



## 260 APPLICANT SCREENING PROCEDURES

### 260.1 Overview of Screening Process

A. Applicants for housing assistance are determined eligible in accordance with the screening criteria set forth in the DCHA Admissions and Continued Occupancy Policy (14 DCMR 6109) and 14 DCMR 9508—LRSP Sponsor-based criteria. The screening criteria, in addition to the other eligibility factors outlined in **210—Introduction**, serve as the basis for making an eligibility determination for housing assistance. The basic purpose of the screening process is to determine whether the applicant and other applicant Family members will:

1. Pay rent, in full and on time
2. Care for the unit
3. Be a good neighbor

B. Applicants are screened for suitability for DCHA housing programs with respect to the following criteria:

1. Past performance meeting financial obligations, especially rent;
2. Interference with the health, safety, or right to peaceful enjoyment of any DCHA program by other residents, employees or community members as a result of illegal use (or pattern of illegal use) of a controlled substance;
3. Convictions of any applicant family member for a crime involving physical violence against persons or property or other criminal convictions that may adversely affect the health, safety, or welfare of other DCHA residents, staff or other members of the community. Examples include: distribution or manufacture of illegal drugs or controlled substances, possession of an unlicensed firearm and/or ammunition, child molestation;
4. Determination that the applicant committed fraud in connection with any local or federal housing assistance programs;

5. Determination that the applicant misrepresented any information related to eligibility, including but not limited to, the verification of a preference for admission, family composition or income; and
  6. A record of respecting the rights of others, as defined by the DCHA lease (applicable to Public Housing only).
- C. With respect to the HCVP local and federal programs, the screening of potential tenants is the responsibility of participating landlords. However, DCHA does screen for factors 1-5 above. In addition, the screening criteria for the Sponsor-based component of the Local Rent Supplement Program (LRSP) differs from the other HCVP programs for which DCHA determines final eligibility (see **14 DCMR 9508**).
- D. The information necessary to assess the suitability of applicants for public housing tenancy shall be obtained by the CPD through third-party verifications, and, as necessary, a home visit to the applicant's current residence. The methods used to verify each of the six screening factors are detailed in this chapter.
- E. Applicants who are determined to be preliminarily ineligible for housing assistance based on the CPD Eligibility Determination/Screening Process are provided the opportunity to request an informal conference. The informal conference and hearing processes are explained in detail later in this section.

## **260.2 Assessing Past Performance in Meeting Financial Obligations**

- A. Complete an electronic 3<sup>rd</sup> party verification for the applicant head of household using the DCHA vendor service. The report generated should be reviewed for information on evictions, collections and filings related to current/past rental history.

**Form(s) Used:**

- ***Full Authorization to Obtain and Release Information***

This form as signed by the applicant gives DCHA the authority to complete the electronic 3<sup>rd</sup> party verification.

- B. Check DCHA records for previous tenancy to determine if any debt is owed to DCHA.
- C. Contact the current landlord, at least one prior landlord and utility suppliers, if applicable.

**Form(s) Used:**

- ***Ability to Comply with the Terms of the Lease Form***

This form is used to obtain information about the applicant's past performance meeting rental obligations.

- D. ***EXCEPTION:*** An applicant who is referred under the Sponsor-based component of the Local Rent Supplement Program (LRSP) and owes a debt arising out of a past participation in a federally funded housing program ***shall not*** be deemed ineligible for participation in LRSP. Any subsequent application for assistance under a federally funded housing program or a locally funded program other than sponsor-based LRSP by a person previously deemed eligible under the rules governing the LRSP shall be governed by the then existing laws, rules and regulations governing eligibility for the applicable federal or local program.

### **260.3 Interference with the Health, Safety, or Right to Peaceful Enjoyment of any DCHA Program by Other Residents, Employees or Community Members as a Result of Illegal Use (or Pattern of Illegal Use) of a Controlled Substance**

- A. Complete an electronic 3<sup>rd</sup> party verification for the applicant head of household and each adult family member using the DCHA vendor service. The report generated should be reviewed for convictions related to drug use.

**Form(s) Used:**

- ***Full Authorization to Obtain and Release Information***

This form as signed by the applicant and all adult family members gives DCHA the authority to complete the electronic 3<sup>rd</sup> party verification.

- B. Contact the current landlord and at least one prior landlord, if applicable.

**Form(s) Used:**

- ***Ability to Comply with the Terms of the Lease Form***

This form is used to obtain information about the applicant's past performance meeting rental obligations.

**260.4 Crimes Involving Physical Violence Against Persons or Property or Other Criminal Convictions that May Adversely Affect the Health, Safety, or Welfare of Other DCHA Residents, Staff or Other Members of the Community**

- A. Complete an electronic 3<sup>rd</sup> party verification for the applicant head of household using the DCHA vendor service. The report provides documented history of criminal activity on the part of the adult family member. The report generated should be reviewed for convictions related to crimes involving physical violence against persons or property or other criminal convictions.
- B. Examples of such activity include, but are not limited to: distribution or manufacture of illegal drugs or controlled substances, possession of an unlicensed firearm and/or ammunition, child molestation.

**Forms Used:**

- ***Full Authorization to Obtain and Release Information***

This form as signed by the applicant gives DCHA the authority to complete the electronic 3<sup>rd</sup> party verification.

**260.5 Determination that the Applicant Committed Fraud in Connection with any Local or Federal Housing Assistance Programs**

- A. Check DCHA records to determine current/prior tenancy. Client Eligibility and Placement Specialists should check tenant records in the automated system for any information related to the applicant committing fraud.
- B. Examples of information to look for include, but are not limited to:
  - indications of underreported/unreported income during tenancy
  - housing unauthorized occupants
  - not reporting when household members permanently leave the unit
  - any reference to an eviction

If information is found that speaks to fraud, contact the Public Housing Manager, HCVP landlord/housing provider, HCVP Inspections staff, DCHA recertification staff, as applicable, to discuss the findings.

**260.6 Determination that the applicant misrepresented any information related to eligibility, including but not limited to, the verification of a preference for admission, family composition or income**

- A. This factor is assessed by Client Eligibility and Placement Specialists at varying stages of the screening process. For example, Client Eligibility and Placement Specialists will conduct 3<sup>rd</sup> party verifications on preferences and income. See the Verifications section for detail, including the various forms and tools used.
- B. This includes a review of the information provided by the applicant on the ***Interview Information Sheet*** and other documents submitted, then comparing that information to the verifications received.

**260.7 A record of respecting the rights of others, as defined by the DCHA lease (applicable to Public Housing only)**

- A. Contact the applicant's current landlord and at CPD discretion ~~least one a~~ previous landlord.

**Form(s) Used:**

- ***Verification of Ability to Comply with Lease Terms***

- ***Resident Statement***

This form is designed to inform and have applicants acknowledge and agree to abide by the Public Housing lease. The form is signed by the Head of Household and spouse (if applicable).

- ***Home Visit Report Form***

If a negative report is received regarding an applicant's ability to properly care for a housing unit, a Home Visit may be conducted at the ~~discretion~~ discretion of the Supervisory Client and Eligibility Placement Specialist and the CPD Program Manager. If determined necessary, the Client and Eligibility Placement Specialist will visit the applicant's home to conduct an inspection.

- B. Review court records for indication of evictions. If any are found, contact the landlord listed if not already contacted to complete the ***Current/Previous Landlord Verification Form***.

## **260.8 Conducting Home Visits**

- A. If approved by the Supervisory Client and Eligibility Placement Specialist and the CPD Program Manager, the designated staff member may conduct an inspection of the applicant's home in order to determine:
1. Whether the applicant is capable of caring for a DCHA unit in a way that will not create health or safety hazards, or contribute to infestation;
  2. Whether the applicant is likely to damage a DCHA unit; and

3. Whether the applicant is currently engaged in behavior or practices that would violate the DCHA lease.
- B. Applicants shall be notified in writing at least two days in advance of the scheduled home visit. Such notification may be followed with a telephone call to confirm the scheduled date and time.
  - C. Staff conducting the home inspection shall be trained to recognize the difference between damage to the current residence that has not been caused by the applicant, as opposed to conditions in the unit that are the responsibility of the landlord.

#### **260.9 Evaluating Applicants for Final Eligibility (Screening Criteria)**

- A. Within a reasonable period of time (e.g. two weeks), the Client Eligibility and Placement Specialist shall, as necessary, follow-up on verifications from third parties in response to the applicant family's past behavior as it relates to the screening factors.
- B. Client Eligibility and Placement Specialists shall review the information received to assess the applicant family for the likelihood of being able to comply with the DCHA lease or HCVP program requirements, as applicable.
- C. If unfavorable information is received, the Client Eligibility and Placement Specialist shall send a **"Please Call" Letter** and call the applicant to discuss the information found. The applicant will be given five (5) days to provide any mitigating information related to the negative information found during the screening process—see **Section 260.6—Evaluating Applicants for Final Eligibility**.
- D. If unfavorable information is received, consideration shall be given to the time, nature, and extent of the applicant family's conduct, and to factors which might indicate a reasonable probability of favorable future conduct or financial responsibility. Mitigating circumstances might include, but are not limited to:

1. Evidence of favorable changes in the applicant family's pattern of behavior, including the length of time since the unfavorable behavior ceased or an offense was committed;
2. Evidence of successful rehabilitation that the responsible applicant family member is not likely to repeat prior criminal behavior or cause harm to other Public Housing/HCVF residents, DCHA staff, or other members of the community;
3. Evidence of the applicant family's participation in or willingness to participate in relevant social service programs or other appropriate counseling services; or
4. Evidence of the applicant family's modification of previous disqualifying behavior, with indications of continuing support intended to assist the applicant in modifying the disqualifying behaviors.

E. Assessing Applicants Relative to Criminal Behavior

1. In checking police records, it is important to recognize that there is a wide variety of crimes (for example, embezzlement) that cannot be claimed to adversely affect the health, safety or welfare of the DCHA's residents, others or DCHA's property.
  - a. A positive response on the **Criminal History Report** about a member of the applicant family should be viewed as a signal to obtain additional information, not as a "green light" to reject the family. The form lists arrests, not just convictions, and it may produce reports of very old crimes.
  - b. CPD staff must use good judgment and fairness in screening for criminal activity. Staff must make every effort to reject an applicant who is potentially dangerous, and accept an applicant who may have made a mistake in the past, but has turned his or her life around and has maintained a crime-free lifestyle. The mere fact of an arrest, particularly long ago, for a crime with no relation to potential lease compliance, is not reason for rejecting an applicant.



2. With respect to criminal conviction(s) or activity, admission **MAY BE** denied to Public Housing or HCVP to any applicant:
  - a. If any adult member of the applicant's family (or any non-adult member who has been convicted of a crime as an adult) has been convicted of a felony or a misdemeanor involving destruction of property or acts of violence against another person;
  - b. If the applicant or a member of the applicant's family has participated in violent criminal behavior within the last five years for which he/she has not been convicted. The violent criminal behavior must be documented by an arrest record, parole violation report, law enforcement criminal history report, or other official law enforcement record.
3. Admission **SHALL BE** denied to any applicant who has been evicted from housing assisted under the United States Housing Act, for drug-related criminal activity for a three-year period beginning from the date of the eviction (pursuant to the United States Act of 1937, and the Housing Opportunity Program Extension Act of 1996).
4. In determining whether an applicant family with a negative criminal history will be admitted, an assessment should be made of the applicant family's (or the relevant member of the applicant's family) behavior to determine whether the relevant party currently demonstrates that he or she has been rehabilitated. Factors that may be considered include, but are not limited to:
  - a. Acknowledgment of culpability;
  - b. Adequate and suitable employment or participation in a generally recognized training program;
  - c. Substance abuse treatment, if necessary;
  - d. Successful completion of therapy directed at correcting the behavior that lead to the criminal activity, and
  - e. Existence of a support network or support system(s).

F. There are two circumstances for which DCHA **SHALL PROHIBIT** admission:

- a. Any family that includes any individual who is subject to a lifetime registration requirement under any sex offender registration program (e.g. state, local or international). DCHA shall, upon request, provide the tenant or applicant with a copy of the registration information and an opportunity to dispute the accuracy and relevance of that information.
- b. Any individual that has ever been convicted of drug-related criminal activity for the manufacture or production of methamphetamine or production of methamphetamine on the premises of federally assisted housing.

G. ***EXCEPTION: Sponsor-based component of the Local Rent Supplement Program (LRSP)***

1. Under the Sponsor-based component of the Local Rent Supplement Program (LRSP), there are some differences in how negative information found during the screening process about an applicant, or applicant family member, is to be assessed and mitigated.
2. If the applicant, or applicant family member, cannot satisfactorily meet the mitigation factors set forth in 14 DCMR 6109.6, a felony conviction shall not bar the applicant, or applicant family member, from being deemed eligible for assistance under the Sponsor-Based assistance under the following circumstances:
  - a. The Sponsor seeking to house the applicant, or applicant family member, agrees to provide appropriate supportive services tailored towards the offense committed by the applicant; and
  - b. The applicant, or applicant family member, demonstrates in writing a willingness to receive and participate in relevant case management services related to the offense for which the applicant was convicted.

3. In the event that the applicant has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing, and the applicant can satisfactorily meet the mitigation factors set forth in Section 6109.6, the applicant shall not be barred from being deemed eligible for assistance under the Sponsor-Based assistance.
4. No mitigation in accordance with Section 6109.6 shall be required for offenses less than a felony conviction.

- H. If the applicant is able to mitigate the negative information, the Client Eligibility and Placement Specialist shall proceed with the final eligibility determination (see—**Section 250—Eligibility Determination Procedures**).
- I. Those applicants determined not to meet the screening criteria will be sent a **Letter of Ineligibility**. At this point the determination is considered to be proposed. See **Section 250.12—Informal Conferences** for detail.
- J. For those applicants determined to be qualified based on the screening criteria, see **Sections 250.10—Final Eligibility Assessment** and **250.11—Quality Control** for detail related to the completion of the entire final eligibility determination process.

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