Procedure on Unit Offers and Applicant/ Transferee Placement

**1.01 General**

This procedure describes the steps in the admission process that follow those covered in the **Procedure on Taking Applications and Initial Processing.** Other procedures referenced in this document include the PHA’s **Procedure on Applicant Screening**, and **Procedure on Updating and Removing Families from the Transfer Waiting List.**  As a whole, these procedures instruct PHA staff on completing the process leading to applicant or transfer unit offers, making the actual unit offer, and signing the lease. Critical parts of this process are governed by the PHA’s Admissions and Occupancy Policy (ACOP), specifically the Tenant Selection and Assignment Plan and the Transfer Policy. Adherence to the policy and procedures is extremely important to ensure that all applicants are treated fairly and uniformly, and that Civil Rights violations do not occur.

**1.02 Criminal Record Check**

Once Occupancy Technicians have completed the verification process and determined applicants to be eligible for housing, folders of eligible applicants will be given to the Occupancy Specialist Manager. The Specialist Manager will not assign these folders to the Occupancy Specialists until all adult applicants in each family have passed the criminal background check. The Specialist Manager or designee will review the criminal background checks according to Section 1.02(c) in the **Applicant Screening Procedure**. If the adult members of the applicant family pass the criminal record check, the Manager will assign these folders to the Specialists to complete screening.

**1.03 Assignment of Applicant Cases**

When a Specialist is assigned any particular applicant family, she/he is solely responsible for completing processing of this applicant starting with assembling the screening documentation, through determining whether the applicant meets the screening criteria, to either making an offer of housing or rejecting the applicant. No other Specialist will work with this applicant family or have responsibility for completing any of the tasks involved. When Specialists receive files, applicants will be two to three months from the top of the waiting list.

Because the Occupancy Specialists are the PHA staff ultimately responsible for matching families and vacant units, they also process transfers. Accordingly, Occupancy Specialists will also be assigned transfer family folders, as appropriate, for unit transfers according to PHA’s Transfer Policy.

In effect, both residents on the transfer list and applicants on the waiting list are both waiting for vacant units. The Transfer Policy Section of the ACOP spells out which transfers take precedence over admissions and which are processed at the rate of four admissions to one transfer.

**1.04 Review of Applicant Folders**

Upon receipt of new applicant folders, Occupancy Specialists will immediately review the folders for completeness and consistency. Paper files should include the necessary verifications, checklists, letters forms, and signatures, and both the paper and electronic information should be internally consistent with verifications. If not, the Specialist will send incomplete/inconsistent folders back to the Specialist Manager with a memorandum detailing the status of the folder. This memo will be copied to the Quality Control Specialist and the Occupancy Technician Manager.

For transfers, Occupancy Specialists will contact the Manager of the development where the family currently resides to obtain the most recent recertification information. For split family transfers, Occupancy Specialists will set up new tenant files as needed.

**1.05 Applicant Screening**

Once the folders received from the Occupancy Technicians have been determined complete, Specialists will then commence screening the applicant according to **PHA's Applicant Screening Procedure**. **(Required, 24 CFR § 960.205)**  The goal is to complete screening no later than one month before move-in. This is necessary to give applicants time to give proper notice to their current landlords.

As soon as it is apparent that an applicant family passes screening, the family should be notified of the date they will receive a unit offer, the soonest date that they could move in, and the rent and security deposit amounts. They will also be informed that they should:

* Give notice to their current landlord;
* Begin assembling the cash they will need for a security deposit and the first month’s rent. If the family is moving in at any time other than the first of the month, the family will be informed of the pro-rated rent amount; and
* Making arrangements to move their furniture and personal effects.

# **1.06 Screening Transfer Families**

# For transfers, other than emergencies and those mandated by PHA, the family is required to have a good record, which includes:

* No one in the family has engaged in drug-related criminal activity or criminal activity that threatens the health, safety, or right to peaceful enjoyment of residents and staff;
* The family does not owe back rent or other charges or evidence a pattern of late payments;
* The family meets reasonable housekeeping standards and has no lease violations related to housekeeping; and
* In the case of properties with tenant-paid utilities, the family can get utilities turned on in the name of the head of household (which will require a utility verification).

Exceptions to these good record requirements may be made for emergency transfers or if it is to PHA’s advantage to move forward with the transfer. For transfers that may require an exception, Occupancy Specialists shall discuss these cases with their Manager.

**1.07 Assignment of Units**

When an applicant has passed screening, the Specialist is responsible for assigning the appropriate ready unit to the applicant family according to the Tenant Selection and Assignment Plan (TSAP) in PHA’s Admissions and Occupancy Policy. **[Required, 24 CFR § 1.4(b)(2)(ii)]** To be considered for assignment, a unit must be ready for showing and occupancy, which means that the unit is in full compliance with Housing Quality Standards and is clean and freshly painted.

Since all Occupancy Specialists are working on screening applicant folders at the top of the waiting list and housing transfer families, it is important that the Specialists coordinate unit assignments with one another to insure that the TSAP is followed and to prevent a unit from being assigned to more than one family. A priority diagram for unit offers is provided in Attachment 1.

Specialists will check the ready unit files (which will be sorted according to the waiting sublist categories, by unit size, type, and special features, with the unit that was or will be ready the earliest listed first), and follow two general rules in assigning a unit to applicants from the waiting list:

1. The characteristics of the unit available should be matched to the highest ranking applicant for a unit of that size, type, and special feature (if any). This means that if two applicants need the same type and size of unit and have the same preference status, the applicant with the earlier date and time of application will receive the earliest offer.
2. If more than one unit of the appropriate size and type is available, the first unit offered will be the unit that is or will be ready for move-in first.

Approved applicants from the waiting list will receive unit offers according to their place on the waiting list regardless of when they finally pass screening.

For transfers, Specialists will attempt to assign units within the development, or, if that is not possible, within the same neighborhood as that in which the transferee resides when possible. Thus, the requirement that unit offers be made based upon the oldest ready unit does not always apply to transfers. Also, since some categories of transfers take precedence over admissions, those transfers would receive unit assignments first, with the units remaining available for assignment to applicants.

However, there will be circumstances under which the same neighborhood transfer rule will not be possible, as in the case of Emergency, Category 1, and often Category 2 transfers because of the urgency of the situation.

Once a unit has been assigned, the Occupancy Specialist will then contact the manager of the unit and obtain a listing of dates and times when the unit can be shown if this information is not already provided in the ready unit file. Coordination with the Manager at this stage is critical, since the Manager will also want to make sure the grounds and common areas of the building are in good condition when the unit is shown.

**1.08 Rent Calculation [Required, 24 CFR § 913.107 and 5.613(b)]**

Once a unit has been assigned to an applicant/transfer family, the Occupancy Specialist can compute the Total Tenant Payment (TTP) using the federal formula:

Income-based TTP equals the **greatest** of:

* 30% of monthly adjusted income, or
* 10% of monthly income,

**but never less than**

* the Minimum Rent

but never less than the

* Ceiling Rent

**TTP can also be the Flat rent**

The Flat rent, a market priced rent, is offered to every family once each year, either at admission or at annual recertification. It is assumed that families will choose the lower of the Flat rent or the income-based rent.

For properties with tenant-paid utilities, the Tenant rent will be the TTP less the Allowance for Utilities applicable to the assigned unit. Any utility reimbursements (the amount by which the utility allowance exceeds the TTP) will be paid either to the tenant or directly to the utility supplier on the tenant's behalf[[1]](#footnote-1). **(See 24 CFR § 913.108)**

* 1. **Unit Offer Interview**

The Occupancy Specialist will then contact the applicant/transfer family both by telephone and letter to inform him/her that the application has been approved and a unit is available for rent. The Specialist will schedule an interview for the applicant/transfer family to come in to discuss the unit offer. If the Specialist is unable to contact the applicant to schedule the interview or if the applicant fails to show up for the interview, the Specialist will process the applicant for withdrawal, as described in the **Procedure on Updating the Waiting List and Removing Applications.**

At the unit offer interview, the Specialist will inform the applicant/transfer family which unit has been assigned, provide a brief property description and other information about the neighborhood and location of the property, and confirm the rent and security deposit amounts. If the applicant does not refuse the unit at this time, the Specialist will schedule the unit showing and contact the manager to confirm the appointment.

If the applicant refuses the unit offer at this time, the Specialist will counsel the applicant about the consequences of refusal.

If the unit offer is communicated by phone, the Specialist will confirm the offer by letter to the applicant. If the Specialist is unable to contact the applicant by phone, she/he will send a certified letter, return receipt requested making the unit offer.

Occupancy Specialists will maintain a record of units offered, including location, date, and circumstances of each offer, and each acceptance or refusal, including reasons for the refusal.

* 1. **Preparation of the Lease**

Prior to the unit showing, the Occupancy Specialist will prepare the lease for the unit and fill in all of the appropriate information including the rent and security deposit amounts, name of the applicant and all household members who will reside in the unit, address of the unit, utility allowance, if any, applicable to the unit, etc.. The Specialist will then forward the lease, any other required documents, and the entire applicant folder to the manager at the property.

**1.11 Unit Showing and Follow-up**

The Manager at the development is responsible for showing the unit to the applicant/transfer family and informing the assigned Specialist of the outcome of the showing. As specified in the PHA’s Admissions and Occupancy Policy, applicants have three (3) days from the housing offer by the Specialist to decide whether to accept the unit or not (e.g. if the offer was made on a Friday, the applicant has until Monday to decide; if the offer was made on Tuesday, the applicant has until Friday to decide). Failure to respond within the specified time frame will be considered a refusal of the unit.

There are four possible outcomes to the unit showing:

1. If the family **accepts** the unit, the manager is responsible for getting the lease signed, and collecting the security deposit and prorated portion of the first month’s rent;
2. If the family **refuses** the unit, the Manager will obtain a signed reason for the refusal and then return the signed reason along with the family’s folder to the Specialist who will follow-up with the family to determine if the unit was refused for good cause and counsel them on the consequences of refusing a unit;
3. If the family is a **no-show** for the appointment, the Manager attempts to contact the family to determine the reason for the no-show, and informs the Specialist that the applicant was a no-show. The specialist will also attempt to contact the family. If it is not possible to contact the family, their application will be processed for withdrawal from the waiting list. If the family is contacted, the Specialist will follow the procedure described below on Refusal of Units.
4. If the **unit assigned is not ready for leasing at the time of the unit showing**, the Manager will return the family’s folder to the Specialist for another unit assignment. The Specialist will then refer the unit file to the Quality Control Specialist for follow-up with property management..

**1.12 Refusal of Units**

If the unit is refused by an applicant or transfer family, the Specialist must examine the reason for refusal. If it is a good cause refusal as defined in the TSAP, the family does not lose their place on the waiting/transfer list and is offered another unit. An example of an good cause reason for an applicant rejecting a unit would be the presence in the unit of lead-based paint if the applicant had children under age seven. **(See REV-2** ¶ **5-7(6))**

If the unit is refused without good cause as defined under the TSAP, applicants from the waiting list are moved to the bottom of the waiting list (without any preferences) and assigned a new date and time of application as of the date and time of refusal of the unit. The Specialist will also inform the applicant the likely amount of time the applicant will have to wait for another unit offer.

In the case of transfers, when the unit is refused without good cause, for voluntary transfers, the family is removed from the transfer list. For mandatory transfers, the family may have their lease terminated and processed for eviction. These lease terminations are subject to the Grievance Procedure.

**1.13 Leasing of Units**

If the applicant accepts the unit after visiting it, the Manager will notify the assigned Occupancy Specialist, and is responsible conducting the move-in inspection; collecting the security deposit, pro-rata share of the first month’s rent, and any other deposits that may be required (pet deposit, key deposit, etc.); and executing the lease. The required documents should already have been furnished to the Manager by the Specialist prior to the unit showing.

If a non-disabled applicant family is offered an accessible/adaptable unit and she/he accepts it, the applicant must also sign an agreement to move to an available non-accessible unit within 30 days when either a current resident or applicant needs the features of the unit.

For units with tenant-paid utilities, the applicant family must also sign an third party notification agreement to the utility company so that PHA will be notified if the tenant fails to pay the utility bill.

The move-in inspection will take place and the Manager and new tenant will sign the move-in inspection form, noting the exact condition of the unit. If anything of significance that would cause the unit to fail HQS is found at the inspection, the tenant shall be entitled to a different unit offer and lease. If something minor is found at the inspection, it shall be repaired, replaced or otherwise fixed, within one week.

The lease will be signed and the keys to the unit issued. The applicant is now a tenant or the transfer family has a new unit.

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1. It is permissible to pay Utility Reimbursements directly to utility suppliers if tenants agree. Typically, a monthly computer print-out is sent to the applicable utility company that lists residents upon whose behalf utility reimbursements are being paid and details the amount of each tenant’s reimbursement with the utility account number. If this is done early enough in the billing cycle, the resident will receive a bill from which the reimbursement has already been deducted. [↑](#footnote-ref-1)