



## PROGRAM BULLETIN

**To:** Owner and Managers of RIHousing Multifamily Rental Developments  
**From:** Kathleen Millerick  
**Date:** January 4, 2024  
**Subject:** Waitlist Policy  
**Bulletin #:** 2024-01

This Program Bulletin provides guidance and establishes RIHousing's formal policy for requiring wait lists in LIHTC and RIHousing funded affordable rental developments. The Department of Housing and Urban Development has already created the requirement for project-based Section 8 and HOME.

Anyone who wishes to be admitted to an assisted property or placed on a property's waiting list must complete an application which identifies the specific property name of where they are applying to. Owners may choose to use a "full" application form, requiring all the detailed information needed to make a determination of eligibility, or a shorter preapplication form. If only a preliminary application has been completed, a full application should be completed at the time a unit is available. As a reminder, effective January 1, 2024, the State of Rhode Island prohibits landlords from charging a rental application fee. Landlords are still permitted to charge applicants for the actual cost of conducting (1) a credit check, or (2) a criminal background check unless the applicant has provided a credit report and/or criminal background check dated no more than 90 days prior to the date of application.

To ensure that applicants are appropriately and fairly selected for the next available unit, it is essential for owners to maintain waiting lists with appropriate information taken from the application for tenancy. In order to ensure that all applicants are treated fairly, the tenant selection plan must describe how the waiting list is maintained. Keeping the waiting list as up-to-date as possible will help reduce errors and minimize the administrative resources expended on processing information regarding applicants who are ineligible or no longer interested in residing in the property. Owners may require applicants to contact the property every six months in order to stay on the waiting lists.

Owners should monitor the vacancies in their properties and their waiting lists regularly to ensure that there are enough applicants to fill the vacancies. Furthermore, owners should monitor their waiting list to make sure that they do not become so long that the wait for a unit becomes excessive. The waiting list may be closed for one or more unit sizes when the average wait is excessive (e.g., one year or more). When the owner closes the list, the owner must advise potential applicants that the waiting list is closed and refuse to take additional applications. When the owner agrees to accept applications again, the notice of this action must be announced in a publication likely to be read by potential applicants in the same manner as the notification that the waiting list was closed.

Should you have any questions regarding this notice, please contact Kathleen Millerick, Rental Compliance/Training Coordinator at [kmillerick@rihousing.com](mailto:kmillerick@rihousing.com), or Brittany Toomey, Multifamily Compliance Manager at [Btoomey@rihousing.com](mailto:Btoomey@rihousing.com).