

Exhibit 2-6 Waiting List Management

HUD Regulation – 24 CFR 982.54

(d) The PHA administrative plan must cover PHA policies on these subjects:
(1) Selection and admission of applicants from the PHA waiting list, including any PHA admission preferences, procedures for removing applicant names from the waiting list, and procedures for closing and reopening the PHA waiting list.

HUD Regulation – 24 CFR 983.251

(c) Selection from PHA waiting list.
(1) Applicants who will occupy PBV units must be selected by the PHA from the PHA waiting list. The PHA must select applicants from the waiting list in accordance with the policies in the PHA administrative plan.

AHFC Policy

1. AHFC complies with the regulations cited above in the creation and maintenance of its program waiting lists.
2. AHFC's waiting list procedures for Set-Aside programs may vary from those in this exhibit. See Chapter 11 and its exhibits for specific instructions.
3. AHFC has an exception to the requirement in 24 CFR 983.251 for PHA-managed waiting lists with MTW Activity 2010-7 Project-Based Vouchers – Owner-Managed Waiting Lists approved by the AHFC Board of Directors with Resolution 09-10 dated April 23, 2009. For those developments not managed by AHFC, the owner/operator will be responsible for waiting list creation and maintenance. See Chapter 15.

1. Creating or Opening a List

HUD Regulation – 24 CFR 982.204

(a) Admission from waiting list. Except for special admissions, participants must be selected from the PHA waiting list. The PHA must select participants from the waiting list in accordance with admission policies in the PHA administrative plan.

(e) Funding for specified category of waiting list families. When HUD awards an PHA program funding for a specified category of families on the waiting list, the PHA must select applicant families in the specified category.

(f) Number of waiting lists. A PHA must use a single waiting list for admission to its Section 8 tenant-based assistance program. However, the PHA may use a separate single waiting list for such admissions for a county or municipality.

HUD Regulation – 24 CFR 983.251

(c) Selection from PHA waiting list.

(2) The PHA may use a separate waiting list for admission to PBV units or may use the same waiting list for both tenant-based assistance and PBV assistance. If the PHA chooses to use a separate waiting list for admission to PBV units, the PHA must offer to place applicants who are listed on the waiting list for tenant-based assistance on the waiting list for PBV assistance.

(3) The PHA may use separate waiting lists for PBV units in individual projects or buildings (or for sets of such units) or may use a single waiting list for the PHA's whole PBV program. In either case, the waiting list may establish criteria or preferences for occupancy of particular units.

(4) The PHA may merge the waiting list for PBV assistance with the PHA waiting list for admission to another assisted housing program.

(5) The PHA may place families referred by the PBV owner on its PBV waiting list.

1.A Public Notice

HUD Regulation – 24 CFR 982.202

(c) Applicant status. An applicant does not have any right or entitlement to be listed on the PHA waiting list, to any particular position on the waiting list, or to admission to the programs.

HUD Regulation – 24 CFR 982.206

(a) Public notice.

(1) When the PHA opens a waiting list, the PHA must give public notice that families may apply for tenant-based assistance. The public notice must state where and when to apply.

(2) The PHA must give the public notice by publication in a local newspaper of general circulation, and also by minority media and other suitable means. The notice must comply with HUD fair housing requirements.

(3) The public notice must state any limitations on who may apply for available slots in the program.

(b) Criteria defining what families may apply.

(1) The PHA may adopt criteria defining what families may apply for assistance under a public notice.

(2) If the waiting list is open, the PHA must accept applications from families for whom the list is open unless there is good cause for not accepting the application (such as denial of assistance because of action or inaction by members of the family) for the grounds stated in §§ 982.552 and 982.553.

AHFC Policy

1. The Public Housing Director or designee will decide when to create or open a waiting list.
2. AHFC will provide a minimum two week (14 calendar days) public notice prior to opening a waiting list.
3. AHFC may set a period for acceptance of applications, such as a number of days or weeks, depending on the anticipated number of applications needed.
4. AHFC may choose to not accept applications in person at site locations when a waiting list reopens. AHFC may choose one or all of the following application submission requirements: 1) mailing; 2) drop-off at a designated location, 3) facsimile, or 4) on-line submission.
5. The public notice will provide details regarding any ranking criteria used to select applicants from a list.

AHFC may apply one of the following methods of ranking new applicants depending upon the number of applications needed and the number received. AHFC may:

1. Apply a lottery to the entire list to rank and then choose the number of applicants that can reasonably be expected to be housed in the following 24 months;
or
1. Screen applications for eligibility by date and time and application of any existing preferences or combination of preferences; or
2. Screen applications for predefined income levels using date and time of application to meet income targeting requirements.

1.B Merging Lists

HUD Regulation – 24 CFR 903.7

What information must a PHA provide in the Annual Plan?

(b) A statement of the PHA's deconcentration and other policies that govern eligibility, selection, and admissions.

(2) Waiting List Procedures. The PHA's procedures for maintaining waiting lists for admission to the PHA's public housing developments. The statement must address any site-based waiting lists, as authorized by section 6(s) of the 1937 Act (42 U.S.C. 1437d(s)), for public housing. Section 6(s) of the 1937 Act permits PHAs to establish a system of site-based waiting lists for public housing that is consistent with all applicable civil rights and fair housing laws and regulations. Notwithstanding any other regulations, a PHA may adopt site-based waiting lists where:

- (i) The PHA regularly submits required occupancy data to HUD's Multifamily Tenant Characteristics Systems (MTCS) in an accurate, complete and timely manner;

- (ii) The system of site-based waiting lists provides for full disclosure to each applicant of any option available to the applicant in the selection of the development in which to reside, including basic information about available sites (location, occupancy, number and size of accessible units, amenities such as day care, security, transportation and training programs) and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types (e.g., regular or accessible) at each site;
- (iii) Adoption of site-based waiting lists would not violate any court order or settlement agreement, or be inconsistent with a pending complaint brought by HUD;
- (iv) The PHA includes reasonable measures to assure that adoption of site-based waiting lists is consistent with affirmatively furthering fair housing, such as reasonable marketing activities to attract applicants regardless of race or ethnicity;
- (v) The PHA provides for review of its site-based waiting list policy to determine if the policy is consistent with civil rights laws and certifications through the following steps:
 - (A) As part of the submission of the Annual Plan, the PHA shall assess changes in racial, ethnic or disability-related tenant composition at each PHA site that may have occurred during the implementation of the site-based waiting list, based upon MTCS occupancy data that has been confirmed to be complete and accurate by an independent audit (which may be the annual independent audit) or is otherwise satisfactory to HUD;
 - (B) At least every three years the PHA uses independent testers or other means satisfactory to HUD, to assure that the site-based waiting list is not being implemented in a discriminatory manner, and that no patterns or practices of discrimination exist, and providing the results to HUD;
 - (C) Taking any steps necessary to remedy the problems surfaced during the review; and
 - (D) Taking the steps necessary to affirmatively further fair housing.

HUD Regulation – 24 CFR 982.205

(a) Merger and cross-listing

(1) Merged waiting list. A PHA may merge the waiting list for tenant-based assistance with the PHA waiting list for admission to another assisted housing program, including a federal or local program. In admission from the merged waiting list, admission for each federal program is subject to federal regulations and requirements for the particular program.

(2) Non-merged waiting list: Cross-listing. If the PHA decides not to merge the waiting list for tenant-based assistance with the waiting list for the PHA's

public housing program, project-based voucher program or moderate rehabilitation program:

- (i) If the PHA's waiting list for tenant-based assistance is open when an applicant is placed on the waiting list for the PHA's public housing program, project-based voucher program or moderate rehabilitation program, the PHA must offer to place the applicant on its waiting list for tenant-based assistance.
- (ii) If the PHA's waiting list for its public housing program, project-based voucher program or moderate rehabilitation program is open when an applicant is placed on the waiting list for its tenant-based program, and if the other program includes units suitable for the applicant, the PHA must offer to place the applicant on its waiting list for the other program.

HUD Regulation - 24 CFR 983.251

(c) Selection from PHA waiting list.

(2) The PHA may use a separate waiting list for admission to PBV units or may use the same waiting list for both tenant-based assistance and PBV assistance. If the PHA chooses to use a separate waiting list for admission to PBV units, the PHA must offer to place applicants who are listed on the waiting list for tenant-based assistance on the waiting list for PBV assistance.

(4) The PHA may merge the waiting list for PBV assistance with the PHA waiting list for admission to another assisted housing program.

AHFC Policy

AHFC has established a mixture of site-based waiting lists and jurisdiction-based waiting lists.

1.C Organizing a List

HUD Regulation - 24 CFR 982.204

(b) Organization of waiting list. The PHA must maintain information that permits the PHA to select participants from the waiting list in accordance with the PHA admission policies. The waiting list must contain the following information for each applicant listed:

- (1) Applicant name;
- (2) Family unit size (number of bedrooms for which family qualifies under PHA occupancy standards);
- (3) Date and time of application;
- (4) Qualification for any local preference;
- (5) Racial or ethnic designation of the head of household.

2. Working a List

2.A Choosing a List Version

AHFC Policy

1. AHFC will update the waiting list on a regular basis to assign waiting list positions.
2. AHFC will print a list when there are anticipated or available vacancies.

2.B Selection

HUD Regulation – 24 CFR 982.202

How applicants are selected: General requirements.

(a) Waiting list admissions and special admissions. The PHA may admit an applicant for participation in the program either:

- (1) As a special admission (see § 982.203).
- (2) As a waiting list admission (see § 982.204 through § 982.210).

HUD Regulation – 24 CFR 982.204

(d) Family size.

(1) The order of admission from the waiting list may not be based on family size, or on the family unit size for which the family qualifies under the PHA occupancy policy.

(2) If the PHA does not have sufficient funds to subsidize the family unit size of the family at the top of the waiting list, the PHA may not skip the top family to admit an applicant with a smaller family unit size. Instead, the family at the top of the waiting list will be admitted when sufficient funds are available.

AHFC Policy

1. AHFC will select and qualify applicant families to fully utilize its allocated budget.
2. AHFC will select as many families as needed to fill anticipated or available vacancies. A family is considered “selected” once an interview notification is sent to the family.
3. Once a family has been selected, AHFC will complete the eligibility process for that family.
4. If a family does not receive an offer of admission before the verifications in the file expire, the family will be returned to their place on the waiting list without penalty.

2.B.1. Date/Time

AHFC Policy

For those lists organized by date and time of application, AHFC will select applicants in the order they are listed on the waiting list. Family size or family unit size will not affect the families' order for selection.

2.B.2. Lottery

AHFC Policy

For those lists organized by assignment of a random, lottery number, AHFC will select applicants in order of their lottery number.

2.B.3. Preferences

HUD Regulation - 24 CFR 982.202

(d) Admission policy. The PHA must admit applicants for participation in accordance with HUD regulations and other requirements, including, but not limited to, 24 CFR part 5, subpart L, protection for victims of domestic violence, dating violence, or stalking, and with PHA policies stated in the PHA administrative plan and the PHA plan. The PHA admission policy must state the system of admission preferences that the PHA uses to select applicants from the waiting list, including any residency preference or other local preference.

HUD Regulation - 24 CFR 982.207

Waiting list: Local preferences in admission to program.

(c) Selection among families with preference. The PHA system of preferences may use either of the following to select among applicants on the waiting list with the same preference status:

- (1) Date and time of application; or
- (2) A drawing or other random choice technique.

AHFC Policy

For those lists with applicable preferences, AHFC will order families first by preference points and then by date and time of application.

2.B.4. Targeted Admissions

AHFC Policy

If selection of applicants by date and time of application is not sufficient to meet income targeting requirements, AHFC may choose to re-order its waiting lists for a program to serve extremely and very low income families first.

2.C List Notations

AHFC Policy

AHFC will document the status of each applicant family on the printed copy of the waiting list. Notations may include:

1. Applicants to be withdrawn due to failure to respond or meet eligibility requirements.
2. Applicants manually added to a list due to incorrect placement on another waiting list or factors that cause a family to be re-ranked. Any manual additions will be corrected electronically so that the applicant is correctly placed on the next generation of the waiting list.
3. Applicants requesting to be skipped due to family circumstances.
4. Notes regarding selection of particular families to meet income targeting or accessible unit needs.

2.D Applicant "Skip" Requests

AHFC Policy

An applicant may request to be skipped for a specific time. Requests to be skipped on a waiting list must be based on reasonable mitigating or extenuating circumstances. Examples may include hospitalization, completion of a treatment program, a death in the family, short-term care of a family member outside the state, etc.

1. Skip requests are meant to be of short-term duration.
 - a. Local office staff may approve a skip request for 60 days or less.
 - b. Requests for more than 60 days must be approved by a supervisor or regional manager or designee.
 - c. Requests for more than 120 days must be approved by the Housing Operations Director.
2. When an applicant is skipped, it means that the applicant does not incur any penalty and may maintain his/her current waiting list position.
3. The applicant does not receive any "favored" placement on subsequent waiting lists and will be ranked according to the date/time of his/her application and any applicable preferences.

2.E Applicant Changes

AHFC Policy

Applicants must provide AHFC with written notification of changes in family composition or mailing address. Applicants may provide unit accessibility needs verbally or in writing. AHFC will respond promptly to applicant changes.

2.F Exhausting a List

AHFC Policy

If the number of applicants on a waiting list are insufficient to fill available or anticipated vacancies, AHFC will process existing applicants' eligibility before proceeding to a new version of a list.

3. Withdrawing an Applicant

HUD Regulation - 24 CFR 982.204

(c) Removing applicant names from the waiting list.

(1) The PHA administrative plan must state PHA policy on when applicant names may be removed from the waiting list. The policy may provide that the PHA will remove names of applicants who do not respond to PHA requests for information or updates.

(2) An PHA decision to withdraw from the waiting list the name of an applicant family that includes a person with disabilities is subject to reasonable accommodation in accordance with 24 CFR part 8. If the applicant did not respond to the PHA request for information or updates because of the family member's disability, the PHA must reinstate the applicant in the family's former position on the waiting list.

AHFC Policy

AHFC will withdraw an applicant from a list:

1. If any notice or appointment letter to the applicant is returned by the postal service unopened or as undeliverable.
2. If an applicant requests to be withdrawn.
3. If an applicant declines an offer of assistance.
4. If an applicant reports changes that make the applicant ineligible for that list.
5. If an applicant fails to submit required verifications or attend an eligibility appointment.
6. If an applicant leases with an Classic, Step, or NED voucher, the family will be withdrawn from all other AHFC voucher waiting lists.
 - a. Families with a time-limited voucher may remain active on other voucher waiting lists (except Step Program voucher families).
 - b. Families with a Moving Home voucher may remain active on other voucher waiting lists.
 - c. Families with a project-based voucher may remain active on other voucher waiting lists.

3.A Waiting List Updates

AHFC Policy

1. AHFC will mail waiting list update letters to applicants on an as needed basis.
2. Update letters will specify a response deadline date.
3. Failure by an applicant to respond will result in withdrawal of the applicant from the waiting list.
4. AHFC will not send further notification to an applicant when an applicant is withdrawn for failure to respond.

3.B Application Reinstatement

AHFC Policy

1. An applicant may request reinstatement to a waiting list within a reasonable time from the date of withdrawal.
2. Requests for reinstatement must be based on reasonable mitigating or extenuating circumstances.
3. If an applicant is reinstated, AHFC will use the applicant's original date and time of application when returning the applicant to a waiting list.

4. Closing a List

HUD Regulation - 24 CFR 982.206(c)

Closing waiting list. If the PHA determines that the existing waiting list contains an adequate pool for use of available program funding, the PHA may stop accepting new applications, or may accept only applications meeting criteria adopted by the PHA.

AHFC Policy

1. The Public Housing Director or designee will decide when to close a waiting list.
2. AHFC will provide a minimum two week (14 calendar days) public notice prior to closing a waiting list.
3. Once a list is closed, AHFC will not accept applications for that list.

5. Archiving

AHFC will archive waiting lists and supporting materials in accordance with HUD regulations and AHFC guidelines.

Numbered Memo

20-27 Exhibit 2-6 Waiting List Management