

6107 ELIGIBILITY DETERMINATION

- 6107.1 After reviewing the application, additional supporting documents and obtaining necessary verifications, DCHA shall determine the applicant's eligibility in accordance with Section 6106 of this chapter.
- 6107.2 Applicants determined to be eligible for housing shall be placed in the selection pool.
- 6107.3 DCHA must mail a letter to each applicant determined to be ineligible and the notification of ineligibility shall contain:
- (a) The date and time of the informal conference;
 - (b) The location where the informal conference will be held;
 - (c) The reason for the determination of ineligibility;
 - (d) The applicant's right to bring new or additional information to the informal conference;
 - (e) The type of additional documentation or information DCHA may need in order to reconsider an applicant's eligibility for the public housing, RAD, and Housing Choice Voucher programs; and
 - (f) The applicant's right to bring an attorney or any other representative to the informal conference.
- 6107.4 The informal conference shall be scheduled and/or rescheduled as follows:
- (a) The date of the informal conference shall be no sooner than fifteen (15) days and no later than thirty (30) days after the postmark date of DCHA's letter to the applicant.
 - (b) A family or applicant may request to reschedule an informal conference for the convenience of the applicant any time up to two (2) days after the scheduled informal conference date. If a family or applicant fails to attend the conference rescheduled for their convenience they may make one final request for rescheduling any time up to two (2) days after the rescheduled informal conference date.
 - (c) Notwithstanding Subparagraph (b) above, DCHA will reschedule an informal conference as a reasonable accommodation if the applicant can demonstrate that a disability prevented them from rescheduling within the prescribed time period.

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- 6107.5 If the applicant does not attend the informal conference, a supervisor in the Client Placement Division will conduct a review of the application to determine if the applicant is eligible for public housing or RAD. This supervisory review will take place even where no additional information is provided by the applicant or the applicant's representative.
- 6107.6 Applicants determined to be eligible after the supervisory review or the informal conference will be notified in writing and placed in the selection pool.
- 6107.7 When an applicant is determined ineligible after the informal conference or supervisory review, the Client Placement Division will issue a letter informing the applicant of their right to:
- (a) A review by an independent third party acceptable to DCHA willing to review applicant files pro bono; and
 - (b) Bring a grievance pursuant to Chapter 63, Chapter 89, or Sections 5730 through 5747 of this title.
- 6107.8 When an applicant is determined ineligible for public housing, RAD, or the Housing Choice Voucher Program, the applicant will be removed from the waiting list(s) and his or her application will be retained up to three (3) years in an inactive status.
- 6107.9 Applicants who were determined ineligible solely by reason of an unpaid debt may, at any time during their inactive status, provide evidence that the debt has been paid or otherwise resolved. These applicants may be returned to the waiting list(s) with the same date and time of application as the date and time the applicant had when the applicant was placed on inactive status.
- 6107.10 Notwithstanding provisions which may appear elsewhere in this subtitle, a determination of eligibility for public housing, RAD, or HCVP under this chapter shall be valid for a period of one hundred eighty (180) days from the date of said determination.

SOURCE: Final Rulemaking published at 33 DCR 7973, 7992 (December 26, 1986); 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 10355 (December 5, 2003); as amended by Final Rulemaking published at 56 DCR 2720 (April 10, 2009); 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).