

SALEM HOUSING AUTHORITY'S TENANT SELECTION AND TRANSFER PLAN FOR CONGREGATE UNITS

Purpose: The purpose of this plan of the Salem Housing Authority is to ensure fair and equitable procedures for selecting tenants to occupy elderly congregate units located at the J. Michael Ruane Residence at 3 Broad Street, Salem, Massachusetts.

The success of these congregate facilities is dependent in a large part upon the existence of tenant selection criteria designed to screen suitable applicants for occupancy in congregate units. The tenant selection criteria are intended to ensure a resident population that will function well in a group setting.

For purposes of selecting applicants and of assigning congregate units, the Salem Housing Authority has entered into a Memorandum of Understanding with North Shore Elder Services, Inc.

This agency has agreed to participate on a Multi-disciplinary Assessment Team (MAT). The Authority's representative to the MAT will be the Public Housing Administrator in all matters regarding eligibility and the selection of residents for the congregate housing program. The Executive Director has designated the Public Housing Administrator to be the (LHA) representative. The MAT shall have responsibility for selecting applicants and assigning units in accordance with this tenant selection and transfer plan. All selections will be subject to final approval of the Authority.

A. Notification of Availability and Marketing:

1. The Salem Housing Authority will receive and maintain separate applications and a waiting list for congregate living units at the J. Michael Ruane Residence (667-7A).
2. People who are on the waiting list of the Salem Housing Authority for elderly and/or handicapped housing have been notified of the availability of units and of their right to apply, if interested. An applicant's status on the waiting list shall not be affected by an application for a congregate unit.
3. Outreach is primarily the responsibility of the Congregate Coordinator. The Authority will provide assistance and input where appropriate. Outreach will be made to individuals in the community and to all community agencies, which provide services to the elderly and to the disabled/handicapped. Listed below are Community Agencies outreach will be made to:

North Shore Elder Services, Inc.
152 Sylvan Street
Danvers, MA 01923

City of Salem Council on Aging
5 Broad Street
Salem, MA 01970

Visiting Nurse Association of Greater Salem
27 Congress Street
Salem, MA 01970

3. Public announcements prepared by the Public Housing Administrator shall be made in the local newspapers and/or on the local radio and cable television stations. The Authority is responsible for the accuracy of the information regarding its programs.
4. Current residents of the Housing Authority's developments who wish to relocate to a congregate unit must make separate application for selection under this plan.

B. Availability/Submission of Applications:

1. Applications will be available at the Salem Housing Authority 27 Charter Street, Salem, Massachusetts and/or at the J. Michael Ruane Residence, the North Shore Elder Services, Inc., and the City of Salem Council on Aging.

Applications may be mailed. Each applicant shall be required to submit a doctor's assessment of his/her physical/mental capacity. The Congregate Coordinator shall personally interview each applicant. If additional information is needed, it shall be obtained with the permission of the applicant. Completed application shall be returned to the LHA either in person or by mail.

C. Processing Applications:

1. Upon the Authority's receipt of the completed application each will be dated and time stamped and assigned a chronological control number. All applicants will receive written notice of their control numbers. The control number shall be entered into the Authority's Master Ledger and waiting list.
2. All applications shall be reviewed to determine preliminary eligibility and appropriate priority status. The following priorities shall be granted by the LHA:
 1. Homeless due to Natural Forces
 2. Homeless due to Public Action (Public Works)
 3. Homeless due to Public Action (Public Health)
 4. Emergency as defined in the SHA Emergency Case Plan
 5. AHVP Participant
 6. Transfer for Good Cause
 7. Standard Applicant

Once initial eligibility is determined, the application shall be added to the congregate waiting list by the control number as well as the priority status as noted. Placement on the Waiting List shall not constitute a determination of final eligibility. Applicants are responsible for informing the Authority of any change in their status. The Authority shall yearly request updated information from those applicants on the congregate waiting list. Any applicant failing to respond to the update request within the time frame specified by the Authority will be dropped from the waiting list. This date must be no less than thirty (30) days from the date of the letter itself.

- 3 The Housing Authority shall determine financial eligibility. Subsequent to this review each applicant will be given written notification of whether or not the applicant appears eligible for consideration by the MAT and, if ineligible for consideration, the basis for this determination. All notification shall be made by the LHA in a manner consistent with the Authority's conventional program(s).

4. Prior to submitting information regarding an applicant to the MAT, the Congregate Coordinator will meet with the applicant for an interview. All information gathered shall be with written permission of the applicant. The Congregate Coordinator shall obtain the required releases and gather pertinent data regarding the applicant's medical status, functional abilities, and psychological/social information.

D. Eligibility Criteria for Congregate Units:

1. Applicants must be:
 - (a) Age 60 or over; or
 - (b) Disabled or handicapped as defined pursuant to section 5.07 of the eligibility and selection regulation and capable of congregate living.
2. Financially eligible as determined by state law and regulations.
3. Qualified for (Congregate) housing pursuant to Section 5.08 of the above referenced regulation.
4. Applicant must be:
 - (a) A person for whom living alone would necessitate nursing home or other institutional care; or
 - (b) A person whose mental or physical or emotional well-being is at risk due to severe isolation which arises from the applicant's physical, mental or emotional impairment.
 - (c) A person for whom the Congregate Unit would provide a viable residential option in the continuum of housing between independent and institutional living.
5. Each resident must understand the concept of Congregate Housing and the responsibilities inherent in his/her role as a participant.
6. If in determining eligibility, the applicant is found to be one of the following, the applicant may be rejected:
 - a) The applicant has physical, mental health or emotional problems requiring professional care or supervision which cannot be made available within the congregate facility; or
 - b) The applicant requires constant supervision; or
 - c) The applicant would require more than eight (8) hours of home/health care service per day and/or the applicant's extensive social service needs would interfere with the needs and rights of other residents; or
 - d) The applicant or any member of the applicant's household has a record of disturbing neighbors, destruction of property, or living or housekeeping habits at a prior residence which, if exhibited while residing in a congregate unit, would substantially interfere with the health, safety, security, or peaceful enjoyment of other residents or adversely affect the physical environment of the resident community; or

e) The applicant has a history of civil or criminal violations of the State Civil Rights Act, or a history of criminal activity, including crimes of physical violence to persons or property or other criminal acts which if exhibited while residing in a congregate unit would interfere with the health, safety, security or quiet and peaceful enjoyment of the leased premises of other residents or adversely affect the physical environment of the resident community. Examples of such criminal acts include the possession, distribution and/or use or sale of narcotic drugs, rape, prostitution, assault, or breaking and entering; or

(f) The applicant, or member of the applicant's household who will be assuming a part of the rent obligation, has a history of non-payment of rent within the last twelve (12) months. The following circumstances potentially may not be a basis for rejection:

(i) The applicant was living in sub-standard unit and the non-payment was reasonably justified, or

(ii) The record of non-payment was due to the applicant being required to pay rent and utilities in excess of 50% of gross income. (This must be consistent with the LHA's policy for its other developments.)

(g) The applicant knowingly falsified information requested on the application form, or failed to provide information necessary for a decision on the application.

If information unfavorable to the applicant is received, consideration shall be given to the time, nature and extent of the applicant's conduct and factors which might indicate a reasonable probability of favorable future conduct or financial prospects. Information more than five years old will be disregarded unless an unusual circumstance warrants inclusion of dated material. The applicant shall be given an opportunity to respond in writing to any unfavorable information. The applicant is responsible for providing the SHA with the information and/or permission necessary to obtain all the documentation related to the determination of eligibility and suitability.

E. Tenant Selection:

The Congregate Coordinator will convene a meeting of the MAT and present completed applications for consideration including supporting documentation and comments on the interview. All applicants will be presented to the MAT anonymously. The MAT may request additional information if appropriate. Subsequent to the above determination, each applicant will receive written notification of whether he/she has been selected for occupancy of a congregate unit, and, if not selected, the basis for this determination. Also, contained in the letter informing the applicant that he/she has not been selected is information on how to request reconsideration or an outline of the appeal process. (Those Authorities with an approved Separate Grievance Process for their congregate units should reference it in the letter.) The letter should, when appropriate, contain information regarding other programs the applicant may be eligible for. Applicants will be chosen in regard to eligibility, priority status category, suitability to a particular vacancy, and in adherence as much as possible to an applicant's chronological placement on the waiting list.

1. Suitability Criteria:

Suitability of applicants for the congregate program and the specific vacancy will be considered. Suitability of a particular applicant for a particular unit shall be determined on the basis of the applicant's disability/ handicap/social need and his/her potential interrelationship with those of current residents of the unit and the needs of the unit. The combinations of handicap/disability/social need of all residents of a particular unit must be such that residents

can provide aid and assistance to each other and such that no disability/ handicap/social need of one resident will place other residents at risk.

2. Selection:

If the applicant is suitable, he/she will be selected. In deciding whom to select from two (2) applicants of equal need and suitability, the applicant with the lowest control number shall have preference. If the applicant is found to be unsuitable, selection will move to the next applicant for a determination of suitability.

An applicant found unsuitable may remain on the waiting list should the applicant be determined unsuitable for a specific vacancy, rather than found to be unsuitable for the congregate unit as a whole. The applicant's status and continued appropriateness as a potential tenant of the Congregate Unit shall be reviewed based on the most current information.

Each applicant shall be notified in writing of the MAT determination by the LHA with input from the Congregate Coordinator. An applicant found ineligible or unqualified for the congregate unit shall be notified of:

- a. the specific reason(s) for the determination;
- b. the source(s) of any information and specific facts on which the determination is based;
- c. the right to request reconsideration in writing within ten (10) days if there is new and relevant information not previously considered by the LHA;
- d. the right to request in writing a review of a finding of ineligibility pursuant to 5.13 of the eligibility and selection regulation (If the LHA has DHCD approval of a separate appeal process should be referenced here.)
- e. the right to be represented by counsel or other person;
- f. the right to examine his/her file prior to reconsideration or review;
- g. information regarding other program(s) the applicant may be eligible for, if appropriate.

The reason(s) for each eligibility/ineligibility decision must be fully and thoroughly documented in each applicant's file.

3. Offers to Applicants:

An applicant offered a congregate unit must respond within seven (7) days of receipt of the written unit offer or be removed from the waiting list. For good cause the LHA may extend the time for an applicant's response.

The LHA may offer another unit when there is documented evidence, such as court record/medical records, that the first offer is inappropriate because of clear danger or personal harm.

F. Appeal Procedure:

In conventional housing, a resident is allowed to grieve a decision of the LHA. The only recourse for a rejected applicant is to request a private conference with the Executive Director or designated staff person or to appeal in writing to DHCD.

G. Transfer Procedure:

Due to the significant difference between a congregate unit and a conventional elderly unit, in all areas including admission and management of, the Salem Housing Authority has provisions to cover transfer of a tenant from a congregate unit to another unit of the Authority. These provisions relate only to congregate and not any other units or developments owned or administered by the Salem Housing Authority.

1. A tenant of a congregate unit, who wishes to move to a one-bedroom apartment in a family or elderly development, will be allowed to apply through the regulated application and waiting list procedure. However, an applicant must have lived in the congregate unit at least one year prior to applying for relocation.
2. Transfer to another Authority owned or administered unit to resolve an emergency situation shall be pursuant to 5.10(5) of the tenant eligibility and selection regulation.
3. Transfer for a tenant residing in a congregate unit less than one year will be decided on a case-by-case basis. The MAT will review the request for transfer and make a recommendation to the Authority. Tenants must apply through the regulated application and process. The ultimate approval for transfers remains the responsibility of the LHA.

H. Non-Discrimination Statement and Procedure:

Any person, who believes he or she has been discriminated against by the Housing Authority because of race, creed, color, religion, sex, national origin, handicap, marital status or source of income may file a written complaint with the Housing Authority and may request a meeting with the Executive Director /Equal Opportunity Officer or appeal in writing to the Department of Housing & Community Development, 100 Cambridge Street, Suite 300, Boston, MA 02114. Attn: Office of the Chief Counsel.

Approved by the Board of Directors: April 25, 2006

File: kw Tenant Selection Plan



John A. Boris, Chairman
Peter K. Strout, Vice Chairman
Joseph M. O'Neill, Second Vice Chairman
Robert J. Jalbert, Treasurer
Gary C. Stirgwort, Assistant Treasurer

Carol A. MacGown, Executive Director

**EXTRACT FROM THE MINUTES OF THE
REGULAR MEETING OF THE BOARD MEMBERS OF THE
SALEM HOUSING AUTHORITY HELD ON
TUESDAY, APRIL 25, 2006**

The BOARD MEMBERS of the SALEM HOUSING AUTHORITY met in a REGULAR meeting at 27 Charter Street in the City of Salem, Massachusetts on Tuesday, April 25, 2006 at 6:00 p.m., the place, hour, and date duly established for the holding of such meeting.

The meeting was called to order at 6:00 p.m. by Chairman John A. Boris and upon a roll call, the following answered present:

Present

John A. Boris
Peter K. Strout
Joseph M. O'Neill
Robert J. Jalbert
Kelly F. O'Neill

Absent

Also Present: Carol A. MacGown, Kathleen M. Wilkinson, Frances Carson and Dianne Canney.

RESOLUTION

The following resolution was introduced by Chairman John A. Boris, read in full, and considered:

Peter K. Strout moved to approve the revised Tenant Selection and Transfer Plan for Congregate Units, as presented. Kelly F. O'Neill seconded the motion and the vote was as follows:

Ayes

John A. Boris
Peter K. Strout
Joseph M. O'Neill
Robert J. Jalbert
Kelly F. O'Neill

Nays

The Chairman thereupon declared the motion carried and said resolution adopted.