

TENANT SELECTION CRITERIA

GENERAL INFORMATION

As sponsor for this elderly housing complex, the Area Agency on Aging of Northwest Arkansas is a private, not-for-profit agency that promotes health and independence among older Arkansans. Our mission statement is to work to improve the lives of people age 60 and over, helping them to remain independent and in their own homes as long as possible and advocating for their individual rights after they enter long term care facilities. This tenant selection criteria shall be used for all PRAC 202's and Section 8 properties under rent-up and/or management by the Management Agent.

FAIR HOUSING: The policy of the Management Agent is one of equal opportunity and non-discrimination in compliance with all Civil Rights legislation (1964, 1968, 1988) Section 504 of the Rehabilitation Act of 1973 and Affirmative Fair Housing Marketing requirements as set forth individually for each property. No applicant will be denied on the basis of race, color, religion, sex, familial status, handicap status or national origin. The Final Rule published as *Equal Access to Housing in HUD Programs – Regardless of Sexual Orientation or Gender Identity* ensures that HUD's core housing programs are open to all eligible persons regardless of sexual orientation, gender identity or marital status. The owner/agent will comply with this rule and state and local laws that provide the same or similar protections.

This property will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973, the property will make reasonable accommodation for individuals with handicaps or disabilities (be it an applicant or resident). Such accommodations may include changes in method of administering policies, procedures, and/or services. In addition, when subject to Section 504 requirements, this property may perform structural modifications to housing and non-housing facilities (common areas) on site where such modifications would be necessary to afford all individuals full access to the housing program for qualified individuals with disabilities. Applicants must meet all HUD and Management Agent tenant selection requirements and screening criteria to gain admission to a Section 8 property rented or managed by the Management Agent. This is federal elderly housing. We are exempt from renting to non-elderly / disabled households with children.

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

- Por favor, póngase en contacto con la oficina de administración, si usted necesita ayuda para entender este documento. (Spanish)
- Xin vui lòng liên hệ với cơ quan quản lý nếu bạn cần giúp đỡ để hiểu tài liệu này. (Vietnamese)
- 如果您需要帮助理解这个文件，请联系管理处。(Chinese Simplified)
- Jouj im kebaak office eo an menija eo elane kwoj konaan jibaan ikijen melele kein (Marshallese)

Owners will take reasonable steps to ensure meaningful access and service for persons with Limited English Proficiency.



We do not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, our federally assisted programs and activities. If you are disabled and would like to request an accommodation or if you have difficulty understanding English, please request our assistance and we will ensure that you are provided with meaningful access based on your individual needs. Federal civil rights laws addressing fair housing prohibit discrimination against applicants or tenants based on one or more of the following classifications: race, color, national origin, sexual orientation, gender identification, disability, religion, and familial status.

Reasonable accommodations will be offered in the application and interview process to any handicapped/disabled applicants when requested.

APPLICANT/RESIDENT RESPONSIBILITIES

A person, to be a resident, must be capable of fulfilling all lease requirements. This means that all applicants must be able to meet their own personal needs and be able to fulfill all lease obligations with or without assistance. The complex does not provide and does not have the authority to provide, any personal services, medical care or supervisory services. We do not provide any assistance with personal activities of daily living.

APPLICATION/ELIGIBILITY

All persons interested in any property rented or managed by the Management Agent may request an application either in person (or through a designated individual) at the local on-site or regional designated site office during posted office hours; or request an application to be mailed by calling the local phone number posted on the project sign or calling the central office toll free at 1-800-432-9721. FAX requests for applications may be sent to 870-741-6214. Online application can be obtained by logging on to www.AAANWAR.org. TDD telecommunication is available by calling 870-741-1346. Applications are available even if a sizeable waiting list exists.

The waiting list will remain open until such time that an announcement stating otherwise is posted at the leasing office. Should the applicant pool exceed the number of applicants that may be housed within a 1 year time period, the management may opt to close the list for a specific period of time. This date and period of closure must be stated within the closure notice posted in the leasing office.

If the waiting list were ever closed at any property operated by the Management Agent, a notice of closure would be advertised as well as posted on the bulletin board. No applications would be issued or accepted while the list is closed except for possible preference exceptions or applicants for barrier free apartments.

An application must be *completed in full* by the applicant and can be submitted in person to the local or regional site office, via mail or fax to the local office or central office, or via email. No application other than the one mailed or given in response to an inquiry may be used. The application contains requests for all information necessary for determining initial HUD eligibility. Applicants may request assistance in completing the application if necessary. The Management Agent's policy is to assist wherever possible especially with accommodation requests by persons with disabilities or handicaps. All applicants whose application is not complete will be notified within 10 days of receipt, in writing. **No application will be placed on the waiting list until it is complete.** When a completed application is received or the requested information received subsequently to make it complete, the application will then be logged by date and time received. If a vacancy at the property exists, or is expected within the next 90 days, the verification-selection process will begin immediately regarding the income, assets, allowances for HUD certification and the Management Agent references for selection or rejection.

The application contains several release forms, which must be signed to authorize the central office to verify all items inclusive of credit history and other references. If you are an applicant claiming zero, low or undocumented income you will be asked to complete a Zero Income Survival Statement. For those properties with an existing waiting list and no current or known upcoming vacancies, HUD preliminary eligibility will be satisfied by using information on the application. Placement of an application on the waiting list does not denote final tenant selection. That can and will occur only after complete processing.

All applicants who submit a completed application (or when an application becomes complete) will be notified in writing of waiting list status or subsequent tenant selection or rejection. Any applicant, who exceeds HUD income limits for eligibility based upon application information, or if ineligible during later processing, would be notified in writing that they are HUD ineligible. Similarly, any applicants who are not eligible due to eligibility requirements for an elderly project would also receive a notice of ineligibility. However, should the

property have HUD permission (or will be seeking such permission) to rent to ineligible, the income ineligible application would be maintained on the waiting list.

This is a Post-1981 universe Section 8 property. Applicants are considered income eligible if they are very low income (50% median). Total household gross income is compared to the per person income limits. Those at 50% or below are income qualified.

Assisted tenants must have only one residence and receive assistance only in that unit.

All members of an applicant or tenant family who are at least 18 years of age and each family head, spouse, or co-head, regardless of age, must sign and date the HUD-required consent forms. All adults regardless of whether they report income must sign and date these forms.

Applicant must agree to pay rent required by the program under which the family will be receiving assistance.

For all Section 8 properties, priority is now given for every other re-rental to households with incomes at 30% of median or below.

This is “elderly housing.” To be eligible the tenant/co-tenant must be 62 or older. At some properties, a mobility impairment disability may also qualify an applicant as eligible. Income, occupancy and other criteria determine selection. While elderly households may include children, since this is designated “elderly housing,” non-elderly households with children are not eligible as this housing is exempted from familial status requirements.

PROOF OF CITIZENSHIP OR ELIGIBLE NON-CITIZEN STATUS: At some properties noncitizens (except those age 62 or older) must sign a Verification Consent Form and submit documentation of their status or sign a declaration that they do not claim to have eligible status. Noncitizens age 62 and older must sign a declaration of eligible immigration status and provide a proof of age document. U.S. citizens must sign a declaration of citizenship. Owners may establish a policy of requiring additional proof of citizenship for those declaring to be U.S. citizens or nationals.

PROOF OF SOCIAL SECURITY NUMBERS: The applicant claiming eligible immigration status and requesting assistance, regardless of age, must disclose their complete and accurate SSN prior to admission. Each member of the applicant household requesting assistance must also provide documentation of their SSN. The applicant household will have 90 days to disclose and document all SSN’s after they have been offered housing. Adequate documentation means a Social Security card issued by the Social Security Administration, or other acceptable evidence of the SSN as determined by HUD. Applicants who have not disclosed and/or provided verification of SSNs for all non-exempt household members has 90 days from the date they are first offered an available unit to disclose and/or verify the SSNs. During this 90-day period, the applicant may, at their discretion, retain their place on the waiting list. After 90 days, if the applicant is unable to disclose and/or verify the SSNs of all non-exempt household members, the applicant will be determined ineligible and removed from the waiting list. The SSN requirements do not apply to applicant household members that do not contend eligible immigration status. If a family member of a tenant fails to disclose and document their SSN, the household is subject to termination of tenancy.

EXCEPTIONS TO DISCLOSURE OF SOCIAL SECURITY NUMBER

The Social Security Number disclosure requirements do not apply to:

1. Individual age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.
2. Individuals who do not contend eligible immigration status.
3. A child under the age of 6 years added to the applicant household within the 6-month period prior to the household’s date of admission. The household will have a maximum of 90-days after the date of

admission to provide the social Security Number and adequate documentation that the Social Security Number is valid. An additional 90 days may be granted under certain circumstances. If the household does not provide the Social Security Number and adequate documentation to verify the Social Security Number within the prescribed timeframe, HUD requires that the owner terminate tenancy.

APPLICANT SCREENING CRITERIA:

Our goal for screening criteria is to select the resident who is most likely to pay the rent on time and the least likely to create a dangerous environment, damage the premises or cause problems with other residents:

- Keep the residents and property staff safe;
- Protect the fiscal health of the property;
- Ensure resident's may enjoy their homes in peaceful, quiet, enjoyment.

All applicants and members of an applicant's household will be screened for drug-related or criminal activity including State lifetime sex offender registration check in all states where applicant household members have resided or using a database that checks against all state registries, e.g. the Dru Sjodin National Sex Offender Database. Failure to accurately respond to any question during the application process is cause to deny admission to all household members. If the process described above reveals an applicant's household includes an individual subject to any State lifetime sex offender registration, the family will be offered the opportunity to remove the ineligible family member from the household. If the family is unwilling to remove that individual from the household, admission will be denied. Any household containing a member who was evicted in the last three years from federally assisted housing for drug-related criminal activity will be denied.

WAITING LISTS/PRIORITIES

All applicants, as mentioned above, are notified that the application has been accepted or rejected. All completed applications are placed on a master list by date and time received, name, address, phone number of the applicant, estimated income and any special comments. Every application is tracked. Those rejected due to ineligibility by income or occupancy status are notified of rejection.

Selection priorities include households with incomes at 30% of median or below, disabled applicants who need the features of adapted units and if this property also has Tax Credits, households with incomes at 60% of median or below.

All applicants may inquire at any time as to their place on the waiting list. All HUD priorities in regard to waiting lists and tenant selection in addition to eligibility regulations for income and occupancy will be explained to all applicants.

We will update the waiting list by contacting applicants by mail. Applicants who do not respond to the waiting list update will be removed from the waiting list with appropriate written notice.

Per section 8 guidelines, the property is to lease no less than 40% of its units in the fiscal year to tenants who fall under the extremely low-income category. Management will achieve the 40% income targeting requirement by selecting the first extremely low-income applicant on the waiting list which may result in "skipping over" other applicants who fall under the low or very-low-income threshold until the 40% target is reached then management will continue selecting eligible applicants in chronological order.

Applicants will be offered an available apartment a maximum of 3 times per apartment complex. Refusals will be noted on the wait list. If refused 3 times, their name will be removed from the waiting list. We will inform the applicant that they need to re-apply and their name will go to the bottom of the waiting list.

APPLICANT RESPONSIBILITIES FOR INFORMATION UPDATES: Any applicant on the Waiting List is required to contact the complex in writing every six (6) months if the applicant decides to remain on the Waiting List. Failure to do so will result in the removal of the application from the Waiting List. Contact may be initiated by the complex in the form of a routine letter/postcard, sent to all applicants on the Waiting List

requesting (1) Updated information; (2) Asking if they wish to remain on the Waiting List; and (3) Stating that if the letter is not responded to within ten (10) days, their name will be dropped from the Waiting List without further notice.

ELIGIBILITY OF STUDENTS ENROLLED AT AN INSTITUTE FOR HIGHER EDUCATION

Student eligibility is determined at move-in/initial certification and at each annual certification. Student eligibility may also be reviewed at interim certification if student status has changed since the last certification.

A student who is otherwise eligible and meets screening requirements is eligible for assistance if the student meets the criteria indicated below. Section 8 assistance shall 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; when the student:

1. Is living with his or her parents who are receiving Section 8 assistance;
2. Is individually eligible to receive Section 8 assistance and has parents who are income eligible to receive Section 8 assistance;
3. Is a veteran of the United States military;
4. Is married;
5. Has a dependent other than a spouse (e.g. dependent child);
6. Is at least 24 years of age;
7. Is a person with disabilities, as such term is defined in section 2(b)(3)(E) of the 1937 Act and was receiving assistance under section 8 of the 1937 Act as of November 30, 2005;
8. Is classified as Vulnerable Youth; A student meets HUD's definition of a vulnerable youth when:
 - a. 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;
 - b. 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;
 - c. The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.) or as unaccompanied, at risk of homelessness, and self-supporting, by
 - i. A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act;
 - ii. The director of a program funded under the Runaway and Homeless Youth Act of a designee of the director;
 - iii. The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
 - iv. A financial aid administrator; or
9. The individual is a student for whom a financial administrator makes a documented determination of independence by reason of other unusual circumstances.

If a student does not meet the eligibility criteria above, but can prove independence from parents under HUD rules, then the student would meet HUD's student eligibility criteria. Please see property staff if you need additional information about proving independence from parents.

If an ineligible student applies for or is a member of an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated.

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

Any financial assistance a student receives (1) under the Higher Education Act of 1965, (2a) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition and other fees is included in annual income, except:

1. If the student is over the age of 23 with dependent children or
2. If the student is living with his or her parents who are receiving section 8 assistance.

Financial assistance that is provided by persons not living in the unit is not part of annual income if the student meets the Department of Education's definition of "vulnerable youth".

The definition of tuition is consistent with the definition provided by the Department of Education.

Prohibition of Assistance to Noncitizen Students

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

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

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

SELECTION/REJECTION

Applicants who meet the income/occupancy guidelines and in order of HUD preferences, if in use, still need to meet management selection criteria for final approval as residents.

Applicants must complete the application in full and supply references to be checked. Since management staff are available to answer any questions an applicant may have in regard to filling out the application form, incomplete applications will be returned to applicants and **will only be accepted when completed in full**. Managers will house no applicant without an interview, reference check and criminal background check. Some applicants may have no previous or current landlords or credit references, but nonetheless can still offer personal non-related references. Applicants whose references prove negative whether from landlord, personal, credit, or criminal background source may be rejected solely based on negative references. The rejection may also occur should the current living circumstances be unsanitary due to applicant damage or neglect or should the applicant have a previous history of evictions, non-payment of rent or other financial obligation, violation of previous rental agreements such as damage or destruction of units, or a history of disturbing the quiet enjoyment of neighbors or violence and harassment. Applicants found to have provided false answers on the application or at the interview would also be rejected. Applicants would not be rejected solely on the basis of race, color, creed, sex, national origin, religion, physical or mental handicap, sexual orientation, gender identity or marital status.

ACCESSIBLE UNITS

Handicap accessible units will be marketed to qualified handicap/disabled households who would benefit from the unit features. In the event no such households apply, or there are no eligible households, non-handicap households or households who do not need the unit features would be temporarily housed. In this circumstance, tenants would sign a lease addendum agreeing to transfer to a non-adapted unit later on should an appropriate unit become available and there are households needing the benefit of the handicap accessible unit now on the waiting list. Applicants for handicap accessible units may be required to supply verification that a household member is "disabled" as defined by federal law and that their disability is one requiring the unit features.

OCCUPANCY STANDARDS

In determining occupancy standards, the intent of project policy is to neither overcrowd nor under utilize space. Occupancy is based on number of persons in the household, and is based on counting all full-time members of a household, dependent minors who are away at school but live with the applicant at recesses, unborn children or children in the process of being adopted or secured by custody action, foster children and live-in attendants. Children who live in a household 50% of the year or more are also counted towards the total household number; however, visitors, permanently confined/institutionalized household members and children on active military duty are not counted in this determination for occupancy eligibility. The minimum of 1 person and a maximum of 2 people per bedroom plus 1. (Plus 1 is to avoid fair housing complaints based on disparate impact on families with children).

All households must provide positive identifications of all persons who will be part of the household, identify if anyone is pregnant, and adoption or other custody in process must have written documentation.

PROCESSING AN APPLICATION

Applicants, in addition to HUD income and owner occupancy policy requirements, must also meet application, interview and reference criteria. In completing the application, all applicants must sign a release form allowing the central office to verify all income, assets and allowances along with credit, personal and landlord references. In addition, the central office is authorized to check with other agencies necessary to verify eligibility and police departments and wage matching as well. After processing and the interview has been completed, an eligible applicant will be notified of tenant selection. Applicants who wish to be a tenant or co-tenant must possess the legal capacity to sign all documents, (unless an accommodation determination for the handicapped to allow guardian signature if otherwise eligible is made), and would have to agree to complete the tenant certification process, enter into a one-year lease agreement, pay a security deposit and participate in a unit inspection prior to physical occupancy of the unit.

This property has suspended use of federal preferences until further action by HUD. Therefore, tenant selection does not take these into account.

REJECTION

Applicants rejected due to ineligibility by HUD age and/or income or owner occupancy regulations or for failure to meet management criteria will receive a written notice detailing the reasons for rejection. As previously stated, any application that is incomplete will not be processed. Applicants found to have provided false answers on the application or at the interview would also be rejected. An applicant who refuses to sign releases allowing verification by HUD and the management company of eligibility, references, etc. will be rejected. Applicants who do not meet HUD age and/or income limits for a property would be rejected unless permission to rent to income ineligibles is in process or been received from HUD. Applicants who exceed the maximum allowable occupancy standards for a property would also be rejected. Applicants with negative credit, personal, landlord or police references would also be rejected. Rejection may also occur should there be a chronic history of late payment or non-payment of rent, history of eviction, non-payment of other financial obligations, intentional damage, violation of the terms of current or previous lease agreements inclusive of failure to maintain a unit in sanitary condition, current use of illegal drugs or a conviction for drug manufacture, sale or distribution or anyone who would pose a direct threat to the health and safety of other tenants or their property.

Applicants who are subject to a lifetime registration requirement under a state sex offender registration program will be rejected. If the owner 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 a resident or applicant has requested VAWA protections and such protections have been justified based on owner investigation, the abuser/perpetrator will not be approved to live on the property. If after move-in the owner discovers that there was criminal history that would have resulted in rejection, the owner 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 will take appropriate action HUD's Office of the Inspector General of potential fraud and pursuing termination of tenancy (eviction).

Applicants would never be rejected arbitrarily such as on the basis of race, color, religion, sex, handicapped status, age, familial status or national origin.

All selected tenants must pay rent as determined on the 50059 Tenant Certification or Data Requirements Form, and sign this form along with the lease and attachments.

USE OF MARIJUANA – FEDERALLY FUNDED PROPERTY

(While use of Marijuana is legal in some states, HUD has issued a memo stating that rules about the use of marijuana should be included in policies used on federally funded programs).

Based on federal law/The Quality Housing and Work Responsibility Act of 1998 (QHWRA), admission of marijuana users is prohibited. QHWRA requires that owner/agents establish standards that prohibit admission based on the illegal use of controlled substances including state legalized marijuana. State laws that legalize recreational or medical marijuana directly conflict with QHWRA and thus are subject to federal preemption. Residents, residents' guests, and residents' service providers are prohibited from using marijuana on the property (even in a smokeless manner). If HUD rules change, the property House Rules may be edited to conform to the policies set forth by HUD.

VIOLATION

Violation of the above provisions shall be a material noncompliance violation of the lease and good cause for immediate termination of the lease. A single violation of any of these provisions shall be deemed a serious violation and material noncompliance of the lease. It is understood and agreed that a single violation shall be good cause for immediate termination of the lease. Unless otherwise provided by law, proof of violation shall not require criminal conviction, but shall be by a preponderance of the evidence.

DEPOSIT POLICY

SECURITY DEPOSIT: No apartment can be occupied without a security deposit. A security deposit in an amount equal to one month's total tenant payment (TTP) or \$50, whichever is greater shall be required at the execution of the lease as reflected in the 202 PRAC Lease. Applicants must pay a security deposit in full at lease signing. However, where a hardship exists, a payment plan could be requested, which would require a down payment of at least \$50.00 and at least \$25.00 per month until paid in full.

PET DEPOSIT: A pet deposit is based on an amount equal to one month's total tenant payment (TTP) or \$150.00, whichever is greater, **but not to exceed \$300.00**. Applicants must pay a pet deposit in full at lease signing. However, where a hardship exists, a payment plan could be requested, which would require a down payment of at least \$50.00 and at least \$10.00 per month until paid in full.

If a pet is acquired after the initial move-in, the deposit will be based on the 1st year's rent and applicable utility allowance or \$150.00, whichever is greater, **but not to exceed \$300.00**.

UNIT TRANSFER POLICY

Unit transfers are considered only for changes in household composition and/or medical reasons that would prohibit a resident from physically achieving accessibility (Example: entering, leaving, or moving about the unit). Requests for transfers must be received in writing. Transfer policies and requirements may vary depending on the property and rental program involved. Inspections will be performed prior to transfer to determine move-out costs. **(ALL MOVE-OUT EXPENSES MUST BE PAID PRIOR TO TRANSFER.)**

If a tenant household is being moved to a different unit as reasonable accommodation to a household member's disability, then the owner must pay for the move unless doing so would constitute an undue and administrative

burden.

CHANGES IN TENANT SELECTION PLAN

All applicants on the waiting list will be notified of all changes to the existing Tenant Selection Plan.

EIV EXISTING TENANT SEARCH

All applicants MUST disclose if they are currently receiving HUD housing assistance. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit or who attempt to receive HUD assistance in two separate residences.

HUD provides the owner/agent with information about an applicant's current status as a HUD Housing assistance recipient. The owner/agent will use the Enterprise Income Verification System (EIV) to determine if the applicant or any member of the applicant household is currently receiving HUD assistance. A current form HUD-9887 must be on file before owners access the EIV employment and income verification for a tenant. A HUD-9887 does not have to be on file to use the EIV Verification Reports. This includes the Existing Tenant Search for applicants.

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

- Minor children where both parents share 50% custody
- Recipients of HUD assistance in another unit who are moving to establish a new household when other family/household members will remain in the original unit

If the applicant or any member of the applicant household fails to fully and accurately disclose rental history, the application may be denied based on the applicant's "misrepresentation" of information.

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

VIOLENCE AGAINST WOMEN ACT (VAWA)

The Violence Against Women Act (VAWA) provides protections to women or men who are applicant to or residents of any "covered housing program" and who are the victims of domestic violence, dating violence, sexual assault and/or stalking-collectively referred to as VAWA crimes. The owner/agent understand that, regardless of whether state or local laws protect victims of VAWA crimes, people who have been victims of violence have certain rights under federal fair housing regulation.

Owner/Agent may not deny admission to an applicant who has been a victim of domestic violence, dating violence, stalking and/or sexual assault if the applicant otherwise qualifies for assistance.

Owners/Agent may bifurcate a lease in order to evict, remove, or terminate the assistance of the offender while allowing the victim, who is a tenant or lawful occupancy, to remain in the unit. Bifurcate means to divide a lease as a matter of law so that the abusive tenant can be evicted or removed while the remaining family members' lease and occupancy rights are allowed to remain intact.

Applicants and residents may certify their status as victims of domestic violence by using the optional HUD Form-91066, Certification of Domestic Violence. Furthermore, management will have each household sign HUD Form-91067, VAWA Lease Addendum, at move-in.

A resident who is a victim of domestic violence, dating violence, sexual assault, or stalking is eligible for emergency transfer if the resident believes there is a threat of imminent harm for further violence if the resident remains in the same unit. If the resident is a victim of sexual assault, the resident may be eligible to transfer if the sexual assault occurred on the premise during the 90-day period before the transfer request. Transfers are subject to the availability of other assisted housing and to all other HUD requirements being met.

VAWA Emergency Transfer

A resident/applicant who is a victim of a VAWA crime is eligible for an emergency transfer when:

1. The person making the request is a victim of a VAWA crime or is a person affiliated with a victim of a VAWA crime
2. There is a request for a VAWA Emergency Transfer; and
3. The resident reasonably believes that there is a threat of imminent harm if the resident remains within the same unit; or

If the resident is a victim of sexual assault, the resident may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar day period preceding a request for an emergency transfer.

This is true even if the resident is not a resident in good standing.

A resident/applicant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in the property VAWA Emergency Transfer (VET) Plan.

For more detailed information about the protections provided under the VAWA or for more information about the property's VET Plan, please contact the property management staff.

In processing a request by a victim for continued assistance the complex may request that the person certify that he/she is a victim of domestic violence, dating violence or stalking, and that the actual or threatened abuse meets the requirements set forth in the VAWA. The owner/agent will review and respond to requests to exercise protections provided under the VAWA as quickly as possible but within no more than fifteen (15) business days of receiving all required documentation.

VAWA ensures that victims are not denied housing and housing assistance is not terminated solely because the person is a victim of a VAWA crime.

CRIMINAL OR DRUG RELATED ACTIVITY

Upon move-in, tenants sign leases requiring them to accept responsibility for the actions of individual household members, their guest or other persons on the premises with their consent. No tenant or member of the tenant's family or household, guest or other person visiting a tenant may engage in criminal activity on or near the property. This criminal activity includes drug-related criminal activity, other criminal activity or drug and alcohol abuse that threatens the health and safety of the tenants and staff or hinders the peaceful enjoyment of the housing premises. "Drug-related criminal activity" means the illegal manufacture, sale, distribution and/or use of a controlled substance (as defined in Section 102 of the Controlled Substance Act). In order to protect the safety and well-being of our tenants, we are mirroring the rules for residents to include visitors to the property. We prohibit sex offenders and those engaged in criminal activity and/or have been convicted of a felony from visiting the property.

BUSINESS RELATIONSHIP

The relationship between a landlord (owner/agent) and a resident or landlord (owner/agent) and an applicant is a business relationship. A courteous and businesslike attitude is required from both parties. The owner/agent reserves the right to refuse rental to anyone who is verbally abusive, swears, is disrespectful, makes threats, uses discriminatory language, appears to be intoxicated or under the influence of alcohol or drugs, is argumentative,

or in general displays an attitude, at any time, which causes the owner/agent or the property staff to believe we would not have a positive business relationship.

If an applicant demonstrates unprofessional behavior in the presence of the management team or other residents/applicants, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the application will be rejected. If the applicant or any member of the applicant's family exhibits threatening behavior, appears to be intoxicated or under the influence of alcohol or drugs or attempts to intimidate the staff, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the application will be rejected.

If the applicant is not appropriately attired when visiting the management office, the applicant will be asked to leave. Appropriate attire includes shoes and shirts.

Employees of the apartments/property are not permitted to accept any money, gifts, services or favors connected with the application procedure, criminal or credit checks and/or apartment selection.

The Housing Opportunities through Modernization Act (HOTMA)

The Housing Opportunities through Modernization Act (HOTMA) was signed into law by President Obama on July 29, 2016. HOTMA amends the US Housing Act and other housing laws to modify multiple HUD programs. It streamlines rules for determining household income and rent payments, freeing up resources for essential functions such as maintaining units and supporting a families' housing search.

De Minimis Error

The de minimis error in the context of the Housing Opportunity Through Modernization Act (HOTMA) refers to a minor subsidy calculation mistake that results in a difference of \$30 or less per month in a family's adjusted income. If such an error occurs, the management agent will refund the tenant within 30 days via mailed check.

Self-Certification of Net Family Assets Policy

Our policy for the self-certification of net family assets is as follows:

- 1) Asset Threshold: Families must self-certify that their total net family assets are equal to or less than \$50,000, adjusted annually for inflation.
- 2) Income from Assets: Along with self-certification of assets, families must also declare the anticipated income earned from these assets.
- 3) Verification: At admission, we will accept a family self-certification without third party verification to expediate the lease-up process. We will fully verify net family assets at annual recertification and every three years to ensure continued compliance.
- 4) Repayment Obligations: If a tenant is later found to be ineligible for assistance due to inaccurate self-certification, they are required to repay any funds received during the period of ineligibility.

Health, Medical Care and Disability Hardship Exemptions

HOTMA increases the threshold to qualify for a deduction for Health and Medical Care Expenses and/or Disability Expenses from 3% to 10%.

A family may be eligible for general relief in the form of a decreased threshold of 5% if the family can demonstrate that their unreimbursed expenses have increased or the hardship results from a change in circumstance that would not require an interim recertification. The general relief would reduce the deduction threshold to 5% for a 90-day period.

Hardship circumstances are, but not limited to a family waiting eligibility determination for disability benefits, or a family experiencing a loss of income, or an illness or death of a family member. Households must report a

change in circumstances within 30 days of the change. When necessary, the 90-day extension can be extended in 90-day intervals.

Interim Recertifications under HOTMA

An interim recertification is conducted when there is a reported change in family income and composition. HOTMA establishes a 10% adjusted income increase/decrease threshold for conducting interim recertifications, allowing families to retain more of their earnings before facing a rent increase.

Additionally, if an error in income or rent calculation is discovered, the Management Agent will correct retroactive to the effective date of the action the error was made regardless of the dollar amount. Repayment to the family for overcharged rent will be refunded via check within 30 days of the found error.

Interim recertifications will not be conducted during the last three months of a certification period if a family reports an income increase within three months of the next annual reexamination effective date.

Revocation of Consent

Families have the right to revoke consent by providing written notice; however, revoking consent will result in termination of assistance or denial of admission. The family is required to sign a new consent form by the next reexamination, whichever occurs first, to avoid termination of assistance or be reviewed for eligibility for admission.

The executed consent forms will remain effective until the family is denied assistance, the assistance is terminated, or if the family provides written notification to revoke consent. Revocation of consent or refusal to sign the consent forms prohibits requesting and accessing income information and financial records, including pulling EIV reports and using the EIV data to verify income and will not be able to process interim or annual reexaminations of income, including when a family's income decreases and the family requests an interim reexamination to decrease tenant rent, without the family's executed consent form(s).

Asset Restrictions

Families seeking or retaining federal rental assistance must adhere to asset limits. The net household assets should not exceed \$100,000. Additionally, households are ineligible for assistance if they own real property suitable for occupancy as a residence.

EIV Existing Tenant Search Added 1/31/2010
VAWA Added 1/31/2010
Zero Income Statement Added 1/31/2010
SSN Added 1/31/2010 Revised 4/13/2010 Revised 5/1/2010
Business Relationships added 4/2012
LEP added 4/2012
Numerous changes 10/2015
Numerous Changes 4/2017