

# Shoreline Plaza

## TENANT SELECTION PLAN

August 17, 2021

### Property Address:

Shoreline Plaza  
675 S. 13<sup>th</sup> Street,  
Boise, ID 83702  
Phone: 208-344-3226  
Fax: 208-345-4909

*Boise City ADA County Housing Authority does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.*

*The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development's regulations implementing Section 504 (24 CFR, part 8 dated June 2, 1988).*

Donna DeThorne  
675 S. 13<sup>th</sup> Street,  
Boise, ID 83702  
Phone: 208-345-4907  
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*See HUD Handbook 4350.3 Revision 1, Change 4, Paragraph 2-29-c-3 & 4 for information about the requirements to include this information.*

*Pursuant to the HUD Multifamily Occupancy Handbook 4350.3, Rev-1, Change 4, this Tenant Selection Policy is publicly posted in the office of Boise City ADA County Housing*



**Table of Contents**

Introduction of Tenant Selection Policy ..... 4

Section 504 Equal Access Statement..... 4

Fair Housing and Equal Opportunity Requirements ..... 4

Protections Provided Based on Sexual Orientation, Gender Identity or Marital Status..... 5

Reasonable Accommodations ..... 5

Use of Marijuana for Medicinal Purposes ..... 6

Remaining Family Members ..... 7

Foster Children ..... 7

Limited English Proficiency (LEP) Services..... 7

Privacy Policy ..... 7

General Eligibility Criteria ..... 7

General Occupancy Standards ..... 7

Unit Transfer Policy ..... 9

Eligibility Criteria..... 10

Income Limits..... 10

Income Eligibility Requirements..... 10

Qualifying For Admission..... 10

Procedures for Accepting Pre-Applications..... 11

Procedures for Accepting Applications ..... 11

Preference Categories for Admission..... 12

Administration of the Waiting List ..... 12

Screening Criteria ..... 14

Ensuring That Screening is Performed Consistently..... 14

Screen for Credit History ..... 15

Secure Screening for Credit and Criminal Background Checks ..... 15

Verification Requirements..... 16

Applicant Interview ..... 18

Eligibility of Independent Students to receive Section 8 Assistance ..... 19

Social Security Number Requirements..... 20

The Enterprise Income Verification System (EIV)..... 24

Rejection Criteria ..... 24

State’s Lifetime Sex Offender Registration Requirements..... 28

Screening for Housekeeping Habits ..... 29

Residency Requirements ..... 29

Violence Against Women Act ..... 29

Charges for Facilities and Services ..... 30

Rent Payment ..... 30

NSF Checks..... 30

Damages ..... 30

Security Deposit Requirements ..... 30

Security Deposit Refunds ..... 30

Unit Inspections..... 31

Annual Recertification Requirements ..... 31

Interim Recertification Reporting Policies..... 32

Changes in Family Composition ..... 34

Implementation of House Rule Changes..... 34

Tenant Selection Plan ..... 34

Changes in the Tenant Selection Plan ..... 34

## Introduction of Tenant Selection Policy

Shoreline Plaza, Tenant Selection Plan has been designed for developments financed by HUD or administered by HUD designated Contract Administrator. The HAP Agreement was signed before October 1, 1981; i.e., "Pre '81 Universe". The policy set forth in this document is intended to serve as a tool to be used to assist the owner(s) and/or assign(s) in determining applicant eligibility, selection/non-selection for occupancy in Section 8. Shoreline Plaza is covered under the Project based Section 8 program. This housing is intended for low income persons. To qualify for these apartments you must be a person who is considered by HUD definition to be a low income family whose overall income is lower of 30-50% of the median income for a given community. Shoreline Plaza contains 80 units and are all (1) bedroom units.

Assistance in Shoreline Plaza is restricted to U.S. citizens or nationals and non-citizens who have eligible immigration status as determined by HUD. All family members, regardless of age, must declare their citizenship or immigration status. Non-citizen applicants will be required to submit evidence of Eligible Immigration status at the time of application and fill out citizenship forms to determine subsidy eligibility. Applicants who hold a non-citizen student visa are ineligible for assistance, as are any non-citizen family members living with the student.

The Development offers subsidized rents. This means the rent that a tenant pays is based upon the tenant's household income. Therefore, the rent paid by tenants may vary, among tenants as well as from time to time for an individual tenant. The rents attached to the Plan as "Exhibit L" reflect the market or contract rent for the development and not the typical tenant portion of the rent. (Subsidized rents are made available through participation in the Section 8 housing program.

### Section 504 Equal Access Statement

**For mobility impaired persons:** This document is kept at 675 S. 13<sup>th</sup> Street, Boise, ID 83702, which is an accessible facility on an accessible route. This document may be examined from Monday through Friday between the hours of 9:00 am and 4:00 pm. You must call to make arrangements to examine this document. Please call **(208) 208-344-3226-4594** or call our TDD/TTY - #711.

**For hearing impaired persons:**

Shoreline Plaza will provide assistance to hearing impaired persons in reviewing this document. Assistance may include provision of a qualified interpreter at a time convenient to both the managing agent and the individual with handicaps. Please call the TDD/TTY - #711 to schedule an appointment.

**For vision impaired persons:**

Shoreline Plaza will provide a staff person to assist a vision-impaired person in reviewing this document. Assistance may include: describing the contents of the document, reading the document or sections of the document or providing such other assistance, as may be needed to permit the contents of the document to be communicated to the person with vision impairments.

Assistance to insure equal access to this document will be available in alternate formats and provided in a confidential manner and setting. An individual with disabilities is responsible for providing his/her own transportation to and from the location where this document is kept by advocacy groups, social workers, family members or personal friends. The applicant should inform the managing agent if additional assistance is needed to complete forms or understanding program requirements, procedures, house rules, etc. Advocacy groups, social workers, family members or personal friends may provide assistance. If an individual with disabilities is involved, all hearings or meetings required by this document will be conducted at an accessible location with appropriate assistance provided.

### Fair Housing and Equal Opportunity Requirements

#### STATEMENTS OF NON-DISCRIMINATION

It is the policy of Shoreline Plaza to comply fully with Title VI of the Civil Rights Act of 1964, The Federal Fair Housing Act, Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title II of the Americans with Disabilities Act, and any state legislation protecting the individual rights of residents, applicants or staff which may subsequently be enacted.

Under Federal Law it is illegal to discriminate against any person or group of persons because of race, color, religion, sex, disability, familial status or national origin.

In compliance with the Fair Housing Act, Shoreline Plaza prohibits discrimination because of race, color, creed, religion, national origin, sex, age, disability, and marital status, status with regard to public assistance, sexual orientation, or familial status. In addition, owners must comply with local fair housing and civil rights laws.

Shoreline Plaza shall not:

- Deny to any family the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to lease housing suitable to its needs;

- Provide housing which is different than that provided others;
- Subject a person to segregation or unequal or different treatment;
- Restrict a person's access to any benefit enjoyed by others in connection with the housing program;
- Treat a person differently in determining eligibility or other requirements for admission;
- Deny a person access to the same level of services; or
- Deny a person the opportunity to participate in a planning or advisory group which is an integral part of the housing program.

Shoreline Plaza shall not automatically deny admission to a particular group or category of otherwise eligible applicants; i.e., single head of households with children, elderly pet owners, or a family whose head or spouse is a student). Each applicant in a particular group or category will be treated on an individual basis in the normal processing routine.

Shoreline Plaza will seek to identify and eliminate situations or procedures which create a barrier to equal housing opportunity for all. In accordance with Section 504, Shoreline Plaza will make physical or procedural changes to permit individuals with disabilities to have full advantage of the housing program. Such accommodations may include changes in the method of administering policies, procedures, or services.

In addition, Shoreline Plaza may perform structural modifications to housing and non-housing facilities where such modifications would be necessary to afford full access to the housing program for qualified individuals with handicaps. In reaching a reasonable accommodation with, or performing structural modifications for, otherwise qualified individuals with handicaps, Shoreline Plaza are not required to:

- Make structural alterations that require the removal or altering of a load-bearing structural member;
- Provide an elevator in any multi-family housing development solely for the purpose of locating accessible units above or below the grade level;
- Provide support services that are not already part of its housing programs;
- Take any action that would result in a fundamental alteration in the nature of the program or service;
- Take any action that would result in an undue financial and administrative burden on Shoreline Plaza.

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

Shoreline Plaza complies with the Final Rule - Equal Access to Housing in HUD Programs – Regardless of Sexual Orientation or Gender Identity was published in 2012. The owner/agent will comply with the requirements established in the Final Rule which ensures that HUD's core housing programs are open to all eligible persons regardless of sexual orientation, gender identity or marital status.

["Equal Access to Housing in HUD Programs - Regardless of Sexual Orientation or Gender Identity"](#) is a final rule published by the U.S. Department of Housing and Urban Development (HUD) on Feb. 3 that prohibits housing discrimination against lesbian, gay, bi-sexual or transgendered (LGBT) individuals in all HUD subsidized, insured and financing programs. This rule took effect on March 5, 2012.

From an assisted housing perspective, the final rule requires owners and operators of HUD-assisted or HUD-insured housing to make housing available without regard to the sexual orientation or gender identity of an applicant for, or occupant of, the dwelling; clarifies that all otherwise eligible families, regardless of marital status, sexual orientation, or gender identity, will have the opportunity to participate in HUD programs.

The rule also prohibits owners and operators of HUD-assisted housing or housing insured by HUD from asking about an applicant's or occupant's sexual orientation and gender identity for the purpose of determining eligibility or otherwise making housing available.

### **Reasonable Accommodations**

It is in the intention of Shoreline Plaza to make “reasonable accommodations” both in the application process and residency in accordance with HUD Handbook 4350.3 and especially with regards to Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Act and other relevant civil rights laws and statutes. This also includes taking reasonable steps to ensure meaningful access to information and services we provide for person with LEP (Limited English Proficiency).

### **Applicants who Require Reasonable Accommodations, Including Live-In Aides:**

A reasonable accommodation is a change, exception, or adjustment to a program, service, building, dwelling unit, or workplace that will allow a qualified person with a disability to fully participate in a program, take advantage of a service, live in a dwelling unit, or perform a job. For reasonable accommodations to apply there are several requirements. First, the applicant must have a verifiable disability (mental or physical impairment that substantially limits one or more major life activities) as defined by HUD as applicable to the property's program type. Next, the disability must have a direct correlation to the accommodation being requested by the applicant. The applicant must request a reasonable accommodation and provide verification of his/her disability

and his/her need for the accommodation. Finally, for the accommodation to be reasonable it cannot result in a financial or administrative burden to the property. In some situations, even with reasonable accommodations, applicants with disabilities cannot meet essential program requirements. In these situations the applicant is not eligible and the applicant will be rejected. Examples of such situations include cases where the applicant's behavior or performance in past housing caused a direct threat to the health or safety of persons or property; past history or other information that shows the applicant's inability to comply with the terms of the property's lease; or an objective determination that the applicant would require services from management that represent an alteration in the fundamental nature of the property's program.

If an applicant makes a request, management will provide a reasonable accommodation if the applicant has a verifiable disability that is directly related to the request and providing the reasonable accommodation will not result in a financial or administrative burden to management or to the owner.

Reasonable accommodations may include changes in the method of administering policies, procedures, or services. In providing reasonable accommodations for, or performing structural modifications for otherwise qualified individuals with disabilities, the property are not required to:

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

### **Assistance Animals**

Service/Assistance Animals are permitted as a reasonable accommodation for persons with verified disabilities, once the need has been properly verified by a physician, psychiatrist, social worker, or other licensed medical professional. There must be a direct relationship between the person's disability and his or her need for the animal. Neither a security deposit nor a pet fee is required for an assistance animal. All state and local health, safety and licensing laws apply.

*Refer to the House Rules and Regulations and Pet Agreement for tenant pet care responsibilities.*

Management reserves the right to deny a specific assistance animal only if:

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

### **Use of Marijuana for Medicinal Purposes**

On December 29, 2014, HUD released a memo to the industry to provide clarification to these owners. In the memo, HUD reiterated that despite any changes to state laws, use of "medical marijuana" is illegal under federal law. Owners are required to deny admission to any household with a member who the owner determines is, at the time of application for admission, illegally using marijuana. Additionally, Section 577 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA), allows owners to terminate the tenancy or assistance for any in-place household with a member that the owner determines is illegally using a controlled substance such as marijuana.

## **Remaining Family Members**

Periodically, family composition changes after initial occupancy. If the qualifying person leaves the unit, a determination must be made as to whether the remaining member of the household will be eligible to receive assistance and/or be allowed to remain in the unit. Eligibility for remaining family members at Shoreline Plaza will be determined by current and applicable rules as defined in the HUD Occupancy Handbook 4350.3.

### **Foster Children**

Foster children are now considered Family Members for all purposes, except for the \$480 dependent deduction.

### **Limited English Proficiency (LEP) Services**

The Agent shall determine, as part of its obligation to take reasonable steps to ensure meaningful access to the Development and its programs by persons with Limited English Proficiency (LEP), those Oral Language Services (i.e. Interpretation) and Written Language Services (i.e. Translation) that may be required in connection with the implementation of this Plan.

### **Privacy Policy**

It is the policy of Shoreline Plaza to protect the privacy of individuals covered by the Federal Privacy Act of 1974, and to ensure the protection of such individuals' verification records maintained by the property.

This information may be released to appropriate federal, state and local agencies, when relevant, and to civil, criminal or regulatory investigators and prosecutors. However, the information will not be otherwise disclosed or released unless the individual gives written authorization to do so.

This privacy policy in no way limits Shoreline Plaza ability to collect such information as it may need to determine eligibility, compute rent or determine an applicant's suitability for tenancy. Consistent with the intent of Section 504 of the Rehabilitation Act of 1973, any information obtained on handicap or disability will be treated in a confidential manner.

### **General Eligibility Criteria**

To apply for assistance, applicants must be qualified under the income limits established by the U. S. Department of Housing and Urban Development (HUD), for the type of development, and for the size and type of unit available. Being eligible, however, is not an entitlement to housing. In addition, every applicant must meet the tenant selection criteria. The tenant selection criteria are used to demonstrate the applicant's suitability as a tenant using verified information on past behavior to document the applicant's ability, either alone or with assistance, to comply with the rules governing tenancy. The applicant will be judged on current and past behavior and practices related to tenancy and not on any attribute or behavior that may be imputed to a particular group or category of persons of which an applicant may be a member. Applicants must also qualify in accordance with one or more of the following eligibility criteria:

#### **Eligible Applicants**

To qualify, you and your family must verify that you are low income. The US Department of Housing and Urban Development (HUD) defines low income families as those with an overall income of 30-50% of the median income for a given community.

#### **Ineligible Applicants**

An applicant is considered ineligible if:

- The household members, regardless of age, fail to submit evidence of citizenship or eligible immigration status.
- The household's annual gross income is greater than the applicable income limit established by HUD;
- The amount the household would be required to pay using the applicable HUD rent formula equals or exceeds the gross rent for the unit.
- Management determines that the applicant and/or household member(s) do not meet the tenant selection criteria or the criteria under which the property was developed.

### **General Occupancy Standards**

Occupancy standards are established by Shoreline Plaza to ensure that units are occupied by families of the appropriate size. This policy maintains the maximum usefulness of the units, while preserving them from excessive wear and tear or underutilization. These standards describe the methodology and factors Shoreline Plaza will use to determine the size unit for which a family qualifies, and includes the identification of the minimum and maximum number of household members for each unit size. This part also identifies circumstances under which an exception to the occupancy standards may be approved.

## DETERMINING UNIT SIZE

In selecting a family to occupy a particular unit, Shoreline Plaza may match characteristics of the family with the type of unit available, for example, number of bedrooms.

HUD does not specify the number of persons who may live in assisted housing of various sizes. Shoreline Plaza has developed appropriate occupancy standards that do not have the effect of discriminating against families with children.

Although Shoreline Plaza does determine the size of unit the family qualifies for under the occupancy standards, Shoreline Plaza does not determine who shares a bedroom/sleeping room.

Shoreline Plaza occupancy standards for determining unit size must be applied in a manner consistent with fair housing requirements.

Shoreline Plaza will use the same occupancy standards as follows:

- Shoreline Plaza will assign one bedroom for each two persons within the household, except in the following circumstances:
  - Persons of the opposite sex (other than spouses, and children under age 5) will not be required to share a bedroom.
  - Persons of different generations will not be required to share a bedroom.
  - Live-in aides will be allocated a separate bedroom. No additional bedrooms will be provided for the live-in aide's family.
  - Single person families will be allocated a one bedroom.
- Shoreline Plaza will reference the following standards in determining the appropriate unit bedroom size for a family:

The development is designated for housing as follows:

One Bedroom	1 – 2 persons
Units with Special Features	
One Bedroom	1 – 2 persons

The owner has established reasonable occupancy standards that will:

- assist as many people as possible, without overcrowding, and;
- minimize vacancies.

Owners must comply with all reasonable state and local health and safety restrictions regarding the maximum number of persons permitted to occupy a unit. In the absence of such restrictions, overcrowding is deemed to occur when the total number of persons in the unit exceeds two persons per habitable sleeping room. Additional persons may be allowed when a habitable sleeping room provides at least 50 square feet per person. A habitable sleeping room is any room except the following:

- Kitchen,
- Bathroom,
- Hallway; or
- Dining room.

No more than two persons may occupy a bedroom provided there is sufficient square footage in the bedroom to meet local standards

### Exceptions to the Occupancy Standards

#### Types of Exceptions

Shoreline Plaza will consider granting exceptions to the occupancy standards at the family's request if management determines the exception is justified by the relationship, age, sex, health or disability of family members, or other personal circumstances.

For example, an exception may be granted if a larger bedroom size is needed for medical equipment due to its size and/or function, or as a reasonable accommodation for a person with disabilities. An exception may also be granted for a smaller bedroom size in cases where the number of household members exceeds the maximum number of persons allowed for the unit size in which the family resides and the family does not want to transfer to a larger size unit.

When evaluating exception requests Shoreline Plaza will consider the size and configuration of the unit. In no case will Shoreline Plaza grant an exception that is in violation of local housing or occupancy codes, regulations or laws.



Requests from applicants to be placed on the waiting list for a unit size smaller than designated by the occupancy standards will be approved as long as the unit is not overcrowded according to local code, and the family agrees not to request a transfer for a period of two years from the date of admission, unless they have a subsequent change in family size or composition.

To prevent vacancies, Shoreline Plaza may provide an applicant family with a larger unit than the occupancy standards permit. However, in these cases the family must agree to move to a suitable, smaller unit when another family qualifies for the larger unit and there is an appropriate size unit available for the family to transfer to.

### **Processing of Exceptions**

All requests for exceptions to the occupancy standards must be submitted in writing.

In the case of a request for exception as a reasonable accommodation, Shoreline Plaza will encourage the resident to make the request in writing using a reasonable accommodation request form. However, Shoreline Plaza will consider the exception request any time the resident indicates that an accommodation is needed whether or not a formal written request is submitted.

Requests for a larger size unit must explain the need or justification for the larger size unit, and must include appropriate documentation. Requests based on health-related reasons must be verified by a knowledgeable professional source, unless the disability and the disability-related request for accommodation is readily apparent or otherwise known.

Shoreline Plaza will notify the family of its decision within 10 business days of receiving the family's request.

### **Unit Transfer Policy**

Shoreline Plaza management will allow unit transfers in the following situations:

The owner/agent will consider requests from residents for unit transfers for the following reasons:

- 1) There is a verified medical need for a different unit
- 2) There is a verified need for an accessible unit
- 3) The resident lives in an accessible unit and no longer needs the accessibility features
- 4) If two or more adult household members reside in one unit and one or more adults choose to apply for a separate unit, the new household will be required to submit a complete application and must be eligible for assistance under the rules provided in HUD Handbook 4350.3 and the owner/agent resident screening policies provided in the most current resident selection plan.

Existing residents must complete a Unit Transfer request. The Unit Transfer Request must be completed in writing and signed by the head of household and all adult household members who wish to transfer. The unit transfer request may be submitted in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability.

Factors concerning approval of transfers are as follows:

- 1) A household that has given a 30-day notice-to-move need not be transferred
- 2) The household must be able to establish mandatory utilities in the new unit (gas, electric, water, etc.)

If a household requests a unit transfer to address a household member's verifiable or apparent disability, the owner/agent will pay for the move unless doing so would change the nature of the program or would cause undue financial and administrative burden. (Please see the Reasonable Accommodation/Modification Policy for additional information.)

### **Security Deposits & Unit Transfers**

When a Resident transfers to a new unit, the owner/agent will transfer the deposit from the old unit to the new unit.

### **Unit Transfer Request**

If you would like the owner/agent to consider a unit transfer, please submit the Unit Transfer Request. If you would like a reasonable accommodation to request a unit transfer, because of the presence of a disability, please feel free to contact the management office.

Unit Transfer Requests will be reviewed as quickly as possible. The resident will receive a response within 30 calendar days from the date the complete, signed request is submitted. The response may be:

- 1) Approval of the Request
- 2) Request for additional information
- 3) Denial of the Request

If your request is approved, but no appropriate units are available, your name will be added to the property waiting list and you will be provided preference based on your status as an existing resident. When an appropriate unit is available, you will have a maximum of 30 days to complete the transfer. If you are unable to transfer within 30 days, the unit will be offered to the next person on the waiting list in compliance with the waiting list management policy.

You have the right to refuse two offered units. The first time a unit offer is refused, the next household on the waiting list will be offered the unit (in accordance with our resident selection plan), and your name will remain at the top of the list. The second time a unit offer is refused, your name will be removed from the waiting list, and a new unit transfer request will not be considered for at least six months. (The owner/agent will consider reasonable accommodation in this case, if there is the presence of a disability).

If the unit transfer is mandatory because the household is over or under housed, the resident will have 30 days to move or assistance will be terminated in accordance with the HUD Model Lease revised.

If your request for a unit transfer is denied, you may appeal the decision within 14 calendar days from the date of the denial letter. Someone who was not involved in the original decision to deny will review your appeal.

### **Eligibility Criteria**

HUD's occupancy requirements and procedures ensure that eligible applicants are selected for occupancy that tenants receive the proper level of assistance, and that tenants are treated fairly and consistently. Applicants and tenants must meet the following requirements to be eligible for housing assistance at Shoreline Plaza:

- The family must report the annual income of family members, including assets, as required under program rules.
- The family's annual income must not exceed program income limits.
- All information reported by the family is subject to verification.
- Applicants must disclose social security numbers for all family members and provide proof of the numbers reported.
- All adults in each applicant family must sign an Authorization for Release of Information prior to receiving assistance and annually thereafter.
- An applicant must agree to pay the rent required by the program under which the applicant will receive assistance.
- The unit for which the family is applying must be the family's only residence.

HUD program requirements specify the income limits used by each program.

### **Income Limits**

HUD establishes income limits and revises them annually to ensure that federal rental assistance is provided only to low-income families. Income limits are based on family size and the annual income the family receives. These limits are available for review at the site or management office. Shoreline Plaza will determine income eligibility prior to approving any applicant for tenancy. Once the applicant moves into Shoreline Plaza, this income eligibility test will not be done again unless the resident has gone to market rent and wants once again to be eligible for subsidy. Applicants must have an income that is not greater than the maximum income limits established by HUD, and as published annually in the Federal Register.

### **Income Eligibility Requirements**

HUD establishes and publishes income limits annually based on family size for each county in the United States based on the median income of the geographic area. Income limits for this property are listed below:

Low-income limit	80% of median income
Very low-income limit	50% of median income
Extremely low-income limit	30% of median income

Owners must make at least 40 percent of the assisted units that become available each year (project's fiscal year) available for leasing to families whose income do not exceed 30 percent of the area median income (extremely low-income) at the time of admission. If the owner actively marketed at least 40 percent of the annually available units to extremely low-income families but was unable to fill all of the units with families meeting the requirement, the owner is permitted to rent to other eligible families after a reasonable marketing period has expired.

### **Qualifying For Admission**

It is Shoreline Plaza policy to accept and process applications in accordance with applicable HUD regulations and recommended procedures under Section 8 where an applicant or tenant qualifies as a person who is income eligible and meets the program eligibility requirements as defined by the HUD Handbook.

## Procedures for Accepting Pre-Applications

Anyone who wishes to secure housing must fully complete the Pre-Application. Pre-Applications can be requested by any means (in person, mail, fax or phone) and obtained in person at the PHA's office during normal business hours, requesting by telephone or requesting by email that an application be mailed via first class mail, or by visiting [www.bcacha.org](http://www.bcacha.org) to download or complete the application.

Reasonable Accommodations will be granted to applicants with disabilities that request Pre-Applications in another form other than those listed above

Applicants and other interested, may access latest approved Tenant Selection Plan at [www.bcacha.org](http://www.bcacha.org). Upon request, the PHA will make available a copy of the latest approved Tenant Selection Plan. All Pre-applications will be date and time stamped when they are deemed received.

The Pre-Application form shall provide enough information for management to:

- Make an initial determination of the income eligibility of the household;
- The size of the unit desired or needed and sufficient information to screen Applicant's prior landlord history.
- The Applicant will be required to give consent to management's requirement to secure a credit and criminal background History, and must provide sufficient information to enable management to secure such reports.

## Procedures for Accepting Applications

Every application must be completed in its entirety, with or without assistance, and signed and dated by the head of the household and co-head(s), and all household members 18 years and older, if applicable. Applications submitted online may use electronic signatures. All members of the household shall be listed on the application form. Staff will assist any applicant who might have trouble completing the application form. This assistance might take the form of answering questions about the application, helping applicants who might have literacy, vision or language problems and, in general, making it possible for interested parties to apply for housing. The application will be completed to the extent that all factors of eligibility are included and a determination can be made by the property manager on the apparent eligibility status of an applicant. Applications that are incomplete and/or have not been signed and dated as required will not be processed.

Whenever possible, communications with applicants will be by first class mail or electronic mail. Failure to respond to letters may result in withdrawal of an application from further processing. Management may make exceptions to the procedures described herein to take into account circumstances beyond the applicant's control; i.e., medical emergencies or extreme weather conditions. If failure to respond is due to disability, management will make reasonable accommodation.

No decisions to accept or reject applicants shall be made until all verifications prompted by the application form have been received. The following items will be verified by the property manager to determine eligibility and suitability for admission to the development:

- Eligibility Information;
- Annual Income;
- Assets and Asset Income;
- Housing Preferences; if applicable
- Allowance Information;
- Social Security Number for all persons in the household.

Information used in Tenant Screening

- Citizenship/legal non-citizenship status

The property manager will be the final judge of what constitutes adequate and credible documentation. If there is any doubt about the truthfulness or reliability of information received, alternative methods will be pursued until the property manager is satisfied that the documentation obtained is the best available.

## Preference Categories for Admission

Shoreline Plaza only provides housing to applicants who meet the Tenant Selection Standards for being accepted as a resident.

### Establishing Preferences

Preferences are not permitted if they in any way negate affirmative marketing efforts or fair housing obligations.

### Administration of the Waiting List

It is the policy of Shoreline Plaza to administer its Waiting List as required by HUD handbooks and regulations. Accepting an applicant from a lower waiting list position before one in a higher position violates policy and may be regarded as being discriminatory.

Once your application has been received you will be sent a “Waiting List Notification Letter” to confirm that you have been added to our Wait List. If no suitable unit is available the owner will place an apparently eligible applicant on an Agency prescribed or approved waiting list. The waiting list shall be maintained by unit size and housing preference claim. Each apparently eligible applicant will be assigned his/her appropriate place on the waiting list based on the **date and time** the application is received for a suitable type and/or size of unit and in conjunction with factors affecting preference of priority as established in the development's Tenant Selection Plan. When you are at the top of the list and a unit becomes available you will be sent an “Invitation to Apply Letter”. This letter will give you a chance to let us know if you are still interested in the bedroom type you selected when you applied.

### Opening and Closing Waiting Lists

In compliance with HUD Notice H2014-16 and in order to maintain a balanced application pool, Shoreline Plaza may, at its discretion, restrict application taking, suspend application taking, and close waiting lists in whole or in part. Shoreline Plaza will also update the waiting list by removing the names of those who are no longer interested in or no longer qualify for housing.

Decisions about closing the waiting list will be based on the number of applications available for a particular size and type of unit, the number of applicants who qualify for a Federal preference, and the ability of Shoreline Plaza to house an applicant in an appropriate unit within a reasonable period of time.

Generally, if the length of the waiting list is such that an applicant would not likely to be admitted for the next 12 months Shoreline Plaza may advise the applicant that no additional applications are being accepted for that reason.

During the period the waiting list is closed Shoreline Plaza will not maintain a list of individuals who wish to be notified when the waiting list is reopened.

**Opening the waiting list;** As stated in HUD Handbook 4350.3 REV-1, paragraph 4-16.B.2, when an owner agrees to open his/her waiting list and begins to accept applications, the notice of this action will be announced in a publication likely to be read by potential applicants in the same manner (and if possible, in the same publications) as the notification that the waiting list was closed.

Advertising and outreach activities will be done in accordance with applicable fair housing marketing requirements or the HUD-approved Affirmative Fair Housing Marketing Plan (AFHMP).

The notification requirements comply with HUD fair housing requirements, such as adopting suitable means to assure that the notice reaches eligible individuals with disabilities and those with limited English proficiency. Shoreline Plaza will ensure that notices of and communications during all meetings are provided in a manner that is effective for persons with hearing, vision, and other communications-related disabilities consistent with Section 504 of the Rehabilitation Act of 1973 (24 CFR 8.6), and, as applicable, the Americans with Disabilities Act. This includes ensuring that meeting sites are accessible and auxiliary aids and services are provided as needed, e.g., materials in Braille, audio, and large type; sign language interpreters, computer-assisted real time transcription (CART) services, and assistive listening devices, etc.

**Placing Applicants on the Waiting List;** In scenarios where Shoreline Plaza can elect to open a previously closed waiting list for a set period of time, Shoreline Plaza may consider the use of a lottery or other random choice techniques to select which applicants will be placed and to determine the order these applicants will be placed on a waiting list.

**Outreach;** Shoreline Plaza will advertise according to the property's Affirmative Fair Housing Marketing Plan and will target this advertising to groups other than the typical population of the neighborhood in which the property is located while reaching out to applicants who are least likely to apply because they are not the predominant racial or ethnic group in the neighborhood.

### **Removal of Applicants from the Waiting List**

Shoreline Plaza will not remove an applicant's name from the waiting list unless:

- the applicant requests that the name be removed;
- the applicant was clearly advised of the requirement to tell Shoreline Plaza of his/her continued interest in housing by a particular time and failed to do so; or
- Shoreline Plaza made a reasonable effort to contact the applicant to determine if there is continued interest in housing but has been unsuccessful;
- Shoreline Plaza has notified the applicant of its intention to remove the applicant's name because the applicant no longer qualifies for assisted housing.

Preventing delays in re-renting units maximizes the housing assistance available and reduces occurrences of vandalism to the unit. Staff should be aware of the average turnover rate at the development. Suitable vacancies shall be offered to applicants first in sequence on the waiting list. Applicants should be notified as far in advance as possible that they could expect to receive an offer of a unit.

As soon as a notice to vacate is received, staff will immediately contact the case worker and/or first applicant on the waiting list. The initial contact will be by telephone or mail within as soon as practical. If the applicant cannot be contacted within four days, the offer will be canceled and the unit will be offered to the next applicant on the waiting list. Should the applicant reject the offer, the applicant shall be given a second offer of a suitable vacancy as soon as one becomes available. Should the applicant reject the second offer, the applicant shall be moved to the bottom of the eligible applicant waiting list unless the applicant can verify that a hardship exists or that there are mitigating circumstances.

Note: Applicants who can show a good reason for failing to contact Shoreline Plaza within a reasonable time beyond the time originally given will be allowed to retain their position on the waiting list; i.e., applicant in the hospital, being on vacation, etc. Applicants who fail to respond in a timely manner for reasons that are related to a disability, and not the fault of the applicant, should also be reinstated; i.e., applicant requests the housing provider contact an advocate, being contacted by telephone rather than mail, etc.

An applicant shall be offered no more than two suitable vacancies before being placed at the bottom of the eligible waiting list. The reasonableness of the rejection will be determined by the owner and will so be documented with the applicant's application for housing. For handicapped/disabled applicants, reasonable accommodation needs shall be reviewed and made available to the fullest extent allowed. In addition, those applicants who have been placed at the bottom of the waiting list will have the effective date of their application changed to the date of the second rejection.

Note: Applicants who can show that the unit was rejected for reasons that were related to a disability, and not the fault of the applicant, shall remain on the waiting list and their application will retain its original date.

### **Updating the Waiting List**

Shoreline Plaza will update the waiting list at least annually to determine if applicants are still interested and eligible to remain on the waiting list. The property manager shall, at the time of each annual update, obtain current applicant information on at least the following:

- household characteristics; i.e., number of family members and composition;
- income and assets; and,
- housing preferences, if applicable

The updated information shall be obtained from the applicant in writing and certified by the tenant's dated signature that the information provided is true and correct. The owner will notify each applicant by mail requesting the above information and confirmation of its interest in remaining on the waiting list. The owner must specify a reasonable time frame in which the applicant is to respond; i.e., 15 days. If the applicant replies affirmatively, its application will retain its position on the waiting list. If the reply is negative, the applicant's name will be removed from the waiting list. If no reply is received within the specified time frame, a final letter will be sent to the last known address stating that the applicant's name is being removed from the waiting list on a specific date; i.e., 5 days from the date of the letter.

## **Screening Criteria**

Shoreline Plaza will not employ criteria that are unrelated to an applicant's ability to meet essential lease requirements. It is unlawful to make an inquiry to determine whether an applicant, a person intending to reside in the unit after it is rented or made available, or any persons associated with that person, has a handicap, or to make inquiry as to the nature or severity of a handicap of such a person.

Upon receipt of a completed application the applicant shall be screened considering factors that include, but are not limited to, the following:

- Demonstrated ability to pay rent and utilities on time;
- Credit references. Credit checks may be useful when no rent payment history is available. However, lack of a credit history, as opposed to a poor credit history, is not sufficient justification to reject an applicant;
- Drug related or criminal activity. Inquiries may be made of each applicant 18 years of age and older to determine if there has been an arrest/convictions involving the illegal manufacture or distribution of a controlled substance and/or other arrest/convictions involving the illegal use of a controlled substance by consulting a third party;
- Criminal history record. Inquires may be made of each applicant 18 years of age and older to determine if they are subject to a State sex offender lifetime registration requirement;
- Applicant's ability to comply with the terms of the lease.
- Housekeeping habits. Housekeeping criteria are not intended to exclude households whose housekeeping is only superficially unclean or disorderly if such conditions would not appear to affect their or others health, safety and/or welfare;
- Consideration of Extenuating/Mitigating Circumstances in the Screening Process. Owners may consider extenuating/mitigating circumstances in evaluating information obtained during the screening process to assist in determining the acceptability of an applicant;

The following factors will not be used when screening an applicant:

- Physical examinations: Owners may not require physical examinations or medical testing as a condition of admission. Owners may uniformly require all applicants to furnish evidence of ability to meet the obligations of tenancy but may not impose greater burdens on individuals with handicaps;
- Meals and Other Services: Owners must not require tenants to participate in a meals program or establish other mandatory charges for services without the prior consent of HUD;
- Donations or contributions: Owners must not require a donation, contribution, or membership fee as a condition of admission. Owners may not require any payments not provided in the lease; or

The owner must either:

- accept the applicant,  
AND,
- provide housing;
- place the applicant on the waiting list if a unit of suitable size is not available;  
or,
- reject the applicant

If the owner determines the family is eligible and is otherwise acceptable, and a unit is available, the owner will assign the family a unit of appropriate size in accordance with the General Occupancy Standards.

### **Ensuring That Screening is Performed Consistently**

The Managing agent shall apply the criteria consistently to all applicants. To ensure that all applicants are treated consistently during the screening process:

- Only the Property Manager of Tenant Services Management and the Director of Operations shall conduct screening to reduce inconsistencies.

- Standard forms designed to meet HUD screening criteria shall be used to screen all applicants.
- Use objective criteria: For example, when interviewing an applicant's former landlord about rent payment and rental history, the Managing agent shall ask fact-based questions. Avoid subjective questions that ask for opinions or do not directly relate to the tenant's ability to meet the requirements of the lease.
- Follow a formal, written process for collecting information. Do not take into consideration informal or "gossip" about an applicant. Such information may be discriminatory and will affect applicants inconsistently since the Owner does not collect it for all applicants.

The **Managing agent** shall use the following guidelines and/or consider the following factors in screening Applicants for occupancy:

### **Screen for Credit History**

Examining an applicant's credit history is one of the most common screening activities. The purpose of reviewing an applicant's credit history is to determine how well applicants meet their financial obligations. A credit check can help demonstrate whether an applicant has the ability to pay rent on time.

The Property management shall use two primary sources to determine rental and credit history:

- The landlord verifications will be made during the Application process and before an Applicant's name is added to the Waiting List. A positive landlord reference would include for instance;
  - Rent was paid and in a timely manner;
  - Applicant must show compliance with facility and lease policies;
  - Property was left in an acceptable condition with any back balances paid in full.
 Note: Owing a prior landlord rent also includes outstanding balances on subsidy payback agreements.

In the event that a landlord reference is unavailable or if an Applicant is presently residing with family members the Landlord Verification Form will be waived. However, the Property management may require two (2) personal reference letters and be consistent with applying this procedure for all applicants that currently reside with family members. In these cases the owner/agent should:

- Review each adult applicant's credit history;
  - Not consider medical bills/expenses when reviewing credit history.
- Note: Applicants will not be rejected for not having a credit history or having a poor credit history. However, an applicant will be rejected if a credit report reveals that the applicant owes a prior landlord rent and/or has unpaid utility bills.
- Review the Applicants credit history to determine if there is any debt owed to a prior landlord. Applicants owing prior landlords will be rejected unless:
    - Such debt has been paid or
    - Applicant enters in to a repayment agreement and can demonstrate current payment history of on-time payments for at least the last six months.
  - The owner/agent will also review utility payment history. If the resident is unable to establish utilities in the new unit, the application will be rejected.

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

### **Secure Screening for Credit and Criminal Background Checks**

Management will order credit and criminal background reports for each Applicant. These companies charge a fee for this service but we will not pass the fee/charge to the applicant. We will review the report to determine the applicant's history of meeting financial obligations including payments for rent, utilities, loans, revolving credit cards and other obligations. Verify that no collection or outstanding balance due for rental or housing related activity such as utility payments or property management companies, or eviction. Criminal Background checks will be conducted at each Annual Recertification and for any new occupant introduced into the unit.

## Verification Requirements

Property shall obtain verifications in compliance with requirements set forth in the HUD Handbook 4350.3. No decision to accept or reject an application shall be made until verifications keyed by the application form have been collected and any necessary Follow-up Interviews have been performed.

Adult members of a family must sign consent forms and, as necessary, verification documents, so that the owner can verify sources of family income and family size. The owner must consider a family ineligible if the adult members refuse to sign applicable consent and verification forms. See Chapter 5, Section 3, for additional detailed information on these forms. HUD requires that 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 (form HUD-9887, *Notice and Consent for the Release of Information to HUD and to a PHA* and form HUD-9887-A, *Applicant's/Tenant's Consent to the Release of Information Verification by Owners of Information Supplied by Individuals Who Apply for Housing Assistance*) \*at the initial certification and each recertification\*. All adults regardless of whether they report income must sign \*and date\* these forms.

A current form HUD-9887 **MUST** be on file before owners access the EIV employment and income information for a tenant. All adult members of an applicant or tenant family must sign individual verification forms authorizing the owner to verify family income and other applicable eligibility factors (e.g., disability status).

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

Shoreline Plaza complies with all the provisions of the Federal Privacy Act as well as any state or local laws relating to confidentiality.

**\*NOTE:** The owner cannot use the EIV Income Reports for a tenant who turns 18 between recertifications until the tenant has signed the form, even though employment or income will be reported in EIV. The owner must address, in their Policies and Procedures, notification requirements and timeframes for tenants who turn 18 between annual recertifications to sign the consent forms, if requiring the forms to be signed other than at recertification.\*

### Provisions for Refusal to Sign

If the applicant or tenant, or any adult member of the applicant's or tenant's family, does not sign and submit the consent form as required in 24 CFR 5.230, the following statements apply:

- The owner must deny assistance and admission to the applicant; or
- The owner must terminate assistance to the \*family\* (see paragraph 8-5 regarding terminations).

### Types of Verification Required

All information relative to the following items must be verified as described in these procedures in accordance with compliance with Tenant Selection Criteria, such as:

- Documented ability and willingness to abide by lease requirements, and, if applicable, housing program requirements;
- Previous history of tenancy; and/or
- Absence of current or history of criminal activity of any household member.

All the above information must be documented and appropriate verification forms or letters placed in the applicant or resident file. Each file will be documented to show that Shoreline Plaza attempted to obtain third-party written documentation before relying on some less acceptable form of information.

Management staff will be the final judge of the credibility of any verification submitted by an applicant. If staff considers documentation to be doubtful, it will be reviewed by the Managing agent who will make a ruling about its credibility. Staff will continue to pursue credible documentation until it is obtained or the applicant is rejected for failing to provide required documentation.

**Types of Verification Required** - All information relative to the following items must be verified as described in these procedures:



1. Eligibility for Admissions Such as

- Income, assets, and asset income;
- 62 years of age or older (Tenant or Co-Tenant);
- Household composition;
- Documentation of Social Security Numbers of household members;
- Signing of the Form HUD-9887 and HUD 9887-A.

2. Allowances, such as

- Age, disability, or handicap of household members;
- Full time student status;
- Child care costs;
- disability expenses;
- Medical costs (for elderly/handicap households only).

3. Priorities, such as

- Persons who require the features of handicapped/disabled unit.

4. Compliance with current or prior landlords, such as

- Positive prior landlord reference, paying rent in a timely manner;
- Complying with the House Rules and Regulations.

5. Credit checks will be processed through approved credit bureaus with an approved credit rating. Exceptions include:

- Medical collections;
- Proof of satisfactory dispute of credit rating;
- Applicant shows period of credit problems which have been corrected;
- Applicant has proof of repayment of debt. Proof must be a statement of satisfaction from creditor, court, or other legal proof;
- Absence of a credit file will not adversely affect the application.

All the above information must be documented and appropriate verification forms or letters will be placed in the applicant or resident file.

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

**Forms of Verification-** Documentation required, as part of the verification process, may include:

- Checklists completed as part of the interview process and signed by the applicant;
- Verification forms completed and signed by third parties;
- Reports of interviews;
- Letters;
- Notes of telephone conversations with reliable sources;
- Documentation provided by the household, such as Social Security Cards, Birth Certificates, or other acceptable forms as outlined in the HUD 4350.3 Handbook.

At a minimum, such reports will indicate the date and time of the conversation, source of the information, name and job title of the individual contacted, and a written summary of the information received.

Management staff will be the final judge of the credibility of any verification submitted by an applicant. If the staff considers documentation to be doubtful, it will be reviewed by Management staff who will make a ruling about its acceptability. Management staff will continue to pursue credible documentation until it is obtained or the applicant is rejected for failing to produce it.

**Sources of Information-**Sources of information to be checked may include, but not limited to:

- The applicant by means of interviews;
- Present and former housing providers;
- Present and former employers;
- Credit checks;
- Household social workers, parole officers, court records, drug treatment centers, physicians, clergy;
- Law enforcement and/or criminal databases.

**Preferred Forms of Verification**-Verifications shall be attempted in the following order:

1. Third party written verifications include the use of the Enterprise Income Verification System (EIV), copies of third party documents provided by the household (i.e. Social Security or agency printout, award letter, pay stubs, bank statements, pharmacy printouts, payment book stubs for medical insurance premium, etc.);
2. Third party oral with a record kept in the files;
3. In the absence of any of the above, affidavits from the household.

Each file will be documented to show that the Property staff attempted to obtain third party written documentation before relying on some less acceptable form of information.

#### **Attempted Fraud:**

Any information provided by the applicant that verification proves to be untrue may be used to disqualify the applicant for admission on the basis of attempted fraud. The Property considers false information about the following to be grounds for rejecting an applicant:

- Income, assets, household composition;
- Social Security Numbers;
- Preferences and priorities;
- Allowances;
- Previous residence history or criminal history.

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

**Verification Time Frame** - Only verified information that is less than 120 days old may be used for certification or recertification. Verified information not subject to change (such as a person's date of birth) need not be re-verified. Information obtained which is subject to change, and for which verifications are more than 120 days old, must be re-verified.

#### **Applicant Interview**

At the time an appropriate unit becomes available, or sooner, the owner must interview the applicant and obtain current information about the family's circumstances. Any question that is asked of one applicant must be asked of all applicants. A final decision on eligibility cannot be made until all verifications are complete.

Owners should refer to the HUD Handbook 4350.3 for income, asset and allowance information as well as the documents owners must:

- Confirm and update all information provided on the rental application. (If the applicant is determined ineligible the owner must comply with proper procedures for rejection);
- Explain program requirements, verification procedures and penalties for false information. The penalties include eviction, loss of assistance, fines up to \$10,000 and imprisonment up to five years;
- Obtain family income and composition information needed to certify eligibility and compute the tenant's share of the rent. Any changes in family income and composition since the date of application should also be obtained;
- Review the financial information on the rental application and specifically ask the applicant whether any member of the household receives the types of income or assets as listed on the application. If it seems likely that an applicant is receiving a form of income not reported on the application, ask the applicant about that source of income and document the applicant's response in the file;
- Ask the head of household, spouse, co-head(s) and household members age 18 years and over to sign the release of information consent portion of any verification request, or other applicable forms, used for determining eligibility;
- Require the head of household, spouse, co-head(s) and household members age 18 years and over to give a written verification as to whether any family member did/did not dispose of any assets for less than fair market value during the two years preceding the effective date of the verification;
- Require ALL household members to disclose and document all Social Security Numbers or execute a certification when a Social Security Number has not been assigned;

- Require that all household members to make declaration of citizenship or legal non-citizenship. Parents make the declaration for minor household members. Legal non-citizenship requires documentation. In cases where citizenship is 'questionable' management may require documentation;
- Advise the family that, for a sample of cases, HUD will compare the information with Federal, State or local agencies;
- Tell the family that a final decision on eligibility cannot be made until all verifications are complete;
- Inform the family that Federal laws prohibit discrimination against individuals with handicaps.
- Inform applicants of housing for the elderly or handicapped about the rules on owning pets; and;

### **Procedures for Rejecting Ineligible**

If an applicant is found to be ineligible for any reason, he/she will be so notified in writing stating the following:

- (1) The reason for this rejection.;
- (2) The applicant has 14 days to respond in writing and/or to request an appeal hearing to discuss the rejection;
- (3) An individual with a disability has the right to request reasonable accommodations to participate in the informal hearing process.

Any meeting with the applicant or review of the applicant's written response must be conducted by a member of the owner's staff who did not make the initial decision to reject the applicant. If the applicant appeals the rejection, the owner must give the applicant a written final decision within five days of the response or meeting. The owner must keep all information pertaining to this rejection on file for at least three years, including application, initial rejection notice, any applicant reply, owner's final response, and all interview and verified information on which the owner based the rejection. All letters of rejection, together with the application packet, will be maintained by Management for a period of three (3) years in a separate file marked REJECTED APPLICATIONS

### **Eligibility of Independent Students to receive Section 8 Assistance**

To be eligible for Section 8 Assistance, any adult who attends an institute of higher learning (full or part-time) must be one of the following:

1. A dependent of the household;
2. Over age 23;
3. A Veteran;
4. Married;
5. A parent with dependent child (or children);
6. A disabled individual who was receiving assistance prior to November 30, 2005;
7. Independent from parents\* OR have parents who are income eligible for Section 8 assistance.

\*To prove that a person age 18-23 is "Independent" an owner must verify (and document that the student):

Are of legal contract age under state law, AND

Have established a separate household from parents for at least a year OR meet the U.S. Dept. of Education definition of an independent student \*\*, AND

Are not claimed on parents tax return, AND get (or do not get) financial help from parents.

\*\* U.S. Department Definition of "independent student" is one who:

1. Is age 24+ old by December 31 of year;
2. Is an orphan or ward of state through age 18;
3. Is a Veteran;
4. Has a legal dependent – (example: child or parent);
5. Is a graduate or professional student;
6. Is married.

If the student is NOT "independent," then the parents must be income-eligible for Section 8. The parents may sign a declaration and certification of income. They must be below the HUD income limit. The income limit that will be used:

- If parents live in the U.S. – income limit for the county that the parents live in.
- If parents live outside the U.S. – limit where the property is located.

An owner may verify further (tax returns, etc.) if the parents certification is questionable. The student is not eligible if the parents refuse to provide a:

- Declaration of their income, AND
- Statement of whether they provide student financial assistance or not.

### **Social Security Number Requirements**

All applicant and tenant household members must disclose and provide verification of the complete and accurate SSN assigned to them except for those individuals who do not contend eligible immigration status or tenants who were age 62 or older as of January 31, 2010, and whose initial determination of eligibility was begun before January 31, 2010. This paragraph explains the requirements and responsibilities of applicants or tenants to supply owners with this information, the responsibility of owners to obtain this information, and the consequences for failure to provide the information.

Applicants and tenants must disclose and provide verification of the complete and accurate SSN assigned to each household member. Failure to disclose and provide documentation and verification of SSNs will result in an applicant not being admitted or a tenant household's tenancy being terminated.

#### **Exceptions to disclosure of SSN:**

a. Individuals who do not contend eligible immigration status.

(1) Mixed Families: For projects where the restriction on assistance to noncitizens applies and where individuals are required to declare their citizenship status, proration of assistance or screening for mixed families must continue to be followed. In these instances, the owner will have the tenant's Citizenship Declaration on file whereby the individual did not contend eligible immigration status to support the individual not being subject to the requirements to disclose and provide verification of a SSN.

For Section 221(d)(3) BMIR, Section 202 PAC, Section 202 PRAC and Section 811 PRAC properties, the restriction on providing assistance to noncitizens does not apply. At these properties, individuals who do not contend eligible immigration status must sign a certification, containing the penalty of perjury clause, certifying to that effect. The certification will support the individual not being subject to the requirements to disclose or provide verification of a SSN. The certification must be retained in the tenant file. (See Paragraphs 3-12.N, O and P for more information on mixed families and proration of assistance)

Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.

- The exception status for these individuals is retained even if there is a break in his or her participation in a HUD assisted program.
- When determining the eligibility of an individual who meets the exception requirements for SSN disclosure and verification, documentation must be obtained that verifies the applicant's exemption status. A certification from the tenant is not acceptable verification of the exemption status. This documentation must be retained in the tenant file.

#### **Acceptable Verification Documents**

Applicants and tenants must provide adequate documentation to verify the complete and accurate SSNs assigned to all household members. Adequate documentation means a social security card issued by the Social Security Administration (SSA), an original document issued by a federal or state government agency, which contains the name and SSN of the individual along with identifying information of the individual, or other acceptable evidence of the SSN listed in Appendix 3. Here are some examples of the acceptable methods of verification:

- Original document issued by a federal or state government agency which contains the name, Social Security Number, and other identifying information of the individual.
- Driver's license with Social Security Number
- Earnings statements on payroll stubs
- Bank statement
- Form 1099
- Social Security Administration benefit award letter
- Retirement benefit letter
- Life insurance policy
- Court records

Further information regarding acceptable verification documents can be found in HUD Handbook 4350.3, REV-1 *Occupancy Requirements of Subsidized Multifamily Housing Programs*.

<http://www.hud.gov/offices/adm/hudclips/handbooks/hsg/4350.3/index.cfm>

## **Provisions for Applicants Disclosure and/or Documentation of SSN's**

An applicant may not be admitted until SSNs for all household members have been disclosed and verification provided.

- If all household members have not disclosed and/or provided verification of their SSNs at the time a unit becomes available, the next eligible applicant must be offered the available unit.
- The applicant who has not disclosed and provided verification of SSNs for all household members must disclose and provide verification of SSNs for all household members to the owner within 90 days from the date they are first offered an available unit.
- If the owner has determined that the applicant is otherwise eligible for admission into the property, and the only outstanding verification is that of disclosing and providing verification of the SSN, the applicant may retain his or her place on the waiting list for the 90-day period during which the applicant is trying to obtain documentation.
- After 90 days, if the applicant has been unable to supply the required SSN and verification documentation, the applicant should be determined ineligible and removed from the waiting list (see paragraph 4-20 A).

### ***Rejection of Documentation***

The owner/agent must reject a document that:

- Is not an original document; or
- Is the original document but it has been altered, mutilated, or is not legible; or
- Appears to be a forged document (e.g., does not appear to be authentic).

The owner/agent must explain to the applicant or resident the reason(s) why the document(s) is not acceptable and request the individual obtain acceptable documentation of the Social Security Number and submit it.

### ***Actions Once Social Security Number is Verified***

Once the individual's Social Security Number has been verified, the owner/agent *should* remove and destroy the copy of the verification documentation by no later than the next recertification of family income or composition.

- Paper documentation should be destroyed by shredding, pulverizing or burning
- Electronic documentation should be destroyed by erasing or permanently deleting the file.
- Additional guidance related to destruction of records is available in HUD Handbook 2400.25, REV-2: *HUD Information Technology Security Policy*, dated October 1, 2008. The handbook is available online at: [www.hud.gov/offices/adm/hudclips/handbooks/admh/2400.25/index.cfm](http://www.hud.gov/offices/adm/hudclips/handbooks/admh/2400.25/index.cfm)

The resident file should include the Household Summary Report from the EIV system which reports the status of the identity verification process and provides verification of the Social Security Number. Retaining the Household Summary Report in the resident file and destroying the copy of the Social Security Number documentation will minimize the risk of exposing the individual's Social Security Number. Owner/agents are encouraged to minimize the number of resident records that contain documents which display the full nine-digit Social Security Number.

### ***Notices to Residents and Applicants***

Owner/agents must contact applicants to notify them of the change in Social Security Number requirements. The notice must inform applicants that they will have to disclose and provide verification of Social Security Numbers for all non-exempt household members before they can be admitted.

For existing residents, notice must be given to the head of household indicating Social Security Number documentation must be brought to the next certification meeting for all non-exempt household members who have:

- Not disclosed their Social Security Number
- Previously disclosed a Social Security Number that HUD or the Social Security Administration determined was invalid; or
- Been issued a new Social Security Number

In addition, if a resident requests to add a new household member, the owner/agent must provide a notice explaining the change in Social Security Number requirements.

As with all notices to residents and applicants, limited English proficiency requirements apply. For additional information on LEP, refer to HUD's LEP web site at [www.hud.gov/offices/fheo/promotingfh/lep.cfm](http://www.hud.gov/offices/fheo/promotingfh/lep.cfm)

### ***Penalties for a Resident's Non-disclosure of Social Security Number***

Owner/agents must terminate the **tenancy** of a resident and the resident's household if the resident does not meet the Social Security Number disclosure, documentation and verification requirements since the household is in non-compliance with its lease. There is **no** proration of assistance for those household members who are required to obtain a Social Security Number but who fail to disclose and verify their Social Security Number.

### ***Timeframe for Providing Social Security Numbers***

**Existing Residents** - All residents, except those who are exempt, must disclose and provide verification of their Social Security Number at the time of their next interim or annual certification if:

- They have not previously disclosed a Social Security Number
- Previously disclosed a Social Security Number that HUD or the Social Security Administration determined was invalid; or
- Been issued a new Social Security Number.

Failure to provide this information will result in termination of tenancy. The owner/agent may defer termination of tenancy and provide the resident with an additional 90 days to become compliant with the Social Security Number disclosure and verification requirements. The deferral is at the owner/agent's discretion and must only be provided if failure to meet the Social Security Number requirements was due to circumstances outside the control of the resident and there is likelihood that the resident will be able to disclose and provide verification of the needed Social Security Number(s) by the deadline date.

The head of household must be notified when EIV pre-screening or the Social Security Administration validation determines that a household member has provided an invalid Social Security Number.

If a resident fails to provide a valid and verified Social Security Number, the household is subject to termination of tenancy in accordance with 24 CFR 5.218.

### ***Applicants***

Applicants must disclose a Social Security Number and provide adequate documentation to verify each Social Security Number for all non-exempt household members before they can be housed. If all non-exempt household members have not disclosed and/or provided verification of their Social Security Numbers at the time a unit becomes available, the next eligible applicant must be offered the available unit.

- The applicant who has not provided required Social Security Number information for all non-exempt household members has 90 days from the date they are first offered an available unit to disclose/verify the Social Security Numbers.
- During this 90-day period, the applicant may retain its place on the waiting list.
- After 90 days, if the applicant is unable to disclose/verify the Social Security Numbers of all non-exempt household members, the applicant should be determined ineligible and removed from the waiting list.

### ***Adding a Household Member***

When a resident requests to add a household member who is age six or older, the documentation of the Social Security Number for the new household member must be provided to the owner/agent at the time of the request or at the time the certification, that includes the new household member, is processed. The owner/agent must not add the new household member until such time as the documentation is provided.

When adding a household member, who is a child under the age of six with a Social Security Number, the child's Social Security Number must be disclosed and verification provided at the time the owner/agent prepares the certification that includes the new household member.

If the child does not have a Social Security Number, the owner/agent must give the household 90 days in which to provide documentation of a Social Security Number for the child. An additional 90-day period **must** be granted if the failure to provide documentation of a Social Security Number is due to circumstances that are outside the control of the resident. Examples include but are not limited to:

- Delayed processing of the Social Security Number application by the Social Security Administration
- Natural disaster
- Fire
- Death in family

During this time period, the child is included as part of the household and the household will receive all of the benefits of the program including the dependent deduction and applicable child care deductions.

At the time of the disclosure of the Social Security Number and adequate verification documentation, an interim certification must be processed to include the child's verified Social Security Number. If the Social Security Number is not provided, the household is subject to termination of tenancy.

#### ***Circumstances When Tenants Must Provide SSNs***

SSNs Not Previously Disclosed and/or Verified. SSNs must be disclosed and verification provided for any household member(s) who have not previously disclosed a SSN as of January 31, 2010, at the time of the next interim or annual recertification except for those individuals who do not contend eligible immigration status or tenants who are age 62 or older as of January 31, 2010, and whose initial determination of eligibility was begun before January 31, 2010.

Invalid SSN Disclosed. The head of household must be notified when the EIV Pre-screening Report or the Failed Verification Report (Failed the SSA Identity Test) in EIV identifies that a household member has provided an invalid SSN. Discrepancies identified in the SSN disclosed must be resolved and the correct SSN disclosed, verified and transmitted to TRACS. See Chapter 9, Enterprise Income Verification (EIV).

#### ***Assignment of a New Social Security Number***

If a resident or any member of a resident's household is or has been assigned a new Social Security Number, the resident must provide the Social Security Number and documentation to verify the Social Security Number to the owner/agent at:

- The time of receipt of the new Social Security Number; or
- The next interim or regularly scheduled recertification; or
- Such earlier time as specified by the owner/agent

#### Adding a New Household Member: Age Six or Older or Under the Age of Six With an Assigned SSN.

When adding a new household member who is age six or older, or is under the age of six and has a SSN, the tenant must disclose and provide verification of the SSN of the individual to be added to the household. This SSN must be provided to the owner at:

- The time of the request, or
- At the time the recertification that includes the new household member is processed.

#### Under the Age of Six without an Assigned SSN

- The tenant must disclose and provide verification of the new household member's SSN within 90 calendar days of the child being added to the household.
- The owner must grant an extension of one additional 90-day period, if the owner, in its discretion, determines that the tenant's failure to comply is due to circumstances that could not have been foreseen and were outside the control of the tenant, e.g., delay in processing by SSA, natural disaster, fire, death in family, etc.)
- During the period that the owner is awaiting disclosure and verification of the SSN, the child is included as part of the household and shall be entitled to all of the benefits of being a household member, including the dependent deduction.
- A TRACS ID will be assigned to the child until the time the SSN is provided. At the time of the disclosure of the SSN, an interim recertification must be processed changing the child's TRACS ID to the child's verified SSN.
- If, upon expiration of the provided time period, the tenant fails to disclose and provide verification of the SSN, the tenant and the tenant's household are subject to termination of tenancy. The owner shall follow the guidance in Paragraph 8-13.A.6 to terminate the household's tenancy.
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## The Enterprise Income Verification System (EIV)

In an effort to ensure the right assistance is provided to the right people. The Department of Housing and Urban Development (HUD) has provided managers with access to a new verification database called the Enterprise Income Verification System (EIV).

EIV provides information about project-based and tenant-based HUD assistance recipients. This database is also used to verify certain types of reported incomes with records maintained with the Social Security Administration, Department of Health and Human Service (HHS) as well as the National Database of New Hires. HHS provides information about current and past employment and unemployment income information.

As an Applicant and possible Resident of Shoreline Plaza, HUD mandates that you be informed about this new system. By signing HUD form 9887, you authorize HUD and the Shoreline Plaza to use data obtained through computer matching with other agencies to verify your income in order to establish eligibility.

A tenant must reimburse the owner for the total overpayment back to the time overpayment of assistance started, not to exceed the 5-year limitation that the tenant was receiving assistance discussed in forms HUD-9887 and HUD-9887-A. This 5-year limitation applies for all overpayments of assistance and is not limited to errors found using the EIV system.

### EIV Reports

The Enterprise Verification System or EIV consist of various reports that available are to assist managing agents in the verifying of data.

### New Admissions

For all new admissions, including Initial Certifications (IC), Shoreline Plaza staff will review the Income Report within 90 days after transmission of the move-in certification to TRACS to confirm/validate the income reported by the household and resolve any income discrepancies with the household within 30 days of the Income Report date. In addition, staff will print and retain the Income Report in the tenant file along with any documentation received to resolve income discrepancies, if applicable.

These Income reports will be used to determine if the tenant or any family members have income reported by HHS or SSA. The reports and the frequency that they are accessed are as follows:

- Income Reports - At Annual Re-certifications;
- Income Discrepancy Report -At Annual Re-certifications;
- No Income Reported on 50059 – Quarterly;
- No Income Reported by HHS or SSA – Quarterly;
- New Hires Report – Quarterly.

**Existing Tenant Search** – Will be generated for all prospective applicants.

- Multiple Subsidy Report –Quarterly;
- Identity Verification Report –Monthly;
- Deceased Tenant Report –Quarterly;
- New Hire Report –Quarterly.

### Rejection Criteria

The Property complies with applicant rejection requirements set forth in the HUD Handbook 4350.3. Management reserves the right to reject applicants for admission if it is determined that the applicant or any member of the household falls within any one or more of the following categories listed below in this section:

Owners may reject an applicant for a poor credit history, but must not reject an applicant for lack of a credit history. Applicants with poor or unacceptable Credit Histories may still be permitted to have their names added to the waiting list. Consideration will be granted on the Person's individual situation. The Applicant's will be given an opportunity to provide an explanation and request further consideration.

An example of unacceptable credit history is one that reflects:

- Consistent, past-due payments of more than 90 days; A history of repeated insufficient fund checks;
- Derogatory credit (repossession, foreclosures, judgments, collections, charge-offs, liens, bankruptcy not yet discharged, etc.);
- Delinquent or charge off debt due other apartment communities; Unpaid utility company collections which would prohibit applicant from obtaining services;



- Failure to cooperate with re-certification procedures

**Applicants may also be rejected if:**

- The applicant is ineligible;
- The applicant's household characteristics are not appropriate for the size or type of units that are available;
- The applicant does not meet the owner's resident selection criteria;
- The applicant fails to disclose and document all Social Security Numbers or execute a certification when numbers have not been assigned;
- The applicant fails to provide declaration of citizenship or legal non-citizenship;
- Does not sign and submit verification consent forms or the Authorization for Release of Information (forms HUD-9887 and HUD-9887-A);
- The applicant was/is unable to fulfill obligations and comply with all terms of the previous/current Lease/Rental Agreement;
- The applicant has a record of chronic late, underpayment or nonpayment of rightful obligations, including rent and utilities;
- The applicant has a record of disruptive behavior;
- The applicant has a record of destruction of property;
- The applicant has a record of poor living or housekeeping habits;
- The applicant has been evicted for material non-compliance, or 'other good cause', from current or previous housing;
- The applicant has a history of activities that would be injurious to the reputation of the property and/or be likely to cause an increase in the rate of hazard insurance on the property;
- The applicant purposefully falsified, misrepresented or withheld information or submitted inaccurate and/or incomplete information on any application or during the interview related to eligibility, award of preference for admission, allowance, family composition or rent;
- The applicant was evicted or lost housing assistance because s/he purposefully falsified, misrepresented or withheld information or submitted inaccurate and/or incomplete information on any application or during the interview related to eligibility, award of preference for admission, allowance, family composition or rent;
- The applicant refuses to comply with housing program requirements, policies and/or procedures; i.e. failure to sign and submit relevant forms, consents, releases, etc.;
- The applicant has current or recent problems involving Negative Landlord Response (evictions);
- The applicant has current or recent problems involving Failure to meet past financial obligations;
- The applicant has current or recent problems involving Negative credit report;
- The applicant has current or recent problems involving Giving false information on the application;
- The applicant has current or recent problems involving Refusal to cooperate with a home visit;
- An application may be rejected if a home visit is completed and it is determined by management that the current residence of the applicant or any member of the household's family is not safe & sanitary;
- The applicant has current or recent problems involving their inability to have the Utilities including but not limited to (Electrical, Gas, Cable and Phone) service in the name of the Head of Household's name;
- The applicant has current or recent problems involving Violation of house rules;
- The applicant has current or recent problems involving previous evictions for lease violations or previous Termination of assistance for fraud.

**Applicants must be rejected if:**

- The applicant was evicted in the last three years from federally assisted housing for drug-related criminal activity unless successful completion of an approved, supervised drug rehabilitation program can be substantiated;
- Any household member that has a history or pattern of alcohol abuses and whose behavior would interfere with others' health, safety and right to peaceful enjoyment;
- Any household member currently engaging in or has engaged in violent criminal activity or other criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents, or the site's employees, contractors, or agents;
- A household in which any member is currently engaged in illegal use of drugs or for which the owner 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;
- Any household member is a convicted felon or convicted of repeated misdemeanors;
- Any household member who is subject to a state sex offender lifetime registration requirement;
- The applicant has current or recent problems involving chemical or drug dependency resulting in any of the other reasons for non-selection; and/or
- The applicant has current or recent problems involving Domestic Violence; 2 or more offenses in the past 24 months;
- The applicant has current or recent problems involving Passing Bad Checks; 2 or more in the past 24 months;
- The applicant has current or recent problems involving Drug Related; 2 or more in the past 24 months;
- The applicant has current or recent problems involving Assault; 2 or more within the past 24 months;
- The applicant has current or recent problems involving Battery; 1 or more in the past 24 months;

- The applicant has current or recent problems involving Theft (including Breaking & Entering);
- The applicant has current or recent problems involving Drugs & Illegal Substance Abuse;

Note: The term 'applicant' is inclusive of the applicant and all other household members. Unwitting errors that do not secure an advantage with regard to program eligibility preferences, or rent will not be used as a basis to reject applicants.

Applicants may be denied particular units and placed on a waiting list if the household's characteristics are not appropriate for the size or type of units that are available at that time.

If Shoreline Plaza does not place an applicant on the waiting list or immediately process the applicant for admission, Shoreline Plaza must promptly notify the applicant in writing of the rejection, and explain in the notice the reasons for the rejection,

AND,

- that the applicant has 14 days to respond in writing or to request a meeting to discuss the rejection.

If the applicant is an individual with handicaps, the applicant may inform Shoreline Plaza this fact and may to make reasonable accommodations in the policies or practices to enable the applicant equal opportunity.

A member of Shoreline Plaza staff, who did not make the initial decision to reject the applicant, must conduct any meetings with the applicant or review of the applicant's written response.

If the applicant appeals the rejection, Shoreline Plaza must give the applicant a written final decision within 5 days of the response or meeting.

Shoreline Plaza must keep the following materials on file for at least three years: application, initial rejection notice, any applicant reply, owner's final response, and all interview and verified information on which the owner based the rejection.

#### **Mitigating Circumstances:**

Shoreline Plaza will hold a second interview with any applicant known to have a disability or handicap who cannot meet one or more of the tenant screening criteria. The purpose of this interview is to determine whether it is possible to admit the applicant through consideration of mitigating circumstances or by applying reasonable accommodation.

Mitigating circumstances would be facts (that can be verified) that would overcome or outweigh information gathered in the tenant screening process.

Acceptable evidence of mitigating circumstances may include the following:

- Verification that unacceptable past behavior is either no long in effect or otherwise controlled;
- Applicants who claim unacceptable behavior resulting from alcoholism or drug addiction must verify that they are not currently engaging in alcohol abuse or the use of illegal drugs. Current abuse is defined as use more than 120 days prior to the date of application.

During the period that the applicant is claiming no current use, the applicant's behavior in the previously unacceptable area must have shown improvement. Unimproved behavior shall be taken to construe that either the applicant's unacceptable behavior was not caused by alcohol or drug abuse, or the applicant is still engaging in alcohol or drug abuse. Lack of improvement in a previously unacceptable area shall result in a rejected application.

Shoreline Plaza shall also have the right to request further information reasonably needed to verify a mitigating circumstance, even if such information is of a medically confidential nature. If the applicant refuses to provide or give access to such further information, Shoreline Plaza will give no further consideration to the mitigating circumstance.

**Misrepresentation:** Willful or serious misrepresentation in the application procedure for the apartment or certification process for any government dwelling unit.

**Records of Disturbance of Neighbors, Destruction of Property or Other Disruptive or Dangerous Behavior:** Includes behavior or conduct which adversely affects the safety or welfare of other persons by physical violence, gross negligence or irresponsibility, which damages the equipment or premises in which the family resides; or which is disturbing or dangerous to neighbors or disrupts sound family and community life.

**Failure to Provide Required Documentation:** Includes not providing proper documentation regarding Social Security Numbers of ALL household members. Not signing the Authorization to Release of Information form (HUD 9887 and HUD 9887-A). Not providing evidence of US citizenship or eligible immigration status within time frames outlined in the HUD 4350.3 Handbook.

**Violent Behavior:** Includes evidence of acts of violence or of any failure to comply with the terms of rental agreements at prior residences, such as failure to recertify as required, providing shelter to unauthorized persons, keeping pets, or other acts in violation of rules and regulations.

**Non-compliance with Rental Agreement:** Includes evidence of any failure to comply with the terms of rental agreements at prior residences, such as failure to recertify as required, providing shelter to unauthorized persons, keeping pets, or other acts in violation of rules and regulations.

**Owing Prior Landlords:** Applicants who owe a balance to present or prior landlords will not be considered for admission until the account is paid in full and reasonable assurance is obtained that the contributing causes for nonpayment of rent or damages have changed sufficiently to enable the family to pay rent and other charges when due.

**Utility Allowance Changes:** Shoreline Plaza staff is required by HUD to submit requests for rent increases to HUD or the Contract Administrator following the submission requirements described in the following:

- HUD Handbook 4350.1, *Multifamily Asset Management and Project Servicing*, for budget-based rent increases, annual adjustment factor increases, and utility allowance changes; or
- The Section 8 Contract Renewal Policy Guide for rent adjustments, if the Section 8 contract has been renewed pursuant to Multifamily Assisted Housing Reform and Affordability Act (MAHRA).

Owners must implement approved rent changes on the effective date approved by HUD or the Contract Administrator. In some cases, this date may reflect a retroactive approval, and the owner must change the tenant certification and adjust the monthly subsidy voucher. Revised data must be transmitted to the Contract Administrator or to TRACS to reflect the retroactive changes.

Owners must make changes to the Utility Allowances effective the same date as the rent effective date for the annual analysis submitted at the time of the rent adjustment. In cases where the Utility Analysis is completed mid-year due to a 10% or greater rate increase, the effective date of the Utility Allowance must be the first day of the first month following approval by HUD or the Contract Administrator.

Owners must prepare tenant certifications reflecting gross rent changes using the on-site software and submit the changes to their Contract Administrator or TRACS for each tenant in the project/contract.

**Owing Utility Providers:** Applicants who owe a balance to the local utility provider for present or prior residences will not be considered for admission until the account is paid in full and reasonable assurance is obtained that the contributing causes for failure to pay the utility bill have changed sufficiently to enable the family to pay and maintain utilities in the name of the head of household.

**Unsanitary or Hazardous Housekeeping:** Includes generally creating any health or safety hazard through acts of neglect and causing or permitting any damage to or misuse of premises and equipment, if the family is responsible for such hazard, damage or misuse; causing or permitting infestation, foul odors or other problems injurious to other persons' health, welfare or enjoyment of the premises; depositing garbage improperly; failing to use, in a reasonable and proper manner, all utilities, facilities, services, appliances and equipment within the dwelling unit or failing to maintain them in a clean condition; or any other conduct or neglect which could result in health or safety problems or in damage to the premises.

**Credit History:** A consistent, severe or recent history of deficiencies in overall credit or rent payment which indicate the family will be unable or would otherwise fail to pay rent when due for the apartment and other expenses relating to occupancy of the apartment. The review period of credit will be within the last 6 months of the date of the application

- NOTE: Bad credit due to medical bills is not grounds for the rejection of an application. The absence of a credit file will not adversely affect the application.

**Criminal Activity:** Management has established a policy to reject all applications where the applicant or any household member has engaged in certain criminal activity. The activities that will be grounds for rejection of an application are as follows:

- Any conviction or adjudication other than acquittal within the last three years which involved injury to a person or property. Applicant must have successfully fulfilled terms of the sentence, including those of probation.
- Any conviction or adjudication other than acquittal for the sale, distribution or manufacture of any controlled or illegal substance.

- Any conviction or adjudication other than acquittal within the last three years involving illegal use or possession of any controlled or illegal substance. Applicant must have successfully fulfilled terms of the sentence, including those of probation.
- Any household in which any member is currently engaged in illegal use of drugs or for which management has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug interferes with the health, safety, and right to a peaceful enjoyment of the property by other residents.
- Any conviction of adjudication other than acquittal, for any sexual offense.
- Any conviction or adjudication other than acquittal, which involved bodily harm to a child.
- Eviction for Drug Related Criminal Activity: If the applicant or any household member has been evicted in the last three years from federally assisted housing for drug related criminal activity, the application will be rejected. Note: The only two exceptions to this provision are as follows: (1) the evicted household member has successfully completed an approved, supervised drug rehabilitation program; or (2) circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household).
- Alcohol Abuse: If a determination is made that the applicant or any household member's behavior, from abuse, or pattern of abuse of alcohol, interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents, the application will be rejected.
- Any conviction of adjudication other than acquittal, which involved first or second-degree murder.
- Any member of the household who is subject to a state sex offender lifetime registration requirement.
- Management reserves the right to reject any application where any applicant's act which results in the person's tenancy constituting a threat to the health or safety of other individuals, result in substantial physical damage to the property of others, or interfere with the peaceful and quiet enjoyment of the premises.

Though the **U.S. Department of Housing and Urban Development** doesn't require it, the Owner may use the Dru Sjodin National Sex Offender Public Web site (NSOPW) to locate offenders who aren't in the presiding states database: <http://www.nsopw.gov/Core/Conditions.aspx>

**There are two exceptions to the above provisions allowed by HUD:**

The evicted household has successfully completed an approved, supervised drug rehabilitation program, **OR** the circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household). The owner shall require written evidence that the members of the household are not and have not engaged in criminal activity for a reasonable period of time – seven (7) years or longer. The owner shall require the household member to submit documentation to support the reconsideration of the decision which includes:

- A certification that states that she or he is not currently engaged in such criminal activity and has not engaged in such criminal activity for seven (7) years or longer.
- Supporting information from such sources as a probation officer, social service agency worker or criminal record(s) that can be verified by the owner.

**State's Lifetime Sex Offender Registration Requirements**

The owner's application must request the following information from applicants:

- Whether the applicant or any member of the applicant's household, is subject to State lifetime sex offender registration in any state.
- Listing of states where the applicant and members of the applicant's household have resided.

## **Screening for Housekeeping Habits**

If visiting an applicant's current home is part of the Owner's screening practices, the Owner must visit the homes of all applicants to assess housekeeping habits.

- Managing agents shall not make home visit screenings beyond a 50-mile radius of the property.
- Messy living quarters are not the same as safety and health hazards.
- Poor housekeeping habits might be described as those that create an unsafe or unhealthy environment, e.g., an uncontrolled accumulation of trash, which has led to roach infestation or poses a health danger to other residents. If an applicant is living with someone else, and the housekeeping is beyond the control of the applicant, the Owner/manager must not deny admission to the applicant. The Owner should evaluate only living quarters over which the applicant has no control.

## **Residency Requirements**

At the time of residency, applicants must pay a security deposit that is equal to the Total Tenant Payment (TTP) at Move-In and will be put into a separate account and earn interest at the current established bank rate. Upon signing the lease, the applicant is agreeing to abide by the rules of the lease as well as the House Rules as established in the Resident Handbook. They also agree to the rules and regulations associated with receiving assistance from HUD. Resident leases are for one year. Four months prior to lease expiration, tenants will be notified of their obligation to recertify with the property manager. Failure to do so will result in the loss of subsidy causing the resident to pay full market rate on the apartment. An annual apartment inspection will be part of the recertification process. Failure at this inspection could result in termination of subsidy and/or eviction.

Residents who receive a subsidy and are absent from their apartment for more than 6 months (180 days) due to medical reasons will go to market rate rent on the 7<sup>th</sup> month from the date the resident was initially admitted to a medical facility. Residents may appeal the change in rent by writing the Housing Program Manager who may grant an exception. Exceptions will be granted on a case-by-case basis.

EIV (Enterprise Income Verification) is used at Shoreline Plaza by the property manager. This person has been specifically trained and is an authorized user of this system which authenticates applicant and resident incomes through Social Security. Additionally, it checks if an applicant is already receiving a federal housing subsidy. Information is gathered using EIV during the initial application process as well as during re-certifications and possibly during an interim recertification if necessary. Any printouts obtained using EIV are destroyed after two years in accordance with HUD Notice H 08-03.

## **Violence Against Women Act**

HUD Notice #09-15 pertains to The Violence Against Women Act of 2005 (VAWA) which prohibits project-based Section 8 owners from denying admission to any person simply because she/he has been a victim of domestic violence, or stalking.

Domestic violence, dating violence, or stalking is not good cause for evicting the victim of that violence. Under VAWA an owner can only evict an individual based on the domestic violence against his/her if it can prove there is an "actual and eminent threat" to other tenants or staff if s/he is not evicted.

The Violence Against Women and Justice Department Reauthorization Act of 2005 protects tenants and family members of tenants who are victims of domestic violence, dating violence, or stalking from being evicted or terminated from housing assistance based on acts of such violence against them. These provisions apply both to public housing agencies administering public housing and Section 8 programs and to owners renting to families under Section 8 rental assistance programs.

In general, the law provides in part that criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse. The law also provides that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as serious or repeated violations of the lease by the victim or threatened victim of that violence and will not be "good cause" for termination of the assistance, tenancy, or occupancy rights of a victim of such violence.

The VAWA 2013 Reauthorization Act expanded the protections stated in the original act, but in a way that does not conflict for the PHA's policies and procedures. (See Attachments: VAWA Emergency Transfer Plan – Notice of Occupancy Rights under VAWA).

**Live-In Aid** - The definition of a live-in aide is a person who resides with one or more elderly persons, near-elderly persons or persons with disabilities and who is: (1) determined to be essential to the care and well-being of the persons; (2) is not obligated for the support of the persons; and (3) would not be living in the unit except to provide the necessary supportive services. It should be noted that the definition applies to a specific person. In accordance with this definition, a live-in aide is not a member of the assisted family unless they are an adult child and is needed for essential care of the family member. They are not entitled to occupancy as the remaining member of the tenant family.

Live-in aides are recommended but not required to be certified as a caregiver. Live-in aides will be subject to credit and criminal background checks at the resident's initial certification and annual recertification.

### **Charges for Facilities and Services**

Owners must not collect any money from tenants at initial occupancy other than rent and the maximum HUD-allowed security deposit, unless they receive HUD approval to do otherwise.

### **Rent Payment**

All rent is due on the 1st of each month; however, the tenant is allowed up to (5) days to pay his/her rent. The Managing agent may deduct accrued, unpaid late rent from the tenant's security deposit at the time of move-out if permissible under state and local Laws.

### **NSF Checks**

Per HUD rules and regulations, actual bank fees may be assessed to the resident on the second or subsequent time whenever a check is returned for "Non-sufficient Funds."

### **Damages**

Whenever damage is caused by carelessness, misuse, or neglect on the part of the tenant, household member, or visitor, the tenant is obligated to reimburse the Owner for the damages within 30-days after the tenant receives a bill from the Managing agent.

- The Managing agent may deduct accrued, unpaid damage charges from the tenant's security deposit at the time of move-out, if such a deduction is permitted under state and local laws.
- The tenant cannot be charged more than the actual and reasonable costs incurred by the project for repairing the damages.
- Receipts will accompany all transactions.
- Whenever damage is caused by carelessness, misuse, or neglect on the part of the tenant, household member, or visitor, the tenant is obligated to reimburse the Owner for the damages within 30 days after the tenant receives a bill from the Owner.
- The Owner's bill is limited to actual and reasonable costs incurred by the Owner for repairing the damages.

### **Security Deposit Requirements**

The amount of the security deposit established at move-in does not change when a tenant's rent changes.

The tenant is expected to pay the security deposit from his/her own resources, and/or other public or private sources.

The security deposit is refundable.

An applicant may be rejected if he/she does not have sufficient funds to pay the deposit. HUD requires collection of a security deposit at the time of the initial lease execution. The required security amount is equal to the greater of \$50 or the TTP/Total Tenant Payment, from the HUD 50059 form.

At the time of the initial execution of the Lease, the Managing agent must collect a security deposit that equals the assessed first month's rent.

Security deposits provide the Owner with some financial protection when a tenant moves out of the unit and fails to fulfill his/her obligations under the lease.

The Managing agent shall place the security deposit in an interest-bearing account and allocate the interest to the tenant annually.

### **Security Deposit Refunds**

In order to receive a refund of the security deposit, a tenant must provide the Managing agent with a forwarding address or arrange to pick up the refund.

#### Timeliness:

Within 30-days after the move-out date the Managing agent shall either:

Refund the full security deposit plus accrued interest to a tenant that does not owe any amounts under the lease; or

Provide the tenant with an itemized list of any unpaid rent, damages to the unit, and an estimated cost for repair, along with a statement of the tenant's rights under State and Local laws.

If the amount the Managing agent claims is less than the security deposit amount plus accrued Interest, the Managing agent must refund the unused balance to the tenant.

If the Managing agent fails to provide the list to the tenant that the tenant is entitled to, a full refund of the tenant's security deposit plus accrued interest.

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

If the security deposit is insufficient to reimburse the Owner for any unpaid or other amounts that the tenant owes under the lease, the Owner may be able to claim reimbursement from the HUD Field Office or Contract Administrator.

Any reimbursement from HUD received by the Owner must be applied first toward any unpaid tenant rent due under the lease. Additionally, no reimbursement may be claimed for unpaid rent for the period after termination of the tenancy.

If a disagreement arises concerning the reimbursement of the security deposit to the tenant, the tenant has the right to present objections to the Owner in an informal meeting. The Owner must keep a record of any disagreements and meetings in the tenant file for a period of three years for inspection by the HUD Field Office or Contract Administrator.

### **Unit Inspections**

#### **Before Move-In**

Before executing a lease, the Managing agent and tenant must jointly inspect the unit. After the Managing agent conducts a unit inspection, the inspection form must indicate the condition of the unit. The condition of the unit must be decent, safe, sanitary and in good repair. If cleaning and repair is required, the Managing agent must specify on the inspection form the date by which the work will be completed. This date should not exceed 30-days after the effective date of the lease.

Both the Owner and the tenant must sign and date the inspection form. The inspection form must include the statement, "The unit is in decent, safe and sanitary condition".

The tenant has 5 days to report any additional deficiencies to the Owner to be noted on the move-in inspection form.

The move-in inspection form must be made part of the lease, as an attachment to the lease.

#### **At Move-Out**

All tenants or their authorized representatives are encouraged to accompany the Managing agent on the move-out inspection. This will help resolve or any disagreements regarding damages to the unit. If no one is available and the tenant is unable to participate, the Managing agent may do the inspection alone or with an accompanying staff. All keys must be turned in at the end of the move-out process.

### **Annual Recertification Requirements**

The Managing agent will conduct Annual Re-certifications for all tenants are based on their Move-In dates. All residents are to be re-certified annually and will be considered late if they do not report by the 10<sup>th</sup> day of the eleventh month. At that point, the tenant may be required to pay the market rent.

All new tenants receive their Initial Notice for an up-coming Re-certification at the initial lease signing.

The 1<sup>st</sup> Reminder Notice is sent out 120 days prior to the tenants Annual date. Per HUD guidelines the second notice is sent 90 days prior to the recertification anniversary date and subsequently the 3<sup>rd</sup> Reminder Notice is sent out 60 days prior to the Annual date.

In order to be re-certified all tenants must meet with the Managing agent and supply all information requested regarding his/her income, assets, and expenses. Household members are also required to report other factors that may affect the determination of adjusted income. The rent and assistance payments will be recomputed, if applicable, based on the information gathered.

The tenant must sign consent forms, and the Managing agent must obtain third-party Verification of the following items and document them in the tenant file (or document why third-party verification was unavailable). (See HUD Handbook 4350.3 REV-1, Change 4, Chapter 5, Section 3, for more information about verification of income.)

Examples of information required:

- Employment Income/Social Security Benefits/Pension (Income)
- Bank Accounts/ Real Estate Property (Assets)
- Medicare Payments/Prescription Drugs (Expenses related to allowable medical deductions)

All income, assets and expenses must be in compliance with Exhibit 5-1, 5-2 and 5-3 of the HUD Handbook, Change 4.

The Managing agent shall provide the tenant with a copy of the HUD fact sheet describing how the tenant's rent is calculated. Fact Sheets are included in Appendix 7 of the HUD Handbook 4350.3.

### **Interim Recertification Reporting Policies**

The Managing agent shall process an Interim Re-certification if there has been a change (s) since the last re-certification that may affect the TTP or tenant rent and assistance payment for the tenant. To ensure that assisted tenants pay rents commensurate with their ability to pay, tenants must supply information requested by the Owner or HUD for use in an interim recertification of family income and composition in accordance with HUD requirements. All tenants must notify the Owner when:

- A family member moves out of the unit;
- The family proposes to move a new member into the unit.

At a minimum, Owners must apply screening criteria for drug abuse and other criminal activity to persons proposed to be added to the household, including live-in aides.

An adult member of the family who was reported as unemployed on the most recent certification or recertification obtains employment or the family's income cumulatively increases by \$200 or more per month (\$2,400.00 per year).

The Managing agent shall process the recertification of family income and family composition with a reasonable time, which is only the amount of time needed to verify the information provided by the tenant. Generally, this should not exceed 4 weeks.

Tenants may request an interim recertification due to any changes occurring since the last recertification that may affect the TTP or tenant rent and assistance payment for the tenant.

Changes a tenant may report include the following but are not limited to:

- Loss of employment;
- Reduction in numbers of hours worked by an employed family member;
- And loss or reduction of welfare income.

The Managing agent may refuse to process an interim recertification when the tenant reports a decrease in income only if the following apply:

- The decrease was caused by a deliberate action of the tenant to avoid paying rent;
- The Managing agent has a confirmation that the decrease in income will last less than one month. For example, the tenant's employer verifies in writing that the tenant will be laid off for only two weeks. If the Managing agent determines that the decrease in income will last less than one month, the Managing agent may choose, but is not obligated to process an interim recertification.



The Owner must, however, implement this policy consistently for all tenants who experience a reduction in income that will last for less than one month.

The Managing agent shall refer to HUD's 4350.3 Handbook for additional HUD requirements on interim re-certifications. Revised copies shall be made available to all waiting list applicants on the property's website.

### **Third-Party Verification**

The following describes the types of third-party verification in order of acceptability:

- **Enterprise Income Verification (EIV);**  
EIV is verification of income before or during a certification and/or recertification, through an independent source that systematically and uniformly maintains income information in a computerized form. It is mandatory that owners use the EIV system as the third-party source to verify employment and income information of tenants during recertification (annual and interim) of family composition and income.
  - Owners may use other non-HUD EIV tools such as The Work Number and other state government databases, if available, to verify income.
- **Third-party verification from source (written)**
  - An original or authentic document generated by a third party source that is dated within 120 days from the date of receipt by the owner. Such documentation may be in possession of the tenant (or applicant), and commonly referred to as tenant-provided documents. These documents are considered third-party verification because they originated from a third-party source. Examples of tenant-provided documentation that may be used includes, but is not limited to: pay stubs, payroll summary report, employer notice/letter of hire/termination, SSA benefit letter, bank statements, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices.
- **Owners must consider the following when using tenant provided documentation:**
  - Is the document current? Documentation of public assistance may be inaccurate if it is not recent and does not show any changes in the family's benefits or work and training activities.
  - Is the documentation complete? Owners may not accept pay stubs to document employment income unless the applicant or tenant provides the most recent four to six, consecutive pay stubs to illustrate variations in hours worked. Actual paychecks or copies of paychecks should never be used to document income because deductions are not shown on the paycheck.
  - Is the document an unaltered original? The greatest shortcoming of tenant-provided documents as a verification source is their susceptibility to undetectable change through the use of high quality copying equipment. Documents with original signatures are the most reliable. Photocopied documents generally cannot be assumed to be reliable.
- **Written documentation sent directly by the third-party source by mail or electronically by fax, email or internet.**
  - **Electronic Verification.** The owner may obtain accurate third-party written verification by facsimile, email, or Internet, if adequate effort is made to ensure that the sender is a valid third-party source.
    - **Facsimile.** Information sent by fax is most reliable if the owner and the verification source agree to use this method in advance during a telephone conversation. The fax should include the Shoreline Plaza and fax number of the verification source.
    - **Email.** Similar to faxed information, information verified by email is more reliable when preceded by a telephone conversation and/or when the email address includes the name of an appropriate individual and firm.
    - **Internet.** Information verified on the Internet is considered third party verification if the owner is able to view web-based information from a reputable source on the computer screen. Use of a printout from the Internet may also be adequate verification in many instances.
- **Third-party verification from source (oral).**

- When verifying information over the telephone, it is important to be certain that the person on the telephone is the party he or she claims to be. Generally, it is best to telephone the verification source rather than to accept verification from a source calling the property management office. Oral verification must be documented in the file, as described in paragraph 5-18.C.
- Family Certification.
  - An owner may accept a tenant's notarized statement or signed affidavit regarding the veracity of information submitted only if the information cannot be verified by another acceptable verification method. In these instances, the owner must document the file why third-party verification was not available. (See Paragraph 5-18.E for documentation requirements when third-party verification is not available.). The owner may witness the tenant signature(s) in lieu of a notarized statement or affidavit.

### **Changes in Family Composition**

If the qualifying person leaves the unit, determine whether the remaining member of the household is eligible to receive assistance.

For Section 8 Projects determine if the individual still residing in the unit meets the eligibility requirements for the project: income, age or disability. If the individual is not eligible, he/she may not receive rental assistance and may not be allowed to remain in the unit.

### **Implementation of House Rule Changes**

House rules are listed in the lease as an attachment to the lease. House rules are listed in the lease as an attachment and must be attached to the lease.

The Managing agent shall provide tenants with a notice of House Rules Changes at least 60 days prior to the end of the lease term.

The Managing agent shall include a copy of the revised lease or addendum revising the existing lease agreement. A letter shall be included stating that the tenant can either accept the modification or move, but that response is due within 30 days.

The notice must be served by:

- Sending a letter by first class mail properly stamped;
- Delivering a copy of the notice to any adult person answering the door at the unit;
- If no adult answers the door, the person serving the notice may place it under or through the door, or affix it to the door;
- Service of the notice is deemed effective once the notice has been both mailed and delivered.

### **Tenant Selection Plan**

The Managing Agent shall review/update the TSP at least annually to ensure that it reflects current operating practices, program priorities and HUD requirements. The Agent shall make copies of the TSP available to the public, including Applicants and residents of the Development, upon request.

#### **Policies for Notifying Applicants of Changes in the Tenant Selection Plan**

- The Managing agent shall send to all applicants on the waiting by snail mail (U.S. postal system), a letter indicating that a change has been made in the Owner's Tenant Selection Plan.
- The Managing agent shall retain copies of such notices attached to each applicant's application form/attachments.
- The Managing agent shall provide copies of the Tenant Selection Plan to waiting list applicants.
- A copy of the TSP shall also be made available on the Project's website.

### **Changes in the Tenant Selection Plan**

It is the responsibility of Shoreline Plaza to review its TSP on an annual basis to ensure it is in compliance with the plan and HUD regulations. In the event changes are made to the Tenant Selection Plan, applicants will be notified in an annual letter that is sent out to update the waitlist and applicants will be informed of their right to request a copy of the TSP.



**Exhibit B – Verification of Preference Status**

Date

Dear :

(Applicant Name) (Applicant Address) has applied for housing at Shoreline Plaza, and has indicated that they are eligible for a housing preference given the following circumstance(s):

**Involuntary Displacement:**

1. Displaced by a disaster, such as a fire or flood, that resulted in extensive damage or has destroyed the unit, or
2. Displaced by an activity carried on by an agency of the United States or by any State or local government body or agency.
3. Owners action which resulted in the applicant’s having to vacate his/her unit where:
  - a. the reason for the owner’s action is beyond the applicant’s ability to control or prevent.
  - b. the action occurred despite the applicant’s having met all previously imposed conditions of occupancy.
  - c. the action taken is other than a rent increase.
4. Actual or threatened physical violence directed against applicant or one more members of the applicant’s household by a spouse or other member of the applicant’s household; or, the applicant lives in a housing unit with such an individual who engages in such violence.
5. The applicant is living in substandard housing because:
6. Applicant lacks a fixed, regular, and adequate nighttime residence.
7. Applicant is paying \$ \_\_\_\_\_ in monthly rent, which is greater than 50% of the household income.

In order to determine the preference status, we are required to verify the preference. Therefore, we would appreciate your completing the certification on the back of this form and returning it the enclosed envelope. This information will be used only for purposes of determining the preference for this applicant.

Sincerely,

\_\_\_\_\_  
Site Manager

I hereby authorize the release of the requested information to the Shoreline Plaza.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

(Please complete items below, sign, and date)

I verify that -----(Applicant’s) current living situation meets the ----- preference(s) as cited on the previous page.

Firm or Agency Name: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Firm or Agency Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**Exhibit C – Rejection Letter for Preferences**

Date:

RE: Shoreline Plaza

Dear (Applicant Name):

In your recent application for Shoreline Plaza, you indicated that you qualify for the following preference(s):

1. Displaced by a disaster, such as a fire or flood, that resulted in extensive damage or has destroyed the unit, or
2. Displaced by an activity carried on by an agency of the United States or by any State or local government body or agency.
3. Owners action which resulted in the applicant’s having to vacate his/her unit where:
  - a. the reason for the owner’s action is beyond the applicant’s ability to control or prevent.
  - b. the action occurred despite the applicant’s having met all previously imposed conditions of occupancy.
  - c. the action taken is other than a rent increase.
4. Actual or threatened physical violence directed against applicant or one more members of the applicant’s household by a spouse or other member of the applicant’s household; or, the applicant lives in a housing unit with such an individual who engages in such violence.
5. The applicant is living in substandard housing because:
6. Applicant lacks a fixed, regular, and adequate nighttime residence.
7. Applicant is paying \$                    in monthly rent, which is greater than 50% of the household income.

After reviewing the documentation which you submitted, we regret to inform you that you do not meet the criteria for receiving a preference based on the following reason(s):

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Additional examples of alternative forms of communication are sign language interpretation; having material explained orally by staff; or having a third party representative (a friend, relative or advocate, named by the applicant) to receive, interpret and explain housing materials and be present at all meetings.

If you feel this decision has been made in error and wish to provide additional documentation, please contact the rental.

Sincerely,

Site Manager

## Exhibit D – Applicant Inquiry

Date:

Dear (Applicant's Name):

Thank you, for your initial inquiry regarding housing at Shoreline Plaza. Residents will be selected only from those eligible persons who make formal application. We had numerous inquiries for our apartments.

We are now accepting pre-applications from interested households. If you are still interested in living at Shoreline Plaza, please complete and return the enclosed pre-application by mail as soon as possible.

You may be eligible for a preference if one of the following conditions applies to you:

1. You have been displaced by a disaster, such as a fire or flood, that resulted in extensive damage or has destroyed the unit, or
2. You have been displaced by an activity carried on by an agency of the United States or by any State or local government body or agency.
3. You have been displaced by an owner's action which resulted in you having to vacate your unit where:
  - a. the reason for the owner's action is beyond the applicant's ability to control or prevent.
  - b. the action occurred despite the applicant's having met all previously imposed conditions of occupancy.
  - c. the action taken is other than a rent increase.
4. Actual or threatened physical violence directed against applicant or one more members of the applicant's household by a spouse or other member of the applicant's household; or, the applicant lives in a housing unit with such an individual who engages in such violence.
5. You are living in substandard housing because:
6. You lack a fixed, regular, and adequate nighttime residence.
7. You pay more than 50% of the household income for rent.

Households qualifying for a preference will receive assistance before any other applicant households that are not so qualified. If you feel you qualify for a housing preference, complete the appropriate certifications form attached to this letter and return it along with your pre-application by mail.

For households not claiming household preference, screening will be conducted according to the order in which your pre-applications were received. Since you are still in the pre-application stage, we will notify you by letter when we are interviewing applicants.

To meet the needs of persons with hearing impairments, TTD/TTY (text telephone display / teletype) communication will be available through the Deaf Relay Service. The Deaf Relay Service enables people who are deaf, hard of hearing, Deaf/Blind, or speech disabled to communicate by TTY (Text Telephone) or another assistive telephone device with anyone who uses a standard phone. You can contact the Deaf Relay Service at (866)246-9300 (TTY) 24 hours a day, seven days a week for further information for a complete list of features.

To meet the needs of persons with vision impairments, large-print and audio versions of key program documents will be made available upon request. When visual aids are used in public meetings or presentations, or in meetings with Shoreline Plaza staff, one-on-one assistance will be provided upon request.

Additional examples of alternative forms of communication are sign language interpretation; having material explained orally by staff; or having a third party representative (a friend, relative or advocate, named by the applicant) to receive, interpret and explain housing materials and be present at all meetings.

Sincerely,



### **Exhibit E – Pre-Application Process**

As we are currently using pre-applications for our wait list, the eligible wait list is our log of pre applications received. Please see the attached copy of our Wait List for our pre-application log.

## Exhibit F – Waiting List Update

Date:

Dear:

We are currently in the process of updating our waiting list for Shoreline Plaza. Some time ago, you expressed an interest in living at our development, and your name was placed on the waiting list.

Enclosed is a card that must be completed and returned to the Management Office within 15 days (excluding weekends and designated federal holidays) if you are still interested in living at Shoreline Plaza.

It is not necessary to call or come in to the office at this time, as we do not have anything immediately available.

**Failure to return this information within this time period will result in your name being permanently removed from the waiting list.**

Additional examples of alternative forms of communication are sign language interpretation; having material explained orally by staff; or having a third party representative (a friend, relative or advocate, named by the applicant) to receive, interpret and explain housing materials and be present at all meetings.

Thank you for your interest in Shoreline Plaza.

Sincerely,



**Exhibit G – Reply Card**

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**I AM STILL INTERESTED IN LIVING AT Shoreline Plaza**

APPLICANT NAME: \_\_\_\_\_

CURRENT ADDRESS: \_\_\_\_\_

HOME PHONE #: \_\_\_\_\_

WORK PHONE #: \_\_\_\_\_

CELL PHONE #: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

## Exhibit H – Waiting List Acknowledgement

Date:

Dear:

This letter is to acknowledge receipt of your waiting list update card. Currently you are on our #### bedroom waiting list(s).

We do not have an exact time in which you will be contacted regarding an apartment; however, please remember to keep us advised of your current address and phone number.

To meet the needs of persons with vision impairments, large-print and audio versions of key program documents will be made available upon request. When visual aids are used in public meetings or presentations, or in meetings with staff, one-on-one assistance will be provided upon request.

Additional examples of alternative forms of communication are sign language interpretation; having material explained orally by staff; or having a third party representative (a friend, relative or advocate, named by the applicant) to receive, interpret and explain housing materials and be present at all meetings.

Sincerely,

**Exhibit I – Applicant Rejection Letter(s)**

May 16, 2023

Dear \_\_\_\_\_ :

Please be advised that your application for housing assistance at \_\_\_\_\_ has been reviewed. We propose to deny your application based on the following information:

- Criminal Record
- Sex Offender Registration Information

This letter serves as notice that you have 14 business days from the date of this letter to contact the undersigned to dispute the accuracy and relevance of the information enclosed. If we do not hear from you within the 14 day period, we will proceed with issuing the notice of denial of admission.

If you do not exercise your right to dispute the accuracy of the information prior to issuance of the formal denial letter, you will still be provided an opportunity to do so as part of the informal hearing process. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.

Please understand that the reason for the proposed denial may not be the only criteria that could cause your application to be denied.

Sincerely,

May 16, 2023

[Enter Applicant Name]

[Enter Applicant Street Address]

[Enter Applicant City, State, Zip]

Dear [Enter Applicant Name]:

Your application for housing assistance has been denied. The item(s) checked below indicate the reason(s) for denial. Information about your rights is also included below, following the explanation.

1. You did not meet Shoreline Plaza basic eligibility requirement(s), specifically:
  - a. You failed to qualify as a family as defined by HUD and Shoreline Plaza.
  - b. Your income exceeds HUD specified income limits.
  - c. You failed to provide social security numbers for all family members.
  - d. You failed to qualify on the basis of citizenship or the eligible immigrant status of family members.
  - e. A member(s) of the family failed to sign and submit consent forms which allow Shoreline Plaza to obtain information that Shoreline Plaza has determined is necessary in administration of the Multifamily Housing Program.
  - f. You failed to meet the admission qualification for a two-bedroom apartment.
2. Current or past behaviors of family member(s), as follows:
  - a. Pattern of unsuitable past performance in meeting financial obligations, including rent, within the past three years
  - b. Pattern of disturbance of neighbors, destruction of property, or living or housekeeping habits which may adversely affect the health, safety, or welfare of other tenants at prior residences within the past three years.
  - c. Pattern of eviction from housing or termination from residential programs within the past three years.
  - d. Owes rent or other amounts to this or any other Multifamily/PHA owner in connection with any assisted housing program.
  - e. Misrepresented or did not provide complete information related to eligibility, including income, award of preference for admission, expenses, family composition or rent.
  - f. Committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.
  - g. Has engaged in or threatened violent or abusive behavior toward Shoreline Plaza personnel.

*If this behavior is directly related to a disability of anyone in your family, upon the family's request, Shoreline Plaza will consider whether reasonable accommodation will allow the family to overcome the problem that led to Shoreline Plaza decision to deny your application. Please contact [Manager's Name] at [Phone Number] to make your request.*
3. Criminal activities, within the past three years, as follows:
  - a. *Drug-related criminal activity*, defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of the drug with intent to manufacture, sell, distribute or use the drug [24 CFR 5.100].
  - b. *Violent criminal activity*, defined by HUD as any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].
  - c. Criminal activity that may threaten the health, safety, or welfare of other tenants [24 CFR 960.203(c)(3)].
  - d. Criminal activity that may threaten the health or safety of Shoreline Plaza staff, contractors, subcontractors, or agents.
  - e. Criminal sexual conduct, including but not limited to sexual assault, incest, open and gross lewdness, or child abuse.

*Evidence of such criminal activity includes, but is not limited to any record of convictions, arrests, or evictions for suspected drug-related or violent criminal activity of household members within the past three years. A conviction for such activity will be given more weight than an arrest or an eviction.*
4. HUD prohibits admission due to the following:
  - a. Any member of the household has been evicted from federally assisted housing in the last 3 years for drug-related criminal activity.
  - b. Any household member is currently engaged in the use of illegal drugs.
  - c. Shoreline Plaza has reasonable cause to believe that any household member(s) current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
  - d. Any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine in any location, not just federally assisted housing.
  - e. Any household member is subject to a lifetime registration requirement under a state sex offender registration program.
5. A consumer credit report was used in making the decision, the Fair Credit Reporting Act requires us to tell you where we

obtained that report. The consumer credit reporting agency that provided the report was:

- a. Equifax, P.O. Box 740256, Atlanta, GA 30374, (800) 685-1111
- b. Experian, P.O. Box 2002, Allen, TX 75013, (888) 397-3742
- c. TransUnion LLC, P.O. Box 2000, Chester, PA 19022, (800) 888-4213

*Pursuant to Section 615 of the Fair Credit Reporting Act, we are notifying you that the above-noted agency only provided information about your credit history. It took no part in making the decision to reject your rental application, nor can it explain why the decision was made.*

*You have certain rights under federal law, as explained in more detail below. Pursuant to the Fair Credit Reporting Act, you have a right to obtain a copy of your credit report, dispute its accuracy, and provide a consumer statement describing your position if you dispute the credit report. If you believe your report is inaccurate or incomplete, you may call the consumer reporting agency at its toll-free number listed above, or write to it at the listed address.*

*You may have additional rights under the credit reporting or consumer protection laws of your state. For further information, contact your local or state consumer protection agency or your state attorney general's office or for more information go to [www.ftc.gov/credit](http://www.ftc.gov/credit).*

If you disagree with this determination, you may request an informal hearing to hear the details of the reasons for rejection, and to provide you an opportunity to present evidence to the contrary if available, and to claim mitigating circumstances if applicable. A request for an informal hearing must be made in writing and delivered to management either in person or by first class mail, by the close of the business day, no later than 14 business days from the date of this notification of denial of admission.

Shoreline Plaza acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history (e.g., a poor credit history, a record of previous damage to an apartment, a prior arrest record) that would warrant denial under Shoreline Plaza policies.

An applicant claiming that the cause of an unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, or stalking must provide documentation (1) demonstrating the connection between the abuse and the unfavorable history and (2) naming the perpetrator of the abuse with her or his request for an informal hearing. The documentation may consist of any of the following:

- A statement signed by the victim certifying that the information provided is true and correct and that it describes bona fide incident(s) of actual or threatened domestic violence, dating violence, or stalking
- A police or court record documenting the domestic violence, dating violence, or stalking
- Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, or stalking or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; or a medical or other knowledgeable professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation.

All information provided to Shoreline Plaza regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence and may neither be entered into any shared database nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by the individual in writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law.

Hearings are conducted by a staff member not involved in making the decision to reject your application. The staff person(s) who made the decision may attend the hearing. You may also review your application file, upon request, at a mutually convenient time before or during the hearing.

Sincerely,

[Enter Manager's Name]

**Exhibit J – Sample Citizenship Declaration**

INSTRUCTIONS: Complete this Declaration for each member of the household listed on the Family Summary Sheet

LAST NAME

FIRST NAME

RELATIONSHIP TO

DATE OF

HEAD OF HOUSEHOLD

SEX

BIRTH

SOCIAL SECURITY NO.

ALIEN REGISTRATION NO.

ADMISSION NUMBER  
Form I-94, *Departure Record*)

\_if applicable (this is an 11-digit number found on DHS

NATIONALITY

(Enter the foreign nation or country to which you owe

legal allegiance. This is normally but not always the country of birth.)

SAVE VERIFICATION NO.

(to be entered by owner if and when received)

INSTRUCTIONS: Complete the Declaration below by printing or by typing the person's first name, middle initial, and last name in the space provided. Then review the blocks shown below and complete either block number 1, 2, or 3:

**DECLARATION**

I,

hereby declare, under

penalty of perjury, that I am

(print or type first name, middle initial, last name):

\_\_\_\_\_1. A citizen or national of the United States.

Sign and date below and return to the name and address specified in the attached notification letter. If this block is checked on behalf of a child, the adult who will reside in the assisted unit and who is responsible for the child should sign and date below.

Signature

Date

Check here if adult signed for a child:

**Exhibit K – Unit Transfer Request**

Please complete the unit transfer request and submit it to the management office during regular business hours. We will respond to your request as quickly as possible but no more than 30 days from the date of receipt.

Property Name:		Date:	
Resident Name:		Unit # :	
Current Address:		Unit Size:	
<b>For Office Use Only:</b> Date application received _____		Time application received _____	By _____

The following people request to be transferred to a different unit on this property:

Name	Relationship
	<b>Head of Household</b>

- There is a need for a unit transfer because of a change in household size and/or composition
- There is a need for a unit transfer based on the verified need for an accessible unit
- There is a verified medical need for a different unit
- There is a need for a unit transfer of a household that does not require the accessibility features of a unit in which they are living to accommodate a disabled resident/applicant on the waiting list
- Availability of Deeper Subsidy
- The household has indicated a desire to move to a different unit
- If two or more adult household members reside in one unit and one or more adults chooses to apply for a separate unit, they will be required to submit an application. The application will be reviewed for eligibility as described above and if approved, that applicant will receive preference over other non-residents as described in the selection order

All adults must sign the request:

Resident Signature:		Date:	
Resident Signature:		Date:	
Resident Signature:		Date:	

Internal Use Only

This transfer request has been:		Approved		Denied
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**Exhibit L – Rent Schedule**

See attached copy of the most recently approved Rent Schedule for the development.



**Exhibit M – Income Limits**

See attached copy of the most recent income limits.

## **Exhibit N – Waiting List**

Our wait list is compliance with the 4350.3 Handbook. Where Applications are tracked by application Date and Time.