

Section 8 Project Rental Assistance (PRA) Program

Referral and Tenant Selection Plan

Approved by OHCS 08/2020

I. **Purpose**

This document sets forth the general guidelines and procedures for selecting tenants for the Section 811 PRA program. It supplements the requirements for the 811 PRA program outlined in the Cooperative Agreement, HUD Notice of Funding Availability (NOFA), Inter-Agency Partnership Agreement between Oregon Housing & Community Services (OHCS), Department of Human Services (DHS) and Oregon Health Authority (OHA), and other Federal and State regulations. This document constitutes the grantee-approved Tenant Selection plan.

For more information regarding the HUD 811 PRA program, please visit https://www.hud.gov/program_offices/housing/mfh/grants/section811ptl.

II. **Program Eligibility Requirements**

In order to qualify for this program, at least one adult member of the household must meet the following eligibility criteria:

- i. Must be an adult between the age of 18-61 at the time of leasing with a disability resulting from:
 - a. A serious persistent mental illness (SPMI); or
 - b. An intellectual and/or developmental disability (ID/DD)
- ii. Adjusted Gross Annual Income of the household is at or below 30% of area median income in the jurisdiction where the unit is located'
- iii. Is Medicaid eligible;
- iv. Is eligible for community-based, long-term services as provided by Medicaid waivers, Medicaid state plan options (OHA), state-funded services or other appropriate services

Priority will be given to eligible applicants who are:

- i. Individuals currently residing in an institution, hospital, licensed or group home setting who are ready to transition to a supported housing setting; and/or
- ii. Individuals who are homeless, at risk of becoming homeless or at risk of reentering an institution, hospital, licensed or facility setting

Eligible applicants not meeting a priority category will be eligible for the program in a non-priority status.

III. **Social Security Number (SSN) Disclosure**

All applicant and tenant household members must disclose and provide verification of the complete and accurate SSN assigned to them EXCEPT for those individuals:

- i. Who do not contend eligible immigration status; or
- ii. Who were age 62 or older as of January 31, 2010, and whose initial determination of eligibility was begun before January 31, 2010; or
- iii. Under the age of 6 without an assigned SSN added to the household within 6 months prior to move-in. The applicant must disclose and provide verification of the household member's SSN within 90 calendar days after being housed. Failure to disclose and provide documentation and verification of SSN will result in an applicant not being admitted or a tenant household's tenancy being terminated.

The applicant who has not disclosed and provided verification of SSNs for all household members must disclose and provide verification of SSNs for all household members to OHCS within 90 days from the date they are first offered an available unit. If all household members have not disclosed and/or provided verification of their SSNs at the time a unit becomes available, the next eligible applicant must be offered the available unit.

If OHCS has determined that the applicant is otherwise eligible for the program, and the only outstanding verification is that of disclosing and providing verification of the SSN, the applicant may retain his or her place on the waiting list for the 90-day period during which the applicant is trying to obtain documentation.

- i. After 90 days, if the applicant has been unable to supply the required SSN and verification documentation, the applicant will be determined as ineligible and removed from the waiting list.

IV. **Procedures for Accepting Applications and Selecting from the Waiting List**

The following procedures will be used for providing outreach to potential applicants, accepting applications, determining program eligibility, selecting applicants for referral to available units, and selecting referred applicants for leasing. There is no application fee to apply for assistance.

- i. Outreach: Outreach to potential applicants will be provided by the OHA service providers or DHS services coordinator working with persons with disabilities. Every effort will be made to distribute information about the program to those who potentially meet the program eligibility criteria. All outreach and advertising will be done in accordance to the approved Affirmative Fair Housing Marketing Plan (AFHMP); to review or obtain a copy, [click here](#).
- ii. Accepting and placing applications: Each household must complete one (1) application to apply for assistance and select which property(ies) in which the household wishes to reside. Potential applicants will be referred to OHCS from the applicant's OHA service provider, DHS service coordinator, or personal agent. The applicant's OHA service provider, DHS service coordinator, or personal agent will assist in completing the tenant application. The application will include pre-screening information that will inform the applicant of program eligibility. If an applicant is determined to be eligible, the application is sent to OHCS for final review and placement onto the waiting list for the property(ies) selected by the applicant; placement will be as of the date and time the application was received by OHCS.

- iii. Selection from waiting list: Each property participating in this program will have a waiting list that is maintained by OHCS. Each property waiting list will have a DHS and OHA list and each application will be placed in chronological order on the appropriate referral Agency list (OHA or DHS). Once a unit becomes available, the top two applications from each referral Agency (total of four applications), will be referred to the property for screening to determine property eligibility. The property will be provided with the date and time of application to ensure applications are screened in chronological order.
 - a. If the applicant is not selected due to the top application being selected, then the applicant will remain on the waiting list as of their original placement.
 - b. If the application is denied by the property, the household will be able to appeal the decision (request a copy of the property TSP for further information). If the rejection by the property is not overturned, the household will be removed from the property waiting list maintained with OHCS (NOTE: The household is only removed from that property's waiting list, if the household applied at multiple properties than their placement is unchanged).
 - c. If the applicant is approved by the property and moves in, then the applicant will be removed from all other property waiting lists maintained by OHCS for this program.
- iv. Refusing a Unit: Applicants may refuse an offered unit. These applicants will return to the waiting list with their original priority status and date/time of receipt. Should an applicant refuse four units, OHCS and OHA/DHS will review the circumstances of each refusal. If it is determined that insufficient reasons led to refusing units, the applicant will be removed from that property's waiting list. The applicant will be notified per the application policy listed below. Applicants may re-apply at any time.
- v. Updating Application: If any changes occur to the information listed in the submitted application, the applicant will need to submit an update request to OHCS. This will be placed with the original application that was submitted. It is recommended that applicants should update their application for any changes every 3 months.

V. **Applicant Screening Criteria**

The following screening criteria apply only to program eligibility. Applicants are encouraged to review the property's Tenant Selection Plan (TSP) for property eligibility requirements.

Admission of any household will be prohibited for the following:

- i. Any household containing a member(s) who was evicted in the last 3 years from federally assisted housing for drug-related criminal activity. OHCS may consider one of the two exceptions to this provision:
 - a. The evicted household member has successfully completed an approved, supervised drug rehabilitation program; or
 - b. The circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household).
- ii. A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents;

- iii. Any household member who is subject to a State sex offender lifetime registration; and
- iv. Any household member if there is a reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents. The screening standards will be based on behavior, not the condition of alcoholism or alcohol abuse.

OHCS will utilize HUD's Enterprise Income Verification (EIV) Existing Tenant Search report to identify if any household member is currently receiving rental assistance, at the time of application, at another Multifamily Housing or Public and Indian Housing (PIH) location.

- i. If any household member is identified on the report, the applicant will be given the opportunity to explain any circumstances relative to his/her being assisted at another location.
- ii. If necessary, follow up will be conducted with the respective Public Housing Agency (PHA) or owner to confirm the individual's participation status before admission depending on the outcome of the discussion with the applicant.

VI. **Occupancy Standards**

The following are the requirements regarding the minimum and maximum number of occupants per unit type:

- 0 Bedroom Unit – minimum of 1 person and maximum of 2 persons
- 1 Bedroom Unit – minimum of 1 person and maximum of 3 persons
- 2 Bedroom Unit – minimum of 2 persons and maximum of 5 persons

VII. **Eligibility of Students**

If a household has a member that is a student enrolled at an institution of higher education (full or part-time), must be determined if they are eligible for Section 8 assistance at move-in and during their annual recertification or initial certification (when an in-place tenant begins receiving Section 8). Section 8 assistance shall not be provided to any individual who is:

- i. Is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential; and
- ii. Is under the age of 24; and
- iii. Is not married; and
- iv. Is not a veteran of the United States Military; and
- v. Does not have a dependent child; and
- vi. Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving Section 8 assistance as of November 30, 2005; and
- vii. Is not living with his or her parents who are receiving Section 8 assistance; and
- viii. Is not individually eligible to receive Section 8 assistance or has parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance. NOTE: Unless the student can demonstrate his or her independence from parents, the student must be eligible to receive Section 8 assistance and the

parents (individually or jointly) must be eligible to receive Section 8 assistance in order for the tenant to receive Section 8 assistance.

For the student to be eligible independent of his or her parents, the student must meet **all** of the following criteria to be eligible to receive Section 8 assistance:

- i. Be of legal contract age under state law;
- ii. Have established a household separate from parents or legal guardians for at least one year prior to application of occupancy, **or**, meet the U.S. Department of Education's definition of an independent student*;
- iii. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
- iv. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

* - The U.S. Department of Education's definition of an independent student is an individual who is:

- i. 24 or older by 12/31 of the award year
- ii. An orphan, in foster care, or a ward of the court or was at any time when the individual was 13 years of age or older
- iii. Is an emancipated minor
- iv. Is a veteran of the Armed Forces or is currently serving on active duty other than training purposes
- v. Is a graduate or professional student
- vi. Is married
- vii. Has legal dependents
- viii. Is a student for whom a financial aid administrator makes a documented determination of independence
- ix. Has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (defined by section 725 of the McKinney-Vento Homeless Assistance Act), or at risk of homelessness, by:
 - a. A local educational agency homeless liaison; or
 - b. Director, or designee, of a program funded under the Runaway and Homeless Youth Act; or
 - c. Director, or designee, of a program funded under Subtitle B of title IV of the McKinney-Vento Homeless Assistance Act; or
 - d. A financial aid administrator

VIII. **Application Rejection Policy**

Applicants who do not meet the above criteria will be denied. A rejection letter will be mailed to the applicant and a copy emailed to the referral agent listed on the application and will include the following:

- i. Specific reason(s) for rejection/denial;
- ii. Inform the applicant of the right to respond in writing or request a meeting to dispute the rejection within 14 days of the date of the letter; and
- iii. Persons with disabilities have the right to request a reasonable accommodation to participate in the informal hearing process

Applicants who request a hearing will be notified in writing within 5 business days from the date of the hearing with a final decision on eligibility.

IX. Non-Discrimination Policy

It is the policy of OHCS to comply fully with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a), including, but not limited to, the Fair Housing Act; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; and Title II of the Americans with Disabilities Act.

OHCS will not discriminate on the basis of race, color, sex, sexual orientation, gender identity, religion, age, familial status, marital status, source of income, disability, victims of domestic violence or national origin in the leasing, rental, or other disposition of housing or related facilities, or in the use of occupancy thereof. In addition, OHCS will not:

- i. Deny any applicant the opportunity to apply for housing, nor deny any eligible applicant the opportunity to lease housing suitable to its needs;
- ii. Provide housing which is different from that provided to others;
- iii. Subject a person to segregation or disparate treatment;
- iv. Restrict a person's access to any benefit enjoyed by others in connection with the housing program;
- v. Treat a person differently in determining eligibility or other requirements for admission;
- vi. Deny a person to the same level of services; or
- vii. Deny a person the opportunity to participate in a planning or advisory group that is an integral part of the housing program

OHCS shall not automatically deny admission to a particular group or category of otherwise eligible applicants. Each applicant in a particular group or category will be treated on an individual basis in the normal processing routine for rental assistance.

X. Section 504 of the Rehabilitation Act of 1973

It is the policy of OHCS to assure that qualified individuals with disabilities are not discriminated against on the basis of their disability. OHCS also assures that these individuals will have equal opportunity to receive and enjoy the benefits of living at the property.

- i. Reasonable Accommodations: OHCS will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504 of the Rehabilitation Act of 1973, OHCS will make reasonable accommodation for individuals with disabilities (applicants or tenants). Such accommodations may include changes in the method of administering policies, procedures, or services where such modifications would be necessary to afford full access to the housing program for qualified individuals with disabilities. In reaching a reasonable accommodation with qualified individuals with a disability, OHCS is not required to:
 - a. Provide support services that are not already part of its housing programs;
 - b. Take any action that would result in a fundamental alteration in the nature of the program or service;
 - c. Take any action that would result in an undue financial and administrative burden on the Agency (OHCS).



- If you wish to request a Reasonable Accommodation, [click here](#)
- ii. Information Regarding Disabilities: OHCS ensures that any questions related to disability on the application for housing, have to do with program eligibility, and allowable medical or disability deductions for housing applicants who wish to take advantage of those deductions. It is not required that any information regarding a possible disability be revealed other than for program eligibility requirements.
 - iii. Improving Access to Services for Persons with Limited English Proficiency (LEP): Executive Order (E.O.) 13166 requires Federal agencies and grantees to take affirmative steps to communicate with persons who need services or information in a language other than English. OHCS will take reasonable steps to ensure meaningful access to the information and services we provide for persons with LEP. This may include interpreter services and/or written materials translated into other languages.

