Section 8 Elderly TSP

Bethany Center Senior Housing
580 Capp Street
San Francisco, CA 94110
415.821.4515

March 10, 2022

Bethany Center Senior Housing is a Section 8 elderly property, which is administered by the U. S. Department of HUD, and is designated to attract applicants for occupancy from all potentially eligible groups of people in the housing area regardless of race, color, religion, sex, national origin, disability, and familial status. The property has Studio, Jumbo Studio and one-bedroom units available for rent to elderly persons and persons with disabilities. To be eligible for occupancy at this property, there must be a match between the applicant’s family size and the unit size available in the property.

Management Agent
This property is managed by Front Porch, 2185 N. California Blvd., Suite 215, Walnut Creek, CA 94596. For any questions, please call 925.956.7400

Purpose of Plan
The purpose of this Resident Selection Plan is to establish guidelines for the selection of residents from a pool of applicants in accordance with HUD regulations and state/federal civil rights and fair housing legislation, and to preclude admission of applicants whose habits and practices would have a detrimental effect on other residents, the property, or the neighborhood environment.

Availability of Plan
This Resident Selection Plan is available to the public upon request. It may be reviewed in the site rental office at the address listed above during normal office hours.

Modification of Plan
Management will review this Resident Selection Plan At least at least once annually to ensure that it reflects current operating practices, program priorities, and HUD requirements. If the property and/or HUD’s Contract Administrator feel the plan needs to be modified in any way, a notice of such modification will be provided by mail to applicants on the waiting list, and by public forum to other interested persons who might have an interest in becoming an applicant.
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I. Fair Housing and Equal Opportunity Requirements

Non-Discrimination

It is the policy of this property to comply fully with Title VI of the Civil Rights Act of 1964, Title VIII and Section 3 of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and any legislation protecting the individual rights of residents, applicants or staff which may subsequently be enacted.

The property will not discriminate on the basis of race, color, sex, religion, age, handicap, disability, or national origin in the leasing, rental, or use or occupancy thereof. In addition, the property will not:

- Deny to any applicant the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to lease housing suitable to its needs;
- Provide housing which is different from that provided others;
- Subject a person to segregation or disparate treatment;
- Restrict a person’s access to any benefit enjoyed by others in connection with the housing program;
- Treat a person differently in determining eligibility or other requirements for admission;
- Deny a person access to the same level of services; or
- Deny a person the opportunity to participate in a planning or advisory group that is an integral part of the program.

The property shall not automatically deny admission to a particular group or category of otherwise eligible applicants. Each applicant in a particular group or category will be treated on an individual basis in the normal processing routine.

Equal Access to Housing Regardless of Sexual Orientation, Gender Identity or Marital Status (Equal Access Rule)

On February 3, 2012, HUD published a final rule entitled Equal Access to Housing in HUD Programs regardless of Sexual Orientation or Gender Identity, which ensures that properties across HUD programs are open to all eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status. The rule includes the following provisions, which will be upheld by the property at all times:

- A determination of eligibility for this property will be made in accordance with the eligibility requirements provided by HUD, and will be made available without regard to actual or perceived sexual orientation, gender identity, or marital status.
- This property will not inquire about the sexual orientation or gender identity of an applicant or tenant for purposes of determining eligibility or otherwise making housing available. However, it is possible that the property may need to make inquiries into sex for temporary, emergency shelter with shared sleeping areas or bathrooms, or to determine the number of bedrooms to which a household may be entitled.

Definitions for the Equal Access Rule

The property will use the following definitions that are applicable to the Equal Access Rule:

- The term family includes, but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:
  - A single person, who may be an elderly person, displaced person, disabled person, near-elderly person or any other single person; or
  - A group of persons residing together and such group includes, but is not limited to (i) a family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family); (ii) an elderly family; (iii) a near-elderly family; (iv) a disabled family; (v) a displaced family; and (vi) the remaining member of a tenant family.
- The term gender identity means actual or perceived gender-related characteristics.
- The term sexual orientation means homosexuality, heterosexuality or bisexuality.

VAWA 2013

VAWA 2013 clarifies that, consistent with HUD's nondiscrimination and equal opportunity requirements, victims of domestic violence, dating violence, sexual assault, and stalking cannot be discriminated against on the basis of any protected characteristics (including race, color, religion, sex, disability, familial status, national origin, or age), and HUD programs must also be operated consistently with HUD's Equal Access Rule, which states that HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals and families without regard to actual or perceived sexual orientation, gender identity or marital status. In addition, under VAWA 2013, if the O/A finds an instance of a VAWA-related crime against a family member under the age of 18, the O/A will exercise VAWA protections regardless of the age of the victim, and require documentation and confidentiality procedures in assisting such a family.
Section 504 of the Rehabilitation Act of 1973

It is the policy of this property to assure that qualified individuals with handicaps or disabilities are not discriminated against on the basis of their handicap or disability. The property also assures that these individuals will have equal opportunity to receive and enjoy the benefits of living at the property.

Reasonable Accommodations

The property will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504 of the Rehab Act of 1973, the property will make reasonable accommodation for individuals with handicaps or disabilities (applicants or residents). Such accommodations may include changes in the method of administering policies, procedures, or services at this property where such modifications would be necessary to afford full access to the housing program for qualified individuals with handicaps.

In reaching a reasonable accommodation with, or performing structural modifications for otherwise qualified individuals with disabilities, the property is not required to:

- Make structural alterations that require the removal or altering of a load-bearing structural member;
- Provide support services that are not already part of its housing programs;
- Take any action that would result in a fundamental alteration in the nature of the program or service;
- Take any action that would result in an undue financial and administrative burden on the property, including structural impracticality as defined in the Uniform Federal Accessibility Standards (UFAS).

Information Regarding Handicaps

The property ensures that any questions related to handicapped information on the application have to do with program eligibility and allowable medical or handicapped deductions for housing applicants who wish to take advantage of those deductions. It is not required that any information regarding a possible handicap be revealed other than for program eligibility requirements.

Neutral Policies

The property will make reasonable adjustments to rules, policies, practices, and procedures in order to enable an applicant or resident with a disability to have an equal opportunity to use and enjoy the unit and the common areas of a dwelling, or to participate in or have access to other activities conducted or sponsored by management.

Auxiliary Aids to Ensure Effective Communication

The property will seek to effectively communicate with applicants, residents, and members of the public who are individuals with handicaps or disabilities. The use of auxiliary aids will be implemented when necessary. The property requests 7 days’ notice in order to make any service, meeting, interview, appointment, or any business accessible. Requests for auxiliary aids may include visual alarms, tactile signs, visual doorbells, readers, interpreters, large print or Braille applications, leases, and other information/communications, recordings of such information, and a community room television that provides closed-captioning service.

Assistance Animals

Management will allow assistive animals which are defined as animals that are used to assist, support, or provide service to persons with disabilities. Assistance animals – often referred to as “service animals”, “assistive animals”, “support animals”, or “therapy animals” – perform many disability-related functions including but not limited to guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing minimal protection, or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impeding seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support.

Accessible Route

For mobility-impaired persons, this property is an accessible facility on an accessible route. Documents that the resident would like to review may be examined during regular business hours. Please contact the management office to make arrangements to examine any documents.

Reasonable Modifications

Management will permit residents with handicaps or disabilities to make reasonable modifications to their individual units or common areas at the resident’s own expense. When the resident vacates the unit, s/he must agree to restore the premises to the condition that existed before the modification, if requested by the property. The property will not require this restoration if the modification benefits the property or is needed by another resident. To ensure that funds will be available to pay for restorations at the end of the tenancy, management will negotiate as part of the restoration an agreement requiring that the resident pay into an interest-bearing escrow account, a reasonable amount of money, not to exceed the cost of the restorations. Management will require that the work be done utilizing licensed contractors, and that any required building permits will be obtained.
Mitigating Circumstances and Equal Access

Section 504 and Fair Housing regulations state that consideration for mitigating circumstances shall be given to all persons applying for occupancy regarding criminal background checks. If an applicant with a criminal record feels there is a mitigating circumstance or reasonable accommodation to be considered for determining occupancy, they should contact the property immediately to schedule a meeting. In this meeting the applicant will be given the opportunity to dispute the accuracy and relevance of a criminal record before admission is denied on the basis of such record. Management will provide assistance to ensure equal access to an applicant’s documents at the location where all applicant files are retained, whether at the site or at the home office of the management agent. An individual with disabilities is responsible for providing her/his own transportation to and from the location where all documentation for the applicant files are kept.

Civil Rights Related Program Requirements

Limited English Proficiency (LEP)

Executive Order 13166 requires Federal agencies and grantees to take affirmative steps to communicate with persons who need services or information in a language other than English. Management has taken steps to ensure meaningful access to the information and services that we provide for persons with limited English proficiency, by providing interpreter services and/or written materials translated into other languages. HUD’s required leases, recertification notices, the Consent for Release of Information Packet (forms HUD-9887 and 9887-A), form HUD-5380 - The Notice of Occupancy Rights under the Violence Against Women Act (VAWA 2013), and form HUD-5382 - Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation, are all available upon request in Amharic, Korean, Arabic, Portuguese, Armenian, Russian, Chinese, Spanish, Farsi, Tagalog, French, Vietnamese, and Khmer (Cambodian).

If management determines there is an applicant or tenant who does not read a language that HUD has translated its forms into, management will provide those applicants and tenants with forms translated into languages they do understand, in accordance with HUD’s LEP guidance.
II. Privacy Policy

Federal Privacy Act of 1974/ACT 5 U.S.C 552a
Management, in compliance with the Privacy Act, is fulfilling its fiduciary responsibility by giving notice of the authority to obtain income information on all individuals applying to or currently living in HUD-assisted housing, to determine eligibility and the amount of rent a resident will pay. This is achieved through HUD forms 9887 and 9887-A, Applicant’s/Tenant’s Consent to the Release of Information. Each applicant/resident gives their consent to the release of information by signing these forms, and the individual verification forms that apply to them. It is a requirement to sign these forms at the time of move-in, and annual/initial certifications. The effect on an individual for not signing the forms will be denial or termination of assistance.

Consent to Disclose an Individual’s Information to Another Person or Entity
The Privacy Act prohibits the disclosure of an individual’s information to another person without the written consent of such individual. The EIV data of a household member will not be shared with another household member or to a person assisting the resident, unless the individual has provided written consent to disclose such information. However, management is not prohibited from discussing with the head of household how the income and rent were determined.

Disclosure to Persons Assisting Residents with the Recertification Process
With the written consent of the resident, EIV data may be shared with persons assisting in the recertification process, including review and explanation of third party income verifications. Disclosure of EIV to these parties must pertain only to the resident who has provided his/her consent. Parties to whom the resident can provide written consent include guardians, translators, and interpreters, individuals assisting an elderly individual or a person with a disability, powers of attorney, and other family members. Disclosure of EIV information to Service Coordinators, along with a release of information consent form to access their file, will be allowed only if the resident is present during the review of the file.

Confidentiality in Regard to VAWA-Related Incidents
All information provided to the O/A concerning incidents of VAWA-related crimes will be kept confidential and stored in a safe place which only employees who have been designated as a point of contact, such as the site manager, have access to. In addition, details of an incident will not be entered into any shared database. The O/A is allowed to enter information into a database system that meets all requirements for securing sensitive personally identifiable information (PII), including the Privacy Act. The O/A, however, may disclose the information only if the applicant/tenant gives written permission; the O/A needs to use the information in an eviction or termination of assistance proceeding against the victim’s abuser or perpetrator; or, a law requires the O/A to release the information.

Records Obtained through HUD’s EIV System
Public Notice
According to the EIV System of Records Notice published in the Federal Register on 8-8-06, management hereby gives public notice to all applicant/residents of its participation in HUD’s Enterprise Income Verification system of records which houses any and all confidential information on all individuals living at this property.

Protecting the Confidentiality of EIV Information
Income reports in HUD’s EIV system contain sensitive data including SSNs, birth dates, names, and physical addresses of resident families, and will not be shared by management with anyone not authorized to have it. The reports will be utilized by management at times of recertification to determine if the resident has begun to receive any new income since the last certification. To minimize the risk of exposing a resident’s SSN, management will not include the full nine-digit SSN of any individual in emails or other electronic communications, including faxes.

Determining Eligibility for Assistance
This privacy policy in no way limits the property’s ability to collect such information as it may need to determine eligibility and income, compute rent, or determine an applicant’s suitability for tenancy.

Information on Handicaps/Disabilities
Consistent with the intent of Section 504 of the Rehabilitation Act of 1973, any information obtained on an applicant’s/ resident’s handicap or disability will be treated in a confidential manner.

Investigations into Fraud/Criminal Activities
This privacy policy is not intended to preclude the cooperation of management/agent with local, state, or Federal investigations into fraud or criminal activity. With proper identification, the property is permitted to advise the investigating officer whether or not an individual is a resident, how long an individual has been a resident, and any other appropriate answers to questions related to the investigation. The property will not make files, forms, or documents available to the investigating officer unless a court order for such action is provided.
III. Qualifying for Admission under HUD’s Section 8 Program Eligibility Requirements

Program Eligibility determines whether applicants are eligible for federal rental assistance. This Section 8 property will not admit ineligible applicants. In order to be eligible a family must meet all of the following requirements.

Income Limit Requirements

HUD establishes income limits and revises them annually to ensure that federal rental assistance is provided only to families that need it. All income limits are based on family size and the annual income the family receives, and are available for review at the site office. This property’s original Section 8 contract was effective after 10-1-81, and the owner may admit only families at or below the Very Low Income (VL) limit. Also, tied into the VL income limits for Section 8 properties is an additional income limit called the Extremely Low Income (ELI) limit, which is defined by the Quality Housing and Work Responsibility Act of 1998 as family incomes that do not exceed 30% of median income. Further, the Consolidated Appropriations Act of 2014 modified the definition of ELI limits to ensure that they would not fall below the poverty guidelines determined for each family size. Specifically, ELI families are defined to be VL income families whose incomes are the greater of the Poverty Guidelines as published and periodically updated by the Department of Health and Human Services, or the 30 percent income limits calculated by HUD.

The limits are based on family size and the annual income the family receives, and are available for review at the site office. Applicants must have an income that is not greater than the maximum income limits established by HUD. Once an applicant is approved under the income limit rule and moves into the property, this income eligibility test will not be done again unless the resident has gone to market rent and wants once again to be eligible for subsidy. In addition, 40% of the new move-ins per year at this property must be at or below 30% of the area median income (Extremely Low Income), as required by HUD, and explained in the paragraph below.

Method for Income-Targeting for Section 8 Properties

HUD requires that Section 8 properties must lease not less than 40% of the dwelling units that become available for occupancy in any project fiscal year to ELI families. The methodology management has chosen to fulfill this obligation is to alternate between ELI families on the waiting list and otherwise eligible families. It is possible that applicants of a higher income that are also higher on the waiting list will be skipped over to achieve income-targeting. When this occurs, management will make a notation on the waiting list to indicate that an applicant was skipped over to achieve the 40% income-targeting rule.

Counting Family Members for Income Limits

In order to determine which family size to use for Income Limits, the property will count all full-time members of the family who will reside in the unit, with the exception of live-in aides. (See the paragraph on live-in aides below for more information.)

Counting Family Members Not Living in the Unit

In addition to full-time family members, the property will also count any the following persons who are not living in the unit:

- Children temporarily absent due to placement in a foster home;
- Children in joint custody arrangements who are present in the household 50% or more of the time;
- Children who are away at school but who live with the family during school recesses;
- Unborn children of pregnant women;
- Children in the process of being adopted;
- Temporarily absent family members who are still considered family members, such as a member on a temporary work assignment in another state;
- Family members in the hospital or rehabilitation facility for periods of limited or fixed duration;
- Persons permanently confined to a hospital or nursing home, if the family decides to include them.

Live-In Aides are Not Counted as Family Members for Income Eligibility

When determining the family size for establishing income eligibility, the property will not include any live-in aide living in the unit. (However, note that a live-in aide is counted in the family size when establishing unit size under the property’s occupancy standards.) The live-in aide is defined as a person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities, and who is determined to be essential to the care and wellbeing of the person(s), is not obligated for the support of the person(s), and would not be living in the unit except to provide the necessary supportive services. To qualify as a live-in aide the following guidelines must be used:

- The owner will verify that the live-in aide is needed to provide the necessary supportive services essential to the care and well-being of the person. The verification will be obtained from the applicant’s physician, psychiatrist, other medical practitioner, or health care provider, but will never include asking for access to confidential medical records, or for the applicant to submit to a physical examination.
• Expenses for services provided by the live-in aide, such as nursing services (dispensing of medications or providing other medical needs) and personal care (such as bathing or dressing), that are out-of-pocket expenses for the resident and where the resident is not reimbursed for the expenses from other sources, are considered as eligible medical expenses. Homemaker services such as housekeeping and meal preparation are not eligible medical expenses.
• The live-in aide qualifies for occupancy only as long as the individual needing supportive services requires the aide’s services and remains a resident. The live-in aide may not qualify for continued occupancy as a remaining family member. The owner has instituted at the property a HUD-approved lease addendum that denies occupancy of the unit to a live-in aide after the resident, for whatever reason, is no longer living in the unit. The addendum also gives the owner the right to evict a live-in aide who violates any of the house rules.
• The income of a live-in aide is excluded from annual income.
• The live-in aide must disclose and provide verification of their SSN.
• The live-in aide must meet the property’s screening criteria.
• A relative may be considered to be a live-in aide if they meet the requirements above.

Need for Assistance in Section 8
In this Section 8 property, income-eligible families must also need the assistance. The amount the family would be required to pay using the HUD Section 8 rent formula must be less than the gross rent for the unit.

Admitting Over-Income Applicants
If the owner of this Section 8 property is temporarily unable to lease all units to income eligible families, s/he will request for approval of HUD to admit applicants with incomes that exceed the applicable program income limits. The information will be submitted to the HUD Field Office for approval. If it is necessary for the owner to take this step, an addendum will be added to this Plan signifying such.

Social Security Number Requirements
Applicants will be required to disclose and provide verification of the complete and accurate SSN assigned to them except for those individuals who do not contend eligible immigration status, or for residents who were age 62 or older as of 1-31-10, and whose initial determination of eligibility was begun before 1-31-10. In addition, HUD has published a Final Rule, dated 3-8-16, that they are authorizing applicant households to become program participants even if a child under the age of 6 years is added to the household within the 6-month period prior to the household's date of admission and that child has not yet been issued an SSN. The household would have 90 days from the date of move-in to provide the documentation evidencing issuance of an SSN. As is the case with program participants, an extension of one 90-day period would be required for assistance applicants under certain circumstances.

Exceptions to Disclosure of Verification of SSNs
The SSN requirements do not apply to the following individuals:

- **Individuals who do not Contend Eligible Immigration Status.**
  In this Section 8 property the restriction on assistance to noncitizens applies and individuals are required to declare their citizenship or immigration status. Management will use resident Citizenship Declarations on file and determine if any individual has not contended eligible immigration status. Such individual will not be subject to the requirement to disclose and provide verification of a SSN.

- **Individuals Age 62 or Older as of January 31, 2010**
  If an individual is 62 or older as of 1-31-10, and their initial determination of eligibility was begun before 1-31-10, they are exempt from the requirement to disclose and provide verification of a SSN. 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 assisted program. Documentation will be obtained from the O/A where the initial determination of eligibility was determined prior to 1-31-10, which verifies the applicant’s exemption status, and will be retained in the resident file.

Applicant Households with Children under the Age of Six
Applicant households may become program participants even if a child under the age of 6 years is added to the household within the 6-month period prior to the household's date of admission, and that child has not yet been issued an SSN. The household would have 90 days from the date of move-in to provide the documentation evidencing issuance of an SSN. As is the case with current tenants, an extension of one 90-day period would be required for assistance applicants under certain circumstances.

Required Documentation
Each non-exempt assistance applicant and their household members must submit to management the complete and accurate SSN assigned to them, and documentation of the numbers submitted. Allowable documentation is:

- A valid SSN card issued by the Social Security Administration (SSA);
• An original document issued by a federal or state government agency, which contains the name and SSN of the individual, along with other identifying information; or
• Such other HUD-allowable evidence of the SSN as indicated in Appendix 3 of HUD Handbook 4350.3 REV-1.

Assistance Applicants
Applicants do not need to disclose or provide verification of a SSN for all non-exempt household members at the time of application and for placement on the waiting list. However, applicants must disclose and provide verification of a SSN for all non-exempt household members before they can be housed.

• If all non-exempt members have not disclosed and/or provided verification of their SSNs at the time a unit becomes available, the next eligible applicant will be offered the available unit.
• The applicant who has not disclosed and provided verification of SSNs for all non-exempt household members must disclose and provide verification to the owner within 90 days from the date they are first offered an available unit.
• If it is determined that the applicant is otherwise eligible for admission into the property, and the only outstanding verification is that of disclosing and providing verification of the SSN for all non-exempt members, the applicant may retain his or her place on the waiting list for the 90-day period during which the applicant is trying to obtain documentation.
• After 90 days, if the applicant has been unable to supply the required SSN and verification documentation, the applicant will be determined ineligible and removed from the waiting list.

Existing Residents
SSNs must be disclosed and verified provided for any household member who has not previously disclosed a SSN as of 1-31-10, at the time of the next IR or AR, except for those individuals who do not contend eligible immigration status, or residents who were age 62 or older as of 1-31-10, and whose initial determination of eligibility was begun before 1-31-10. The head of household will be notified when the EIV system identifies that a household member has provided an invalid SSN, so that the discrepancy can be resolved and the correct SSN disclosed and verified. If a resident or any member of a resident’s household is assigned a new SSN, the SSN must be disclosed and verification provided to management at the time of receipt of the new SSN, or at the next IR or AR.

Adding a New Household Member:
When adding a new household member who is age six or older, or is under the age of six and has a SSN, the resident must disclose and provide verification of the SSN of the individual to be added to the household. When adding a new household member who is under the age of six without an assigned SSN, the resident must disclose and provide verification of the new household member’s SSN within 90 calendar days of the child being added to the household. The owner must grant an extension of one additional 90-day period, if the owner, in its discretion, determines that the resident’s failure to comply is due to circumstances that could not have been foreseen and were outside the control of the resident, e.g., delay in processing by SSA, natural disaster, fire, death in family, etc.

• During the period management is awaiting disclosure and verification of the SSN, the child will be included as part of the household and will be given the dependent deduction.
• A TRACS ID will be assigned until the time the SSN is provided, at which time an IR will be processed changing the child’s TRACS ID to the child’s verified SSN.
• If, upon expiration of the provided time period, the resident fails to disclose and provide verification of the SSN, management will terminate tenancy of the resident and the resident’s household.

Authorization for Release of Information Requirements
Applicants and residents must sign the two HUD-required authorization consent forms HUD-9887 and HUD-9887-A. All members of an applicant or resident family who are at least 18 years of age, and each family head, spouse, or co-head regardless of age, must sign form HUD-9887 at move-in, initial and at each annual recertification. The form must also be signed when a new adult member joins the household, and no more than 10 days following a member turning 18 years of age. Refusing to sign these forms by any adult family member will cause the family to be ineligible for assistance. All adults regardless of whether they report income must sign the following forms:

• Form HUD-9887, Notice and Consent for the Release of Information to HUD and to a PHA
• Form 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

Only Residence Requirements
Applicants must agree that their rental unit will be their only residence. When applicants are being interviewed, they are required to reveal all assets they own including real estate. They are allowed to own real estate, whether they are retaining it for investment purposes as with any other asset, or have the property listed for sale. However, they may never use this real estate as a residence while they live in HUD-assisted housing.
Rent Formula Requirements
Applicants must agree to pay the rent required by the Section 8 subsidy formula used at the property, which is defined in HUD Handbook 4350.3 REV-1 as follows:

**Section 8 Formula**
Total Tenant Payment is the greater of 30% of monthly-adjusted income, 10% of monthly gross income, Welfare Rent, or $25 Minimum Rent.

**Minimum Rent**
Minimum rent is used when 30% of adjusted monthly income and 10% of gross monthly income, and the welfare rent, are all below $25. Minimum rent includes the resident’s contribution for rent and utilities. In any property in which the utility allowance is greater than $25, the full TTP is applied toward the utility allowance. The resident will receive a utility reimbursement in the amount by which the utility allowance exceeds $25.

**Financial Hardship Exemptions**
The property will waive the minimum monthly rent requirement to any family unable to pay due to a long-term financial hardship. The financial hardship exemption constitutes the only statutory exemption, and includes the hardship situations listed below. **NOTE:** A family who is eligible for and receives a hardship exemption must be recertified every 90 days.

- The family has lost federal, state, or local government assistance or is waiting for eligibility determination;
- The family would be evicted if the minimum rent requirement was imposed;
- The family income has decreased due to a change in circumstances, such as, loss of employment or other benefits;
- A death in the family has occurred;
- Other applicable situations, as determined by HUD, have occurred.

Noncitizen Rule Requirements
Under the Federal Noncitizen Rule only U.S. citizens and eligible immigrants may benefit from federal rental assistance. All family members, regardless of age, must declare their citizenship or immigration status via a Declaration Form. A separate form must be completed for each member of the family. For family members under the age of 18, the form must be signed by an adult member of the household. This form is a statement made by the applicant clarifying whether s/he is a citizen or national of the United States, a noncitizen with eligible immigration status as evidenced by an immigration document, or a noncitizen that is not an immigrant and is not contending eligible status to receive federal assistance. All applicants will be given notice of the requirement to submit evidence of citizenship or eligible immigration status at the time of application.

**Declaration Form for Citizens**
Applicants who are citizens are eligible to receive housing assistance under the Noncitizen Rule, and will be required to complete and sign a Declaration Form indicating their citizenship by checking Box 1 on the form. Although not required by HUD, management has chosen to verify an applicant’s citizenship status. Acceptable verification is a birth certificate, US passport, or naturalized citizenship document.

**Declaration Form for Eligible Noncitizen Immigrants**
- If an applicant under the age of 62 is an eligible noncitizen as an immigrant to the US, they will be required to complete and sign a Declaration Form checking Box 2 indicating that they are an immigrant. In addition, they will be required to submit documentation of their immigration status, and also sign a Verification Consent Form giving management permission to use the DHS/INS’s database through a program called SAVE to ensure that their name is in the database.
- If an applicant age 62 or older is an eligible noncitizen as an immigrant to the US, they will be required to complete and sign a Declaration Form, checking Box 2 indicating that they are an immigrant, and submit verification of age.

**Declaration Form for Ineligible Noncitizens Not Contending Eligible Immigration**
Noncitizens who are not contending eligible immigration status are eligible to live in assisted housing as long as there is at least one eligible citizen or eligible immigrant intending to live in the unit. Only the eligible family members will receive assistance, which will be calculated by using a proration method of eligible members divided by total family members.

Verification Requirements
Applicants must agree to furnish any information required to verify eligibility for rental assistance including all sources of income and assets. Applicants are hereby informed that, by law, the penalties for false information may include eviction, loss of assistance, fines up to $10,000, and imprisonment up to five years. Applicants must understand that a final decision of eligibility cannot be made until all verifications are complete. In addition, they must understand that HUD has the right to compare any of the information supplied in the verifications with information that federal, state, or local agencies have on the family’s income and household composition. See also Section X of this plan, Verification Requirements and EIV.
Individual Verification Forms
In addition to the Authorization for Release of Information Consent Forms indicated earlier, applicants must sign individual Verification Forms that have been designed by management for obtaining documentation from third parties, to verify an applicant’s income and deductions for determining the rent.

Preferred Forms of Verification
Verifications will be attempted in the order indicated below. Each file will be documented to show that management attempted to obtain third party written documentation before relying on some less acceptable form of information.

- Upfront Income Verification through the Enterprise Income Verification (EIV) system;
- Third party written;
- Third party oral with a record kept in the file;
- Review of documents provided by the family, or
- Affidavits from the family.

Student Eligibility Requirements for Section 8 Residents
Management is required to determine a student’s eligibility for housing assistance at MI, AR, IC (when an in-place resident begins receiving housing assistance), and at the time of an IR.

Students who are NOT Eligible for Section 8 Assistance
At this Section 8 property, assistance will not be provided to any individual who:

- 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;
- is under the age of 24;
- is not married;
- is not a veteran of the United States Military;
- does not have a dependent child;
- is not a person with disabilities and was not receiving Section 8 assistance as of 11-30-05;
- is not living with his or her parents who are receiving Section 8 assistance;
- is not individually eligible to receive Section 8 assistance; and has parents (individually or jointly) who are not income eligible to receive Section 8 assistance.

Note regarding Independent Students: 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 to receive Section 8 assistance in order for the tenant to receive Section 8 assistance. It should be noted that in September of 2016 HUD updated its definition of independent student to conform with the Higher Education Academy and the Department of Education’s definition of Independent Student as indicated below.

Department of Education’s Definition of Independent Student
The Department of Education provides that an independent student is a student who meets one or more of the following criteria:

- The individual is 24 years of age or older by December 31 of the award year;
- 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;
- 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;
- 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;
- The individual is a graduate or professional student;
- The individual is a married individual;
- The individual has legal dependents other than a spouse;
- 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--
  - a local educational agency homeless liaison, designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act;
  - the director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
  - 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
  - a financial aid administrator; or
- The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.
HUD’s Definition of Vulnerable Youth as Regards Independent Student Status
HUD defines vulnerable youth as unaccompanied homeless youth, youth that are at risk of being homeless, and youth who have aged out of the foster system. Individuals who meet the Department of Education’s definition of independent student are considered vulnerable youth. If an O/A determines an individual is a vulnerable youth, such determination is all that is necessary to determine a person is an independent student for purposes of using only the student’s income for determining eligibility for section 8 assistance.

Demonstrating Independence from Parents in Section 8 Properties
For a student to be considered living independently of their parents, they must be able to demonstrate the absence of or independence from parents, and must meet all of the following to be eligible for Section 8 assistance:

- Be of legal contract age under state law;
- Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, or meet the US Dept. of Education’s definition of an independent student (see definition below);
- Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
- Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support, even if no assistance is being provided.

If an individual can prove independence from his/her parents and is otherwise eligible for assistance, the student would be eligible to move into the property and receive assistance. Non-tuition student financial assistance would be counted as income unless the student is over 23 with a dependent child.

Student’s Independence Verification Requirements
O/As of Section 8 assistance will need to verify a student’s independence from his or her parents to determine that the student’s parents’ income is not relevant for determining the student’s eligibility for assistance by doing all of the following:

- Reviewing and verifying previous address information to determine evidence of a separate household or verifying the student meets the U.S. Department of Education’s definition of independent student;
- Reviewing a student’s prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education’s definition of independent student; and
- Verifying income provided by a parent by requiring a written certification from the individual providing the support. Certification is also required if the parent is providing no support to the student.

Note: Verification of a Student's Independence is not required if the student meets the definition of vulnerable youth.

Including Financial Assistance in Annual Income
Any financial assistance an eligible Section 8 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 is included in annual income, except if the student is over the age of 23 with dependent children, or if the student is living with his or her parents who are receiving Section 8 assistance.

Note: Financial assistance that is provided by persons not living in the unit is not part of annual income for students who meet the Department of Education’s definition of vulnerable youth.

Definition of Tuition for Section 8
On 12-10-15 HUD published Notice H15-12 to amend the definition of tuition to promote consistency across HUD’s programs and provide O/As with a standard definition of tuition and fees. HUD defines tuition in the same manner in which the Department of Education’s defines tuition, which is the amount of money charged to students for instructional services which may be charged per term, per course, or per credit. In addition, the department further defines tuition and fees as the amount of tuition and required fees covering a full academic year most frequently charged to students. These values represent what a typical student would be charged and may not be the same for all students. If tuition is charged on a per-credit-hour basis, the average fulltime credit hour load for an entire academic year is used to estimate average tuition. Required fees include all fixed sum charges that are required of a large proportion of all students. The student who does not pay the charges is an exception. Examples of required fees include, but are not limited to, writing and science lab fees and fees specific to the student’s major or program (i.e., nursing program). Expenses related to attending an institution of higher education must not be included as tuition, such as room, board, books, supplies, meal plans, transportation, parking, student health insurance plans, and other non-fixed sum charges.
IV. Qualifying for Admission under HUD’s Section 8

Project Eligibility Requirements

Project eligibility establishes whether applicants are eligible to reside in the specific property to which they are applying. There are things which affect the match between an applicant and the applicant’s eligibility for occupancy in a particular property, such as properties which are designed for the elderly or disabled must be occupied by elderly residents or residents with disabilities. There must also be a match between the applicant and their eligibility for occupancy in a particular property based on the family size, and the unit sizes available in the property. See Section V of this plan regarding the unit sizes available at the property.

Eligibility of Applicants for Section 8 Elderly Properties

Definitions of Elderly and Persons with Disabilities for Section 8

Defining Elderly Family for Section 8

Elderly family means a family whose head or spouse or sole member is a person who is at least 62 years of age. It may include two or more persons who are at least 62 years of age living together, or one or more persons who are at least 62 years of age living with one or more live-in aides.

Defining Disabled Family for Section 8

A disabled family is a family whose head, spouse, or sole member is a person with disabilities. It may include two or more persons with disabilities living together, or one or more persons with disabilities living with one or more live-in aides.

Defining Persons with Disabilities for Section 8

1. A person with disabilities for purposes of Section 8 program eligibility means a person who:
   • Has a disability, as defined in 42 U.S.C. 423;
     • Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or
     • In the case of an individual who has attained the age of 55 and is blind, inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he/she has previously engaged with some regularity and over a substantial period of time. For the purposes of this definition, the term blindness means central vision acuity of 20/200 or less in the better eye with use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purposes of this paragraph as having a central visual acuity of 20/200 or less.
     • Is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that:
       • Is expected to be of long-continued and indefinite duration;
       • Substantially impedes the person’s ability to conduct the activities of daily living;
       • Is such that the person’s inability to conduct the activities of daily living could be improved by more suitable housing conditions.
     • Has a developmental disability, as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act, that is a person with a severe chronic disability which:
       • Is attributable to a mental and/or physical impairment or combination of mental and physical impairments;
       • Was manifested before age 22;
       • Is likely to continue indefinitely;
       • Results in substantial functional limitation in three or more of the following areas of major life activity: self-care, receptive and responsive language; learning; mobility; self-direction; capacity for independent living; and economic self-sufficiency; and,
       • 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.
   2. This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome;
   3. For purposes of qualifying for low-income housing, does not include a person whose disability is based solely on any drug or alcohol dependence; and
   4. Means person with disabilities (individual with handicaps), as defined in 24 CFR 8.3, for purposes of reasonable accommodation and program accessibility for persons with disabilities.
Eligibility of Single Persons
HUD does not restrict the admission of single persons to assisted housing.

Handling Applicants with Housing Choice Vouchers
The owner will not admit an applicant to this Section 8 property with a Housing Choice Voucher, unless the applicant agrees to give up the voucher prior to occupancy. Before admitting such applicants, the owner will inform the voucher holder of the following:

• The family must give up the voucher when the family moves into the property.
• If the family later moves out of the property, the property subsidy will not move with the family as it does with a voucher; and
• The family will need to reapply to the PHA to receive another voucher.
• The applicant must supply official Move-Out documentation of their currently Housing Choice Voucher home before moving into the Section 8 property. Tenancy in two Section 8 properties simultaneously is not allowed.

Eligibility of Remaining Members of a Section 8 Family
Periodically, family composition changes after initial occupancy. If the qualifying person leaves the unit, a determination must be made as to whether the remaining member(s) of the household will be eligible to receive assistance. Eligibility depends upon the type of property occupied and other issues. In this Section 8 property the remaining member of a household must be a party to the lease when the family member leaves the unit, and the individual must be of legal contract age under state law.
V. Qualifying for Admission under Owner/Agent’s Occupancy Standards

Being eligible for federal rental housing is not an entitlement. Every applicant must meet the resident selection criteria set in place at the property, which is used to demonstrate the applicant’s suitability as a resident. The criteria is determined by verifying information on past behavior to document the applicant’s ability, either alone or with assistance, to comply with essential lease provisions and any other rules governing tenancy. The applicant family will be judged on past habits and practices related to tenancy and not on any attribute or behavior which may be imputed to a particular group or category of persons of which an applicant may be a member.

Unit Size Occupancy Standards

This property has units designed to serve elderly persons and persons with disabilities. The unit size standards listed below take into consideration not only family type, but also family size and what unit sizes are available in the property. It is possible that a family might be eligible for subsidy under HUD’s requirements, but would not be eligible under the unit size requirements of this property. If the appropriate unit size is part of the configuration of the property but is not available at the time of application, the applicant will be put on a waiting list.

Two Persons per Bedroom

The property has adopted a bedroom size standard of two persons per bedroom. This standard serves to prevent the over-utilization or under-utilization of units that could result in an inefficient use of housing assistance. This standard also ensures that residents are treated fairly and consistently in order to receive adequate housing space. The property will not make social judgments on a family’s sleeping arrangement. Unless there are special circumstances verified as a medical condition, we will accommodate on a case by case situation. Management has adopted the following occupancy standards:

<table>
<thead>
<tr>
<th>Bedroom</th>
<th>Minimum</th>
<th>Maximum</th>
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<tbody>
<tr>
<td>0 (Studio)</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>1 (Jumbo Studio)</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>1- Bedroom</td>
<td>2</td>
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</tbody>
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Prohibition against Denying Families with Children

The Fair Housing Act prohibits properties receiving Federal assistance from discriminating on the basis of familial status, defined by Congress as children under the age of 18, making it illegal to discriminate against families because of the presence of children. The property will neither exclude families with children, nor will they develop policies or procedures that have the purpose or effect of prohibiting children. The property will not exclude eligible elderly families because of the presence of children, or because of the anticipated presence of children.

Counting Family Members for Unit Size

In order to determine the size of unit that would be appropriate for a particular family, the property will count all full-time members of the family including live-in aides and foster persons who will reside in the unit. In addition, the property will count all anticipated persons including the following:

- Children expected to be born to a pregnant woman;
- Children in the process of being adopted by an adult family member;
- Children whose custody is being obtained by an adult family member;
- Children who are temporarily in a foster home who will return to the family;
- Children in joint custody arrangements who are present in the household 50% or more of the time, but see below;
- Children who are away at school and who live at home during recesses, but see below;
- Children that are temporarily in a correctional facility/detention center who will return to the family.

Anticipated Children Due to Adoption, Pregnancy, or Foster Child

Anticipated children due to adoption, pregnancy or foster child that are not currently living in the unit will be taken into consideration when determining unit size. When these anticipated children become a reality and move into the unit, an interim recertification is required including the child as a family member.

Joint Custody Agreements

Children in joint custody agreements whose parents both live in assisted housing, may receive a dependent deduction in only one of the assisted units at any given time. The determination of which parent will receive the deduction will remain with the parents. All families with single parents will be asked on their move-in and annual/interim recertification checklists or questionnaires if they are in a joint custody agreement, and if so, does the other parent live in assisted housing. If there is a joint custody agreement and both parents live in assisted housing, a declaration must be made by each parent at each certification which parent will receive the dependent deduction.

Children who are Away at School

Management will not include as a family member a child who is away at school and who has established residency at another address as evidenced by a lease agreement. The new address is considered the student’s principle place of residence.
Standards for Unit Assignment

Assigning a Smaller Unit Than Required
Management will consider assigning a family to a smaller unit than the standards listed above if the family requests the smaller unit, is eligible for the smaller unit based on the number of family members, and occupancy of the smaller unit will not cause serious overcrowding, or will not conflict with the local codes.

Assigning Units Larger Than Required
Management will consider assigning a family to a larger unit than the standards listed above if no eligible family in need of the larger unit is available to move into the unit within 60 days, the property has the proper size unit for the family but it is not currently available, and the family agrees in writing to move at its own expense when a proper size unit becomes available. For couples on waiting list, they will be given preference for a 1-bedroom.

Change in Family Size after Initial Occupancy
After a family moves into a unit, if the unit becomes underutilized due to a change in family size, management may ask the family to voluntarily move to a unit of appropriate size to accommodate another resident with verified disability needs, if it is available. Management cannot and will not take any action against the resident for refusing to move.

Change in Need for Accessible Features
If a family is in an accessible unit but no longer needs the accessible features, management may request that the family move to another unit in the property.

Policy for Unit Transfers

Requests from Residents
Residents may request for a validated medical transfer. As well as requesting one resident to accommodate another resident for medical reasons. All transfer requests must be made in writing, and must state the reason for the request. The request will then be forwarded to the property manager/owner for final approval.

Requirement by Owner
Owner Initiated Transfers: Emergency Repair, Complete Renovation, Requesting one resident to accommodate another resident for medical reasons.

Priorities for Transfers
Current residents may qualify for a unit transfer in the following order:
• Resident requested for a validated medical transfer
• Owner Initiated Transfers: Emergency Repair, Complete Renovation, Requesting one resident to accommodate another resident for medical reasons
• Grandfathered in Transfers from 03/23/2018 – 12/19/2018, these are all requests for studios to one-bedrooms. Transfers will be made to Grandfathered Transfer applicants and Tenant-Transfer Applicants on every other available openings, e.g., first vacant 1-BR will be offered to the first applicant on the Waiting List, the next opening will be offered to Grandfathered Transfer-Applicant on list, and so forth.

Placement on Transfer Waiting List
If the property manager approves a Medical request for a transfer to a different unit, and there is no current unit available, the resident will be placed on the property’s transfer waiting list. Residents needing transfers due to Medical reasons must have a written physician’s statement, physician may be verified for their qualifications and legal practice in the State of California.

Procedures for Filling Vacancies
If a request for a transfer to a different unit is approved, the resident agrees to pay all transfer costs prior to the move. Costs may include damages that are beyond normal wear and tear. However, if a resident is transferred as an accommodation to a household member’s disability, then management may be obligated to pay the costs associated with the transfer as discussed under Section 504 of the Rehabilitation Act of 1973 of Chapter 2 of HUD Handbook 4350.3 REV-1.

Priority for Filling Vacancies
The property will fill its vacant units with applicants from the property’s waiting list. Unit transfers that are required by management will take priority over resident requested transfers.
Emergency Transfers under VAWA

In order to qualify for an emergency transfer under VAWA 2013, a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking must reasonably believe there is a threat of imminent harm from further violence. It does not matter when an initial act occurred if the current belief of a threat of imminent harm is reasonable, or, in cases of sexual assault, the assault occurred on the premises during the 90-calendar-day period preceding the transfer request. Housing providers may require that tenants who request emergency transfers under VAWA submit a written transfer request where the tenant certifies that he or she believes there is a threat of imminent harm from further violence, or that he or she was a victim of a sexual assault that occurred on the premises during the 90-calendar-day period preceding the transfer request. For further information on VAWA, see Section IX of this Plan.

Making Emergency Transfer Plans Available upon Request

VAWA 2013 requires housing providers to prepare a workable emergency transfer plan, which must be made available upon request, and must detail the measure of any priority given to tenants who qualify for an emergency transfer under VAWA in relation to other categories of individuals seeking transfers or placement on waiting lists. Management’s Emergency Transfer Plan, which describes policies for assisting tenants to make emergency transfers, is available for review at the administration office upon request.

Eligibility Occupancy Requirements May Not be Superseded

Emergency transfer obligations under VAWA do not supersede any eligibility or other occupancy requirements that may apply under a covered housing program. For example, the tenancy priority for an available accessible unit required to be accessible under HUD’s Section 504 regulation must still be applied to maximize the utilization of accessible units by individuals who need the accessibility features. The objective of the emergency transfer plan is to develop a plan for how to fill an available unit cognizant of the need to transfer an individual who qualifies for an emergency transfer as quickly as possible while meeting other obligations and balancing competing needs.

Assigning Units for Persons with Physical Disabilities

Management will always give a family that has indicated a need for certain unit accommodations because of a disability, the opportunity to decide for itself, in compliance with Section 504 of the Rehabilitation Act, whether a unit meets the needs of the family. The property will notify the household whenever any unit becomes available, without regard to unit accessibility. The property will never prohibit an eligible family with a member who has a disability from accepting a suitable non-accessible unit if no accessible unit is available when the family reaches the top of the waiting list. If the applicant decides to accept a standard unit, s/he may request some modification to the unit as a reasonable accommodation.

Assigning Accessible Units

If a unit becomes available that has either been made accessible under Section 504, or was originally designed for disabled households when the property was approved for funding, the property will first offer the unit to an individual with disabilities who is currently residing in a non-accessible unit who requires the features of the unit. If there is no such current resident, the property will offer the unit to the next qualified applicant on the waiting list who needs the features of the accessible unit.

When neither a current resident nor a qualified applicant requires the features of an available accessible unit, the property will offer the unit to another resident or applicant, and will incorporate as an addendum to the lease an agreement that the resident will move to a non-accessible unit within the property when one becomes available. This addendum will also cover whether the resident or the property will pay for the cost of such a move.

Reasonable Accommodations

The property will consider requests for reasonable accommodations from applicants/residents with disabilities, in order that they may benefit from the use and enjoyment of the dwelling units. The applicant/resident must be able to show that the requested accommodation is necessary, and that there is a strong, identifiable relationship between the requested accommodation and the individual’s disability.

If a household requests an accessible feature, policy modification, or other reasonable accommodation, the property will provide the requested accommodation unless doing so would result in a fundamental alteration in the nature of the program, or an undue financial and administrative burden. A fundamental alteration is a modification that is so significant that it alters the essential nature of the operations of the property.
VI. Marketing

**Fair Housing Requirements**
The property enforces a marketing effort that attracts a broad cross-section of the eligible population without regard to race, color, religion, sex, disability, familial status, or national origin.

**Filling Available Units**
Whenever additional applicants are needed to fill available units, advertising will be carried out in accordance with the HUD-approved AFHMP, and as indicated below.

**Race and Ethnic Data Reporting**
The property will offer all members of an applicant/resident family the option of completing Form HUD-27061-H, Race and Ethnic Data Reporting Form. This form is used for gathering race and ethnic data in assisted housing programs. The form will be offered for completion at initial application or at lease signing. In-place residents who have not completed the form will be offered the opportunity to complete the form. There is no penalty for persons who do not complete the form. The property will place a note in the file of any family member who chooses not to complete the form.

**Affirmative Fair Housing Marketing Plan (AFHMP)**
The property complies with the requirements of the HUD-approved AFHMP established for the property, which is designed to promote equal housing choice for all prospective residents regardless of race, color, religion, sex, disability, familial status, or national origin. The purpose of the plan is to ensure that eligible families of similar income levels will have a similar range of housing opportunities. The plan outlines marketing strategies management will use. Special efforts will be made to attract persons who are least likely to apply due to such factors as the racial or ethnic composition of the neighborhood. Marketing will also seek to reach potential applicants outside the immediate neighborhood if marketing only within the neighborhood would create a disparate impact against certain classes, such as the case of an entire neighborhood that includes no minorities.

**Monitoring and Documenting Marketing Activities**
The property will monitor marketing efforts and document the results in writing. The documentation will be made available, upon request, for all marketing activities, to show consistency with affirmative fair housing marketing requirements and the approved plan for the property. This documentation will include copies of media and marketing materials, records of marketing activities conducted, and documentation of any special marketing activities conducted in accordance with the property’s approved AFHMP.

**Five-Year Review of Plan**
The property will review the AFHMP every five years and update it as needed to ensure compliance with HUD regulations. If the demographics of the area have changed, the property will determine whether advertising efforts should be targeted to different groups. The AFHMP will be revised whenever a substantial change takes place, or the local Consolidated Plan is updated, and be submitted to HUD for approval.

**Advertising**

**Population to be Targeted**
When available units cannot be filled from applicants on a waiting list, the property will target advertising to groups other than the typical population of the neighborhood, and will reach out to applicants who are least likely to apply because they are not the predominant racial or ethnic group in the neighborhood.

**Form of Advertisement**
All advertising for this property includes either the HUD-approved Equal Housing Opportunity logo, the Equal Housing Opportunity slogan, or an equal housing statement. All visual advertising will depict members of all eligible protected classes including individuals from both majority and minority groups.

**Source of Advertising**
The property will use the following public forums for its advertising: Flyers distributed to community centers, churches, and organizations who serve populations that are least likely to apply and under-represented as stated on Bethany Center’s 2021 AFHMP.

**Fair Housing Poster**
The property has posted the required Equal Housing Opportunity poster in a window of the Leasing Office which can be seen from the street, so that it is readily apparent to all persons seeking housing.
VII. Application Intake and Processing

Application Intake
All persons wishing to be admitted to the property, or placed on the property’s waiting list, must complete an application. All applications will be forwarded to a single PO Box location as listed on the advertising flyer. Address of the PO Box location will also be provided on a preprinted return envelope including a deadline date for USPS postmark.

Communications with Applicants
All communications with applicants will be by first class mail, telephone or email. Failure to respond to letters or phone messages may result in withdrawal of an application from further processing. The property will make exceptions to these procedures to take into account circumstances beyond the applicant’s control, such as medical emergencies or extreme weather conditions. Applicants with disabilities may also request auxiliary aids or TTY/TTD services.

Race/Ethnicity Data Collection
The applicant provides self-certification of their race and ethnicity for data collection by using form HUD-27601-H, Exh 4-3 of HUD Handbook 4350.3 REV-1. Completing this form is optional and there is no penalty for not completing it.

Written and Signed Applications
Written applications will be accepted from anyone who wishes to apply. Every application must be completed and signed by the applicant. The information requested on the application form includes:

- Household characteristics such as name, sex, age, disability status (only where necessary to establish eligibility), need for an accessible unit, and race/ethnicity;
- General household contact information such as address, phone number, etc.;
- Sources and estimates of the household’s anticipated annual income and assets;
- Disclosure of Social Security numbers for all family members except for members who are exempt;
- Citizenship declaration and consent form(s);
- Higher education student status (only if a member of the household is a student in higher education);
- Screening information including drug/criminal history; State sex offender registration records; listing of states where all family members have lived; prior landlord references; and credit references;
- Marketing information regarding how the applicant heard about the property; and
- Certification from the applicant stating the accuracy and completeness of information provided, and an acknowledgement that the applicant has read the Privacy Act and understands the disclosure requirements.

Supplement and Optional Contact Information
Management will provide all applicants the opportunity to complete the information on form HUD-92006, Supplement to Application for Federally Assisted Housing. This form gives applicants the option to identify an individual or organization that the owner may contact and the reason(s) the individual or organization may be contacted. Management will require applicants to provide the contact information, as providing contact information is required. Those applicants who choose not to provide the contact information will be asked to check the box indicating that they “chose not to provide the contact information”, and sign and date the form.

Offering Assistance to Applicants
Staff will offer assistance to applicants when it occurs. This assistance may take the form of answering questions about the application, helping applicants who might have literacy, vision or language problems and, in general, making it possible for interested parties to apply for assisted housing. The assistance may take the form of our service coordinator providing a list of agencies who can help applicants with translations and with filling out forms.

Determining an Applicant’s Eligibility
Before putting any applicant on a waiting list, the property will make a preliminary eligibility determination to ensure that there are no obvious factors that would make an applicant ineligible.

Placement on a Waiting List
If a preliminary screening indicates that a family is eligible for tenancy, but units of appropriate size are not available, management will place the family on a Waiting List according to the date and time the application was received in the rental office. The family will be notified when a suitable unit becomes available.

Placement on More than One List
Families may request and be placed on more than one waiting list, as long as they are eligible for the appropriate bedroom size. For instance, a family of 3 that includes a parent and a son and daughter is eligible for both a 2-bedroom unit and a 3-bedroom unit. For more information on Waiting List Management, see Section VIII of this Resident Selection Plan.
Applicant Interview/Briefing

As applicants approach the top of the waiting list they will be contacted to schedule an interview to verify all information given on the application. The interview will be conducted in accordance with HUD Handbook 4350.3 REV-1. The property will confirm and update all information provided on the application, and will explain program requirements, verification procedures, and penalties for false information, which include eviction, loss of assistance, fines up to $10,000, and imprisonment up to five years. The applicant will be asked to sign the release of information consent portion of the Authorization for Release of Information (Forms HUD 9887 and 9887-A) and any other necessary verification requests. If there is an English illiteracy than applicant must bring translator for whom the applicant must sign a consent form.

Ineligible Applicants

At the completion of the verification process, applicants will be ineligible to move into the property for any of the following:

- The applicant's gross annual income changes by the time they reach the top of the waiting list, and exceeds the income limit for the property;
- Household members have failed to meet disclosure requirements for Social Security numbers;
- Household members have failed to declare citizenship/non-citizenship status;
- Household members have failed to sign the release of information forms; and,
- Landlord reference checks reveal that the applicant has a history of nonpayment of rent, eviction for nonpayment of rent, history of disruptive behavior, or history of damaging site property;
- Each Household that has more than one (1) application on file.
VIII. Waiting List Management

Anyone who wishes to be admitted to the property or to be placed on the property’s Waiting List must complete an Application, which must include a signature certifying the accuracy and completeness of information provided. If the applicant is placed on the property’s Waiting List, the list will note the date and time of application, the size of unit desired, and any other pertinent information.

Priority Waiting List for VAWA Internal Emergency Transfers

Management has chosen to give priority to tenants who qualify for an internal emergency transfer under VAWA in relation to other categories of individuals seeking transfers or placement on waiting lists. The only documentation that Management will require the tenant to submit in order to be placed on the Emergency Transfer Waiting List is a written emergency transfer request, where the tenant certifies to meeting the requirements for an emergency transfer under VAWA. If a tenant provides self-certification, and Management has another safe and available unit for which the victim qualifies, Management will allow the tenant to transfer. If Management does not have a safe unit immediately available for an internal emergency transfer, the victim will be placed on the Emergency Transfer Waiting List.

Accommodating Persons with Disabilities

The property will accommodate persons with disabilities who cannot utilize the property’s preferred application process, by providing alternative methods of application in-take once we have received a call for possible accommodations (e.g. accepting mailed or online applications). In addition, the public notification of any closing or opening of the property’s waiting list will comply with HUD fair housing requirements, such as adopting suitable means to assure that notices reach eligible individuals with disabilities and those with limited English proficiency. The property also ensures that notices of and communications during all meetings will be provided in a manner that is effective for persons with hearing, vision, and other communications-related disabilities consistent with Section 504 and ADA. This includes ensuring that meeting sites are accessible and auxiliary aids and services are provided as needed, e.g. materials in Braille, audio, and large type; sign language interpreters, computer-assisted real time transcription (CART) services, and assistive listening devices, etc. The opening of the property’s waiting list and accepting applications for limited periods, will always be done in a manner advocated in HUD’s Notice H14-16, and will be done for periods longer than a single day, which could create disorderly and unsafe application intake.

Use of a Lottery System

Due to the high volume of applications, when opening a previously closed waiting list for a set period of time, the property will use a lottery to select which applicants will be placed on the waiting list, and the order in which they will be placed. A public notice will clearly indicate that this system will be used to place applicants on the waiting list. Further, applicants should be notified that, so long as the application is submitted within the stated timeframe, the timing of the application submission will have no effect on how soon they may be offered assistance. The date and time the lottery is held will be the date recorded on the waiting list. Any preferences the applicant qualifies for will also be noted on the waiting list. Selecting tenants from the waiting list will be done in accordance with Paragraph 4-15.A of HH 4350.3, R-1, C-4, which requires that, once unit size and preference order is determined, the property will select applications from the waiting list in chronological order to fill vacancies.

Selecting Names from the Waiting List

The property will select names from the waiting list in chronological order to fill vacancies unless an extremely low-income applicant is needed to achieve income-targeting requirements in this Section 8 property, and the next applicant on the waiting list has income above the extremely low-income limit. In such a case, a notation will be made on the waiting list to indicate why this applicant was skipped for an extremely low-income applicant. When appropriately sized units are offered to applicants, and an applicant turns down unit offers two consecutive times, the applicant will be removed from the Waiting List.

Maintaining the Waiting List

In order to maintain a balanced application pool, the property may, at its discretion, restrict application taking, suspend application taking, and close waiting lists in whole or in part. Decisions about closing the waiting list will be based on the number of applications available, and the ability of the property to house an applicant within a reasonable period of time. Advertising and outreach activities will be done in accordance with applicable fair housing marketing requirements and the HUD-approved AFHMP, and will target groups other than the typical population of the neighborhood in which the property is located, while reaching out to applicants who are least likely to apply because they are not the predominant racial or ethnic group in the neighborhood. Closing the waiting lists, restricting intake, or opening the waiting lists will be publicly announced Third Baptist church, Centro Latino de SF, Menorah Park, Oak Center Tower, Bethany Center and its website, and will include the HUD-approved Equal Housing Opportunity logo, slogan, or statement. Further, all advertising depicting persons will depict members of all eligible protected classes including individuals from both majority and minority groups, including both sexes.
Policy for Closing the List
The waiting list will be closed once we have 200 qualified applicants post Lottery. Potential applicants whose names appear on
the waiting list will be notified via mail of the closure of the waiting list. The waiting list closure will also be published in the
flyers listed above, and will state that additional applications will not be accepted until the waiting list is no longer excessive.
During the period when the waiting list is closed, the property will not maintain a list of individuals who wish to be notified when
the waiting list is reopened.

Reopening the List
We will reopen when there are 100 qualified applicants remaining on the waiting list, the property will advertise by flyers, website to those listed above, explaining the rules for applying, when and where to apply, and the order in which applications will be processed.

Updating the Waiting List
The Waiting List will be updated during the first quarter, annually. Applicants must contact the property during the timeframe they hear from us in order to stay on the Waiting List. The applicant is responsible to update the application with any changes that may occur to remain active on the current waiting list. See last three (3) pages on Waiting List Procedure and Tracker

Removal of Applications from the Waiting List
The property will not remove an applicant’s name from the waiting list unless:
- The applicant requests that the name be removed.
- The applicant was clearly advised of the requirement to tell the property of his/her continued interest in housing by a particular time and failed to do so. Those applicants failing to respond within the required time frame will be removed from the list.
- The property made a reasonable effort to contact the applicant to determine if there is continued interest in housing, but has been unsuccessful. Unresponsiveness is determined by: (1) phone or email within a 24 business hour period, or (2) 5 business days by USPS mail.
- Management is informed by the applicant that they are no longer qualified for assisted housing.

Preferences
Assigning preferences to applicants who meet certain criteria is a method intended to provide housing opportunities to applicants based upon household circumstances. Applicants with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference. Preferences affect only the order of applicants on the waiting list. They do not make anyone eligible who was not otherwise eligible, and they do not change an owner’s right to adopt and enforce resident screening criteria. The property will inform all applicants about available preferences and give all applicants an opportunity to show that they qualify for available preferences including all applicants currently on the waiting list.

VAWA Preferences
Housing providers in covered programs are allowed to establish adoption of a local preference for admission of families that include victims of domestic violence, dating violence, sexual assault, and stalking. These preferences must be established in accordance with statutory or regulatory requirements. Such adoption would be an admission preference, admitting individuals as new tenants to a covered program, and not to be confused with a transfer priority list, which a housing provider could use to assist existing tenants. HUD does not require housing providers to create VAWA preferences, but encourages them to do so.

Owner-Adopted Preferences
The property has adopted one or more of the following preferences:
- VAWA. The property has adopted a preference for admission of families that include victims of domestic violence, dating violence, sexual assault, or stalking. For more information, see the paragraph on VAWA preferences above.
- Residency. The property has received HUD’s approval to adopt a residency preference, which provides applicants who live in the geographic area of the property at the time of application a priority over nonresidents. However, the owner will not make residency a requirement. The owner will also consider the following as residents:
  - Applicants who work in the jurisdiction;
  - Applicants who have been hired to work in the jurisdiction;
  - Applicants who are expected to live in the jurisdiction as a result of a bona fide offer to work; or
  - Applicants who are graduates of, or active participants in, education and training programs located in the jurisdiction, if the education or training program is designed to prepare individuals for the job market.

Elderly Preference in Section 8 Senior Properties
The property has made an election to give preference for the elderly as allowed under Title VI, Subtitle D of the Housing and Community Development Act of 1992, and as defined in HUD Handbook 4350.3 REV-1, Paragraph 3-18.
IX. Screening for Suitability to Determine Eligibility

Applicant Screening Policy
All applicants for assisted housing will be screened according to the criteria set forth in HUD’s Occupancy Handbook, HUD Handbook 4350.3 REV-1. Certain key questions relating to the applicant’s eligibility and resident history will be asked, including Social Security numbers, and the names, addresses and telephone numbers of current and former landlords. Failure to provide this information will result in cessation of application processing. Property staff will assist applicants, as needed, in understanding the application process. Additionally, we will provide external resources to complete forms. Applicants will be instructed on what aspects of their background will be checked. An applicant has the right to voluntarily withdraw from the application process at any time.

Prohibited Screening

• The owner will comply with all applicable federal, state or local fair housing and civil rights laws and with all applicable civil rights related program requirements;
• The owner will not discriminate in its screening process based on race, color, religion, sex, national origin, age, familial status, or disability;
• In addition, the owner will not discriminate at this Section 8 property against segments of the population, such as welfare recipients or single parent households;
• The property will uniformly require all applicants to furnish evidence of ability to meet the obligations of tenancy, but will not impose greater burdens on persons with disabilities. Persons with disabilities may meet the requirements of the lease with the assistance of others such as attendant care providers;
• The owner will not require physical examinations or medical testing as a condition of admission;
• The owner will not require a donation, contribution or membership fee as a condition of admission;
• The owner will not make an inquiry to determine whether an applicant has a disability, or to make inquiry as to the nature or severity of a disability.

Procedures for Applicant Screening

Screening for Credit History
Management will screen all applicants for their credit activity for at least the past 2 years. Management will reject an applicant for a credit history showing a delinquency on accounts. Management will not reject an applicant for a lack of a credit history.

Screening for Rental History
The applicant’s rental history must be acceptable to the property’s standards, which are as follows:

• Applicants should have at least one year of rental history to contact;
• The rental history of both the current landlord, and one previous landlord may be reviewed;
• Applicants must not have a history of more than two (2) late payments;
• An applicant who applies owing a balance consisting of uncollected rent and/or miscellaneous charges may not be placed on the Waiting List until the validated balance is paid;
• If the applicant’s current living arrangements are with a family member, additional information on the applicant’s ability to comply with lease terms will be collected from other sources.
• If an applicant’s current housing is “owner occupied” this criterion is waived.

Record of Eviction
Management will check court records for evidence of evictions or judgments against the applicant, to determine the applicant’s past history of meeting financial obligations, and their future ability to make timely rent payments. If it is determined by the landlord that the applicant is not credit worthy, the applicant will be rejected.

• Record of termination from residential programs will be checked with police, service agencies and with any housing providers referred by the applicant.
• An applicant will in no way be held accountable by the property for the rental delinquency or other problems of a former household of which the applicant was a member, but not the head or spouse.
• Staff will consider the date and circumstances of any past eviction or termination in determining its relevance to property tenancy.
**Record of Disturbance**
- Management may check with the current landlord and at least one former landlord for potential problems regarding undesirable noise, disturbance of neighbors, or destruction of property.
- An applicant’s behavior toward property staff will be considered in relation to future behavior toward neighbors. Physical or verbal abuse or threats by an applicant toward staff will be noted in the file.

**Screening for Housekeeping Habits**
Management may check with the current landlord and at least one former landlord regarding the applicant’s housekeeping habits, to determine the maintenance of the present home in regards to sanitary conditions, and fire and safety standards that would pose a threat to other residents.

**Screening for Marijuana Use**
The Controlled Substances Act (CSA) categorizes marijuana as a Schedule 1 substance and therefore the manufacture, distribution, or possession of marijuana is a federal criminal offense. Because the CSA prohibits all forms of marijuana use, the use of marijuana for recreational purposes or medical purposes is illegal under federal law even if it is permitted under state law. With regard to questions concerning the use of marijuana in MF assisted properties in states that have decriminalized the use of marijuana, the controlling authority is Section 577 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA). Because this property is federally assisted, the requirements of QHWRA apply, and the property will deny admission to any household with a member who is determined, at the time of application for admission, to be illegally using a controlled substance as that term is defined by the CSA. In addition, the property will terminate the tenancy for any household with a member who the property determines is illegally using a controlled substance, or whose illegal use, or pattern of illegal use, of a controlled substance is determined by the property to interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

**Screening for Drug Abuse and Other Criminal Activity**
Management will deny admission if:
- Any household member has been evicted from federally assisted housing for drug-related criminal activity, for 3 years from the date of eviction. If the evicted household member who engages in drug-related criminal activity has successfully completed a supervised drug rehabilitation program or circumstances leading to the eviction no longer exist, management may, but is not required to, admit the household.
- Any household member is currently engaging in illegal drug use.
- Management determines that there is reasonable cause to believe that a household member’s illegal use or a pattern of illegal use of a drug may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. (Examples of evidence of illegal activities may include a conviction record, former landlord references, etc.)
- Any household member is subject to a lifetime registration requirement under a state sex offender registration program as outlined in the paragraph below, Screening for Sex Offender Status.
- Management determines that there is reasonable cause to believe that a household member’s abuse or pattern of abuse of alcohol interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Any household member is currently engaging in, or has engaged in during a reasonable time before the admission decision violent criminal activity, or any criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

**Providing Second Chances for Formerly Incarcerated Individuals**
In order to achieve an effective balance between allowing individuals with a criminal record to access HUD-subsidized housing and ensuring the safety of all residents of such housing, the property will enact the following guidelines in the screening of applicants:
- The property will limit their criminal record screening to assessments of conviction records, and not arrest records. However, a record of arrest(s) may be used to make an adverse housing decision based on the conduct underlying the arrest if the conduct indicates that the individual is not suitable for tenancy and the property has sufficient evidence other than the fact of arrest that the individual engaged in the conduct.
- The property will allow applicants to address and present mitigating circumstances regarding criminal backgrounds prior to admission decisions. Applicants will be given the opportunity to dispute the accuracy and relevance of a criminal record before admission is denied on the basis of such record, and will be afforded the right to request an informal hearing or review after an application for housing assistance is denied.
- The property has adopted a screening look-back period of twelve months when considering drug-related criminal activity and a twenty-four month look-back period for violent and other criminal activity that has the potential of threatening the health, safety, or right to peaceful enjoyment of the premises by other residents.
- The property will consider the following factors when evaluating an individual's criminal record, including:
  - Whether the applicant's offense bears a relationship to the safety and security of other residents;
  - The level of violence, if any, of the offense for which the applicant was convicted;
  - Length of time since the conviction;
• The number of convictions that appear on the applicant's criminal history;
• If the applicant is now in recovery for an addiction, whether the applicant was under the influence of alcohol or illegal drugs at the time of the offense; and
• Any rehabilitation efforts that the applicant has undertaken since the time of conviction.

Screening for Sex Offender Status
Management will deny admission to any member of the household that is subject to a lifetime registration requirement under a state sex offender registration program. During the admission screening process, management will perform the necessary criminal history background checks in the state where the housing is located, and in every state where all household members are known to have resided. Management will use the Contemporary Information Corporation Database when screening for sex offender status.

Misrepresentation of Information
If, during the course of processing an application, it becomes evident that an applicant has falsified or otherwise misrepresented any facts about his/her current situation, history, or behavior in a manner that would affect eligibility, applicant selection criteria qualification, allowances or rent, the application shall be rejected.

Screening of Live-In Aides or New Additions to the Household
As per Par 4-7B5 of HUD Handbook 4350.3 REV-1, management will screen live-in aides and new additions to the resident household for drug abuse and other criminal activity by applying the same criteria established for screening other applicants.

Policy for Applying Protections under VAWA of 2013
The Violence Against Women Act of 2013 (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of age, sex, gender identity, or sexual orientation. Criminal activity directly relating to domestic/dating violence, sexual assault, or stalking, engaged in by a member of a resident’s household or any guest or other person under the resident’s control, shall not be cause for termination of assistance, or occupancy rights if the resident or an affiliated individual of the resident’s family is the victim or the threatened victim of that abuse. Incidents of actual or threatened domestic/dating violence, sexual assault, or stalking will not be construed as serious or repeated violations of the lease by the victim (or threatened victim), and will not be good cause for the termination of the assistance, tenancy, or occupancy rights of a victim of such violence. An affiliated individual is defined as a spouse, parent, brother, sister, or child, or a person to whom an applicant/tenant stands in the place of a parent or guardian (for example, the affiliated individual is in one’s care, custody, or control); or any individual, tenant, or lawful occupant living in a tenant’s household.

Protections for Applicants
If an applicant otherwise qualifies for assistance under this Section 8 program, they cannot be denied admission or denied assistance because they are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Protections for Tenants
A tenant receiving assistance under this Section 8 program may not be denied assistance, terminated from participation, or be evicted from rental housing because they are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Also, if a tenant or an affiliated individual of the tenant is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, they may not be denied rental assistance or occupancy rights under this Section 8 program solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking. See the definition for affiliated individual below.

Giving Notice of Rights and Obligations under VAWA of 2013
Management will support and assist victims of VAWA crimes, and will protect victims, as well as members of their family or affiliated individuals, from being denied housing or from losing their HUD assisted housing as a consequence of a VAWA-related crime.

Notification of Occupancy Rights and Certification Form, HUD-5380
Effective on December 16, 2016, management will provide the Notification of Occupancy Rights and Certification form, HUD-5380, to all appropriate individuals at the following times:

• To applicants when assistance is being denied;
• To new households at the time of move-in into the property;
• To current tenants during the annual recertification or lease renewal process. If there will be no recertification or lease renewal for a household during the 12-month period from December 16, 2016 through December 15, 2017, management will provide notice via US mail no later than December 15, 2017;
• To current tenants with any notification of eviction or termination of assistance.

Additional Documentation for Victims
The O/A will also give applicants/tenants the opportunity to provide (in lieu of the form HUD-5382 or in addition to it), a federal, state, tribal, territorial, or local police record or court record, or documentation signed by an employee, agent,
Management is not required to demand that an individual produce official documentation or physical proof of an individual’s status as a victim of domestic/dating violence, or stalking in order to receive the protections of the VAWA. Management will provide assistance to an individual based solely upon the individual’s statement or other corroborating evidence, and will carefully evaluate abuse claims as to avoid conducting an eviction based on false or unsubstantiated accusations.

In extreme cases where an individual’s health or safety is at risk, the O/A will allow a verbal request for protection.

Management will work with the applicants/tenants in making acceptable delivery arrangements for a certification form, such as inviting them into the office to pick up the certification form or making other discreet arrangements.

Confidentiality of Information
The identity of a victim, and all information relating to VAWA incidents, will be retained in confidence by management and will not be entered into any shared database or provided to a related entity, except to the extent that the disclosure is requested or consented to by the individual in writing; is required for use in an eviction proceeding; or is otherwise required by applicable law. Management will retain all documentation relating to an individual’s domestic violence, dating violence or stalking in a separate file that is kept in a separate secure location from other tenant files.

Applicable VAWA Forms

Form HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking
Effective 12-16-16 and ongoing, until HUD’s Office of Multifamily Housing has updated Form HUD-91066 listed below, management will provide to current tenants the option to complete form HUD-5382 to certify if they are a victim of domestic violence, dating violence, sexual assault, or stalking.

Form HUD-91066, Certification of Domestic Violence, Dating Violence or Stalking
Form HUD-91066 is currently being updated by the Office of Multifamily Housing, and therefore effective 12-16-16, in lieu of HUD-91066, all current residents will be provided the option to complete form HUD-5382 until the updates for form HUD-91066 have been completed.

Form HUD-91067, Lease Addendum for VAWA
Form HUD-91067, HUD’s lease addendum for the VAWA provisions, is a required addendum to every lease. If it is determined that physical abuse caused by a resident is clear and present, the law provides management the authority to bifurcate the lease, and remove, evict, or terminate housing assistance to that individual, while allowing the victim, who lawfully occupies the home, to maintain tenancy. The eviction/termination action against the individual, will be done in accordance with the procedures prescribed by federal, state, and local law. If such action is deemed necessary, an interim recertification will be processed reflecting the change in household composition.

Emergency Transfers
Under VAWA 2013 current victims are offered the protection of emergency transfers, which allow for survivors to move to another safe and available unit if they fear for their life and safety. Any current tenant seeking an emergency transfer will be required to complete a written Emergency Transfer Request, form HUD-5383, which will be made available upon request. In addition, management has an Emergency Transfer Plan available for perusal in the property office.

Option to Bifurcate Lease
VAWA 2013 requirements provide that notwithstanding the restrictions placed on admission, occupancy, and termination of occupancy or assistance, or any Federal, State, or local law to the contrary, an O/A of assisted housing may bifurcate a lease for housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, and mandates that if such bifurcation occurs, and the removed tenant or lawful occupant was the sole tenant eligible to receive assistance under a covered housing program, the management will provide any remaining tenant the opportunity to establish eligibility for the covered housing program. If the remaining tenant cannot establish eligibility, management will provide the tenant a reasonable time to find new housing or to establish eligibility under another covered housing program. VAWA 2013 provides that HUD is to determine what constitutes a reasonable time, which when established will be followed by the property.

Providing a Reasonable Time
VAWA protects victims of domestic violence, dating violence or stalking, as well as their immediate family members, from being denied housing assistance if an incident of violence is reported and confirmed. An applicant’s status as a victim of domestic violence, dating violence, or stalking is not a basis for denial of rental assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.
X. Verification Requirements and Enterprise Income Verification (EIV)

Verification of Eligibility Factors

Verification of Family Composition and Age
Management will verify family composition to determine the appropriate unit size for the family. In addition, verification of age may need to be obtained since eligibility for certain deductions such as the elderly deduction, dependent deduction, child care, medical, etc., is dependent on the age of the family member to whom the deduction pertains, and the relationship of the family member to the head of household.

Acceptable Verifications of Age for Family Members 18 and Older
- Birth or Baptismal Certificate
- Military Discharge Papers
- Valid Passport
- Census Document showing age
- Naturalization Certificate
- SSA Retirement Benefits Printout
- SSI Old Age Benefits Printout

Acceptable Verifications of Age for Family Members under the Age of 18
- Birth Certificate
- Adoption Papers
- Custody Agreements

Verification of Disability
Verification of disability may need to be obtained to determine whether a family or person meets the definition of disability used to determine eligibility for a project, preferences, or an allowance, or to identify applicant needs for features of accessible units or reasonable accommodations. Management will not specifically ask for or verify the nature and extent of the disability.

Acceptable Verifications of Disability
- Receipt of supplemental social security disability or social security disability benefits, which would provide verification that an individual met the handbook definition of person with disabilities; or
- Verification by a reliable source that the individual meets the relevant definition of a person with a disability/handicap for this property.

Verification of the Need for an Assistance Animal
Some applicants or residents may require the use of assistance animals as a reasonable accommodation for a disability. Management will verify that the applicant/resident has a disability and that there is a disability-related need for the requested accommodation, in this case the assistance animal. Management will require the applicant/resident to provide documentation of the disability and the need for the animal from an appropriate third party, such as a medical provider, mental health provider, or other professional in a position to provide this verification.

Verification of Income Eligibility
All sources of income required by HUD to be included in a family's income and used to determine applicant eligibility will be verified by management in accordance with Chapter 5 of HUD Handbook 4350.3 REV-1. This includes using the EIV system for up-front verification of employment and income information.

Verifying Zero Income
If an applicant reports zero income at the time of application, management will advise her/him that if they are still at zero income when they become a resident, they will be asked to complete a questionnaire prepared by the property stating their source of necessary living items that are not covered by Food Stamps or other federal assistance sources. After 90 days at zero income, and for every 90-day period thereafter, the resident will be required to re-verify their zero-income status to determine if they have begun to receive any type of income. At the time of these 90-day zero income reverifications, an EIV No Income Report will be run by management to determine if EIV is reporting any income for this individual.

Verification of Social Security Numbers
Applicants and residents, excluding individuals who do not contend eligible immigration status, and residents age 62 or older as of 1-31-10, whose initial determination of eligibility was begun before 1-31-10, and households with children under the age of 6 who were added to the household within the 6-month period prior to the household’s date of admission, will be required to disclose and provide verification of the complete and accurate SSN assigned to each household member. (See Section III of this plan for more information.)
Adequate documentation to verify the SSN of an individual is a social security card issued by the SSA, an original document issued by a federal or state government agency which contains the name and SSN of the individual along with identifying information of the individual, or other acceptable evidence of the SSN listed in Appendix 3.

Verification of Citizenship and Immigration Status
This Section 8 property is subject to the restriction on assistance to noncitizens. Management will require all applicants to provide a citizenship Declaration Form identifying whether they are a citizen, a noncitizen with eligible immigration status, or a noncitizen who is not contending eligible immigration status. See Section III of this plan for verification requirements for applicants claiming to be citizens or eligible noncitizen immigrants. **Co-applicant who are noncitizens and who are not contending eligible immigration status are not required to verify their noncitizen status.**

Verifying Eligibility of a Student for Assistance
This Section 8 property is subject to the restriction on assistance to students of higher education. Management will verify parent’s income, whether jointly or individually, at each certification that the student is in school, whether full time or part time, unless the student is claiming independence from parents. If the student is claiming independence from parents, management will verify the student’s independence in accordance with Paragraph 3-33 of HUD Handbook 4350.3 REV-1.

Verification of Income through the EIV System
HUD’s Enterprise Income Verification (EIV) system is an upfront income verification tool available to owners to validate wage, unemployment and social security income during annual, interim, and initial certifications of residents’ income. It is a web-based application available to authorized program administrators of HUD’s rental assistance programs, which allows an owner to verify income through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals. It is also known as automated written third party verification.

Use of EIV Data and Reports
Management has trained its staff regarding the use of all EIV data and reports, as outlined in the property’s EIV Policies and Procedures manual at the property. Included in these reports are Income Reports which are used as a third-party source to verify residents’ employment and income during mandatory re-certifications of family composition and income, and Verification Reports, which are used to further assist management in reducing subsidy payment errors. Management has trained its staff to retain EIV data in residents’ files for the term of tenancy plus 3 years after tenancy is terminated.

Procedures for Using the Existing Tenant Search
Management will use the Existing Tenant Search at the time of processing all applicants for admission, to determine if there may be applicants or applicant household members who are currently residing at another multifamily assisted property or Public and Indian Housing (PIH) property at the time of application processing. If it is found that an applicant is residing at a multifamily assisted or PIH property, management will discuss this with the applicant, giving them the opportunity to explain any circumstances relative to them being assisted at another location, such as their intention to move from their existing location. In addition, before admitting the applicant, management will contact the respective PHA or O/A to confirm the individual’s program participation status, and if the individual has given a 30-day notice to vacate at their current property. Management will then coordinate the move-in/move-out dates with the PHA or O/A.

Safeguards
Management is currently in compliance with the EIV system and has established guidelines in the property’s Policies and Procedures manual outlining technical, administrative and physical safeguards for staff to implement for ensuring the security and confidentiality of resident records.

Required Verification and Consent Forms

Required Consent Forms
Adult members of assisted families must authorize owners to request independent verification of data required for program participation. To provide owners with this authorization, adult family members must sign two HUD-required consent forms, plus management’s specialized verification forms.

**Form HUD-9887, Notice and Consent to the Release of Information to HUD.**
Each family member who is at least 18 years of age and the head, spouse or co-head, regardless of age, must sign this form at MI, IC, and AR, regardless of whether s/he has income. Additionally, the form must be signed when a new adult member joins the household, and when members of the household become 18 years of age. The consent allows HUD to verify information with the IRS, the SSA, and with state agencies that maintain wage and unemployment claim information.

**Form HUD 9887-A, Applicant’s/Tenant’s Consent to Release of Information – Verification by Owners of Information Supplied by Individuals Who Apply for Housing Assistance.**
Owners and all family members 18 years of age and older, regardless of whether they have income, must sign this form. The consent allows owners to request and receive information from third-party sources about the applicant/resident.
Requirement for Family Members Who will Turn 18 in the Coming 12-Month Period
Management will notify all family members that will turn 18 within the coming 12 month period that they must report to
management within 10 days following their 18th birthday to sign the 9887 and 9887-A.

Owner-Created Verification Forms
All information relative to eligibility and level of assistance will be documented, and appropriate verification forms or letters
placed in the applicant file. Management has created verification forms for specific verification needs which it will utilize when
requesting information from employers, banks, child care providers, doctors, pharmacies, etc. No decision to accept or reject an
application will be made until all verifications have been collected. Management staff will be the final judge of the credibility of
any verification submitted by an applicant. All information relative to the following items will be verified:

• Income, assets, family composition, and Social Security numbers;
• Deductions for such things as dependent status, age, childcare, disability, disability expenses, and medical costs;
• Documented ability and willingness to abide by lease requirements, previous history of tenancy, rent paying, caring for a
  home, and criminal activity of any family member.

Certification Checklist/Questionnaire
Each member of an applicant/resident family who is 18 years of age and older will be required to complete a checklist/
questionnaire at MI and each AR, IR, and IC, certifying to any income, assets, deductions or level of eligibility.

Verification Documentation
Documentation used as part of the verification process may include:

• Certification Checklists/Questionnaires as listed above;
• Verification forms completed and signed by third parties;
• Reports/letters of interviews; and
• Notes of telephone conversations with reliable sources. At a minimum, telephone conversations will indicate the
date of the conversation, source of the information, name and job title of the individual contacted, and a written
summary of the information received.

Acceptable Verification Methods
All verifications of eligibility, income, assets, and deductions will be attempted in the following order:

• Upfront-income verification (UIV) with use of EIV being mandatory and use of non-EIV UIV being optional;
• Written third-party verification;
• Oral third-party verification, with a record kept in the file;
• Family Certification. If third-party verification is not available, management will document the resident file to explain
  why third-party is not available.

Dispute of EIV Information
Securing income information through HUD’s EIV system will always be management’s first choice of verification. If the
resident disputes the information obtained in EIV, management will request written 3rd party verification. For each file where
EIV is not used, the file will be documented to show that management attempted to obtain third-party written documentation
before relying on some less acceptable form of information.

Resolving Discrepancies
Management will investigate and confirm possible discrepancies and errors to a resident’s reporting of income. The property will not
suspend, terminate, reduce, make a final denial of rental assistance, or take any other adverse action against an individual based solely on
the data in EIV. When the employment and income data in EIV is not the same as reported by the resident, or when the resident disputes
the EIV data, the property will independently verify any information by obtaining third party verification directly from the third party
source. The property will notify the resident of the results of the third party verification and request the resident come into the office,
within 10 days of notification, to discuss the results. The resident may contest the findings in the same manner as applies to other
information and findings relating to eligibility factors.

Attempted Fraud
Any information provided by the applicant that verification proves to be untrue may be used to disqualify the applicant for
admission on the basis of attempted fraud. Fraud is defined in Par 8-13A of HUD Handbook 4350.3 REV-1 as an applicant/ resident
knowingly providing inaccurate or incomplete information. Unwitting errors that do not secure an advantage with
regard to program eligibility, preferences, or rent will not be used as a basis to exclude applicants. Management considers
false information about income, assets, family composition, Social Security numbers, allowances, and previous resident or
criminal history to be grounds for rejecting an applicant.

Pursuing for Fraud
If the property determines that the resident is in non-compliance with his/her lease because he/she knowingly provided
incomplete or inaccurate information, the property will follow the guidance in Par 8-18 of HH 4350.3 REV-1, for terminating
the resident’s tenancy and for filing a civil action against the resident to recover improper subsidy payments. Where fraud is
suspected, the property will report this to the HUD OIG Office of Investigation.
Recalculating Rent Owed
If the property determines that the resident unreported or underreported his/her income, management will go back to the time the unreported or underreporting of income started, not to exceed the 5-year limitation that the resident was receiving assistance discussed on forms HUD-9887 and HUD-9887-A, and calculate the difference between the amount of rent the resident should have paid and the amount of rent the resident was charged. A record of this calculation will be provided to the resident and also retained in the resident’s file.

Resident Repayment of Unreported or Underreported Income
Residents are obligated to reimburse the property if they are charged less rent than required by HUD’s rent formula due to underreporting or failure to report income. The resident is required to reimburse the property for the difference between the rent that should have been paid and the rent that was charged. Residents can repay amounts due in a lump sum payment, by entering into a repayment agreement with the property, or a combination of the two.

Verification and Documentation for VAWA Crimes
If an applicant or tenant represents to management that they are a victim of domestic violence, dating violence, sexual assault, or stalking who is entitled to protections or remedies under VAWA 2013, management will request that the applicant or tenant submit one of the following documentations:

- The Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation, form HUD-5382; or
- A document signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom the victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, that specifies, under penalty of perjury, that the professional believes in the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under this subpart, and that the incident meets the applicable definition of a VAWA crime, which also must be signed by the applicant/tenant; or
- A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- At the discretion of management, a statement or other evidence provided by the applicant or tenant.

Conflicting Information
If management receives documentation that contains conflicting information (including certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator), management will require an applicant or tenant to submit third-party documentation, as described above, within 30 calendar days of the date of the request for the third-party documentation.
X. Making an Occupancy Determination

Rejection or Admission

If at any point in the screening process it becomes clear to the property that an applicant will not meet the screening criteria, the file will be sent to the appropriate Administrator for review. If any information is missing or the case for rejection or acceptance is not compelling, the file will be returned to the staff for further work. If an applicant is clearly eligible and passes the screening criteria, admission will be authorized. Likewise, if the applicant is ineligible, rejection will be authorized.

Rejection of Ineligible Applicants

Applicants who do not pass the eligibility requirements will immediately be sent a Notice of Rejection. This written notice will specifically state the reason for the rejection, and will inform the applicant of her/his right to respond to management in writing, or to request a meeting within 14 days to dispute the rejection.

Certain Prohibitions for Rejecting Applicants including VAWA Victims

Prohibition of Rejecting Applicants because of Discrimination
The owner will not discriminate against an applicant based on race, color, religion, sex, national origin, familial status, or disability.

Prohibition of Rejecting Applicants because of Disabilities
Management will comply with HUD’s prohibition of rejecting an applicant because s/he has a handicap or disability, or for reasons that could be overcome by the property’s reasonable accommodation of the applicant’s disability or handicap. If, even with a reasonable accommodation, applicants with disabilities/handicaps cannot meet essential program requirements, management will be permitted to reject them. Such insurmountable problems might arise because of behavior or performance in past housing, inability to comply with the terms of the property’s lease, or needed services from property staff that represent an alteration in the fundamental nature of the property’s program. An applicant who has a disability/handicap but who is able to demonstrate a history of meeting financial obligations, caring for a rental unit, avoiding disturbing neighbors and destroying property, abstaining from criminal behavior, and complying with the property’s lease, would be recommended for admission with no further reference to or consideration of any disability or handicap.

Prohibition of Rejecting Applicants in Section 8 Programs Due to VAWA
VAWA protects victims of domestic violence, dating violence or stalking, as well as their immediate family members, from being denied housing assistance if an incident of violence is reported and confirmed. An applicant’s status as a victim of domestic violence, dating violence, or stalking is not a basis for denial of rental assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission. For further information on VAWA, see Section IX of this Plan.

Allowable Reasons for Rejection

Failing HUD's Eligibility Requirements
The property will reject an applicant if s/he:

- Is ineligible for occupancy based on HUD’s guidelines as indicated in HUD Handbook 4350.3 REV-1;
- Is unable to disclose and document a SSN for all family members except for those individuals who are exempted;
- Does not sign and submit verification consent forms or the Authorization for Release of Information (Forms HUD-9887 and HUD-9887-A);
- Has not completed a declaration of citizenship for every family member which declares that the member is either a citizen or national of the US, a noncitizen with eligible immigrant status, or a signed statement not contending eligible immigration status, thus agreeing there is no eligibility for assistance;
- Has household characteristics that are not appropriate for the unit sizes that are available;
- Does not meet the property’s screening criteria as set forth below.

Failing the Property’s Screening Criteria
Reasons for failing the property’s resident screening criteria include:

- A family member was, or is, engaged in criminal activity that involves crimes or physical violence to persons or property, or that disturbs the peaceful enjoyment of the premises;
- The applicant or a member of the household is subject to a State lifetime sex offender registration in any state;
- There is evidence of acts of violence or any other conduct that constitutes a danger or disruption to the peaceful enjoyment of the premises;
• Management has determined that the applicant household has a member who is at the time of application for admission, illegally using a controlled substance as that term is defined by the Controlled Substances Act, which includes the use of medicinal or recreational marijuana.

• There is confirmed drug addiction or alcohol abuse, such as a conviction for possession, trafficking or use of narcotics or controlled substances, a record of conviction for activity relating to the misuse of alcohol, or written reports from a probation officer, a social agency, or the family itself to the effect that the individual is addicted to, or is misusing drugs or alcohol;

• A family member was evicted in the past 3 years from federally assisted housing for drug and criminal activity;

• A family member has a conviction for the offense of rape, prostitution, indecent exposure, sodomy, carnal abuse, impairing the morals of a minor or similar crimes indicating sexual deviation;

• There is evidence of grossly unsanitary or hazardous housekeeping habits, which includes the creation of health or safety hazards through acts of neglect, or causing, or permitting to cause any damage to or misuse of the premises. This includes causing or permitting infestation, foul odors or other problems injurious to other persons’ health, safety, welfare or enjoyment of the premises; depositing garbage improperly; failing to properly use all utilities, services, appliances and equipment in the unit, or failing to maintain such in good and clean condition. In cases where a qualified agency, such as F.I.A. or Protective Services, reports that a family shows potential for improvement in the area of housekeeping, an eligibility decision will be reached after receiving such a referral.

Appeal Process
All denied applicants have 14 calendar days from the sender’s post mark date to respond in writing, or to request a meeting to discuss their rejection. Appeal letters should be sent to the address on the cover page of this plan. A member of management’s staff who was not involved in the initial decision to deny admission will conduct any meeting with the applicant. A written response will be sent to the applicant within 5 days following the review meeting with the final decision.

Acceptance of Eligible Applicants

VAWA Policy for Applicants
VAWA 2013 provides protections for applicants for assistance under all HUD-housing programs, and reflects Federal policies that recognize that all individuals should be able to live in their homes without fear of violence. The implementation of VAWA protections in HUD programs increases opportunities for all individuals to live in safe housing and reduces the risk of homelessness for individuals who might otherwise be eligible for housing assistance. Management is committed to strengthening the rights of victims of domestic violence, dating violence, sexual assault, or stalking at this property, and to provide such victims with housing stability.

Offering a Unit
When a unit becomes available for occupancy at this Section 8 property, it will be offered by calling the first applicant at the top of the Waiting List with a fully completed application and is ready to move in; unless, the property’s income-targeting percentage has not been met. In this case, it will be offered to the first extremely low-income applicant with a fully completed application and is ready to move-in. If the applicant does not return call within 24 working hours to accept or reject the offer, this will be considered one of two total rejections. There is now one remaining offer. Applicant will be returned to the top of the Offer List.

Briefing the Applicant before Move-In
Management will hold a meeting prior to the applicant taking possession of their unit to ensure that all new residents understand the terms of the lease, lease attachments, rent, security deposit, charges for facilities and services, maintenance, damages, residents’ rights, recertification requirements, unit inspections, house rules, penalties for fraud, and conditions for termination of assistance and tenancy. At the briefing management will give new residents an opportunity to ask questions and discuss the information being presented.

Preparing to Move In
• The applicant and site manager will inspect the unit, and will both sign the Move-In Inspection Form;
• All applicants will sign the lease and related documents;
• The applicant will pay the security deposit by personal check, bank check, cashier’s check or money order;
• The applicant will pay the pet deposit (if applicable) by personal check, bank check, cashier’s check or money order;
• The applicant will pay the rent for the first month or partial month of occupancy by personal check, bank check, cashier’s check or money order;
• The applicant will be given a copy of the lease, the HUD-50059 Form used to certify the rent, the Initial Notice for next year’s Annual Recertification, the Move-In/Move-Out Inspection Form, House Rules, the Lead Hazard Information
Pamphlet and Lead-Based Paint Disclosure Form (if applicable), a HUD Fact Sheet describing the program and how the property determined the rent, the *Resident Rights and Responsibilities* brochure, the *EIV & You* brochure, and the receipt for the security deposit and first month’s rent.

**Move-In Inspection**
Before executing the lease, management and the applicant will jointly inspect the unit to determine if it is decent, safe, sanitary, and in good repair. If cleaning or repair is required, management will specify on the MI/MO inspection form the date by which the work will be completed, which will be no later than 30 days after the effective date of the lease. The inspection form will be signed and dated by both management and the resident. **Applicant(s) will be informed that there will be Annual Inspection for repair and monitoring of housekeeping habits.**

**Initial and Renewal Leases**
Applicants will be required to sign a lease for the program under which they are being admitted, in accordance with Figure 6-2 of HUD’s occupancy handbook, HUD Handbook 4350.3 REV-1. The initial lease term and any renewal lease terms will be determined in accordance with Figure 6-3 of the handbook.

**Determination of Security Deposit**
Security deposit amounts will be determined in accordance with Figure 6-6 of HUD Handbook 4350.3 REV-1.

**Rent Calculation**
Monthly rent will be determined in accordance with the resident rent formulas indicated in Exhibit 5-8 of the handbook and as discussed in Section XII of this plan.

**Failure to Move In on Time**
If an applicant fails to move in on the agreed date, they will be contacted to determine if extenuating circumstances exist. If the property determines that extenuating circumstances do exist, and the applicant cannot immediately move into the property, the application will be returned to its current spot on the waiting list, and the unit will be offered to the next family on the list. If the property does not find that there are extenuating circumstances, the application will be withdrawn.

**Annual Unit Inspections**
In addition to the unit inspection at move-in/move-out, there will also be an annual inspection for repairs and monitoring of housekeeping habits. **Management will always give a 24-hour written notice in advance of the annual inspection. If a resident is written up for poor housekeeping habits, s/he must clean their unit within five (5) days for a re-inspection. If a resident has 3 unsatisfactory inspections, s/he will be required to move out of the property.**

**House Rules**
The property has House Rules that are attached to the Lease. These rules identify allowable and prohibited activities in housing units and common areas that are related to the safety, care and cleanliness of buildings on the property, and to the safety and comfort of the residents, and that are compliant with state and local requirements. It should be noted that if a resident has a live-in aide, the live-in aide must be compliant with the house rules, even though they are not a party to the lease. The owner has the right to evict a live-in aide who violates any of the house rules. **The house rules are reviewed annually and may be modified.** Residents will be notified of any modifications to the House Rules 30 days before they become effective. All residents will be given the opportunity to accept the changes in writing. If a resident chooses to reject any House Rule changes, s/he will be required to move out of the property within 60 days, owner will provide a written notice to move-out. Details of house rules will be reviewed and signed by residents at move-in.

**Pet Rules**
The Pet Rules that are attached to the Lease at this Section 8 elderly property are instituted to help maintain a decent, safe, and sanitary living environment for the residents of the property. The rules include guidelines on the registration and inoculation of pets, the sanitary disposal of waste, and the restraint of pets while in common areas, to help ensure that existing and prospective pet owners know their responsibilities to their pets and neighbors, as well as the property.

**Assistance Animals**
Management will not apply pet rules to assistance animals and their owners. This prohibition does not preclude an owner from enforcing state and local health and safety laws, nor does it preclude the owner from requiring that a resident with a disability who uses an assistance animal be responsible for the care and maintenance of the animal, including the proper disposal of the assistance animal’s waste.
XII. Resident Responsibilities at Move-In and Thereafter

The Leasing Process

Lease Requirements

Once an applicant has been approved and is ready to move into their assisted unit, they are required to sign a lease, which is a contract between the owner and resident that explains the terms for residing in the unit. The lease is legally binding and is enforceable in a court of law. The lease will be provided in languages other than English for Limited English Proficiency (LEP) persons in accordance with HUD Handbook 4350.3 REV-1, and a designated translator preferably family member, is it required to translate the terms of the lease. A signed Consent Form is required from the translator for each applicant.

Form of Lease

The lease being used at this Section 8 property is Appendix 4-A from HUD Handbook 4350.3 REV-1, and will only be modified for documented state or local laws.

Required Lease Attachments

The following documents will be attached to the lease:

- HUD-50059, signed by the resident and the owner;
- HUD-50059-A, signed by the owner and, when applicable, by the resident;
- Move-In Inspection Report, signed by both the owner and resident;
- House Rules, if such rules have been developed by the owner;
- Lead-Based Paint Disclosure form (if applicable);
- Pet Rules (if applicable);
- Owner’s Live-in Aide Addendum (if applicable). NOTE: This addendum will establish that a live-in aide is not eligible to remain in the unit once the resident is no longer living in the unit, regardless of the circumstances for the resident’s departure. The addendum will also give the owner the right to evict a live-in aide who violates any of the house rules.
- Owner’s Police or Security Personnel Addendum (if applicable);
- VAWA Lease Addendum.

Signatures

The head of household, spouse, co-head, and all adult members of the household will be required to sign the lease, any HUD-issued lease addendums, and any owner’s lease addendums. When a resident transfers to another unit, the owner and all residents required to sign the lease will be required to sign a lease for the new unit.

Lease Term

The Initial Lease Term for this Section 8 property is one year. The Renewal Term will be for 30 days at a minimum.

Amending the Lease for Rent Changes

Amending the lease for a change in rent provides the owner and resident with an accurate and up-to-date record of an increase or decrease in a resident’s rent. The lease is a legal contract between the owner and the resident, which stipulates the amount of rent the resident is obligated to pay to the owner each month. By amending the lease for changes in the rent, the resident and owner are both aware of the amount of rent the resident must pay to the owner each month.

- Any increase in rent must be governed by HUD regulations and requirements currently in effect. HUD does not require an addendum for a change in the resident’s rent. The printout of the HUD-50059 or HUD-50059-A serves as an addendum identifying the change in rent.
- If the resident rent increases for any reason other than a resident's failure to comply with recertification requirements, the owner must give the resident 30 days advance written notice of the increase. The notice must state the reason for the increase, and that it revises the rent.
- If the contract rent or assistance payment changes but the resident rent and utility allowance remain the same, the owner need only provide the resident with a copy of the revised HUD-50059 or HUD-50059-A.

Modifying the Lease

A lease change provided by HUD Headquarters through issuance of Notices or revisions to the Handbook will be incorporated into the lease as a lease addendum. If the owner chooses to modify the term and conditions of the lease in order to stay in compliance with any state or local law (State Tenant-Landlord Law), s/he will make the modifications in the form of a lease addendum only after receiving prior written approval of HUD or the CA.
Notice of Modification
Any modification to the lease will only be effective at the end of a lease term. The owner will provide the resident with the approved modification at least 60 days prior to the end of the lease term. The notice will include a copy of the revised lease, or an addendum revising the existing lease agreement. The owner will include a letter clearly stating that the resident can either accept the modification or move, but that a response is due within 30 days. Residents must either accept the modification by signing both copies and returning one to the owner, or refuse the modification and give the owner a 30-day notice of intent to vacate. If, within 30 days, the resident indicates that the modification is unacceptable or does not respond, the owner will begin procedures for terminating tenancy as set forth in paragraph 8-13 B of the handbook.

Option to Bifurcate the Lease
Under VAWA 2013 HUD provides that notwithstanding the restrictions placed on admission, occupancy, and termination of occupancy or assistance, or any Federal, State, or local law to the contrary, an O/A of assisted housing may bifurcate a lease for housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, and mandates that if such bifurcation occurs, and the removed tenant or lawful occupant was the sole tenant eligible to receive assistance under a covered housing program, management will provide any remaining tenant the opportunity to establish eligibility for the covered housing program. For further VAWA information, see Section IX of this Plan.

Collection of Rent
The owner will accept a resident's bounced personal check for payment of rent two (2) times. If the resident bounces a rent check, thereafter the owner may refuse to accept a resident's personal check, and may require the resident to pay rent in a guaranteed form, such as a money order, a cashier’s check, or bank issued check. The owner may also choose to charge bounced check fee.

Collection of Security Deposit
Security deposits provide owners with some financial protection when a resident moves out of the unit and fails to fulfill his/her obligations under the lease. The owner will collect a security deposit at the time of the initial lease execution in a guaranteed form, such as a money order, a cashier’s check, or bank check. The owner will place the security deposit into a segregated, interest-bearing account. The deposit amount for this Section 8 program will be one month’s Total Tenant Payment.

Interest Earned on the Security Deposit
The Owner will comply with state and local laws regarding investment of the security deposit and distribution of any interest earned thereon. If state law is silent, or if HUD regulations are more demanding, the owner will comply with HUD’s regulations. The owner will place the security deposit into a segregated, interest-bearing account. Interest to residents will be computed in accordance with state or local law. When state or local law is silent, the actual rate earned on the security deposits will be computed and credited to each resident’s portion of the security deposit.

Refunding and Use of the Security Deposit
In order to receive a refund of the security deposit, a resident must provide the owner with a forwarding address or arrange to pick up the refund. Subject to state and local laws, an owner may use the resident’s security deposit as reimbursement for any unpaid rent or other amounts the resident owes under the lease. Within 21 days after the move-out date (or shorter time if required by state and/or local laws), the owner will either refund the full security deposit to a resident that does not owe any amounts under the lease, or provide the resident with an itemized list of any unpaid rent, damages to the unit, and an estimated cost for repair, along with a statement of the resident’s rights under state and local laws.

• If the amount the owner claims is less than the security deposit plus accrued interest, the owner must refund the unused balance to the resident.
• If the owner fails to provide the list to the resident, the resident is entitled to a full refund of the resident’s security deposit plus accrued interest.

If a disagreement arises concerning the reimbursement of the security deposit, the resident has the right to present objections to the owner in an informal meeting. The owner will keep a record of any disagreements and meetings in the resident file for a period of three years for inspection by the HUD Field Office or CA. These procedures do not preclude the resident from exercising any rights under state and local law.

Security Deposit for Transfers
When a resident transfers to a new unit, the security deposit will automatically be transferred for the new unit.

Collection of a Pet Deposit for Elderly Properties
The pet rules at this elderly property require residents who own or keep pets in their units to pay a refundable pet deposit. This deposit is in addition to the charge for rent and the security deposit, and does not apply to assistance animals. The maximum amount of the pet deposit that will be charged has been established by HUD and may change periodically. The current pet deposit may not exceed $300. Pet owners may pay an initial deposit of $50.00, followed by monthly payments of $10.00 until the balance is aid in full. A monthly agreement will be executed for the remaining balance. However, a resident may pay the entire amount or in increments that are greater than $10 if s/he chooses to do so.
Uses of the Pet Deposit
The owner 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 are 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 will return the unused portion of the pet deposit to the resident within a reasonable time after the resident moves from the property or no longer owns or keeps a pet in the unit.

Charges in Addition to Rent

Charges Prior to Occupancy
The owner will not charge for costs associated with accepting, processing, or screening applicants, or verifying income and eligibility, and therefore, will never require applicants to pay application fees, credit report charges, charges for home visits, charges to obtain a police report(s), or other costs associated with the above functions.

Late Fees
The property may assess a charge for late rent if the resident has been given at least 5 calendar days as a grace period to pay the rent. On the 6th day, the property may charge a fee, not to exceed $5 for the period of the 1st through 5th day that the rent is not paid. Additionally, the property may charge a fee of $1 per day for each additional day the rent remains unpaid for the month, but not to exceed $30 in a month.

Checks Returned for Insufficient Funds
The property non-accessible impose a fee on the second time, and each additional time, a check is not honored for payment. In addition, the resident may be billed for the amount the bank charges for processing the returned check.

Damages
Whenever damage is caused by carelessness, misuse, or neglect on the part of the resident, household member, or visitor, the resident is obligated to reimburse management for the damages within 30 days after the resident receives a bill from management. The property will deduct accrued, unpaid damage charges from the resident’s security deposit at the time of move-out, as allowed by the laws of this state. If there is a hardship to pay entire amount owner will accept pre-arranged time payment.

Special Management Services
The property will charge for special services such as responding to lockout calls and providing extra keys. At the time of move-out the property will charge the resident for each key not returned.

Court Filing, Attorney, and Sheriff Fees
The property will accept fees from residents who wish to avoid/settle an eviction suit as permitted by state and local laws.

Annual Recertification Requirements
To ensure that assisted residents pay rents based on their ability to pay, HUD requires owners to conduct a recertification of family income and composition at least annually, with the exception of residents who are paying the contract rent or market rent at this Section 8 property, unless the resident requests an initial certification to determine their eligibility to receive program assistance. Based on this requirement the property will ask residents to sign consent forms and third party verification forms annually. The property will obtain third-party verification directly from the third party source for the following items:
• Annual income from wages, unemployment, and Social Security benefits when resident is unable to provide acceptable income documentation or disputes the employment and income information in the EIV system;
• Reported family annual income from sources not reporting income data to the EIV system;
• The value of family assets;
• Expenses related to deductions from annual income; and
• Other factors that affect the determination of adjusted income.

Use of the EIV System at Recertification
The property will use the EIV Income Report as third-party verification of employment and income unless the resident disputes the information on the EIV report. In addition, the property will use the EIV Income Discrepancy Report to review and resolve any potential discrepancies between the income reported in the EIV system and what has been reported by the resident.

Annual Criminal Background Checks
HUD has given owners the authority to require residents during a recertification, to conduct a criminal background check including a State lifetime sex offence registration check. Bethany Center will not conduct the background checks unless we are informed by reliable sources and we believe there are probable causes for further investigation. If the background checks indicate that the resident is in violation of the provisions of the lease, the owner will evict the resident in accordance with the lease and the owner’s standards for termination of tenancy. The owner will notify the household of the proposed action based on the information, and will provide the
Notification System

Initial Notice
Management will initiate the annual recertification process by first notifying the resident at the signing of each lease of their obligation to recertify next year. This is called an Initial Notice of recertification. The resident is obligated to respond to this notice by reporting to management at the requested time to complete the recertification process.

Reminder Notices
One hundred twenty days before the new recertification effective date, management will send the resident a First Reminder Notice of their need to report for an Annual Recertification, and to bring income information to the recertification interview, as well as documentation of SSNs that have not been previously documented. If the resident does not respond to this notice, a Second Reminder Notice will be sent 90 days in advance of the annual recertification effective date, and likewise a Third Reminder Notice/Notice of Termination will be sent 60 days in advance, if the resident has not responded to the first or second reminder notices. If the resident does not respond to any of the recertification notices, management will terminate assistance on the resident’s annual recertification effective date.

Interim Recertification and Reporting Requirements
If circumstances occur in a resident’s life that either affect their ability to pay their rent, or constitute a change in the family composition, a recertification of income, assets, allowances, or household composition should take place before the next scheduled annual recertification is due. This action is called an Interim Recertification. Owners and residents both have certain responsibilities under HUD regulations to initiate interim re-certifications to ensure that an assisted resident continues to pay rent according to his/her ability to pay.

Owner Responsibilities
Management will process interim re-certifications when the resident reports circumstances which would decrease the rent, as indicated in Chapter 7 of HUD’s occupancy handbook, HUD Handbook 4350.3 REV-1. If the owner learns that a resident has failed to report a required change in income or family composition, as listed below, s/he will immediately notify the resident in writing of his/her responsibility to provide information about such changes. The notice will refer the resident to the lease clause that requires the interim recertification, and give the resident 10 calendar days to respond to the notice. In addition, the owner will use the EIV New Hires Report on a quarterly basis to determine if a member of the resident’s household has begun new employment.

Resident Responsibilities
As required in the resident’s lease, if an assisted resident experiences the following changes in their income or household composition at a time other than their scheduled annual recertification, HUD requires them to immediately report these changes to management, so that an interim recertification can be processed:

• Any household member moves out of the unit; death of family member
• The family proposes to move a live-in aide into the unit;
• An adult member of the household who was reported as unemployed on the most recent certification or recertification obtains employment;
• The household’s income cumulatively increases by $200 or more a month.

Miscellaneous Reporting Requirements
• An interim recertification is not required when a family member turns 18 years of age. However, the member is required to report to management within 10 days following their 18th birthday to sign the consent forms HUD-9887 and 9887-A.
• Management is required to determine a student’s eligibility for Section 8 assistance at move-in, annual recertification, initial certification, and at the time of an interim recertification if one of the family composition changes reported is that a household member is enrolled as a student of higher education.
• Management must re-determine the citizenship/immigration status of residents whose original documentation at move-in suggested that their status was likely to change. If the status of a family member in a mixed family changes from ineligible to eligible, the family may request an interim recertification.
XIII. Termination

Termination of Assistance
Actions to terminate assistance will be based only on a change in the resident’s eligibility for assistance or a resident’s failure to fulfill specific responsibilities under program requirements. Management is required by HUD to terminate a resident’s assistance for the following:
- Failure to provide required information at the time of recertification, including changes in family composition or income;
- Failure to sign and submit required consent and verification forms;
- An annual or interim recertification determines that the resident has an increased ability to pay the full contract rent;
- The resident fails to move to a different-sized unit within 30 days after management notifies him/her that a transfer is required, and that the unit of the required size is available;
- The resident has begun receiving assistance, management is unable to establish citizenship or eligible immigration status for any family members from the information provided by the resident, and determines that the resident does not meet the citizenship requirement. If management learns that a resident has knowingly permitted another individual who is not eligible for assistance to reside (on a permanent basis) in the unit, subsidy will be terminated for a period of not less than 24 months; and
- A student enrolled at an institution of higher education does not meet the eligibility requirements for assistance.

Procedures for Terminating Assistance
When terminating a resident’s assistance, management will, with proper written notice, increase the resident’s rent to market rent. The notice will be served by sending a letter by first class mail to the resident, and by delivering a copy to any adult person answering the door at the unit. If no adult answers the door, the person serving the notice may place it under or through the door, or affix it to the door. The notice will include:
- The specific date the assistance will be terminated;
- The reason(s) for terminating assistance;
- The amount of rent the resident will be required to pay;
- Notification that if the resident fails to pay the increased rent, the owner may terminate tenancy; and
- The resident has a right to request, within 10 calendar days from the date of the notice, a meeting with the owner to discuss the proposed termination of assistance.

Procedures for Reinstating Assistance
Management may reinstate a resident’s terminated assistance if:
- The original termination of assistance was due to a resident’s failure to recertify, or a resident’s increased ability to pay;
- The original termination of assistance was not due to fraud;
- The resident is eligible for assistance (based on the income and rent calculation, the resident would pay less than market rent); and
- The resident submits the required information.

Termination of Assistance under VAWA
Tenants need to be aware that commission of crimes under VAWA may result in termination. If management seeks to terminate assistance to a VAWA perpetrator or an alleged VAWA perpetrator, management will follow program regulations and policies, including lease policies, which allow for such termination, as well as any applicable state and local laws.

Prohibited Basis for Denial or Termination of Assistance or Eviction under VAWA
A tenant assisted under a covered housing program may not be terminated from participation in, or evicted from the housing on the basis or as a direct result of the fact that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy

False VAWA Claims
Submission of false information for a VAWA claim could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction. For more information on VAWA, see Section IX of this plan.

A Notice of Occupancy Rights under VAWA
A Notice of Occupancy Rights will be provided to a tenant with any notification of eviction or notification of termination of assistance to ensure residents are aware of these rights.
Termination of Tenancy by Owner

The authority to terminate tenancy of residents is in accordance with the HUD model lease and the state/local Landlord/Tenant Act. Management will terminate a resident’s tenancy for the following reasons:

**Material Noncompliance with the Lease**

Management has the right to terminate tenancy when a resident is in material noncompliance with the lease, including:

- Failure of the resident to sign and submit consent forms allowing verification of information regarding the resident’s income and eligibility;
- Failure to submit required evidence of citizenship or eligible immigration status;
- Extended absence or abandonment of the unit;
- Fraud, which is when a resident knowingly provides inaccurate or incomplete information;
- Nonpayment of rent due under the lease, including any repayment of rents due if the resident was charged a lesser rent than required by HUD’s rent formula due to underreporting or failure to report income.

**Repeated Minor Violations**

Management has the right to terminate tenancy for repeated minor violations that:

- Disrupt the livability of the property;
- Adversely affect the health or safety of any person;
- Adversely affect the right of any resident to the peaceful enjoyment of the property;
- Interfere with the management of the property; or
- Have an adverse financial effect on the property.

**Failure to Disclose and Provide Verification of SSNs**

Management is required to terminate tenancy of a resident and the resident’s household if the SSN disclosure and verification requirements for all household members are not met in the specified timeframe. This includes those households where a child under the age of six who did not have a SSN was added to the household within a 6-month period prior to the household’s date of admission, or who were admitted after move-in, with the understanding that the SSN would be disclosed and verification provided within 90 days after admission, or within the 90 day extension period, if applicable.

**Drug Abuse and Other Criminal Activity**

Management will terminate tenancy for any type of criminal activity including the following:

- It is determined that any criminal activity interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents;
- It is determined that a household member is illegally using a drug,
- It is determined that a pattern of illegal use of a drug interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents;
- It is determined that a household member’s abuse or pattern of abuse of alcohol threatens the health, safety, or right to peaceful enjoyment of the premises by other residents;
- It is learned that a resident is fleeing to avoid prosecution, or custody, or confinement after conviction of a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flies;
- It is learned that a resident is violating a condition of probation or parole impose under Federal or State law.

**Use of Marijuana**

Unlike HUD’s admission standards which prohibit admission to federally assisted housing for any household with a member who the owner determines is illegally using a controlled substance (e.g. marijuana) or the owner has reasonable cause to believe that the illegal use may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents, the continued occupancy standards allow termination by the owner. In addition, the Quality Housing and Work Responsibility Act of 1998 (QHWRA) provides owners with the discretion to determine on a case-by-case basis, when it is appropriate to terminate the tenancy of a household using marijuana.

**Guarding Against Unwarranted Termination**

The property will consider the following circumstances prior to a termination of the lease on the basis of criminal activity:

- The seriousness of the offending action, especially with respect to how it would affect other residents;
- The extent of participation or culpability of the leaseholder, or other household members, in the offending action, including whether the culpable member is a minor, a person with disabilities, or a victim of domestic violence, dating violence, sexual assault, or stalking;
- The effects that the eviction will have on other family members who were not involved in the action or failure to act;
- The effect on the community of the termination, or of the property’s failure to terminate the tenancy;
- The effect of the property’s decision on the integrity of the housing program;
• The demand for housing by eligible families who will adhere to lease responsibilities;

• The extent to which the leaseholder has shown personal responsibility and whether they have taken all reasonable steps to prevent or mitigate the offending action; and

• The length of time since the violation occurred, the family's recent history, and the likelihood of favorable conduct in the future.

State Lifetime Sex Offender Registry
Management is required to terminate the tenancy of a participant who is subject to a lifetime registration requirement under a State sex offender registration program who was erroneously admitted (the household member was subject to a lifetime registration requirement at admission and was admitted after June 25, 2001) and is receiving housing assistance. However, the O/A must offer the family the opportunity to remove the ineligible family member from the household. If the family is unwilling to remove that individual from the household, the O/A must terminate assistance for the household.

Breaking State or Local Laws and Other Good Cause
State and local laws impose obligations on a landlord and resident. These laws provide that violations of the resident’s obligations constitute grounds for eviction. Management will terminate tenancy for other good cause, which is defined by state and local laws. The conduct of a resident may be deemed good cause, provided management has given the resident prior written notice and stated the conduct would constitute a basis for termination of occupancy in the future. The resident’s refusal to accept change to the Lease agreement may be deemed good cause.

Manner of Service
The notice to terminate tenancy will be served by sending a letter by first class mail, properly stamped and addressed and including a return address, to the resident at the unit address, and delivering a copy of the notice to any adult answering the door. If no adult answers the door, the person serving the notice may place it under or through the door, or affix it to the door. The date on which the notice is deemed received by the resident is the later of the date the first class letter is mailed, or the date the notice is properly given. Service of the notice is deemed effective once the notice has been both mailed and hand delivered.

Occupancy Protections for HUD Households in Properties with LIHTC
The property will only terminate tenancy in limited circumstances as prescribed by HUD regulations and by the lease, and will follow HUD and state/local procedures. Terminations for reasons other than those permitted by HUD are prohibited. The lease agreement details the grounds for termination of tenancy, which do not include failure to meet LIHTC requirements, including LIHTC-specific income and student eligibility rules. Should an assisted household become over-income and no longer eligible to receive a HUD subsidy as determined through an AR or IR, and the tenant now has the ability to pay the full contract or market rent, the property will terminate the assistance to the tenant, but in accordance with the lease agreement, the tenant retains all other rights under the lease, including the right to occupy the unit.

Offering Incentives to Move
Owners may offer incentives to HUD-eligible households who become over-income for LIHTC or do not meet another LIHTC requirement, to move voluntarily, as long as the incentives are not paid from Section 8 or FHA project funds. In such cases, owners should first inform tenants in writing that they have the option of remaining in occupancy as HUD-assisted tenants under the terms of their lease, in order to ensure that the choice of moving with incentives is truly voluntary.

Proposed Termination for Criminal Activity
The property may propose termination for criminal activity, which generally is limited to specified activity during the term of the lease or where the property discovers there was fraud in the application process. The property will conduct criminal background checks on existing tenants at recertification for lease enforcement or eviction.

Termination of Tenancy by Resident
The resident may terminate the lease agreement at the end of the initial term or any successive term by providing management with a written 30-day notice to vacate the unit, as required in the lease. Whenever the Owner has been in material noncompliance with the lease, the resident may in accordance with State law terminate the lease by so advising the owner in writing.
### BCSH Waiting List -- Procedure & Tracker

**PART A: Notify the next applicant on Waiting List to be ready for apartment openings**

To minimize vacancy time, should always have the next 3 waiting list applicants on standby with completed applications to process for move-in.

<table>
<thead>
<tr>
<th><strong>1st Attempt by PHONE:</strong></th>
<th><strong>Date/time of Call</strong></th>
<th><strong>Called by</strong></th>
<th><strong>TO DO</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Cannot reach on first call, leave message if possible,</td>
<td></td>
<td></td>
<td>Wait 24 hrs before send letter</td>
</tr>
<tr>
<td>2) Applicant is still interested, but not now</td>
<td></td>
<td></td>
<td>1st offer declined, return application to the top of Waiting List, call After 60 days</td>
</tr>
<tr>
<td>3) Applicant is still interested, but is now living in Government Housing</td>
<td></td>
<td></td>
<td>In government housing, contact after 60 days for 1st offer</td>
</tr>
<tr>
<td>4) Applicant is still interested, but is NOT living in Government Housing</td>
<td></td>
<td></td>
<td>Go to Part B</td>
</tr>
<tr>
<td>5) No longer interested, Send Removal Letter, copy to file</td>
<td></td>
<td></td>
<td>Send removal letter</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>2nd &amp; Final Attempt by LETTER:</strong></th>
<th><strong>Date Sent</strong></th>
<th><strong>Sent by</strong></th>
<th><strong>Result</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Send Removal Letter &amp; wait for response, deadline within 5 work days</td>
<td></td>
<td></td>
<td>Removal date:</td>
</tr>
<tr>
<td>Applicant returned call within 24 hrs from 1st attempt, or 5 work days of removal letter -- still interested, setup interview, go to PART B.</td>
<td></td>
<td></td>
<td>Interview Date /Time / Admin:</td>
</tr>
<tr>
<td>2) Let applicant know the size of the unit that will be offered. Applicant may not be able to view a unit before deciding. We can provide a floor plan of a typical unit of the same size.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3) No longer interested, send Removal Letter, copy to file</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4) Did not hear within 5 work days, applicant is removed from Waiting List</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**PART B: Unit Viewing & possible offer**

If applicant wants to proceed, provide complete application and ask for its return within three business days for the final application appointment. Plan on 2 to 3 hours to complete the session. If a unit is available during the appointment, it is possibly an offer will be made.

1) Within the three applicants contacted, the first fully completed application with the earliest move-in date and have passed their background check, will be the first to get an offer. The next two completed applications will be placed back on the waiting list by WL order for the next offer.

2) Applicant may turn down the first offer and will have a second and final chance to accept after a 60-day waiting period. If no-show at appointment or request for reschedule, send removal letter immediately.
### Part C: Bethany Center's Apartment Offer(s):

<table>
<thead>
<tr>
<th>FIRST OFFER</th>
<th>SECOND &amp; FINAL OFFER</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Unit offered:</strong></td>
<td><strong>Unit offered:</strong></td>
</tr>
<tr>
<td><strong>Apartment size offered:</strong></td>
<td><strong>Apartment size offered:</strong></td>
</tr>
<tr>
<td><strong>Offer date:</strong></td>
<td><strong>Offer date:</strong></td>
</tr>
<tr>
<td><strong>Offer to:</strong></td>
<td><strong>Offer to:</strong></td>
</tr>
<tr>
<td><strong>Current address is NOT a Section-8, subsidized housing facility</strong></td>
<td><strong>Current address is NOT a Section-8, subsidized housing facility</strong></td>
</tr>
<tr>
<td><strong>YES</strong></td>
<td><strong>YES</strong></td>
</tr>
<tr>
<td><strong>NO</strong></td>
<td><strong>NO</strong></td>
</tr>
<tr>
<td><strong>Offer accepted by:</strong></td>
<td><strong>Offer accepted by:</strong></td>
</tr>
<tr>
<td><strong>Signed by:</strong></td>
<td><strong>Signed by:</strong></td>
</tr>
<tr>
<td><strong>Acceptance date:</strong></td>
<td><strong>Acceptance date:</strong></td>
</tr>
<tr>
<td><strong>Scheduled for final Move-in, lease signing</strong></td>
<td><strong>Scheduled for final Move-in, lease signing</strong></td>
</tr>
<tr>
<td><strong>Expected Move-In date:</strong></td>
<td><strong>Expected Move-In date:</strong></td>
</tr>
</tbody>
</table>

**1st Offer Declined or Accepted**

---

**Final Offer Declined or Accepted**
<table>
<thead>
<tr>
<th>ENGLISH</th>
<th>公寓优惠</th>
<th>Oferta Apartamento</th>
<th>Предложение квартиры</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit offered:</td>
<td>提供單位:</td>
<td>Unidad ofrecida:</td>
<td>Предлагаемая единица:</td>
</tr>
<tr>
<td>Apartment size offered:</td>
<td>提供的公寓面積:</td>
<td>Tamaño del apartamento ofrecido:</td>
<td>Предлагаемая площадь квартиры:</td>
</tr>
<tr>
<td>Offer date:</td>
<td>優惠日期:</td>
<td>Fecha de la oferta:</td>
<td>Дата предложения:</td>
</tr>
<tr>
<td>Offer to:</td>
<td>提供給:</td>
<td>Ofrecer:</td>
<td>Предложение:</td>
</tr>
<tr>
<td>Current address is NOT a Section-8, subsidized housing facility</td>
<td>當前地址不是政府保障房</td>
<td>La dirección actual NO es una Sección-8, establecimiento de vivienda protegida</td>
<td>Текущий адрес НЕ Section-8, льготное жилищное строительство</td>
</tr>
<tr>
<td>Offer accepted by:</td>
<td>接受報價:</td>
<td>Oferta aceptada por:</td>
<td>Предложение принято:</td>
</tr>
<tr>
<td>Signed by:</td>
<td>簽名:</td>
<td>Firmado por:</td>
<td>Подписано:</td>
</tr>
<tr>
<td>Acceptance date:</td>
<td>接受日期:</td>
<td>Fecha de aceptación:</td>
<td>Дата принятия:</td>
</tr>
<tr>
<td>Scheduled for Move-in, lease signing</td>
<td>預定入住, 簽订租約</td>
<td>Mudanza programada, firma de contrato de arrendamiento</td>
<td>Плановый заезд, подписание договора аренды</td>
</tr>
<tr>
<td>Expected Move-In date:</td>
<td>預計入住日期:</td>
<td>Fecha prevista de mudanza:</td>
<td>Ожидаемая дата заселения:</td>
</tr>
<tr>
<td>1st Offer Declined</td>
<td>第一次拒絕報價</td>
<td>Primera oferta rechazada</td>
<td>1-е предложение отклонено</td>
</tr>
</tbody>
</table>