

III. Tenant Selection and Assignment Plan

A. Organizing the Waiting List.

Community-wide Waiting List

It is the PHA's policy that each applicant shall be assigned his/her appropriate place on a single community-wide waiting list in sequence based upon:

- Type and size of unit needed and selected by the family (e.g. general occupancy building, accessible or non-accessible unit, number of bedrooms);
- Applicant preference or priority, if any; and
- Date and time the application is received

PHA will maintain its waiting list in the form of a computer program that records the type and size of unit needed, each applicant's priority/preference status, the date and time of application, and the race and ethnicity of the family head.

B. Making Unit Offers to Applicants

1. Tenant Assignment

a. Each applicant will be offered a unit of suitable type and size. If the applicant refuses a unit offer, the applicant will be given the choice to be removed from the Wait List or recycled on the Wait List using date and time of offer refusal for the recycle date. A unit offer is as follows:

(1) Applicant who has reached the top of the wait list will be given a list of all units vacant and available for rent at that given point in time.

(2) Applicants will have the opportunity to choose vacant units available according to their position on the wait list. Positions are based on date and time of application.

2. For purposes of this discussion, an applicant would not be considered to have been offered a unit if:

a. the unit is not of the proper size and type and the applicant would be able to reside there only temporarily (e.g., a specially designed unit that is waiting a resident who needs a mobility impaired accessible unit). In the case where the mobility impaired resident no longer resides in the unit, if the lease permits, the owner shall require the remaining member of a tenant family to move to a non-accessible unit.

b. the unit contains lead-based paint, and accepting the offer could result in subjecting the applicant's children under seven years of age to lead-based paint poisoning.

c. the applicant is unable to move at the time of the offer and presents clear evidence, which substantiates this to the Housing Authority of Billings' satisfaction. Examples:

- a doctor verifies that the applicant has just undergone major surgery and needs a period to recuperate;
- a court verifies that the applicant is serving on a jury, which has been sequestered.

d. the applicant misses a scheduled appointment and doesn't reschedule within 24 hours their application will be recycled to the bottom of the list. If an applicant misses two consecutive appointments their application will be automatically removed from the Wait List.

e. The applicant's past rental history is negative enough to warrant denial of admission, or if they have failed to disclose accurate information they will need to wait a period of one year before they may reapply to the Public Housing waiting list.

3. The Housing Authority of Billings will maintain a record of the units offered, including location, date, and circumstances of each offer and each rejection or acceptance. The Housing Authority of Billings will note the reason for any rejection.

C. Formal Offer of Unit

1. When the Housing Authority makes a formal offer of a unit, it will:
 - be in writing;
 - notify the applicant of the unit address;
 - notify the applicant of the tentative move-in date;
 - notify the applicant of utility responsibilities.
2. The applicant must accept the vacancy offered within 5 working days of the date the offer is communicated (by phone, mail, or the method of communication designed by an applicant with disabilities) or be removed from the waiting list. The acceptance of the offer must be evidenced by a non refundable holding deposit equal to ½ the security deposit. All offers made over the phone will be confirmed by letter. If unable to contact an applicant by phone or first class mail, PHA will send a certified letter, return receipt requested.

D. Removing Applicant Names from the Waiting List

To ensure vacant units are filled in a timely manner, PHA needs a waiting list that is accurate. While each applicant must keep PHA apprised of changes in address, phone number, income or other circumstances, no applicant shall be removed from the waiting list except when one of the following situations occurs:

1. The applicant receives and accepts an offer of housing.
2. The applicant requests that his/her name be removed from the waiting list.
3. The applicant is rejected, either because he/she is ineligible for public housing at the time of certification, or because he/she fails to meet the applicant selection criteria; or
4. The application is withdrawn because the PHA attempted to contact the applicant by 1st class mail and did not receive a response within allotted time.
5. Persons who fail to respond to PHA attempts to contact them because of verified situations related to a disability shall be entitled to reasonable accommodation. In such circumstances PHA shall reinstate these individuals to their former waiting list positions.
6. In all cases where an applicant is removed from the wait list, a written notification of such action, and any available remedies, will be mailed first class to current address on file.

E. Good Cause for Applicant Refusal of Unit Offer

If an applicant is willing to accept the unit offered but is unable to move at the time of the offer and presents clear evidence (“good cause”) that acceptance of the offer of a suitable vacancy will result in undue hardship not related to considerations of race, color, sex, religion or national origin, the applicant will not be dropped to the bottom of the list.

1. Examples of “good cause” for refusal of an offer of housing are:
 - The unit is not ready for move-in at the time of the offer of housing. “Ready for move-in” means the unit has no Housing Quality Standard deficiencies. If an applicant refuses a unit because it is not ready for move-in, the applicant will be offered the next unit that **is** ready for move-in;
 - The family demonstrates that accepting the offer will place a family member’s life, health, or safety in jeopardy. The family must provide specific and compelling documentation such as verification from Social Services or healthcare professional, restraining orders, other court orders. Reasons offered must be specific to the family. Refusals due to location alone do not qualify for this “good cause” exemption;

- A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (each as listed on final application) or live-in aide necessary to the care of the principal household member;
- The unit is inappropriate for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30-day notice to move.

2. If good cause is verified, the refusal of the offer shall not require that the applicant be dropped to the bottom of the waiting list or otherwise affect the family's position on the waiting list.

3. PHA will maintain a record of units offered, including location, date, and circumstances of each offer, and each acceptance or refusal, including the reason for the refusal.

F. Leasing Accessible Units

1. Before offering a vacant accessible unit to a non-disabled applicant, PHA will offer such units:

- First, to a current public housing resident having a disability that requires the special features of the vacant unit;
- Second to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

2. When offering an accessible/adaptable unit to a non-disabled applicant, PHA will require the applicant to agree to move to an available non-accessible unit within 30 days when a current resident or an applicant with a disability needs the unit. This requirement is also reflected in the lease signed with the applicant.

G. Administering the Applicant Waiting Lists

Applications for admission and transfer will be processed centrally. Initial intake, waiting list management, screening and assigning of housing (including transfers) will be made from the central office.