

Referral Agent Guide

Section 1: Introduction

811 Program Background

The Ohio 811 Project Rental Assistance (PRA) Program (hereinafter 811 Program) is a project-based subsidy demonstration funded by the U.S. Department of Housing and Urban Development (HUD) designed to expand the supply of housing for extremely low-income, non-elderly individuals with disabilities while also making available appropriate supports and services under the Ohio Medicaid Plan. Subsidies are used to assist new and existing multifamily housing units that receive any funding from the Ohio Housing Finance Agency (OHFA), most notably the federal Low-Income Housing Credit and HOME Investment Partnership programs.

The 811 Program provides integrated affordable housing opportunities for priority populations identified by the 811 Program state partners (hereinafter 811 Partners) that include the Ohio Housing Finance Agency (OHFA), the Ohio Department of Medicaid (ODM), the Ohio Department of Developmental Disabilities (DODD), and the Ohio Department of Mental Health and Addiction Services (OhioMHAS). OHFA administers rental subsidies and ODM manages the program waitlist. DODD and OhioMHAS assist OHFA and ODM with outreach and marketing of the program to Ohio's prioritized populations.

Purpose of this Guide

The Referral Agent Guide is intended to provide basic information about the 811 Program, its rules and regulations, and most importantly, to explain the Referral Agent role as it applies to the program. Referral Agents play a critical role as they are responsible for identifying eligible individuals, assisting them with the application process, and verifying that each individual is linked to the services and supports he or she may need to live independently.

Targeted Populations

There are four targeted populations of individuals who are eligible for this program, but only two priority statuses. Individuals with first-priority status will be given preference to each available unit. Second priority individuals will be given second preference.

First-Priority Individuals

First-priority individuals are eligible non-elderly individuals who are participating in HOME Choice and currently living in a facility.

Second-Priority Individuals

Second-priority individuals include those that fit under the following categories:

1. HOME Choice individuals who reside in the community (must be within the 365-day enrollment period as defined by OAC §5101:3-51-02).



2. Waiver individuals including those eligible for Ohio's 1915(c) Home and Community Based Settings (HCBS) Waivers, but do not meet the requirements of HOME Choice. HCBS Waivers include the Individual Options waiver, Level One Waiver, Ohio Home Care Waiver, MyCare Ohio Waiver, and SELF-Waiver.
3. Non-HOME Choice Alcohol Drug and Mental Health (ADAMH)/Community Mental Health (CMH)/Alcohol Drug Addiction Services (ADAS) Board individuals who are eligible for services through an agency under contract with an ADAMH/CMH/ADAS Board in Ohio, but do not meet the requirements of HOME Choice.
 - a. Eligible individuals must also meet one of the following criteria:
 - 1) Individuals affected by the changes in Ohio's Medicaid Rules and are now eligible for 1915(i) services, or;
 - 2) Individuals who have received a PASSR time-limited approval or denial; or;
 - 3) Individuals returning to the community from a Regional Psychiatric Hospital (State Operated) who can live independently as determined by the ADAMH/CMH/ADAS Board.

SocialServe

The 811 Program employs SocialServe as the centralized online pre-screening, assessment, intake, and referral (PAIR) process. Referral Agents will be provided SocialServe access to apply for 811 Units on behalf of prioritized individuals. Referral Agents will be required to sign and abide by SocialServe's User Agreement Policy. SocialServe will allow Referral Agents to search for properties by location. 811 Units may not be available in all of Ohio's 88 counties.

Section 2: Role of the Referral Agent

Overview

The Referral Agent's role begins with outreach to potential tenants, including pre-screening for eligibility using SocialServe. Once an individual is determined to be interested in the 811 Program, a Referral Agent will enter the client's information into SocialServe. This process places the individual onto the waiting list. The Referral Agent will assist the individual with securing access to services and supports, selecting the properties in which the individual is interested in living, assisting the individual in making an application to the property, ensuring the individual has all the necessary documentation needed to apply, and assisting with the individual's move to the property. The Referral Agent will ensure that appropriate services are in place once an eligible individual has met the property's leasing requirements and is ready to move in. For this program, supports and services are considered voluntary and flexible and depend on an individual's need.

Change in Referral Agent

The Referral Agent plays a critical role in the 811 Program. OHFA must receive notification when an applicant's Referral Agent changes via e-mail to 811Program@ohiohome.org. Changes to the Referral Agent should simultaneously be reported in SocialServe.

Section 3: Affirmative Marketing

HUD Guidelines and the [Ohio 811 PRA Program Tenant Selection Plan](#) (Ohio TSP) require that OHFA and the 811 Partners ensure that outreach addresses those “least likely to apply” for housing as identified in the [Affirmative Fair Housing Marketing Plan](#) (AFHMP). You must follow Ohio's AFHMP. All Referral Agents are required to post the [HUD Fair Housing Poster](#) in offices where they meet with prospective tenants to signal that they are fair and non-discriminatory in their role. When assisting individuals applying for 811 Units, Referral Agents should note that owners/property managers with 811 units are also required to comply with Fair Housing requirements and must display the poster in places where any rental activity takes place. Even when the rental office is in a location other than the property, the poster must be prominently displayed at the property (e.g. community or computer room).

Section 4: Program Application

Pre-Screening

The 811 Program is a federally-funded initiative with specific eligibility requirements for applicants. Pre-screening potential applicants tells us who is likely to meet the program's threshold eligibility criteria, outlined and summarized below:

- **Income limits:** The combined annual income of all members of the applicant's household¹ at the time of admission into the 811 Program cannot exceed 30% of area median family income as defined by HUD;
- **Disability:** The applicant household must include at least one person with a disability and who is 18 years of age or older and less than 62 years of age at the time of admission into the property; and
- **Medicaid Eligible:** The applicant must qualify for Medicaid; and
- **Targeted Population:** The person with a disability must belong to one or more of the target populations as defined in the Introduction.

¹ The household is defined as those who will live in the 811 Unit, not necessarily who the applicant is living with at time of application.

At this initial stage of the application process, the Referral Agent will conduct a brief interview with the applicant to determine whether he or she meets the threshold program requirements of age, income, and target population.² SocialServe will simplify the process.

Program Application

Once an applicant is pre-screened and determined to meet threshold criteria for the program, the applicant will be prompted by SocialServe to complete the online application. Based on responses, the applicant will be placed on the waiting list(s) for his or her preferred location(s). If an applicant is denied in the SocialServe pre-screening process, the denial shall stand unless the denial was due to an inputting error or the applicant has a change of circumstance (e.g., income, services). SocialServe sorts applicants based on priority status and the time in which they applied for the program. Applicants with the highest priority and time stamp will be referred by the ODM Waitlist Manager to a property when a unit is available.

After completing the pre-screening, the Referral Agent should work with the interested individual to complete the 811 application and help them identify all areas where they may be interested in applying. When assisting an individual with the 811 application, also consider the number of bedrooms, whether an accessible unit is needed, and if access to transportation and other amenities is required.

Section 5: Post-Application

While an individual is waiting for an 811 Unit to become available, the Referral Agent should assist the applicant with three crucial activities:

- 1) Gathering necessary documentation;
- 2) Identifying any potentially disqualifying personal history, and;
- 3) Securing resources for move-in

It is important to start these activities as soon as possible so the individual is prepared to move when a unit becomes available.

Documentation

Federal government regulations require owners/property managers to verify all income, assets, expenses, deductions, family characteristics, and circumstances that affect family eligibility or rent. See [HUD Handbook4350.3](#) Chapter 5: Determining Income and Calculating Rent for more information. Some applicants will need assistance gathering the necessary documentation before they fill out an application at the property level. Individuals may require varying degrees of assistance in gathering the required documentation.

Applicant Housing History

² If an applicant meets the qualifications of one of the target populations, they will also automatically meet the program's disability requirement.

Although SocialServe determines applicant eligibility for the program, the owner/property manager has the right to independently assess an applicant as long the assessment complies with [SPRA.403](#). Owner/Property Managers may conduct a background to assess whether the tenant is likely to meet the requirements of the lease. Basic lease requirements include:

- Pay the rent – on time and in full;
- Maintain the unit in clean, sanitary, and safe condition;
- Get along with other tenants; and
- Not engage in illegal activity.

Some applicants will have tenancy-related or other histories which may result in a property rejecting their application or screening them out. Such background issues might include:

- Criminal background;
- Poor landlord references;
- Eviction;
- Credit issues such as non-payment of rent and/or utilities, bankruptcy; and/or
- Other history which indicates the applicant will not be able to meet the lease requirements.

The period of time between program application and a referral to a property is a good time for a Referral Agent to talk with an applicant about his or her history and to identify any potential barriers to housing and, most importantly, address them. For example, if the applicant owes back rent or utility payments, this is a good time to set-up payment plans to clear these debts. Even if the applicant still owes money when a referral is made, he or she will be able to demonstrate a commitment to meet their obligations. There may be a good reason the applicant fell behind in their rent, but property managers will want to see a willingness to fix the problem. Referral Agents can assist applicants with providing explanations regarding past criminal or tenancy issues/histories. Reasonable accommodations may assist in such situations.

The Referral Agent is encouraged to build strong relationships with participating properties in his or her area and to understand each property's requirements and limitations. Referral Agents should talk to applicants about their rental and criminal histories to assess for potential barriers. If an individual is unsure about issues in their background that could impact their eligibility for housing, it may be helpful to check court records and secure a release to perform a credit.

Resources for Security Deposits and Other Needs

Owners/property managers may collect a security deposit equal to one month of the tenant's rent share or \$50, whichever is greater. Owners/property managers must return the security deposit when the tenant moves out, less any costs for damages.

Some applicants for the 811 Program may not have the financial resources for a security deposit or move-in expenses (e.g., utility deposits or furniture). Referral Agents should be familiar with state and local resources to assist in these case.

Section 6: Unit Referrals

Notification of Unit Availability

When an 811 Unit becomes available, the ODM Waitlist Manager will notify the applicant and the Referral Agent. The applicant and Referral Agent will be notified by e-mail that a unit is available. The notification will provide some basic information about the unit including:

- Address;
- Unit size;
- Any known accessibility features; and
- Owner/property manager contact information
- Property application

Applicants and their Referral Agents will have two business days from the time the notification of availability is sent to let the ODM Waitlist Manager know whether they are interested in applying for the unit, and up to three additional business days to obtain the Resident Application and to submit the completed application to the owner/property manager. The application submittal to the property must occur within a five business day period or the unit will be offered to the next person on the waiting list. Applicants may complete an application and be screened by a property but not be offered a unit; in this case, applicants will retain their place on all waiting lists. At no time shall the owner/property manager charge an application fee to apply for the 811 unit.

Many applicants will need assistance in deciding whether to accept an 811 Unit offer. The Referral Agent may need to assist the applicant:

- Obtain and complete the property application, including gathering updated or additional documentation;
- Arrange to view the unit;
- Arrange and attend an interview with owner/property manager;
- Attend and assist the applicant with pre-move in walk-through of the unit; and
- Complete other related tasks as needed and appropriate.

It could be helpful to view the unit with the applicant if given permission by the applicant. The applicant may need assistance in determining whether the unit meets his or her needs by considering:

- Any reasonable modifications that would assist in full enjoyment of the premises;
- Whether the location provides direct access to key stores, banks, services, or public transportation to such amenities;
- Whether the location of the site promotes or limits the likelihood of accessing voluntary support services;

- Whether the applicant can easily reach his or her family, friends, workplace, and medical appointments from the unit;
- Whether the applicant is likely to meet the property's screening criteria; and
- Whether the applicant feels comfortable and safe in the neighborhood.

Some applicants will not require assistance or will have family members willing to assist them. Even when assistance is not needed, the Referral Agent should check in with the applicant to make sure he or she makes a decision within the required timeframe.

Denial Rights

It is important to note that while applicants can be found eligible for the 811 Program by SocialServe they may be found ineligible or not qualified by the owner/property manager. Owners/property managers are required to promptly notify the applicant, Referral Agent, and ODM in writing if the applicant is denied. The letter must set forth the specific reason for denial and include a notice that the applicant has the right to meet with the owner/property manager or other representative within 10 days. The applicant has the right to request a reasonable accommodation. The applicant may also exercise other rights if the applicant believes that he or she is being discriminated against.

The reasons for rejections will vary. In some cases, the property may simply have incorrect information. In others, the applicant will need to make a request for a reasonable accommodation and must demonstrate that, with the accommodation, he or she will be able to meet the lease requirements.

After rejection from a property, the applicant will remain on the SocialServe waitlist. If the applicant disagrees with the reason for the rejection, the Referral Agent may assist the applicant request a meeting.

Section 7: Moving In

Once an applicant has accepted an 811 Unit, the Referral Agent should help facilitate the applicant's move, including, but not limited to:

- Assistance signing the lease for the apartment;
- Education about the tenant's rights and responsibilities;
- Assistance with the move-in inspection; and
- Assistance gathering information and documentation for calculation of tenant rent share;

Model Lease

After an applicant is approved for a unit, he or she will sign the lease for the 811 Unit. The property must use the [HUD Model Lease](#). It can be helpful to familiarize yourself with the Model Lease. It is a legal document which may be difficult for applicants to fully understand. The Referral Agent should review the key sections of the lease with the tenant and answer any questions they may have. It is

important that the tenant understand his or her responsibilities and consequences of violating the lease agreement.

Initial Calculation of Tenant Rent

Owners/property managers are required to determine the amount of the new tenant's income before the tenant can move in, and at least annually thereafter. The amount of assistance paid by the 811 Program on behalf of the tenant is calculated using the tenant's annual income, less allowable deductions. The [HUD Handbook 4350.3](#) specifies the types and amounts of income and deductions to be included in the calculation of annual and adjusted income.

The owner/property manager will be responsible for all income eligibility determinations, which will include obtaining and verifying tenant income and household composition. Calculating the tenant rent share is the responsibility of the owner or its designated contractor. As such, the owner/property manager will make the determination of tenant rent and utility reimbursement based on information provided by the tenant. Re-examinations of income will occur annually. At the initial lease-up and annual re-examination, the owner/property manager will notify the tenant of the tenant rent share.

Properties will rely on the income information submitted by an individual at application in order to calculate tenant rent share. However, there are instances when a tenant's rent share must be evaluated prior to the annual recertification. Referral Agents should be aware that some applicants prioritized for this program will have increases in their income that must be immediately reported. For example, individuals leaving an institution who receive Supplemental Security Income (SSI) will begin receiving their full SSI benefit amount when they move to community. According to the HUD Model Lease used in the 811 Program, the tenant is required to notify the owner/property manager of income increases that are \$200.00 or greater. Such increases trigger recalculation of tenant rent share.

The Referral Agent may assist an individual with formally disputing the rent share if he or she disagrees with the amount.

Move-In Inspection

Prior to occupancy, the eligible applicant must be present for the move-in unit inspection unless a reasonable accommodation is made to have a representative inspect the unit. The inspection of the 811 Unit must be completed by both the owner/property manager and the prospective tenant or tenant representative. Both parties must sign the [HUD Move-In/Move Out Inspection Form](#), certifying each has inspected the unit and has determined it to be decent, safe, and sanitary in accordance with the criteria provided in the form. The owner/property manager will keep a copy of this inspection form and include it as an attachment to the lease. If it is the tenant's intention to waive the right to this inspection, the prospective tenant should sign the OHFA Waiver of Move-in Inspection form.

The Referral Agent can assist the tenant in making arrangements to participate in the inspection; he or she can also be available to participate in the inspection as a representative if requested by the tenant.

Supporting Tenants after Move-In

The 811 Program requires that tenants are linked to supports and services when referred to the program. Tenant reliance on supports or services after move-in will vary, based on individual need. Some tenants will be connected to supports and services during a transitional period but they will eventually subside or be replaced by mainstream services which are available in the community.

Referral Agents are responsible for determining which supports and services a tenant will need on a long-term basis for successful community living. In cases where the need for services and supports is ongoing and the Referral Agent's role is transitional in nature, the Referral Agent should verify that the tenant is linked to an ongoing support or service provider.

Section 8: Reasonable Modification and Reasonable Accommodation

Reasonable Accommodation

A reasonable accommodation is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces. It must be linked to a person's disability. Since rules, policies, practices, and services may have a different effect on persons with disabilities than on other persons, treating persons with disabilities exactly the same as others will sometimes deny them an equal opportunity to use and enjoy a dwelling. A reasonable accommodation may be requested when a person is applying for housing, anytime during tenancy, or at eviction. Accommodations are considered reasonable when they are practical and feasible and when they don't cause undue burden or result in a fundamental alteration of the basic operation or nature of services provided.

Reasonable Modification

A reasonable modification is a structural change made to existing premises, occupied or to be occupied by a person with a disability, in order to afford such person full enjoyment of the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings and to common and public use areas. It is unlawful for a housing provider to refuse to allow a reasonable modification to the premises when such a modification may be necessary to afford persons with disabilities full enjoyment of the premises. Owners/property managers must pay for reasonable modifications under the 811 Program so long as they would not result in a fundamental alteration of the nature of operations or cause an undue financial or administrative burden.

Role of Referral Agent

Reasonable accommodations and reasonable modifications can be helpful tools for applicants. However, it can be difficult for applicants to understand how to use these tools. Part of the Referral Agent role is to help applicants identify when it may be useful to request a reasonable accommodation or reasonable modification. The Referral Agent can also assist an applicant or tenant in making the request. When assisting an applicant, the Referral Agent should make requests in writing and keep a copy. If the request is denied, the Referral Agent may need to help the

applicant appeal the denial of a reasonable accommodation with the Owner or, potentially, the HUD Regional Office of Fair Housing and Equal Opportunity (FHEO).

Section 9: Dispute Resolution

Denials and disputes at the property level during tenancy will be handled in accordance with the [HUD Handbook 4350.3](#).

The tenant has the following responsibilities under the lease:

- Pay the rent on time and in full;
- Maintain the unit in a clean, sanitary, and safe condition;
- Get along with other tenants; and
- Not engage in illegal activity.

Owners/property managers have obligations under the lease:

- Keeping the property up to code (in safe and sanitary condition)
- Making utilities available
- Providing reasonable accommodations and reasonable accommodations. If an issue arises, tenants should attempt to resolve the issue with the owner/property manager.

When a dispute or issue cannot be resolved, the tenant may exercise their rights pursuant to landlord/tenant law.

During move-in, the Referral Agent should educate the tenant to ensure they are aware of and understand these rights and responsibilities. If there is an ongoing case manager or support provider, they too should reinforce this information throughout tenancy and assist as needed.

The Referral Agent should ensure that the tenant understands all aspects of living in an 811 Unit, including expected payment of rent, expectations of being a tenant in a multifamily development, how to communicate with the property management company, and what to do with respect to tenancy or services concerns.

Program Contacts

Ohio Department of Medicaid

The Ohio Department of Medicaid (ODM) is an integral part of the Section 811 Program. Its responsibilities include:

- Management of the SocialServe waitlist tool;
- Coordination of Referral Agent trainings with OHFA, DODD & OhioMHAS;
- Availability as a resource for Referral Agents;
- Specific Medicaid information.

You may contact ODM at 811Program@medicaid.ohio.gov.

SocialServe

SocialServe call center can also be contacted for assistance Monday through Friday from 8:00 a.m. to 5:00 p.m. The call center can be reached at 1-(877) 496-4954.