

6105 PREFERENCES FOR PUBLIC HOUSING

6105.1 At the time of application, applicants self-certify their preference. Verification of a preference is not required until an applicant reaches the top of the waiting list. Applicants will be required to provide verification that they meet the preference as part of the eligibility determination process.

6105.2 The granting of a preference does not guarantee admission to public housing. Preferences are used merely to establish the order of placement on the waiting list. Every applicant for public housing or the Housing Choice Voucher Program must also meet DCHA's Applicant Selection Criteria outlined in Section 6109 below.

(a) Preferences

(1) Mixed Population Properties

(A) The following admission preference system will be applied in the selection of otherwise eligible applicants from Public Housing Waiting Lists (based on the time and date of application) for a public housing or RAD unit offered in mixed population properties:

Preference #1: Elderly Families and/or Families with a household member with disability

Preference #2: Near Elderly Families

Preference #3: All Other Families

(B) No individual shall be considered a person with disabilities, for purposes of eligibility for public housing or RAD under this Title, solely on the basis of any current drug or alcohol dependence.

(2) General Population Properties - the following applicant admission categories, including percentages, will be applied to the selection of otherwise eligible applicants from the Public Housing Waiting Lists (based on the time and date of application) for public housing or RAD units offered in general population properties:

Category #1: Working Families (50% Annually)

Category #2: All Other Families (40% Annually)

(3) Emergency Category - Up to ten percent (10%) (not to exceed one hundred (100) units) annually of all applicants housed in the

District of Columbia Municipal Regulations

general and/or mixed-population properties will be selected from qualified applicants in the Emergency Category. Emergency Category is defined in 14 DCMR Section 5705.

- (b) If there are no applicants on the waiting list that qualify for the Emergency Category, otherwise eligible applicants will be selected for admission.
- (c) The admission systems described above will work in combination with requirements to match the characteristics of applicant families to the type of units available, including units for targeted populations, *e.g.*, elderly, disabled. The ability to provide public housing for qualified applicants will depend on the availability of appropriately sized public housing or RAD units.

6105.3 The DCHA shall select families from the waiting list in the Emergency Category by date and time of application, except when a situation is a federally or locally declared natural disaster or civil disturbance, in which case the Executive Director has the discretion to waive date and time of application in selection. Any determination by the Executive Director to waive the date and time of application must be in writing stating the maximum number of applications that will be selected under these provisions or any limits on time for the waiver, with such waiver being approved for form and legal sufficiency by General Counsel and published in the *D.C. Register*.

6105.4 The preferences for admission to the Housing Choice Voucher Program are found in the DCHA's Administrative Plan for the Section 8 Certificate and Housing Voucher Programs.

SOURCE: Final Rulemaking published at 45 DCR 4914, 4918 (July 24, 1998); as amended by Final Rulemaking published at 46 DCR 603 (January 22, 1999), incorporating by reference the text of Proposed Rulemaking published at 45 DCR 7913, 7914 (November 6, 1998); as amended by Final Rulemaking published at 49 DCR 10308 (November 15, 2002); as amended by Final Rulemaking published at 50 DCR 5739 (July 18, 2003); as amended by Final Rulemaking published at 50 DCR 10351 (December 5, 2003); as amended by Final Rulemaking published at 64 DCR 12956 (December 22, 2017); as amended by Final Rulemaking published at 66 DCR 6831 (June 7, 2019).