

Chapter 2

Eligibility and Admission

HUD Regulation – 24 CFR 880.601(b)

Management and maintenance. The owner is responsible for all management functions, including determining eligibility of applicants, selection of tenants, reexamination and verification of family income and composition, determination of family rent (total tenant payment, tenant rent and utility reimbursement), collection of rent, termination of tenancy and eviction, and performance of all repair and maintenance functions (including ordinary and extraordinary maintenance), and replacement of capital items. (See part 5 of this title.) All functions must be performed in accordance with applicable equal opportunity requirements.

AHFC Policy

AHFC has established an application and selection process that treats applicants fairly and consistently and provides an effective method for determining eligibility. AHFC will carefully review all information provided by a family and those factors authorized by this chapter.

Admission and eligibility criteria for AHFC properties with designated housing plans may vary from the policy and procedures outlined in this chapter and exhibits. See Special Programs exhibits for specific designated housing plans.

1. Reasonable Accommodation

A Reasonable Accommodation process is available to those applicants requiring additional assistance due to a disability. Assistance is also available for limited English proficiency applicants. An applicant can inquire at the local AHFC office for information and assistance with these processes.

2. Application Information

HUD Regulation – 24 CFR 880.603(a)

Application. The owner must accept applications for admission to the project in the form prescribed by HUD. Both the owner (or designee) and the applicant must complete and sign the application. For this part 880 and 24 CFR part 881 projects, on request, the owner must furnish copies of all applications to HUD and the PHA, if applicable. For 24 CFR part 883 projects, on request, the owner must furnish to the Agency or HUD copies of all applications received.

AHFC provides information regarding housing options to families. AHFC is also available to assist a family with completion of their application. An applicant may obtain an application by:

- Picking it up at a local AHFC office,
- Accessing it on the AHFC web site (<https://www.ahfc.us/publichousing/rental-programs/applications/>), or
- Asking AHFC to mail it.

Whenever requested, AHFC will provide applications to social service and advocacy agencies for the convenience of their clients.

2.A Application Submittal

AHFC will accept applications for all open waiting lists. Applications may be submitted to AHFC by mail, by facsimile, electronically (when specified), or in person.

AHFC serves a number of communities in Alaska with a variety of programs. Each area's application captures family interest for their particular programs. An applicant must complete a separate application for each geographic area in which the applicant wishes to apply.

2.B Application Process

Applications will be processed in the order they are received. Applications, whether eligible or ineligible, will be acknowledged by written notification to the applicant.

- Incomplete applications will be returned with instructions to complete the missing information.
- Applications for closed waiting lists will be shredded.

2.B.1. Closed Waiting List Applications

AHFC will notify applicants for closed waiting lists in writing. AHFC will hold the application and any supporting documentation for a minimum of **ten (10) calendar days** from the date of the Closed Waiting List Application letter before destroying it.

2.B.2. Eligible Applicants

If an applicant is determined eligible, his/her name will be added to the waiting list in order of the date and time the application was received. AHFC will provide a written notification to the applicant.

For those applications submitted through a lottery process, applications are not ranked until the submittal period has ended. Once all applications are entered, applications are randomized and assigned a ranking. The ranking determines the order of the waiting list.

2.B.3. Ineligible Applicants

Applicants determined ineligible will receive a written notification. The written notification will provide the applicant with their right to appeal the decision. See Applicant Informal Review Process.

3. Waiting List Management

The S8N Multifamily Housing Program waiting list is maintained separately from the Housing Choice Voucher and Public Housing program waiting lists. See Waiting List Management for AHFC's procedures including opening, closing, purging, ranking, and selecting from a waiting list.

3.A Application Status Changes

Applicants may request changes to their application while on a waiting list. See Waiting List Management for AHFC's procedures.

3.B Money Owed to AHFC

For individuals that owe money to AHFC due to prior program participation, they may be accepted on a waiting list. AHFC must be paid in full prior to an offer of admission.

3.C Preferences

See Local Preferences for available AHFC application preferences.

3.D Occupancy Standards

AHFC will place families on waiting lists by bedroom size according to the family's size and composition factors. See the S8N Multifamily Housing Program Occupancy Standards exhibit.

4. Eligibility Criteria

HUD Regulation – 24 CFR 880.603

Determination of eligibility and selection of tenants. The owner is responsible for obtaining and verifying information related to income eligibility in accordance with 24 CFR part 5, subpart F, and evidence related to citizenship and eligible immigration status in accordance with 24 CFR part 5, subpart E, to determine whether the applicant is eligible for assistance in accordance with the requirements of 24 CFR part 5, and to select families for admission to the program, which includes giving selection preferences in accordance with 24 CFR part 5, subpart D.

HUD Regulation – 24 CFR 5.653(b)

Who is eligible? –

(1) Basic eligibility. An applicant must meet all eligibility requirements in order to receive housing assistance. At a minimum, the applicant must be a family, as defined in §5.403, and must be income-eligible, as described in this section. Such eligible applicants include single persons.

(2) Low income limit. No family other than a low income family is eligible for admission to the Section 8 project-based assistance programs. (This paragraph (b) does not apply to the Section 8 project-based voucher program under part 983 of this title.)

AHFC Policy

1. Family – see Qualify as a Family
2. Income – see Meet Income Eligibility Requirements
3. Citizenship – see Meet Citizenship Requirements
4. Screening – see Meet Screening Criteria

4.A Initial Eligibility Interview

See the Initial Examination Process for how AHFC manages the interview process.

4.B Senior/Disabled Housing Eligibility

The head of household, spouse, or co-head of a family (or single person) must be 62 years of age or older or a person with a disability to be housed in the following Senior/Disabled developments.

- Anchorage – Chugach View
- Cordova – Sunset View
- Fairbanks – Golden Towers
- Seward – Glacier View

The Fair Housing Act prohibits owners from discrimination on the basis of familial status, making it illegal to discriminate against families with children, unless the housing is exempt as housing for older persons under the Fair Housing Act. Currently, AHFC senior/disabled properties are not classified as housing for older persons. Families, not AHFC, will decide whether a property is suitable for children (e.g., decisions about high-rise units with balconies, properties with no green space or playground equipment, etc.).

4.C Offer of Assistance

HUD Regulation – 24 CFR 880.603(b)(1)

Determination of eligibility and selection of tenants.

If the owner determines that the family is eligible and is otherwise acceptable and units are available, the owner will assign the family a unit of the appropriate size in accordance with HUD standards.

AHFC Policy

1. Once the applicant or individual has met all screening criteria, AHFC may extend an offer of assistance. See Pre-Occupancy Briefing for guidelines on conducting the pre-occupancy briefing.
2. Documentation verifying a family's eligibility for admission will be no older than 60 days from the date of the pre-occupancy briefing or lease signing, whichever is earliest. This does not include "permanent" verifications such as a previous tenancy, picture identification, or social security number.

4.D Denial of Assistance

HUD Regulation – 24 CFR 880.603(b)(2)

Determination of eligibility and selection of tenants.

If the owner determines that an applicant is ineligible on the basis of income or family composition, or because of failure to meet the disclosure and verification requirements for Social Security Numbers (as provided by 24 CFR part 5), or because of failure by an applicant to sign and submit consent forms for the obtaining of wage and claim information from State Wage Information Collection Agencies (as provided by 24 CFR parts 5 and 813), or that the owner is not selecting the applicant for other reasons, the owner will promptly notify the applicant in writing of the determination and its reasons, and that the applicant has the right to meet with the owner or managing agent in accordance with HUD requirements. Where the owner is a PHA, the applicant may request an informal hearing. If the PHA determines that the applicant is not eligible, the PHA will notify the applicant and inform the applicant that he or she has the right to request HUD review of the PHA's determination. The applicant may also exercise other rights if the applicant believes that he or she is being discriminated against on the basis of race, color, creed, religion, sex, or national origin. See 24 CFR part 5 for the informal review provisions for the denial of a Federal preference or the failure to establish citizenship or eligible immigration status and for notice requirements where assistance is terminated, denied, suspended, or reduced based on wage and claim information obtained by HUD from a State Wage Information Collection Agency.

AHFC Policy

See Applicant and Tenant Grievances.

5. Continuously Assisted

AHFC Policy

A continuously assisted family is defined as a family that has received rental assistance within the last 90 days. For families that have exhausted their rental assistance and are reapplying, continuously assisted will not apply. These families must meet all initial eligibility requirements.

6. File Maintenance and Archiving

HUD Regulation – 24 CFR 880.603(b)(3)

Records on applicants and approved eligible families, which provide racial, ethnic, gender and place of previous residency data required by HUD, must be maintained and retained for three years.

HUD Regulation – 24 CFR 5.655(f)

Reporting. The Section 8 owner must comply with HUD-prescribed reporting requirements, including income reporting requirements that will permit HUD to maintain the data necessary to monitor compliance with income-eligibility and income-targeting requirements.

See Quality Assurance and File Maintenance for instructions on archiving applications and waiting list documentation.

Numbered Memo

18-31 Chapter 2 Eligibility and Admission