



Missouri 811 Tenant Selection Plan

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MISSOURI 811 TENANT SELECTION PLAN

Background

The Section 811 Project Rental Assistance (PRA) program, hereafter referred to as Missouri 811, provides property-based rental assistance for extremely low-income persons with disabilities, ages 18-61. The U.S. Department of Housing and Urban Development (HUD) has awarded the Missouri Housing Development Commission (MHDC) funding for 50 units to receive property-based rental assistance. MHDC, the grantee for Missouri, is partnered with the Missouri Department of Social Services (DSS) and the Missouri Department of Mental Health (DMH) to provide decent, safe and sanitary housing through the use of rental assistance payments to eligible multifamily properties. These payments will allow tenants to contribute a portion of the unit's rent at a rate that is affordable to them, while still meeting the established rent for the unit through the use of property-based subsidies.

Purpose

The Missouri 811 program was created in order to serve disabled individuals who are either homeless or institutionalized, or at risk of becoming so. The Tenant Selection Plan (TSP) will outline the procedure for tenant selection for the Missouri 811 program. The TSP is in accordance with the cooperative agreement executed by HUD and MHDC. The Owner/Property Manager tenant screening criteria must align with the guidelines and provisions outlined in the below TSP. Individuals with disabilities are defined as having one or more of the long-term disabilities below:

- Serious mental illness
- Addictive disorder (e.g. individuals in treatment and demonstrated recovery from substance abuse disorder)
- Developmental disability (e.g. intellectual disability, autism or other developmental disability acquired before the age of 22)
- Physical, sensory or cognitive disability occurring after the age of 22
- Disability caused by effects of chronic illness (e.g. people with HIV/AIDS who are no longer able to work)
- Age-related disability (e.g. frail elderly less than 62 years of age or young adults with other special needs who have been in the foster care or juvenile justice system)

Program Eligibility and Pre-Screening Requirements

Pre-screening by DSS/DMH and Service Providers will be conducted to ensure program eligibility and will be applied uniformly to all program applicants to prevent discrimination and avoid fair housing violations. They will collect the following information in the Missouri 811 Tenant Eligibility Checklist before a referral is made to the landlord:

- Income: The eligible applicant's annual household income must not exceed the extremely low income limit (at or below 30% Area Median Income) as published annually by HUD.

- Age: The household member applying for the Missouri 811 unit must be between the ages of 18-61 at the time of move-in.
- Disability: The household member applying for the Missouri 811 rental subsidy must be disabled, and receiving (or be eligible to receive) Medicaid with services and supports provided through DSS.
- Criminal Background: Any household member over the age of 18 may be denied access to a Missouri 811 unit due to the presence of certain criminal convictions described in the Applicant Screening section below.
- Target Population: The eligible applicant's current housing status must be identified as homeless, institutionalized, or at risk of either.

DSS is required to keep the waitlist and referral information current.

Property Owner Responsibilities

Owners/Property Managers are required to work with applicants to complete and sign the following required verification forms:

- HUD Form-9887 *Notice and Consent to the Release of Information to HUD*
- HUD Form-9887A *Applicant's/Tenant's consent to Release Information- Verification by Owners of Information Supplied by Individuals Who apply for Housing Assistance*
- HUD Form 92006- *Supplement to Application for Federally Assisted Housing (refusal to complete must be documented)*

The following applicant information will need to be verified by the owner/property manager:

- Income, assets, household composition and Social Security Numbers
- Allowable deductions for age, disability expense and medical costs
- Other screening criterion

**No decision to accept or reject an applicant will be made until all verifications have been received.*

Applicant Screening

The Owner/Property Manager will also conduct required applicant screenings which may include:

- Credit
- Rental History
- Criminal Background

Owner/Property Manager **must** prohibit admission of:

- Any household containing a member(s) who was evicted in the last three years from federally assisted housing due to drug-related criminal activity;

- A household in which any member is currently engaged in illegal use of drugs for which the owner has a reasonable cause to believe that a members 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;
- Any household member who is subject to a State Sex Offender lifetime registration requirement;
- Any household member if there is a reasonable cause to believe that member’s behavior, from abuse or pattern of abuse, may interfere with the health, safety and right to peaceful enjoyment by other residents. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.

The Owner/Property Manager **may** but is not required to (unless eligible as a reasonable accommodation) consider two exceptions to this criminal background provision:

- The evicted household member has successfully completed an approved, supervised drug rehabilitation program.
- The circumstances leading to the eviction no longer exist (ex. the household member no longer resides with the applicant household).

Rejected Applicants

Applicants who are rejected from occupying an available unit will be placed back on the Missouri 811 waitlist for a referral to the next available unit. They will obtain the same priority status and original date/time stamp before their referral to the rejected property. The applicants will be offered other available units in the county in which they desire to live, provided they remain eligible, and based on their placement on the waitlist. Service providers should assist an applicant by either addressing and correcting the rejection issues with the applicant or assisting the applicant by submitting a reasonable accommodation request for the unit they were rejected from.

Unit Refusal

Applicants may choose to refuse an offered unit. These applicants will return to the Missouri 811 waitlist with the same priority status and date/time stamp. Should an applicant refuse 3 units, the Waitlist Administrator will review the circumstances of each refusal. If it is determined that insufficient reasons led to a refusal of units, the applicant will be removed from the Missouri 811 wait list.

Transfers

Transfers to a different unit at the same property

Missouri 811 tenants wishing to transfer to a different unit within the same property must submit a request to the property manager and follow the transfer policy in the property’s TSP. As a reminder, the Missouri 811 subsidy can only transfer with the Missouri 811 resident at the property if the proposed unit (size and rent) is participating under contract through the Missouri

811 program.

Transfers to a different Missouri 811 participating property

Missouri 811 tenants wishing to relocate to a different property will need to be referred to the Missouri 811 wait list by their service provider. The tenant would then be considered a new 811 applicant and all eligibility requirements of the Missouri 811 program will apply. The applicant will be placed on the Missouri 811 waitlist by priority, date and time of the new application. In addition, the tenant must apply to the new Missouri 811 property when a participating unit is available and all screening will be subject to the property's TSP. Timing will need to be addressed with both properties so the Missouri 811 tenant is not without housing and the transfer is smooth. Subsidy cannot overlap between properties. A new security deposit may need to be secured. These items should be addressed with the service provider and the property.

Reasonable Accommodation and Modification Requests

Owners/Property Managers of the properties with Missouri 811 units must comply with Section 504 of the Rehabilitation Act of 1973. See HUD Occupancy Handbook 4350.3, Section 2-8 for more details. DSS or DMH will assist the applicant with possible reasonable accommodation and/or modification request, including necessary physical modifications, exemptions to screening criteria, use of assistance animals, etc. Under provision of reasonable accommodation, the Owner/Property Manager must consider exceptions to screening provisions if there is a clear nexus between the individual's disability and personal history. The request for reasonable accommodation and/or modification will be communicated to the Owner/Property Manager as soon as possible. A determination of whether the request will be accommodated will be made by the Owner/Property Manager.

Occupancy Standards

Owners/Property Managers will establish, in writing, their own reasonable occupancy standards per HUD Handbook 4350.3 REV-1, chapter 3-23, which will be included in the property's TSP.

Protections for Victims of Domestic Violence

Owners/Property Managers must adhere to the policies and procedures covering the Violence Against Women Act (VAWA) protections. Owner/Property Management's policies must support or assist victims of domestic violence, dating violence, sexual assault or stalking and protect victims- as well as their family members- from being denied housing or from losing their Missouri 811 housing assistance as a consequence of domestic violence, dating violence, sexual assault or stalking. Refer to HUD Handbook 4350.3 REV-1, chapter 4-4C.9, and any applicable HUD Notices for specific VAWA requirements.

Compliance with Fair Housing and Civil Rights Laws

Owners/Property Managers must comply with all applicable fair housing and civil rights requirements including, but not limited to, the Fair Housing Act; Title VI of the Americans with

Disabilities Act of 1964; section 504 of the Rehabilitation Act of 1973; Title VI of the Americans with Disabilities Act of 1964; section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act; and Section 109 of the Housing and Community Development Act of 1974, and HUD's Equal Access to Housing in HUD Programs Regardless Sexual Orientation of Gender Identity requirements when screening applicants. No applicant may be denied on the basis of race, color, religion, sex, national origin, disability and familial status. Refer to 24 CFR 5.105(a) (2), 5.403 and HUD's final rule published in the Federal Register at 77 Fed.Reg.5662 for additional guidance.