

Part Four:

Dwelling Unit Assignment

I. Overview

Refer to:
24 CFR
§960.202

A. When a public housing applicant's name reaches the top of the waiting list and their preference point entitlement has been verified, they will be offered the next available unit appropriate for their household size. **There are different policies for offering family units and hi-rise units.**

B. Income Mix and Deconcentration of Poverty. As required by the Quality Housing and Work Responsibility Act of 1998 (QHWRA), the PHA will try to avoid concentrating very low-income families (or other families with relatively low incomes) in certain public housing family developments. If the average annual household income (adjusted for unit size) in one development varies from the average income for all four family developments by more than 15%, the PHA will offer incentives to eligible applicants to accept unit assignments that will reduce the income disparity in the development or building.

II. Family Units

A. Offering Procedure:

1. The applicant will be offered the unit of the appropriate size for the household which has been vacant longest.
2. If the applicant does not accept the unit offered, the applicant loses his or her place on the waiting list, unless either
 - a. The household includes a person with a disability who requires a different unit type or location as a reasonable accommodation; or
 - b. The applicant is unable to move (See II.B., below).
3. If the applicant does not accept the unit offered, for reasons other than a need for a reasonable accommodation for a person with a disability or inability to move,
 - a. The application date will be changed to the date of refusal of the offer, and
 - b. The applicant will be returned to the waiting list at the

place appropriate to the preference points awarded and revised application date.

4. An applicant will be removed from the waiting list if he or she refuses a unit offer a second time, after previously refusing a unit and being moved down on the waiting list. The applicant may reapply as a new applicant 12 months or more after being removed from the waiting list for this reason, provided that the waiting list is open at the time.

B. Inability to Move:

If the applicant is willing to accept the first unit offered, but is unable to move into public housing at the time of the offer and presents, to the satisfaction of the PHA, clear evidence of an inability to move, the inability to move will not count as a refusal and the applicant's position on the waiting list will not change.

C. Reasonable Accommodation.

1. If there is a request for a different unit as a reasonable accommodation, the person's handicap or disability and its relationship to the requested accommodation must be verified by a health care professional involved with the resident.
2. An applicant's request for a different unit type or location as a (verified) reasonable accommodation for a person with a disability shall not be counted as a refusal to accept a unit.

D. Time to See Unit: At the time that a unit is offered, the applicant will be provided with the opportunity to see the unit, if so desired, within two working days of the offer.

1. **Time Extension:** If the applicant is unable to see the unit within the prescribed time period, the Housing Manager may grant additional time based upon reasonable cause.
2. **Acceptance/Rejection:** The applicant must notify the PHA of the acceptance or rejection of the unit offered no later than the close of PHA business of the next working day after the applicant has had the opportunity to see the unit. Failure to do so will be considered a refusal.
3. **Record of Offers:** The PHA will maintain a written record of the units offered to each applicant, including the location, date and circumstances of each offer and each rejection or acceptance.

E. Factors Affecting the Unit Offer:

1. **Unit Offered:** From the list of dwelling units that are vacant and ready for re-rental, the PHA will offer the applicant household the dwelling unit that:
 - a. Is of appropriate size for the household in accordance with the PHA's Occupancy Standards found in Section IV. of this Part.
 - b. Has been vacant the longest, and
 - c. Has modifications that make it accessible for persons with a handicap, if needed.
2. **Handicapped Accessible Units:** Handicapped accessible dwelling units are located in some congregate developments and among the scattered site units.
3. **Scattered Site Unit Offered:** Single family units in the Scattered Site Program will be offered to current public housing residents of family developments who are on the approved transfer waiting list. (See Part Seven, Transfers.)
 - a. If there is no household of the appropriate size on the transfer waiting list, or if the unit has been ready for 30 days or more, or has been turned down by three residents approved for transfers, then the unit will be offered to an applicant in accordance with paragraph 1. above.
 - b. If an applicant at the top of the waiting list requires a unit modified to make it accessible for a person with a handicap, the applicant will be offered the first available unit of appropriate size that meets the modification need whether it is a family development or a scattered site unit.

III. Hi-Rise Units

A. Offering Procedure: Units will be offered to meet the following objectives:

1. Provide the greatest amount of choice possible to each applicant,

2. Minimize the number of vacant units

B. Information to Aid Applicant Choice: The applicant at the top of the waiting list will be provided with information designed to help make a well-informed choice. The following information is provided:

1. **Information on Building:** The applicant will be able to view available apartments.
2. **Information on Services and Amenities:** The applicant will be given information on services and amenities at Park Apartments building and in the surrounding neighborhood.

C. The Unit Offer: The PHA will offer the applicant the unit that has been vacant the longest period of time.

1. **Sequence of Offers:** The PHA will make all offers of units in sequence and an applicant will not be offered another unit unless she or he rejects the unit that is offered. No more than three such offers will be made.
2. **Alternative Unit:** An alternative unit may be offered if the applicant has a compelling reason for rejecting the unit first offered.
3. **Effect of Three Refusals:** The applicant must accept one of the three units offered, or
 - a. The application date will be changed to the date of refusal of the third offer, and;
 - b. The applicant will be returned to the waiting list at the place appropriate to the Preference Points awarded and revised application date.

D. Inability to Move: If the applicant is willing to accept the unit offered, but is unable to move into public housing at the time of the offer, the inability to move will not count as a refusal, and the applicant's position on the waiting list will not change. The applicant must present clear evidence of an inability to move. Upon notification that the applicant can move, they will be offered a unit in accordance with this Section III.

E. Documentation: Written documentation will be required to justify all specific hi-rise building requests.

1. **Health Related:** In the case of a health-related request, documentation must be from a licensed medical doctor/practitioner or other qualified health care professional that a facility or service is required by the applicant.
2. **Non-Health Related:** In the case of non-health related requests, the history of use of the facility or service by the applicant, as well as the frequency, duration, regularity of use and lack of reasonable transportation from other hi-rise buildings offered will be documented by the facility or service provider.
3. **Records:** The PHA will maintain a written record of the units offered, including the hi-rise location, date and circumstances of each offer and each rejection or acceptance, including inability to move, hardship refusal, and specific building requests.

F. Factors Affecting the Dwelling Unit Offer:

1. Working Families: If one or more family members is working in the household, 20 hours or more, preference will be given to that family.
2. Income Limits: Low income households will be looked at before very low income family.
3. Priority for Elderly/Disabled Applicants: The PHA will give elderly and disabled applicants priority over near-elderly and non-elderly single persons.
4. Local Preference: Preference will be given to local families.

IV. Occupancy Standards

A. Occupancy standards are designed to provide for maximum use of PHA Public Housing resources.

B. The minimum and maximum occupancy levels acceptable in Saint James Public Housing are as follows:

Table 4 - 2:		
OCCUPANCY STANDARDS MINIMUMS AND MAXIMUMS - FAMILY UNITS		
Unit Size	Minimum Occupancy	Maximum Occupancy
3-Bedrooms	3 Persons	6 Persons
4-Bedrooms	4 Persons	8 Persons

Table 4 - 3:		
OCCUPANCY STANDARDS MINIMUMS AND MAXIMUMS - HI-RISE UNITS		
Unit Size	Minimum Occupancy	Maximum Occupancy
0-Bedroom	1 Person	2 Persons*
1-Bedroom	1 Person	3 Persons*
2-Bedrooms	2 Persons	4 Persons

**Exceptions given to families with children age 5 and under.*

C. Assignment Considerations: Dwelling unit assignments will be made within the minimums and maximums listed above, subject to the following household composition considerations:

1. The age, sex and relationship of members of the household will be taken into consideration in assigning unit sizes:
 - a. Minors of the opposite sex, who are six years of age or older, will not be required by the PHA to share the same bedroom. Bedroom space will be allowed for the following circumstances:
 - (i) Children away during the school year;
 - (ii) Children away part time under joint custody arrangements, but who reside 183 days or more with the public housing household.
 - (iii) Children whose return to physical custody of a household member is imminent and can be documented; or
 - (iv) Unborn children of pregnant household members.
 - b. Persons of different generations, adults of the opposite sex (other than married couples, or couples who have a marital

type relationship), and unrelated adults will not be required by the PHA to share a bedroom.

2. **Verifiable medical needs or other extenuating circumstances** will be taken into consideration in determining the size of the unit. An example would be a live-in care attendant, who is not functioning as a member of the household. The care attendant would be entitled to a separate bedroom. §5.403
§966.4(d)(3)(i)
3. **Exceptions:** At the request of the applicant or resident, Housing Manager will consider exceptions to the standards. Such a request will be approved, if the Housing Manager agrees that the proposed variance:
 - a. Is necessary to provide additional space needed by the household that is not provided for by the considerations of Section IV.C. of this Part; or
 - b. Will result in the household occupying a dwelling unit that is one bedroom smaller than the household should have if the considerations of Section IV.C. of this Part are followed.
 - c. Will still meet the minimums and maximums listed in Table 4.2. Occupancy Standards Minimums and Maximums.
4. Subsequent transfers may not be done within the first six months of initial occupancy and tenant must be lease compliant and no late payments of rent.