

**Maryland Developmental Disabilities Administration/Maryland Department of Housing and Community Development/Maryland Department of Disabilities Rent Subsidy Program
Referral and Tenant Selection Plan**

I. Purpose

This document states the general guidelines and procedures for selecting tenants for the Maryland Developmental Disabilities Administration/ Department of Housing and Community Development Rent Subsidy Program (DDA/DHCD RSP).

The Maryland Developmental Disabilities Administration (DDA) and the Maryland Department of Housing and Community Development (DHCD) have entered into an agreement to fund and administer the DDA/DHCD RSP. In addition, the DDA and the Maryland Department of Disabilities (MDOD) have entered into an agreement to manage the waitlist and overall program structure.

The DDA/DHCD RSP is a tenant-based rent subsidy program. This program will allow eligible DDA/DHCD RSP participants to search for a unit that meets their needs in the community of their choice. Units chosen by participants can rent for no more than the maximum Fair Market Rent (FMR) for the area in which the unit is located (as determined by the U.S. Department of Housing and Urban Development (HUD)). FMR may be found at the following HUD website:

https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2023_code/select_geography_sa.odn

All units must pass a housing quality standards (HQS) inspection. For the DDA/DHCD RSP, DHCD has adopted the HQS established by HUD for the Housing Choice Voucher program which may be found at the following link:

https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/hqs

Program participants will pay 30% of their total household income for rent and utilities. The DDA/DHCD RSP will pay the difference between the rent the program participant pays and the total rent for the unit.

II. Agency Roles

A. DDA will:

- i. Provide funding for the DDA/DHCD RSP.
- ii. Verify that applicants are receiving services funded by DDA or are on the DDA Waitlist in the Crisis Resolution category.
- iii. Oversee DDA/DHCD RSP program operations.
- iv. Assist housing support service (HSS) providers, landlords and program participants with any issue that could affect the program participant's continued tenancy; and
- v. Participate in Program Interagency Review Committee meetings.

B. DHCD will:

- i. Manage the overall program coordination and funding.
- ii. Accept funds from DDA for the program.
- iii. Account for funding including estimating the number of future participants the available funding could assist.
- iv. Determine the program applicant's income eligibility.
- v. Conduct criminal background checks in order to determine applicant eligibility.
- vi. Ensure that the applicant is not receiving another publicly funded rent subsidy.
- vii. Issue a rental assistance authorization to the participant.
- viii. Verify that the rent for the unit is reasonable.
- ix. Inspect units before program participants move in and annually while a participant lives in the unit.
- x. Determine the participant's share of rent based on 30% of the household's monthly adjusted gross income.
- xi. Determine the monthly subsidy to be paid to the landlord.
- xii. Enter into a separate Housing Contract with each participant and the landlord leasing a unit to a DDA/DHCD RSP participant.
- xiii. Make monthly payments to landlords.
- xiv. Pay a utility allowance to landlords of participant-leased units on a monthly basis, if applicable.
- xv. Recertify the income eligibility of participants on an annual basis.
- xvi. Review landlord rent increase requests.
- xvii. Participate in Program Interagency Review Committee meetings.

C. MDOD will:

- i. Assist DDA with maintaining a program waitlist.
- ii. Review waitlist applications and contact the referring HSS provider if there are questions about an application.
- iii. Contact the HSS provider when an applicant is at the top of the priority list for the program.
- iv. Send program authorization paperwork to the HSS provider for applicants who want to submit a full application for the program.
- v. Review program authorization paperwork that is completed and sent to MDOD by the HSS provider.
- vi. Send the applicant's completed program authorization paperwork to DHCD for final program eligibility determination.
- vii. Work with DDA to oversee DDA/DHCD RSP operations.
- viii. Provide assistance to HSS providers, landlords and program participants when an issue happens that could affect the program participants continued tenancy.

- ix. Participate in Program Interagency Review Committee meetings.
- D. HSS Providers will:
- i. Inform potentially eligible people about the DDA/DHCD RSP.
 - ii. Submit a Waitlist application for people who are interested in participating in the DDA/DHCD RSP.
 - iii. Update waitlist applications annually or when there is any change in an applicant's income, living situation, caregiver age or ability to give care or household members.
 - iv. Review all waitlist applications that they have submitted to the waitlist every year and verify that the information is correct.
 - v. Contact the waitlist applicant when an opportunity for a rent subsidy arises and discuss with the applicant their interest in submitting a full application.
 - vi. Assist the applicant with filling out program authorization paperwork.
 - vii. Assist the applicant with sending documents to MDOD that are necessary to determine final eligibility.
 - viii. Assist program participants with searching for a unit.
 - ix. Assist the participant with deciding if they need to request reasonable accommodations or reasonable modifications to the unit.
 - x. Provide program information to possible landlords.
 - xi. Assist participants with submitting paperwork to DHCD to request that a unit they are interested in renting be reviewed to make sure the rent is reasonable and that the unit be scheduled for inspection.
 - xii. Review the lease and community rules with the participant before the lease is signed.
 - xiii. Accompany the participant when they sign the lease.
 - xiv. Assist the participant with planning to move.
 - xv. Remain in contact with the participant while they are living in the unit to support them as a tenant.
 - xvi. Update the person-centered housing plan as needed.
 - xvii. Assist the participant and landlord with resolving any issues that could affect the participant's continued tenancy.
 - xviii. Request program exceptions if needed.
 - xix. Participate in Program Interagency Review Committee meetings as requested by the state agencies to provide information about applicants and participants they are working with.
- E. Coordinators of community services (CCS) will:
- i. Inform potentially eligible people about the DDA/DHCD RSP.
 - ii. Discuss the person's choice in where they want to live at the person-centered plan (PCP) meeting at least every year.
 - iii. Refer people who are interested in renting a home to HSS providers.
 - iv. Include the housing plan in the person's overall PCP.

- v. Monitor the HSS services.

III. Program Eligibility Requirements

A. **Initial Eligibility and Guidelines:** To be eligible for the DDA/DHCD RSP,

1. A participant must be:
 - a. 18 years of age or older
 - b. Have a household income that is at or less than 50% of the area median income in the area(s) where the applicant wants to live
 - c. Receiving at least one DDA-funded service OR be on the DDA waitlist for services in the Crisis Resolution category
 - d. Not currently housed with a rent subsidy from another public source other than DDA or live in public housing as head of household or co-head

NOTE: Applicants currently receiving funds from DDA for rent ARE prioritized for the DDA/DHCD RSP.

2. A participant must not be:
 - a. Convicted of manufacturing or producing methamphetamine on the premises of any federally assisted housing project or property
 - b. A registrant under a national or state sex offender registration program
 - c. Engaged in violent or drug-related criminal activity within a reasonable time before admission

B. **Ongoing Eligibility Guidelines:** After an applicant is admitted into the DDA/DHCD RSP, Participants and all household members and guests must abide by the following terms:

- 1) Follow the terms of the lease and do not commit serious or repeated violations of the lease.
- 2) Pay any utilities that are not included in the rent.
- 3) Maintain the unit in a clean and sanitary manner.
- 4) Not engage in criminal behavior, including.
 - a) Conviction of the production or sale of methamphetamine on federally assisted property
 - b) Conviction of a sex offence resulting in registry on the any sex offender registry
 - c) Any drug-related criminal activity or violent criminal activity
- 5) Disclose any increases in household income above \$200 per month within 15 days of any such change. Decreases in income of any amount can be reported at any time.
- 6) Permit DHCD to periodically inspect the approved unit for compliance with housing quality standards and provide any information requested by DHCD that it determines is necessary to the ongoing administration of the DDA/DHCD RSP.

C. **Additional Conditions of Participation:**

1. Participants must apply for other housing resources and maintain updated contact with MDOD waiting list administrators.
2. Participants must accept other housing assistance offers (e.g., Mainstream Vouchers, Housing Choice Vouchers) to free up state resources.
3. Participants, members of the Participant's household and guests must not:
 - a. Engage in or threaten any abusive or violent behavior against any personnel or subcontractors of DHCD, MDOD, DDA or Housing Support Services providers.
 - b. Continue in the program once they receive any other housing subsidy.
 - c. Permit unauthorized persons to reside in the assisted unit

IV. How Applicants are Prioritized

Eligible applicants are prioritized for the DDA/DHCD RSP in the following order:

1. Currently receiving funds from the DDA for rent
2. Homeless, in the following order
 - a. Currently homeless – staying in a shelter or without any temporary housing.
 - b. At the risk of being homeless – living with friends or family but will lose this shelter within 14 days.
 - c. Unaccompanied youth – between ages 18 and 25 staying with friends or family for more than 60 days due to not having permanent housing or living arrangement.
 - d. Family with Children/Youth – a family with children/youth living with friends/family for more than 60 days due to not having permanent housing or living arrangement.
 - e. Fleeing/attempting to flee domestic violence.
 - f. Individual in temporary housing – individual age 25 or older living with friends/family for more than 60 days
3. Transitioning from a long-term care facility or institution
4. Living with a caregiver who is age 55 or older or who is no longer able to care for the applicant.
5. Transitioning from a group home, Shared Living or foster care
6. All other eligible applicants

V. Application Process

The following procedures will be used to provide information to potential applicants, accept applications, determine eligibility, and select applicants for referral for available subsidies.

- A. **Fair Housing**: The program and organizations working with the program will follow all federal and state laws providing protections to people in housing. Specifically, the program will comply with the Fair Housing Act as Amended in 1988, Section 504 of the Rehabilitation Act of 1972, the Americans with Disabilities Act and the Maryland Fair Housing Act, the Maryland Accessibility Code (if and when applicable), the Violence Against Women Act.

- B. Outreach: Outreach to people who may be eligible for the DDA/DHCD RSP will be provided by the CCS or the HSS. Every effort will be made to give information about the program to people who may be eligible for the program.

The DDA will identify the people who may be eligible but who are the least likely to apply for the DDA/DHCD RSP. The DDA will create a plan to provide outreach to these people to ensure that they know about the program and have a chance to apply.

People who are interested in the program will be advised by the CCS that they need a HSS provider to apply for the program. If an interested person does not have an HSS provider, the CCS will assist them with selecting one.

A change in housing goals will often be discussed during the annual PCP meeting. However, a person who may be eligible can indicate that they want to have a goal of independent renting at any time. The CCS will arrange for a planning meeting to further discuss the goal.

- C. Opening and Closing of the Waitlist. The waitlist opened for the first time on May 1, 2022. In addition, general outreach to CCS and HSS agencies and other interested stakeholders was sent in writing, provided through training opportunities, and sent in news blasts.

If at any time all or part of the waitlist will be closed, the decision will be made together by DDA, MDOD, and DHCD. A notice about the closing will be posted on the DDA, MDOD, and DHCD websites.

- D. CCS and HSS Waitlist Guidance and Expectations. People will be placed on the waitlist by the HSS. If people were placed on the waitlist for the HUD 811 PRA, Weinberg Apartments, and/or MFP Bridge Subsidy programs by a CCS, other service providers, or Center for Independent Living, it is expected that these applicants will choose a HSS provider and responsibility for the applications will be changed to the HSS.

- E. Referral and Eligibility: To apply for the DDA/DHCD RSP, people who may be eligible will be referred for eligibility determination by a HSS using a web-based waitlist registry (Waitlist Registry) available at <https://www.myhousingsearch.com/>. The Waitlist Registry is managed by MDOD and pre-screens applicants for basic eligibility and assists with submitting a full waitlist application for people who meet the eligibility criteria.
- The Waitlist Registry records a date and time stamp for all applications.
 - The Waitlist Registry assigns each applicant a priority category based on the chosen “Current Living Situation”.

- c. Applicants are able to choose up to 5 counties in which they are willing to live. The Waitlist Registry will provide information about an applicant’s financial eligibility in each jurisdiction the person has chosen.
- F. Notification of Ineligibility: During pre-screening, the Waitlist Registry will provide a “results page” notice if an applicant is not eligible for the program or if they are not eligible for a chosen county. This notice will remind the HSS to inform the applicant of their eligibility determination. The HSS can print the “results page” using their web-browser print function. The HSS is able to use the “Make a mistake? Change your answers.” link to return to parts of the application to correct or update information. Changes to the pre-screening parts of the application will trigger the system to rescreen the person for eligibility. If a person believes that the eligibility determination is not correct, they may contact the MDOD Waitlist Manager at housing.mdod@maryland.gov.
- G. Waitlist Application Review: New applicants are placed in a “Pending: Needs DDA Verification of Services” status when their application has been completed. The DDA representative will use the DDA services reviewer page to confirm or deny if the applicant is eligible for services, then the MDOD Waitlist Manager reviews all applications. If the application review is satisfactory, the Waitlist Manager changes the status to “Waiting: Approved”. If the Waitlist Manager determines that an application needs clarification, the application is changed to “Pending: Verification Needed” status, and the Waitlist Manager contacts the HSS to get additional information or clarify existing information. The HSS will need to notify the Waitlist Manager when all questions have been answered or the HSS has updated the application. The Waitlist Manager will then change the status of the application from “Pending: Verification Needed” to “Waiting: Approved”.
- H. Waiting Approved Status: Applicants who have received Waiting Approved status are available for contact should a subsidy become available and the application is high in priority. The Waitlist Manager will not give out waitlist numbers or timeframes for when housing will be offered.
- I. Updating Registry Information: The HSS is expected to review and update information in the Waitlist Registry on a regular basis, at least annually. If an applicant’s housing situation changes, the applicant’s information must be updated as soon as possible so that the applicant is properly identified for the Priority Category. The Waitlist Manager will work with the HSS to ensure that all referrals are made based on accurate and current information at the time of referral. HSS are expected to update and certify applications annually OR when an applicant

reports changes in income, household composition, caregiver ability to continue care, current living situation, etc.

- J. Co-Applicants: The DDA/DHCD RSP will permit two people who meet the eligibility criteria to live in the same unit. Each will be considered a program participant. Total household income will be permitted to exceed 50% area median income collectively but cannot exceed this amount individually.

If the participants decide they no longer want to live together, they will each receive their own program authorization and will be able to search for a unit. At least one of the participants will need to complete the first 1-year lease before moving. A participant can continue to rent the unit for a full year after the other participant moves before needing to move to a smaller unit that meets their needs or adding a housemate who meets the eligibility criteria.

If there is a point where the total household income is high enough for the participants to pay the current rent and utilities using no more than 30% of their household income, the participants will be suspended from the program, and subsidy payments will no longer be sent to the landlord. If the household income of the participants is reduced and they can no longer afford rent and utilities without a subsidy, they will be reinstated in the program.

- K. Prioritization of Referrals for Available Subsidies: The highest priority applicant will be offered a subsidy when one becomes available. The Waitlist Manager will decide on the highest-priority applicant based on:
- Applicant's priority category; and
 - Date/time stamp of the application within the priority category.

The Waitlist Manager will obtain current and accurate information about the applicant's current living situation to make sure that the applicant is in the correct priority status.

- L. Referral of Applicants for Available Rent Subsidies: The MDOD Waitlist Manager will take the following steps to make referrals for available rent subsidies:
- Contact the HSS who works with the highest prioritized applicant to let them know of the opportunity and to ask them to check with the applicant to see if they are currently interested in applying. The HSS will have no more than 5 working days to verify if the applicant is interested and get back to the Waitlist Manager with this information.
 - The HSS will also need to confirm the current accuracy of the information in the Waitlist Registry and make any necessary changes. Note that a change in information can change the applicant's eligibility and priority category.

- ii. If the applicant's Waitlist Registry information has changed, the Waitlist Manager will check to see if the changes have resulted in a change in the applicant's eligibility or priority after the appropriate updates have been completed by the HSS.
 - iii. If the priority status has changed it can result in withdrawal of the current subsidy opportunity. Applicants whose priority status has changed and who continue to be eligible will have their status updated to the correct priority status. The application will keep the date/time stamp of their original application and the application will remain on the waitlist.
 - b. Send a program application and list of required documentation to the HSS when an applicant is interested in applying for the rent subsidy.
 - c. Notify the HSS that completed applications are to be submitted to the Waitlist Manager within 14 calendar days of the Waitlist Manager emailing the application to them. Completed applications can be sent by the HSS.
 - d. Review all applications to make sure they are complete and contact the HSS if additional information and/or documentation is needed.
 - e. Send completed applications to the Department of Housing and Community Development (DHCD) program staff within one week.
 - f. Manage the application process to make sure that completed eligible applications are forwarded to DHCD as they are received. Applicants will be moved forward as they are ready to proceed whether or not they are in priority order.
- M. Reasonable Accommodation and Modification Requests: The DDA/DHCD RSP will comply with the Fair Housing Act, Maryland Fair Housing Act, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. Upon request, the MDOD Waitlist Manager will assist the HSS with possible reasonable accommodation and/or modification requests for the applicant. The Waitlist Manager will comply with legal and regulatory provisions concerning such requests. If it is determined that an applicant wishes to request a reasonable accommodation or modification, the MDOD Waitlist Manager's assistance may include providing a sample template for making a request in writing and providing possible strategies for meeting the needs of the applicant. At no time will the MDOD Waitlist Manager interfere with the applicant's decision to request an accommodation or modification. Applicants will be encouraged to submit requests for reasonable modifications to the property owner or owner's agent as soon as possible. A determination of whether the request will be accommodated will be made by the property owner/agent. Requests for accommodations to this policy should be directed to DHCD.
- N. Approval of Subsidy Recipients: DHCD will review applications and will verify income and other eligibility criteria. Applicants who meet all eligibility criteria will receive a program authorization form. DHCD will perform a criminal background check. Program participants

- should be aware that property owners or their agents may complete a credit check as a part of their screening process, which could impact their eligibility for a specific unit that they apply for.
- O. Housed Participants: Applicants who are selected for a subsidy and who lease a unit will be marked as “housed” in the Waitlist system, which removes them from the registry.
 - P. Housing Search Time Limit: Participants who are approved for the program will have 90 days to locate housing that meets their needs. Should additional time be required, participants may request a 60-day extension. If the participant does not locate a unit within this time period, their program authorization will be canceled, and the applicant will be returned to the waitlist with the same date/time stamp and priority category. If there are circumstances that prevent a participant from finding housing within 150 days, a reasonable accommodation request can be submitted and will be considered by the Interagency Review Committee.
 - Q. Refusing a Subsidy: Applicants may refuse an offered subsidy. These applicants will remain on the registry with the same priority status and date/time stamp. Should an applicant refuse 3 subsidy offers, the MDOD Waitlist Manager, MDOD Director of Housing Policy and Programs and DDA representative will review the circumstances of each refusal. If it is determined that insufficient reasons led to refusing the subsidy offers, the applicant will be removed from the waitlist. The MDOD Waitlist Manager will notify the applicant and HSS of the review process and determination. Removed applicants may re-apply at any time. This will result in a new date and time stamp for the application.
 - R. Moving to Another Unit: Participants who have fulfilled their lease term may choose to move to another unit and continue to use their rent subsidy at the new unit. The participant is required to provide at least two months’ notice of the intent to move to the HSS, DHCD and MDOD. The program participant must also notify the property owner/agent within the timeframe stated in the lease. The new unit will be required to pass the inspection and rent reasonableness requirements before the participant signs the lease.
 - S. Eviction or Involuntary Termination of Lease: A tenant whose lease is terminated because of eviction or other reasons and who continues to meet the program’s eligibility and priority criteria may re-apply to the program by following the steps outlined in Section V above. This new application will receive a new date and time stamp. Additionally, the new applicant may not be referred for a unit until 6 months have passed since the date of termination of the lease. A person with more than one termination of their lease is ineligible to re-apply for the program.
 - T. Applicant/Participant Choice to Discontinue: Applicants and participants may choose to be removed from the Waitlist or to discontinue participation in the program. Removal from the Waitlist can be completed by the HSS. Participants who are leasing a unit through the program are expected to complete the lease term before discontinuing participation unless there are extenuating circumstances. Requests for this exception will be considered by the Interagency Review Committee. Participants who are leasing a unit will be required to provide notice to the owner /agent according to the lease requirements.

- U. Documentation of Procedures: The MDOD Waitlist Manager documents the status and completion of all steps in the application process in the Waitlist Registry system.
- V. Notification of Changes to the Tenant Selection Plan: Changes to this Tenant Selection Plan will be posted to the DHCD website. Information about these changes will be given to HSS providers.