

Chapter 5

How Waiting Lists Work

Legal Tactics: Finding Public and Subsidized Housing
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Words in *italics* appear in the
Glossary in the back of this book

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There are waiting lists for most public and subsidized housing in Massachusetts. This section will help you understand how to figure out which waiting lists are open, and how to keep track of all your housing applications.

How Waiting Lists Work

1. What is a waiting list?

Unfortunately, the need for affordable housing in Massachusetts is much greater than what is available. As a result, housing agencies and owners of multifamily housing must keep waiting lists of applicants.¹ In recent years, these waiting lists have grown longer. In fact, many places may have partially or completely stopped taking applications at all.

Because the waiting lists are so long, it is important to:

- Apply for as many different housing programs as you can.
- See if you fit into any *preferences* or *priorities* so that you can improve your chances of getting to the top of the lists more quickly. For more on this, see **Chapter 4: Who Has Priority**.
- Request a written receipt for all applications you submit. They are your best proof that you have applied for a particular housing program and the date you applied.
- Keep track of your applications and your place on all the waiting lists.
- Notify all the places where you submitted applications of your new address if you move.

2. How do I find out whether a list is open?

One way to find out which waiting lists for public housing and vouchers are open is to search on the Internet at www.housingworks.net. Housing search agencies may also be able to complete applications for you on the computer. For a list of housing search agencies, see the **Directory** at the end of this book.

You may also find out from the newspaper when a Section 8 waiting list opens. A housing authority must give public notice. The notice must be published in a local newspaper of general circulation, and through minority media. The notice must state where and when to apply as well as any limitations on who may apply.²

There are two large Section 8 waiting lists which always accept applications. The first is through the regional nonprofit housing agencies. To find the regional nonprofit in your area, see the **Directory** at the end of this book. You can also apply to this statewide list at www.mass.gov/dhcd and look for “Rental Applications and Documentation.”

The second is a single waiting list for about 80 housing authorities. The list is maintained by MassNAHRO (Massachusetts chapter of National Association of Housing and Redevelopment Officials), and housing authorities can choose whether or not to participate. To apply to the group list (one application for all participating housing authorities), go to: www.massnahro.org/S8_Home.php.

3. Can a waiting list be closed?

Yes. Sometimes a waiting list for a particular type of housing can be closed. If this happens, you cannot apply for that type of housing with that housing agency or landlord.

- **Public housing**

In general, public housing lists are almost always open.

- **Vouchers**

If a housing authority or regional nonprofit housing agency determines that its waiting list for Section 8 vouchers has enough applicants to use available funding for Section 8, it may stop accepting new applications.³ This has led to Section 8 waiting lists being closed most of the time for the past several years. Some lists accept applications indefinitely, but may not be issuing new vouchers.

- **Multifamily housing**

For housing subsidized through MassHousing, an owner can close a waiting list only if the owner gets permission from the state agency.⁴ For other multifamily programs, waiting lists can be closed more easily.

4. How are waiting lists organized?

Waiting lists can be organized either by the date and time your application was received or by a random lottery.⁵ In recent years, housing authorities have been encouraged to use a random lottery system for fairness, especially when a closed waiting list is open only a short time.

A random lottery can work in many different ways. Applications will be accepted for a certain period of time. Then, after a housing authority closes the application period, it creates a waiting list by randomly picking applicants and assigning them a number on the waiting list. The housing agency can use a random lottery among all applicants on a waiting list or among all applicants in particular *priority* categories.⁶

Regardless of the procedures, you should request a written receipt for all applications you submit. Housing authorities are required to provide a written receipt to applicants for state public housing, and most other programs will do so at your request.⁷ Save these receipts. They are your best proof that you have applied for a particular housing program and the date you applied.

Preferences

Because housing authorities and subsidized landlords usually get more applicants than there are units available, in order to decide who gets housing first, they may categorize people into *preferences* and *priorities*.⁸

Preferences can determine who will be placed at the top of a given waiting list. In many areas, because of the length of waiting lists, whether you qualify for a preference may determine whether and how quickly you receive housing. In some instances, a waiting list may be closed to people without preferences and open only to people who qualify for certain preferences. So if you are told that a list is closed, you should ask whether the list is open to any people with a preference.

However, some waiting lists are so long that even people with preferences may have a long wait. What is important is to understand whether you fit into any *preferences* or *priorities* at each place you apply. See **Chapter 4: Who Has Priority**.

Once You Are on a Waiting List

5. What happens if I am put on a waiting list?

If your application for a housing program is accepted, your name must go onto a waiting list for that program. You will then have to wait until your name comes to the top of the list.

For federal public housing, the housing authority will tell you approximately when an appropriately sized apartment is expected to be available.⁹ Other programs may give you only a rough estimate. Multifamily housing owners are not required to contact you until your name reaches the top of the waiting list, but may require you to contact them periodically to stay on the waiting list.¹⁰

Screening

At some point, as your name gets closer to the top of the list, the housing agency or subsidized landlord will check your landlord references and credit reports and do a criminal background check for most members of your household. To prepare for this, see **Chapter 6: Tenant Screening**.

Staying on the list

During the time you are on the waiting list, housing agencies and landlords will from time to time send you a notice asking whether you are still interested in being on the waiting list.¹¹ You will be given only a short time to respond to this notice. **If you do not respond by the deadline, you will be taken off the waiting list.**

For this reason, you should check your mail regularly and respond quickly to any request. **If you move, send written notification of your new address to all the places where you submitted applications.** Keep a copy of your letter so you can prove that you notified the agency or landlord of your change in address. You can see a Sample Change of Address Letter in **Reference Materials** at the end of this chapter.

6. How do I keep track of my place on a waiting list?

Keep track of your number

As an applicant, you have a right to find out where you are on a waiting list. If your application has been accepted, you will likely be given a number for each application you file. Usually it is called a *client number* or a *control number*. It is very important to always keep a record of each number because you will need it to find your place on the waiting list in the future. When you are assigned a number varies by program.

- **Public housing**

In state public housing, separate numbers are assigned for the standard application and the emergency application.

- **Vouchers**

There is no standard practice about assigning control numbers.

- **Multifamily subsidized housing**

Some subsidized landlords give out a number only after an applicant is determined eligible and any *priority* has been checked (*verified*). Some never give a number.

For more information about how to keep track of your housing search, see **Chapter 2: How to Apply**.

Keep in contact

Because waiting lists are so long, you may want to contact the housing agency or landlord every so often to see what progress you are making on the waiting list. Different housing agencies and landlords have set up different procedures to follow for contacting them. For example, some require you to contact them in writing before they will mail you a statement of your current place on the list. Others have certain days and times during the week when you can call or go in person to find out your current place on the list.

If you are applying for federal public and multifamily housing, a new rule requires housing authorities and owners must provide applicants with an option to ask to have a third party be notified about any issues with your application.¹² This means that if you are working with a caseworker, you can

ask that the caseworker receive your mail about your application. But you can even identify a family member or friend. This can be very helpful for you to keep track of your applications.

Keep a log

It can be difficult to keep track of your housing search. You often have a lot of papers, you are applying to many housing authorities and developments, and you are on waiting lists for a long time. Use a log to keep track of your waiting list numbers and other information. For a sample log, go to the **Reference Materials** for **Chapter 2: How to Apply**.

7. How long will I wait?

Waiting lists for housing programs can be very long. If you apply for housing in a lottery, you may be lucky and have your *control number* pulled early, giving you a place closer to the top of the waiting list.

If you qualify for a *preference* or *priority* used by the housing authority or landlord, you will move more quickly up a waiting list. If you do not qualify for any priority or preference, you are considered a *standard applicant* and will wait longer.

In general, waiting lists for public housing are shorter than for vouchers and subsidized multifamily buildings. For public housing, waiting lists for housing programs for the elderly and disabled are often shorter than for family housing. Waiting lists for apartments with more bedrooms may be longer, since there are fewer units of 4 or more bedrooms available. Depending on the size of your family, you can ask for an apartment with fewer bedrooms if that would make your wait shorter.

If you have applied for state public housing for elders and people with disabilities, there is a limit as to the percentage of people with disabilities who are not elderly who may get apartments. Under state law, a housing authority can rent no more than 13.5% of this type of housing to non-elderly people with disabilities. Some communities have been at this 13.5% cap for years.¹³ If you have a disability and are not elderly, this will make your time on some waiting lists extremely long. Because of this, you may want to apply for the Alternative Housing Voucher Program (AHVP).¹⁴ This program was designed specifically to help people with disabilities who have no realistic chance of getting an apartment in state elderly/disabled public housing because of the 13.5% cap. Some federal public housing for elders and people with disabilities may also have a cap on the number of people with disabilities who can get an

apartment. For a list of housing authorities with AHVP vouchers, see the **Directory** at the end of this book.

8. What happens if my situation changes after I apply?

If, after you have been accepted on a waiting list, your situation changes and you become eligible for a *preference* or a *priority*, you should notify housing agencies and subsidized landlords right away. Qualifying for a preference can move your place on the waiting list closer to the top. This also explains why sometimes you move further from the top of the list when people who apply after you later qualify for a preference or priority and move ahead of other applicants. Other changes which may affect your placement on the waiting list include changes in household size, becoming elderly or disabled, or losing a preference or priority.

Because *preferences* and *priorities* vary among programs, make sure you ask each place where you have applied what its *priorities* and *preferences* are. For more on this see **Chapter 4: Who Has Priority**.

9. If I was taken off a waiting list, is there anything I can do?

It depends. If you moved and never notified the housing agency or landlord of your new address, you may not be able to do anything about being taken off a waiting list. If, however, you were taken off a waiting list and it was related to a disability (for example, if you were hospitalized at the time a notice was sent to you), you can ask to be put back on the waiting list as a *reasonable accommodation* to your disability.¹⁵ For more information, see **Chapter 10: Reasonable Accommodations**.

Reference Materials

10. Sample Change of Address Letter

Date

Anytown Housing Authority
123 Any Street
Anytown, MA 12345

To Whom It May Concern:

I am an applicant on your _____ waiting list and am writing to inform you of a change in my address. My previous address was:

Address
City, State, Zip

My new address is:

Address
City, State, Zip

Thank you.

Sincerely,

Name
Control number (if known)

Endnotes

- ¹ **Federal public housing:** 24 C.F.R. § 960.206; **Section 8 voucher program:** 24 C.F.R. §§ 982.204-207; **State public housing, Massachusetts Rental Voucher Program (MRVP), and Alternative Housing Voucher Program (AHVP):** 760 C.M.R. § 5.05(2).
- ² 24 C.F.R. § 982.206.
- ³ 24 C.F.R. § 982.206(c).
- ⁴ MHFA Tenant Selection Plan (Section 8/Section 236/Section 13A/MRVP/Rental Assistance/Rent Supplement Program Developments), REV: 9/09, § G, available through www.masshousing.com.
- ⁵ **Federal public housing:** 24 C.F.R. § 960.206(e); **Section 8 voucher program:** 24 C.F.R. § 982.204(b); **State public housing, MRVP, and AHVP:** 760 C.M.R. § 5.05.
- ⁶ **Federal public housing:** 24 C.F.R. § 960.206(e); **Section 8:** 24 C.F.R. § 982.204(b).
- ⁷ 760 C.M.R. § 5.05(2).
- ⁸ **Federal public housing:** 24 C.F.R. § 960.206; **Section 8:** 24 C.F.R. § 982.207; **State public housing:** 760 C.M.R. §§ 5.05(2), 5.09; **MRVP:** 760 C.M.R. §§ 5.02(1), 5.09, and 49.04(1); **AHVP:** 760 C.M.R. §§ 5.02(1), 5.09, and 53.04(1).
- ⁹ 24 C.F.R. § 960.208(b).
- ¹⁰ MHFA Tenant Selection Plan (Section 8/Section 236/Section 13A/MRVP/Rental Assistance/Rent Supplement Program Developments), REV: 9/09, § G, available through www.masshousing.com.
- ¹¹ **Section 8 voucher program:** 24 C.F.R. § 982.204(c); **State public housing:** 760 C.M.R. § 5.14; **MassHousing subsidized housing developments:** MHFA Tenant Selection Plan (Section 8/Section 236/Section 13A/MRVP/Rental Assistance/Rent Supplement Program Developments), REV: 9/09, § G, available through www.masshousing.com.
- ¹² HUD Public Housing Notice 2009-36 (September 15, 2009), parallel to HUD Housing Notice 2009-13.
- ¹³ 760 C.M.R. § 5.10(1)(a) and (2).
- ¹⁴ 760 C.M.R. §§ 53.00 et seq.
- ¹⁵ 24 C.F.R. § 982.204(c)(2).