

Section 8 Family Tenant Selection Plan For

Huff Gardens
3021 Huff Avenue
San Jose, CA 95128
408.557.8699

**A HUD-Subsidized Affordable Property
Professionally Managed by:**

FPI MANAGEMENT

800 Iron Point Road
Folsom, CA 95630



This institution is an equal opportunity provider and employer



TABLE OF CONTENTS

PROPERTY INFORMATION	4
THE PURPOSE OF THE TENANT SELECTION PLAN	4
BUSINESS RELATIONSHIP	4-5
SMOKING.....	5
SMOKE FREE HOUSING.....	5
SMOKE POLICY.....	5
USE OF MARIJUANA.....	5
PETS	5
SERVICE ANIMALS.....	5-6
ASSISTANCE DEFINITION	6
SUBSIDY	6
HOUSING CHOICE VOUCHERS	6
POLICIES TO COMPLY WITH SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THE FAIR HOUSING ACT AMENDMENTS OF 1988 AND TITLE VI OF THE CIVIL RIGHTS ACT OF 1964	6
FAIR HOUSING.....	6
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964	6
SECTION 504 OF THE REHABILITATION ACT OF 1973	6-7
COORDINATING EFFORTS TO COMPLY WITH SECTION 504 REQUIREMENTS	7
REQUESTS FOR REASONABLE ACCOMMODATION OR MODIFICATION.....	7
COMPLIANCE WITH REQUIREMENTS OUTLINED IN THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013	7
<i>Certification and Confidentiality</i>	<i>7-8</i>
<i>Lease Addendum.....</i>	<i>8</i>
AVAILABILITY OF ASSISTANCE FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY	8
PROTECTIONS PROVIDED BASED ON SEXUAL ORIENTATION, GENDER IDENTITY OR MARITAL STATUS.....	8
ELIGIBILITY REQUIREMENTS.....	8
PROPERTY ELIGIBILITY DEFINITION.....	8
<i>Household/Resident Type.....</i>	<i>8</i>
<i>Income Limits.....</i>	<i>8-9</i>
<i>Occupancy Standards.....</i>	<i>9</i>
<i>Verifying the Need for an Accessible Unit</i>	<i>9</i>
PROGRAM ELIGIBILITY.....	9-10
<i>Disclosure and Verification of Social Security Numbers.....</i>	<i>10</i>
<i>Exceptions to Disclosure and Verification of Social Security Number.....</i>	<i>10-11</i>
<i>Secondary Verification of Social Security Number</i>	<i>11</i>
<i>Citizenship/Immigration Status Requirements.....</i>	<i>11</i>
<i>Required Documentation</i>	<i>12</i>
<i>Timeframes for Submitting Evidence of Citizenship/Immigration Status to the Owner/Agent.....</i>	<i>12</i>
<i>Reviewing and Verification of a Household' Citizenship/Immigration Status.....</i>	<i>13</i>
<i>Notification to Applicants.....</i>	<i>13</i>
<i>Mixed Households</i>	<i>13</i>
<i>Appealing Determinations of Ineligibility</i>	<i>13</i>
<i>Prohibition Against Delay of Assistance</i>	<i>14</i>
<i>Single Residence/Subsidy Criteria</i>	<i>14</i>
<i>Eligibility of Students Enrolled at an Institute for Higher Education for Assisted Housing under Section 8 of the US Housing Act of 1937.....</i>	<i>14-15</i>
<i>Prohibition of Assistance to Noncitizen Students</i>	<i>15</i>



PROCEDURES FOR TAKING APPLICATIONS.....	16
INCOMPLETE APPLICATIONS	16
DETERMINATION OF APPLICANT ELIGIBILITY	16-17
<i>Final Determination of Eligibility.....</i>	17
WAITING LISTS.....	17
MAINTAINING WAITING LISTS.....	17
REMOVAL OF APPLICANTS FROM THE WAITING LIST.....	18
SELECTING APPLICANTS FROM THE WAITING LIST	18
<i>Income Targeting.....</i>	18-19
<i>Preferences.....</i>	19
<i>Owner/agent-Adopted Preferences (Working Family).....</i>	19
<i>Statutory Preference.....</i>	19
<i>Verification of Preferences.....</i>	19
<i>Change in Preference Status While on the Waiting List.....</i>	19
<i>Exceptions to the Preference Rule.....</i>	20
OPENING AND CLOSING WAITING LIST	20
PRIVACY POLICY	20
VERIFICATION	21
<i>Information to be Verified.....</i>	21
<i>Methods of Verification</i>	21
<i>Sources of Information.....</i>	21-22
<i>Period for Verification.....</i>	22
<i>Consent and Verification Forms.....</i>	22-23
<i>Provisions for Refusal to Sign.....</i>	23
MISREPRESENTATION	23
APPLICANT SCREENING CRITERIA.....	23
SCREENING FOR CRIMINAL HISTORY	23-24
<i>Criminal Screening Discoveries.....</i>	24-25
SEX OFFENDER REGISTRY CHECK	25
SCREENING FOR CREDIT HISTORY.....	25-26
SCREENING FOR RENTAL HISTORY	26
<i>Rental Scores.....</i>	26
<i>Rental History.....</i>	26
<i>On-Site.com Rental History Verification</i>	26
SCREENING FOR RECEIPT OF HUD ASSISTANCE IN ANOTHER UNIT.....	27
REJECTING INELIGIBLE OR UNQUALIFIED APPLICANTS.....	27
REJECTION NOTICES	28
OFFERING AN APARTMENT	28
OFFERING ACCESSIBLE UNITS.....	28-29
OFFERING UNITS TO APPLICANTS WITH DISABLED HOUSEHOLD MEMBERS	29
OFFERING UNITS TO APPLICANTS OR RESIDENTS WITH PREFERENCES.....	29
APPLICANT/RESIDENT SELECTION ORDER	29
<i>Accessible Apartments</i>	29
<i>Non-accessible Apartments.....</i>	29
RIGHT TO REFUSAL.....	29-30
TIMEFRAME FOR TAKING POSSESSION OF A UNIT	30
UNIT TRANSFER POLICIES	30-31
<i>Priority Transfer</i>	31
<i>Non-Priority Transfer.....</i>	31
<i>Refusal of Unit Transfer.....</i>	31-32



SECURITY DEPOSIT REQUIREMENTS..... 32

 SECURITY DEPOSITS & UNIT TRANSFERS DEPOSITS 32

CHANGES IN HOUSEHOLD COMPOSITION 32

 ADDING HOUSEHOLD MEMBERS AFTER INITIAL OCCUPANCY 32-33

 REMOVING HOUSEHOLD MEMBERS AFTER INITIAL OCCUPANCY 33

 REMAINING HOLDSEHOLD MEMBER 33

ANNUAL AND INTERIM RECERTIFICATION..... 33-34

APARTMENT INSPECTIONS..... 34

CHANGES TO THE TENANT SELECTION PLAN 34



PROPERTY INFORMATION

Property Name	Huff Gardens
Property Contact Name	Community Director
Address	3021 Huff Avenue
City, State, Zip	San Jose, CA 95128
Phone	408.557.8699
Fax	708.243.8391
TTY/TDD/Audio Relay	800.735.2929

THE PURPOSE OF THE TENANT SELECTION PLAN

The tenant selection plan helps to ensure that applicants are selected for occupancy in accordance with HUD requirements and established owner/agent policies.

Please contact the management office if you need help understanding this document.

- Contacte por favor la oficina de gestión si usted necesita ayuda a comprender este documento. (Spanish)
- Por favor contate o escritório de gerência se deve ajudar entendimento este documento. (Portugese)
- Si vous avez besoin d'aide à la compréhension de ce document, veuillez communiquer avec le Bureau de gestion. (French)
- Souple kontakte Biwo jesyon a si w bezwen èd pou konprann dokiman sa a. (Haitian Creole)
- Xin liên lạc với văn phòng điều hành nếu bạn cần giúp đỡ sự hiểu biết tài liệu này. (Vietnamese)
- Пожалуйста свяжитесь с офисом управления, если Вам нужна помощь в понимании этого документа. (Russian)
- Bitte kontaktieren Sie das Leitungsbüro, wenn Sie helfen müssen, dieses Dokument zu verstehen. (German)
- 請聯絡管理辦公室，如果你需要幫助理解這份文件。(Chinese)
- もしこの文書を理解しているための助けを必要とすれば、経営オフィスと連絡を取ってください。(Japanese)

BUSINESS RELATIONSHIP

The relationship between a landlord (owner/agent) and an applicant or resident is a business relationship. There is never justification for conduct which is disrespectful or unprofessional. Rather, the property staff should strive to be objective, consistent and fair.

A positive attitude and professionalism contribute greatly to establishing and nurturing a positive relationship between the property staff and the property's applicants and residents.

The owner/agent reserves the right to refuse rental to anyone who is verbally abusive, swears, is disrespectful, makes threats, uses discriminatory language, appears to be intoxicated or under the influence of alcohol or drugs, is argumentative, or in general displays an attitude, at any time, which causes the owner/agent or the property staff to believe there would not be a positive business relationship.

If an applicant or any member of the applicant's family demonstrates unprofessional behavior in the presence of the property staff or other residents/applicants, the applicant, the applicant's family and other members of the applicant's family (if applicable) will be required to leave the property and the application will be rejected.

If the applicant or any member of the applicant's family exhibits threatening behavior, appears to be intoxicated or under the influence of alcohol or illegal drugs or attempts to intimidate the property staff, the applicant, the applicant's family and other members of the applicant's family (if applicable) will be required to leave the property and the application will be rejected.

Animals, (other than service animals necessary to allow the applicant/resident to conduct business with the owner/agent) are not allowed in the management office.



Children are always welcome. Minors must be supervised by an adult. It is not the responsibility of the property staff or other residents to provide child care or supervision.

Aside from standard property charges, property staff is not permitted to accept any money, gifts, services or favors connected with the application process or associated with any aspect of residency on this property. If property staff solicits any mandatory payment, not associated with the lease, the applicant/resident will notify the Regional Property Manager.

SMOKING

This property is ___ is not **X** a smoke free property.

This property offers ___ does not offer **X** smoke free units.

Smoke Free Housing

Smoking is prohibited in any area of the property, both private and common, whether enclosed or outdoors. This policy applies to all owners, applicants, residents, guests, visitors and servicepersons. "Smoking" shall include the inhaling, exhaling, or carrying of any lighted cigarette, e-cigarette, cigar, pipe, and other tobacco product, marijuana including medical marijuana, herbal smoking products "Legal Weed" or products known as "bath salts" or other legal or illegal substance.

Smoke Policy

Smoking is allowed in individual units, on balconies attached to units and in designated smoking areas on the property. Smoking is prohibited in any other indoor or outdoor area. This policy applies to all owners, applicants, residents, guests, and service persons. "Smoking" shall include the inhaling, exhaling, or carrying of any lighted cigarette, e-cigarette, cigar, pipe, and other tobacco product, marijuana including medical marijuana, herbal smoking products "Legal Weed" or products known as "bath salts" or other legal or illegal substance.

USE OF MARIJUANA

Use of marijuana including medical marijuana is prohibited. The Quality Housing and Work Responsibility Act (QHWRA) of 1998 requires that owner/agents establish lease standards that prohibit admission based on the illegal use of controlled substances including state legalized medical marijuana. State laws that legalize medical marijuana directly conflict with QHWRA and thus are subject to federal preemption.

PETS

This property does not allow pets.

SERVICE ANIMALS

This property is operating under the guidelines established for the HUD Section 8 program.

Service animals are permitted as a reasonable accommodation for persons with verified disabilities, once the need has been properly verified by a physician, psychiatrist, social worker, or other licensed medical professional. There must be a direct relationship between the person's disability and his/her need for the animal.

- A. Neither a security deposit nor a pet fee is required for a service animal. However, if the individual's service animal causes damage to the resident's apartment or the common areas, owner/agent may charge the individual for the cost of repairing the damage in the same way that owner/agent regularly charges residents for any damage they cause to the premises.
- B. All state and local health, safety, and licensing laws apply. Refer to the Animal Registration Form and Community Policies/House Rules for applicant/resident animal care responsibilities.



C. Owner/agent reserves the right to deny a specific assistance animal only if:

- (1) There is documented proof, based on prior behavior of the animal, that it poses a direct threat to the health and safety of others that cannot be reduced or eliminated by a reasonable accommodation, or
- (2) There is documented proof, based on prior behavior of the animal, that it would cause substantial physical damage to the property of others, or
- (3) It can be specifically documented that the presence of the assistance animal would pose an undue financial and administrative burden to the provider, or
- (4) Documented evidence shows that the presence of the assistance animal would fundamentally alter the nature of this property's services.

D. More detailed information about our service animal policies and procedures can be found in the Continued Occupancy (Section 9 – Service Animals) section of the Community Director Affordable Handbook.

ASSISTANCE DEFINITION

Subsidy

Residents at this property are offered subsidized rent. This means the rent that a household pays is based upon the household income. The rent paid by residents may vary.

Housing Choice Vouchers

The owner/agent may not admit an applicant with a voucher to a unit with Section 8 assistance unless the applicant agrees to give up the voucher prior to occupancy. If the owner/agent discovers that any household member failed to give up current HUD assistance before moving to this property, no rent subsidy or utility allowance will be provided by the Department of Housing and Urban Development until the day after the move out is complete. Household members who signed the lease will be responsible for paying the market rent until qualified to receive HUD assistance on this property. Any assistance paid in error must be returned to HUD.

Please note that housing assistance provided through HUD's multi-family housing program is not the same as the housing assistance provided through the voucher program. If any family member moves out, the housing subsidy will not move with the family as it does with a voucher. The family will be required to re-apply to a PHA office to receive another voucher.

POLICIES TO COMPLY WITH SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THE FAIR HOUSING ACT AMENDMENTS OF 1988 AND TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Fair Housing

The Fair Housing Act prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability, and familial status.

Title VI of the Civil Rights Act of 1964

The owner/agent complies with Title VI of the Civil Rights Act of 1964 which prohibits discrimination based on race, color, or national origin in any program or activity receiving federal financial assistance from HUD.

Section 504 of the Rehabilitation Act of 1973

The owner/agent complies with Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination, based on the presence of a disability in all programs or activities operated by recipients of federal financial assistance.



Although Section 504 often overlaps with the disability discrimination prohibitions included in the Fair Housing Act, it differs in that it also imposes broader affirmative obligations on the owner/agent to make their programs, as a whole, accessible to persons with disabilities.

Coordinating Efforts to Comply with Section 504 Requirements

The owner/agent has designated a person to address questions or requests regarding the specific needs of applicants and residents with disabilities. This person is referred to as the Section 504 Coordinator.

Name of Section 504 Coordinator:	Gary Haugstad
Address:	800 Iron Point Road, Folsom, CA 95630
Phone Number:	916.357.5312 ext. 246
TDD/TTY Number:	800.735.2929

Requests for Reasonable Accommodation or Modification

In accordance with the Fair Housing Act and Section 504 of the Rehabilitation Act, the owner/agent will make reasonable accommodations or modifications for individuals with disabilities (applicants or residents) unless these modifications would change the fundamental nature of the housing program or result in undue financial and administrative burden.

Owner/agent will ensure that policies and practices do not deny individuals with disabilities the opportunity to participate in, or benefit from, nor otherwise discriminate against individuals with disabilities in connection with the operation of housing services or programs solely on the basis of such disabilities.

For reasonable accommodations to apply there are several requirements:

- Applicant must have a verifiable disability (mental or physical impairment that substantially limits one or more major life activities) as defined by HUD as applicable to the property’s program type.
- The disability must have a direct correlation to the accommodation being requested by the applicant/resident.
- Applicant must request a reasonable accommodation and provide verification of the disability and need for the accommodation.

Compliance with Requirements Outlined in the Violence Against Women Reauthorization Act of 2013

The owner/agent understands that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault or stalking, people who have been victims of violence have certain protections provided through the Violence Against Women Reauthorization Act of 2013 (VAWA 2013). If any applicant wishes to exercise the protections provided in the VAWA 2013, he/she should contact the owner/agent immediately. The owner/agent is committed to ensuring that the Privacy Act is enforced in this and all other situations.

The owner/agent will not assume that any act is a result of abuse covered under the VAWA 2013. In order to receive the protections outlined in the VAWA 2013, the applicant/resident must specify that he/she wishes to exercise these protections.

Certification and Confidentiality

When the owner/agent responds to a claim of protected status under the VAWA 2013 the owner/agent will request the individual to document the occurrence of domestic violence, dating violence, sexual assault or stalking, in writing if appropriate. The individual claiming rights under the VAWA 2013 must certify their status as a victim and must provide information to verify his/her status as a victim of domestic violence, dating violence, sexual assault or stalking using HUD Form 91066.



If the applicant received or attempted to receive assistance in addressing domestic violence, dating violence, sexual assault or stalking from a federal, state, tribal, territorial jurisdiction, local police or court, the applicant may submit written proof of this outreach in lieu of HUD Form 91066.

The applicant will have fourteen (14) days to submit the documentation. The owner/agent will carefully evaluate abuse claims as to avoid conducting an eviction based on false or unsubstantiated accusations.

The identity of the victim and all information provided to owner/agent relating to the incident(s) of abuse covered under the VAWA 2013 will be retained in confidence. Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is:

- Requested or consented to by the victim in writing;
- Required for use in an eviction proceeding or termination of assistance; or
- Otherwise required by applicable law.

The owner/agent will retain all documentation relating to an individual's domestic violence, rape, dating violence, sexual assault or stalking in a separate file that is kept in a separate secure location from other applicant/resident files.

Lease Addendum

The owner/agent is required to attach the HUD-approved Lease Addendum, Form HUD-91067, which includes the VAWA provisions, to each existing or new lease.

Availability of Assistance For Persons with Limited English Proficiency

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)" requires the owner/agent to develop and implement a system to provide housing assistance so persons with Limited English Proficiency (LEP) can have meaningful access to assisted housing opportunities. The owner/agent will provide for such meaningful access consistent with, and without unduly burdening the fundamental mission of the property.

The owner/agent will work to ensure that people who apply for and/or qualify for housing assistance are provided meaningful access to HUD's housing assistance program.

Protections Provided Based on Sexual Orientation, Gender Identity or Marital Status

The Final Rule - *Equal Access to Housing in HUD Programs – Regardless of Sexual Orientation or Gender Identity* - ensures that HUD's core housing programs are open to all eligible persons regardless of sexual orientation, gender identity or marital status.

ELIGIBILITY REQUIREMENTS

PROPERTY ELIGIBILITY DEFINITION

Household/Resident Type

This multi-family Section 8 property is designed to provide housing to families who meet the eligibility and screening requirements.

Income Limits

This property contains **36** subsidized apartments. This property is designated under the Post-1981 Section 8 project types, to serve a family population.



Income limits vary by household size. The owner/agent will provide applicants a copy of the income limits for the property area upon request. In addition, applicants can review the income limits by accessing the following web site. <http://www.huduser.org/datasets/il.html>

HUD requires that the owner/agent incorporate the most recently published income limits when determining eligibility. Income limits are updated annually (usually around February) for Santa Clara County, California.

For this property, qualified applicant households must meet the following income limit requirements:

Subsidy	Type of Income Limit
Section 8 (post-1981)	Very low – 50% of median income Extremely low – very low income household whose income equals or is less than the greater of poverty level or 30% of median income

Occupancy Standards

Occupancy standards serve to prevent the over-utilization or under-utilization of units that can result in an inefficient use of housing funding. Occupancy standards also ensure that applicants/residents are treated fairly and consistently and receive adequate housing space. Owner/agent will take into consideration mitigating circumstances such as reasonable accommodations for disabilities and verified medical reasons for a larger unit.

Below, please find this property’s occupancy standards description:

Number of Bedrooms	Min. # Household Members	Max. # Household Members
2	2	4
3	3	6
4	4	8

After moving in, if changes in household composition cause a household to become over-housed or under-housed, the family must transfer, within 30 days, to the first available unit of the proper size, if available, based on the above occupancy standards.

Verifying the Need for an Accessible Unit

When an applicant requests an accessible unit the owner/agent will conduct inquiries to:

- 1) Verify that the applicant is qualified for the unit, which is only available to persons with a disability or to persons with a particular type of disability
- 2) Verify that the applicant needs the features of the unit as an accommodation to his/her disability
- 3) Verify that the applicant is qualified to receive a priority for a unit with Accessible features on the waiting.

PROGRAM ELIGIBILITY

Based on federal regulations, the owner/agent may admit only eligible applicants. In the selection of applicants for admission, eligibility criteria have been established in accordance with HUD guidelines.

The following eligibility standards will be applied in accordance with HUD requirements:

- 1) The household’s annual income must not exceed program income limits at move-in
- 2) The head, co-head and the spouse (regardless of age) and all adults in each household must sign an Authorization for Release of Information (HUD Forms 9887 and 9887A) and owner/agent created verification documents prior to receiving assistance and annually thereafter
- 3) The unit for which the household is applying must be the household’s only residence



- 4) An applicant must agree to pay the rent required by the program under which the applicant will receive assistance
- 5) Only U.S. citizens or nationals or eligible non-citizens may receive assistance
- 6) Applicants who claim eligible status must disclose Social Security Numbers for all household members and provide proof of the numbers reported (*See additional information below*)
- 7) The household size must be appropriate for the available apartments
- 8) All information reported by the household is subject to verification

Disclosure and Verification of Social Security Numbers

All household members receiving HUD housing assistance or applying to receive HUD housing assistance are required to provide a Social Security Number and adequate documentation necessary to verify that number. This rule applies to all household members including live-in aides, foster children and foster adults. Adequate documentation includes a Social Security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN such as:

- Original Social Security card
- Driver's license with SSN
- Identification card issued by a federal, State, or local agency, a medical insurance provider, or an employer or trade union.
- Earnings statements on payroll stubs
- Bank statement
- Form 1099
- Benefit award letter
- Retirement benefit letter
- Life insurance policy
- Court records

Documents that are not originals, or that have been altered, mutilated or are illegible, or that appear to be forged, will be rejected. In this case, owner/agent will explain the reason why the document is not acceptable, and will request the submission of acceptable documentation within five (5) calendar days of the interview with management.

Exceptions to Disclosure of Social Security Number

The Social Security Number requirements do not apply to:

1. Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.
 - The eligibility date is based on the initial effective date of the form HUD-50059 or form HUD-50058, whichever is applicable.
 - Documentation that verifies the applicant's exemption status must be obtained from the owner of the property where the initial determination of eligibility was determined prior to January 31, 2010. An owner/agent cannot accept a certification from the applicant.
 - The exception status for these individuals is retained if the individual moves to a new assisted unit under any HUD assisted program or if there is a break in his/her participation in a HUD housing assistance program.
2. Individuals who do not contend eligible immigration status.
 - When applicants and residents are required to declare their citizenship status, the existing regulations pertaining to proration of assistance or screening for mixed families must continue to be followed.

When a unit becomes available, if all of the non-exempt household members have not provided adequate documentation necessary to verify Social Security Numbers, the next eligible applicant must be offered the available unit.



All non-exempt household members have ninety (90) days from the date they are first notified that a unit is available to provide documentation necessary to verify the Social Security Numbers. During this ninety (90) day period, the household may retain its place on the waiting list, but will not be considered again until the required documentation is provided. After ninety (90) days, if the applicant is unable to disclose/verify the Social Security Numbers of all non-exempt household members, the household will be determined ineligible and removed from the waiting list.

The applicant may apply again, after obtaining the appropriate documentation. The applicant will be placed on the bottom of the waiting list based on the date and time the **new** application is received.

Secondary Verification of the Social Security Number

The Social Security Number provided will be compared to the information recorded in the Social Security Administration database (through HUD's Enterprise Income Verification System-EIV) to ensure that the Social Security Number, birth date and last name match. The verified EIV Summary Report will be retained in the resident file on top of the Social Security Cards.

If EIV returns an error that cannot be explained or resolved, assistance and/or tenancy may be terminated and any assistance paid in error must be returned to HUD. If the applicant/resident deliberately provides an inaccurate Social Security Number, the owner/agent and/or HUD may pursue additional penalties due to attempted fraud.

If a new household member is added to the household and is under the age of 6 without a social security number, the household has 90 days to provide SSN documentation. An additional 90 days will be granted only if failure to provide documentation is due to circumstances beyond the resident's control.

If acceptable SSN documentation is not provided by the deadline date, eviction proceedings will begin to terminate tenancy of the household, since the household will be in non-compliance with the lease.

Citizenship/Immigration Status Requirements

Applicants are required to declare U.S. citizenship or submit evidence of eligible immigration status for each household member seeking housing assistance.

The owner/agent is required to obtain the following:

- 1) Family Summary Sheet (lists all household members who will reside in the assisted unit)
- 2) Citizenship Declaration (Each household member listed on the Family Summary Sheet must complete a declaration of citizen or non-citizen status)
- 3) Forms and/or evidence of citizen/immigration status as required by HUD

If you have any questions or difficulty in providing the described information or determining the type of documentation required, please contact the management office. If you are unable to provide the required documentation in the timeframe indicated, you must contact the management office and request an extension. If you fail to provide this information, the owner/agent cannot provide assistance.

The owner/agent will offer the household assistance to those household members whose documents were received on time when the following criteria is met:

- 1) Assistance/unit is available
- 2) The household has come to the top of the waiting list
- 3) At least one member of the household has submitted the required documentation in a timely manner and has been determined to be eligible based on all of the criteria in this tenant selection plan

If any household member is determined to be an ineligible non-citizen, either at application or after move-in, assistance may be prorated or terminated.



Required Documentation

The owner/agent must obtain the following documentation for each household member regardless of age:

- U.S. citizens, a signed declaration of citizenship. The owner/agent requires verification of the declaration. The following documents will be accepted as proof of citizenship
 - United States (U.S.) Passport
 - U.S. birth certificate
 - Other documentation as provided by HUD or DHS
- Non-citizens claiming eligible status who is 62 or older:
 - A signed declaration of eligible immigration status and
 - Proof of age
- Non-citizens claiming eligible status who is not 62 or older:
 - A signed declaration of eligible immigration status **and**
 - A signed consent form **and**
 - One of the DHS-approved documents
 - Form I-551, *Permanent Resident Card*.
 - Form I-94, *Arrival-Departure Record* annotated with one of the following:
 - “Admitted as a Refugee Pursuant to Section 207”;
 - “Section 208” or “Asylum”;
 - “Section 243(h)” or “Deportation stayed by Attorney General”;
 - “Paroled Pursuant to Section 212(d)(5) of the INA.”
 - Form I-94, *Arrival-Departure Record* (with no annotation) accompanied by one of the following:
 - A final court decision granting asylum (but only if no appeal is taken);
 - A letter from an DHS asylum officer granting asylum (if application was filed on or after October 1, 1990) or from an DHS district director granting asylum (application filed was before October 1, 1990);
 - A court decision granting withholding of deportation; or
 - A letter from an asylum officer granting withholding of deportation (if application was filed on or after October 1, 1990).
 - A receipt issued by the DHS indicating that an application for issuance of a replacement document in one of the above-listed categories has been made and that the applicant’s entitlement to the document has been verified.
 - Other acceptable evidence.

If other documents are determined by the DHS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the Federal Register.

Timeframes for Submitting Evidence of Citizenship/Immigration Status to the Owner/Agent

Applicants must submit required documentation of citizenship/immigration status no later than the date the owner/agent initiates verification of other eligibility factors. Owner/agents determine the applicant’s citizenship or immigration status during the initial eligibility determination prior to move-in.

If the applicant cannot supply the documentation within the owner/agent’s specified timeframe, the owner/agent **may** grant the applicant an extension of not more than thirty (30) days, **but only if** the applicant certifies that the documentation is temporarily unavailable and additional time is needed to collect and submit the required documentation.

The owner/agent will inform the applicant in writing if an extension request is granted or denied. If the request is granted, the owner/agent will include the new deadline for submitting the documentation. If the request is denied, the owner/agent will state the reasons for the denial in the response. When granting or rejecting extensions, owner/agent will treat all applicants consistently.



Reviewing and Verification of a Household's Citizenship/Immigration Status

Owner/agents will conduct primary verification through the (Systematic Alien Verification for Entitlements) SAVE ASVI database - the Department of Homeland Security (DHS) automated system.

After accessing the ASIV database, the owner/agent enters the required data fields. The system will display one of the following messages for immigration status confirmation on the screen.

- Lawful Permanent Resident
- Temporary Resident
- Conditional Resident
- Asylee
- Refugee
- Cuban\Haitian Entrant
- Conditional Entrant

Secondary verification - If the message "institute secondary verification" is displayed on the screen, the manual verification process must be used.

Within ten (10) days of receiving an "Institute Secondary Verification" response, the owner/agent will prepare DHS Form G-845S, *Document Verification Request*. The owner/agent will send DHS Form G-845S and photocopies of the DHS documents submitted by the applicant to the DHS office serving the property's jurisdiction. DHS will return to the owner/agent a copy of DHS Form G-845S indicating the results of the automated and manual search.

Notification to Applicants

Owner/agents will notify households in writing that they are:

- Eligible for assistance
- Eligible for partial assistance, as a mixed household

The owner/agent will notify applicants and/or residents in writing if they are found to be ineligible based upon citizenship/immigration status.

Mixed Households

A mixed household is a household with one or more ineligible members and one or more eligible household members. The household may receive:

- Prorated assistance, or
- Continued assistance

Appealing Determinations of Ineligibility

The owner/agent will notify the household in writing as soon as possible if the secondary verification process returns a negative result.

The applicant or resident has thirty (30) days from receipt of the notice to choose which option to follow.

The applicant or resident may appeal the owner/agent's decision directly to the DHS. The applicant or resident must send a copy of the appeal directly to the owner/agent. The DHS should respond to the appeal within thirty (30) days.

If the DHS decision results in a positive determination of eligibility, the owner/agent can provide the appropriate housing assistance. If the DHS decision results in a negative determination of eligibility, the household has **thirty (30) days** to request a hearing with the owner/agent.



Prohibition Against Delay of Assistance

Owner/agents may not delay the household's assistance if the applicant or resident submitted immigration information in a timely manner but the DHS verification or appeals process has not been completed.

If a unit is available, the household has come to the top of the waiting list, and at least one member of the household has submitted the required documentation in a timely manner and has been determined to be eligible, the owner/agent will offer the household a unit and provide full assistance to those household members whose documents were received on time. The owner/agent will continue to provide full assistance to such households until information establishing the immigration status of any remaining non-citizen household members has been received and verified.

If any household member is determined to be an ineligible non-citizen, either at application or after move-in, assistance and/or tenancy may be denied, terminated or prorated as appropriate. If any household member is determined to be an illegal immigrant, tenancy will be denied or terminated as appropriate.

Single Residence/Subsidy Criteria

A household is eligible for assistance only if the unit will be the household's only residence. This rule is meant to ensure that the government pays assistance for only one unit for a household and provides assistance to as many eligible households as possible. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit.

Applicants MUST disclose if they are currently receiving housing assistance. Applicants can only receive subsidy for one unit/residence at a time. This does not prevent a person, who is currently receiving assistance, from applying for an assisted unit in another property.

Prior to receiving the keys to the unit on move-in day, the applicant is required to provide proof that the household has moved out of the prior HUD-assisted housing and the date the keys were returned. Proof can consist of any of the following documents:

- Letter from current property on letter head (signed and dated) stating the date the keys to the prior unit has been returned or,
- Copy of the move-out HUD-50059A Partial Certification from the prior property.

There is an exception to this rule. Children in joint custody arrangements can receive HUD housing assistance in two units when both parent/guardian families receive HUD housing assistance. However, only one household may use the \$480 dependent deduction to determine adjusted income. In these cases, additional verification is required. The owner/agent will request:

- Verification of the custody/guardianship/living arrangement
- Verification of the use of the \$480 deduction. The owner/agent will verify use of the \$480 dependent deduction with the other owner/agent if :
 - The child will live in the unit at least 50% of the time and
 - The parent wishes to claim the \$480 deduction, and
 - Both families are receiving HUD housing assistance

Eligibility of Students Enrolled at an Institute for Higher Education for Assisted Housing under Section 8 of the US Housing Act of 1937

Student eligibility is determined at move-in/initial certification and at each annual certification. A student who is otherwise eligible and meets screening requirements is eligible for assistance if the student meets the criteria indicated below. Section 8 assistance shall not be provided to any individual who:

1. Is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential; and
2. Is under the age of 24; and



3. Is not married; and
4. Is not a veteran of the United States Military; and
5. Does not have a dependent child; and
6. Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving section 8 assistance as of November 30, 2005; and
7. Is not living with his or her parents who are receiving Section 8 assistance; and
8. Is not individually eligible to receive Section 8 assistance or has parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance.

NOTE: *Unless the student can demonstrate his or her independence from parents, the student must be eligible to receive Section 8 assistance **and** the parents (individually or jointly) must be eligible (income eligible) to receive Section 8 assistance in order for the student to receive Section 8 assistance.*

For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate independence from, parents. While owners may use additional criteria for determining the student's independence from parents, owners must use, and the student must meet, at a minimum **all** of the following criteria to be eligible for Section 8 assistance. The student must:

1. Be of legal contract age under state law;
2. Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, **or**,
 - a. meet the U.S. Department of Education's definition of an independent student; and
3. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
4. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.
5. If an ineligible student is a member of an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated

NOTE: *An owner cannot evict or require an ineligible student to move from a unit as long as the student is in compliance with the terms of the lease.*

Any financial assistance a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition shall be considered income to that individual, except for:

- A person 24 years of age or older with dependent children as defined by HUD or
- A person living with his/her parents

Prohibition of Assistance to Noncitizen Students

Noncitizen students and their noncitizen families may not receive assistance. Noncitizen students are not eligible for continuation of assistance, prorated assistance, or temporary deferral of termination of assistance. A noncitizen student is defined as an individual who is as follows:

1. A resident of another country to which the individual intends to return;
2. A bona fide student pursuing a course of study in the United States; and
3. A person admitted to the United States solely for the purpose of pursuing a course of study as indicated on an F-1 or M-1 student visa.

This prohibition applies to the noncitizen student's noncitizen spouse and children. However, spouses and children who are citizens may receive assistance. For example, a family that includes a noncitizen student married to a U.S. citizen is a mixed family.



PROCEDURES FOR TAKING APPLICATIONS

It is the owner/agent's policy to accept and process applications in accordance with applicable HUD Handbooks and regulations. The owner/agent will make a reasonable accommodation to assist in the application process if the applicant or any member of the applicant household has a disability.

Upon request, the owner/agent will provide interested parties with a copy of the application packet. Applications can be requested:

- In person during posted office hours
- By calling the property's posted telephone number or TDD number to request an application to be mailed, faxed or emailed
- In writing to be mailed

Applications must be completed and signed by each adult household member 18 years or older as instructed. All household members must be listed on each application submitted. All completed applications must be submitted to the property's management office either in person or via mail. The owner/agent will also accept the application in an equally effective format, as a reasonable accommodation, if there is the presence of a disability.

Applicants may bring an individual with them, to help with the completion of the application, if desired. Property staff will be available upon request to answer any questions concerning the application. The Property staff cannot complete the application for the applicant.

All documents in the Application Packet must be **completed in full**, signed and dated in order to be accepted. Applicants **will not** be added to the waiting list until all application forms have been properly completed and signed as appropriate.

Contact the property office staff if a live-in aide will be moving in to the unit. Live-In Aides are considered to a reasonable accommodation. Owner/agent must obtain verification that the Live-In Aide is needed to provide necessary supportive services essential to the care and well-being of the individual, and that there is a disability-related need for the Live-In Aide. The live-in aide will be required to complete the Caregiver (Live In Aide) Application and Authorization form and participate in all screening requirements.

The live-in aide has no rights to the unit as a remaining family member and will be required to relinquish possession of the unit immediately if the resident is absent or leaves for any reason. The live-in aide will be required to sign an agreement and affidavit acknowledging the live-in aide has no rights to the unit once the resident moves out for any reason including death.

Incomplete Applications

Incomplete Application Packages will be returned.

If the application received is not fully complete (including any required attachments), the application will be returned to the household at the address listed on the application, along with a Notice of Applicant Status that indicates that the application is incomplete and cannot be accepted. If there is no address listed on the application, the application will be retained until the applicant inquires about the household's status on the waiting list.

Determination of Applicant Eligibility

Information needed to determine applicant eligibility shall be obtained, verified, and the determination of applicant eligibility performed, in accordance with HUD and property eligibility requirements.

Within 48 hours of receipt of a complete application, the owner/agent will make a preliminary eligibility determination and notify the applicant in writing that his/her application has been selected for immediate occupancy, placed on the waiting list, or rejected.



If a preliminary eligibility review indicates that a household appears eligible for tenancy, but units of appropriate size are not available, the owner/agent will place the applicant household on the waiting list and notify the household when a suitable unit becomes available.

If an applicant is otherwise eligible but no appropriate unit size exists in the property, the owner/agent will reject the application.

Placement on the waiting list does not indicate that the family qualifies for selection; that determination can only be made after verifications and screenings have been completed.

Final Determination of Eligibility

When a unit becomes available, all eligibility criteria will be reviewed before a final eligibility determination is made.

Being eligible, however, does not guarantee that the application will be approved. All adult applicants (and if appropriate minors) will be subject to the certain screening based on landlord/rental history, credit history and criminal history. If the screening process determines that the family meets HUD's and the owner/agent's standards for admission, the family is eligible to move in.

WAITING LISTS

To ensure that applicants are appropriately and fairly selected for the next available unit, it is essential for the owner/agent to maintain waiting lists. The owner/agent will place the applicant household on the waiting list after preliminary eligibility determination is complete.

Applicants will have the option of specifying a desired unit size or multiple unit sizes when completing the application. The applicant will be placed on the waiting list for all indicated unit sizes/types as long as:

- The applicant household meets the Occupancy Standards described in this plan, and
- The waiting list for the unit size is open

The applicant will be contacted, based on the waiting list selection criteria, for the first unit that becomes available based on the selection guidelines described in this plan.

Maintaining Waiting Lists

It is the policy of the owner/agent to administer its waiting list as required by HUD handbooks and regulations. The owner/agent will send the Notice of Applicant Status at a minimum of 6 months to update the waiting list. Applicants are required to update their contact information and confirm their interest in remaining on the waiting list for the property by returning the NOAS.

If the applicant fails to respond to the owner/agent inquiries regarding the desire to remain on the waiting list, the application will be rejected and the household will be removed from the waiting list.

If the NOAS is unable to be delivered by the U.S. Postal Service, the application will be rejected and the household will be removed from the waiting list.

In addition, if the household information changes on the application the applicant must contact the property, in writing, before the changes become effective.

If the household size or composition changes, the owner/agent will:

1. Update the waiting list information and
2. Decide whether the household needs the same or a different unit

If, as a result of the household composition change, it is determined that the unit size changes, the household will remain on the waiting list with the original application date and time.



Removal of Applicants From the Waiting List

The owner/agent will remove an applicant's name from the waiting list when:

- Applicant requests that the household name be removed
- The unit that is needed – using household size as the basis – has changed, and no appropriate size unit exists in the property
- Applicant fails to meet eligibility requirements
- Applicant fails to meet occupancy standards
- Applicant fails to meet screening requirements
- Applicant refused to sign the HUD 9887, HUD 9887, or Verification Consent Forms
- Applicant failed to verify Social Security Numbers for all household members
- Applicant is rejected for any reason described in this plan
- Applicant cannot be contacted by US Mail (letters are returned or undeliverable)
- Applicant cannot be contacted by phone (number disconnected or changed)
- Applicant fails to keep application information up to date based on the requirements described in this plan
- Applicant was clearly advised, in writing, of the requirement to notify the owner/agent of his/her continued interest in housing by updating the application every 6 months and failed to do so
- Applicant refused second offer of a unit
- Applicant is under the age of 18, unmarried, not legally emancipated, therefore unable to enter into a Lease
- The owner/agent has notified the applicant of its intention to remove the applicant's name, because the applicant no longer qualifies for HUD Section 8 housing assistance at this property

If an applicant is removed from the waiting list, and subsequently the owner/agent determines that an error was made in removing the applicant, the applicant will be reinstated at the original place on the waiting list.

If an applicant is removed from the waiting list and later, the applicant household feels that they are now qualified for assistance/tenancy, the applicant household must submit a new application. The applicant will be placed on the waiting list, as necessary, based on the submission date and time of the **new** application.

There are certain situations when the owner/agent may refuse to accept an application. The owner/agent will not accept applications from individuals who were previously rejected because the applicant:

- Is subject to a state lifetime sex offender registry
- Has been convicted of a crime as indicated in the criminal screening criteria
- Has been evicted from another property managed or owned by the owner/agent
- Has been evicted from a federally assisted property

In addition, if an applicant previously accepted a unit offered by the owner/agent and the applicant failed to take possession of the unit on the agreed upon date without notice to the owner/agent, the owner/agent reserves the right to refuse all future applications.

Selecting Applicants from the Waiting List

When a unit becomes available, the owner/agent will contact the next Applicant on the waiting list (based on the selection criteria described in this plan) and all adult household members will be required to meet with management for an eligibility interview. No decisions to offer the unit shall be made until all information presented by the applicant has been verified and the final eligibility determination is complete.

Income Targeting

Based on the HUD contract for this property, the owner/agent is required to comply with the Income Targeting Requirement. Income Targeting requires that the owner/agent implement policies to ensure that, during the property fiscal year, 40% of all households that move in to the property or who begin receiving assistance fall within the Extremely Low Income Limits for the area where the property is located.



The owner/agent is required to monitor compliance throughout the year. If, after periodic review, the owner/agent discovers that the Income Targeting Requirement will not be attained, the owner/agent will only select, in order, those applicants whose income falls within the extremely-low income levels. Once the Income Targeting Requirement is met, the owner/agent will return to the property's method of selection order.

Owner/agent will select the first extremely low-income applicant on the waiting list (which may mean "skipping over" some applicants with higher incomes) for the available unit, and then select the next eligible applicant currently at the top of the waiting list (regardless of income level) for the next available unit.

As subsequent units become available, selection continues to alternate between the next extremely low-income applicant and the eligible applicant at the top of the waiting list until the 40% target is reached.

At any point, if the property is unable to meet the income targeting requirements within the fiscal year, advertising for a minimum of thirty (30) days will begin. After that period, owner/agent may admit other eligible families. Advertising using media and methods to attract extremely low income applicants will continue on an ongoing basis.

Preferences

Applicants with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference.

Assigning preferences to applicants who meet certain criteria is a method intended to provide housing opportunities to applicants based upon household circumstances.

Preferences affect only the order applicants are selected from the waiting list. They do not make anyone eligible who was not otherwise eligible. Preferences are not permitted if they, in any way, interfere with affirmative marketing efforts or fair housing requirements.

Owner/Agent-Adopted Preferences

"Working Families" - While still complying with Income Targeting requirements, a preference will be given to applicant households in which the head, spouse, or co-head of the household is employed. For households in which the head, co-head or spouse is 62 or older, or to a person with disabilities, this preference shall not apply.

Statutory Preference

"Statutory Preferences - Displacement - 221- (d) (4) Properties" – properties must give preference to applicants who have been displaced by government action or a presidentially declared disaster.

Verification of Preferences

All preferences will be verified using the verification methodology described in this tenant selection plan.

Change in Preference Status While on the Waiting List

Occasionally households on the waiting list who did not qualify for a preference when they applied will experience a change in circumstances that qualifies them for a preference. In such cases, it is the responsibility of the applicant to contact the owner/agent so that their change in status may be verified and the waiting list can be updated to reflect the preference as appropriate.

To the extent the verification determines the household does now qualify for a preference, they will be selected from the waiting list in accordance with the preference and the date the application was received.



Exceptions to the Preference Rule

Management must give priority to current residents:

- Residing in a unit that has been determined uninhabitable due to flood, fire or other natural disaster
- When a unit is designated for rehabilitation or repair

These situations represent extenuating circumstances and the normal selection order may be adjusted to address the needs of these residents.

Opening and Closing Waiting List

In order to ensure that applicants on the waiting list are processed in a reasonable amount of time, the owner/agent may suspend application-taking and close waiting lists in whole or in part.

Decisions about closing and opening the waiting list will be based on the number of applications available for a particular size and type of apartment and the ability of the owner/agent to house an applicant in an appropriate apartment within a reasonable period of time.

The owner/agent will use a 12-month waiting period to determine whether the waiting list may be closed. If the owner/agent has sufficient applications, the waiting list may be closed completely. Notices announcing that the waiting list is closed or open will be publicly announced in the following manner:

- Local newspapers
- Publication(s) likely to be read by potential applicants
- Publications described in the Affirmative Fair Housing Marketing Plan
- Flyers distributed in applicable neighborhoods

Advertisement will include information about where and when to apply, and will conform to the advertising and outreach practices described in the property's Affirmative Fair Housing Marketing Plan.

When opening the wait list for a limited period time, the acceptance of applications will be a minimum period of one week to allow all applicants the opportunity to apply for housing during normal or posted business hours.

Applications will not be accepted as long as the waiting list is closed. During the period when the waiting list is closed, the owner/agent **will not** maintain a list of individuals who wish to be notified when the waiting list is reopened.

PRIVACY POLICY

It is the policy of the owner/agent to guard the privacy of individuals conferred by the Federal Privacy Act of 1974 and to ensure the protection of such individuals' records maintained by the owner/agent.

Neither the property owner nor its agents shall disclose any personal information contained in its records to any person or agency, other than HUD, its Contract Administrators or other federal/state entity or investor auditing entities, unless the individual about whom information is requested gives written consent to such disclosure. Such consent may be provided in an equally effective manner, as a reasonable accommodation, when there is the presence of a disability.

This Privacy Policy in no way limits the owner/agent's ability to collect such information to determine eligibility, compute rent, or determine an applicant's suitability for tenancy.

Reports disclosing income, provided by the EIV (Enterprise Income Verification) online system, will be kept in secured resident files, and copies may only be provided to the individual. Households may sign a consent form, designating individuals who may see and hear about EIV data during the course of assisting the household with recertifications.



VERIFICATION

The owner/agent shall obtain verifications in compliance with requirements set forth by the Department of Housing and Urban Development 4350.3.

After the preliminary eligibility determination, no decision to accept or reject an application shall be made until information provided on the Application and/or the Certification/Move-In Checklist form and during subsequent interviews has been collected and any necessary follow-up interviews have been performed. All information relative to the following items must be verified as described in these procedures:

Information to be Verified

Information to be verified includes, but is not limited to:

- 1) Eligibility for Admission, such as
 - a) Income
 - b) Assets And Asset Income
 - c) Identification
 - d) Age
 - e) Household Composition
 - f) Social Security Numbers
 - g) Citizenship And/or Legal Status
 - h) Student Status
 - i) Current HUD Assistance
- 2) Allowances, such as
 - a) Age
 - b) Disability
 - c) Full Time Student Status
 - d) Child Care Expenses
 - e) Disability Assistance Expenses
 - f) Medical Expenses (For Elderly/Disabled Households Only)
- 3) Preferences
- 4) Compliance with Applicant Screening Guidelines, such as
 - a) Criminal History
 - b) Credit History
 - c) Rental/Residence History
- 5) The Need for an Accessible Unit

Methods of Verification

Verifications will be attempted in the following order:

- 1) Upfront Income Verification (UIV)
- 2) Third-party (as appropriate)
- 3) In the absence of any of the above, affidavits from the household member

Each file will be documented, when appropriate, to show that staff attempted to obtain third-party verification before relying on family certification.

Sources of Information

Sources of information may include, **but are not limited to:**

- Any member of the applicant household



- Present and former housing providers/landlords
- Present and former employers
- Banks
- Insurance Companies
- Any Asset Manager
- Family members
- Any person or organization providing gifts/regular contributions to the household
- Credit Screening providers
- Criminal Screening providers
- Eviction Screening providers
- Social workers/Parole Officers
- Court records
- Drug Treatment Centers
- Health Providers
- Physicians
- Clergy
- Schools/Institutes of Higher Education
- Department of Homeland Security (DHS)
- Department of Health and Human Services (HHS)
- The Internal Revenue Service (IRS)
- The Social Security Administration (SSA)
- Medicare/Medicaid
- Representative of the United States Armed Forces
- Any federal/local benefit providers
- Pharmacies
- Local and non-local law enforcement
- Automated criminal databases
- Sexual Offenders registries when available
- The world wide web (internet)

The owner/agent will be the final judge of the credibility of any verification submitted by an applicant. If the owner/agent questions the validity of a document or the validity of information provided, it will be reviewed by management staff and a ruling about acceptability will be made. The owner/agent will continue to pursue credible documentation until it is obtained or the applicant is rejected for failing to provide all of the documents.

Period for Verification

Only verified information that is less than 120 days old may be used for verification. Verified information not subject to change (such as a person's date of birth) will not be re-verified.

Consent and Verification Forms

Regardless of age, the head, co-head, spouse and all adult members of the household 18 years or older must sign consent forms and, as necessary, verification documents, so that the owner/agent can verify eligibility and screening criteria.

- 1) HUD-9887, *Notice and Consent for the Release of Information to HUD and to a PHA*
- 2) HUD-9887-A, *Applicant's/Resident's Consent to the Release of Information Verification by Owners of Information Supplied by Individuals Who Apply for Housing Assistance*

Consent and verification forms protect the rights and privacy of applicants and residents by allowing them to have control over any information collected about them.

All adult members of an applicant or resident household must also sign individual verification forms authorizing the owner/agent to verify household income and other applicable eligibility factors (e.g., disability status).



When a minor living in the unit turns 18, he/she will have thirty (30) days to meet with the management staff to sign the HUD 9887 and HUD 9887A. Failure to do so will result in termination of subsidy for the entire household.

Provisions for Refusal to Sign

If any member of the applicant's household does not sign and submit the consent forms as required, the owner/agent must reject the application and deny assistance and/or tenancy.

MISREPRESENTATION

Any information, provided by the applicant that proves to be untrue may be used to disqualify the applicant because of misrepresentation or attempted fraud. The owner/agent will not take any action to reduce or deny assistance based on inconsistent information received during the verification process until the owner/agent has independently investigated the information. The owner/agent considers false information about the following to be grounds for rejecting an applicant:

- Identity
- Social Security Numbers/Information
- Income
- Assets/Income From Assets
- Household Composition
- Disability
- Birth Date/Age
- Citizenship, Naturalization, And/or Eligible Immigration Status
- Eviction History
- Criminal History
- Sexual Offender Status
- Eligibility For Preferences and Priorities
- Allowances
- Current/Previous Residence History
- Current Housing Assistance
- Status As A Student

Unintentional errors that do not cause preferential treatment will not be used as a basis to reject applicants.

APPLICANT SCREENING CRITERIA

Screening is performed in a manner that is reasonable, consistent, and complies with fair housing laws. Screening is used to help ensure that households admitted to a property will abide by the terms of the lease, pay rent on time, take care of the property and unit, and allow all residents to peacefully enjoy their homes.

Anyone who wishes to live on the property must be screened and approved prior to moving in. This includes, but is not limited to, live-in aides, security/police officers or additional household members wishing to move-in after the initial move-in. *Certain exceptions apply to children/minors.* The current screening guidelines in place at the time the new household member applies will be used to determine eligibility for admission.

Screening Criminal History

If the criminal background investigation results indicate that the applicant does not meet the criminal screening criteria, the owner/agent will reject the applicant in accordance with HUD guidance and the owner/agent's standards for applicant rejection.

1. Criminal history checks of convictions and outstanding warrants will be completed for all Applicant household members, using a professional criminal and credit checking agency.

The following findings will result in the rejection of the application:



- Applicant or member of the applicant household has had a prior conviction or adjudication other than acquittal of any household member for a felony.
 - Applicant or member of the applicant household who has been convicted of a misdemeanor will not be considered for admission. Motor Vehicle, Alcohol, Tobacco, License or Fish & Game are excluded from admission screening process.
 - Applicant or member of the applicant household who has outstanding warrants due to drug-related criminal activity. This provision applies even if the household member has completed a supervised drug or alcohol rehabilitation program.
 - Applicant or member of the applicant household is currently engaging in illegal drug use, including possessing, manufacturing, using or distributing a controlled illegal substance; or there is documentation which gives management reasonable cause to believe the above is occurring. This includes but is not limited to, medically prescribed marijuana, which is prohibited by federal law.
 - Applicant or member of the applicant household has had a prior conviction or adjudication other than acquittal of any household member for possession of an unregistered firearm or illegal weapon, engaging in any acts of gang violence (including but not limited to the display of, brandishing, or using in a threatening manner, any dangerous weapons or objects), or affiliation with a gang.
 - Applicant or member of the applicant household has been evicted for drug-related criminal activity within the past five (5) years. This criterion is compliant with the HUD-required prohibition of admission of any household containing any member who was evicted in the last three years from federally assisted housing for drug-related criminal activity.
2. The applicant will have the opportunity to remove any ineligible household member(s) from the application and request a redetermination of eligibility. If the applicant is admitted, the ineligible household member(s) will not be allowed to reside with the applicant.
 3. Any applicant or household member who, in the last 12 months, has been arrested for any of the offenses described above will have their application suspended until the case has been legally resolved.
 4. If any household member engages in criminal activity (including sex offenses) while living on site, subsidy termination and/or eviction will be pursued to the extent allowed by the lease, HUD regulations, and state/local law. To avoid eviction of the household, the family will be given the opportunity to remove the member engaging in criminal activity from the household.

Criminal Screening Discoveries

Before rejecting the household, the owner/agent will compare the information provided by the applicant with the criminal history report. If the information conflicts, the owner/agent will:

- 1) Notify the household of the proposed action based on the information;
- 2) Provide the content of the criminal record and information about how to obtain a copy of the information;
- 3) Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency;
- 4) Allow the household the opportunity to remove the household member.

In this situation, applicants will have ten (10) business days to resolve the discrepancy. If the applicant fails to contact the owner/agent or indicates that he/she cannot provide documentation to refute the criminal discovery, the owner/agent will reject the application and remove the household from the waiting list.

If, after move-in, the owner/agent discovers that there was criminal history that would have resulted in rejection, the owner/agent will contact the resident to ascertain the accuracy of the criminal report. If the resident would have been rejected had the information been known at the time of the eligibility determination, the owner/agent will



take appropriate action including notifying HUD's Office of the Inspector General of potential fraud and pursuing termination of tenancy (eviction).

Sex Offender Registry Check

- Applicants must provide a complete list of all states in which any household member has lived. Failure to provide accurate information to management is grounds to deny the application.
- If any member of the applicant household is listed on any state's sex offender registry, the household's application will be rejected. Management is required to ask whether the applicant, or any member of the applicant household, is subject to a lifetime sex offender registration requirement in any state. If so, the applicant will be given the opportunity to remove the ineligible household member from the application.
- If the household member who is subject to a lifetime sex offender registration requirement remains part of the applicant household, the application will be denied. The written rejection notice will clearly state this as the reason that the applicant is being denied admission.
- Prior to offering a unit, a criminal background check to determine whether any household member is subject to a lifetime sex offender registration requirement will be completed. This check will be performed for the state where the site is located, as well as for every state where household members have lived.
- Search results will be kept with the application, in the resident file, for the term of tenancy plus three years. For rejected applicants, search results will be kept with the application for three years.
- If, after moving in, management discovers that a tenant was admitted in error (he/she was admitted after June 25, 2001 and was subject to a state's lifetime registration requirement), subsidy termination and/or eviction will be pursued immediately.

Management will run certain criminal background check, based on HUD recommendations, for all adult household members at each annual certification.

Screening for Credit History

The owner/agent reviews each adult applicant's credit history.

Applicants may be rejected for poor credit history but cannot be rejected for lack of credit history. For applicants with no credit history, three (3) personal references will be substituted. Personal references must be from reliable sources other than relatives or friends (i.e. clergy, co-workers, teachers).

Medical accounts in "collection" status and past due Child Support will be excluded from the admission screening process.

The following items will serve as a basis for the rejection of the application:

- Outstanding debt/Collections/Past due - Applicant with more than \$5000.00 of outstanding debt (past due accounts and collections).
- Unpaid Collections - Unpaid collection items or derogatory balance of total revolving credit accounts equaling 35% or more (whichever is greater). Applicant may provide receipts from creditors as proof of payment in full of a "collection" account to remove those items from being considered. Proof will be provided directly to OnSite for further determination of eligibility.
- Legal items - Applicant with any legal items (including tax lien, repossession, or other public records) within the past three (3) years.
- Amounts Owed to Landlord - Applicant who has left another property owing unpaid rent, damages, or a repayment agreement for overpaid HUD subsidy or other amounts which have not been satisfied.



- Bankruptcy - Bankruptcy status is excluded from the admission screening process only if Cleared or Discharged.
- Foreclosures/Mortgage – Delinquency/Defaults – Foreclosure, Mortgage Delinquency/Default status will be excluded from the admission screening process.
- Student Loans - Accounts in “collection” status will be excluded from the admission screening process.

Screening for Rental History

Rental Scores

The approval of credit is based on rental scores. Rental scores are relied upon to estimate the relative financial risk of leasing an apartment to you. Scores are calculated using a weighted average of factors, and your rental score results from a mathematical analysis of information found in your credit report and application. Such information may include your bill-paying history, the number and type of accounts you have, open bankruptcies, unpaid utility bills, collection actions, charge-off, repossession, eviction histories, outstanding debt, income relationships (rent-to-income and debt-to-income ratios), and other attributes that reflect on your qualifications to meet the terms of your lease.

Because your rental score is based upon real data and statistics, it is more reliable than subjective methods of evaluating your information. Rental scoring treats all applicants consistently and impartially.

Rental History

Each applicant must have recent, consecutive, and a minimum of twelve months, verifiable third-party or mortgage payment history. Note: Applicants living with family members will not be considered as having third-party rental history. Applicants not having verifiable third-party rental or mortgage history may be required to provide additional references, including but not limited to personal references.

Applications may be denied for rental history that includes the following:

- 1) An outstanding debt to a previous landlord
- 2) A public record of an unlawful detainer action or an eviction
- 3) A breach of a prior lease including failure to pay rent timely and non-compliance with rules, laws and regulations

Domestic Violence, Dating Violence or Stalking - We will not reject an applicant based on a negative rental history or reference that is a result of Domestic Violence, Dating Violence or Stalking. Domestic Violence, Dating Violence or Stalking history must be documented and verified by a third party, and certification forms are required.

On-site.com Rental History Verification

Some properties have chosen On-site.com to conduct rental history verification on their behalf. This is a contracted service with an associated fee. If a property utilizes On-site.com for rental history verification, it is important to monitor the verification status by reviewing the notes in the applicant’s credit report detail. Detailed notes can be found under the “Verification” section and are entered by the On-site.com representative conducting the verification on behalf of the property.

Rental history that is listed but unobtainable will generate an automatic denial. If after three (3) days no verification has been received, On-site.com will deny the file. Management is required to reach out to the applicant and have them assist in obtaining the rental history verification. The denied status will be reversed when the applicant’s landlord provides On-site.com the needed verification. This must come from the landlord directly as an independent third party. On-site.com will not take rental references from the applicant or the property.



Screening for Receipt of HUD Assistance in Another Unit

All applicants **MUST** disclose if they are currently receiving HUD housing assistance. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit on this property.

HUD provides the owner/agent with information about an applicant's current status as a HUD housing assistance recipient. The owner/agent will use the **Existing Tenant Report** provided via HUD's Enterprise Income Verification System (EIV) to determine if the applicant or any member of the applicant household is currently receiving HUD housing assistance.

Nothing prohibits a HUD housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit any voucher before HUD assistance on this property will begin. Special consideration applies to:

- 1) Minor children where two assisted families share custody
- 2) Recipients of HUD assistance in another unit who are moving to establish a new household when other family/household members will remain in the original unit

If an applicant fails to fully and accurately disclose rental history, the application may be denied based on the applicant's "misrepresentation" of information and the household will be removed from the waiting list.

This information will be reviewed periodically. If any household member receives or attempts to receive assistance in another HUD assisted unit while receiving assistance on this property, the household member will be required to reimburse HUD for assistance paid in error. This is considered a material lease violation and may result in penalties up to and including eviction and pursuit of fraud charges.

REJECTING INELIGIBLE OR UNQUALIFIED APPLICANTS

The owner/agent reserves the right to reject applicants for admission based on the following:

- No unit of the appropriate size exists on the property
- The household fails to meet the HUD indicated eligibility requirements for the assistance program/property
- Any non-exempt member of the household fails to provide a Social Security Number or adequate documentation to verify the Social Security Number (SSN)
- Any member of the household fails to meet the applicant screening requirements – the owner/agent will consider the application again if the person who failed screening criteria is removed
- Any member of the household fails to sign appropriate verification documents
- Misrepresentation
- Fraud
- Any member of the household fails to respond to management inquiries for additional information during the application process
- Any member of the household fails to respond to management inquiries while on the waiting list
- The owner/agent is unable to contact the applicant via US Mail (letters undeliverable or returned) and/or by phone (number disconnected or changed)
- Any member of the household has a record of eviction, for lease violations, from any property
- There is record of outstanding or overdue payments to a previous landlord
- There is record of outstanding or overdue payments to utility providers
- The household is unable to establish utilities in the new unit
- The household is unable to pay the security deposit required
- The household is unable to take possession of the unit within 30 days
- The household is unable to pay the first month's rent (TTP)
- The household refuses two unit offers



Rejection Notices

The owner/agent will promptly notify the Applicant, in writing, of the denial of admission or assistance. The result of the eligibility determination will be sent via First Class Mail. The rejection notice will include the reason(s) for the rejection.

Any applicant may make a request to appeal the denial in writing **fourteen (14) calendar days from the date of the rejection**. The owner/agent will accept the request in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability. Such requests are to be submitted to the property management office. If there is no appeal request **within fourteen (14) days**, the rejection will be considered final.

Reasons to appeal include:

- You believe the decision has been made in error
- You believe there are extenuating circumstances that should be considered
- You or a member of your household is a victim of abuse covered by the Violence Against Women Act and you feel your status as a victim contributes to the decision to deny – You will be required to complete and submit HUD Form 91066 to certify status as a victim
- You or a member of your household is a person with a disability, and you believe a reasonable accommodation would allow us to continue processing the application
- Your household was rejected because the application includes someone who is a registered sex offender and you wish to remove that household member

Any staff person engaged in the initial review will not be involved in the appeal. Applicants may bring a representative to assist in the appeal meeting. Applicants and/or their representatives have the right to request a reasonable accommodation to:

- Assist in facilitating your request for appeal
- To assist in your participation during the appeal meeting

HUD requires that owner/agents provide applicants with a final decision within five (5) business days of the meeting. If an applicant is clearly eligible and passes the screening guidelines, admission shall be authorized. Likewise, if the applicant is not eligible, or does not meet the screening requirements, rejection shall be authorized.

OFFERING AN APARTMENT

When a unit becomes available and eligibility is determined, available units will be offered in writing.

If the owner/agent has no response from the Applicant to accept the offered unit within ten (10) business days from the date of the letter, the offer will be cancelled and the apartment will be offered to the next applicant based on the selection criteria described above. Failure to respond to the owner/agent will be considered a refusal of the unit offer (see Right to Refusal policies) on page 29.

Offering Accessible Units

Accessible units will be offered to applicant households with disabled members first.

An accessible unit will be offered as follows:

- 1) Units with communication accessible features will be offered to households with a verified need for communication accessible units first
- 2) Units with mobility accessible features will be offered to households with a verified need for mobility accessible units first



In the case where the members of the household who required the special features of the accessible unit no longer reside in the unit, and where the lease permits, the owner will require the remaining members of the household to move to a unit without accessibility features when such a unit of the appropriate size becomes available.

If there is no household on the waiting list that has requested an accessible unit, the unit will then be offered to the next household based on the selection order. The resident household will not be required to move if:

- 1) No unit that meets the household's occupancy requirements is available
- 2) There is no applicant household on the waiting list requesting an accessible unit

In either of the cases above, the household will have a maximum of thirty (30) calendar days to complete the move. If the applicant fails to move in thirty (30) calendar days, assistance will be terminated.

Offering Units to Applicants with Disabled Household Members

The owner/agent will not skip over a household that has reached the top of the waiting list and has indicated a need for certain unit features because of a disability.

The household will be given the opportunity to benefit from the program and decide for itself, in compliance with the Fair Housing Act and Section 504, whether a unit meets the needs of the disabled household member. The household may accept the unit and request some modification to the unit as a reasonable accommodation.

Offering Units to Applicants or Residents with Preferences

Applicants/residents with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference.

Applicant/Resident Selection Order

When a unit is available, that unit will be offered in the following order:

Accessible Apartments

- 1) The next resident that currently resides in an accessible unit requesting a unit transfer to a different accessible unit based on a verified medical need
- 2) The next resident that currently resides in an accessible unit requesting a unit transfer to a different accessible unit based on a change in household size or composition.
- 3) The next resident that does not reside in an accessible unit requesting a unit transfer based on a verified medical need
- 4) The next applicant household that requires the features of an accessible unit
- 5) The next applicant household on the waiting list

Non-accessible Apartments

- 1) The next resident requesting a unit transfer based on a verified medical need for a different unit
- 2) The next resident requesting a unit transfer based on a change in household size and/or composition
- 3) The next resident that currently resides in an accessible unit that no longer requires the accessibility features of the unit
- 4) The next applicant household on the waiting list

Right to Refusal

The Right to Refusal Policy applies to applicants and existing residents who have submitted a Unit Transfer Request. Residents requesting unit transfer and applicants will be offered available units based on the information included in this tenant selection plan.



Each household will be offered the opportunity to accept an offered apartment two (2) times. If a resident/applicant does not wish to accept an offered apartment, they have the right to refuse the offer.

Applicants/Residents must notify the owner/agent of their intent to refuse the unit offered in writing delivered by mail or email.

The first time an applicant or resident refuses a unit, the unit will be offered to the next qualified household based on the selection order described above. The applicant or resident will retain the same place on the waiting list. The second time an applicant or resident refuses an offered unit; the household will be removed from the waiting list.

Right to refusal policies will be modified in four cases:

- 1) If a disabled applicant or resident is at the top of the waiting list, they will be offered units as they become available regardless of whether they include accessible features. A disabled household has the right to refuse an unlimited number of non-accessible units or units that do not meet specific accessibility requirements.
- 2) If an applicant or resident household with no disabled members is at the top of the waiting list, and there are no disabled households on the waiting list, that household may be offered an accessible unit. An applicant household with no disabled household members has the right to refuse an unlimited number of accessible units or units that do not meet their needs.
- 3) If an applicant or resident has requested a smoking unit or a non-smoking unit (if applicable), and the unit offered does not match the request, the applicant or resident may refuse that unit with no penalty.

Timeframe for Taking Possession of a Unit

If the applicant household does not complete appropriate paperwork and does not take possession of the unit within the agreed move-in date, the applicant will be rejected and removed from all waiting lists. The unit will be offered to the next eligible applicant based on the selection order described in this plan.

Upon applicant request, an apartment will be held for a maximum of thirty (30) days to allow the applicant to provide their current landlord a 30-day notice to vacate.

- The holding period will end the earlier of the thirty (30) days after the applicant is notified of approval for move-in, or
- At the end of the applicant's current rental agreement required move-out notice period.

The holding period will be available only if the applicant provides both a copy of the written Intent to Move Notice given to their current landlord, and a copy of the applicant's rental agreement verifying the required move-out notice period. These documents must be provided to management with five (5) days of the applicant being offered a unit for move-in. Without both of those documents, the apartment will not be held for the applicant.

Failure to comply with these requirements will be considered a refusal, and the application will be rejected and removed from the all waiting lists.

UNIT TRANSFER POLICIES

Transfer requests must be in writing using the Resident/Management Transfer Request Form, submitted with written verification of the need for transfer. Transfers with a priority status will be granted on a first-come, first-served basis.

If household members wish to separate into individual apartments for reasons of personal preference or disputes, this is not considered to be a transfer. Members wishing to leave the unit must complete an application, and are considered to be, and are treated the same way as, an outside applicant. (In situations wherein VAWA federal regulations apply, bifurcation of the shared lease will override this policy).



Management will conduct a pre-transfer unit inspection, to determine appropriate damage charges and/or security deposit forfeitures, if any. Such damages, and/or inadequate housekeeping practices, may result in a denial of the transfer request until the situation is corrected.

A waiting list for transfers will be kept, separate from the applicant waiting list. When an apartment comes available, management will give the resident a thirty (30) day written notice.

Transfer costs are the responsibility of the household, not the apartment community. However, if a resident is transferred as a reasonable accommodation for a household member's disability the owner must pay the costs of moving the household belongings from the one unit to another. Note that management is not required to pay for the cost of transferring any utilities.

This property offers both Priority Transfers and Non-Priority Transfers for existing households.

- Priority Transfers: All priority transfers will be made prior to making any non-priority transfers. Residents requesting priority transfers will be placed on the Waiting List for Transfer and/or Assistance with Priority Status, giving them priority over both non-priority transfer requests and applicants.

No preference or priority shall be granted to households seeking transfers to new units for reasons other than medical, safety or accommodations reasons. Household seeking such transfers will be placed in chronological order on an In-house Wait List only.

The selection process to transfer units will include one (1) existing household (In-house Wait List) to every two (2) applicants from the Master Wait List.

Management initiated Transfers - including Underutilized or Overcrowded households will be processed on a case by case basis at management's discretion.

- Non-Priority Transfers: Households requesting and qualifying for a different apartment size based on the property's Occupancy Standards, but who do not qualify for a priority transfer, will be placed on the Waiting List for Transfer and/or Assistance without Priority Status.

Households with non-priority transfer requests are not eligible for transfer during the first twelve (12) months of occupancy.

- Refusal of Unit Transfer

1) Resident-Requested Transfer

- a. When management offers a resident unit to transfer into, the resident will have 24 hours to accept or reject the apartment.
- b. If the household fails to either accept or reject the transfer to that unit within 24 hours, the household will be removed from the Waiting List for Transfer and /or Assistance.
- c. If the resident rejects that transfer to that unit, the household will be removed from the Waiting List for Transfer and/or Assistance.
- d. Once removed from the Waiting List for Transfer and/or Assistance, the resident may request a transfer in writing at a later date, and be added to the bottom of the Waiting List for Transfer and/or Assistance.



2) Management Required Transfer

- Per HUD regulations, when an apartment becomes overcrowded or underutilized, the household must transfer to an appropriate-sized unit, if available, or lose HUD subsidy.

When a household transfers to a new apartment, management will transfer the existing security deposit, and a new lease packet will be executed.

SECURITY DEPOSIT REQUIREMENTS

The owner/agent must collect a security deposit at the time of the initial lease execution. The owner/agent will comply with any HUD rules and applicable state and local laws governing the security deposit. The security deposit amount is based on the Total Tenant Payment (TTP) calculated at move in. If the move-in certification is corrected, and the TTP is recalculated, the security deposit requirement will be recalculated as well. Otherwise, the amount of the security deposit established at move-in does not change when a resident's rent changes.

The applicant is expected to pay the security deposit from his/her own resources and/or other public or private sources. An applicant will be rejected if he/she does not have sufficient funds to pay the deposit.

Security Deposits and Unit Transfer Deposits

When a resident transfers to a new unit with all other household members, the owner/agent will transfer the existing security deposit to the new unit. The resident will receive a bill for fees or damages for the prior unit. The resident will be required to pay the fees/damages within 30 days or make payment arrangements.

CHANGES IN HOUSEHOLD COMPOSITION

Adding Household Members After Initial Occupancy

The owner/agent must approve any new adult household member **before** he/she moves in to the unit.

Eligibility criteria, screening criteria and compliance with occupancy standards will be reviewed before the new household member is approved or denied.

The request to add a new household member will not be considered if the resident has provided notice to vacate the unit. This helps prevent applicants from "jumping" ahead on the waiting list.

Any new adult household member will be considered an applicant and must participate in the eligibility determination and screening processes described in the tenant selection plan in place at the time of the eligibility determination.

The rent/assistance payment will be re-calculated to reflect any income or allowances for the new household member. If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the addition of the new household member.

This policy applies to live-in aides as well. Screening criteria will also be applied to live-in aides, **except for the criterion regarding credit performance or the ability to pay rent on time** because live-in aides are not responsible for rental payments. However, live in aides must meet other screening criteria established by the owner/agent. Income and/or allowances received by live-in aides will not be considered.

If the new household member is under the age of six, special consideration regarding Social Security Number disclosure and verification of Social Security Numbers is given. The household will be given ninety (90) days to provide the Social Security Number and adequate documentation to verify the Social Security Number provided. In some cases, an additional ninety (90) days may be provided.



If the household fails to provide the required Social Security Number information within the allotted timeframe, the household's tenancy will be terminated (eviction) in accordance with HUD requirements.

Each dependent child that lives in the unit may be eligible for a \$480 deduction that decreases the monthly rent payment by roughly \$12.00 per month. The rent payment will be re-calculated to reflect any income or allowances for the new household member.

If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the addition of the new household member.

Failure to notify the owner/agent within ten (10) days of the change in household composition as described above may result in retroactive rent changes and/or termination of subsidy/tenancy for the entire household. Please contact the owner/agent or property staff if you have questions about this policy.

Removing Household Members After Initial Occupancy

Residents must notify the owner/agent if any household member listed on the lease or on HUD Form 50059 leaves the unit.

Upon notice, the rent payment will be re-calculated to remove any income or allowances for the previous household member. If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the removal of the household member.

Failure to provide notice to the owner/agent could result in rent increases retroactive to the first of the month after the household member left. Subsidy paid in error will be returned, as required, to the Department of Housing & Urban Development.

If the resident fails to notify the owner/agent within ten (10) days of the change in household composition, and that change would result in a rent decrease, the owner/agent will make the decrease effective the first of the month following the notice. No retroactive rent credits will be returned to the resident.

Failure to notify the owner/agent about changes in household composition may result in termination of subsidy and/or tenancy for the entire household. Please contact the owner/agent if you have questions about this policy.

Remaining Family Members

In order to stay in the unit as a remaining household member, if the Head of Household leaves the unit, a person must already be on the lease when the Head of Household leaves, and must be of legal contract age under state law.

ANNUAL AND INTERIM RECERTIFICATION

HUD regulations require an annual recertification of income, assets and expenses for rent determination. Interim recertifications depend upon certain resident changes such as changes to household composition, household member's turning 18 and/or changes in income, assets or expenses or member's student status. This policy will be explained prior to the Move-In.

Tenants are required to notify management within 10 (ten) days when there is any change in household composition. The same screening criteria are used for all new household members as are required for new households (with the exception of credit checks for Live-In Aides).

Tenants are required to notify management, within 10 (ten days) any time a previously unemployed adult in the household begins working, and/or if the household's income goes up \$200/month or more. Tenants may request an interim recertification due to a decrease in income, or an increase in deductions.



At each Annual Recertification this property requires a criminal background and sex offender check. Owner/Agent will ask whether any member of the household is subject to any state's lifetime sex offender registration program.

Owner/Agent will perform the "annual" criminal background screenings and Multi-State Sex Offender searches through a 3rd party screening service for all household members eighteen years of age and older.

If the household moved in after June 25, 2001, and this process reveals that the resident falsified information or failed to disclose criminal history, or that owner/agent did not adequately check all states where the household member lived, subsidy termination and/or eviction will be immediately pursued.

APARTMENT INSPECTIONS

All apartments must undergo periodic inspections conducted by the property staff, HUD or HUD's representatives/agents. These inspections include not only interior but also exterior inspections. Residents have the right to be present, and are, in fact encouraged, to be present during unit inspection.

The move-in inspection is an opportunity to familiarize the new resident with the property and the unit, as well as to document its current condition. By performing move-in inspections, the owner/agent and residents are assured that the unit is in livable condition and is free of damages. A move-in inspection gives the owner/agent an opportunity to familiarize residents with the operation of appliances and equipment in the unit.

The move-out inspection is conducted when a household vacates a unit. The owner/agent will list the damages on the Move-Out Inspection Form and compare it with the Move-In Inspection Form completed at move-in to determine if there is any damage or excessive wear-and-tear.

In addition, the owner/agent will perform **unit inspections on at least an annual basis** to determine whether the appliances and equipment in the unit are functioning properly and to assess whether a component needs to be repaired or replaced. This is also an opportunity to determine any damage to the unit and, if so, make the necessary repairs. At this time, residents may be charged for damages to the unit so long as those damages are not the result of normal wear-and-tear.

HUD, or its authorized contractor(s), has the right to inspect the units and the entire property to ensure that the property is being well maintained. These inspections assure HUD that owners and their agents are fulfilling their obligations under the regulatory agreements and/or subsidy contracts and that residents are provided with decent, safe, and sanitary housing.

CHANGES TO THE TENANT SELECTION PLAN

Applicants will be notified in writing when the tenant selection plan undergoes significant change or when preferences are added or removed. At that time, applicants will be:

- 1) Given an opportunity to review the new plan
- 2) Notified of changes to preferences
- 3) Asked if they wish to remain on the waiting list

If the applicant household does not respond, that household will be deemed ineligible and removed from the waiting list.

The current tenant selection plan, in place at the time of final eligibility determination, will be used to make a final decision to approve or reject the application.

