

**Addendum to HHA Admissions and Continued Occupancy Policy
Effective 1/1/2023**

4.5.8 ELIGIBILITY FOR PLACEMENT ON THE WAITING LIST

The Authority will send written notification of the preliminary eligibility determination within 20 business days of receiving a completed application. If applicable, the notice will also indicate the waiting list preference(s) for which the family appears to qualify. In accordance with HUD Notice PIH-2012-34, applicants will be placed on the waiting list first according to Authority preference(s) and then by one of the following methods:

- The date and time the complete application is received by the Authority, or
- Through the use of a random choice technique or “lottery”. Under this approach, the waiting list will not be established based on date and time of application. Instead, the Authority will randomly order applications to form its waiting list. If the Authority anticipates receiving far more applications than it can assist in a reasonable period of time, the lottery rules may be established in advance with a limit to the number of applications that will be placed on the waiting list. When the application deadline has passed, the Authority will place applicants qualifying for a waiting list preference prior to the placement of applicants who do not qualify for any such preference. The order of placement of applicants qualifying for a waiting list preference will be determined as set forth in Chapter 4, Section 5.8 below. Following the placement of applicants who qualify for a waiting list preference, the Authority may select additional applications from a pool of all other applications submitted, up to the limit established in advance in the lottery rules, if applicable. Those selected will be randomly ordered on the waiting list. Applications not selected for the waiting list will be discarded.

The choice of method to be utilized will be determined by the Board of Commissioners of the Authority in advance of the reopening of the waiting list and will be clearly stated in the notice announcing the opening of the waiting list required by Chapter 4, Section 3.2.

The Authority will assign families on the waiting list according to the bedroom size for which a family qualifies as established in its occupancy standards (see Chapter 4, Section 6.2). Families may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines (as long as the unit is not overcrowded according to Authority standards and local codes). However, in these cases, the family must agree not to request a transfer for two years after admission, unless they have a change in family size or composition.

Placement on the waiting list does not indicate that the family is, in fact, eligible for admission. When the family is selected from the waiting list, the Authority will verify any preference(s) claimed and determine eligibility and suitability for admission to the program. Should the Authority, as a result of the verification process, determine that a family is not entitled to a preference claimed by the family during the application process, the family will be re-placed on the waiting list as if that preference had been claimed at the time of application. If, however, the family would not have been selected for placement on the lottery, but for the claim of one or more preferences, the family will be removed from the waiting list and the application discarded.

4.6 RESIDENT SELECTION

4.6.1 LOCAL PREFERENCES [24 CFR 960.206]

The Authority will select families from its' waiting list based on the following local preferences within each bedroom category.

PREFERENCE NO. 1 - VETERANS AND SURVIVING SPOUSES

In accordance with N.J.P.L. 2016 c. 19, N.J. P.L. 2017 c. 19A, and N.J.A.C. 5:40-2.2, a preference shall be given to veterans and surviving spouses.

"Veteran" means any resident of the State of New Jersey who has been honorably discharged or released under honorable circumstances from active service in any branch of the Armed Forces of the United States, or any honorably discharged member of the American Merchant Marine who served during World War II and is declared by the United States Department of Defense to be eligible for Federal veterans' benefits.

"Disabled veteran" means any resident of the State who has been honorably discharged or released under honorable circumstances from active service in any branch of the Armed Forces of the United States, and who has been or shall be declared by the United States Veterans Administration, or its successor, to have a service-connected disability.

"Resident" means a person legally domiciled within the State of New Jersey. Mere seasonal or temporary residence within the State, of whatever duration, shall not constitute domicile within the State for the purposes of this preference. Absence from this State for a period of 12 months shall be prima facie evidence of abandonment of domicile in this State. The burden of establishing legal domicile within the State shall be upon the applicant.

"Surviving spouse" means the surviving wife or husband of any of the following, while he or she is a resident of this State, during widowhood or widowerhood:

- A. A citizen and resident of the State of New Jersey who has died or shall die while on active duty in time of war, as defined in N.J.A.C. 5:40-1.2, in any branch of the Armed Forces of the United States;
- B. A citizen and resident of this State who has had or shall hereafter have active service in time of war, as defined in N.J.A.C. 5:40-1.2, in any branch of the Armed Forces of the United States and who died or shall die while on active duty in a branch of the Armed Forces of the United States; or
- C. A citizen and resident of this State who has been or may hereafter be honorably discharged or released under honorable circumstances from active service in time of war, war, as defined in N.J.A.C. 5:40-1.2, in any branch of the Armed Forces of the United States.

As required by New Jersey law, this preference shall take priority over all other preferences.

Within this preference, priority shall be provided in the following order:

- A. Veterans who are both homeless and disabled veterans;
- B. Homeless veterans; and

- C. Disabled veterans. This category shall include family members who are the primary residential caregivers to such veterans who are residing with them.

In order to qualify for this preference and for admission, veterans and surviving spouses must meet all other eligibility criteria.

PREFERENCE NO. 2 - INVOLUNTARILY DISPLACED PERSONS

A preference shall be given to individuals or families residing within the jurisdiction of the Authority involuntarily displaced by governmental action or whose dwelling has been extensively damaged or destroyed and is uninhabitable as a result of fire, flood, or natural disaster, and for which the action was not the result of neglect or intentional act of the applicant or a member of the applicant's household.

In order to receive the displacement preference, applicants who have been displaced must not be living in "standard, permanent replacement housing."

Standard replacement housing is defined as housing that is decent, safe and sanitary according to the Housing Quality Standards/local housing code/other code, such as State or BOCA code that is adequate for the family size according to the Housing Quality Standards/local housing code/other code, and that the family is occupying pursuant to a written or oral lease or occupancy agreement.

Standard replacement housing does not include transient facilities, hotels, motels, temporary shelters, and in the case of Victims of Domestic Violence housing occupied by the individual who engages in such violence. It does not include any individual imprisoned or detained pursuant to State Law or an Act of Congress. Shared housing with family or friends is not considered standard replacement housing.

PREFERENCE NO. 3 - DISPLACED PERSONS WHO ARE VICTIMS OF DOMESTIC VIOLENCE

A preference shall be given to individuals or families residing within the jurisdiction of the Authority who have been/are involuntarily displaced as a result of their having been subject to or victimized by violent acts of a member of their household within the past 6 months. The Authority will require evidence that the family has been displaced as a result of fleeing violence in the home. Families are also eligible for this preference if there is proof that the family is currently living in a situation where they are being subjected to or victimized by violence in the home. The following criteria are to establish a family's eligibility for this preference:

- Actual or threatened physical violence directed against the applicant or the applicant's family by a spouse or other household member who lives in the units with the family.
- The actual or threatened violence must have occurred within the past six (6) months or be of a continuing nature.

To qualify for this preference, the abuser must still reside in the unit with applicant.

The applicant must certify that the abuser will not reside with the applicant in the public housing unit. If the abuser returns to the family household the Authority will terminate the public housing assistance for breach of this certification.

PREFERENCE NO. 4 - PERSONS WHO RESIDENTS OF THE CITY OF HOBOKEN

A preference shall be given to individuals or families residing within the jurisdiction of the Authority. Proof of residency requirements shall be determined in the sole discretion of the Authority. Requirements may include, but not be limited to, a deed or signed residential lease agreement.

All families that qualify for one or more of the preferences enumerated above will be offered housing before any family that does not qualify for a preference.

All families qualifying for Preference No. 1 shall take precedence over all other preferences. Within Preference No. 1, priority will be determined as stated therein. The method utilized to determine the sequence within the group of families qualifying for the same priority within Preference No. 1 will be consistent with the method stated in the notice announcing the opening of the waiting list, as set forth in Chapter 4, Section 5.8.

Following the placement of all families within Preference No. 1, families qualifying for either Preference No. 2 or Preference No. 3 will be placed in a sequence consistent with the method stated in the notice announcing the opening of the waiting list, as set forth in Chapter 4, Section 5.8.

Following the placement of all families within Preferences No. 1, No. 2, and No. 3, families qualifying for Preference No. 4 will be placed in a sequence consistent with the method stated in the notice announcing the opening of the waiting list, as set forth in Chapter 4, Section 5.8.

Thereafter, families not qualifying for a waiting list preference will be placed in a sequence consistent with the method stated in the notice announcing the opening of the waiting list, as set forth in Chapter 4, Section 5.8.

In the case of buildings designated for the elderly or disabled, preference will be given to elderly and disabled families. If there are no elderly or disabled families on the waiting list, preference will then be given to near-elderly families. If there are no near-elderly families on the waiting list, units that are ready for re-rental and have been vacant for more than 60 consecutive days will be offered to families who qualify for the appropriate bedroom size using these priorities. All such families will be selected from the waiting list using the preferences as outlined above. [24 CFR 945.303(c)(2)].

The decision of any disabled family or elderly family not to occupy or accept occupancy in designated housing shall not have an adverse effect on their admission or continued occupancy in public housing or their position on or placement on the waiting list. However, this protection does not apply to any family who refuses to occupy or accept occupancy in designated housing because of the race, color, religion, sex, disability, familial status, or national origin of the occupants of the designated housing or the surrounding area [24 CFR 945.303(d)(1) and (2)].

This protection does apply to an elderly family or disabled family that declines to accept occupancy, respectively, in a designated project for elderly families or for disabled families, and requests occupancy in a general occupancy project or in a mixed population project [24 CFR 945.303(d)(3)].

Accessible Units: Accessible units will be first offered to families who may benefit from the accessible features. Applicants for these units will be selected utilizing the same preference system as outlined above. If there are no applicants who would benefit from the accessible features, the units will be offered to other applicants in the order that their names come to the top of the waiting list. Such applicants, however, must sign a release form stating they will accept a transfer (at their own expense) if, at a future time, a family requiring an accessible applies. Any family required to transfer will be given a 30-day notice.

4.6.2 ASSIGNMENT OF BEDROOM SIZES

The following guidelines will be used to determine each family’s unit size without overcrowding housing:

NUMBER OF BEDROOMS	NUMBER OF PERSONS	
	MINIMUM	MAXIMUM
0	1	1
1	1	2
2	2	4
3	3	6
4	4	8
5	5	10

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons. Zero-bedroom units will only be assigned to one-person families. Two adults may be required to share a bedroom, unless related by blood.

In determining bedroom size, the Authority will include the presence of children to be born to a pregnant woman, children who are in the process of being adopted, children whose custody in being obtained, children who are temporarily away at school, or children who are temporarily in foster care.

In addition, the following consideration may be taken into account when determining bedroom size.

- A. Children of the same sex may share a bedroom.