

## **IMPORTANT NOTICE**

The Housing Authority of the County of Lebanon is proposing modifications to its Section 8 Administrative Plan. Specifically the Authority is proposing changes to Chapter 4 of the plan, which outlines procedures for administration of the waiting list and local preferences.

The proposed revised Chapter 4 as well as a comparison of current and revised sections of the plan, and an explanation of the proposed changes can be found in the document library section of this website.

Written comments concerning the proposed changes will be received by the Authority until the close of business (4:30 PM) on Monday, February 29, 2016. Comments should be addressed to: Section 8 Administrator, Lebanon County Housing Authority, P.O. Box 420, Lebanon, PA 17042. Comments may also be emailed to: Section [8@lebanoncountyhousing.com](mailto:8@lebanoncountyhousing.com). When emailing comments please make certain that the subject line of the email references Administrative Plan Changes.

**Housing Authority of the County of Lebanon**  
**Bryan D. Hoffman, Executive Director**  
**January 26,2016**

**Section 8 Administrative Plan**  
**Proposed Modifications to Chapter 4 – Establishing Preferences and Maintaining the Waiting List**  
**January 26, 2016**

***CURRENT POLICY***

**D. WAITING LIST PREFERENCES** [24 CFR 982.207]

An applicant will not be granted any Local preference if any member of the family has been evicted from housing assisted under a 1937 Housing Act program during the past three years because of drug-related criminal activity.

The PHA will grant an exception to such a family if: the responsible member has successfully completed a rehabilitation program; or the evicted person clearly did not participate in or know about the drug related activity; 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 Local preference, the PHA will deny the Local preference for the family.

**E. LOCAL PREFERENCES** [24 CFR 5.410]

The PHA uses the following Local Preference system:

1. Residency preference for families who live, work, or have been hired to work or who are attending school in the jurisdiction. This preference shall be worth one (47) points.
2. Families who are currently participating in a transitional housing program which receives funding through: McKinney-Vento; HEARTH, HOME; or the Commonwealth of Pennsylvania shall be worth five (20) points.
3. Families which require adaptive or accessible housing due to a physical impairment. This preference shall be worth ten (25) points.

Points awarded for the above listed preferences shall be cumulative as shown in Table 1.

**Table One**  
**Preference Matrix - Section 8 Voucher Program**

<b>Adapted Dwelling Preference</b>	<b>Transitional Housing Preference</b>	<b>Lebanon County Residence Preference</b>	<b>Total Points</b>
25	20	47	92
25		47	72
	20	47	67
		47	47
25	20		45
25			25
	20		20

Single applicants will be treated as any other eligible family on the waiting list.

NOTE: New applications received by the Authority on or after midnight, May 1, 2009, shall be eligible to claim preference number two (2) described above. Applicants who are active on the Section 8 waiting list as of 11:59 PM, April 30, 2009 shall maintain any preference points previously awarded (subject to all eligibility criteria contained in this Administrative Policy).

***PROPOSED POLICY***

**D. RESERVED FOR FUTURE USE**

**E. LOCAL PREFERENCES** [24 CFR 5.410]

The PHA uses the following Local Preference system as described below. If an applicant makes a false statement in order to qualify for a Local preference, the PHA will deny the Local preference for the family.

1. Residency preference for families who live, work, or have been hired to work or who are attending school in the jurisdiction. This preference shall be worth five (5) points.
2. Families who are currently participating in a transitional housing program which receives funding through: McKinney-Vento; HEARTH, HOME; or the Commonwealth

of Pennsylvania shall be worth 1 (1) point. NOTE – To claim this preference the applicant must be referred to the HA by a recognized transitional housing program provider. The applicant MAY NOT claim this preference without a referral from a program provider.

Points awarded for the above listed preferences shall be cumulative as shown in Table 1.

<b>Table One</b>		
<b>Preference Matrix – S8 Voucher Program</b>		
Transitional Housing Preference	Lebanon County Residence Preference	Total Points
1	5	6
	5	5
1		1
		0

Single applicants will be treated as any other eligible family on the waiting list.

NOTE: The Above preferences shall be applicable to all applications received on or after 00:00:01 March 1, 2016. Applicants who applied before March 1, 2016 shall be ranked according to the preference system in place in version 1.8 of Chapter 4 of the Section 8 Administrative Plan in effect prior to March 1, 2016.

***SUMMARY OF CHANGES***

1. The Authority is eliminating the prohibition of awarding a local preference to any applicant who has been evicted from housing assisted under a 1937 Housing Act program during the past three years because of drug-related criminal activity. This prohibition was extremely difficult to administer and was not clearly understood by potential applicants.
2. The Authority plans to reopen its Section 8 waiting list on or about March 1, 2016. The Authority anticipates it will receive an extremely large number of applicants within a short time of reopening the waiting list. Because of significant budget reductions, it has been necessary over the past three years for the Authority to reduce the size of its Section 8 administrative staff. As a result of these staff reductions it is no longer administratively feasible to offer the adapted unit preference. Administration of the adapted unit preference is extremely labor intensive. The Authority simply lacks adequate staff to continue administration of this preference, given the large volume of applications anticipated to be received in the coming months.

## Chapter 4

### ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

#### **A. OPENING/CLOSING OF APPLICATION TAKING** [24 CFR 982.206, 982.54(d)(1)]

The PHA will utilize the following procedures for opening the waiting list.

When the PHA opens the waiting list, the PHA will advertise the programs for which applications are being accepted through public notice on the PHA's website and in local newspapers (including minority publications if available).

The notice will contain: the dates, times, and the locations where families may apply; the programs for which applications will be taken; a brief description of the program; a statement that public housing residents must submit a separate application if they want to apply for section 8; limitations, if any, on who may apply.

The notices will be made in an accessible format if requested. They will provide potential applicants with information that includes the PHA address and telephone number, how to submit an application, information on eligibility requirements, and the availability of local preferences.

Upon request from a person with a disability, additional time will be given as an accommodation for submission of an application after the closing deadline. This accommodation is to allow persons with disabilities the opportunity to submit an application in cases when a social service organization provides inaccurate or untimely information about the closing date.

#### **Closing the Waiting List**

The PHA may stop applications if there are enough applicants to fill anticipated openings for the next 12 months. The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

The PHA will announce the closing of the waiting list by public notice.

The open period shall be long enough to achieve a waiting list adequate to cover projected turnover and new allocations over the next 12 months. The PHA will give at least 15 days' notice prior to closing the list. When the period for accepting applications is over, the PHA will add the new applicants to the list by separating the new applicants into groups based on preferences.

#### **B. ORGANIZATION OF THE WAITING LIST** [24 CFR 982.204]

The PHA uses a single waiting list for admission to its Section 8 tenant-based assistance program.

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

The PHA 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 subsidy standards); date and time of application; qualification for any local preference; racial or ethnic designation of the head of household.

### **C. SPECIAL ADMISSIONS** [24 CFR 982.54(d)(e), 982.203]

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

Special admissions families will be 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 maintains separate records of these admissions. Applicants, who are admitted under Special Admissions, rather than from the waiting list, are identified by codes in the automated system and are not maintained on separate lists.

The following are examples of types of program funding that may be designated by HUD for families living in a specified unit: family displaced because of demolition or disposition of a public or Indian housing project; a family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project; for housing covered by the Low Income Housing Preservation and Resident Home-ownership Act of 1990; 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 a non-purchasing family residing in a HOPE 1 or HOPE 2 project.

Also included under the category of Special Admissions are VASH voucher holders who no longer require case management services and who are ready to be transitioned to a regular voucher. For purposes of admission under this Section, the number of VASH voucher holders converted to regular vouchers in any calendar year shall not exceed the lesser of 25% of the number of new regular vouchers placed under lease in the previously completed calendar year or projected available funding.

### **D. RESERVED FOR FUTURE USE**

### **E. LOCAL PREFERENCES** [24 CFR 5.410]

The PHA uses the following Local Preference system as described below. If an applicant makes a false statement in order to qualify for a Local preference, the PHA will deny the Local preference for the family.

1. Residency preference for families who live, work, or have been hired to work or who are attending school in the jurisdiction. This preference shall be worth five (5) points.
2. Families who are currently participating in a transitional housing program which receives funding through: McKinney-Vento; HEARTH, HOME; or the Commonwealth of Pennsylvania shall be worth 1 (1) point. NOTE – To claim this preference the applicant must be referred to the HA by a recognized transitional housing program provider. The applicant MAY NOT claim this preference without a referral from a program provider.

Points awarded for the above listed preferences shall be cumulative as shown in Table 1.

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Single applicants will be treated as any other eligible family on the waiting list.

NOTE: The Above preferences shall be applicable to all applications received on or after 00:00:01 March 1, 2016. Applicants who applied before March 1, 2016 shall be ranked according to the preference system in place in version 1.8 of Chapter 4 of the Section 8 Administrative Plan in effect prior to March 1, 2016.

**F. INCOME TARGETING**

In accordance with the Quality Housing and Work Responsibility Act of 1998, each fiscal year the PHA will reserve a minimum of seventy-five percent of its Section 8 new admissions for families whose income does not exceed 30 percent of the area median income. HUD refers to these families as “extremely low-income families.” The PHA will admit families who qualify under the Extremely Low Income limit to meet the income targeting requirement, regardless of preference.

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

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

The PHA shall have the discretion, at least annually, to exercise the “fungibility” provision of the QHWRA. This provision allows the PHA to admit less than the minimum 40% of its extremely low-income families in a fiscal year to its public housing program to the extent that the PHA’s admission of extremely low-income families in the tenant-based assistance program exceeds 75% of all admissions during the fiscal year. If exercising this option the PHA will follow the fungibility threshold limitations as set forth in QHWRA legislation.

The discretion by the PHA to exercise the fungibility provision is also reflected in the PHA’s public Housing Admissions and Continued Occupancy Policy.

#### **G. INITIAL DETERMINATION OF LOCAL PREFERENCE QUALIFICATION**

At time of the initial application an applicant's certification that they qualify for a preference will be accepted without verification. When the family is selected from the waiting list for the final determination of eligibility, the preference will be verified.

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list without the Local Preference and given an opportunity for a meeting.

If, at the time the family applied, the preference claim was the only reason for placement of the family on the list and the family cannot verify their eligibility for the preference as of the date of application, the family will be removed from the list.

#### **H. 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 waiting list is searched for the first available family meeting the targeted funding criteria.

Applicants who are admitted under targeted funding which are not identified as a Special Admission are identified by codes in the automated system.

#### **I. 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 notify the PHA in writing when their circumstances change.

When an applicant claims an additional preference, s/he will be placed on the waiting list in the appropriate order determined by the newly claimed preference.

If the family's verified annual income, at final eligibility determination, does not fall under the Extremely Low Income limit and the family was selected for income targeting purposes before family(ies) with a higher preference, the family will be returned to the waiting list.

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

If the waiting list for the PHA's public housing program, or moderate rehabilitation program is open at the time an applicant applies for Section 8, the PHA must offer to place the family on its waiting lists for the other programs.

The PHA may not take any of the following actions because an applicant has applied for, received, or refused other housing: refuse to list the applicant on the PHA waiting list for tenant-based assistance; deny any admission preference for which the applicant is currently qualified; change the applicant's place on the waiting list based on preference, date and time of application, or other factors affecting selection under the PHA selection policy; or remove the applicant from the waiting list.

However, the PHA may remove the applicant from the waiting list for tenant-based assistance if the PHA has offered the applicant assistance under the voucher program.

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

The PHA's method for selecting applicants from a preference category leaves a clear audit trail that can be used to verify that each applicant has been selected in accordance with the method specified in this plan.

Applicants will be selected from the waiting list by lottery according to the following procedures.

Applicants will be placed on the waiting list in groups, with each group composed of applicants with an equal number of preference points. Members of the applicant group with a higher number of preference points shall be selected before applicants with a lower number of preference points. The more preference points an applicant has, the higher the applicant's place on the waiting list.

The Section 8 Program Director or designee shall determine when and how many applicants should be selected from the waiting list. This determination shall be based on factors which include, but are not limited to: available funding from HUD; current monthly expenditure level; current number of shoppers (processed applicants with

vouchers but who have not yet rented an assisted dwelling) and anticipated turnover rate of current voucher holders.

Once a determination is made that additional applicants should be selected from the waiting list, the Section 8 Program Director shall inform the Executive Director of the number of voucher holders to be selected from the waiting list.

The Executive Director or his designee shall schedule the date of time of the random drawing of applicants from the waiting list. The drawing shall be performed by computer using a random number generator. The drawing shall be witnessed by a least one individual who is not an employee of the PHA. Applicants whose application number matches one of the randomly generated numbers will be selected from the waiting list.

Random number generation shall take into account the preference groups. In no case shall an applicant with a lower preference be selected over an applicant with a higher preference (except as may be required by HUD income targeting requirements).

If a sufficient number of higher preference applicants are not selected during the initial drawing, successive drawings will be held until the previously determined number of applicants are selected, while ensuring integrity of the preference groupings. In cases where the number of applicants to be selected exceeds the total number of applicants in the highest preference group, then all members of that preference group will be selected from the waiting list. The remaining applicants will then be selected by random number generation as described above.

The list of application numbers (application numbers are a computer generated sequence number, not related to the applicant's social security number, birth date, name or any other personal information) selected at the most recent drawing will be posted on the Authority website.

**K. FINAL VERIFICATION OF PREFERENCES** [24 CFR 5.415]

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

**L. PREFERENCE DENIAL** [24 CFR 5.415]

If the PHA denies a preference, the PHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for a review with the Section 8 Supervisor. If the preference denial is upheld as a result of the meeting, or the applicant does not

request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated 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.

**M. APPLICANT STATUS WHILE ON WAITING LIST** [CFR 982.204]

Applicants are required to inform the PHA in writing of changes in address, telephone number, family composition and family income. Applicants are also required to respond to requests from the PHA to update information on their application and to determine their interest in assistance.

**N. REMOVAL FROM WAITING LIST AND PURGING** [24 CFR 982.204(c)]

The Waiting List may be purged as deemed necessary by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for confirmation of continued interest.

Any mailings to the applicant that require a response will state that failure to respond within 21 calendar days will result in the applicant's name being dropped from the waiting list. An extension to respond will be granted, if requested and needed as a reasonable accommodation for a person with a disability.

If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice, and the envelope and letter will be maintained in the file. If a letter is returned with a forwarding address, it will be re-mailed to the address indicated.

If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless the Section 8 Supervisor determines there were circumstances beyond the applicant's control. Examples of such circumstances include, but are not limited to: hospitalization of the applicant or immediate family member; death of an immediate family member; or temporary military service (such as National Guard duty).