

## 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 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 (non-waiting list) [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; or a family potentially displaced because of mortgage prepayment; or HUD 811, 202, or 236 where an existing project is to convert to market). 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.

#### PHA Policy

The PHA administers the following types of targeted funding:

#### Continuum of Care and HOME Programs

Separate waiting lists will be maintained for Special Needs Housing Programs. The Continuum of Care Program and HOME Program will have separate waiting lists. Applicants for these programs must meet additional, specific, eligibility requirements. For most targeted programs, applicants are referred by agencies that provide services to the targeted population.

~~Referrals/applications will be placed on the waiting list with the date and time of receipt noted.~~  
CoC applicants will be referred and selected based on their history of homelessness and severity of service needs. The SMHA will prioritize applicants on the waiting list based on their VI-SPDAT score and the date and time their complete application is received by the SMHA.  
HOME applicants will be placed on the waiting list based on the selection preference(s) for

which they qualify, and in accordance with the SMHA's hierarchy of preferences. (See Chapter 20).

When a family cannot establish basic program eligibility at the time of the application, the provider agency is prohibited from making a referral and/or the PHA will refuse to accept the referral.

When a special voucher becomes available, a family will be selected from the list. After the family is determined eligible to receive a voucher, the family will be admitted to the program in accordance with HUD regulations and other requirements, and with policies stated in the PHA Plan.

The PHA's Targeted Funding Programs waiting list is open and will accept referrals/applications until further notice.

(Please refer to Chapter 19 for additional details on the Continuum of Care program)

Applicants for the AHPP will be processed as the City Ordinance determines. Applicants who are over income for COC, HOME, and Section 8 will be referred to the AHPP wait list if eligible.

#### **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.

#### **Project-Based Targeting**

The PHA may offer additional preferences for the PBV program or for particular PBV projects based units. Applicants for these programs must meet additional, specific, eligibility requirements. In order to assist these families, the PHA may skip families that do not qualify.

(Please refer to Chapter 17 for additional details on Project-Based Vouchers)

### **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.

##### PHA Policy

The PHA will use the following local preferences:

1. The PHA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding.
2. The PHA will offer a preference to families that include victims of domestic violence, dating violence, sexual assault, or stalking who have either been referred by a partnering service agency or consortia or is seeking an emergency transfer under VAWA from the PHA's public housing program or other covered housing program operated by the PHA.

The PHA will work with the following partnering service agencies:

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact **The People Concern - Sojourn (310) 264-6644** or **Westside Domestic Violence Network (310) 264-6646**.

For tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

For help regarding sexual assault, you may contact **Rape Treatment Center, 1250 16<sup>th</sup> Street, Santa Monica 90404 (310) 319-4000**, **The People Concern - Sojourn (310) 264-6644** or Westside Domestic Violence Network (310) 264-6646

Victims of stalking seeking help may contact **any of the above-mentioned organizations**.

The applicant must certify that the abuser will not reside with the applicant unless the PHA gives prior written approval.

The PHA will first assist families that have been terminated from the HCV program due to insufficient funding and then assist families that qualify for the VAWA preference.

**Tier 1:**

- Displaced Preference: Involuntarily displaced applicants are applicants who have or will (within twelve months from the date of verification) be required to vacate housing in the City of Santa Monica as a result of:
  - A disaster (fire, flood, earthquake, civil disturbance, etc.) that occurred through no fault of the applicant, or
  - Displacement from another federal housing program and displaced from that program for reasons beyond their control or because they did not participate in a home ownership program
  - Domestic Violence. Applications from victims of domestic violence/familial abuse, sexual assault or stalking, who have been

displaced in the City of Santa Monica as a result of the victimization. Supporting documentation shall be in accordance with the guidelines in Chapter 16 Section XI. D of this Plan.

- Federal, state or local government action related to code enforcement, public improvement or development, or
- An eviction pursuant to the Ellis Act or Civil Code section 798.56(g) of the Mobile Home Residency Law.
- Owner/relative occupancy evictions from rent controlled units under Section 1806(a)(8) of the Santa Monica Rent Control Amendment and under Santa Monica City Charter, Article XVIII, Section 2304(c)(8).

In order to receive the preference as Displaced, applicants who have been displaced in the previous 12-month period must not be living in “standard, permanent replacement housing”.

Standard replacement housing is defined as housing that is decent, safe and sanitary (according to HUD HQS), that is adequate for the family size (according to HUD HQS) and that the family is occupying pursuant to a lease or occupancy agreement. Minor HQS violations that are few in a number do not disqualify replacement housing. Standard replacement housing does not include transient facilities, hotels, motels, or temporary shelters.

Households who receive a displaced preference, who have had an actual loss of their unit, will be given highest preference. For example, households who have been physically displaced from their unit as the result of a non-tenant caused fire or flood will be given the highest preference.

- Termination Resulting From Funding Shortfalls: Families that have been terminated from the PHA’s HCV program due to insufficient program funding and are at greatest risk of homelessness.
- The PHA may prioritize a limited number of Section 8 Housing Choice vouchers for Continuum of Care program participants, or tenants in the Supportive Housing Program (residing in Supportive Housing properties at Step Up buildings in Santa Monica), who are stable and no longer require service participation to prevent them from recycling into homelessness. This will allow the community to serve more homeless families and better utilize services for those most in need. The SMHA shall limit the current number of persons eligible for this preference not to exceed 25 households annually. No more than 10% vouchers will be utilized annually if available. Tier 1 households displaced or terminated due to funding shortfalls will have priority over Continuum of Care Program graduates and Supportive Housing Program participants (residing in at Supportive Housing properties Step Up buildings in Santa Monica).

The wait list for tier 1 applicants shall remain open at all times.

**Tier 2:**

**Live/Work Preference:**

- o Severely rent-burdened:
  - o Applicants who live in market rate or rent-controlled apartments in Santa Monica who pay more than 50% of their gross annual income towards rent.
    - o Applicants who are residents of the City of Santa Monica.
    - o Chronically Homeless applicants on the service registry who became homeless in Santa Monica.
- o Work Preference:
  - o Applicants who are not residents of the City of Santa Monica who are working a minimum of 36-25 hours per week (or hired to work a minimum of 36-25 hours per week) in the City of Santa Monica (Applicants who work for a temporary agency located outside of the City of Santa Monica who do not live in Santa Monica do not qualify for preference if they are on a temporary assignment).
  - o Applicants who are in approved job training in Santa Monica. Persons who were immediately previously in the Santa Monica workforce but are now receiving unemployment, worker's compensation, vocational rehabilitation benefits, disability benefits, or retirement benefits from Santa Monica.

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**Tier 3:**

- o Applicants who live in the City of Santa Monica

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**Tier 4:**

- o Families/Applicants who do not live or work in the City of Santa Monica

**Order of Selection Within Tiers:**

- o Note: Homeless veterans will be referred to the Veterans Administration's VASH program without losing their placement on the HCV waiting list.
- o Veterans Preference: "Veteran" means a person who served in the active United States military, naval, or air service, and who was discharged or released there from under conditions other than dishonorable are in the first tier of each rank. A complete definition of veteran is located at 38 U.S.C. 101.
- o Working/Elderly/Disabled Families/Minor(s) Enrolled in Santa Monica Schools

- ~~Applicant (head, spouse, or co-head) is employed at least 36 hours per week (place of employment does not have to be in the City of Santa Monica).~~
- ~~A family where the head, spouse, or co-head is a person age 62 or older, or is a person with disabilities, will also be equal to a working applicant.~~
- ~~Adults with custody of minor children who are enrolled in Santa Monica schools.~~
- ~~Non-Subsidized Households and Rent Burdened Households~~
  - ~~A “non-subsidized household” means a family who is not currently living in an “affordable housing” unit or receiving rental subsidy assistance.~~
  - ~~A Rent Burdened Household is one that pays more than 50% of their gross annual income towards rent.~~
- ~~Family~~
  - ~~Families who do not fit the above-referenced categories.~~
- ~~Single~~
  - ~~Single applicants (1-person households) who do not fit the above-referenced categories.~~

#### 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)].

#### PHA Policy

- Families will be selected from the waiting list based on the targeted funding or selection preference(s) for which they qualify, and in accordance with the PHA’s hierarchy of preferences, if applicable. Within each targeted funding or preference category, families will be selected on a first-come, first-served basis according to the date and time their complete application is received by the PHA.
- Preference Denial: If the PHA denies an applicant’s preference claim, the PHA shall return the applicant to the waiting list and will notify the applicant in writing of the reasons for the denial. If the applicant fraudulently claimed the preference (i.e., by falsifying documents), the application is denied and removed from the waiting list. The notice shall advise the applicant of their right to contest denial of preference (informal review).

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