

CHA has a Mainstream Vouchers available, and the Mainstream Voucher at the initial PHA will be freed up to lease to another Mainstream-eligible family.

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 this chapter.

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.

CHA Policy

The CHA has adopted the following waitlist preferences, all of which must be verified from the date on which such preference was claimed and again on the date of the family's selection from the list to the satisfaction of the CHA. Each preference gets a maximum of one (1) point. A household that qualifies for the Veteran's Preference is not entitled to a Victim of Domestic Abuse Preference, and vice versa.

All households who qualify for the Local Preference as defined in the plan will get it. The maximum number of points a household can be given is two (2) points. The more preference points an applicant has, the higher the applicant's place on the waiting list. Relating to CHA tenant selection from the waiting list from among applicant families having the same preference score, the date and time of application shall control.

1. Residency preference for families who live or work, or have been hired to work, in Chelsea.

In order to verify that an applicant is a local resident, the CHA will require an applicant family to produce a minimum of three (3) of the following types of satisfactory third party verification documents or sufficient verification as determined by the CHA:

rent receipts, leases, utility bills, employer or agency records, school records, drivers licenses, Massachusetts I. D., voters registration records or annual street listings, credit

reports, tax documents or a landlord's statement which is otherwise verifiable by the CHA.

For families of which a member is working a minimum of twenty (20) hours or has been hired to work in Chelsea, paystubs or a notarized employment verification, a statement signed by the employer will be required.

Chelsea residents: in case of an applicant determined by the CHA to be homeless, the applicant may select one community for local preference, either in the community from which he or she was displaced through no fault of his/her own, or the community in which he/she is temporarily based. See 760 CMR 5.03 for definition of local resident.

The Chelsea Housing Authority administers the Section 8 program for the following housing authorities which follow the same definition of residency preference for their respective communities: Natick, Saugus, Amesbury. Details of the respective additional local preferences from each of these housing authority's Administrative Plans are described at the end of this chapter.

2. **Veteran/Active Serviceperson Preference:** This preference applies to applicants who are head of households who are veterans or active servicepersons, and includes a spouse, surviving spouse, parent or other dependent of such veterans. The term "**Veteran**" shall have the same meaning as such term has been statutorily defined by the Commonwealth of Massachusetts, or as the same may be hereinafter amended or revised.

The term "**Active Serviceperson**" shall mean an individual currently serving in a branch of the military forces, including a reservist or National Guardsman, of the United States of America who has served for at least 185 consecutive days.

"Veteran" shall mean (1) any person, (a) whose last discharge or release from his wartime service as defined herein, was under honorable conditions and who (b) served in the army, navy, marine corps, coast guard, or air force of the United States, or on full time national guard duty under Titles 10 or 32 of the United States Code or under sections 38, 40 and 41 of chapter 33 for not less than 90 days active service, at least 1 day of which was for wartime service; provided, however, than any person who so served in wartime and was awarded a service-connected disability or a Purple Heart, or who died in such service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete 90 days of active service; (2) a member of the American Merchant Marine who served in armed conflict between December 7, 1941 and December 31, 1946, and who has received honorable discharges from the United States Coast Guard, Army, or Navy; (3) any person (a) whose last discharge from active service was under honorable conditions, and who (b) served in the army, navy, marine corps, coast guard, or air force of the United States for not less than 180 days active service; provided, however, that any person who so served and was awarded a

service-connected disability or who died in such service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete 180 days of active service.

"Wartime service" shall mean service performed by a "Spanish War veteran", a "World War I veteran", a "World War II veteran", a "Korean veteran", a "Vietnam veteran", a "Lebanese peace keeping force veteran", a "Grenada rescue mission veteran", a "Panamanian intervention force veteran", a "Persian Gulf veteran", or a member of the "WAAC" as defined in this clause during any of the periods of time described herein or for which such medals described below are awarded.

"Spanish War veteran" shall mean any veteran who performed such wartime service between February fifteenth, eighteen hundred and ninety-eight and July fourth, nineteen hundred and two.

"World War I veteran" shall mean any veteran who (a) performed such wartime service between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen, or (b) has been awarded the World War I Victory Medal, or (c) performed such service between March twenty-fifth, nineteen hundred and seventeen and August fifth, nineteen hundred and seventeen, as a Massachusetts National Guardsman.

"World War II veteran" shall mean any veteran who performed such wartime service between September sixteenth, nineteen hundred and forty and December thirty-first, nineteen hundred and forty-six--, except that for the purposes of chapter thirty-one it shall mean all active service between the dates of September sixteenth, nineteen hundred and forty and June twenty-fifth, nineteen hundred and fifty.

"Korean veteran" shall mean any veteran who performed such wartime service between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five, both dates inclusive, and any person who has received the Korea Defense Service Medal as established in the Bob Stump National Defense Authorization Act for fiscal year 2003.

"Korean emergency" shall mean the period between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five, both dates inclusive.

"Vietnam veteran" shall mean (1) any person who performed such wartime service during the period commencing August fifth, nineteen hundred and sixty-four and ending on May seventh, nineteen hundred and seventy-five, both dates inclusive, or (2) any person who served at least one hundred and eighty days of active service in the armed forces of the United States during the period between February first, nineteen hundred and fifty-five and August fourth, nineteen hundred and sixty-four; provided, however, that for the purposes of the application of the provisions of chapter thirty-one, it shall

also include all active service between the dates May seventh, nineteen hundred and seventy-five and June fourth, nineteen hundred and seventy-six; and provided, further, that any such person who served in said armed forces during said period and was awarded a service-connected disability or a Purple Heart, or who died in said service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete one hundred and eighty days of active service.

"Lebanese peace keeping force veteran" shall mean any person who performed such wartime service and received a campaign medal for such service during the period commencing August twenty-fifth, nineteen hundred and eighty-two and ending when the President of the United States shall have withdrawn armed forces from the country of Lebanon.

"Grenada rescue mission veteran" shall mean any person who performed such wartime service and received a campaign medal for such service during the period commencing October twenty-fifth, nineteen hundred and eighty-three to December fifteenth, nineteen hundred and eighty-three, inclusive.

"Panamanian intervention force veteran" shall mean any person who performed such wartime service and received a campaign medal for such service during the period commencing December twentieth, nineteen hundred and eighty-nine and ending January thirty-first, nineteen hundred and ninety.

"Persian Gulf veteran" shall mean any person who performed such wartime service during the period commencing August second, nineteen hundred and ninety and ending on a date to be determined by presidential proclamation or executive order and concurrent resolution of the Congress of the United States.

"WAAC" shall mean any woman who was discharged and so served in any corps or unit of the United States established for the purpose of enabling women to serve with, or as auxiliary to, the armed forces of the United States and such woman shall be deemed to be a veteran.

None of the following shall be deemed to be a "veteran":

- a) Any person who at the time of entering the armed forces of the United States had declared his intention to become a subject or citizen of the United States and withdrew his intention under the provisions of the act of Congress approved July ninth, nineteen hundred and eighteen.
- b) Any person who was discharged from the said armed forces on his own application or solicitation by reason of his being an enemy alien.
- c) Any person who has been proved guilty of willful desertion.

- d) Any person whose only service in the armed forces of the United States consists of his service as a member of the coast guard auxiliary or as a temporary member of the coast guard reserve, or both.
- e) Any person whose last discharge or release from the armed forces is dishonorable.

"Armed forces" shall include army, navy, marine corps, air force and coast guard.

"Active service in the armed forces", as used in this clause shall not include active duty for training in the army national guard or air national guard or active duty for training as a reservist in the armed forces of the United States.

Any preference that may be granted by the CHA to a "Veteran" as defined herein may also be awarded to their surviving spouse following the death of such Veteran, provided such spouse has not remarried prior to the time of admission to the CHA's program.

The PHA will require verifiable U.S. government documents which establish that the applicant qualifies under the above definition.

3. Victim of Domestic Abuse Preference

The applicant or household member is a victim of domestic violence (as defined in the Abuse Prevention Act at M.G.L. c. 209A or the Violence Against Women Act, (Pub.L. 109-162, 2005), and:

- a. The applicant has been displaced from his/her dwelling unit due to domestic violence and has not secured permanent housing; or
- b. The applicant or household member is recently displaced or likely to be displaced from his/her dwelling unit due to the loss of income from an abuser who must leave the home (e.g., restraining order issued); and the applicant's rent is documented to be more than 50% of his/her monthly adjusted income as a result of the loss of income from the abuser being separated from the household.

In determining eligibility under the domestic violence category, the applicant must show:

- a. That he/she, or a household member, is a victim of domestic violence by submission of a certification and, if required by CHA, provide third party documentation as described below.

b. The certification form HUD 50066 to be submitted is provided by HUD as part of compliance with the Violence Against Women Act (VAWA). Depending on its initial review of the circumstances, CHA may require more specific, third-party documentation to verify that the applicant or household member is a victim of domestic violence.

c. Third party documentation includes a police or court record of the domestic violence; other documentation signed by the victim and an employee, agent, or volunteer of a service provider, a social service provider, domestic violence shelter staff, school personnel, attorney, social worker, or a medical professional (psychologists and mental health providers) from whom the victim has sought assistance in addressing the domestic violence. The professional will attest, under penalties of perjury, to the professional's belief that the incident(s) in question are bona fide incidents of abuse. CHA shall not make contact with the abuser if doing so would create a risk of harm to the person claiming abuse and CHA shall maintain confidentiality of all information as per the VAWA policy.

d. If the applicant is determined eligible, the applicant must provide the name of the abuser and shall certify that the abuser will not reside with the applicant.

Automatic Preferences

1. The Chelsea Housing Authority will grant an automatic preference to AHVP participants presently receiving assistance from the Chelsea Housing Authority under the Alternative Housing Voucher Program, who have been identified by DHCD as eligible for transition to another affordable housing program due to budget reductions. They will receive automatic preference, and must be issued a voucher, provided they have complied with all of the requirements of their AHVP subsidy and have been unable to secure other long-term rental assistance during the term of the temporary subsidy. DHCD's Bureau of State Rental Assistance must certify, in writing, that the applicant has been identified by DHCD as eligible for transition to another affordable housing program due to budget reductions, the applicant has complied with all of the requirements of their AHVP subsidy and has been unable to secure other long-term rental assistance during the term of the temporary subsidy.
2. The Chelsea Housing Authority, at the Executive Director's discretion, will grant an automatic preference to a current Chelsea public housing resident in good standing, who has a need and desire to move outside the city of Chelsea due to being in a "life threatening situation." The subsidy may be issued in "life threatening situations" such as victim/witness protection, avoiding reprisals, domestic violence threats, and hate crimes,

regardless of whether the waiting list is open or closed. A resident with an automatic preference has priority before all other applicants for a Section 8 voucher. If no voucher is available, the qualifying resident will be placed on the waiting list and receive the next available subsidy.

3. The CHA will grant an automatic preference and admit an applicant to the Section 8 program before all other applicants on the waiting list if:

- a) The applicant resides in CHA federal public housing and is a resident in good standing, AND
- b) The CHA cannot approve the applicant's request for an appropriate size unit within a reasonable timeframe or for a Reasonable Accommodation at any of the CHA's federal public housing sites because the request would be unreasonable, an undue financial burden, or a fundamental alteration of the program and the applicant's request for reasonable accommodation could be resolved by being assisted under the housing choice voucher program.

4 The CHA will grant an automatic preference and admit an applicant to the Section 8 program before all other applicants on the waiting list if:

- a) the applicant resides in CHA public housing and is a resident in good standing, AND
- b) The applicant family is being temporarily displaced due to CHA rehabilitation and modernization programs.

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)].

CHA Policy

The PHA will monitor progress in meeting the income targeting requirement 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.

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)].

CHA 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. Documentation will be maintained by the PHA as to whether families on the list qualify for and are interested in targeted funding. If a higher placed family on the waiting list is not qualified or not interested in targeted funding, there will be a notation maintained so that the PHA does not have to ask higher placed families each time targeted selections are made.

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)].

CHA Policy

The PHA will notify the family by first class mail or email when it is selected from the waiting list. The notice will inform the family of the following:

Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview. Interviews may be conducted in person, by telephone, video call or other means acceptable to the PHA.

Who is required to attend the interview

All documents that must be provided at or subsequent to the interview, including information about what constitutes acceptable documentation

If a notification letter is returned to the PHA with no forwarding address, the family will be removed from the waiting list. A notice of denial (see Chapter 3) will be sent to the family's address of record, as well as to any known alternate address.

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.

CHA Policy

Families selected from the waiting list are required to participate in an eligibility interview.

The head of household and the spouse/cohead will be strongly encouraged to attend the interview together or participate by video call. However, either the head of household or the spouse/cohead may attend the interview on behalf of the family. Verification of information pertaining to adult members of the household will not begin until signed release forms are returned to the PHA.

The head of household or spouse/cohead must provide acceptable documentation of legal identity. (Chapter 7 provides a discussion of proper documentation of legal identity.) If the family representative does not provide the required documentation at the time of the interview, they will be required to provide it within 10 business days.

Pending disclosure and documentation of social security numbers, the PHA will allow the family to retain its place on the waiting. If not, all household members have disclosed their SSNs at the next time the PHA is issuing vouchers, the PHA will issue a voucher to the next eligible applicant family on the waiting list.

The family must provide the information necessary to establish the family's eligibility and determine the appropriate level of assistance, and must complete required forms, provide required signatures, and submit required documentation. If any materials are missing, the PHA will provide the family with a written list of items that must be submitted.

Any required documents or information that the family is unable to provide at the interview must be provided within 10 business days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of eligible noncitizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. 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).

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

Interviews will be conducted in English. For limited English proficient (LEP) applicants, the PHA will provide translation services in accordance with the PHA's LEP plan.

If the family is unable to attend a scheduled interview, the family should contact the PHA in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, the PHA will send another notification letter with a new interview appointment time. Applicants who fail to attend two scheduled interviews without PHA approval will be denied assistance based on the family's failure to supply information needed to determine eligibility. A notice of denial will be issued in accordance with policies contained in Chapter 3.

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.

CHA Policy

If the PHA determines that the family is ineligible, the PHA will send written notification of the ineligibility determination within 10 business 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).

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. The PHA will notify the family in writing that it has been returned to the waiting list and will specify the reasons for it.

If the PHA determines that the family is eligible to receive assistance, the PHA will invite the family to attend a briefing in accordance with the policies in Chapter 5.