

# Congregate Tenant Selection Plan

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## 1. Background:

DHCD recognizes that many applicants using the CHAMP portal are selecting Congregate Housing without an understanding of the shared living arrangements. In response, DHCD is making several major changes to tenant selection for c.667 Congregate Housing. This guidance gives LHAs detailed instructions on how to operate tenant selection with these changes pursuant to the regulatory waiver attached to PHN 2021-24.

DHCD will remove Congregate from the option menu in CHAMP. LHAs, working with their service provider vendors, and the Congregate Housing Coordinator where one is in place, will be responsible to develop and maintain a separate Congregate waitlist. The list will initially be generated from applicants in the CHAMP portal. Further guidance is provided below. Note that not all Congregate Sites have a MAT; therefore, MAT review is only required an eligible priority where applicable (i.e., where there are established MATs). Applicant recommended by the MAT will now take top priority on Congregate Waitlists. All other priorities applying to public housing tenant selection, excepting the two noted below, are now waived for c.667 Congregate programs.

- DHCD is unable to waive priorities or preferences for the following categories as they are legislatively mandated:
  - Homeless due to Public Action – Urban Renewal (Priority 2)
  - Homeless due to Public Action – Sanitary Code Violations
  - Local Preference
  - Veterans Preference

LHAs must follow the DHCD Housing Situation Priority Plan for c. 667 Congregate Units (Attachment B) which includes these listed preferences.

## 2. Determination of Qualification for Placement:

Application forms shall be available at all LHA central offices, on LHA websites, or by mail upon request. LHAs shall provide reasonable assistance to applicants in completing the application forms and can refer applicants to the Service Provider, where one is in place, for further assistance and to the established MAT for reviewing suitability for living in a shared housing environment.

LHAs retain the responsibility of making all determinations concerning the applicant, including eligibility, qualification, priority and preference.

For the purposes of determining eligibility and qualifications, LHAs must continue to use the framework defined in [760 CMR 5.00](#). See Section 5 for more details.

As required by 760 CMR 5.10(2) & (3), LHAs will still include Congregate Tenants for the purposes of calculating their c. 667 Program Elderly/Non-Elderly handicapped tenant and Affirmative Action ratios.

LHAs must maintain their own Congregate waitlists – at first these may be very similar to the waitlists in CHAMP, however over time they will become more verified as non-interested applicants are screened out and MAT reviews, where applicable, occur. This will require close coordination with, and effort from, Congregate Housing Coordinators. From January-February 2022 Taunton Housing Authority will conduct a waitlist update on behalf of all Congregate programs which will substantially shorten existing waitlists. See Section 13.

LHAs must maintain records of the waiting list and placements. These records will be available for DHCD inspection and redacted copies of these records will be available to applicants and the public with all personal information redacted.

## 3. Verification of Eligibility and Qualification:

LHAs will continue to follow 760 CMR 5.12 and [760 CMR 6.04](#). Congregate residents may not be transferred out of a Congregate unit to another public housing unit for a period of one year after lease-up unless there is a change in household size, health or safety reasons, or need for a reasonable accommodation. An LHA can make an Administrative Transfer into Congregate. Where a MAT is in place, this transfer should include a MAT review.

## 4. Verification of Housing Situation and Preference:

As stated above, DHCD is unable to waive priorities and preferences for the following categories which are legislatively mandated by [MGL c.121B s32](#): Homeless due to Public Action – Urban Renewal (Priority 2); Homeless due to Public Action – Sanitary Code Violations (Priority 3); Veterans Preference; and Local Preference. The affirmative action preference is applied pursuant to 760 CMR 5.10(3)) and applies to the entire development. LHAs must follow the DHCD Housing Situation Priority Policy for c. 667 Congregate Units (Attachment B to PHN 2021-24).

The Congregate Housing Coordinator may assist applicants in applying and, where a MAT exists, coordinating MAT review of the applicant. The Congregate Housing Coordinator should work with prospective applicants in terms of helping complete applications, coordinating MAT reviews, and interfacing between the LHA and the MAT in accordance with the Congregate Program Memorandum of Understanding (MOU) between the LHA

and the Provider. In circumstances where there is no MAT, no applicants will be eligible for Priority 1 at the LHA. Below is an overview of the Priority/Preferences for the Congregate Program. More information is available in the Housing Situation Priority Plan for Chapter 667 Congregate Units.

- Priority #1 - MAT Recommendation
  - Veteran Preference
  - Local Resident Preference
- Priority #2 - Homeless due to Public Action – Urban Renewal
  - Veteran Preference
  - Local Resident Preference
- Priority #3 - Homeless due to Public Action – Sanitary Code Violations
  - Veteran Preference
  - Local Resident Preference
- No Priority - Standard Applicant
  - Veteran Preference
  - Local Resident Preference
- If a Priority #2 or Priority #3 applicant is recommended by the MAT the applicant will become a Priority 1 and their prior Priority will be superseded.,

## 5. Housing Offers:

The LHA makes the final determination of whether to make a housing offer. As stated above, for the purposes of determining eligibility and qualifications, LHAs must continue to use the framework defined in [760 CMR 5.00](#). This means that LHAs are not allowed to deny any application for any reason beyond what is defined in this regulation, including any additional parameters established by the MAT. All applicants will retain all appeals rights. *Specifically, a MAT Team review alone is not a basis for denial.* All applicants will retain all appeals rights set out in 760 CMR 5.13.

Offers will be made to eligible and qualified applicants in accordance with 760 CMR 5.10 (4)(a).

An applicant offered a unit must accept the offer within seven business days of the date of the written offer. For good cause, the LHA may extend the time for response. An applicant is entitled to only one offer of a unit of appropriate unit size provided that the LHA shall offer another unit when the applicant provides reliable documentation establishing that the unit offered is inappropriate and would cause severe and unreasonable hardship. An applicant who fails to accept the offer of a unit within seven business days or to provide such documentation within that period, shall be removed from the waiting list for the LHA's Congregate Program and after being removed from the waiting list, if the applicant files a new application for the LHA's Congregate Program, the applicant shall not be entitled to any priority or preference previously received based on information provided in that application for a period of three years. The LHA shall give the applicant notice of the removal of the application from its waiting list for the Congregate Program and the right to request review pursuant to 760 CMR 5.13.

## 6. Outreach:

Marketing of the units remains the responsibility of the LHA. When there is a service provider, the LHA will coordinate the marketing efforts with the Congregate Housing Coordinator. Applications must be available from the LHA in person, by mail, or through LHA website and may also be available from the Congregate Housing Coordinators.

Please note that vacancy waivers will continue to be submitted through the HAFIS portal and reviewed by DHCD staff. Statements or documentation of outreach efforts may be requested.

Successful marketing practices may include:

- Outreach to area senior centers
- Outreach to area town Veteran's services
- Outreach to area food pantries
- Outreach to local service agencies
- Posting on local cable stations
- Advertisement in local papers or radio

## 7. Waiting List Updates:

LHA's will be responsible for the updating the Congregate Waitlist. The LHA shall update and reclassify all applications on file at least once in every three years in the following manner:

(1) The LHA shall contact each applicant:

(a) to determine whether or not:

1. applicant is still interested in obtaining housing through the LHA;
2. the applicant is still preliminarily eligible;
3. the applicant's preference and priority status remain the same; and

(b) to advise the applicant that a failure to respond will result in removal of the application from the waiting list. Any applicant, whose application is so removed from the waiting list shall be given notice of the removal and the right to request a private conference.

(2) The LHA shall review all updated information and may change its determination of preliminary eligibility and priority and/or preference status. The LHA shall notify each applicant of its determination and the right to request a private conference.

## 8. The Congregate Housing Coordinator Role:

At EOE funded sites, EOE established and distributed "Congregate Housing Management Manual" which identifies the Coordinator's overall responsibilities include participating in the resident selection process; assisting residents in their transition into the Congregate Housing site, and providing onsite and remote support to ensure that residents' needs are met at both the individual and group level. In addition, the Coordinator is responsible for marketing the Congregate Housing program, facilitating the MAT, ongoing house management, and developing and monitoring service plans. The Coordinator also works closely with the LHA in order to create and maintain an effective housing and services program. The "Congregate Housing Management Manual" can be utilized by LHA's that have Congregate Housing but do not have a Coordinator funded by EOE. The "Congregate Housing Management Manual" is available on request.

## 9. Multidisciplinary Assessment Team (MAT) Role:

As per the EOE "Congregate Housing Management Manual", the MAT is an integral part of the Congregate Housing program throughout a tenant's residency. The MAT is comprised of various individuals who bring from their own field or discipline, the specialty and expertise needed to review applicants and identify and refer

applicants to apply for Congregate Housing. The MAT will also work as a team to support all residents and the Congregate Housing site as a whole.

MAT membership can vary by site, but the MAT must include the Coordinator and a representative from the housing agency. Other potential MAT members could include the local Aging Service Access Point agency (ASAP) or Council on Aging, representatives from the local behavioral health agencies, the Department of Developmental Services, Independent Living Centers, and/or the Department of Mental Health and local mental health clinics.

There must be a MAT for each EOE-funded Congregate Housing site. However, Contractors with multiple sites that are located geographically close may choose to have one MAT for multiple sites. MAT membership can vary by site but the MAT Team must include the Coordinator and a representative from the housing agency. Other potential MAT Team members could include the local Aging Service Access Point agency (ASAP) or Council on Aging, representatives from the local behavioral health agencies, the Department of Developmental Services, Independent Living Centers, and/or the Department of Mental Health and local mental health clinics. In order to be a manageable and effective group, the MAT Team should be kept small. However, it is within the MAT's purview to invite additional guests as necessary when making decisions regarding an applicant, resident, or the Congregate Housing site in general.

## 10. Administration of Program

From time to time the Department may develop and issue guidelines and or standard forms to be utilized by the LHA in connection with the provisions of 760 CMR 5.00 and with reports required by the Department. It is the responsibility of each LHA to ensure that it is adhering to the current guidelines and utilizing all current forms.

Any notice to an applicant or tenant, who is known not to speak English, shall bear a notice in commonly spoken foreign languages of the importance that the notice be translated.

Board members shall not be involved in LHA decisions on applications for Congregate Housing.

## 11. Further Steps for Updating CHAMP

DHCD has updated CHAMP as of end of day Tuesday, December 28<sup>th</sup> to prevent applicants from adding Congregate Housing Selections in CHAMP. DHCD will also provide the following digital notice to applicants who have an active Congregate Housing Selection:

**“ATTENTION Applicants for the Congregate Housing Program (Shared Living):**

Congregate Housing (Shared Living) applications and waiting lists are no longer managed by this website. Congregate Housing is a group living setting that tenants share with roommates. To apply for Congregate Housing (Shared Living) or to manage your existing application for Congregate Housing, you must contact the local housing authority where you applied. You can find the Application for Congregate Housing [here](#).

**NOTE:** Your applications for other housing programs are not affected and will continue to be handled through this website.”

## 12. Further Steps on Updated Congregate Application Documents

DHCD has updated the following documents related to the Congregate Program:

- Standard Application for Congregate (Shared Living) State-Aided Elderly/Handicapped Public Housing (Attachment D)

- Supplemental Application for Congregate (Shared Living) State-Aided Elderly/Handicapped Public Housing (Attachment E)
- Application for Housing Situation Priority for Congregate Housing (Attachment F)
- Housing Situation Priority Plan for Chapter 667 Congregate Units (Attachment B)

### 13. Further Steps for Updating LHA Congregate Waitlists

DHCD will be working with Taunton Housing Authority to conduct a centralized Congregate Program waitlist update.

The estimated timeframe of the update process is approximately 60 days. It is currently projected to begin in mid to late January. During this timeframe, LHAs will have access to preliminary list data. This data will be exported from CHAMP and will list all of the LHA's Congregate Applicants with correct priority/preference/timestamp information. When LHAs have vacancies in their Congregate portfolio, they can utilize this preliminary list data to conduct tenant selection. LHAs should additionally keep track and receive/process any and all new applications received for the Congregate Program. The preliminary list data that the LHA is maintaining during the transition period needs to be updated with new application information. If a Congregate Applicant directly contacts an LHA during this transition period to indicate that they remain interested in the Congregate program, the LHA must track this information in the provided spreadsheet. Technical support will be available to LHAs to help track and maintain this data during the transition period.

After this transition period is over, and Taunton Housing Authority has completed the update process, Taunton Housing Authority will provide each LHA an updated list of Congregate Applicants. LHAs will need to add the applicants that contacted them directly during the transition period to this list before establishing their final locally administered Congregate list (this includes migrating data to an internal system like PHA Web or PHA Net).