information for family members [24 CFR 5.216 and 5.218] and consent to the HACDB's collection and use of family information regarding income, expenses, and family composition [24 CFR 5.230]. An applicant family must also meet HUD requirements related to current or past criminal activity.

HACDB Policy

The HACDB will determine an applicant family's eligibility for the PBV program in accordance with the policies in Chapter 3.

In-Place Families [24 CFR 983.251(b)]

An eligible family residing in a proposed PBV contract unit on the date the proposal is selected by the HACDB is considered an "in-place family." These families are afforded protection from displacement under the PBV rule. If a unit to be placed under contract (either an existing unit or a unit requiring rehabilitation) is occupied by an eligible family on the date the proposal is selected, the in-place family must be placed on the HACDB's waiting list. Once the family's continued eligibility is determined (the HACDB may deny assistance to an in-place family for the grounds specified in 24 CFR 982.552 and 982.553), the family must be given an absolute

selection preference and the HACDB must refer these families to the project owner for an appropriately sized PBV unit in the project. Admission of eligible in-place families is not subject to income targeting requirements.

This regulatory protection from displacement does not apply to families that are not eligible to participate in the program on the proposal selection date.

17-VI.C. ORGANIZATION OF THE WAITING LIST [24 CFR 983.251(c)]

The HACDB may establish a separate waiting list for PBV units or it may use the same waiting list for both tenant-based and PBV assistance. The HACDB may also merge the PBV waiting list with a waiting list for other assisted housing programs offered by the HACDB. If the HACDB chooses to offer a separate waiting list for PBV assistance, the HACDB must offer to place applicants who are listed on the tenant-based waiting list on the waiting list for PBV assistance.

If a HACDB decides to establish a separate PBV waiting list, the HACDB may use a single waiting list for the HACDB's whole PBV program, or it may establish separate waiting lists for PBV units in particular projects or buildings or for sets of such units.

HACDB Policy

The HACDB will establish and manage separate waiting lists for individual projects or buildings that are receiving PBV assistance. The HACDB currently has waiting lists for the following PBV projects:

~~The WM at the River (Formerly the Windsor and Maley Apartments)~~None:

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

Applicants who will occupy units with PBV assistance must be selected from the HACDB's waiting list. The HACDB may establish selection criteria or preferences for occupancy of particular PBV units. The HACDB may place families referred by the PBV owner on its PBV waiting list.

Income Targeting [24 CFR 983.251(c)(6)]

At least 75 percent of the families admitted to the HACDB's tenant-based and project-based voucher programs during the HACDB fiscal year from the waiting list must be extremely-low income families. The income targeting requirement applies to the total of admissions to both programs.

Units with Accessibility Features [24 CFR 983.251(c)(7)]

When selecting families to occupy PBV units that have special accessibility features for persons with disabilities, the HACDB must first refer families who require such features to the owner.

Preferences [24 CFR 983.251(d)]

The HACDB may use the same selection preferences that are used for the tenant-based voucher program, establish selection criteria or preferences for the PBV program as a whole, or for occupancy of particular PBV developments or units. The HACDB must provide an absolute selection preference for eligible

in-place families as described in Section 1 7-VI.B. above.

The HACDB will use the same selection preferences that are used for the tenant-based voucher program and will use two additional preferences for The WM at the River. These two preferences will include: 1) Elderly Preference 2) Disabled Preference

Elderly Preference-75 Points

Disabled Preference-50 Points

Due to the on-line application system all single applicants are entered into the system as a 1 bedroom. At the time of the application the website, and at the eligibility interview applicants will be advised that they will be offered either a 0- or 1-bedroom unit. The offer will be based on unit vacancy date. Maley Apartments (The WM at the River) does not have 1 bedroom unit- all 150 units are efficiency units, designated elderly/disabled population.

The PHA may establish a selection preference for families who qualify for voluntary services, including disability-specific services, offered in conjunction with assisted units, provided that preference is consistent with the PHA plan. The PHA may not, however, grant a preference to a person with a specific disability. [FR Notice 1/18/17].

In advertising such a project, the owner may advertise the project as offering services for a particular type of disability; however, the project must be open to all otherwise eligible disabled persons who may benefit from services provided in the project. In these projects, disabled residents may not be required to accept the particular services offered as a condition of occupancy.

If the HACDB “excepted units” for elderly families or supportive, the HACDB must give preference to such families when referring families to these units [24 CFR 983.261(b); FR Notice 1/18/17].

HACDB Policy

The HACDB will provide a selection preference when required by the regulation (e.g., eligible in-place families, elderly families or units with supportive services, or mobility impaired persons for accessible units). HACDB may establish separate site-based preferences for each PBV project.

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