

## Chapter 2

### THE APPLICATION PROCESS

#### 2-A. USE OF ELECTRONIC SIGNATURES [Notice H 2020-04]

HUD allows but does not require O/As to use electronic signatures (e-signatures) in compliance with Notice H 2020-04 and federal, state, and local laws. Owners adopting policies on the use of electronic signatures must provide applicants and tenants the option use “wet” signatures (i.e., original signatures) and paper documents upon request.

##### O/A Policy

The O/A will accept and use electronic signatures (e-signatures) during the application process, the leasing process, and the annual and interim recertification process, as described in this section and in compliance with Notice H 2020-04 and any applicable federal, state, and local laws.

In lieu of electronic signatures, tenants have the option to sign any required documents or forms on paper with a “wet” signature if they so request.

References to original signatures throughout this policy may be interpreted and implemented through electronic means.

The owner will ensure appropriate data security for both the record being signed and the signature.

Acceptable methods of electronic signature include:

##### **Filevision & MRI (HAB)**

#### 2-B. TRANSMISSION OF FORMS, NOTICES, AND DOCUMENTS [Notice H 2020-04]

HUD allows but does not require O/As to communicate electronically with applicants and tenants and/or provide documents and notices electronically when state and local law permits and in accordance with Notice H 2020-04.

If the O/A chooses to use electronic communication procedures, applicants and tenants may also choose to communicate electronically with the O/A provided their choice is made affirmatively—not assumed with an opt-out procedure. The O/A may designate specific methods as acceptable for electronic transmissions from applicants and tenants.

When state and local law permits, the O/A may also provide documents and notices electronically or make such documents available in electronic format. However, when HUD regulations or notices or state or local law require notices to tenants be sent by first class mail, delivered directly to tenants or their units, or be posted in public spaces, electronic communication does not satisfy this requirement.

Applicants and tenants must have the opportunity to provide their information and documents in paper copy and to receive documents in paper form, including both before they have provided any information or documents electronically or after they have done so and wish to discontinue doing so. If an O/A chooses to provide documents electronically, the O/A should inform applicants or tenants of their option to receive such documents in paper form.

### O/A Policy

In compliance with federal, state, and local laws and HUD regulations, the O/A will securely, electronically transmit HUD-approved and required documents when feasible throughout the application, move-in, and annual and interim recertification process. Tenant and applicants may request paper copies of such documents and may provide information in paper form at any time.

The O/A will inform applicants of their ability to communicate electronically with the O/A and/or receive paper copies of documents via the application.

The following methods are acceptable for electronic submission of documents:

**Online applications, emails, online systems, fax, portals, or other electronic media**

### **Acknowledgement of Receipt**

If required notices, forms, and brochures are distributed electronically, HUD recommends that O/A request an electronic acknowledgement of receipt. Where HUD does not specifically require applicant or tenant acknowledgement of receipt, the O/A should nonetheless maintain records showing that they provided applicants or tenants with the electronic file or the electronic address used to access the document.

### O/A Policy

Where HUD requires an acknowledgement of receipt for certain documents or forms and the O/A has adopted a policy for electronic documents, the O/A will request an electronic acknowledgement of receipt from the applicant or tenant. For documents provided electronically that do not require an acknowledgement of receipt, the O/A will maintain records showing they provided information electronically.

### **Effective Communication to Persons with Disabilities [24 CFR 8.6; 28 CFR 35.160; 28 CFR 36.303]**

The owner must ensure effective communication with persons with disabilities by ensuring that all notices and communications provided electronically are consistent with applicable fair housing laws and regulations and that electronic communications do not impose any barriers in accessing information, programs, and activities by persons with disabilities.

The owner must provide appropriate auxiliary aids and services necessary to ensure effective communication, which includes ensuring that information is provided in appropriate accessible formats as needed (e.g., Braille, audio, large type, assistive listening devices, sign language interpreters, accessible websites and other electronic communications). In the event that a person with a disability is unable to use an electronic system or file that meets federal accessibility standards, the O/A must provide reasonable accommodations to afford users an equal opportunity to participate (e.g., in completing and signing documents or submitting documents in paper copy).

## **Effective Communication to Limited English Proficient (LEP) Individuals [Executive Order 13166]**

The owner is responsible for ensuring effective communication of electronic media includes reasonable steps taken to ensure meaningful access for persons with Limited English Proficiency (LEP) across technological platforms. Such formats may include, but are not limited to, multilingual websites and other electronic media.

### **2-C. MARKETING**

The O/A will market available units in accordance with the HUD-approved Affirmative Fair Housing Marketing Plan (Form HUD-935.2A) in order to reach those who are least likely to apply and to attract a broad cross-section of the eligible population without regard to race, color, religion, sex, disability, familial status, gender identity, or national origin.

### **2-D. APPLYING FOR ASSISTANCE [24 CFR 880.603(a); HUD Handbook 4350.3, REV-1, CHG-4, Section 4-14]**

Any family that wishes to reside at the property must apply for admission to the program. Applications must be signed by both the O/A and the applicant. HUD permits the O/A to determine the format and content of the application, as well how such applications will be made available to interested families and how applications will be accepted by the O/A. However, the O/A must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of the application.

#### O/A Policy

Depending upon the length of time between the date of application and the availability of housing, the O/A may use a one- or two-step application process.

A one-step process will be used when it is expected that a family will be selected from the waiting list within 60 days of the date of application. At application, the family must provide all of the information necessary to establish family eligibility and the amount of rent the family will pay.

A two-step process will be used when it is expected that a family will not be selected from the waiting list for at least 60 days from the date of application. Under the two-step application process, the O/A initially will require families to provide only the information needed to make an initial assessment of the family's eligibility, and to determine the family's placement on the waiting list on a pre-application form. The family will be required to provide all of the information necessary to establish family eligibility and the amount of rent the family will pay when selected from the waiting list.

Applications are to be completed on-line at [www.redwinghra.org](http://www.redwinghra.org); select link to application. Preference points will not be applied until verification has been received by mail or faxed to the HRA office.

Applicant's status information can look up their status on-line at the following website: <https://www.hmsforweb.com/owl/login.php>.

For a reasonable accommodation, applications may be obtained from the PHA's office during normal business hours. Families may also request an application by telephone or

by mail. Completed applications must be returned to the PHA by mail, by fax, submitted in person during normal business hours or submitted online. Applications must be filled out completely in order to be accepted by the PHA for processing. If an application is incomplete, the PHA will notify the family of the additional information required.

Completed applications must be returned to the O/A by mail, electronically, or submitted in person during normal business hours. Applications must be filled out completely in order to be accepted by the O/A for processing. If an application is incomplete, the O/A will notify the family of the additional information required.

Completed applications will be dated, time-stamped upon receipt, and referred to the O/A's office where resident selection and assignment is processed.

Individuals who are unable to complete an application in person may contact the O/A to make special arrangements to complete their application. If the applicant is visually impaired, or has limited English proficiency (LEP), all notices will be made available in a format understandable by the applicant.

All adult applicants will be given the opportunity to complete Form HUD-92006, Supplement to Application for Federally Assisted Housing, at the time of application and annually at recertification.

## **2-E. ACCESSIBILITY OF THE APPLICATION PROCESS**

The O/A must take a variety of steps to ensure that the application process is accessible to those people who might have difficulty complying with the standard O/A application process.

The O/A must provide reasonable accommodation as needed for persons with disabilities to make the application process fully accessible. The facility where applications are accepted and the application process must be fully accessible, or the O/A must provide an alternate approach that provides equal access to the program.