

INHS LIHTC TSP

Tammy Cross

CAYUGA FLATS 115 W. Clinton Street

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PROPERTY INFORMATION

Property Name:	Cayuga Flats
Address:	115 W. Clinton Street
City, State, Zip:	Ithaca NY 14850
Phone:	607-284-2085
Fax:	607-277-4536
Email:	tbaker@ithacanhs.org

THE PURPOSE OF THE RESIDENT SELECTION PLAN

The resident selection plan helps to ensure that residents are selected for occupancy in accordance with HUD requirements and establish management policies.

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

- Por favor, póngase en contacto con la oficina de administración si necesita ayuda para entender este documento. **(Spanish)**
- Por favor, contacte o escritório de gestão se precisar de ajuda para compreender este documento. **(Portuguese)**
- Veuillez contacter le bureau de la direction si vous avez besoin d'aide pour comprendre ce document. **(French)**
- Tanpri kontakte biwo jesyon an si ou bezwen èd pou konprann dokiman sa a. **(Haitian Creole)**
- Vui lòng liên hệ văn phòng quản lý nếu bạn cần giúp đỡ để hiểu tài liệu này. **(Vietnamese)**
- Пожалуйста, свяжитесь с офисом управления, если вам нужна помощь в понимании этого документа. **(Russian)**
- Bitte wenden Sie sich an das Verwaltungsbüro, wenn Sie Hilfe beim Verstehen dieses Dokuments benötigen. **(German)**
- 如果您需要協助理解此文件，請聯繫管理辦公室。 **(Chinese)**
- この書類の内容についてご不明な点がある場合は、管理事務所にご連絡ください。 **(Japanese)**

BUSINESS RELATIONSHIP

The relationship between a landlord (owner/agent) and a resident or applicant is a business relationship. A courteous and businesslike attitude is required from both parties. The owner/agent reserves the right to NOT conduct business with anyone who is verbally abusive, swears, is disrespectful, makes threats, uses discriminatory language, appears to be intoxicated or under the influence of alcohol or drug, is argumentative, or in general displays an attitude, at any time, which causes the owner/agent or the property staff to believe we would not have a positive business relationship.

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

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

If the applicant or any member of the applicant's family is not appropriately attired, when visiting the management office, the applicant will be asked to leave. Appropriate attire includes shoes, shirts and pants, shorts and skirts. Unacceptable attire includes, but is not limited to:

- Pajamas
- Bathing Suits
- Clothing that allows display of foundation garments (underwear)
- Clothing with inappropriate language or pictures

The use of cell phones or other devices is not allowed when engaging with the property staff. If an applicant/resident is participating in a cell phone call, texting, reading a text or otherwise using any electronic device (not necessary to alleviate the symptoms of a disability), the property staff discontinue any communication until the applicant is able to disengage.

To ensure the privacy of property staff, property residents and applicants, use of cell phones or other electronic devices except those necessary to alleviate the symptoms of a disability, by residents or applicants, is not allowed in the management office.

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

Aside from standard property charges, property staff is not permitted to accept any money, gifts, services or favors connected with the application process or associated with any aspect of residency on this property. If property staff solicits any mandatory payment for any part of the application process, the applicant should notify the property staff or the owner/agent at:

INHS Management Company
115 W. Clinton Street
Ithaca, NY 14850
Attn: Rene Funke

SMOKING POLICY

Smoking is NOT permitted in any of the apartments or any common area.

Smoking is NOT permitted in any other indoor or outdoor area within 50 feet of a door or window of a building. This policy applies to all owners, property staff, applicants, residents, guests, and servicepersons. "Smoking" shall include the inhaling and or exhaling, or carrying of any lighted cigarette, e-cigarette, cigar, pipe, other tobacco or other legal substance.

USE OF MARIJUANA ON FEDERALLY FUNDED PROPERTY (THIS PROPERTY)

Regardless of the purpose of legalization under state law, the use of marijuana in any form, is illegal under the Controlled Substances Act (CSA) and therefore is an illegal controlled substance under Section 577 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA). Based on federal law. New admissions of any marijuana user – including people who use medical marijuana – are prohibited.

QHWRA requires that owner/agents establish lease standards that prohibit admission based on the illegal use of controlled substances including state legalized marijuana. State Laws that legalized medical marijuana directly conflict with QHWRA and thus are subject to federal preemption.

Residents are prohibited from using marijuana (even in a smokeless manner) on the property.

If HUD rules change, the property Resident Selection Plan and the property House Rules may be edited to confirm to the polices set forth but HUD.

SECURITY DEPOSIT REQUIREMENTS

The owner/agent must collect a security deposit at the time of the initial lease execution. The owner/agent will comply with any LIHTC rules and applicable state and local laws governing the security deposit. The security deposit amount is based on the Total Tenant Payment (TTP)(Rent + UA) calculated at move in, and cannot exceed one month Base rent of the unit.

If the move-in certification is corrected and the TTP is recalculated, the security deposit requirement will be recalculated as well. Otherwise, the amount of security deposit established at move in does not change what a resident's changes.

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

PETS

Residents are NOT allowed to keep pets in the unit.

Pets and Assistance Animals are not the same, therefore Assistance Animals must have written approval from the 504 Coordinator via a Reasonable Accommodation and proof of vaccination before the Assistance Animal is brought on Site. This is for visiting Assistance Animals as well as Assistance Animals that will be residing on the property.

When applicable, residents must read and sign the Assistance Animal Policy as well as any other Assistance Animal documents that INHS deem necessary.

Guests must comply with the NO pet policy and the Assistance Animal Policy when visiting residence at all INHS owned/managed properties.

ASSISTANCE DEFINITION

This property is operating under the Guidelines established for the LIHTC program. A person must be capable of fulfilling the lease requirements under these Guidelines.

SUBSIDY

There are 50 units in this project that do NOT offer subsidized income-based rent.

HUD HOUSING CHOICE VOUCHERS

The owner/agent may admit applicants to this location that have Housing Choice Vouchers as this property does NOT offer subsidized rents.

Applicants should consult with the local HUD office if the Former Landlord is accepting subsidy after they (the applicant) has moved out.

ASSISTED LIVING

The owner/agent and property staff at all INHS owned/managed properties do not provide, nor have the authority to provide, any personal care or personal supervision services. All care and supervision services must be provided by the resident or aides supervised by the resident or the resident's representative(s). The owner/agent and property staff at all INHS owned/managed properties do not provide assistance with personal activities or daily living skills.

FAIR HOUSING POLICIES

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

In addition, New York state has added Fair Housing protections based on creed, age, sexual orientation, gender identity, disability, marital status or military status.

The owner/agent must comply with the Title VI of the Civil Rights Act of 1964 which prohibits discrimination, based on the presence of a disability in all programs or activities operated by recipients of Federal Financial Assistance.

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

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

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

INHS Management Inc.
115 W. Clinton Street
Ithaca, NY 14850
ATTN: 504 Coordinator
Phone: 607-284-2112
Email: 504coordinator@ithacanhs.org

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

VAWA ACT OF 2013

The owner/agent understand that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault or stalking, people who have been victims of violence have certain protections provided through the VAWA 2013 ACT.

If any applicant wishes to exercise the protections provided in the VAWA 2013, he/she should contact the owner/agent immediately.

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

Please see Appendix E for a copy of the owner/agents VAWA Policy.

ASSITANCE FOR PERSONS WITH LIMITED ENGLISH PROFICIENY (LEP)

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

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

EQUAL ACCESS

The owner/agent ensures that LIHTC core housing programs are open to all eligible people regardless of sexual orientation, gender identity, or marital status in accordance with The Equal Access Rule.

ELIGIBILITY REQUIREMENTS

This LIHTC property is designated to provide housing to Families who meet the eligibility and screening requirements. In order for a family/household to meet the “family type” eligibility requirements, the head-of-household, the co-head-of-household or a spouse must be a Family and meet the income Requirements.

INCOME LIMITS

Income limits vary by household size. The owner/agent will provide applicants with a copy of the income limits for the property area upon request. In addition, applicants can review the income limits by accessing the following website: <http://www.huduser.org/datasets/il.html>. HUD requires that property managers incorporate the most recently published income limits when determining eligibility this property has a max of 60% of AMI.

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

Type of Income Limit
3 Units @ 30%
15 units @ 50%
11 units @ 60%
3 HOME units @ 50%
8 HOME units @60%

INCOME TARGETING

Based on the LIHTC contract for this property, the owner/agent is required to comply with the Income Targeting Requirement. Income Targeting requires that the owner/agent implement policies to ensure that, during the property fiscal year, all household that move into the property or who begin receiving assistance fall within the Low-Income Limits for the area where the property is located.

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

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

Once the Income Targeting Requirement is met, the owner/agent will return to the “natural” selection order.

ASSETS

Residents will be able to self-certify Net family assets as long as in amount is less than the annual amount set by HUD as the **SELF CERTIFICATION OF ASSETS THRESHOLD** set every year by September 1, by HUD.

OCCUPANCY STANDARDS

Occupancy standards serve to prevent the over-utilization or under-utilization of units that can result in inefficient use of housing funding. Occupancy standards also ensure that residents are treated fairly and consistently and receive adequate housing space.

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

Number of Bedrooms	Min # Household Members	Max # of Household Members
0 BR	1 Person	3 Person
1BR	1 Person	3 Person
2BR	2 Person	5 Person
3 BR	3 Person	7 Person

****PROPERTY MANAGERS MUST COMPLY WITH STATE AND LOCAL CODES 80SQ FT PER PERSON****

Any household placed in a unit size different from that defined in these Occupancy Standards shall agree to transfer to an appropriate size unit when one becomes available.

When an applicant requests an accessible unit or a unit preference, such as 1st floor unit, the owner/agent will conduct inquiries to:

- Verify that the applicant is qualified for the unit which is only available to people with a disability or to people with a particular type of disability.
- Verify the applicant needs the features of the unit as accommodation to his or her disability
- Verify that the applicant is qualified to receive priority on the waiting list available to people with a disability or to people with a particular type of disability.

PROGRAM ELIGIBILITY

Based on federal regulations, the owner/agent may admit only eligible applicants. In the selection of applicants for admission. Eligibility criteria have been established in accordance with the LIHTC guidelines. The following eligibility standards will be applied in accordance with the LIHTC requirements:

- The household's annual income must not exceed the program income limits at move-in
- The household's income must meet the minimum income requirements at move-in
- The Head-of-Household (HOH), co-Head-of-Household and the spouse and all adults in each household must sign in an owner/agent created verification documents at move-in and annually thereafter as needed to verify income.
- The household must provide proof of income via Paystubs, Social Security Letters, Benefit Letters, etc. at move in and annually.
- The unit for which the household is applying must be the household's only residents, no PO BOX allowed.
- The household size must be appropriate for the available apartments (see OCCUPANCY STANDARDS)
- ALL information provided by the Household is subject to verification

STUDENT STATUS (HIGHER EDUCATION LIHTC)

LIHTC assistance cannot be provided to any Head-of-Household that is full-time student unless the exceptions below are met. Student eligibility is determined at move-in and at each annual certification, this may also be reviewed as an Interim if student status is determined to have changed since last certification.

- You are a single parent or
- Receiving Title VI benefits or
- Are enrolled in a job training program or
- Married filing a joint Tax Return or
- Were a ward of the state before you turned 18

PREFERENCES

Preferences **affect only the order applicants are selected from the waiting list.** They do not make anyone eligible who was not otherwise in-eligible. Preferences are not permitted if they, in any way, interfere with affirmative marketing efforts or fair housing requirements. When the request for the transfer is placed this should be denied the applicant will receive written notification within ten (10) business days. This notice will contain the reasons for determination, with the right to meet with the owner/agent representative to review or appeal the decision.

Owner/Agent – Adopted Preferences:

Unit Transfer Preference: Residents who have received approved Reasonable Accommodation or request to transfer due to change in family status will be given preference on the waiting list. This means that a resident transferring from one unit to another will be offered a unit before an applicant for every 3 move-in's. In order to qualify for the transfer, you must be in good financial standing and compliance (recertifications completed) and in your unit for 1 year before being placed on the waiting list.

Emergency VAWA Unit Transfer and Site to Site transfers: With the existence of the VAWA emergency transfer plan INHS will honor the site-to-site emergency VAWA transfer to any of our properties as long as the applicant meets all of the qualification at the sister site that is in receipt of the application. The applicant is responsible for all costs with the transfer.

Need for Fully Accessible-Mobility/Hearing and Vision/units

Exceptions to the Preference Rule: Management must give priority to current residents:

- Residing in a unit that has been determined uninhabitable due to flood, fire or other national disaster

- When a unit is designation for rehabilitation or repair

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

PRIVACY POLICY

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

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

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

WAITING LISTS

To ensure that applicants are appropriately and fairly selected for the next available unit (when a unit of the appropriate size or type is not available at the time of application), it is essential for the owner/agent to maintain waiting lists. The owner/agent will place the applicant household on the waiting list after preliminary eligibility determination is complete.

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

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

The applicant, Head-of-Household (HOH) will be contacted, based on the waiting list selection criteria, for the first unit that becomes available based on the selection guidelines described in this plan.

PROCEDURES FOR TAKING APPLICATION AND BEING ADDED TO THE WAITLIST

The owner/agent has an online portal that is the preferred method for applying the portal can be located on our website [Home - Ithaca Neighborhood Housing](#). However, we will continue to accept paper applications.

When filling out the application both online and on paper you will be required to provide Photo ID for all people over the age of 18, birth certificates for minors, relationship status may be requested (custody papers), proof of income and what type of assets and the amounts.

Paper applications can be submitted to be Property Office, paper applications will be accepted via mail, drop-off and fax. Please do not leave any blanks on the paper applications as it may be sent back to you requesting more information. You will have Ten (10) business days to complete and return the paper application, or you will not be added to the waitlist. If returned on time you will be added to the waitlist.

Once you have been added you will receive a letter that the application has been reviewed and placed on the waiting list once we have an appropriate unit you will be contacted.

Online applications must be completed completely, if there is a red * it is required, if you do not answer the question, you will not be able to submit the application online. Once submitted online you are added to the waiting list and you will receive an email confirming you have been added to the waitlist. Once there is appropriate unit available for your requirements you will be contacted.

MAINTAINING WAITLIST

It is the policy of the owner/agent to administer a waiting list as required by LIHTC handbooks and regulations. The owner/agent will update the waiting list by removing the names of applicants based on the requirements set forth in this plan.

The owner/agent will contact each applicant household annually. The Head-of-Household (HOH) will be the only person contacted unless otherwise requested.

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

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

In addition, an adult member of the applicant household must contact the property, in writing, if the household information changes. If the household size or composition changes the owner/agent will update the waiting list information.

SELECTING APPLICANTS FROM THE WAITING LIST

When a unit becomes available, the owner/agent will contact the next household on the waiting list (based on the selection criteria described in this plan) and the household members will be required to meet with management for an eligibility interview.

No decisions to offer the unit shall be made until all information presented by the applicant has been verified and the final eligibility determination is complete.

INFORMATION TO BE VERIFIED

The owner/agent shall obtain verifications in compliance with requirements set forth by the New York Federal Low Income Housing Tax Credit Program. After the preliminary eligibility determination, no decision to approve an application shall be made until information provided on the application form and during subsequent interviews has been collected and any necessary follow-up interviews have been performed. All information relating to the following items must be verified as described in these procedures:

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

- Eligibility for admissions, such as:
 - Income
 - Assets and Asset income
 - Identification
 - Age
 - Household composition
 - Social Security Numbers/Tax ID
 - Student Status
 - Current Assistance
- Allowances such as:
 - Age
 - Disability
 - Full Time Student Status
- Compliance with Resident Screening Guidelines, such as:
 - Criminal History

Sources of Information may include, but are not limited to:

- Any member of the applicant household
- Present and former employers
- Banks

- Insurance Companies
- Any Asset Manager
- Family Members
- Family Members
- Any person or Organization providing gift/regular contributions to the household
- Criminal Screening Providers
- Social Workers/Parole officers
- Court Records
- Drug Treatment Centers
- Clergy
- Schools/Institutes of Higher Education
- Department of Homeland Security (DHS)
- Department of Health and Human Service (HHS)
- The Internal Revenue Service (IRS)
- The Social Security Administration (SSA)
- Medicare/Medicaid
- Representative of the United States Armed Forces
- Any Federal/Local benefit providers
- Pharmacies
- Utility Providers
- Local and Non-Local Law Enforcement
- Automated Criminal Databases
- Sexual Offenders Registries
- The World Wide Web

The owner/agent will be the final judge of the credibility of any verification submitted by an applicant. If the owner/agent questions the validity of a document or the validity of information provided, it will be reviewed by management staff for a ruling regarding acceptability.

METHODS OF VERIFICATION

Verifications will be attempted in the following order:

- Upfront Income Verification (UIV, work number, Verify etc)
- Tenant Provided Verification
- Written Third Party Verification
- Oral Third-Party Verification
- In the absence of any of the above notarized or witnessed statements from the household member (the owner/agent is not required to accept family/self-certifications). Each file will

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

FINAL DETERMINATION OF ELIGIBILITY

When a unit becomes available, all eligibility criteria will be reviewed before a final eligibility determination is made. Being eligible, however, does not guarantee that the applicant will be approved.

All adult applicants (and if appropriate minors) will be subject to the screening process based on criminal history.

If the screening process determines that the family meets LIHTC and owner/agents' standards for admission, the family is found eligible.

LIVE-IN AIDES

Please contact the Management Office Staff if a Live-in-Aide will be moving into the unit. If the family plans to include a live-in aid, the live-in aid is not required to complete the same application forms. Live-in aids must complete the Live-In Aids Questionnaire and participate in screening and other O/A verification that are required.

The live-in aid has no rights to the unit as a remaining family member and must agree to relinquish possession of the unit within 10 days if the resident is absent for more than 60 days or if the resident passes away, transfers to a rehab facility, transfers to a nursing home, or goes to live with other family members, or generally leaves the apartment for more than 60 days. The live-in aid IS required to sign an acknowledgement that the **live-in aid has no right of residency or occupancy.**

Live-in Aids are counted toward unit size but not the Income Level. A live in aid is a person that is determined to be essential to the care and well-being of the person(s): **and would not be living in the unit except to provide the necessary supportive services.** The need for a Live-in Aid must be approved by our reasonable accommodation team prior to a live-in aid residing on the property. A live -in aid will only be approved if they are verified as required as a reasonable accommodation to a disability in accordance with 24CFR part 8. Verification of the need for a reasonable accommodation of a live in aid must be obtained from the person's physician, psychiatrist or other medical practitioner or health care provider. The live -in aid lease addendum must be completed after the approval of the aid. The screening process of the live-in aid at initial occupancy, and one added after initial occupancy, are screened for drug abuse and other criminal activity such as drug abuse and State Lifetime Registration of Sex Offenders as used for any other applicant

REMOVAL OF APPLICANTS FROM THE WAITING LIST

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

- Applicant requests that the household name be removed
- The unit that is needed- using household size as the basis – has changed, and no appropriate size/type unit exists in the property
- Applicant fails to meet eligibility requirements
- Applicant fails to meet occupancy standards
- Applicant fails to meet screening requirements
- Applicant is rejected for any reason described in this plan
- Applicant cannot be contacted by US mail (letters are returned or undeliverable)
- Applicant fails to keep application information up to date based on the requirements described in this plan
- Applicant was clearly advised, in writing, of the requirements to tell owner/agent of his/her continued interest in housing by a particular time and failed to do so within 30 days.
- Applicant refused second offer of a unit (See right to Refuse Policy for additional information)

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

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

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

- Is subject to a state lifetime sex offender registry
- Has been convicted of a crime as indicated in the criminal screening criteria (certain time restrictions apply)
- Has been evicted from, terminated from or left not on good terms from another property manager or owned by owner/agent in the last 15yrs
- Has been evicted from a federally assisted property for drug use in the last 7 yrs
- Has been convicted of production or distribution of methamphetamine in the home

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

OPENING AND CLOSING THE WAITING LIST

In order to ensure that applicants on the waiting list are processed in a reasonable amount of time, the owner/agent may stop accepting applications and close waiting lists in whole or in part. Decisions about closing and opening the waiting list will be based on the number of applications available for a particular size and type of apartment and the ability of the owner/agent to house an applicant in an appropriate apartment within a reasonable period of time.

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

- Local Newspaper
- Publications described in the Affirmative Fair Housing Marketing Plan
- Flyers distributed in applicable neighborhoods

Interested parties who insist on submitting applications when the waiting list is closed will NOT be considered. The application will NOT be reviewed and will be returned.

During the period when the waiting list is closed, the owner/agent will NOT maintain a list of individuals who wish to be notified when the waiting list is reopened.

PERIOD FOR VERIFICATION

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

CONSENT AND VERIFICATION FORMS

Regardless of age, the Head-of-Household (HOH), the co-Head-of-Household, the spouse of the Head-of-Household and all adult members of a household must sign consent forms so that the owner/agent can verify eligibility.

- Verification forms
- INHS Release forms

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

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

When a minor living in the unit turns 18, he/she will sign required forms at the next required certification. Failure to do so will result in termination of subsidy for the entire household.

PROVISIONS FOR REFUSAL TO SIGN

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

MISREPRESENTATION

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

- Identity
- Social Security Number/Tax ID
- Income
- Assets/Income from Assets
- Household Compensation
- Disability
- Birth Date/Age
- Criminal History
- Sex Offender Status
- Student Status
- Unintentional errors that do not cause preferential treatment will not be used as a basis to reject applicants

APPLICANT SCREENING CRITERIA

Screening is performed in a manner that is reasonable, consistent, and complies with fair housing laws. Screening is used to help ensure that households admitted to a property will abide by the terms of the

lease, pay rent on time, take care of the property and unit, and allow all residents to peacefully enjoy their homes.

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

SCREENING FOR DRUGS AND OTHER CRIMINAL ACTIVITY

New York has established standards that prohibit admissions of:

- A household in which any member is currently engaged in illegal use of drugs or for which the owner/agent has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents (current will be indicated and investigated if there is a record of arrest or conviction within the last two (2) years). Any household member if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents. The screening standards are based on behavior, not the condition of alcoholism or alcohol abuse.
- Any household member who is subject to any state Lifetime Sex Offender Registration requirements (household member will be removed from household within 24 hours)

In addition, the owner/agent has established a policy to reject all applications where the applicant or any household member has engaged in criminal activity as described in the document.

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

- Criminal activities resulting in felony conviction involving violence, potential violence, destruction of property or the illegal distribution or manufacture of a controlled substance if the conviction or exit from incarceration occurred within fifteen (15) years.
- Criminal activities resulting in a felony conviction or other crime involving violence, potential violence, destruction of property or the illegal distribution or manufacture of a controlled substance if the conviction or exit from incarceration occurred within ten (10) years.
- A record of three or more separate instances where the applicant is involved in criminal activities resulting in felony conviction or exit from incarceration occurred within fifteen (15) years.
- Criminal activities resulting in misdemeanor conviction involving violence, potential violence, destruction of property or the illegal distribution or manufacture of a controlled substance if the conviction or exit from incarceration occurred within five (5) years.

- A record of three or more separate instances where the applicant is involved in criminal activities resulting in misdemeanor conviction involving violence, potential violence, destruction of property or the illegal distribution or manufacture of a controlled substance within ten (10) years of conviction or exit from incarceration, whichever is later.
- A record of three or more separate instances where the applicant is involved in criminal activities resulting in misdemeanor conviction – other than above- within five (5) years of conviction or exit from incarceration, whichever is later.
- Sex Offender Registration: Applicant is currently subject to registration under a state sex offender registration program. If the owner/agent will allow the household to remove the sex offender for the application. Removal must be documented using a signed, notarized copy of the owner's form. The household will have twenty-four hours (24) to provide verification that the household member has alternative housing or that the household will be moving.

Failure to provide such documentation will result in rejection of the application for all household members. In this case, the owner/agent reserves the right to monitor household composition after moving in. If the owner/agent discovers that a sex offender has moved into the unit, assistance will be terminated and the household will be evicted in accordance with NEW YORK STATE requirements.

If the owner/agent is unable to complete required criminal or sexual offender screening due to the applicant's failure to provide required information or release forms, the application will be rejected.

If the owner/agent discovers an unresolved criminal charge of an offense covered under the VAWA ACT, charge of a felony, or charge involving the possession or distribution of an illegal controlled substance, the circumstances surrounding the arrest will be investigated. If there is evidence that the applicant participated in such illegal activity. The application will be suspended until the charge is resolved. At that time, the owner/agent's current screening criteria will be applied.

If the charges result in the resident's conviction, the applicant will be deemed ineligible.

If a resident or applicant has requested VAWA protection and such protections have been justified based on owner/agents' investigation, the abuser/perpetrator will not be approved to live on the property.

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

Management will review SEX OFFENDER STATUS for all adult household members at move in and at each annual certification.

EXTENUATING CIRCUMSTANCES

If any of the above show up on the Background screening we will, in line with HCR policy, proceed with the individual assessment to help provide the applicant with the opportunity to provide evidence of mitigating circumstances.

Additionally, when specifically considering whether to deny admission for illegal drug use by a household member who is no longer engaged in such activity, the owner/agent will, upon request, consider whether the household member is participating in or has successfully completed a drug rehabilitation program, or required to provide proof of citizenship or legal immigration status.

Should the individual assessment be required the applicant will have the opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency, or remove the household member.

In this situation, applicants will have five (5) business days to contact the owner/agent and provide documentation to refute the criminal discovery. If the applicant fails to contact the owner/agent or indicates that he/she cannot provide documentation to refute the criminal discovery, the owner/agent will reject the application and remove the household from the waiting list.

If, after move-in, the owner/agent discovers that there was criminal history that would have resulted in rejection, the owner/agent will contact the resident to ascertain the accuracy of the criminal report. If the resident would have been rejected had the information been known at the time of the eligibility determination, the owner/agent will take appropriate action including notifying the Office of the Inspector General of Potential Fraud and pursuing termination of tenancy (eviction).

INELIGIBLE OR UNQUALIFIED APPLICATIONS

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

- No unit of the appropriate size exists on the property
- The household fails to meet the indicated eligibility requirements for the assistance program/property
- Any member of the household fails to provide adequate documentation to verify the Social Security Number (SSN)/ Tax ID
- Any member of the household fails to meet the applicant screening requirements
- Any member of the household fails to sign the application verification documents
- Misrepresentation
- Fraud
- Any member of the household fails to respond to management inquiries for additional information during the application process

- Any member of the household fails to provide changed household information to the management company as indicated
- The owner/agent is unable to contact the applicant via US MAIL (letters undeliverable or returned) and/or by phone
- Any member of the household has a record of eviction, lease termination, lease violations, late notices and or complaints from any property managed by INHS
- Any member of the household has a record of lease violations, from any property within the last three years
- There is a record of outstanding or overdue payments to Utility providers
- Any member of the household refused to allow treatment of unit contents, at the cost of the owner/agent, when there is history of the presence of bedbugs, fleas, or other parasites
- The household is unable to establish utilities in a new unit
- The household is unable to pay the security deposit required
- The household is unable to take possession of the unit within 30 days
- The household is unable to pay the first month's rent
- The household refuses two unit offers

REJECTION NOTICES

The owner/agent will promptly notify the HOH, in writing, of the denial of admission or assistance. The rejection letter will be sent to the HOH via First Class Mail. The rejection letter will include the reason(s) for the rejection.

APPEALING THE REJECTION

Any applicant may make a request to appeal against the denial in writing **fourteen (14) calendar days from the date of the rejection letter.**

The owner/agent will accept the request in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability. Such requests are to be submitted to the Property Management Office. If there is no appeal request **within fourteen (14) days of the date of the letter**, the rejection will be considered final. Reasons to legitimately appeal include:

- You believe the decision has been made in error
- You believe there are extenuating circumstances that should be considered
- You or a member of your household is a victim of abuse covered by VAWA and you feel your status as a victim contributes to the decision to deny
- You or a member of your household is a person with a disability, and you believe a reasonable accommodation would allow us to continue processing the application

- Your household was rejected because the application includes someone who is a registered sex offender and you wish to remove that household member

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

- Assist in facilitating your request for appeal
- To assist in your participation during the appeal meeting
- The owner/agent will provide written notification of a final decision within five (5) business days of the meeting.

OFFERING APARTMENT

When a unit becomes available and eligibility is determined, available units will be offered using one or more of the following methods:

- In Writing (US postal service)
- Over the phone
- Via Email

If the owner/agent is unable to contact the HOH within five (5) business days from the date of the letter, the offer will be canceled and the apartment will be offered to the next applicant based on the selection criteria described in this plan. Failure to respond to the owner/agent will be considered a refusal of the unit offer (See Right to Refusal Policies).

OFFERING ACCESSIBLE UNITS

Units that have been made accessible in accordance with the Universal Federal Accessibility Standards or the Americans with Disabilities Act Accessibility Guidelines will be offered to applicant households with disabled members first. In some cases, the owner/agent may implement marketing efforts to ensure that disabled households occupy accessible units.

Units with communication accessible features will be offered to households with verified need for communication accessible units first

Units with mobility accessible features will be offered to households with a verified need for mobility accessible units first.

After move-in, if the members of the household who required the special features of the accessible unit no longer reside in the unit, and where the lease permits, the owner will require the remaining members

of the household to move to a unit without accessibility features when such a unit of the appropriate size becomes available.

If there is no household on the waiting list that has requested accessible unit, the unit will then be offered to the next household based on the selection order. Before the applicant can accept that accessible unit, all adult members of the applicant household must sign an agreement that includes a requirement to move, at the household's expense, to the first available non-accessible unit that meets the household's occupancy requirements as described in this plan. The resident household will not be required to move if:

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

In either of the cases above, the household will have a maximum of fifteen (15) days to complete the move. If the applicant fails to move in fifteen (15) days, assistance will be terminated. This rule, in no way affects the single residence criteria. The household can only accept assistance in one unit on any given day.

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

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

RESIDENT SELECTION ORDER

Accessible Apartments will be offered in the following order:

1. The next household on the waiting list who resides in an accessible unit and who is requesting a unit transfer to a different accessible unit based on a verified need for a reasonable accommodation
2. The next household on the waiting list who resides in an accessible unit and who is requesting a unit transfer to a different accessible unit based on a verified medical need
3. The next household on the waiting list who resides in an accessible unit and who is requesting a unit transfer to a different accessible unit based on a change in household size or composition
4. The next household on the waiting list who resides in a non-accessible unit and who is requesting a unit transfer to an accessible unit based on a verified need for an accessible unit based on a verified need for an accessible unit

5. The next adult household member on the waiting list requesting a separated unit (household split) and the new household will include a member that needs the features of the accessible unit
6. The next applicant household on the waiting list with a verified need for an accessible unit
7. The next household on the waiting list who does not need an accessible unit but who is requesting a unit transfer to a different unit based on a verified need for a reasonable accommodation when no residents or applicants require the features of an accessible unit.
8. The next household on the waiting list who does not need an accessible unit but who is requesting a unit transfer based on a verified medical need when residents or applicants require the features of an accessible unit
9. The next household on the waiting list who does not need an accessible unit but who is requesting a unit transfer to a different size unit based on change in household size or composition when no residents or applicants require the features of an accessible unit
10. The next adult household member requested a separate unit (household split) when no residents or applicants require the features of an accessible unit
11. The next applicant household on the waiting list

Standard Apartments will be offered in the following order:

1. The next household on the waiting list being transferred to a different unit because no one in the household requires the accessibility features of the unit in which they are currently living
2. The next household on the waiting list requesting a unit transfer based on a verified need for a reasonable accommodation
3. The next household on the waiting list requesting a unit transfer based on a verified medical need
4. The next household on the waiting list requesting a unit transfer to a different size unit based on a change in household size and/or composition
5. The next household member requesting a unit transfer because no one in the household requires the accessibility features of the unit in which they currently living
6. The next adult household member requesting a separate unit (household split)
7. The next applicant household on the waiting list

UNIT TRANSFER

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

1. There is a need for a unit transfer because of a change in household size and/or composition
2. There is a need for a unit transfer based on the verified need for an accessible unit
3. There is a verified medical need for a different unit

4. There is a need for a unit transfer of a household that does not require the accessibility features of a unit in which they are living

Existing residents must complete a Unit Transfer Request. The Unit Transfer Request must be completed and signed by the HOH and all adult household members who wish to move. The owner/agent will accept the Unit Transfer Request in an equally effective format, as Reasonable Accommodation, if there is the presence of a disability. Vacant units will be leased by transfer (for every 3rd move in) based on the ability to re-rent the unit that will become available as the result of the transfer.

An appropriately sized unit will be available before the resident household is required to move. At that time, the household will have fifteen (15) days to complete the transfer.

HOUSEHOLD SPLIT

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

When this happens, those members establishing a “new” household will be treated as applicants with a preference. New application documents must be completed and submitted to the owner/agent.

The “new” household must be eligible and must meet all screening requirements. The resident selection plan in effect at the time of the final eligibility determination will be used.

CHANGE IN HOUSEHOLD COMPOSITION

The owner/agent must approve any new adult/minor household member before they move into the unit. Eligibility criteria, screening criteria and compliance with occupancy standards will be reviewed before the new household members are approved or denied.

The request to add a new household member will not be considered if the resident has provided notice to vacate the unit or it is within the first year of the lease. Additional Household members will sign a release form that relinquishes any future rights to the unit as a remaining member of the tenant family. This helps prevent applicants from “jumping” ahead on the waiting list.

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

This policy applies to live-in aids as well. Screening criteria will also be applied to live-in aids, except for the criterion regarding the ability to pay rent on time because the live-in aids are not responsible for rental payments.

However, live-in aids must meet other screening criteria established by the owner/agent. Income and/or allowances received by live-in aids will be considered.

Information for adult/minors includes, as applicable, required eligibility information including Social Security Numbers, proof of Citizenship or non-Citizenship eligibility and other pertinent information.

If the housing member is under the age of six (6), special consideration regarding Social Security Number Disclosure and verification of Social Security Numbers is given. The household will be given ninety (90) calendar days to provide the Social Security Number and adequate documentation to verify the Social Security Number provided. In some cases, additional ninety (90) days be provided.

If the household fails to provide the required Social Security Number information within the allotted timeframe, the household's tenancy will be terminated and sent for eviction.

REMOVAL OF HOUSEHOLD MEMBER AFTER 1ST YEAR

Residents must notify the owner/agent if any household member listed on the lease or Certification form lease the unit. This notification must occur as quickly as possible but within no more than fifteen (15) days.

Failure to notify the owner/agent about changes in the household composition may result in termination of tenancy/eviction for the entire household.

RIGHT TO REFUSE

The Right to Refuse Policy applies to applicants and existing residents who have submitted a Unit Transfer Request. Residents requesting unit transfer and applicants will be offered available units based on the information included in this resident selection plan. Vacant units will be leased by transfers (for every 3rd move in) based on the ability to re-rent the unit that will become available as a result of the transfer.

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

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

- In Writing (delivered by fax, regular USPS mail or hand delivered)
- Email

NOTE: PHONE CONTACT IS NOT ADEQUATE NOR IS LEAVING A MESSAGE

The **First** time an applicant or resident refuses a unit, the unit will be offered to the next qualified household based on the selection order described above. The applicant or resident will remain on the waiting list however they will be placed at the bottom of the waiting list by changing the date of application to current date.

The **Second** time an applicant or resident refuses an offered unit, the household will be removed from the waiting list and must wait 6 months before applying to any property owned or managed by INHS/BNH

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

If the applicant household does not complete appropriate paperwork and does not take possession of the unit within thirty (30) days from accepting the offer, the applicant will be subsequently rejected and removed from the waiting list and must wait 6 months before applying to any property owned or managed by INHS/BNH. The unit will be offered to the next eligible applicant/resident based on the selection order described in this plan.

APARTMENT INSPECTIONS

All apartments must undergo periodic inspections conducted by the on-site management team, LIHTC or New York State representative/agents. These inspections include not only interior but also exterior inspections. Residents have the right to be present, and are, in fact encouraged, to be present during unit inspections.

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

Annual during the annual recertification process there will be an inspection done. This is to help determine whether the appliances and equipment in the unit are functioning properly and to assess whether a component needs to be repaired or replaced. This is also an opportunity to determine any damage to the unit and, if so, make the necessary repairs. At this time, residents may be charged for damages to the unit so long as those damages are not the result of normal wear-and-tear.

Pre-move out inspection will be done once the required thirty (30) days notice has been received. This inspection must be done a minimum of 2 weeks before the move out date. At that time the resident will be given a copy of the inspection as well as a copy of the charge list for repairs. The resident has the right to make repairs at that time.

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

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

HOUSE RULES

Management reserves the right to make rules and regulations that are beneficial in keeping the properties safe, clean and more appealing and livable for the residents. Management will provide residents with a 30-day written notice prior to implementing any change to the House Rules and Regulations, which are an attachment to the lease.

RECERTIFICATION

Annual Recertification – Management is required to verify all income Annually and Assets every 4 yrs (2028, 2032, 2036, 2040) (these years are no matter when you move in) and family composition annually in order to determine the tenant’s continued eligibility for the program. Management will complete a Registered Sex offender search on Dru Sjodin National Sex offender public website. Failure, by the tenant, to comply with this requirement will result in termination of tenancy.

FEES

Management will implement the following charges (a complete list of fees is listed in the House Rules, Lease, or Charge List for the Property) Management will not impose any other charges without proper notification to all agencies and tenants.

- Rent and Maximum LIHTC allowed Security Deposit not to exceed one (1) month rent
- Late feels will be \$50.00 on the 6th
- Repairs/Maintenance as listed on the charge list or actual cost
- Return check fee not to exceed the amount charged to the Property by the Bank
- Key Fees – Reasonable fees for lockouts, providing extra keys, or charging a resident for failure to return keys upon move out.

CHANGES TO THE RESIDENT SELECTION PLAN

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

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

If the applicant household does not respond, the household will be deemed ineligible and removed from the waiting list. The current resident selection plan, in place at the time of final eligibility determination, will be used to make a final decision to approve or reject the application.

APPENDIX A – REQUEST FOR REASONABLE ACCOMMODATION OR MODIFICATION

The owner/agent is committed to complying with the Fair Housing Act and Section 504 of the Rehabilitation Act by ensuring that its policies and practices do not deny individuals with disabilities the opportunity to participate in, or benefit from, nor otherwise discriminate against individuals with disabilities in connection with the operation of housing services or programs solely on the basis of such disabilities.

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

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

APPENDIX B – VERIFICATION OF HOUSEHOLD COMPOSITION

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

If an applicant household indicates that one or more members should be removed from the application, the owner/agent will accept such notification from the Head of Household (HOH) if it is provided on a notarized form provided by the owner/agent.

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

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

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

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

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

Resident – A resident is any person who is listed on the application, on any Family Summary submitted and on the lease who will resident in the unit.

Guest – A guest is a person who visits any resident and may stay overnight no more than 14 fourteen (14) nights in a one year period without express written consent of the owner/agent.

If the owner/agent suspects that a guest should actually be classified as a resident, the owner/agent will request a meeting with the Head-of-Household (HOH). In accordance with HUD requirements, the resident will have ten (10) days to meet with the owner/agent. Failure to respond to the request to meet will result in termination of assistance beginning the first of the month following the 10-day notice.

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

- Verification with the United States Postal Service that no mail, for the guest, is delivered to the unit address
 - * A current driver’s license for the “guest” with an alternative address
 - * A current lease indicating an alternative residence
 - * A current utility bill in the person’s name showing an alternative address
 - * A current insurance policy or other such invoice/bill showing an alternative address
- * ***Current means issued/created in the last ninety (90) days***

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

Live – in Aides: A live-in Aide must meet HUD’s definition of a live – in aide:

- Is essential to the care and well-being of the residents.
- Is not dependent on the resident for support
- Is only living in the unit to provide essential support

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

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

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

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

Children/Minors: At move-in, all non-exempt household members, including children, must have a Social Security Number and adequate documentation to verify the Social Security Number. When children are later added to the household, the following will be required:

- Social Security Number and proof that the number is valid
 - For children under the age of 6 – must be provided within ninety (90) days or owner/agent is required to terminate tenancy.
 - An additional ninety (90) days may be provided if extenuating circumstances exist
 - Proof of age/legal custodial arrangement
 - Birth certificate indicating that a household member is a parent: or
 - Adoption paperwork indicating that a household member is a parent as appropriate;
- or

- Verification from the foster agency indicating the unit as the primary residence of the foster child as appropriate; or
- Other documents proving legal custody arrangement as appropriate

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

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

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

APPENDIX C – VAWA POLICY

The Violence Against Women Act (VAWA) provides protections to women or men who are the victims of domestic violence, dating violence, sexual assault and or stalking. The owner/agent understands that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault and/or stalking, people who have been victims of violence have certain rights under the Violence Against Women Act Reauthorization of 2013.

This policy is intended to support or assist victims of domestic violence, dating violence, sexual assault and/or stalking and protect victims, as well as members of their family, from being denied housing or from losing their HUD assisted housing as a consequence of their status as a victim of domestic violence, sexual assault, dating violence and/stalking.

VAWA protections are not provided to guests, unauthorized residents or service providers (including live-in aides) hired by the resident.

VAWA ensures that the victims are not denied housing and housing assistance is not terminated solely because the person is a victim of the offense covered under the VAWA (domestic violence, dating violence, stalking and/or sexual assault).

However, being a victim of an offense covered under the VAWA is not reason to change the eligibility or applicant screening requirements set forth in the tenant selection plan unless such requirements interfere with protections provided under the VAWA. Being a victim of an offense covered under VAWA is not reason to waive requirements set forth in the HUD Model Lease or in any lease Attachment or HUD approved lease addendum unless such requirements interfere with protections provided under the VAWA.

The owner/agent will not assume that any act is a result of abuse covered under the Violence Against Woman Act. In order to receive protections outlined in the VAWA, the applicant/resident must specify that he/she wishes to exercise these protections. If any applicant or resident wishes to exercise the protections provided in the VAWA, he/she should contact the owner/agent immediately. The owner/agent is committed to ensuring that the Privacy Act is enforced in this and all other situations.

CONFIDENTIALITY

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

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

The certification form provides notice to the resident of the confidentiality of the form and the limits thereof. The owner/agent will retain all documentation relating to an individual's domestic violence, dating violence, sexual assault and/or stalking in a separate file that is kept in a separate secure location from other applicant or resident files.

REQUESTS & CERTIFICATION

When the owner/agent responds to a request for protections provided under the VAWA the owner/agent will request that an individual complete, sign, and submit a certification form, within fourteen (14) calendar days of the request. This certification may be submitted in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability.

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

If the applicant/resident has sought assistance in addressing domestic violence, dating violence, sexual assault and/or stalking from a federal, state, tribal, territorial jurisdiction, local police or court, the applicant/resident may submit written proof of this outreach in lieu of the certification form. The owner/agent may accept the following:

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

If the applicant is currently living in a shelter established to protect victims of violence covered under the VAWA, the owner/agent will accept verification of such living arrangement in lieu of additional verification.

The victim is not required to name his/her abuser if doing so would result in imminent threat or if the victim does not know the name of his/her abuser.

To ensure that a person is not wrongly accused of committing an offense covered under the VAWA, the owner/agent will carefully evaluate abuse claims to avoid denial, termination of assistance, termination of tenancy or eviction based on false or unsubstantiated accusations.

The applicant/resident is required to provide all necessary documentation to the owner/agent no more than ten (10) business days after submitting the certification to the owner/agent. If the victim is unable to

provide required documentation within the required timeframe, the owner/agent will deny the request. The owner/agent will review and respond to requests to exercise protection provided under the VAWA within ten (10) business days of receiving all required documentation. The owner/agent may provide the response in any manner acceptable to the victim and the owner/agent. Responses include:

- Approval of the Request
- Denial of the Request
- Request for additional information

LEASE BIFURCATION

If the owner/agent determines that physical abuse caused by a resident is clear and present, the law provides the owner/agent with the authority to bifurcate a lease (i.e., remove, evict, or terminate housing assistance to) any abuser, while allowing the victim, who lawfully occupies the home, to maintain tenancy.

The owner/agent may attempt to evict the abuser, but residents should know that state/local tenant/landlord laws prevail and the owner/agent must comply with such laws. The owner/agent cannot guarantee that a court will award or enforce an eviction.

In the event that one household member is removed from the unit because of engaging in acts of domestic violence, dating violence, sexual assault and/or stalking against another household member, an appropriate certification will be processed reflecting the change in household composition. Special consideration will be given in the remaining household members are not qualified to remain in the unit as a “remaining household member”.

If a lease bifurcated or if a resident is evicted from the property because of an offense covered under the Violence Against Women Act, the person will be permanently barred from the property.

Inviting a person evicted because of an offense covered under the Violence Against Women Act or encouraging such person to remain on the property is a lease violation. The resident agrees to notify the owner/agent and/or the local authorities if such person enters the property.

CRIMINAL ACTS

Victims are encouraged to seek police/legal protection from their abusers. In some cases, the owner/agent may file a restraining order against the abuser to prevent the abuser from entering the property.

If there is a restraining order against the abuser and the resident willingly allows or invites the abuser onto the premises, the owner/agent will seek termination of assistance and/or tenancy. In accordance with the regulation at 24 CFR 5.861, the owner/agent may terminate tenancy and evict a tenant through judicial action for criminal activity by a covered person if the Landlord determines that the covered person has engaged in the criminal activity, regardless of whether the covered person has been arrested, or convicted for such activity and without satisfying a criminal standard of proof of the activity.

The owner/agent will take into account individual circumstances when making a determination to terminate tenancy; such circumstances might include, among other things, the seriousness of the offending action the extent of participation by the leaseholder in the offending action, and whether the leaseholder, if not the wrongdoer, took all feasible steps to prevent the offending action from occurring and has removed the offending person from the lease or otherwise banned the offending person from the premises in the future.

LEASE ADDENDUM

Any HUD approved lease addendum will be implemented and provided in accordance with HUD guidance.