

Proposed Revisions to
HOC's Administrative Plan for the Housing Choice Voucher Program

Please note: Existing language is in **BLACK** and proposed changes are in **RED**.

Chapter 4

ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

[24 CFR Part 5, Subpart D; 982.54(d)(1); 982.204, 982.205, 982.206]

INTRODUCTION

It is ~~the PHA~~HOC's objective to ensure that families are placed in the proper order on the waiting list and selected from the waiting list for admission in accordance with the policies in this Administrative Plan.

This chapter explains how ~~the Public Housing Authority (PHA)~~HOC will administer its consolidated waiting list for all of its housing programs, including the tenant-based and project-based voucher waiting lists, hereinafter referred to as the consolidated list or master list. The tenant-based waiting list has ~~five~~our local preferences that ~~the PHA has~~HOC adopted to meet local housing needs, define the eligibility criteria for the preferences, and explain ~~the PHA~~HOC's system of applying them. The waiting list for housing subsidized with project-based vouchers ~~will be~~is maintained as a sub list within the consolidated list. Any family selected to be housed utilizing a project-based voucher is only eligible for a specific bedroom sized unit based on ~~their~~ family size.

By maintaining an accurate waiting list, ~~the PHA~~HOC ~~is~~will be able to perform the activities which ensure that an adequate pool of qualified applicants ~~is~~will be available, so that program funds are used in a timely manner. Each family on the tenant-based waiting list may also have its name on the project-based waiting list.

A. MANAGING THE WAITING LIST

Opening and Maintaining the ~~Wait~~ List

Opening of the waiting list will be announced with a public notice stating that applications for public housing, Housing Choice Voucher and all other waiting lists maintained by the **Housing Opportunities Commission of Montgomery County (HOC)** will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation and also by any available minority media, including social media. The public notice will state any limitations on who may apply. Waiting lists for all sub-jurisdictions and Countywide will be opened and closed at the same time.

The notice will state that applicants already on waiting lists for other housing programs must apply separately for this program and such applicants will not lose their place on other waiting

lists when they apply for public housing. The notice will include the Fair Housing logo and slogan, and will be in compliance with Fair Housing requirements.

HOC intends for the waiting list to remain open indefinitely; however, if the Executive Director decides to close the list, the closing of the waiting list will also be announced with a public notice. This public notice will state the date the waiting list will be closed, and it will be published in a local newspaper of general circulation and by any available minority media, including social media.

Organization of the Waiting List

In Effective July 2015, ~~the Housing Opportunities Commission~~ HOC will merged its existing sub-jurisdictional waiting lists for the Housing Choice Voucher program and all other housing programs into one combined waiting list, referred to herein interchangeably as merged list, master list, merged master list, or waiting list, except as specifically noted.

In conjunction with the merging of all of ~~the Housing Opportunity Commission~~ HOC's waiting lists, ~~the Housing Opportunities Commission~~ HOC will opened its merged master waiting list for all programs, and left the merged list open indefinitely or until such time as a determination is made by the Executive Director that there is cause to close the waiting list, at which time proper notice will be posted in a local newspaper of general circulation and by any available minority media, including social media.

Only one application may be submitted and it must be submitted by the head of household or his/her designee.

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

1. The application will be a permanent file. Any contact between ~~the Housing Opportunities Commission~~ HOC and the applicant will be documented in the electronic applicant file.
2. All applications will be maintained in order of date and time of application, and applicable preference(s).
3. Under the merged waiting list, one master list will be maintained electronically through a proprietary program. All applications and updates to an application must be submitted electronically through a proprietary on-line web portal. Paper and telephone submissions will not be permitted. To the extent an applicant requires assistance, upon request, staff from ~~the Housing Opportunities Commission~~ HOC will be available to assist with electronic submissions.
4. All applicants must give notice of any changes to their application within two weeks of a change. Changes include: change of mailing address, change of email address, change of phone number, change in family composition, change in income, or changes in factors affecting preference points. As noted in paragraph 3,

all changes must be done electronically because paper and telephone submissions ~~will be~~ not ~~be~~ accepted. To the extent an applicant requires assistance, upon request, staff from ~~the Housing Opportunities Commission~~HOC ~~will be~~ is available to assist with electronic update submissions.

5. The master waiting list ~~will be~~ is updated daily and applicants' wait list profiles are accessible ~~placement on the list can be retrieved~~ via the internet on a 24-hour basis.
6. For the first 365 days following the opening of the waiting list, selection from the waiting list ~~will continue to be~~ was made by random lottery. Thereafter, all selections ~~will~~ occur based on a combination of date-time order and listed preferences on the respective master waiting list. HOC ~~will send~~ a notice to all applicants informing them of when the random lottery system ~~will be~~ was discontinued and when the date-time stamp selection system ~~will be~~ was implemented.
7. ~~The Housing Opportunities Commission~~HOC ~~will maintain~~ s one merged master list in order of date-time and any applicable preference(s). However within the master list there ~~will be~~ are sub-sorted separate lists for certain programs and properties.
8. ~~The Housing Opportunities Commission~~HOC ~~has~~ entered into HAP contracts to subsidize units at several properties that are operated by third--party managers and/or owners. ~~The i~~ndividual, property-specific waiting lists for these properties ~~will be~~ are included within the master list but ~~will be~~ are sorted separately to only reflect applicants who satisfy the various property and programmatic eligibility criteria. More specifically, the details regarding these property-specific waiting lists are as follows:
 - i. ~~The Housing Opportunities Commission~~HOC ~~will maintain~~ s separate lists for Arcola Towers, Elizabeth House, Holly Hall, and Waverly House, which are ~~public~~ housing facilities operated for the benefit of ~~the~~ senior and/or ~~the~~ disabled customers.
 - ii. ~~The Housing Opportunities Commission~~HOC ~~has~~ entered into a HAP contract to subsidize units at Emory Grove, Ken-Gar, Parkway Woods, Sandy Spring Meadow, Seneca Ridge, Town Centre Place, and Washington Square as required as part of the Rental Assistance Demonstration (RAD) program, and ~~will be~~ required Housing Choice Vouchers. These individual lists created for these RAD properties ~~will be~~ are included in the merged master list but sorted separately to reflect only those applicants who may be eligible for these properties.
 - iii. ~~The Housing Opportunities Commission~~HOC ~~has~~ entered into HAP contracts to subsidize units at several properties that are managed by third-

party managers and/or owners. These properties provide supportive services to at-risk populations in the form of Housing Choice Vouchers. Applicants for these programs must meet stringent requirements and ~~will be~~ ranked by date and time of application only, and sorted separately to only reflect applicants who qualify for these specific properties.

9. ~~Any e~~Contact between ~~the Housing Opportunities Commission~~HOC and ~~the wait list~~ applicants ~~for the purposes of selection from the list~~ ~~will be~~ documented in the applicant's wait list file.

Implementation of RAD ~~Waiting~~ List Provisions

Former public housing (PH) applicants ~~and residents~~ ~~will~~ receive priority consideration on the ~~new~~ site-based ~~waiting~~ lists created within *HOC Housing Path*, HOC's electronic ~~waiting~~ list. Prior to the opening of the ~~new~~ HOC Housing Path ~~waiting~~ list, HOC mailed to all former ~~public housing~~PH ~~waiting~~ list applicants a post card notifying them of the new ~~waiting~~ list and instructing them to submit an application. The following policies ~~will~~ describe how ~~those~~ former PH applicants ~~and residents~~ ~~will~~ receive priority consideration for housing at all of HOC's RAD-converted properties and at properties with Project-Based Voucher (PBV) assistance provided using the non-competitive selection process created by the Housing Opportunities Through Modernization Act (HOTMA), and described in Chapter 22, Section G of this Administrative Plan.

In order to provide former PH applicants with the best opportunity to be housed at one of the RAD properties, HOC ~~will~~ ~~adopted~~ and follows the procedures listed below:

- Analyze HOC Housing Path to identify former PH ~~waiting~~ list applicants and residents that have submitted a new application.
- Issue notices to former ~~public housing~~PH ~~waiting~~ list applicants and residents informing them that they are eligible to receive priority consideration for housing at RAD properties, and instruct them to respond to the notice if they would like to be considered.
- Former PH applicants and residents ~~that who~~ respond, but have not submitted a new HOC Housing Path application will be instructed to do so.
- For those families ~~that who~~ respond to the notice and/or have submitted a new HOC Housing Path application, HOC will create a separate pool of applications that will receive priority consideration for vacancies at the HOC's RAD properties.
- As vacancies become available at RAD properties, applicants will be selected from the priority pool ~~utilizing the Agency's current lottery process, which accounts for any preferences in the random selection process~~ based on their date and time of application to Housing Path.

B. WAIT LIST CUSTOMERS (FAMILIES)

All wait list applicants are required to maintain an e-mail address. To the extent an applicant chooses to use the e-mail address of another person, the applicant is solely responsible for receiving information sent to the listed email address and lack of access to that account ~~shall is~~

not ~~be~~ considered a valid excuse for missing notices. To the extent a family does not have an e-mail address, ~~the Housing Opportunities Commission~~HOC can assist the family in obtaining a free email account. The applicant is responsible for notifying ~~the Housing Opportunities Commission~~HOC of any change in their e-mail address. ~~The Housing Opportunities Commission~~HOC maintains public use computers at all of its HUB locations. Public use computers are also widely available at other public locations such as local libraries. To the extent an applicant requires assistance, upon request, staff from ~~the Housing Opportunities Commission~~HOC ~~will be~~is available to assist with electronic submissions ~~and may issue postcard notification of the need to certify continued interest in housing programs.~~

All wait list applicants are required to list an address in their Housing Path application. If the applicant is homeless or does not have a permanent address, the applicant can choose to list the address of another person, so long as it is not the address of a current voucher holder. This address is used to send any paper correspondence to the applicant, including required paperwork as part of the selection process. The applicant is solely responsible for receiving information sent to the listed address and lack of access to mail at that address is not considered a valid excuse for missing notices or paperwork. The applicant is responsible for notifying HOC of any change in address.

Treatment of Single Applicants

Single applicants are treated as any other eligible family on the wait list for the tenant-based and project-based voucher wait lists.

C. WAITING LIST [24 CFR 982.204]

Tenant-Based Voucher

~~The PHA~~HOC uses a consolidated waiting list for the admission of all of its housing programs. The consolidated list ~~will include~~s a sub list for admissions to the tenant-based voucher assistance program ~~of the Housing Opportunities Commission of Montgomery County, Maryland.~~

Except for Special Admissions, applicants ~~will be~~are selected from the consolidated waiting list in accordance with the policies, preferences, and income targeting requirements defined in this Administrative Plan.

~~The PHA~~HOC will maintain information that permits proper selection from the waiting list.

The waiting list contains the following information for each applicant listed:

- Applicant Name
- Family Unit Size (number of bedrooms family qualifies for under ~~PHA~~HOC's subsidy standards)
- Date of application

- Qualification for any local preference(s)
- Racial or ethnic designation of the head of household
- Targeted program qualifications

Project-Based Voucher

~~The PHA~~HOC ~~will create~~maintains separate sub lists for admissions to the project-based voucher (PBV) assistance program ~~of the Housing Opportunities Commission of Montgomery County, Maryland.~~ Any applicant that submits an application to the master waiting list ~~will be~~is also considered for inclusion on the ~~project-based voucher~~PBV waiting list.

Except for Special Admissions, applicants ~~will be~~are selected from ~~the PHA~~HOC's waiting list in accordance with the policies, preferences, and income targeting requirements defined in this Administrative Plan.

Families ~~will be~~are selected from the ~~project-based voucher~~PBV waiting list based on the bedroom size of the unit available at the time of selection.

~~The PHA~~HOC ~~will~~must maintain information that permits proper selection from the waiting list.

The waiting list contains the following information for each PBV applicant listed:

- Applicant Name
- Family Unit Size (number of bedrooms family qualifies for under ~~PHA~~HOC's subsidy standards)
- Date of application
- Qualification for any local preference(s)
- Racial or ethnic designation of the head of household
- Targeted program qualifications

D. SPECIAL ADMISSIONS [24 CFR 982.54(d)(e), 982.203]

If HUD awards ~~a PHA~~HOC program funding that is targeted for specifically named families, ~~the PHA~~will HOC ~~must~~ admit these families under a Special Admission procedure.

Special admissions families ~~will be~~are admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. ~~The PHA~~HOC maintains separate records of these admissions.

The Family Unification Program (FUP) qualifies for special admissions as long as the individuals referred to HOC meet the program definition.

Family Unification Program-Eligible Family (A family that the Public Child Welfare Agency (PCWA) has certified as a family for whom a lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home care, or in the delay of discharge of a child, or children, to the family from out-of-home care, and that the HOC has determined is eligible for a Housing Choice Voucher.)

Family Unification Program-Eligible Youth (A youth that the Public Child Welfare Agency (PCWA) has certified to be at least 18 years old and not more than 21 years old (has not reached his/her 22nd birthday) who left foster care at age 16 or older and who does not have adequate housing, and that HOC has determined is eligible for a Housing Choice Voucher.)

The following are examples of types of program funding that may be designated by HUD for families living in a specified unit.

1. A family displaced because of demolition or disposition of a public or Indian housing project;
2. A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;
3. For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990;
4. A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; and
5. A non-purchasing family residing in a HOPE 1 or HOPE 2 project.

Applicant's who are admitted under Special Admissions, rather than from the waiting list, are identified in ~~the PHA~~HOC's database with special codes.

At turnover:

If a voucher issued to an FUP-eligible family or FUP-eligible youth under the FUP program is terminated, the voucher ~~will be~~is reissued to the extent practicable, to another FUP-eligible family or FUP-eligible youth. If the award on turnover is not practicable, FUP vouchers may be used by HOC for such families based upon local needs.

If a ~~client~~customer served through Special Admissions in the FUP program is on an HOC Program Admissions Waiting List (Tenant Based Voucher or Project Based Voucher), the client ~~will~~remains eligible on the waiting list for the period of time the list is active. If a client is selected from the Program Waiting List and utilizes the voucher, the FUP voucher ~~will be~~is reissued, to the extent practicable, to another FUP-eligible family or FUP-eligible youth.

E. WAITING LIST PREFERENCES [24 CFR 982.207]

When a family ~~appears to be near being offered a unit~~ is selected from the wait list, the family ~~will be~~ invited to an interview and the verification process ~~will begin~~. ~~This process is known as selection from the wait list.~~ It is at this point in time that the family's waiting list preference(s) ~~will be~~ verified. To qualify for ~~the a~~ preference, an applicant must provide verification that shows he or she qualified either at the time of the initial application or at the time of selection from the waiting list.; ~~H~~however, placement based upon preference is dependent on the family still qualifying for the preference at the time of selection.

If the family no longer qualifies to be near the top of the list, because the family does not qualify for a preference, then the family's preference status ~~will be~~ removed. Importantly, however, the family will remain on the waiting list based upon their original date and time of application. ~~The Housing Opportunities Commission~~HOC must notify the family in writing of this determination and give the family the opportunity for an informal hearing to appeal the decision.

Once ~~the a~~ preference ~~has been~~ verified, the family ~~will~~ complete a full application, presents Social Security number information, citizenship/eligible immigrant information, and signs the Consent for Release of Information forms.

An applicant ~~will is not be~~ granted any Ilocal preference for the tenant-based and project-based voucher waiting lists if any member of the family ~~has been~~ was evicted from housing assisted under a HUD 1937 Housing Act program during the past three years because of drug-related criminal activity or felonious charged criminal activity.

The PHAHOC will grant an exception to such a family if:

- The responsible member has successfully completed a rehabilitation program;
- The evicted person clearly did not participate in or know about the drug-related activity; and/or;
- The evicted person no longer participates in any drug related criminal activity.

If an applicant makes a false statement in order to qualify for a Ilocal preference, ~~the PHA~~HOC will deny the Ilocal preference.

F. LOCAL PREFERENCES [24 CFR 5.410]

~~The PHA will~~HOC offers public notice when changing its preference system and the notices ~~will are be~~ publicized using the same guidelines as those for opening and closing the waiting list.

The PHAHOC uses the following Ilocal pPreference system:

First Local Preference – Displacement: Families who are displaced as a result of a State or County redevelopment project, or a change in the nature of a project that is part of the County plan for maintaining affordable housing, and who are referred by the County Executive's Office. A signed certification from the County Executive's office is required for the family to qualify for this preference. [Two Points]

Second Local Preference – Residency preference for families who live, work, or have a bona fide offer to work in Montgomery County. To qualify for this preference, evidence is required either at the time of application or at the time of selection from the waiting list. HOC will treat graduates of, or active participants in, education or training programs in Montgomery County as residents of Montgomery County if the education or training program is designed to prepare individuals for the job market. To qualify and satisfy this preference, graduates must have graduated after the initial application for housing. [One Point]

Third Local Preference – HUD funded 2006 Main Stream Disabled (MSD) program; 15 units. [Two Points]

Fourth Local Preference – Veterans: Preference is given for ten (10) veterans and their families. The applicant must be at least 18 years old and a veteran.

HOC ~~will~~verifiesy the preference with a list of homeless veterans and their families provided by the Montgomery County Department of Health and Human Services (DHHS). [Three Points]

Fifth Local Preference – Families with Histories of Homelessness: Preference is given for ten (10) families with histories of homelessness who are currently housed within the Montgomery County Homeless Continuum of Care. The applicant must be at least 18 years old and have at least one minor child (under the age of 18) within the household.

HOC ~~will~~verifiesy the preference by receiving direct referrals from the Montgomery County Department of Health and Human Services (DHHS). [Three Points]

Treatment of Single Applicants

Single applicants ~~will~~bearc treated as any other eligible family on the waiting list for the tenant-based and project-based voucher waiting lists.

G. INCOME TARGETTING

In accordance with the Quality Housing and Work Responsibility Act of 1998, each fiscal year ~~the PHAHOC will~~reserves a minimum of seventy-five (75) percent of its Section 8 new admissions for families whose incomes do not exceed thirty (30) percent of the area median income (AMI). HUD refers to these families as “extremely low-income families.” ~~The PHA will~~HOC must admit families who qualify under the Extremely Low-Income limit to meet the income targeting requirement, regardless of preference. This policy applies to the tenant-based and project-based voucher waiting lists.

~~The PHAHOC’s~~ income targeting requirement does not apply to low-income families continuously assisted, as provided for under the 1937 Housing Act.

~~The PHA~~HOC is also exempted from this requirement ~~where when HOC the PHA is providing~~ing assistance to low income or moderate-income families entitled to preservation assistance under the tenant-based voucher program as a result of a mortgage prepayment or opt-out.

H. INITIAL DETERMINATION OF LOCAL PREFERENCE QUALIFICATION

[24 CFR 5.415]

May 2017

At the time of application, an applicant's entitlement to a local preference may be made on the following basis:

An applicant's certification that they qualify for a preference ~~will be~~is accepted without verification at the ~~pre-application~~initial application. When the family is selected from the waiting list for the final determination of eligibility, the preference ~~will be~~is verified. To Qualify for the preference, an applicant must provide verification that shows he or she qualified either at the time of the ~~initial pre-~~application or at the time of certification.

If the preference verification indicates that an applicant does not qualify for the preference, the applicant ~~will be~~is returned to the waiting list (tenant-based or project-based) without the local preference, and given an opportunity for an office meeting.

I. TARGETED FUNDING [24 CFR 982.203]

When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the tenant-based and project-based voucher waiting lists are searched for the first available family meeting the targeted funding criteria. ~~The PHA~~HOC reserves the right to use this assistance under the "Interim Use" policy. [See Glossary under "Interim Use" for definition].

Applicants who are admitted under targeted funding which are not identified as a Special Admission are identified by codes in the automated system. ~~The PHA~~HOC has the following "Targeted" Programs:

- Veterans Affairs Supportive Housing (VASH)
- Mainstream Allocation Plan for Persons with Disabilities
- Shelter Plus Care
- Welfare-to-Work
- Voucher allocation for Non-Elderly Persons with Disabilities in Support of Designated Housing Plans

For any voucher allocation for Non-Elderly Persons with Disabilities (NED) in Support of Designated Housing Plans, ~~the PHA will~~HOC identifies a non-elderly disabled family, as defined by HUD, on ~~the PHA~~HOC's waiting list that will not be housed due to an approved or submitted Designated Housing Plan.

At turnover:

If a voucher issued to a FUP-eligible family under the 2008 FUP program is terminated, the voucher will be reissued, to the extent practicable, to another FUP eligible family. If the award on turnover is not practicable, FUP vouchers may ~~be~~ used by HOC for such families based upon local needs.

Re-issuance upon turnover of vouchers in the Non-Elderly Persons with Disabilities in Support of Designated Housing Plans 2008 allocation will be to Non-Elderly Persons with Disabilities on the waiting list.

J. PREFERENCE AND INCOME TARGETING ELIGIBILITY [24 CFR 5.410]

Change in Circumstances

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to update their on-line application when their circumstances of change.

Cross-Listing of Different Housing Programs and Section 8 [24 CFR 982.205(a)]

~~The PHAHOC will~~ maintains a consolidated master waiting list for all of its housing programs. An applicant ~~will be~~ considered for admission to any program for which they are eligible until such time that documentation is presented ~~that which~~ establishes a ~~client-customer in as~~ ineligible for a given housing program(s). If a ~~client-customer~~ is determined ~~to be~~ ineligible for the voucher program, their application ~~will be~~ maintained on the consolidated waiting list so that they may continue to be considered for other housing opportunities.

Other Housing Assistance [24 CFR 982.205(b)]

Other housing assistance means a federal, State, or local housing subsidy, as determined by HUD, including public housing.

~~The PHAHOC~~ may not take any of the following actions because an applicant has applied for, received, or refused other housing: [24 CFR 982.205(b)]

- Refuse to list the applicant on the ~~PHA~~-waiting list for tenant-based voucher assistance;
- Deny any admission preference for which the applicant is currently qualified;
- Change the applicant's place on the waiting list based on a preference, date of application, or other factors affecting selection under ~~the PHAHOC's~~ selection policy; or
- Remove the applicant from the waiting list.

However, ~~the PHAHOC~~ may remove the applicant from the waiting list for tenant-based assistance if ~~the PHAHOC~~ has offered the applicant assistance under the Project-Based Voucher program.

K. ORDER OF SELECTION [24 CFR 982.207(e)]

~~The PHAHOC~~'s method for selecting applicants from a preference category leaves a clear audit trail ~~that which~~ can be used to verify that each applicant ~~has been~~was selected in accordance with the method specified in the Administrative Plan.

Tenant-Based Voucher Waiting List

Local Preferences

~~The PHA has~~HOC selected provides the following system to apply local preferences:

~~Local preferences will be aggregated using the following system:~~

Each preference ~~will~~receives an allocation of points. The more preference points an applicant receives, the higher the applicant's position on the waiting list.

Among Applicants with Equal Preference Status

Among applicants with equal preference status, the tenant-based voucher waiting list ~~will be~~is organized by the lottery selection process for the first 365 days after the wait list ~~is~~was opened in the summer of 2015. Thereafter, applicants with equal preference status on the tenant-based voucher waiting list ~~will be~~are organized by date and time stamp.

Project-Based List

~~The PHAHOC has selected~~provides the following system to apply local preferences:

~~Local preferences will be aggregated using the following system:~~

Each preference ~~will~~receives an allocation of points. The more preference points an applicant receives, the higher the applicant's position on the waiting list.

The ~~project-based voucher~~PBV sub list ~~will be~~is organized by family size and the corresponding bedroom size as follows:

- One and two person families are eligible for a one-bedroom unit.
- Three and four person families are eligible for a two bedroom unit.
- Five and six person families are eligible for a three bedroom unit.
- Seven and eight person families are eligible for a four bedroom unit.

Exceptions to this policy ~~will be~~ made in accordance with HOC's policies of reasonable accommodation for persons with disabilities.

The number of persons per bedroom is subject to compliance with the Montgomery County Code, Chapter 26-5, Space, Use, and Location. Paragraph (b) of Chapter 26-5 is shown below:

b) *Floor area, sleeping.* In every dwelling unit of ~~2~~-two or more rooms, every room occupied for sleeping purposes by one occupant must contain at least 70 square feet of habitable space, and every room occupied for sleeping purposes by more than one occupant must contain at least 50 square feet of habitable space for each occupant. However, in a mobile home every room occupied for sleeping purposes by one occupant must contain at least 50 square feet of habitable space; by 2 occupants, at least 70 square feet of habitable space; and by more than 2 occupants, at least an additional 50 square feet of habitable space for each additional occupant."

Among Applicants with equal preference status, the ~~project-based voucher~~PBV waiting list ~~will be~~ organized by the regular date-time selection process for each bedroom size.

L.1 PROJECT-BASED VOUCHER REFERRALS

Applicants referred to HOC for housing subsidy through ~~Project-Based Voucher~~PBVs by way of Offender Reentry programs sponsored by the Silver Spring Interfaith Housing Coalition and Threshold Services, Inc. ~~will be~~ granted an eligibility criminal background exception. The participant does not have rights to the HOC Grievance Procedures.

The eligibility exception ~~would be~~ not ~~be~~ extended to the following individuals:

1. Persons convicted of manufacturing or producing methamphetamine;
2. Any person ~~having been~~ evicted from federally assisted housing for a serious violation of the lease (~~and~~ for three years following the eviction);
3. Any person who fails to sign and submit consent forms to obtain~~ing~~ information in accordance with the Administrative Plan Part 5, subparts B and F;
4. Any person required under HUD regulation to establish citizenship or eligible immigration status;
5. Any person subject to a life time registration requirement under a state sex offender registration program; and
6. Any persons convicted for violent felonies.

L.2 PROJECT-BASED VOUCHER REFERRALS

In an effort to minimize displacement of families, if a unit that is to be included in the ~~Project-Based Voucher~~ PBV contract is occupied by an eligible family, the in-place family must be placed on the program waiting list. When eligibility is determined, the family must be given an absolute selection preference and referred to the project owner for an appropriately size ~~Project-Based Voucher~~ PBV contract.

A preference will be extended through the ~~Project-Based Voucher~~ PBV program (only) for services offered. In selecting families, ~~the Housing Opportunities Commission~~ HOC may give a preference to disabled families who need services offered at a particular project. This preference (more specifically a referral) is limited to the population of families with disabilities that significantly interfere with their ability to obtain and maintain themselves in housing who, without appropriate supportive services, ~~will are~~ not be able to maintain themselves in housing.

Selection of applicants in the targeted funding Family Unification Program (FUP) 2008 allocation ~~will be~~ completed in conjunction with referrals from ~~the~~ Montgomery County ~~Department of~~ Health and Human Services (~~MCHHS~~). HOC will accept families certified by the MCHHS as eligible applicants for FUP. HOC will compare the names provided with the names on the current HOC waiting list. Any referred family on the HOC waiting list ~~will be~~ served first. Those families referred and not on the HOC waiting list will be added to the waiting list and served based on date of referral or on a first come first served basis.

M. FINAL VERIFICATION OF PREFERENCES [24 CFR 5.415]

Preference information on pre-applications ~~will be~~ updated as applicants are selected from the waiting list. At that time, ~~the PHA~~ HOC will obtain necessary verifications of preference(s) at the interview and by third party verification.

Subsection A – Secondary Review/Credit Checks

Before issuing vouchers to applicant families, ~~the Housing Authority~~ HOC requests a credit report of all new applicant families, all adults (persons 18 years of age and older) who will reside in the assisted household. The credit report ~~will be~~ reviewed by ~~the Housing Authority~~ HOC. Applicant households claiming they have zero income ~~will~~ automatically undergo a credit check review. The information contained in the credit check ~~will be~~ used to confirm the information provided to ~~the Housing Authority~~ HOC by the family. Specially, the credit report ~~will be~~ used to confirm:

1. **Employment:** A credit report will list any employers the applicant has listed in any recent credit applications. If the credit report reveals employment for any adult household member within the last 12 months that was not disclosed, the family will be asked to provide additional documentation to resolve the discrepancy. Failure to disclose current employment may result in denial of participation in the Housing Choice Voucher and Section 8 programs.
2. **Aliases:** A credit report can provide information on other names that have been used for the purposes of obtaining credit. Common reasons for use of other names include a recent marriage or a divorce. If an alias has not been disclosed to ~~the~~

~~Housing Authority~~HOC, the family will be asked to provide additional evidence of the legal identity of all adult family members.

3. **Current and previous addresses:** A credit report can provide a history of where the family has lived. This is particularly important because ~~the Housing Authority~~HOC provides a residency preference. If the family has provided one address to ~~the Housing Authority~~HOC and the credit report indicates a different address, the family will be asked to provide additional proof of residency. This may include a history of utility bills, bank statements, school enrollment records for children, credit card statements, and/or other relevant documentation. Failure to provide adequate proof could result in denial of the residency preference.
4. **Credit card and loan payments:** A credit report will usually include a list of the family's financial obligations. Examples of the items that may show up include car loans, mortgage loans, student loans, and credit cards payments. ~~The Housing Authority~~HOC will review this information to confirm the income and asset information provided by the family. If the family's current financial obligations (total amount of current monthly payments) exceed the amount of income reported by the family, ~~the Housing Authority~~HOC will ask the family to disclose how they are currently meeting their financial obligations. Accounts that have been charged off or are significantly delinquent are not included in this calculation. Failure to provide adequate proof of income could result in denial of participation in the Housing Choice Voucher and Section 8 programs.
5. **Multiple Social Security Numbers:** A credit report may list multiple Social Security numbers if an adult family member has used different Social Security numbers to obtain credit. If the credit report information does not match the information provided by an adult family member, the family member or head of household will be required to obtain written confirmation of the Social Security number that was issued to him/her from the Social Security Administration.

~~Applicant~~ families ~~will are~~ not ~~be~~ issued a vouchers until all discrepancies between the information provided by the applicant family and the information contained in the credit report have been cleared by the applicant family and approved by ~~the Housing Authority~~HOC.

When discrepancies are found, the family will be contacted by ~~the Housing Authority~~HOC. In most cases, the family will be allowed a maximum of ten (10) business days to provide the additional information. On a case-by-case basis, as a reasonable accommodation, the family may be granted additional time. If additional time is granted, the family receives written notification of the new deadline. No second or additional extensions will be granted. Failure to provide the required information to ~~the Housing Authority~~HOC could result in denial of participation in the Housing Choice Voucher and Section 8 Programs.

When the credit report reveals multiple discrepancies which require interview appointments, ~~the Housing Authority~~HOC will schedule up to two interview appointments. An additional appointment may be scheduled as a reasonable accommodation. Failure to appear at the interview

session could result in denial of participation in the Housing Choice Voucher and Section 8 Programs.

N. PREFERENCE DENIAL [24 CFR 5.415]

If ~~the PHAHOC~~ denies a preference, ~~the PHAHOC will notify~~ the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal review to appeal the decision. If the preference denial is upheld as a result of the review, or the applicant does not request a review, the preference ~~will be~~ removed from the applicant's entry on the ~~waiting~~ list, returning the applicant to their regular date-time positioning. Applicants may exercise other rights if they believe they ~~have been~~ are a victim of discrimination ~~against~~.

If the applicant falsifies documents or makes false statements in order to qualify for any preference, they will be removed from the ~~waiting~~ list.

O. REMOVAL FROM THE WAITING LIST AND PURGING [24 CFR 982.204(c)]

~~The Housing Opportunities Commission~~ HOC will not remove an applicant's name from the ~~waiting~~ list unless:

1. The applicant requests in writing that their name be removed;
2. The applicant fails to respond to an electronic or written request for information or a request to declare their continued interest in the program; or
3. The applicant does not meet either the eligibility or suitability criteria for the program.
4. The applicant refuses two housing units without good cause.

Obligation to Annually Confirm Application Information

Each year, or at such time as ~~the Housing Opportunities Commission~~ HOC determines reasonable, ~~the Housing Opportunities Commission~~ HOC will issue notice to all applicants on the wait list requesting that each applicant ~~update their application information~~ confirm their continued interest in remaining on the wait list. Failure to ~~update~~ renew the information in a timely manner will result in removal from the ~~waiting~~ list.

~~The Housing Opportunities Commission~~ HOC will provide notice to wait list applicants to update ~~confirm their continued interest~~ the information and set a date by which ~~that their information~~ renewal must be ~~updated~~ completed or ~~confirmed as having not changed~~. ~~The Housing Opportunities Commission~~ HOC will send notices thirty days, fifteen days, five days, and one day prior to the date when that ~~update~~ renewal or confirmation is due.

All notices under this Section ~~shall be~~ sent by ~~the Housing Opportunities Commission~~ HOC electronically to the last known e-mail address ~~and by SMS text to the mobile number~~ listed on the application. Wait list applicants may also request text message notifications. ~~To the extent~~ If a

family does not have an e-mail address, ~~the Housing Opportunities Commission~~HOC can assist the family in obtaining a free email account. It will be the applicant's sole responsibility to check that email account from time to time and to respond to any email and/or SMS text from ~~the Housing Opportunities Commission~~HOC. To the extent an applicant requires assistance, upon request, staff from ~~the Housing Opportunities Commission~~HOC ~~will be~~ available to assist with electronic submissions ~~and may issue postcard notification of the need to certify continued interest in housing programs.~~

Should an applicant not respond to the request to confirm their continued interest in remaining on the wait list by renewing their application for updated information or to their notification of selection for the a program for any reason, prior to the established deadline, the applicant ~~will be~~ ~~deleted~~ ~~removed~~ from the waiting list. Reasons for non-response, resulting in ~~deletion~~ ~~removal~~ from the list, include (but are not limited to) negligence in completing the electronic update/application in a timely manner and relocation resulting in a return of the e-notice to ~~the Housing Opportunities Commission~~ HOC with no forwarding e-mail address provided. Applicants removed from the wait list will receive a notification identifying their removal from Housing Path.

Missed Appointments

All applicants who fail to keep a scheduled appointment with ~~the Housing Opportunities Commission~~HOC ~~will be~~ sent a written notice of termination of the process for eligibility. That written notification of termination may be sent as an attachment to an e-mail.

~~The Housing Opportunities Commission~~HOC will allow the family to reschedule an appointment for good cause. Generally, no more than one opportunity ~~will be~~ given to reschedule without good cause, and no more than two opportunities ~~will be~~ given for good cause. When good cause exists for missing an appointment, ~~the Housing Opportunities Commission~~HOC will work closely with the family to find a more suitable time. Applicants ~~will be~~ advised of their right to an informal review before being removed from the waiting list.

Notification of Negative Actions

Any applicant whose name is being removed from the waiting list will be notified by ~~the Housing Opportunities Commission~~HOC, in writing, that they have ten (10) calendar days from the date of the written correspondence to present mitigating circumstances or request an informal review. The letter will also indicate that their name will be removed from the waiting list if they fail to respond within the timeframe specified. ~~The Housing Opportunities Commission~~HOC's system of removing applicant names from the waiting list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, ~~the Housing Opportunities Commission~~HOC will verify that there is in fact a disability, that the disability is what caused the failure to respond, and then provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of their original application.

Purging the Waiting List

~~The Housing Opportunities Commission~~HOC will update and purge its waiting list as needed to ensure that the pool of applicants reasonably represents the interested families for whom ~~the Housing Opportunities Commission~~HOC has current information, i.e. applicant's address, family composition, income category, and preferences.