

*NATIONAL HANDICAP
HOUSING INSTITUTE*
Tenant Selection Plan



PROPERTY INFORMATION.....4

THE PURPOSE OF THE TENANT SELECTION PLAN.....4

BUSINESS RELATIONSHIP4

SMOKING POLICY5

PETS/ ANIMALS5

INDEPENDENT LIVING.....5

ASSISTANCE DEFINITION6

 SUBSIDY6

 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 19646

 SECTION 504 OF THE REHABILITATION ACT OF 1973.....6

 COORDINATING EFFORTS TO COMPLY WITH SECTION 504 REQUIREMENTS.....7

 REQUESTS FOR REASONABLE ACCOMMODATION OR MODIFICATION7

 COMPLIANCE WITH REQUIREMENTS OUTLINED IN THE VIOLENCE AGAINST WOMEN ACT.....7

Certification and Confidentiality.....7

Lease Addendum8

 AVAILABILITY OF ASSISTANCE FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY8

 PROTECTIONS PROVIDED BASED ON SEXUAL ORIENTATION, GENDER IDENTITY OR MARITAL STATUS8

ELIGIBILITY REQUIREMENTS9

 PROPERTY ELIGIBILITY DEFINITION9

Household/Tenant Type.....9

Income Limits (Income limits are updated annually).....10

Hennepin County *Blue Earth County*10

Occupancy Standards.....10

Verifying the Need for an Accessible Unit10

 PROGRAM ELIGIBILITY11

Disclosure and Verification of Social Security Numbers11

Citizenship/Immigration Status Requirements13

Single Residence/Subsidy Criteria13

Eligibility of Students Enrolled at an Institute for Higher Education for Assisted Housing under Section 8 of the US Housing Act of 1937.....14

Prohibition of Assistance to Noncitizen Students.....16

PROCEDURES FOR TAKING APPLICATIONS16

 DETERMINATION OF APPLICANT ELIGIBILITY17

Final Determination of Eligibility.....17

WAITING LISTS18

 MAINTAINING WAITING LISTS.....18

 REMOVAL OF APPLICANTS FROM THE WAITING LIST19

 SELECTING APPLICANTS FROM THE WAITING LIST.....20

Income Targeting.....20

Owner/agent-Adopted Preferences20

Exceptions to the Preference Rule.....20

PRIVACY POLICY21



VERIFICATION 21

 INFORMATION TO BE VERIFIED 21

 METHODS OF VERIFICATION 22

 SOURCES OF INFORMATION 22

 PERIOD FOR VERIFICATION 23

 CONSENT AND VERIFICATION FORMS 23

 PROVISIONS FOR REFUSAL TO SIGN 23

MISREPRESENTATION 23

APPLICANT SCREENING CRITERIA 24

 SCREENING FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY 24

 SCREENING FOR CREDIT HISTORY 26

 SCREENING FOR RENTAL HISTORY 26

 SCREENING FOR RECEIPT OF HUD ASSISTANCE IN ANOTHER UNIT 28

REJECTING INELIGIBLE OR UNQUALIFIED APPLICANTS 28

 REJECTION NOTICES 29

OFFERING AN APARTMENT 30

 OFFERING ACCESSIBLE UNITS 30

 OFFERING UNITS TO APPLICANTS WITH DISABLED HOUSEHOLD MEMBERS 31

 OFFERING UNITS TO APPLICANTS OR TENANTS WITH PREFERENCES 31

 APPLICANT/TENANT SELECTION ORDER 31

 RIGHT TO REFUSAL 32

 TIMEFRAME FOR TAKING POSSESSION OF A UNIT 32

UNIT TRANSFER POLICIES 32

HOUSEHOLD SPLIT 33

SECURITY DEPOSIT REQUIREMENTS 34

 PET DEPOSIT 34

 SECURITY DEPOSITS, PET DEPOSITS & UNIT TRANSFERS 34

SECURITY DEPOSITS, PET DEPOSITS & HOUSEHOLD SPLITS 35

CHANGES IN HOUSEHOLD COMPOSITION 35

 ADDING HOUSEHOLD MEMBERS AFTER INITIAL OCCUPANCY 35

 REMOVING HOUSEHOLD MEMBERS AFTER INITIAL OCCUPANCY 36

APARTMENT INSPECTIONS 36

CHANGES TO THE TENANT SELECTION PLAN 37

APPENDIX A – REQUEST FOR REASONABLE ACCOMMODATION OR MODIFICATION 37

APPENDIX B – CITIZEN/NON-CITIZEN ELIGIBILITY 38

 REQUIRED DOCUMENTATION 39

 TIMEFRAMES FOR SUBMITTING EVIDENCE OF CITIZENSHIP/IMMIGRATION STATUS TO THE OWNER/AGENT 40

 REVIEWING AND VERIFICATION OF A HOUSEHOLD’S CITIZENSHIP/IMMIGRATION STATUS 40

 NOTIFICATION TO APPLICANTS 41

 MIXED HOUSEHOLDS 41

 APPEALING DETERMINATIONS OF INELIGIBILITY 41

 PROHIBITION AGAINST DELAY OF ASSISTANCE 41

APPENDIX C: DUAL SUBSIDY NOTICE 42

APPENDIX D – VERIFICATION OF HOUSEHOLD COMPOSITION 42



Property Information

Property Name	NATIONAL HANDICAP HOUSING INSTITUTE
Property Contact Name	Michael Semsch – Director / C.E.O.
Address	1050 Thorndale Avenue
City, State, Zip	New Brighton, MN 55112
Phone	651-639-9799
Fax	651-639-9699
TTY/TDD/Audio Relay	711 National Voice Relay

The Purpose of the Tenant Selection Plan

The tenant selection plan helps to ensure that tenants are selected for occupancy in accordance with HUD requirements and established management 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 a tenant or applicant is a business relationship. A courteous and businesslike attitude is required from both parties.

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 we would not have a positive business relationship.

If an applicant or any member of the applicant's family demonstrates inappropriate behavior in the presence of the management team or other tenants/applicants, the applicant, the applicant's family and



other members of the applicant's entourage (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 staff, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the application will be rejected.

Employees of the apartments/property are not permitted to accept any money, gifts, services or favors.

Smoking Policy

All lit tobacco products, e-cigarettes, and hookahs are strictly prohibited in all indoor areas, including units and common areas, and in all outdoor areas within 25 feet of the housing building. This policy applies to all owners, applicants, tenants, guests, and servicepersons. "Smoking" shall include the inhaling, exhaling, or carrying of any lighted cigarette, e-cigarette, vaping devices or similar, cigar, pipe, other tobacco product, marijuana including medical marijuana, herbal smoking products "Legal Weed" or products known as "bath salts" or other legal or illegal substance.

HUD memo, December 2014:

Since the 1990s, a number of states have legalized the use of marijuana specifically for medicinal purposes. More recently, some states have begun broadly legalizing its use for recreational purposes. Regardless of the purpose for which legalized under state law, the use of marijuana in any form is illegal under CSA and therefore is an illegal controlled substance under Section 577 of QHWRA.

In summary, owners must deny admission to assisted housing for any household with a member determined to be illegally using a controlled substance, e.g., marijuana. Further, owners must evict a household with a member who is illegally using marijuana.

Pets/ Animals

The owner/agent allows tenants to keep pets in the unit. Certain restrictions apply and are outlined in the property Pet/Assistance Animal Rules. Pets and assistance animals must be approved **before** they are allowed to live in the unit. When applicable, tenants must agree to pay the required deposit and must agree to abide by the property's Pet Rules. A copy of the rules is available upon request.

If an applicant wishes to request an assistance animal, please review the process to request a reasonable accommodation in Appendix A. Please keep in mind that the following criteria must be met in order for the owner/agent to approve such an accommodation:

- The applicant or tenant must meet HUD's definition of person with disabilities
- The animal must be necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling
- The disability and need must be verified unless previously known or obvious
- The animal must not pose a threat to other tenants, the property staff, or vendors
- The tenant must agree to abide by the Assistance Animals Rules (available for review upon request)

Independent Living



All units have a barrier-free design and are available for independent living. NHHI does not provide services beyond apartment Management.

Assistance Definition

The property is operating under the guidelines established for the HUD Section 202/8 program.

SUBSIDY

Tenants 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 tenants may vary. Subsidized rents are made available through participation in the HUD Section 202/8 program.

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 **NHHI**, 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 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 tenants and applicants with disabilities. This person is referred to as the Section 504 Coordinator.

Name of Section 504 Coordinator:	Michael Semsch, Director/ CEO
Address:	1050 Thorndale Avenue
Phone Number:	651-639-9799

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 tenants) unless these modifications would change the fundamental nature of the housing program or result in undue financial and administrative burden. Please see Appendix A for additional information.

COMPLIANCE WITH REQUIREMENTS OUTLINED IN THE VIOLENCE AGAINST WOMEN ACT

Section 8 property managers understand that, regardless of whether state or local laws protect victims of domestic violence, rape, dating violence, sexual assault or stalking, people who have been victims of violence have certain rights under the Violence Against Women Act. If any applicant wishes to exercise the protections provided in the VAWA, 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 Violence Against Women Act. In order to receive the protections outlined in the VAWA, the applicant/tenant 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 the owner/agent will request, in writing if appropriate, that an individual complete, sign, and submit within 14 business days of the request, the HUD-approved certification form (HUD-91066).

The owner/agent understands that the delivery of the certification form to the tenant via mail may place the victim at risk, e.g., the abuser may monitor the mail. Therefore, in order to mitigate risks, the owner/agent will work with the applicant in making acceptable delivery arrangements, such as inviting them into the office to pick up the certification form or making other discreet arrangements.

If the applicant received or attempted to receive assistance in addressing domestic violence, dating violence 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.

In addition to submitting HUD 91066, the victim must submit two of the following:



- A federal, state, tribal, territorial, or local police record or court record or
- Documentation signed, notarized and attested to by a professional (employee, agent or volunteer of a victim service provider, an attorney, medical personnel, etc.) from whom the victim has sought assistance in addressing domestic violence, dating violence or stalking or the effects of the abuse. The signatory attests under penalty of perjury (28 U.S.C. §1746) to his/her belief that the incident in question represents bona fide abuse, and the victim of domestic violence, dating violence or stalking has signed or attested to the documentation.

Assistance may be terminated or a lease “bifurcated” in order to remove an offending household member from the home.

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 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/tenant files.

Lease Addendum

The owner/agent is required to attach the HUD-approved Lease Addendum, Form HUD-91067, which includes the VAWA provisions, and other approved addenda’s 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/Tenant Type

This 202/8 property is designed to provide housing to all elderly and disabled families who meet the eligibility and screening requirements. In order for a family/household to meet the “family type” eligibility requirements, the head-of-household, the co-head-of-household or a spouse must be

- Disabled (as defined by HUD in Disability Definition G, H and I) and requires the features of an accessible unit.

Definition G – Disabled (Handicapped) Family.

Disabled (handicapped) family means:

- (1) Families of two or more persons the head of which (or his or her spouse) is a person with disabilities (handicapped);
- (2) The surviving member or members of any family described in paragraph (1) of this definition living in a unit assisted under subpart E of this part (Section 202 loans) with the deceased member of the family at the time of his or her death;
- (3) A single person with disabilities (handicapped person) over the age of 18; or
- (4) Two or more persons with disabilities (handicapped persons) are living together, or one or more such persons living with another person who is determined by HUD, based upon a licensed physician's certificate provided by the family, to be essential to their care or well-being.

Definition H – Person with a Disability (Handicapped Person).

A person with disabilities means:

- 1) Any adult having a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration, substantially impedes his or her ability to live independently, and is of a nature that such ability could be improved by more suitable housing conditions.
- 2) A person with a developmental disability, as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(8)), i.e., a person with a severe chronic disability that:
 - i. Is attributable to a mental or physical impairment or combination of mental and physical impairments;
 - ii. Is manifested before the person attains age 22;
 - iii. Is likely to continue indefinitely;
 - iv. Results in substantial functional limitation in three or more of the following areas of major life activity:
 - A. Self-care,
 - B. Receptive and expressive language,
 - C. Learning,
 - D. Mobility,
 - E. Self-direction,
 - F. Capacity for independent living, and



- G. Economic self-sufficiency; and
 - v. Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated.
- 3) A person with a chronic mental illness, i.e., a person who has a severe and persistent mental or emotional impairment that seriously limits his or her ability to live independently, and whose impairment could be improved by more suitable housing conditions.
 - 4) Persons infected with the human acquired immunodeficiency virus (HIV) who are disabled as a result of infection with the HIV are eligible for occupancy in the Section 202 projects designed for the physically disabled, developmentally disabled, or chronically mentally ill depending upon the nature of the person's disability. (24 CFR 891.505)

Note: A person whose sole impairment is alcoholism or drug addiction (i.e., who does not have a developmental disability, chronic mental illness, or physical disability that is the disabling condition required for eligibility in a particular project) will not be considered to be disabled for the purposes of the Section 202 program.

Definition I – Nonelderly Disabled (Handicapped) Family.

A nonelderly disabled (handicapped) family means a disabled family in which the head of the family (and spouse, if any) is less than 62 years of age at the time of the family's initial occupancy of a project.

Income Limits (Please refer to attachment #1 as these change annually)

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 tenants are treated fairly and consistently and receive adequate housing space.

Below, please find the property's occupancy standards description:

Number of Bedrooms	Min. # Household Members	Max. # Household Members
1	1	2
2	2	4

Any household placed in a unit size different from that defined in these Occupancy Standards shall agree to transfer to an appropriate size unit when one becomes available. A larger unit may be approved if a reasonable accommodation has been requested due to a medical need.

Verifying the Need for an Accessible Unit

When an applicant requests an accessible unit or a unit preference, such as a first floor 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 or her disability
- 3) Verify that the applicant is qualified to receive a priority on the waiting list available to persons with a disability or to persons with a particular type of disability

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-of-household, co-head-of-household 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 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



Exceptions to Disclosure of Social Security Number

The Social Security Number requirements do not apply to:

1. Individuals who do not contend eligible immigration status.
 - When applicants and tenants 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. In these instances, the owner/agent will have each tenant's Citizenship Declaration on file - whereby the individual did not contend eligible immigration status - to support exception to the requirements to disclose and provide verification of a Social Security Number.
2. 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. This documentation must be retained in the tenant file. An owner/agent cannot accept a certification from the applicant stating they qualify for the exemption.
 - 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 or her participation in a HUD housing assistance program.
 - A child under the age of 6 years old added to the applicant household within the 6-month period prior to the household's date of admission. The household will have a maximum of 90 days after the date of admission to provide the Social Security Number and adequate documentation that the Social Security Number is valid. An additional 90 days may be granted under certain circumstances. If the household does not provide the Social Security Number and adequate documentation to verify the Social Security Number within the prescribed timeframe, HUD requires that the household's tenancy be terminated.

If, at the time a unit becomes available, all 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 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 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.

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/tenant deliberately provides an inaccurate Social Security Number, the owner/agent and/or HUD may pursue additional penalties due to attempted fraud.

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

Additional information regarding submission and verification of proof of citizenship status or eligible non-citizen status can be found in Appendix B.

If you have any questions or experience difficulty 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 in Appendix B, you must contact the management office and request an extension. If you fail to provide this information in the timeframes described, the owner/agent cannot provide assistance and the application will be rejected.

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

- 1) 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
- 2) Assistance/unit is available
- 3) The household is the next household to be selected from the waiting list

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. Tenants can only receive subsidy for one unit/residence at a time. This prohibition does not prevent a person, who is currently receiving assistance, from applying for an assisted unit in another property.

If, for any reason, a tenant moves in to this property before moving out of another subsidized unit, the new tenant will be required to pay market rent until the move out from the previous property is complete and the tenant is eligible to receive HUD subsidy for this property. Assistance in the new unit will begin, if the household is still eligible, the day after assistance ends for the previous unit.

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 - Please see Appendix D for additional information
- 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

All adults in the applicant household will be required to sign the Acknowledgement in Appendix C.

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 202/8 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. (See Definition E in Figure 3-6); 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. ED's definition of "independent student", which now applies is:
 - a. The individual is 24 years of age or older by December 31 of the award year;
 - b. The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
 - c. The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;
 - d. The individual is a veteran of the Armed Forces of the United States (as defined in subsection (c)(1) of HEA) or is currently serving on active duty in the Armed Forces for other than training purposes;
 - e. The individual is a graduate or professional student;
 - f. The individual is a married individual;
 - g. The individual has legal dependents other than a spouse;
 - h. The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by— (i) a local educational agency homeless liaison, designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act; (ii) the director of a program funded under the Runaway and Homeless Youth Act or a designee of the director; (iii) the director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or (iv) a financial aid administrator; or
 - i. The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.
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 tenant 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 HUD regulations when applicable. The owner/agent will make a reasonable accommodation to assist in the application process if the applicant or any member of the applicant household is disabled. **The application waiting list will remain open at all times.**

Upon request, the owner/agent will provide interested parties with a copy of the application package.

The person who is indicated as the Head-of-Household must execute and sign all documents that are included in the application package. Before completing or executing any forms, additional copies should be made for all adult household members and in some cases for minors who will live in the unit.

All adult applicants must complete the application package as instructed.

Please contact the management office staff if a live-in aide will be moving in to the unit (A Live-In Aide is not a Tenant and is not a party to the lease). If the family plans to include a live-in aide, the live-in aide is not required to complete the same application forms. Live-in aides must complete the Live-in Aide Questionnaire and participate in screening and other O/A verifications that are required.



The live-in aide has no rights to the unit and will be required to relinquish possession of the unit within a reasonable time as stipulated by management. The live-in aide will be required to sign an acknowledgement the live-in aide has no right of residency or occupancy if the tenant moves out for any reason including death.

The owner/agent requires applicants to provide a government issued photo ID - used for verifying the identity of all applicants.

In some cases and when appropriate, this ID may also be used to verify age and citizen/non-citizen eligibility status.

The management company requires a birth certificate or other documentation that can be used to verify age, citizen/non-citizen eligibility status and relationship to other household members.

All applications can be submitted to the management office. The owner/agent will also accept applications via mail, email, or fax. 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.

All documents in the Application Package 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.

Incomplete Application Packages will be returned.

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.

Upon receipt of the completed application, the owner/agent will make a preliminary eligibility determination before adding a household to the waiting list or initiating final eligibility tasks.

The owner/agent will review the application to ensure that there are no obvious factors that would make the applicant ineligible.

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 household on the waiting list for the property and notify the household when a suitable unit becomes available.

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

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 found eligible.

Waiting Lists

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

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.

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 update the waiting list by removing the names of those who are no longer interested in or no longer qualify for 202/8 housing assistance.

The owner/agent will contact each household (head-of-household) on the waiting list annually to determine the desire to remain on the waiting list.

If the head-of-household 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 this letter is unable to be delivered by the United States Postal Service, the application will be rejected and the household will be removed from the waiting list.

In addition, an adult member of the applicant household must contact NHHI, in writing or by phone, if household information changes (i.e. number of household members, number of future household members, criminal history, income, etc.).

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 household will be on the waiting list for a different unit than originally indicated, the household will maintain their place on the waiting list for the new unit

If there are no units of the appropriate size on the property, the household will be rejected and will be removed from the waiting list.

REMOVAL OF APPLICANTS FROM THE WAITING LIST

The owner/agent will remove an applicant's name from the waiting list when if any of the following apply:

- 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 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 has rejected 3 unit offers such as not interested right now, don't like the unit/location/property, or not responding to phone calls/voicemails
- Applicant failed to attend a scheduled appointment
- Applicant was clearly advised, in writing, of the requirement to tell owner/agent of his/her continued interest in housing by a particular time and failed to do so
- Applicant failed to move in after approval/acceptance of a unit
- The owner/agent has notified the applicant of its intention to remove the applicant's name, because the applicant no longer qualifies for HUD 202/8 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 (certain time restrictions apply)
- Has been evicted from another property managed or owned by the owner/agent
- Has been evicted from a federally assisted property for drug use in the last three years

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 household on the waiting list (based on the selection criteria described in this plan) and the 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.

At this time, no special selection methods are required to meet the Income Targeting requirements.

Owner/agent-Adopted Preferences

Unit Transfer Preference: Tenants who have submitted a Unit Transfer Request and who are deemed eligible for the transfer are given preference on the waiting list. This means that a tenant transferring from one unit to another will be offered a unit before an applicant.

Exceptions to the Preference Rule

Management must give priority to current tenants:

- 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 tenants.

Notices announcing that the waiting list is open will be publicly announced in the following manner:



- Publications described in the Affirmative Fair Housing Marketing Plan

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.

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.

Verification

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

After the preliminary eligibility determination, no decision to accept or reject an application shall be made until information provided on the application 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 Tenant 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) Enterprise Income Verification (EIV)
- 2) Affidavits from the household member
- 3) In the absence of any of the above, third-party (as appropriate)

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 produce it.

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-of-household, the co-head-of-household the spouse of the head-of-household and all adult members of a household 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/Tenant'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 tenants and applicants by allowing them to have control over any information collected about them.

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

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 tenants to peacefully enjoy their homes.

Anyone who wishes to live on the property must be screened 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 FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY

HUD has established standards that prohibit admission of:

- 1) Any household in which any member was evicted in the last three years from federally assisted housing for drug-related criminal activity



- 2) A household in which any member is currently engaged in illegal use of drugs or for which the owner/agent has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other tenants
- 3) Any household member who is subject to any state lifetime sex offender registration requirement (household member may be removed)
- 4) Any household member if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other tenants. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse

In addition to HUD requirements, the owner/agent has established a policy to reject all applications where the applicant or any household member is currently engaged in, or criminal activity (excluding dismissed charges and arrests not resulting in conviction within a reasonable time, considering the nature and severity of the offence, and the admission decision) as described below:

The owner/agent will reject applications if any household member's criminal history includes one or more of the following:

- 1) Drug related criminal activity;
- 2) Violent criminal activity;
- 3) Other criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by the tenant; or
- 4) Other criminal activity that would threaten the health or safety of the owner, management staff, or any employee, contractor, subcontractor or agent of management or owner that is involved in housing operations.

Further, in light of the housing programs administered by owner/agent, and the certainty that units rented by NHHI will be occupied by persons that may be vulnerable, have disabilities or special needs, and the high demand for the assisted housing offered by NHHI by applicants, agent/owner will further consider any conviction record, or pending and unresolved charge, that owner/agent believes would pose unreasonable risks for tenants or the housing operation or would be perceived by tenants as not reflecting the standards of due care owner/agent should exercise in approving housing for any applicant in light of the demand for assisted housing by families who do not have any similar record to cause agent/owner to question the applicant's suitability for admission.

United States Code Title 8, subsection 1324(a)(1)(A) prohibits the harboring of illegal aliens. The provision of housing to illegal aliens is a fundamental component of harboring. All applicants will be required to provide proof of citizenship or legal immigration status.

If criminal screening indicates an unresolved/open criminal charge, or open outstanding warrant, or an unresolved charge of an act covered under the Violence Against Women Act, Drug-related, or Bodily Injury, the application will be denied. Once the charge has been resolved, the applicant may re-apply.



If a tenant or applicant has requested VAWA protections and such protections have been justified based on owner/agent investigation, the abuser/perpetrator will not be allowed to live on the property.

If the owner/agent is unable to complete required criminal or sexual offender screening, the application will be rejected.

If criminal screening indicates that the applicant or Live-in Aid has an unacceptable criminal history, the owner/agent will reject the application in accordance with HUD guidance and the owner/agent's standards for applicant rejection.

If the owner/agent determines that a sex offender is part of the household, the owner/agent will allow the household to remove the sex offender from the application. Removal must be documented using the owner's form. The household will have ten (10) business days to provide verification that the household member has alternative housing or that the household member has applied for alternative housing. Failure to provide such documentation will result in rejection of the application for all household members.

In this case, the owner/agent reserves the right to monitor household composition after move-in. If the owner/agent discovers that a sex offender has moved in to the unit, assistance will be terminated and the household will be evicted in accordance with HUD requirements. Any assistance paid-in-error must be returned to HUD.

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 tenant to ascertain the accuracy of the criminal report. If the tenant 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).

SCREENING FOR CREDIT HISTORY

Credit history will be reviewed to determine if there is any debt owed to a prior landlord. Applicants owing prior landlords or utility providers will be rejected unless:

- Such debt has been paid or
- Applicant has entered in to a repayment agreement and can demonstrate that payments toward the principal amount(s) have been on time for the most current 6 months

SCREENING FOR RENTAL HISTORY

If any member of the applicant household has been evicted from any property, that applicant household will be rejected.

The owner/agent will review rental history with any landlord indicated. The owner/agent will also review information provided through automated databases including eviction databases. If the applicant



fails to identify one or more residences where he/she lived in, the applicant will be rejected and the household will be removed from the waiting list.

If any member of the applicant household has been evicted from any property, the application may be rejected. The owner/agent will contact the prior property owner/agent (as indicated above) and inquire about the following information:

- Adherence to the Lease & Community Policies
- Compliance with certification reporting requirements
- Rental Payment Performance
- Compliance with requirements to fully and accurately disclose income information in a timely manner
- Requirement to Return Assistance Paid in Error due to under-reporting income or un-reported income
- Unit Maintenance
- Presence of Bed Bugs, Head Lice, Roaches or other parasitic infestation, and failure to cooperate with a landlord's extermination or pest prevention requirements.
- Record of Disturbing Neighbors
- Complaints

If information obtained is negative the applicant will be rejected. Negative responses include but are not limited to:

- Failure to comply with the lease
- Failure to comply with House Rules or Pet/Assistance Animal Rules
- Failure to fully and accurately report income, new employment or changes in household composition in a timely manner
- Providing false information
- Attempting to receive or receiving HUD assistance in multiple units/homes
- Slow or no response to requests to recertify
- Poor rental payment history (average more than two (2) late payments per year, record of bounced checks, any outstanding balance)
- Record of poor unit maintenance, housekeeping, sanitation, or damage to the unit beyond normal wear-and-tear
- Presence of parasitic infestation, and failure to cooperate with a landlord's extermination or pest prevention requirements.
- Complaints from neighbors regarding actions that directly affect the peace and quiet comfort of others living in the community
- Record of actions that interfered with or prevented the previous landlord from effectively managing the property.
- A current outstanding balance owed by any household member to a prior landlord or utility provider
- Failure to execute or timely pay/satisfy any repayment agreements

If no rental history is available, the owner/agent will accept a single reference from a person who is not related to the applicant who is a licensed business owner, accredited professional or an employee of an accredited education facility. No additional inquiry will be made.

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 housing and address, 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 timely 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
- Any member of the household fails to provide changed household information to the management company as indicated
- 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, or lease termination (including an owner request for mutual termination of lease) or other adverse housing history at any property managed by NHHI
- Any member of the household has a record of eviction, from any property
- There is record of outstanding or overdue payments to a previous landlord or utility provider
- 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 pay the first month's rent (TTP)

REJECTION NOTICES

The owner/agent will promptly notify the household (head-of-household), 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 that the decision to deny was due to your status as a victim – 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 and the applicant will then be added to the waiting list in order of date applied. 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
- Over the phone
- By email

If the owner/agent is unable to contact the household (head-of-household) within 14 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.)

OFFERING ACCESSIBLE UNITS

Units that have been made accessible in accordance with the Universal Federal Accessibility Standards will be offered to applicant households with disabled members first. In some cases, the owner/agent may implement marketing effort to ensure that disabled households occupy accessible units. 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. Before the applicant can accept that accessible unit, all adult members of the applicant household must sign an agreement that includes a requirement to move, at the household's expense, to the first available non-accessible unit that meets the household's occupancy requirements as described in this plan. The tenant 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.

This rule, in no way, affects the single residence criteria. The household can only accept assistance in one unit on any given day.

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 TENANTS WITH PREFERENCES

Applicants/tenants 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/TENANT SELECTION ORDER

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

Accessible Apartments will be offered in the following order:

- 1) The next household on the waiting list that currently resides on the property and needs a different accessible unit based on a change in household size or composition
- 2) The next household on the waiting list that currently resides on the property in an accessible unit that needs a different accessible unit based on a verified medical need
- 3) The next household on the waiting list that currently resides on the property and needs a different unit based on a verified need for an accessible unit
- 4) The next household on the waiting list that currently resides in the community that includes an adult household member requesting a separate unit and that includes a member that needs the features of that accessible unit.
- 5) The next applicant household on the waiting list that does not currently reside in the community that requires the features of an accessible unit
- 6) The next household on the waiting list that currently resides in the community that includes an adult household member requesting a separate unit when no tenants or applicants require the features of an accessible unit
- 7) The next applicant household on the waiting list that does not currently reside in the community when no tenants or applicants require the features of an accessible unit



RIGHT TO REFUSAL

The Right to Refusal Policy applies to applicant households and existing tenants who have submitted a Unit Transfer Request. Tenants 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. If a tenant/applicant does not wish to accept an offered apartment, they have the right to refuse the offer.

Tenants/applicants must notify the owner/agent of their intent to refuse the unit offer by using one or more of the following methods:

- In writing (delivered by fax, mail or other means)
- By email
- Over the phone

If an applicant or tenant refuses a unit, the unit will be offered to the next qualified household based on the selection order described above. The applicant or tenant will retain the same place on the waiting list. Right to refusal policies will be modified in the following case:

- 1) Any applicant may reject an available unit on a property set aside for the elderly and/or disabled if this unit is close to another unit with an animal. This action will not negatively affect the household's application for occupancy or position on the waiting list to be eligible for the next available unit. The owner/agent is not obligated at the time the applicant rejects a unit to provide an alternate unit.

TIMEFRAME FOR TAKING POSSESSION OF A UNIT

The applicant must agree to take possession of a unit in no more than thirty (30) days from approval unless the owner/agent provides written exception to this policy.

If the applicant household does not complete appropriate paperwork and does not take possession of the unit within thirty (30) days from accepting the offer, the applicant will be subsequently rejected and removed from the waiting list. The unit will be offered to the next eligible applicant/tenant based on the selection order described in this plan.

Unit Transfer Policies

The owner/agent will accept requests for transfer based on the following:

- 1) There is a need for a unit transfer because of a change in household size and/or composition
- 2) There is a need for a unit transfer based on the verified need for an accessible unit
- 3) There is a verified medical need for a different unit.
- 4) There is a need for a unit transfer of a household that does not require the accessibility features of a unit in which they are living

Existing tenants must complete a Unit Transfer Request. The Unit Transfer Request must be completed and signed by the head of household and all adult household members who wish to move. The owner/agent will accept the Unit Transfer Request in an equally effective format, as a reasonable accommodation, if there is the presence of a disability.

Special consideration is given when the unit transfer is requested because there is:

- A verified medical need for a different unit
- A verified need for an accessible unit
- There is a need for a unit transfer of a household that does not require the accessibility features of a unit in which they are living to accommodate a disabled tenant/applicant on the waiting list.
- A change in household size that makes the current unit too large or too small for the family based on the owner/agents occupancy standards

Except in those cases described above, unit transfers will be granted only if:

- The household has not given notice to move
- The tenant is not being evicted
- The tenant is current for all outstanding charges
- The tenant has not entered in to a repayment agreement for failing to fully and accurately report income or household composition
- The tenant has no record of more than one minor lease violation in the last 12 month
- The tenant has no record of any major lease violations
- The tenant complies with lease provisions regarding housekeeping, maintenance and sanitary conditions of the current unit and may be required to pay damages beyond ordinary wear and tear caused to a current unit as a condition in any transfer

A unit transfer request for a household whose size/composition has not changed since move-in (or most recent transfer) will not be considered for at least one year.

When an appropriate sized bedroom unit becomes available, the household will have thirty (30) days to complete the transfer.

Household Split

In some cases, a household may split. A Split Household is defined as one assisted household becoming two or more assisted households. This happens when one or more household members move out of the unit in to a new unit. Some of the original household members remain in the original unit.

When this happens, those members establishing a “new” household will be treated as applicants. New application documents must be completed and submitted to the owner/agent. The “new” household must be eligible and must meet all screening requirements. The tenant selection plan in effect at the time of the final eligibility determination will be used.



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 tenant 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.

PET DEPOSIT

The pet rules require tenants who own a dog or cat or keep a dog or cat in their units to pay a refundable pet deposit. This deposit is in addition to any other financial obligation generally imposed on tenants of the property.

The owner/agent will use the pet deposit only to pay reasonable expenses directly attributable to the presence of the pet on the property. Such expenses would include, but not be limited to, the cost of repairs and replacement to the unit, fumigation of the unit, and the cost of animal care facilities.

The owner/agent will return the unused portion (amount left over after the cost of any damages caused by the pet) of a pet deposit to the tenant within a reasonable time after the tenant moves from the property or no longer owns or keeps a household pet in the unit.

The pet deposit will not exceed \$300.00. A \$50.00 initial pet deposit is required at the time the pet is brought on to the premises.

The tenant will be required to pay the remaining balance in increments of \$10.00 per month until the \$300.00 pet deposit is collected. Tenants are allowed to pay the entire pet deposit in increments greater than those described if he/she chooses to do so.

Assistance animals that assist persons with disabilities are not required to pay the refundable pet deposit. However, disabled tenants who require assistance/companion animals will be required to comply with the Assistance Animal Policies.

SECURITY DEPOSITS, PET DEPOSITS & UNIT TRANSFERS

When a tenant transfers to a new building within NHHI's portfolio, with all other household members, the owner/agent will charge a new security deposit and refund the security deposit for the old unit less any outstanding amounts for rent, fees or damages. If the household splits and one or more tenants remain in the original unit, the original security deposit will remain with the original unit and a new security deposit will be collected for the new unit.

When a tenant owns a pet, the original unit will be assessed for damages caused by the pet. The pet deposit will be reduced by charges for those damages and the tenant will be required to obtain a pet

deposit balance of \$300.00 for the new unit. The tenant will be allowed to pay the new pet deposit in \$10.00 monthly payments until the \$300.00 pet deposit balance is reached.

When a tenant transfers to a new unit within the same building, with all other household members, the owner/agent will transfer the existing security deposit and pet deposit to the new unit. The tenant will receive a bill for any fees or damages. This bill must be paid within 30 days.

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.

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.

Information about new household members who are minors must be provided to the owner/agent as quickly as possible but within no more than thirty (30) days. This includes, as applicable, required eligibility information including Social Security Numbers, proof of citizenship or non-citizen eligibility and other pertinent information.

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 and evicted if the household does not vacate in accordance with HUD requirements.



Each dependent child that lives in the unit at least 50% of the time 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 about changes in household composition within ten (10) days of the change 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

Tenants must notify the owner/agent if any household member listed on the lease or on HUD Form 50059 leaves the unit. This notification must occur within ten (10) days.

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, within ten (10) days, 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 tenant fails to notify the owner/agent of a change in household composition within ten (10) days, 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 tenant.

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.

Apartment Inspections

All apartments must undergo periodic inspection conducted by the on-site management team, HUD or HUD's representatives/agents. These inspections include not only interior but also exterior inspections. Tenants 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 tenant with the property and the unit, as well as to document its current condition. By performing move-in inspections, the owner/agent and tenants 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 tenants 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 Unit Inspection Form and compare it with the Unit Inspection Form completed at move-in to determine if there is any damage beyond normal 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, tenants 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 tenants 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 within 14-days, 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.

Appendix A – Request for Reasonable Accommodation or Modification

The owner/agent is committed to complying with the Fair Housing Act and Section 504 of the Rehabilitation Act by ensuring that its 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.

If an individual with a disability requests an accommodation or modification, the owner/agent will fulfill these requests, unless doing so would result in a fundamental alteration in the nature of the program or create an undue financial and administrative burden. In such a case, if possible, the owner/agent will offer an alternative solution that would not result in a financial or administrative burden.



- (1) The owner/agent informs all applicants/tenants that, at any time, the applicant/tenant or a person acting on behalf of the applicant/tenant may make a request for reasonable accommodation or modification for an individual with a disability.
- (2) All applicants/tenants are provided with a Reasonable Accommodation/Modification Request Form when requesting a reasonable accommodation or modification. The request will be accepted in an equally effective format, as a reasonable accommodation, if there is the presence of a disability. A tenant or applicant may submit the request in writing, orally, or use another equally effective means of communication to request an accommodation or modification.
- (3) Tenants and applicants may contact the management office located within their property for information about requests.
- (4) The owner/agent will provide an initial reply to requests as quickly as possible, but no more than ten (10) business days from the receipt of the request unless the owner/agent explains the delay. Response may include but is not limited to:
 - i. Request Approval
 - ii. Request Denial
 - iii. Request for Additional Information or Verification of Need
- (5) The owner/agent will consent to or deny the request as quickly as possible. Unless the owner/agent explains the delay, the applicant/tenant will be notified of the decision to consent or deny within no more than thirty (30) calendar days after receiving all necessary information and documentation from the tenant and/or appropriate verification sources. All decisions to grant or deny reasonable accommodations will be communicated in writing or, if required/requested, in an alternative format. Exceptions to the thirty (30) day period for notification of the owner/agent's decision on the request will be provided to the tenant setting forth the reasons for the delay.
- (6) If the request for reasonable accommodation or modification is denied, the requestor has the right to appeal the decision within fourteen (14) business days of the date of the written notification of denial. The appeal meeting will be conducted by a person who was not originally involved in the decision to deny.

Appendix B – Citizen/Non-citizen Eligibility

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

The owner/agent is required to obtain the following documents:

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

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, providing subsidy 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:

- From 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
- From non-citizens claiming eligible status who is 62 or older:
 - A signed declaration of eligible immigration status and
 - Proof of age
- From 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 Tenant 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 (pre application or application). 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. (Although the extension period may not exceed thirty (30) days, the owner/agent may establish a shorter extension period based on the circumstances of the individual case.)

The owner/agent will inform the applicant in writing (or, if required/requested, in an alternative format) 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, the owner/agent/ will treat 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 Tenant
- Temporary Tenant
- Conditional Tenant
- 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.

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

MIXED HOUSEHOLDS

A mixed household—a household with one or more ineligible members and one or more eligible household members—may receive:

- Prorated assistance
- 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 tenant has thirty (30) days from receipt of the notice to choose which option to follow.

The applicant or tenant may appeal the owner/agent's decision directly to the DHS. The applicant or tenant 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 tenant 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.

Appendix C: Dual Subsidy Notice

I understand that my application to move to **NAME OF PROPERTY** with the rest of my household members has met preliminary eligibility requirements.

I have indicated, on the application, that:

1. I am not currently receiving HUD assistance in another unit
2. I am currently receiving HUD assistance in another unit.

According to the current HUD lease, if I am living in a community and receiving HUD project-based assistance, I must provide a 30-day notice to the agent managing the property where assistance is currently provided.

*If the owner/agent discovers that any household member failed to move out of a HUD assisted residence before moving to **NAME OF 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.*

3. I am the recipient of a housing voucher.

I understand that HUD prohibits tenants from benefiting from Housing Voucher assistance in a unit assisted through HUD's Section 8 program.

I understand that HUD prohibits tenants from benefiting from Housing Voucher assistance in a unit assisted through HUD's Section 8 program. When the application is submitted the household will be added to the waiting list. A unit will be offered in accordance with the tenant selection plan. If the family later moves out of the project, the project subsidy will not move with the family as it does with a voucher. If you wish to participate in the voucher program after move-out, you will need to reapply to the PHA to receive another voucher.

*All household members must be removed from or forfeit the voucher before receiving HUD assistance for a unit on this property. If the owner/agent discovers that any household member failed to give up current HUD assistance before moving to **NAME OF 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.

This information will be verified using the Existing Tenant Report in EIV. If EIV indicates a conflict and verification information indicates that the information provided is not true, and the EIV information is verified, then the owner/agent will reject the application based on misrepresentation of information.

Appendix D – Verification of Household Composition



In compliance with HUD's Rental Housing Integrity Improvement Project (RHIP), the owner/agent will make every effort to ensure that the correct assistance is provided to those who seek housing assistance.

If an applicant household indicates that one or more members should be removed from the application, the owner/agent will accept such notification from the head-of-household if it is provided on a notarized form provided by the owner agent. The following rules apply.

If the household is being rejected because a member is registered as a sex offender in any state lifetime sex offender registry, the owner/agent will take extra steps to ensure that the sex offender is not housed in any unit on the property. The household will have to provide documentation to prove that the sex offender will live at another location. Acceptable documentation includes, but is not limited to:

- Confirmation from a landlord with copy of an executed lease
- Confirmation from local police
- Confirmation from anyone who maintains sex offender registries including but not limited to:
 - a) Dru Sjodin Sex Offender Registry
 - b) Megan's List
 - c) State or Federal Sex Offender Registries
- New driver's license with new address

Information will be confirmed for up to one year after move-in.

If it is discovered that the household allowed any registered sex offender to live in the unit, the applicant must understand that he/she is not qualified to receive subsidy or live on the property. All subsidy paid-in-error must be returned to HUD. Because this is a material lease violation, all household members must vacate the unit within 30 days.

One of the key requirements, at application and during residency, is to disclose who will be living in the unit at any given time. It is important to understand the difference between a tenant and a guest.

Tenant: A tenant is any person who is listed on the application, on any Family Summary submitted and on the lease who will reside in the unit.

Guest: A guest is a person who visits any tenant and may stay overnight no more than fourteen (14) consecutive nights without prior written consent of the owner/agent.

If the owner/agent suspects that a guest should actually be classified as a tenant, the owner/agent will request a meeting with the head-of-household.

In accordance with HUD requirements, the tenant will have ten (10) days to meet with the owner/agent. Failure to respond to the request to meet will result in termination of assistance beginning the first of the month following the 10-day notice.



If the owner/agent suspects that a guest is actually living in the unit, the owner/agent will ask for verification of alternative residence. Samples of such verification include one or more of the following:

- Verification with the United States Postal Service that no mail, for the guest, is delivered to the unit address
- *A current driver's license for the "guest" with an alternative address
- *A current lease indicating an alternative residence
- *A current utility bill in the person's name showing an alternative address
- *A current insurance policy or other such invoice/bill showing an alternative address

**Current means issued/created within the last thirty (90) days.*

In addition, the tenant(s), indicated on the lease, must sign a notarized statement confirming that the guest does not violate the guest policy as indicated above and does not reside in the unit.

Live-in Aides: A live-in aide must meet HUD's definition of a live-in aide:

- 1) Is essential to the care and well-being of the tenant
- 2) Is not dependent on the tenant for support
- 3) Is only living in the unit to provide essential support
- 4) Is not a party to the Lease

If a tenant or applicant requests a live-in aide, the owner/agent is required to verify the need for a live-in aide using third-party verification.

Live-in Aides are required to complete the Live-in Aide Questionnaire. The information on the Live-in Aide questionnaire will be verified and the prospective live-in aide will be screened in accordance with the tenant selection plan in place at the time of review. The live-in aide will not be screened for the "ability to pay rent" since the live-in aide is not responsible for rent payment.

The live-in aide must be approved and must sign the House Rules and the HUD-approved Live-in Aide Addendum before move-in. The owner/agent must sign a revised 50059 before the live-in aide is allowed to move-in.

If a live-in aide moves in prior to screening and prior to signing required forms, the owner/agent will issue a notice of lease violation and may pursue other action including, but not limited to eviction of the live-in aide, termination of assistance and/or termination of tenancy.

Children/Minors: At move-in, all non-exempt household members, including children, must have a Social Security Number and adequate documentation to verify the Social Security Number.

When children are later added to the household, the following will be required.

For children who are born, adopted or in foster care or in another legal custodial relationship with an existing household member, the owner/agent requires the following:



- Social Security Number and proof that the number is valid
 - For children under the age of 6 years old - must be provided within ninety (90) days or owner/agent is required to terminate tenancy.
 - An additional ninety (90) may be provided if extenuating circumstances exist
- Proof of age/legal custodial arrangement
 - Birth certificate indicating that a household member is a parent; or
 - Adoption paperwork indicating that a household member is a parent as appropriate; or
 - Verification from the foster agency indicating the unit as the primary residence of the foster child as appropriate; or
 - Other documents proving legal custody arrangement as appropriate

For children who are not part of a legal custody arrangement who will be living in the unit, the owner/agent requires:

- Social Security Number and proof that the number is valid
 - For children under the age of 6 years old - must be provided within ninety (90) days or owner/agent is required to termination of tenancy. An additional ninety (90) may be provided if extenuating circumstances exist
- Two forms of proof that the child resides with a member of the household
 - Verification from a government organization indicating that the unit will be the primary residence for the minor (examples include but are not limited to school records, children services agencies, foster programs, etc.)
 - Verification from a medical professional in the know indicating that the unit will be the primary residence for the minor
 - Verification from a social service organization indicating that the unit will be the primary residence of the minor (examples include but are not limited to homeless shelters, shelters for victims of domestic violence, etc.)
 - A signed, notarized statement from an adult household member claiming guardianship of the minor child

The owner/agent does not and will not establish policies intended to exclude children. If none of the household members can provide documentation for minors, as described above, the owner/agent will meet with the tenant to discuss reasonable alternatives. The owner/agent will be the final judge of what is considered adequate documentation proving household composition/residency.

