



Southington Housing Authority

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TENANT SELECTION POLICY

The Housing Authority of the Town of Southington operates the following housing programs: E-33, E-84, E-122, E-148, and E168 (85167D, 85168D, 851669D, 85170D, 85171D). Which are governed by the following policies. These policies apply equally to all developments unless otherwise specified. The State Sponsored housing complexes are obligated to follow the applicable state statutes and regulations for each program. The State Sponsored portfolio was transferred to Connecticut Housing Finance Authority/Agency (CHFA) in 2003.

1. STATUTES, REGULATIONS AND ASSISTANCE AGREEMENT

The Elderly Housing Program is subject to Sections 8-112a through 8-119c of the Connecticut General Statutes. Every Elderly Housing complex is subject to the provisions of the Assistance Agreement executed between SHA and the original authorizing state agency (Dept. of Community Affairs, Department of Housing or DECD). The Assistance Agreements were transferred along with the portfolio to CHFA in 2003.

2. FAIR HOUSING

The Southington Housing Authority (hereinafter referred to as SHA) will operate its programs within the Fair Housing regulations under Section 8-37ee-1 through 8-37ee-17 and Section 8-37ee-300 through Section 8-37ee-314 of the Regulations of Connecticut State Agencies and in compliance with the state and federal fair housing laws found at 42 U.S.C 3604ff and C.G.S. 46a-64c.

SHA shall not on account of age, ancestry, color, sex, race, creed, marital status, sexual orientation, national origin, religion, lawful source of income, familial status, learning disability, physical or mental disability, gender identity or expression, or veteran's status.

- Deny to any family¹ the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to lease housing suitable to its needs;
- Provide housing which is different from that provided others;
- Subject a person to segregation or disparate treatment;
- Restrict a person's access to any benefit enjoyed by others in connection with the housing program;
- Treat a person differently in determining eligibility or other requirements for admission;
- Deny a person access to the same level of services;
- Deny a family a reasonable accommodation/modification.

¹ "Family" as used in this document is the same as the definition used in Conn. Reg. 8-37ee-1(4) which is "a household consisting of one or more persons".

3. OPENING AND CLOSING WAITING LISTS

Opening the waiting list

SHA shall review the waiting list bi-annually to ensure an adequate pool of applicants exist, typically three applicants per bedroom type as well as a sufficient number of persons that are “least likely to apply” as determined in the affirmative fair marketing analysis.

Insufficient Number of Least Likely to Apply Applicants (Sec. 8-37ee-306)

SHA shall evaluate its waiting list to determine whether or not the waiting list provides for racial and economic diversity. If the Authority finds it has an insufficient number of least likely to apply applicants:

- A. The Authority will use its Affirmative Fair Housing Marketing Plan to market its units;
- B. The Authority will make sure its efforts meet time and durational requirements;
- C. The Authority will amend or enhance the marketing approach when found deficient; and document any particular local, regional, and/or market reasons for the failure of the Affirmative Fair Housing Marketing Plan to attract a sufficient pool of applicants who are least likely to apply.
- D. The Authority shall develop and maintain adequate documentation in a manner prescribed by DOH of its good faith efforts.

Outreach when opening waiting lists

SHA will, as needed, publicize the availability and nature of the Housing Program for the extremely low-income, very low and low-income individuals in a newspaper of general circulation, minority media, or by other suitable means.

SHA will communicate the status of housing availability to other service providers in the community and inform them of housing eligibility factors and guidelines, so they can make proper referrals.

Upon the determination that there is an insufficient pool of applications, SHA will publish a notice of intent to accept applications. The notice will be posted on the website of the state designated agency, listed on CT search (211 website), and widely distributed to human and social service agencies, including those with a primary mission of servicing populations identified in the affirmative fair marketing plan as “least likely to apply” the notice shall state the time frame for submission of applications and where they should be mailed or delivered. The notice will state any limitations to who may apply such as maximum income as well as the methodology of rent determination- (base/minimum rent or 30% of adjusted gross income, whichever is higher) and unit sized for which applications are being taken.

The notice shall state that applicants must have the demonstrated ability to pay the base rent if below the income level at which the base rent is set.

The notice shall state the waiting list may be closed when a maximum number of applications are received, and the notice of the closing will be done in the same manner as the opening. Applications received until the notice is published will be taken even if the maximum number is achieved.

The notice shall state that persons with disabilities may request a reasonable accommodation to ensure that they can be put on the waiting list. The notice will also state who at the SHA applicants can contact if they need a reasonable accommodation to apply for the housing opportunity.

4. APPLICATION PROCESS

The application process is governed by the fair housing laws and particularly the requirement that all housing providers provide reasonable accommodations to applicants to ensure that they qualify for housing to the greatest extent possible. The application process is outlined below and is consistent with State regulations Sec. 8-37ee-303. In the event there is a conflict, applicable state regulations shall govern the process.

- The application enrollment period shall take place twice yearly, from January 1st through January 31st and from July 1st through July 31st Unless the number of applications received exceeds the number of units in the complex by at least three times and there is a sufficient number of applicants who meet the criteria of least likely to apply as defined in the Affirmative Fair Housing Marketing Plan.
- Applications may be provided by any staff member.
- Anyone seeking to apply shall be given the opportunity to do so as long as the waiting list is open for the type of housing and the bedroom size required.
- Each application received shall be immediately dated and time stamped.
- Each applicant shall be mailed a receipt with the date and time stamped. A control number assigned in chronological order and advisement of their responsibility to notify the Authority when mailing address or phone numbers change.
- A file shall be opened for each applicant. The file shall remain confidential information and shall be kept in a locked file cabinet.
- Please note that SHA screens for eligibility at the time the applicant's name comes up on the waiting list.
- A copy of this Tenant Select Policy shall be attached to the blank application form.

Communication

Applications for admission will include information about requesting a Reasonable Accommodation. All decisions granting or denying requests for reasonable accommodations will be in writing.

SHA will obtain verification that the person is a person with a disability. SHA will seek verification that the requested accommodation is related to the disability. SHA will not inquire as to the nature of the disability. SHA shall not request copies of the medical records or require that the information be from a doctor as it can come from any treating medical provider. The treating medical provider may submit the information in a form of their choosing and will not be required to fill out a form generated by SHA in order to verify that the person is a person with a disability. In order to be determined reasonable, the accommodation must meet two criteria:

1. Would the accommodation constitute a fundamental alteration of the housing program? SHA's business is housing. If the request would alter the fundamental business that SHA conducts, that would not be reasonable.
2. Would the requested accommodation create an undue financial hardship or administrative burden? Frequently the requested accommodation costs little or nothing. If the cost would be an undue burden, SHA may request a meeting with the individual to investigate and consider equally effective alternatives.

Generally, the individual knows best what it is they need; however, SHA retains the right to be shown how the requested accommodation enables the individual to access or use the Authority's programs or services.

If more than one accommodation is equally effective in providing access to the Authority's programs, SHA retains the right to select the most efficient or economic choice.

5. ELIGIBILITY FOR ADMISSION

In determining eligibility for admission, SHA will take all of the aforementioned information into consideration. In addition, The Housing Authority will require the applicant to sign a release authorizing the Authority to obtain information, for a credit/character check.

Legal screening criteria include, but not limited to:

- A. Income eligibility;
- B. Number of people in the family that conforms to the occupancy standards which are appropriate to the vacant unit;
- C. Demonstrated ability to pay rent on time;
- D. References from former landlords;
- E. Credit checks, except that a lack of credit history, as opposed to a poor credit history, is not sufficient grounds to reject and applicant;
- F. Applicants must be a person who is sixty-two years of age or older, or a person who has been certified by the Social Security Board as being totally disabled under the Federal Social Security Act or certified by any other federal board or agency as being totally disabled. CGS sec. 8-113a;
- G. Ineligibility because of a conviction of a current household member of drug-related criminal activity for the production or manufacture of illegal drugs;
- H. Ineligibility because a current household member is subject to a lifetime registration requirement under a federal or state sex offender registration program;
- I. Ineligibility because a current household member has engaged in criminal activity that is a threat to the health or safety of other tenants is determined on a case by case basis, taking into account all factors;
- J. Ineligibility because a current household member has been convicted of a felony within the last 10 years at time of application.
- K. Ineligibility because the family has a pattern of late payments within the last twelve months (see 8-37ee-305E-(1)(b) without reasonable justification (justification may be loss of job, substandard housing) or eviction from housing or termination from residential programs within the past five years (considering all relevant circumstances).

Persons on the list from the previous application period with less than two refusals will not be displaced by those applying during the following period. An applicant who declines an apartment two times will be removed from the waiting list or return to the bottom of the waiting list and at the next application period be subject to the open enrollment lottery system.

POLICY ON HARDSHIP:

When an applicant cannot accept an apartment for any one of the hardships listed. The applicant will not be charged a refusal. The applicant will be reinstated at the top of the waiting list at the expiration of the hardship. If the hardship was granted at seconded refusal, the applicant will have one refusal before removal or placement at the bottom of the waiting list.

- A. Homes currently listed for sale. (documentation showing the home is actively listed for sale).
- B. A physician's verification that the applicant has presently undergone surgery and requires a period to recuperate. (verification must state the end date of the recuperation period).

6. GROUNDS FOR DISQUALIFICATION- in addition to the above screening criteria, applicants can be denied for:

1. Applicant knowingly falsifies information on the application or during the process.
2. Applicant or any member of household has a history of disturbing neighbors, destroying property or living or housekeeping habits which would substantially interfere with the health safety or peaceful enjoyment of other residents.
3. The applicant cannot demonstrate the ability to pay the base rent.

Illegal screening criteria include but are not limited to:

- A. Residency requirements;
- B. Proof of U.S. citizenship;
- C. Employment of individuals or families;
- D. Limits on sources of income that will be considered so long as the income is legal;
- E. Ability to live independently;
- F. Ability to assist in building, construction, or maintenance;

7. VERIFICATION OF INFORMATION

All information from each applicant must be verified in writing. Any information relative to the acceptance or rejection of an applicant must be documented and placed in the applicant's file. This may include reports of interviews, letters or telephone conversations (by SHA staff) with reliable sources. These reports must minimally include the name and title of the individual contacted, date of contact and a summary of the information received.

Sources of information may include, but are not limited to, the applicant (by means of an interview or home visit), landlords, employers, family social workers, parole officers, credit bureaus, court records, drug treatment centers, clinics, physicians, police department or agencies that provide such information, where necessary. Appropriate releases will be obtained from the applicant. SHA is not entitled to obtain medical records of any kind.

If an applicant must be disabled to qualify for a property, SHA may obtain proof of disability such as a letter awarding disability benefits.

SHA uses a credit bureau, all denial notices will conform to the requirements of the Fair Credit Reporting Act.

8. NOTIFICATION OF APPLICANT

Each applicant determined to be eligible within selection criteria, shall be promptly notified by SHA of such determination and of the approximate date of occupancy, insofar as that date can be reasonably determined.

9. OCCUPANCY STANDARDS

The apartment size required to accommodate each family shall be determined by the square footage requirements as stated in the state building code as applicable.

10. TENANT SELECTION METHODOLOGY

For the purpose of fairness and equity, SHA uses the lottery system for selection of applicants for tenancy. The following steps are taken by SHA:

- 1) Review the income reported for eligibility for all applicants;
- 2) Pre-screen/interview for credit worthiness and other reasonable common rental or ownership criteria; and for verification of applicant information.
- 3) Put all applicants with favorable interviews, that is, having no ground for disqualification back in the pool and choosing by a lottery system.
- 4) SHA will seek third party services where feasible to conduct the lottery.

11. SELECTION FROM THE WAITLIST

A. SHA, within the program statutory income limits has targeted set-asides for low, very low and extremely low-income individuals and families. When a housing opportunity (vacant unit) becomes available the opportunity will be offered to the applicants on the wait list, stating the base rent and income eligibility for the unit. Applicants on the waiting list who can afford units in the low-income category will be afforded opportunities for units in the low-income category. Likewise, applicants in the very low-income category will be afforded opportunities for units within the very low-income category. Only applicants meeting the criteria for extremely low income will be housed in units reserved for extremely low income. Applicants in lower income categories, who demonstrate the ability to pay the base rent in a higher income unit will not be denied; provided they meet other screening criteria. However, higher income applicants (meeting the program maximum income guidelines) will not be placed into units targeted specifically for very low and extremely low, unless there are no applicants on the waiting list. SHA will market the set-aside income category units using its Affirmative Fair Housing Marketing Plan to maintain a waiting list of eligible applicants.

- B. Low, very low and extremely low incomes are defined by the U.S. Department of Housing and Urban Development for the purposes of this plan.
- C. SHA will set forth in the budget, for approval by CHFA, the targeted set asides in each income category, bearing in mind the population to be served in the local community and the statutory requirements to generate sufficient income from rents to cover all operating expenses, any applicable debt service and create a provision for replacement reserve to cover capital needs.
- D. The targeted set asides in each income category are as follows:
 - 1) Level One- Extremely low: adjusted income level \$18,000 min./\$22,999 max.
with a base rent of \$450 (base/30%, whichever is higher)
targeted units: 30
 - 2) Level Two-Very low: adjusted income level -\$23,000 min./\$26,999 max.
with a base rent of \$575 (base/30%, whichever is higher)
targeted units: 100
 - 3) Level Three-Low: adjusted income level - \$27,000 min./\$50,350 max.
with a base rent of \$675 (base/30%, whichever is higher)
targeted units: 50

12. DENIAL OF ADMISSION

Applicants deemed ineligible, for whatever reason(s), shall be notified in writing of the reason(s) for rejection and their right to appeal within (10) business days. If the applicant prevails, they will be allowed to return to the applicant pool.

An impartial hearing officer shall be chosen by SHA who shall issue a written opinion within five days of the hearing. All appeals will be heard within five days of the request.

At the hearing, the hearing officer consideration shall be given to:

1. Any requests for a reasonable accommodation that would result SHA waiving consideration of past behavior unless the behavior, if continued, would pose a threat to the health and safety of others;
2. Any information that shows that the reason for the disqualification was the result of circumstances outside of the family's control including but not limited to late or non-payment of rent/mortgage because of loss or reduction in employment, medical or disability related issues which resulted in non-payment or late payment of bills, timing of receipt of public benefits which resulted in late payment of bills or rent;
3. Any information which shows a change in circumstance that would ensure that the reason for disqualification would not recur including but not limited to the ouster or banning of the household member creating the reason for disqualification, drug or alcohol treatment, medical treatment of the condition causing the reason for the disqualification;
4. Any information which demonstrates that the reason for the disqualification was the result of domestic violence;
5. Any other information which shows that the reason for the disqualification is no likely to recur.

SHA shall keep the following materials on file for at least three years:

1. Application;
2. Initial rejection notice;
3. Any applicant reply;
4. The recipient's final response; and
5. All interview and verified information on which the rejection was based.

13. CLOSING THE WAITING LIST

SHA, at its discretion and in accordance with the fair housing laws and the statutes and regulations governing the applicable housing program, may restrict application intake, suspend application intake, and close waiting lists in whole or in part. A decision to close the waiting lists will be publicly announced using the same affirmative fair housing marketing plan used to notify all interested persons of the opening of the waiting list. If SHA's waiting lists have sufficient applicants (at least three applicants per apartment size) at all bedroom sizes, and has racial and economic diversity as required by Con.Gen.Stat.8-37bb, and that there are sufficient families who are least likely to apply based on the targets in the affirmative fair marketing plan on the list or near the top of the list such that they might be housed within the next year then SHA may elect to:

1. Close the waiting list January and/or July;
2. Or restrict intake by type of project or by size and type of dwelling unit.

14. UPDATING THE WAITING LIST

SHA will update the waiting list at least bi-annually by removing the names of those individuals/families that are no longer interested, no longer qualify for housing or cannot be reached by telephone or mail. The waiting list will be purged by notifying every family on the list that they are liable to be purged unless they contact the housing provider within a certain period of time. The mailing will ask for current information and confirmation of continued interest.

If an applicant fails to respond to a mailing from SHA within the time specified, they will be removed from the waiting list. If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice and the envelope and letter will be maintained in the file. If a letter is returned with a forwarding address, it will be re-mailed to the address indicated.

At the time of initial intake, SHA will advise applicants of their responsibility to notify SHA when mailing address or phone numbers change.



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