

Part Two: **Applicant Selection**

I. Overview

Refer to:

24 CFR

§960.200

A. The PHA will house the maximum number of eligible applicants within available resources.

B. Selecting Applicants: Applicants will be selected from the waiting list. Their place on the waiting list will be determined by two factors:

1. Local preference factors (there are different policies for applying Local preferences to family units and hi-rise units); and;
2. Date and time of application.

C. Income Mix: As required by the Quality Housing and Work Responsibility Act of 1998 (QHWRA), this admissions policy is designed to provide for deconcentration of poverty and income-mixing, in a manner which is also consistent with meeting the housing needs of the maximum number of very low income families in the PHA's jurisdiction. Of the public housing dwelling units made available for occupancy in any fiscal year by eligible families, not less than 55 percent shall be occupied by families whose incomes at the time of commencement of occupancy do not exceed 30 percent of the area median income.

II. Definitions of Preferences and Related Terms

Local preferences are used in selecting applicants for public housing admission:

A. Local Preferences: The PHA uses local preferences to prioritize applicants.

1. **Residency Preference: (applies to both family and hi-rise applicants):** This preference is given to applicants whose head of household or spouse:
 - a. Lives in Saint James;
 - b. Works in or has been notified that they have been hired to work in Saint James; or

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- c. Attends school or has been accepted to attend school in Saint James.
2. **Veteran's or Service Person Preference (applies to both family and hi-rise applicants):** This preference is given to an applicant who is a Veteran or member of the Armed Services or a dependent family member of a Veteran or a Service Person.
 - a. **"Veteran"** means any person honorably discharged from the Armed Forces of the United States after serving for 181 consecutive days or more, or who served under the direction of the Armed Forces and clandestine forces of the United States.
 - b. A **"Service Person"** is part of an applicant's family and is in the military forces of the United States at the time of application for housing. "Military forces" means the Army, Navy, Air Force, Marine Corps, Coast Guard and the commissioned corps of the U.S. Public Health Service.
3. **Student Preference (applies only to hi-rise applicants):** A full-time student at an accredited educational institution, including a vocational school with a diploma or certificate program, as well as an institution offering a college degree.
4. **Elderly, Disabled or Displaced Preference Over Near-Elderly and Single Persons:** An applicant that is a one or two person elderly, disabled or displaced family is given a preference over an applicant that is a near-elderly or single person who is not an elderly or displaced person, or a person with disabilities, regardless of the applicant's other local preferences.

III. General Policies Regarding Preferences

A. Family Units Preference Admissions: §960

1. **Residency Preference Points:** Applicants who qualify for a Residency Preference will receive two points.
2. **Veteran's Preference Points:** Applicants who qualify for a Veteran's Preference will receive two points.

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3. **Student Preference Points:** Applicants who qualify for a Student's Preference will receive two points.
 4. **Elderly/Disabled/Displaced Preference Points:** Applicants who qualify for a preference as an elderly or disabled or displaced person will receive eight points.
 5. **Near-Elderly Preference Points:** Applicants who qualify for a preference as a near-elderly person who is not also a disabled or displaced person will receive seven points.
- B. Hi-Rise Preference Admissions (See also Part 4, Dwelling Unit Assignment, and Section III. I. Hi-Rise Units):**
1. **Residency Preference Points:** Applicants who qualify for a Residency Preference will receive two points.
 2. **Veteran's Preference Points:** Applicants who qualify for a Veteran's Preference will receive two points.
 3. **Student Preference Points:** Applicants who qualify for a Student's Preference will receive two points.
 4. **Elderly/Disabled/Displaced Preference Points:** Applicants who qualify for a preference as an elderly or disabled or displaced person will receive eight points.
 5. **Near-Elderly Preference Points:** Applicants who qualify for a preference as a near-elderly person who is not also a disabled or displaced person will receive seven points.
- C. Cumulative Preference Points:** Preference points are cumulative. For example, an applicant who qualifies for a Residency and Veteran's Preference will receive a total of four points.
- D. Applicants with no local preferences** are given the lowest priority for assistance and are selected from the waiting list according to the date and time of their application.
- E. Changes in Preference Status:** Occasionally families on the waiting list who did not qualify for a local preference at the time they applied for rental assistance will experience a change in circumstances that now qualifies them for a local preference. In such instances:

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1. It is the family's responsibility to contact the PHA.
2. Families certifying that they qualify for a local preference will be repositioned on the waiting list in accordance with their new preferences and their original date and time of application.
3. They will then be informed in writing of their change in status and their place on the waiting list.

IV. **Monies Owed To A Housing Authority:**

§960.205(b)
(i)

The following policies apply to any monies owed to the PHA or another housing authority by current and former public housing residents.

The PHA utilizes HUD's online EIV system to determine whether an applicant owes money to another housing authority. The PHA also reports information through EIV about debts owed to this agency by former public housing residents.

A. Debt to Saint James PHA: When an applicant owes money to this PHA from previous public housing residency, the applicant must repay that amount or enter into a Payment Agreement before being admitted. The PHA may choose to enter into a Payment Agreement with the household, or may require that the entire amount be paid in full prior to allowing the applicant re-admission to public housing.

See also Part 1, Section V. of these Policies.

1. To be eligible to enter into a Payment Agreement, the applicant must first demonstrate to the satisfaction of the PHA that they cannot pay the debt in full at the time of application.
2. Payment Agreements require a **minimum payment of \$25 a month** on each claim for monies owed until the balance owed is paid in full.
3. The PHA may require an initial payment not to exceed \$100 on each Payment Agreement.

B. Debt to Another Housing Authority. When an applicant owes money to another housing authority from previous public housing residency or Section 8 participation, the applicant will not be admitted without providing proof that the debt has been repaid in full, or the applicant has entered into a Payment Agreement with the other housing authority and is current on the payments. The payment agreement with another Housing Authority must be paid on time consecutively for six months prior to an applicant being accepted.

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C. Lease Addendum Required. To be admitted to public housing, an applicant who has entered into a Payment Agreement to repay monies owed to this PHA or to another housing authority must also sign a lease addendum providing that the family's Dwelling Lease will be terminated if the payments are not kept current on the Payment Agreement.

D. Consequences of Default on Payment Agreement: §960.205(b)(1)

1. If the applicant is housed but does not meet the agreed-upon terms of a Payment Agreement, the applicant will be subject to termination of the Dwelling Lease in accordance with Part 9.
2. The PHA may file a claim for repayment under the Minnesota Revenue Recapture Act.

§982.205(c)

V. Non-Discrimination In Applicant Selection

A. No Discrimination: The PHA will not discriminate against any applicant for public housing due to race, color, religion, creed, national origin or ancestry, sex, age, handicap, disability, receipt of public assistance, marital status, sexual or affectional orientation, or political or other affiliation.

§5.105

B. No Preferential Treatment: No preference will be given to an applicant because of political affiliation or his or her acquaintance with any public official at the federal, state or local level.

VI. Verifying Local Preferences: Applicants must provide proof of each local preference they are claiming. This can be done through third party or individual certifications.

§960.

VII. Applicants Ineligible For A Local Preference: When an applicant has claimed a local preference in their application and the necessary criteria cannot be met, the PHA shall do the following:

- Promptly notify the applicant in writing of the determination and briefly state the reasons they are ineligible. The notification will

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offer the applicant an opportunity to meet with a PHA designated representative to review the determination.

- The PHA designated representative may be an officer or employee, including the staff person who made or reviewed the determination.

VIII. Misrepresentation: If an applicant makes any intentional omissions or misrepresentational statements, and they are revealed to the PHA, the family will be ineligible for admission. The applicant will be notified in writing of this determination, and given the opportunity to request an informal hearing before the PHA/Resident Hearing Committee.