



## Chapter 4

### **Applications, Wait Lists, and Tenant Selection**

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# Chapter 4

## **APPLICATIONS, WAITING LIST AND TENANT SELECTION**

### **INTRODUCTION**

When a family wishes to receive assistance under the HCV program, the family must submit an application that provides the PHA with the information needed to determine the family's eligibility. HUD requires the PHA to place all families that apply for assistance on a waiting list. When HCV assistance becomes available, the PHA must select families from the waiting list in accordance with HUD requirements and PHA policies as stated in the administrative plan and the annual plan.

The PHA is required to adopt clear policies and procedures for accepting applications, placing families on the waiting list, and selecting families from the waiting list, and must follow these policies and procedures consistently. The actual order in which families are selected from the waiting list can be affected if a family has certain characteristics designated by HUD or the PHA that justify their selection. Examples of this are the selection of families for income targeting and the selection of families that qualify for targeted funding.

HUD regulations require that all families have an equal opportunity to apply for and receive housing assistance, and that the PHA affirmatively further fair housing goals in the administration of the program [24 CFR 982.53, HCV GB p. 4-1]. Adherence to the selection policies described in this chapter ensures that the PHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and PHA policies for taking applications, managing the waiting list and selecting families for HCV assistance. The policies outlined in this chapter are organized into three sections, as follows:

Part I: The Application Process. This part provides an overview of the application process, and discusses how applicants can obtain and submit applications. It also specifies how the PHA will handle the applications it receives.

Part II: Managing the Waiting List. This part presents the policies that govern how the PHA's waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for assistance. It also discusses the process the PHA will use to keep the waiting list current.

Part III: Selection for HCV Assistance. This part describes the policies that guide the PHA in selecting families for HCV assistance as such assistance becomes available. It also specifies how in-person interviews will be used to ensure that the PHA has the information needed to make a final eligibility determination.

# **PART I: THE APPLICATION PROCESS**

## **4-I.A. OVERVIEW**

This part describes the PHA policies for making applications available, accepting applications making preliminary determinations of eligibility, and the placement of applicants on the waiting list. This part also describes the PHA's obligation to ensure the accessibility of the application process to elderly persons, people with disabilities, and people with limited English proficiency (LEP).

## **4-I.B. APPLYING FOR ASSISTANCE [HCV GB, pp. 4-11 – 4-16, Notice PIH 2009-36]**

Any family that wishes to receive HCV assistance must apply for admission to the program. HUD permits the PHA to determine the format and content of HCV applications, as well how such applications will be made available to interested families and how applications will be accepted by the PHA. The PHA must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of the PHA's application.

### **Commerce Policy**

**To be placed on the waiting list, an interested family must complete and submit an application form either electronically or by mail. Information on how to apply can be found at Commerce's website located at: <https://commerce.mt.gov/Housing/Rental-Assistance/Housing-Choice-Voucher-Program>. Paper applications may be mailed, faxed (406-841-2810), or submitted over the phone by the interested family to Commerce and/or Field Agency as needed as a reasonable accommodation.**

**The applicant must specify the Field Agency area (jurisdiction) they wish to apply to at the time the application is submitted to Commerce. Applicants**

are not required to select the jurisdiction they reside in. An applicant may select only one Field Agent area. The applicant may indicate interest in a special population program on the HCV application. The applicant will be required to conduct all transactions (i.e., briefing; interviews, paperwork etc.) with the agency listed on their Waiting List application. For persons with disabilities requiring an accommodation, a request to change Field Agent area may be verbal.

In 2025 Commerce will be adding a separate waiting list for the Mainstream Voucher program as well as moving Moderate Rehabilitation to its own waiting list. Applicants who choose to also apply to Moderate Rehabilitation will not lose their place on the HCV Wait List.

## **4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS**

Elderly and Disabled Populations [24 CFR 8 and HCV GB, pp. 4-11 – 4-13]

The PHA must take steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard PHA application process. This could include people with disabilities, certain elderly individuals, as well as persons with limited English proficiency (LEP). The PHA must provide reasonable accommodation to the needs of individuals with disabilities. The application-taking facility and the application process must be fully accessible, or the PHA must provide an alternate approach that provides full access to the application process. Chapter 2 provides a full discussion of the PHA's policies related to providing reasonable accommodations for people with disabilities.

## Limited English Proficiency

PHAs are required to take reasonable steps to ensure equal access to their programs and activities by persons with Limited English Proficiency [24 CFR 1]. Chapter 2 provides a full discussion on the PHA's policies related to ensuring access to people with Limited English proficiency (LEP).

### 4-I.D. PLACEMENT ON THE WAITING LIST

The PHA must review each complete application received and make a preliminary assessment of the family's eligibility. 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) for the grounds stated in the regulations [24 CFR 982.206(b)(2)]. Where the family is determined to be ineligible, the PHA must notify the family in writing [24 CFR 982.201(f)]. Where the family is not determined to be ineligible, the family will be placed on a waiting list of applicants.

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list [24 CFR 982.202(c)].

### Ineligible for Placement on the Waiting List

#### Commerce Policy

**Incomplete applications will not be placed on the Waiting List. Where a family is determined to be ineligible, Commerce will notify the applicant of the incomplete determination within 14 calendar days, if contact information is available. The notice will specify the reasons for ineligibility and will inform the family of its right to request an informal review and explain the process for doing so (see Chapter 16).**

## Eligible for Placement on the Waiting List

### Commerce Policy

Commerce will send written notification of receiving a complete application within 14 calendar days. If this notification letter is returned to Commerce as undeliverable, Commerce will attempt to contact the applicant by alternative means (i.e., phone or email) within 14 calendar days of receiving the returned mail. Commerce will not automatically remove the applicant family for the returned notification of complete application without attempting to correct the address.

Placement on the waiting list does not indicate that the family is eligible for assistance. A final determination of eligibility will be made when the family is selected from the waiting list.



## **PART II: MANAGING THE WAITING LIST**

### **4-II.A. OVERVIEW**

The PHA must have policies regarding various aspects of organizing and managing the waiting list of applicant families. This includes opening the list to new applicants, closing the list to new applicants, notifying the public of waiting list openings and closings, updating waiting list information, purging the list of families that are no longer interested in or eligible for assistance, as well as conducting outreach to ensure a sufficient number of applicants.

In addition, HUD imposes requirements on how a PHA may structure its waiting list and how families must be treated if they apply for assistance from a PHA that administers more than one assisted housing program.

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

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

The waiting list must contain the following information for each applicant listed:

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

HUD requires the PHA to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. Such PHAs are permitted, but not required, to maintain a separate waiting list for each county or municipality served.

### Commerce Policy

**Eligible applicants will be placed on the waiting list and sorted according to chosen program, preference, jurisdiction, and then date and time of application.**

HUD directs that a family that applies for assistance from the HCV program must be offered the opportunity to be placed on the waiting list for any public housing, project-based voucher or moderate rehabilitation program the PHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs.

HUD permits, but does not require, that PHAs maintain a single merged waiting list for their public housing, Section 8, and other subsidized housing programs.

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

### Commerce Policy

**Commerce's waiting lists includes applicants for the HCV program, Mainstream Vouchers, and Moderate Rehabilitation. Commerce will not merge other special program applications with the HCV waiting list. Any subsequent programs that Commerce may administer in the future will operate according to HUD-issued guidance.**

**Moderate Rehabilitation units are contracted project-based properties with assigned unit sizes. Applicants will not be penalized for refusing a Moderate Rehabilitation unit if they desire to wait for an HCV subsidy. Moderate Rehabilitation applicants are put on the Moderate Rehabilitation waiting list as well as on the HCV waiting list according to the jurisdiction, date, and time of their application. The landlord/owner of a Moderate Rehabilitation property reserves the right to select their tenants from the pool of applicants provided off the Moderate Rehabilitation waiting list. If a**

family opts to lease a Moderate Rehabilitation unit, their application will remain on the HCV waiting list. Families will be removed from the HCV waiting list if they refuse both forms of assistance (Moderate Rehabilitation and HCV) and will have to reapply to the HCV and/or Moderate Rehabilitation waiting list.

Once a Moderate Rehabilitation tenant moves to the top of the HCV waiting list and they have been a Moderate Rehabilitation tenant for at least 12 months, Commerce will inform the tenant in writing that they are at the top of the HCV waiting list. If the below conditions are met, the tenant may move and become an HCV tenant. The tenant may also choose to stay in the Moderate Rehabilitation unit and will remain at the top of the HCV waiting list. To request an HCV Voucher after the initial notification, the tenant must contact Commerce in writing to initiate the process.

The following conditions must be met for a Moderate Rehabilitation participant family to change assistance to the HCV program:

The family's application date must place the family at the top of the HCV waiting list;

The family must meet the eligibility requirements for the HCV program;

The family has satisfied the initial one-year term of their Moderate Rehabilitation lease or the term of the HAP contract, whichever is shorter;

Unless the landlord and the family have mutually agreed to rescind the Moderate Rehabilitation lease (only during the first twelve months of lease).

The family must request, in writing with Commerce staff, transfer to the HCV program;

The family must give the landlord a written 30-day notice, or be released from the lease; and

The family must not have adverse program actions pending against them and must not owe any money to any PHA including Commerce. Veterans

Affairs Supportive Housing (HUD-VASH) voucher applicants are referred to Commerce through case management from the Department of Veterans Affairs Medical Center only. Commerce does not maintain a Waiting List for HUD-VASH and PB-VASH applicants.

Commerce will maintain a separate waiting list for the Mainstream voucher program, in accordance with its Memorandum of Understanding with the Montana Department of Public Health and Human Services for referrals to the program. Applicants to the Mainstream voucher waiting list can additionally apply to the HCV waiting list. The Mainstream waiting list will be processed according to date and time of application. Commerce will review eligibility for the Mainstream program based on the identified preferences (for more information see section 4-III.B. Selection and HCV Funding Sources).

## **4-II.C. OPENING AND CLOSING THE WAITING LIST [24 CFR 982.206]**

### **Closing the Waiting List**

A PHA is permitted to close the waiting list if it has an adequate pool of families to use its available HCV assistance. Alternatively, the PHA may elect to continue to accept applications only from certain categories of families that meet particular preferences or funding criteria.

#### **Commerce Policy**

**Commerce may close the waiting list when the estimated waiting period for housing assistance for applicants on the list reaches 24 months for the most current applicants, or when HUD funding is insufficient to cover the expense of releasing additional vouchers.**

**Where Commerce has particular preferences or funding criteria that requires a specific category of family, Commerce may close the waiting list for that limited preference only once the number of applicants who qualify for the preference has been reached. Applicants that have claimed a limited preference remain eligible for assistance, by the date and time of application.**

## Reopening the Waiting List

If the waiting list has been closed, it cannot be reopened until the PHA publishes a notice in local newspapers of general circulation, minority media, and other suitable media outlets. The notice must comply with HUD fair housing requirements and must specify who may apply, and where and when applications will be received.

### Commerce Policy

**Commerce will announce the reopening of the waiting list at least 14 calendar 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.**

**Commerce will give public notice by publishing the information on how to apply on Commerce's website and in local newspapers of general circulation in the State of Montana.**

#### **4-II.D. FAMILY OUTREACH [HCV GB, pp. 4-2 to 4-4]**

The PHA must conduct outreach as necessary to ensure that the PHA has a sufficient number of applicants on the waiting list to use the HCV resources it has been allotted.

Because HUD requires the PHA to admit a specified percentage of extremely low-income families to the program (see Chapter 4, Part III), the PHA may need to conduct special outreach to ensure that an adequate number of such families apply for assistance [HCV GB, p. 4-20 to 4-21].

PHA 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

PHA outreach efforts must be designed to inform qualified families about the availability of assistance under the program. These efforts may include, as needed, any of the following activities:

Submitting press releases to local newspapers, including minority newspapers, and agency website

- 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

**Commerce Policy**

Commerce will monitor the population being served and the population as a whole in Commerce's jurisdiction. Targeted outreach efforts will be undertaken if an annual comparison suggests that certain populations are being underserved.

**4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES****Commerce Policy**

While the family is on the waiting list, the family must contact Commerce and make any applicable changes to update current residence or mailing address, contact information, phone number within 30 calendar days of the change. The applicant can update their application by downloading and sending the Information Change Form on Commerce's website and send to Commerce via email or mail, or by contacting Commerce in writing and notifying of the change in writing. Changes to applications made over the phone will not be accepted unless as a reasonable accommodation. Applicants are encouraged to utilize Assistance Connect to submit contact information changes.

If the family does not report a change which causes Commerce to be unable to reach them by mail within one documented contact attempt, Commerce will remove the family from the wait list through the disposition process. If the notice is returned by the post office, the applicant will be removed from the waiting list without further notice.

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

HUD requires the PHA to establish policies to use when removing applicant names from the waiting list.

### **Purging the Waiting List**

The decision to withdraw 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 a PHA request for information or updates, and the PHA determines that the family did not respond because of the family member's disability, the PHA must reinstate the applicant family to their former position on the waiting list [24 CFR 982.204(c)(2)].

#### **Commerce Policy**

**Commerce may attempt to contact wait list applicants by whatever means is available to reach them including but not limited to electronic, phone, or mail to confirm family information including address, dependents and eligibility information and to determine if the family is still interested in or continues to qualify for the Housing Choice Voucher, Moderate od Rehabilitation, or Mainstream programs.**

**The family must respond to request made by Commerce within 20 calendar days. The family's response must be in writing and may be delivered in person, by mail, by email, Assistance Connect, or by fax. Responses over the phone will be considered on a case-by-case basis as a reasonable accommodation. Responses must be postmarked no later than 20 calendar days from the date of Commerce letter. Failure to respond within 20 calendar days will result in the applicant's name being removed from the waiting list. If the notice is returned by the post office, the applicant will be removed from the waiting list without further notice.**

**If the family contacts Commerce within 20 calendar days after being removed from the waitlist, the family may be reinstated to their former**



position on the wait list if Commerce determines that the family's failure to respond was due to Commerce error, or to circumstances beyond the family's control, as a result of a family member's disability, or as a direct result of status as a victim of domestic violence, dating violence, sexual assault, stalking, or human trafficking, including an adverse factor resulting from such abuse.

## **Removal from the Waiting List**

### **Commerce Policy**

If at any time an applicant family is on one of Commerce's waiting lists, and Commerce determines that the family is not eligible for assistance (see Chapter 3), the family will be removed from that waiting list. Applicant families may be on multiple waiting lists. A determination of ineligibility for one program's waiting list (i.e., Mainstream) may not result in ineligibility for other Programs (i.e., HCV waiting list.).

If a family is removed from the waiting list because Commerce has determined the family is not eligible for assistance, a notice will be sent to the family's address of record as well as to any alternate address that was provided on the initial application or the most recent information change form. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal review regarding Commerce's decision (see Chapter 16) [24 CFR 982.201(f)].

## PART III: SELECTION FOR HCV ASSISTANCE

### 4-III.A. OVERVIEW

As vouchers become available, families on the waiting list must be selected for assistance in accordance with the policies described in this part.

The order in which families are selected from the waiting list depends on the selection method chosen by the PHA and is impacted in part by any selection preferences for which the family qualifies. The availability of targeted funding also may affect the order in which families are selected from the waiting list.

The PHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to the PHA's selection policies [24 CFR 982.204(b) and 982.207(e)].

### 4-III.B. SELECTION AND HCV FUNDING SOURCES

#### Special Admissions [24 CFR 982.203]

HUD may award funding for specifically-named families living in specified types of units (e.g., a family that is displaced by demolition of public housing; a non-purchasing family residing in a HOPE 1 or 2 projects). In these cases, the PHA may admit such families whether or not they are on the waiting list, and, if they are on the waiting list, without considering the family's position on the waiting list. These families are considered non-waiting list selections. The PHA must maintain records showing that such families were admitted with special program funding.

#### Targeted Funding [24 CFR 982.204(e)]

HUD may award a PHA funding for a specified category of families on the waiting list. The PHA must use this funding only to assist the families within the specified category. In order to assist families within a targeted funding category, the PHA may skip families

that do not qualify within the targeted funding category. Within this category of families, the order in which such families are assisted is determined according to the policies provided in Section 4-III.C.

**Commerce Policy**

**Commerce administers the following types of targeted funding. The voucher set aside listed is the maximum number of individuals served in each category:**

<b>Targeted Funding Programs</b>	<b>Number of Set Aside Vouchers</b>
HUD-VASH	332
PB VASH	42
Mainstream	78
Emergency Housing Vouchers	109

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**Regular HCV Funding**

Regular HCV funding may be used to assist any eligible family on the waiting list. Families are selected from the waiting list according to the policies provided in Section 4-III.C.

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

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that the PHA will use [24 CFR 982.202(d)].

## Local Preferences [24 CFR 982.207; HCV p. 4-16]

PHAs are 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 PHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with the PHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

### Commerce Policy

**Commerce's waiting list will be sorted by preference, date and time of application.**

**With this FY2026 PHA Administrative Plan, Commerce is establishing a local preference to serve individuals who are active participants in Montana's Treatment Court system. Eligible individuals must (1) be actively enrolled in Montana's Treatment Court at time of application to the HCV waiting list; active enrollment must be further verified at time of voucher issuance, (2) provide written verification from an authorized Montana Treatment Court representative, which can include the individual's assigned Treatment Court case manager, and (3) the written verification provided must indicate that the individual is in good standing with Montana Treatment Court, including compliance with Treatment Court requirements.**

**Pursuant to 24 CFR 982.207(3), Commerce will limit the number of applicants for the Montana Treatment Court preference to not more than 75.**

**Montana Treatment Courts were first established in 1996 and aim to reduce recidivism and substance abuse amongst participants. Currently, there are 31 Treatment Courts operating throughout the state, including 5 tribal courts. Commerce is establishing this local preference based on local**

housing needs and priorities, using generally accepted data sources. From Commerce’s draft 2025-2029 Consolidated Plan Needs Assessment “Persons with Substance Use Disorders” summary:

The Montana Department of Public Health and Human Services found that an estimated 79,000 Montanans have a substance use disorder...The Montana Substance Use Disorder Task Force found that Opioid use was the largest cause of drug overdose in Montana. An estimated 10.1% of Montana residents in 2017-2019 experienced a substance use disorder, higher than the national average of 7.4%, and an increase from 9.0% in the two years prior.

Establishing this preference also aligns with recommendations from the Montana Substance Use Disorder (SUD) Taskforce established in 2016 under DPHHS. In its most recent strategic plan (2020-2023), the task’s force’s main goal was to reduce drug-related morbidity and mortality across all populations in Montana, and that “this is set to be accomplished through partnerships, surveillance and monitoring, prevention, treatment and recovery, harm reduction, enforcement, and corrections. The plan includes key areas for action, including expanding access to safe, affordable recovery housing.”

Commerce further supports Montana’s Healing and Ending Addiction through Recovery and Treatment (HEART) Initiative. A cornerstone of the Initiative is the HEART 1115 waiver, which was fully approved by the Centers for Medicaid and Medicaid Services (CMS) in 2024. This waiver allows the state to provide new Medicaid Services, including evidence-based stimulant use disorder treatment, tenancy supportive services, reentry services, and substance use disorder (SUD) treatment in larger facilities.

The local preference for Montana Treatment Court participants aligns with

**other state agency efforts (DPHHS, DOJ) to support individuals involved in the criminal justice system who are actively working to increase their stability and ultimate recovery.**

## Income Targeting Requirement [24 CFR 982.201(b)(2)]

HUD requires that extremely low-income (ELI) families make up at least 75 percent of the families admitted to the HCV program during the PHA'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. To ensure this requirement is met, a PHA may skip non-ELI families on the waiting list in order to select an ELI family.

Low-income families admitted to the program that are "continuously assisted" under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

### Commerce Policy

**Commerce will monitor progress in meeting the income targeting requirement at least quarterly throughout the fiscal year. Extremely low-income families will be selected ahead of other eligible families on an as-needed basis to ensure the income targeting requirement is met. EHV, Mainstream, PBV-VASH, and HUD-VASH families are not included in the income targeting requirement.**

## Order of Selection

The PHA system of preferences may select families based on local preferences according to the date and time of application or by a random selection process (lottery)

[24 CFR 982.207(c)]. If a PHA does not have enough funding to assist the family at the top of the waiting list, it is not permitted to skip down the waiting list to a family that it can afford to subsidize when there are not sufficient funds to subsidize the family at the top of the waiting list [24 CFR 982.204(d) and (e)].

**Commerce Policy**

**Applicants will be selected from the applicable waiting list, first by waiting list preference, then, from the waiting list date and time their complete application was received by Commerce.**

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

When a family has been selected from the waiting list, the PHA must notify the family [24 CFR 982.554(a)].

**Commerce Policy**

**The applicant will be notified when they have reached the top of the waiting list and is under review for eligibility for the HCV or Mainstream program. The notice will advise the family of the Field Agency area (jurisdiction) in which they selected to lease in according to their application or most recent Information Change Form. It will also state if they do not wish to lease in the initially selected area to complete an Information Change Form or request a change through Assistance Connect to change Field Agency areas.**

**The notice will inform the family of the following:**

- **Date, time, and location of the scheduled eligibility review, including any procedures for rescheduling the review or deadline to submit required documents;**
- **Who is required to attend the review (if applicable); and**
- **All documents that must be provided for the review, including information about what constitutes acceptable documentation.**

**If the notice is returned by the post office, the applicant will be removed from the waiting list without further notice.**

#### **4-III.E. THE APPLICATION INTERVIEW**

HUD recommends that the PHA obtain the information and documentation needed to make an eligibility determination through a face-to-face interview with a PHA representative [HCV GB, pg. 4-16]. Being invited to attend an interview does not constitute admission to the program.

Assistance cannot be provided to the family until all SSN documentation requirements are met. However, if the PHA determines that an applicant family is otherwise eligible to participate in the program, the family may retain its place on the waiting list for a period of time determined by the PHA [Notice PIH 2018-24].

Reasonable accommodation must be made for persons with disabilities who are unable to attend an interview due to their disability.

##### **Commerce Policy**

**The eligibility determination may either be in person or by mail/electronic, or a combination of these methods. An eligibility packet may be mailed in advance of the scheduled review or briefing and required to be returned to Commerce or Field Agency.**



Pursuant to HUD regulations (24 CFR 982.201(e)), Commerce must receive information verifying that an applicant is eligible within 60 days before a voucher is issued to the applicant.

***By Mail/Electronic Eligibility Determination***

If the eligibility review will be performed by mail, the family will be required to complete and return the packet, including all required source documentation, and is postmarked within 20 calendar days. If the eligibility packet is incomplete, the family will be provided an opportunity to submit the missing and/or incomplete documentation and given an additional 14 calendar days to respond.

***In-Person Eligibility Determination***

If the eligibility review will be conducted in person, the applicant must bring in the eligibility packet, and all required source documentation, at the scheduled appointment. If the briefing will be conducted concurrently, the head of household must attend, and all other adult household members are encouraged to attend the eligibility review. The family will be given 14 calendar days from the date of the eligibility review to provide any missing and/or incomplete documentation needed to determine eligibility.

***Eligibility Requirements***

The head of household or spouse/cohead must provide acceptable documentation of legal identity. (Chapter 7-II.A. Verification of Legal Identity provides a discussion of proper documentation of legal identity.) If the family representative does not provide the required documentation at the time of the review, they will be required to provide it within 14 calendar days.

**Pending disclosure and documentation of social security numbers, Commerce will allow the family to retain its place on the waiting list for 20 calendar days (see Chapter 7-II.B. Social Security Numbers).**

**If the family is unable to obtain the information or materials within the required time frame, the family may request an extension of up to 14 calendar days. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial (See Chapter 3-III.F. Notice of Eligibility or Denial).**

**An advocate, interpreter, or other assistant may assist the family with the application and the review process.**

**If the family is unable to attend a scheduled review, the family must contact the Field Agency prior to the scheduled appointment to reschedule. The family may reschedule the review no more than once. In all circumstances, if a family does not attend a scheduled review and did not request to reschedule, they will be removed from the waiting list and denied assistance. A notice of denial will be issued in accordance with policies contained in Chapter 3-III.F. Notice of Eligibility or Denial.**

## **4-III.F. COMPLETING THE APPLICATION PROCESS**

The PHA must verify all information provided by the family (see Chapter 7). Based on verified information, the PHA must make a final determination of eligibility (see Chapter 3) and must confirm that the family qualified for any special admission, targeted funding admission, or selection preference that affected the order in which the family was selected from the waiting list.

### Commerce Policy

If Commerce determines that the family is ineligible, Commerce will send written notification of the ineligibility determination within 14 calendar days of the determination. The notice will specify the reasons for ineligibility and will inform the family of its right to request an informal review (Chapter 16-III.B. Informal Reviews). If the family is denied due to criminal activity, a copy of the criminal background check will be mailed with the denial letter. If a family is denied because of debts owed to another agency, a copy of the EIV Debts Owed report or other verification of debts owed will be mailed with the denial letter.

If a family fails to qualify for any criteria that affected the order in which it was selected from the waiting list (e.g. targeted funding, extremely low-income), the family will be returned to its original position on the waiting list. Commerce will notify the family in writing that it has been returned to the waiting list and will specify the reasons for it.

If Commerce determines that the family is eligible to receive assistance, Commerce will invite the family to attend a briefing in accordance with the policies in Chapter 5-I.B. Briefing.