

## **Section 811 Project Rental Assistance Demonstration Program Referral and Tenant Selection Plan**

### **Purpose**

This document sets forth the general guidelines and procedures for selecting tenants for the Section 811 Project Rental Assistance Demonstration program (PRA Demo). It supplements the requirements for the Program as detailed in the Cooperative Agreement, HUD NOFA, Inter-Agency Partnership Agreement with the State of Wisconsin Department of Health Services (DHS) and other federal and state regulations. This document, in combination with the property owners approved tenant/resident selection plans for each of the properties participating in the PRA Demo program, constitutes the grantee-approved Tenant Selection Plan.

### **Background**

In February 2013, the U. S. Department of Housing and Urban Development (HUD) announced the award of Section 811 Project Rental Assistance Demonstration (PRA Demo) funding to 13 states.

PRA Demo funds will be used as project-based rental assistance for Wisconsin Housing and Economic Development Authority (WHEDA) financed rental units, including Low-Income Housing Tax Credits (LIHTC) units. WHEDA will select the units to receive the PRA Demo funds. The PRA Demo funding will cover the difference between the rent the household can afford, paying no more than 30% of income for rent, and up to the fair market rent for the unit. WHEDA will operate the rental housing subsidy for participating properties.

WHEDA has partnered with the state's Medicaid agency and the Department of Health Services DHS. DHS administers a wide range of services to clients in the community and at state institutions, regulates certain care providers, and supervises and consults with local public and voluntary agencies. DHS has six divisions and two offices: The Division of Long Term Care (DLTC), the Division of Mental Health and Substance Abuse Services (DMHSAS), the Division of Quality Assurance (DQA), the Division of Public Health (DPH), the Division of Health Care Access and Accountability (DHCAA), the Division of Enterprise Services (DES), the Office of Policy Initiatives and Budget (OPIB), and the Office of Legal Counsel (OLC). The Division of Long Term Care (DLTC) is taking the lead for all of DHS for the Section 811 PRA Program. DHS will oversee the operations and administration of Wisconsin's health and human services system and provide direct administration of some programs. Case managers will monitor and ensure the implementation and adequacy of the service plan and maintain contact with participants in Section 811 PRA units.

Section 811 PRA funds will only be provided to support units for extremely low-income families where at least one person must be an individual with a disability, 18 years of age or older and less than 62 years of age at the time of admission into the property. The person with the disability must be eligible for community-based, long-term services as provided through Medicaid waivers, Medicaid state plan options, state funded services or other appropriate services related to the target population.

### **Target Population**

The target population for Section 811 PRA Program units in Wisconsin will be persons with disabilities who are exiting institutions and desire to return to community living, or are at risk of institutionalization because of the loss of housing or the substandard quality of their current

housing. Their primary barrier to returning to the community or remaining in the community is lack of suitable and affordable housing. This target population must:

- Meet functional and financial eligibility for Medicaid Home and Community-Based Waiver Services; AND
  - Be relocating from a nursing home or institution.
- OR
- Provide documentation of the loss of housing or the substandard quality of such current housing.

Each participant in this targeted group must be eligible to receive services through one of the following Medicaid Home and Community-Based Waiver programs: Family Care, Family Care Partnership, IRIS (Include, Respect, I Self-Direct), Community Options Program (COP-W)/Community Integration Program (CIP-W) Waivers, Children's Long Term Support (CLTS) Waivers, Community Options Program.

### **Program Eligibility Requirements**

In order to occupy a Section 811 Demo unit, a person must meet the following eligibility criteria:

- Total Household Income: at or below 30% of AMI
- Medicaid recipient (determined by Medicaid number)
- Disabled as defined for HUD 811
- 18 or over and below 62 years of age
- Not a lifetime registered sex offender
- Not convicted of methamphetamine production on housing authority property

Eligible individuals will be informed of the availability of Section 811 PRA units through communication with referral resource agencies, who are also stakeholders in the project. Agencies can be local Aging and Disability Resource Centers (ADRCs), Managed Care Organizations (MCOs), county human/social services or community programs agencies, Independent Living Centers, IRIS Consultant Agencies and support service provider agencies. Existing staff from these agencies will be trained by WHEDA and DHS Point of Contacts to assess potential tenants for Section 811 units.

The non-profit organization Socialserve.com has designed a system to support the HUD Section 811 PRA Program process, which would function as an add-on to Wisconsin's existing online housing locator, WIHousingSearch.org. The Prescreening, Assessment, Intake and Referral (PAIR) system allows for prescreening of individuals for eligibility through an initial questionnaire, collecting more details of those who potentially qualify for continued assessment and intake onto a waiting list, then facilitating the matching and referral of qualified applicants to property providers with available units. If the applicant is potentially eligible, the referral resource worker can then complete the intake and the applicant will be matched with available units or placed on the waiting list pending the availability of an appropriate unit.

Point of contact staff at WHEDA and DHS will act as designated managers of the PAIR waitlists, and coordinate between both the housing and services sectors to ensure tenants are appropriately.

## **Procedures for Accepting Applications and Selecting Tenants for the Section 811 PRA Demo Units**

**A. Program Application Process:** The following procedures will be used for providing outreach to potential applicants, accepting applications, determining eligibility, selecting applicants for referral to available units, and selecting referred applicants for leasing.

### **Step 1: Verification of Disability and Long-Term Support Program Eligibility**

An applicant interested in Section 811 PRA housing can request to any of the referral resource agencies to be referred for Section 811 PRA housing. They will need to complete screening for home and community-based waiver eligibility, even if they choose not to accept services.

Because of this step in the process, an applicant seeking housing who is not already enrolled in waiver services will need to report to their local ADRC for waiver eligibility screening.

### **Step 2: Prescreening**

Designated and trained staff at a referral resource agency will assist in prescreening the applicant for Section 811 PRA housing. SocialServe's PAIR tool allows for prescreening of individuals for eligibility through an initial questionnaire. Section 811 PRA program screening criteria include:

- Total Household Income: at or below 30% of AMI
- Medicaid recipient (determined by Medicaid number)
- Disabled as defined for HUD 811
- 18 or over and below 62 years of age
- Not a lifetime registered sex offender
- Not convicted of methamphetamine production on housing authority property

Basic personal information, housing and services information is also collected from the applicant at this time. If a client is found potentially eligible, they continue for assessment and intake onto a waiting list.

### **Step 3: Waiting List**

The applicant is added to the waitlist in prioritized order once they are found potentially eligible and the application has been completed. Units are listed on the [WIHousingSearch.org](http://WIHousingSearch.org) locator system. When the units are available, they are displayed on the dashboard on the waitlist. WHEDA and DHS staff will filter clients for matches with available Section 811 PRA units.

### **Step 4: Financial Verification and the Lease**

The owner/management agent of the unit will complete the final verification of income to determine the tenant portion of monthly rent using Enterprise Income Verification and third party verifications, enter into a HUD Section 811 PRA lease and perform annual re-certifications of income as required by the Section 811 program.

### ***Prescreening***

Staff at the local ADRC screens the applicant for disability and long-term care program eligibility. These systems are already in place as DHS holds standing contracts to provide services such as outreach, assessments, and referrals; the new Section 811 PRA program only requires the additional step of assessing an applicant for the need for supportive housing and utilizing the SocialServe PAIR system for prescreening and further application processing. ADRC staff are helpful in coordinating community-based long term services and supports for consumers once they are located in the community, so training will be provided to ensure staff can help with housing maintenance as well as communicating vacancy information and new units.

These staff members are also responsible for educating tenants about independent living options and helping to transition Section 811 applicants into PRA units.

### ***SocialServe PAIR:***

PAIR allows for prescreening of individuals for eligibility through an initial questionnaire, collecting more details of those who potentially qualify for continued assessment and intake onto a waiting list, then facilitating the matching and referral of qualified applicants to Section 811 PRA property providers with available units. The PAIR prescreening is a password-protected internet based questionnaire used by referral resource workers to quickly determine if their applicant is a good candidate for the Section 811 PRA program. PAIR will determine if the applicant's income qualifies in all counties of interest based on HUD income limits using household income and size. If the applicant is found potentially eligible, the social worker can then complete the intake and the applicant will be matched with available units or placed on the waiting list pending an appropriate unit.

### ***Waiting List and Unit Availability***

WHEDA and DHS are designated managers of the waitlist. Staff can see all applicants in prioritized order and filter clients for matches with available Section 811 PRA units. DHS will be responsible for directing all tenant related information during the matching process. This includes: notifying the case manager of unit availability, confirming with case manager of the potential tenant's interest, confirming eligibility of tenant and confirming the transition plan. WHEDA will be responsible for directing all unit related information during the matching process. This includes: verifying the lease packet has been sent, confirming lease packet is signed, referring the property manager, and recording the chosen tenant. The process of notifying matching clients, confirming eligibility, and referring the client to the property provider through eventual placement is tracked in the system and recorded for outcome reporting. When a unit becomes available, the owner/management agent posts the unit information on the SocialServe website, which feeds to the PAIR system and initiates the matching process.

### ***Leasing Packet***

The property owner/management agent of the unit enters into a HUD Section 811 PRA lease with the tenant. The packet may also include the names and information of the tenants' supportive service providers, family members, guardian or other representative who helps make decisions about their care; their MCO, county human service agency or IRIS Consultant; and the local ADRC. The purpose of this information is to link the tenant with those who can provide assistance to help preserve residents in the community. The applicant maintains their understanding that participation in services is voluntary through a written form that is read and signed by the applicant prior to occupancy in a Section 811 PRA Unit. The tenant may sign Releases of Information (RoI) for the owner/management agent to communicate with service providers, including on the RoI the information in which the entities can release to the owner/management agent. In order to ensure tenants' privacy and clear separation of housing and services, owner/management agents will not have access to specific disability information unless released by the tenant.

### ***Coordinating Housing and Services***

WHEDA and DHS have both designated a Point of Contact for the Section 811 PRA Program. DHS will be responsible for conflict management related to supportive services tied to tenants in Section 811 PRA units; WHEDA will be responsible for conflict management related to tenancy for all participants in Section 811 PRA units. Service coordination will be the responsibility of the referral resource, the participants elected service providers (if they are participating in services), and DHS as DHS' Point of Contact. People leaving institutional settings for a Section 811 PRA

Unit will be involved in a person-centered planning process with the assistance of their case manager/consultant, which results in an individualized care plan that continues during their tenancy, based on eligibility, ensuring that the tenant will continue to have access to necessary services. Services are not tied to the property, but follow the person, and services to tenants are individualized and person-centered. DHS will be able to coordinate services available to tenants in a specific property once units have been designated, as the geographic area determines which ADRC would be responsible for marketing and outreach and which waiver program services are available. For example: If a property is funded with Section 811 units in Dodge County, the ADRC of Dodge County would assist with marketing and outreach and Care Wisconsin or Continus managed care organization would assist tenants with supportive services with contracted provider agencies.

### ***Dispute Resolution***

Dispute resolution should be handled initially by the owner/management agent, who will have contact information for tenants' supportive service providers, family members, guardians and other people who help the individual with making important decisions regarding their care through their lease agreement. This information will be utilized to assist individuals who require services in maintaining their homes to ensure services and supports are adequate for the individual and not for alternative purposes. In the event of a crisis, the landlord will contact these entities unless otherwise indicated by the tenant. The landlord will also contact DHS to assist in managing, tracking and reporting incidents and to help in resolving any issues needed to maintain tenancy. DHS will follow-up with the landlord and tenant within 48-hours and will report incidents in a quarterly meeting and quarterly report to the DHS quality management teams.

### **Methods of Outreach and Referral**

Outreach to potential applicants will be provided by case managers working with people with disabilities, as well as DHS staff and contractors, as appropriate. Every effort will be made to distribute information about the program to those who potentially meet the program eligibility criteria. People who are interested in the program will be advised that they need a case manager to apply for the program.

Eligible individuals will be informed of the availability of Section 811 PRA units through communication with referral resource agencies, who are also stakeholders in the project. To provide outreach to eligible applicants WHEDA and DHS will:

- Provide information and training to referral resource staff about the new Section 811 PRA Program requirements and the availability of new Section 811 PRA units.
- Train referral resource staff, who will prescreen individuals for eligibility through SocialServe PAIR to collect more details of those who qualify for continued assessment and intake onto a waiting list, then facilitate the matching and referral of qualified applicants to Section 811 PRA property providers with available units.
- Provide information sessions to developers to clearly define Section 811 PRA program rules prior to RAC deployment.
- Ensure all methods of outreach, referral and management of the waiting list will be consistent with fair housing, civil rights laws and regulations and affirmative marketing requirements, agree to assist with documentation for affirmative marketing strategies.

DHS contracts with Community Living Specialists, who are a liaison between nursing homes and the ADRC's as outreach to individuals who may be eligible for MFP and Section 811 PRA units. In addition to these DHS-funded staff, outreach and marketing will be done specifically with Information and Assistance Counselors at each ADRC, the support plan team for county waiver

agencies, the care management team (Inter-Disciplinary Team) at the MCO and the designated staff person at each ILC. Community Living Specialists provide outreach to the most vulnerable of the target population; those in institutionalized settings who may not have access to housing opportunities from other avenues.

- Community Living Specialists work in nursing homes to provide outreach to eligible individuals. Community Living Specialists are located in regions of the State where there is a high concentration of Medicaid nursing home beds.
- Community Living Specialists meet with consumers and their support persons, provide information and discuss the events necessary for a successful transition (e.g., completing housing applications, locating/purchasing home set-up items and security deposits, transferring Social Security and other benefits, establishing networks and other support structures, etc.).
- Community Living Specialists facilitate and oversee completion and submission of applications and other required paperwork for assessment and/or enrollment in appropriate long term support waiver programs.

Developers are also involved in outreach as part of their application for LIHTC supportive housing. This will be the same process for developers who wish to support HUD Section 811 PRA units. Developers who wish to score supportive housing points must complete additional paperwork noting that they have engaged DHS during the planning process; DHS is responsible for connecting the developer with local referral resources. After an award is received, the developer will continue to engage with the local referral resources to ensure a continued pipeline of eligible tenants for supportive housing units.

Outreach will comply with WHEDA's AFHMP to ensure the least likely to apply are provided information about the opportunity. The AFHMP addresses outreach to persons least likely to apply. These persons include those who have communication differences, are deaf or hard of hearing, are blind or sight impaired, cognitive impairment or for whom English is a second language.

#### **Prioritization of Referrals for Available Units**

Using current and accurate information at the time of referral, applicants on the waiting list with an "approved" status are prioritized for referral to available units based on:

- Matching of the applicant's indicated preference for location and size of unit with the available unit's location and size; and
- date/time stamp of the application.

#### **Referral of Applicants for Available Units**

WHEDA and DHS will refer up to 5 applicants if available for each available unit within one month after being notified that a unit will become available due to turnover, or approximately 6 months prior to initial leasing of a new unit. Owners/management agents will process the applicants and assign the units based on date/time stamp of the applications. WHEDA and DHS will take the following steps as part of making referrals for available units:

- a. Contact the case managers working with prioritized applicants to verify applicant interest in the available unit and confirm the current accuracy of the information in the waitlist.
- b. Confirm the applicant's continued eligibility and priority for referral based on current and accurate information and ensure waitlist is updated as needed.

- c. With applicants identified for possible referral and/or their case managers, review tenant selection criteria for the unit, provide technical assistance regarding acquisition of documentation required for the property application, assist with determining the need for reasonable accommodations/modifications and assist with resolving any barriers to housing such as credit, rental history and criminal background.
- d. Notify the applicants and case managers that their completed applications are to be submitted to the owner/management agent within 2 weeks of the applicant being notified of unit availability.
- e. Proactively manage the application process to ensure that completed applications are forwarded to the owner/management agent as they are received and that delays by an applicant in completing their application in a timely manner do not impact the referrals of completed applications by other applicants for the available units.

### **Reasonable Accommodation and Modification Requests**

Owners of properties with PRA Demo units must comply with Section 504 of the Rehabilitation Act of 1973. See HUD Occupancy Handbook 4350.3, section 2-8 for more detail. WHEDA and DHS will assist the applicant and case manager with possible reasonable accommodation and/or modification requests. WHEDA and DHS will comply with legal and regulatory provisions concerning such requests, including applicable provisions of HUD Occupancy Handbook 4350.3. If it is determined that an applicant wishes to request a reasonable accommodation or modification, WHEDA and DHS assistance may include providing a possible template for making a request in writing, a summary of the Reasonable Accommodation and Modification Policy for the property and information regarding possible strategies for meeting the needs of the applicant. At no time will WHEDA and DHS interfere with the applicant's decision to request an accommodation or modification. If the applicant concurs, a request for a reasonable modification will be communicated to the property as soon as possible, ideally prior to completion of construction. A determination of whether the request will be accommodated will be made by the property owner/designee.

### **Selection of Tenants**

Owners/management agents will screen applicants based on the property's approved Tenant Selection Plan for the property, which shall comply with PRA Demo requirements, including the Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA). This may include completing a criminal background, credit check and rental history check. Owners/management agents will provide the results of the screening to applicants and to WHEDA and DHS, and advise the applicant of their appeal rights. Owners/management agents will offer the unit to the approved applicant with the highest priority and first date/time stamp.

### **Non-selected Applicants**

Applicants who were not selected to lease the offered unit will be returned to the waitlist with the same priority status and date/time stamp. These applicants will be the first to be offered newly available units in the county in which they desire to live provided their then current information indicates that they remain eligible. DHS/case managers will ensure that the applicants are informed that they were not selected. Applicants should direct their questions to the DHS/case managers.

### **Refusing a Unit**

Applicants may refuse an offered unit. These applicants will return to the registry with the same priority status and date/time stamp. Should an applicant refuse 3 units, WHEDA and 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 the list. DHS/case managers will notify the applicant of the review process and determination. Applicants may re-apply at any time.

**Unit Transfer Policy**

With limited exceptions, transfers among units are not permitted and vacant units will be filled from the waitlist. A request for an exception to this policy shall be reviewed and approved by WHEDA and DHS and requires a consensus. Exceptions shall be limited to situations that address a request for reasonable accommodation or for other emergency or significant housing or health need.