

Humphrey Management, managing agent for this community, has established the following Resident Selection Criteria to explain the requirements and policies used to process and select applications for residency. Everyone who applies will have their application evaluated in a fair, equal, and consistent manner that complies with federal, state, and local fair housing requirements.

These criteria were implemented with the goal to improve housing opportunities by ensuring that quality housing is available to qualified families; and create a welcoming, thriving community through effective resident selection.

## Community Information

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This is a senior community consisting of 231 studio and one bedroom apartments, serving qualified market and low income households.

## Project-Based Section 8 Program Eligibility

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111 units in this community are governed by the Project-Based Section 8 Program guidelines.

The following requirements must be met for an applicant household to be eligible for admission to the project-based Section 8 (PBS8) program. All PBS8 applicants must also meet the eligibility requirements of the Housing Credit program.

### Income Requirement

The maximum qualifying annual household income must not exceed the limits set by the U.S. Department of Housing & Urban Development defined as Low (80% of area median income) and Extremely Low (30% of area median income).

For the sake of determining the appropriate income limits based on household size management shall count all persons living in the unit except for live-in aides and guests, and shall count the following individuals who are not living in the unit: (a) children who are temporarily in a foster home who will return to the household; (b) children in joint custody arrangements who are present in the household 50% or more of the time; (c) children who are away at school, but who live with the family during school recesses; (d) unborn children of pregnant women; (e) children in the process of being adopted by an adult household member; (f) temporarily absent family members who are still considered household members; (g) family members in the hospital or rehabilitation facility for periods of limited or fixed duration; and (h) persons permanently confined to a hospital or nursing home\*.

\*An individual permanently confined to a nursing home or hospital may not be named as the household head, spouse, or co-head but may continue as a household member at the family's discretion. The family's decision on whether or not to include the permanently confined family member as a household member determines if that person's income will be counted.

- a. *Include* the individual as a household member and the income and allowable deductions related to the medical care of the permanently confined individual are counted; or
- b. *Exclude* the individual as a household member and the income and allowances based on the medical care of the permanently confined individual are not counted.

### Citizenship Requirement

Assistance in subsidized housing is restricted to US citizens or nationals and noncitizens with eligible immigration status. A mixed household, a household with one or more ineligible members and one or more eligible members (eligibility in this section refers only to citizenship or immigration status), may receive prorated assistance.

A *Citizenship Declaration Form* must be executed for all household members regardless of age. Citizens and applicants 62 years of age and older claiming eligible immigration status must provide proof of age (see required documentation section below.)



Applicants under the age of 62 claiming eligible immigration status must also execute the *Citizenship Verification Consent Form*, and provide one of the documents listed on page 2 of the *Citizenship Declaration Form*. Such applicants will have their eligible immigration status verified through the Department of Homeland Security's SAVE program.

Applicants who hold a non-citizen student visa and their non-citizen family members are ineligible for a subsidized unit. However non-citizen students with a citizen spouse or child are considered a mixed family eligible for pro-rated assistance.

### **Social Security Number Requirement**

Disclosure and verification of the full social security numbers (SSN) is required for all household members except:

- a. Individuals who do not contend eligible immigration status.
- b. Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.

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

- a. Applicants currently on or applying to the waitlist: Applicants do not need to disclose or provide verification of a SSN for all non-exempt household members at the time of application and for placement on the waitlist. However, they must do so before they can be housed.
- b. Housing applicants from the waitlist: If all non-exempt 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/or provided verification of SSNs for all non-exempt household members has 90 days from the date they are first offered an available unit to disclose and/or verify the SSNs. During this 90-day period, the applicant may, at its discretion, retain its place on the waitlist. After 90 days, if the applicant is unable to disclose and/or verify the SSNs of all non-exempt household members, the applicant shall be determined ineligible and removed from the waitlist.

### **Adding a New Household Member under the Age of Six without an Assigned SSN:**

Applicant households will be housed in the event the household adds a child under the age of 6 without an assigned SSN to the household within the 6-month period prior to the household's date of admission. The household would have 90 days from the date of move-in to provide documentation evidencing issuance of a SSN. Household's will be granted an extension of one additional 90-day period if it is determined that the resident's failure to comply is due to circumstances that could not have been foreseen and were outside the control of the resident (delay in processing by SSA, natural disaster, fire, death in family, etc.) Failure to provide the documentation of SSN within the time granted will result in the household being subject to termination of tenancy.

### **Sole Residency Requirement**

A household will only be eligible for assistance if the unit will be the family's only residence. Residents must not receive assistance for two units at the same time, known as dual subsidy.

This prohibition does not prevent a person who is currently receiving assistance from applying for an assisted unit at another community. The assisted residency in the unit being vacated must end the day before the subsidy begins in the new unit.

### **Consent & Release Forms Requirement**

All adult members of the household must sign the required HUD Consent Forms (HUD 9887/9887-A), regardless of whether they report income. These forms must be signed prior to move-in, and annually at recertification time.

### **Student Eligibility Requirement**

Student eligibility for Section 8 assistance will be determined at move-in, annual recertification, initial certifications, and at the time of an interim recertification if one of the changes reported is that a household member is enrolled as a student.

If an ineligible student is a member of a household, assistance will be terminated.

To be eligible for Section 8 assistance, any individual who is enrolled as a part-time or full-time student at an institution of higher education must be one of the following:

1. A dependent of the household living with their parent/guardian
2. Over the age of 23
3. A veteran
4. Married
5. A parent with dependent child(ren)
6. A disabled individual who was receiving Section 8 assistance prior to November 30, 2005

7. Must either:
- A. Be independent from parents/guardian; OR
  - B. Have parents, individually or jointly, who are income eligible to receive Section 8 assistance

**A. Independent Students**

These procedures are only relevant when criteria 1-6 are not applicable to the individual.

To be eligible as an independent student (when the income of the parents is not relevant), the student must meet one of the following criteria:

- 1) Meet HUD's definition of "vulnerable youth"
  - a. Individuals meeting this definition must provide proof. No further documentation is needed.
- 2) Meet the US Dept. of Education's definition of "independent student"
  - a. Individuals meeting this definition must provide:
    - i. Proof; and
    - ii. Certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided by the parents/guardians.
- 3) Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy (not including dorms and other student housing); AND not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations.
  - a. Individuals in this category must provide:
    - i. Proof of a separate residence from parents/guardians; and
    - ii. Their most recent income tax return, or that of their parents/guardians; and
    - iii. Certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided by the parents/guardians.

HUD's defines "vulnerable youth" as an individual who is one or more of the following:

- An orphan, in foster care, or a ward of the court at anytime from the age of 13 or older
- Is or was an emancipated minor or in legal guardianship
- Was verified during the school year as either an unaccompanied youth who is homeless or at risk of homelessness and is self-supporting.

US Dept. of Education defines "independent student" as an individual who is one of more of the following:

- At least 24 years old by December 31<sup>st</sup> of the certification year
- Is currently serving on active duty in the Armed Forces for other than training purposes
- Is a graduate or professional student
- Has a legal dependent other than a spouse (dependent child or parent)
- A student that is deemed independent by reason of other unusual circumstances by a financial aid administrator.

**B. When Parents Income Must be Considered**

These procedures are only relevant when criteria 1-6 are not applicable.

If the student is not independent under program rules, then the parents must be, individually or jointly, income eligible. The parents may sign a declaration and certification of income, which includes a penalty of perjury clause. They must be below the applicable program income limit for the county that the parents live in, unless they reside outside of the U.S., in which case the income limit applicable to the community's location will be used. The student is not eligible if the parents refuse to provide:

- i. A declaration of their income, AND
- ii. A certification of the amount of financial assistance provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided by the parents/guardians.

Any financial assistance a student receives under the Higher Education Act of 1965, from private sources or from an institution of higher education that is in excess of amounts received for tuition and other required fees and charges is included in annual income, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving section 8 assistance.

## Occupancy Standards

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Number of Bedrooms	Number of Occupants	
	Minimum	Maximum
0	1	2
1	1	3

These occupancy standards shall be used in determining the appropriate size unit at move-in and shall apply during residency in determining unit transfers.

Management shall apply these occupancy standards before assigning the household to a unit, and when there is a change in household size to determine if the household needs to transfer to another unit.

For the sake of determining the size of the unit that would be appropriate for a particular household, management shall count all full-time members of the household, including live-in aides and foster adults, as well as all anticipated children, including: (1) children expected to be born to a pregnant woman; (2) children in the process of being adopted by an adult household member; (3) children whose custody is being obtained by an adult household member; (4) foster children who will reside in the unit; (5) children who are temporarily in a foster home who will return to the household; and (6) children in joint custody arrangements who are present in the household 50% or more of the time.

Management will not count the following persons for the sake of applying the occupancy standards: (1) adult children who are away at school but who live at home during recesses that have established residency at another location as evidenced by a lease agreement; or who will be present in the household less than 50% of the time; (2) adult children on active military duty; (3) permanently institutionalized family members; and (4) guests or visitors.

This policy is intended to balance the need to avoid overcrowding with the need to avoid underutilization of the space and unnecessary subsidy.

Management maintains separate waitlists for each available unit size at the community. Applicant households are to determine which unit size waitlist(s) they are applying to. If an applicant household qualifies for more than one unit size available at the community they may choose to apply to one or all available unit size waitlists. Once a household accepts a unit offer and takes possession of a unit, they will be removed from any additional waitlists for that community.

If the household composition changes after the household has been placed on the waitlist it will be the responsibility of the applicant household to notify management. Management will update the waitlist information. At that time management will determine if the household meets the occupancy standards criteria for the selected unit sizes. If the household no longer qualifies for the unit size they originally selected, they will be removed from the inappropriate waitlist and:

- If the appropriate sized unit is available at the community management will place the household on the waitlist for the appropriate sized unit maintaining the original application date; or
- If the appropriate sized unit is not available at the community management will notify the household in writing that they are no longer eligible for the community, and have been removed from further consideration on the waitlist.

## Application Process

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Applicants must be at least 18 years old or be an emancipated minor, and at least one member of the household must be at least 62 years old or older to submit an application. Applicant households must submit a single application executed by all adults or emancipated minors in the household. Emancipated minors are considered adults in the application of our policies and procedures. All adult applicants, including those wanting to be added to existing households, are required to complete an application packet and consent to the release of information necessary to verify all income, assets, household characteristics and circumstances that affect eligibility. This information will be verified by management in compliance with regulations contained in the HUD Handbook 4350.3.

If basic eligibility is met (head of household over 18 or emancipated; at least one member 62 or older; household size meets the occupancy standards of a unit size available at the community with an open waitlist; and reported income under the maximum income limits) the applicant(s) will either be placed on the appropriate waitlist or provided with the appropriate forms to begin the move-in certification process.

### Required Documentation

This documentation is not required to submit an application, however must be submitted before the applicant household can move into a unit. Management will not accept photocopies, or documents that appear fraudulent or altered. This

documentation must be the original, which management will photocopy. Management will store the copies in the applicant's file.

### **Project-Based Section 8 Applicants**

#### **For Certification Purposes:**

- Social Security Cards for all household members.
- Certified Birth Certificates for all household members.
  - Please note short form or birth cards are not acceptable alternatives.
- All adult household members must sign the HUD consent forms.
- Verification of income from all sources: wages, social security, disability, workers compensation, unemployment, pensions, child support, public assistance, etc.
  - Contact information for employers, or other income sources; and/or eight current, consecutive paystubs; current benefit/award letters; etc.
- Verification of all household assets:
  - Financial Institution contact information; and/or bank/account statements; real estate records, etc.
- Verification of student status:
  - School contact information; and/or school records.
- Verification of custody\* of minor household members:
  - Birth Certificates; court order; tax returns; school, doctor's office, day care records; etc.
  - \*Please note legal custody is not required. Management is only verifying residency of intended household members.
- Verification of disability\*, and/or household expenses at the household's discretion.
  - Verification of receipt of social security disability payments is adequate verification of an individual's disability status; or contact information for a physician, psychologist, clinical social worker, other licensed health care professional or Veterans Administration representative.
  - \*Management only verifies that applicants meet the HUD definition of disability used to determine eligibility. Management will not verify the nature or extent of the disability, nor make judgments about whether a condition is considered a disability.
- Verification of any other information provided by the household relevant to the funding program certification.

#### **For Identification Purposes:**

- Driver's License or other forms of Photo ID for all adult household members.
- Verification of any other information provided by the household relevant to the screening criteria.

## **Selecting Applicants from the Waitlist**

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The following procedure will be utilized by management to determine the selection of applicants for available units.

Applications will be processed according to the date and time received, except under the circumstances described below.

Eligible current residents needing a unit transfer are given priority over new applicants on the waitlist. Current resident households enrolling in the project-based Section 8 program are not considered a transfer for the purposes of applicant selection, and therefore would not receive priority over other new applicants.

Accessible units or units with accessibility features will be offered first to residents and then to applicants who have requested and are determined eligible for the specific type of accessible unit or features. Applicants may request an accessible unit or a unit with accessibility features on their application. It may be necessary for applicants to submit additional documentation in order for management to determine eligibility for an accessible unit. This policy does not apply in circumstances when the accessible unit that becomes available, does not have the type of features required by the resident/applicant.

Forty percent of project-based Section 8 units that become available each year must be leased to households whose income does not exceed the extremely low income limit (30% of the area median income). Management will maintain compliance with income targeting by admitting only extremely low-income families until the forty percent target is met. In order of application date, management will select eligible applicants from the waitlist whose income is at or below the extremely low-income limit to fill the first forty percent of expected vacancies in the community. Once this target has been reached, applicants will be selected in order of application date. This procedure may mean skipping over some applicants with higher incomes, however, such applicants will retain their place on the waitlist and management will not skip over an applicant whose income meets the extremely low income limit.

This community does not utilize any Statutory, Federal, Local or Owner preferences.

## **Move-in Certification Process**

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Management will notify the applicant in writing that it is time to begin the move-in certification process when the applicant has reached the top of the waitlist as determined by the selection process specified above. At that time it will be necessary for the household to schedule an interview and for all adult household members to report to the community's management office with all required documentation that has not previously been submitted. All adult members must cooperate with the certification process. Applicants are obligated to report all income and assets, and to complete all applications, verifications and certifications completely and accurately. Management is required to verify all of the following information if applicable to the household for the purpose of determining rent and/or eligibility:

- Income of all household members
- Assets of all household members
- Allowable expenses for all household members
- Student status, financial aid and tuition of all adult household members
- Any other factors as they relate to the final determination of rent and/or eligibility

Certifications are processed at the community then sent to the corporate office for approval before the unit is offered to the applicant. Management will not accept changes to the application once the file has been submitted for corporate review. We strive for the corporate review process to take no more than 24 to 48 hours; however, it may take longer when corrections are needed or due to circumstances beyond our control.

## **HUD's Enterprise Income Verification (EIV)**

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The following applies only to applicants of the project-based Section 8 Program.

### **EIV Existing Tenant Search**

Management will screen applicants through HUD's Enterprise Income Verification System (EIV) existing tenant database as part of the screening process to determine if any applicant household members are currently residing at another Multifamily Housing or Public and Indian Housing (PIH) location. Management may need to follow up with an applicant's current housing provider to coordinate move-out and move-in dates.

### **Applicants Moving from One Subsidized Community to Another**

Applicants must coordinate their move-out and move-in dates, so that they are not receiving assistance in two units at the same time. Applicants should provide their current housing provider with a proper move-out notice in writing and request a written receipt or acknowledgement. The move-out date of the first unit must be at least the day prior to the move-in date to this community.

Applicants who are not formally moved out of their current subsidized unit at the time they move into a subsidized unit within this community will have their subsidy terminated. Such applicants will be responsible for paying market rent for any days in which they are receiving subsidy at the first location. Subsidy may only be reinstated after confirmation of the formal move-out from the first location.

### **Use of EIV during Move-in Certification Process**

Within 90 days following transmission of the move-in HUD form 50059 to TRACS management will utilize EIV to verify all income information obtained from the applicant during the move-in certification process. EIV accesses the National Directory of New Hires database which contains income information that has been reported through various State and Federal agencies. This information includes W-4 new hires, wages, and unemployment benefits. EIV also accesses the Social Security Administration database which includes information on all of the Social Security benefits programs.

## **Annual Recertifications & Interim Reporting Requirement**

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Residents receiving subsidy must complete the certification process annually and are required to report certain changes in factors which effect rent between regularly scheduled recertifications. More detailed information regarding these requirements can be found in paragraph 15 and 16 of the HUD Model Lease. Management will utilize EIV to verify proper reporting of income for all annual and interim recertifications.



## **Applicant Screening Criteria**

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### **Disclosure & Verification Criteria**

As part of the screening process, any answers or documentation provided by an applicant as part of the application are subject to verification. Failure to disclose any information and/or answer all questions in the application or attachments to the application, fully and truthfully, may constitute grounds for denial or rejection of the application.

All income must be verifiable independent of the applicant. Self-employed applicants must provide acceptable proof of income (e.g. income tax returns or accountant letter). Income from assets will be calculated and used in the overall household income determination.

### **Credit History Criteria**

Third party screening for credit and rental history will be done for all adult household members Any household that does not meet the rental scoring system used by a third-party screening company will be declined.

All applications will be evaluated on a rental scoring which is based on both real and statistical data. This data includes, but is not limited to: (1) Payment history; (2) Quantity and type of credit accounts (Credit cards, car loans, mortgages, etc.); (3) Outstanding debt; (4) Collection records; (5) Public records (Civil judgements, bankruptcies, evictions, etc.); (6) New credit inquiries within the last two (2) years; (7) Medical collections are excluded and will not decrease your rental scoring.

Money due to any previous landlord can result in an automatic rejection of the application regardless of any other criteria.

The rental scoring determination is as follows:

- 533 and above                      Accept
- 532 and below                      Decline- See the Section on Rejections of Applicant(s) for the Appeal Procedure
- No credit or not enough credit to generate a score will receive a recommendation of Refer from the third-party screening company. This rating requires Regional Manager approval.

### **Residential History Criteria**

An application may be rejected for one (1) of the following reported on any adult applicant:

1. One (1) eviction from a previous housing unit within the last three (3) years.
2. Three (3) or more late payments of rent within the last six (6) month period.
3. Landlord references are verified for the previous 3 years (36 months). If any Landlord reference is returned to us wherein the previous landlord has signed that the applicant exhibited the following behavior:
  - a. Housekeeping issues
  - b. 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 which is disturbing or dangerous to neighbors or disrupts family and community life.
  - c. Non-compliance with Lease Agreements - includes but not limited to evidence of any failure to comply with the terms of lease agreements on prior residences, such as providing shelter to unauthorized persons, failure to comply with recertification process, keeping of pets or other acts in violation of rules and regulations, painting or decorating without permission of owner, etc.
4. Consideration will be given to the applicant if it is proved (documentation may be required) that the aforementioned rental history was beyond the control of the applicant. Examples would be: reduction in labor force, illness, extremely high medical bills, divorce, etc.

### **Criminal History Criteria**

Every adult applicant is required to sign a consent form allowing all relevant criminal information to be released. Applications will be rejected for any history found that could affect the health or safety of any resident or if any of the following are reported:

1. Any household member(s) is subject to a state sex offender lifetime registration requirement (if allowable by state).
2. Any household member(s) has been convicted of any violent criminal activity.
3. Any household member(s) has one conviction of a felony or misdemeanor against persons that has occurred in the past 7 years or in which the scheduled end of sentence occurred within the past 7 years.
4. Destruction of property or any other offenses that pose a threat to the well-being and safety of our residents, employees, or community.

5. Any household containing a member(s) who was evicted in the last seven years from a Federally assisted housing community for drug-related criminal activity unless the member(s) has completed an approved, supervised drug rehabilitation or the member no longer resides in the household.

## Rejection of Applications

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Applications may be rejected at the time of receipt or after the household has been placed on the waitlist(s) for the following reasons:

- The applicant no longer meets the eligibility requirements for the community or program;
- The applicant does not meet the community's applicant screening criteria;
- The applicant fails to respond to a written notice for an eligibility interview;
- Mail sent to the applicant's address is returned as undeliverable; or
- The unit that is needed – using household size as the basis – changes, and no appropriate size unit exists in the community.
- The applicant rejects or declines a unit offer, or any preceding action necessary to the move-in certification process on three occurrences.

Management will promptly notify the applicant in writing of their decision to reject the application. The notice will specify why management is rejecting the application and give the applicant 14 days to contact management in writing or to request an informal meeting to discuss the application denial. Any meeting with the applicant or review of the applicant's written response will be conducted by a representative of management who did not participate in the decision to reject the applicant. Applicants with a disability have the right to request reasonable accommodations to participate in the informal hearing process.

- A. If the applicant fails to respond to the notice of Application Rejection within 14 days the decision will be considered final and no further correspondence will be sent.
- B. If the applicant does respond, a notice of final determination regarding the application will be sent within five business days of receipt of the applicant's correspondence or the informal meeting.

If an applicant disputes the accuracy of any information provided to the management office by a screening service or credit reporting agency, the applicant may contact the screening company that supplied the information within 60 days of the denial to obtain a copy of the screening results. The name and address of the screening company and a reference number will be provided in the denial letter.

Management may consider extenuating circumstances including requests for reasonable accommodations during the screening process or, if applicable, before or during the meeting to discuss the rejection notice.

## Transfer Policy

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### Project-Based Section 8 Transfer Policy

Current project-based Section 8 residents who need to transfer due to one of the following reasons would be given priority over new applicants on the community's waitlist. Transfers will be granted for the following reasons, and in the following order of priority.

#### **1. Uninhabitable Transfer:**

Management may initiate a unit transfer when a unit has been rendered uninhabitable due to fire, natural disaster or other circumstance if management determines that the circumstance giving rise to the unit being rendered uninhabitable was not caused by the negligence of the resident household members or their guests.

Management may initiate a unit transfer when a unit is in need of repairs to correct defects hazardous to life, health or safety or in need of repairs deemed necessary by management that cannot be performed with the Resident residing in the Unit.

#### **2. Reasonable Accommodation Transfer:**

A resident with a disability may request a unit transfer when an accessible unit or unit with some accessibility features is needed by the resident as a reasonable accommodation.

Management will provide reasonable accommodations to individuals with a disability to the maximum extent feasible. Management may modify the Resident's existing unit or transfer the Resident to another unit with the features required, upon availability. If a transfer is required, management will be responsible for reasonable moving



costs. No Resident shall be permitted to transfer into an accessible unit from a non-accessible unit unless he or she requires the features of that unit, except in an emergency, as determined by management.

For more information please refer to the 'Disability and Reasonable Accommodation' section below.

**3. Verifiable Medical Impairment Transfer:**

A resident with a serious medically determinable impairment which is expected to be of a duration of twelve (12) months or greater and who's medical impairment could be substantially improved by relocation to another unit may request a transfer. The resident, or management on the resident's behalf shall put the request in writing. In addition the resident must provide medical certification of the necessity of the transfer.

**4. VAWA Transfer:**

Management will allow an eligible resident to make an emergency transfer under VAWA when a safe unit is immediately available, or place the resident on the appropriate waitlist(s) when such a unit is not available.

A resident residing in a subsidized unit and who is a victim of a VAWA crime, qualifies for an emergency transfer if, the resident expressly requests the transfer; and either –

- a. The resident reasonably believes that there is a threat of imminent harm from further violence if the resident remains within the same dwelling unit, or
- b. In the case of sexual assault, the sexual assault occurred on the premises during the 90-calendar day period preceding the date of the request for transfer.

A resident's reasonable belief that there is a threat of imminent harm from further violence may stem from an incident of domestic violence, dating violence, sexual assault, or stalking of a household member.

Management will assist the resident by providing contact information to local service providers and organizations who specialize in assisting the victims of domestic violence, dating violence, sexual assault, or stalking. Such residents may also wish to move to another community all together. Management's ability to assist with such "external transfers" will be limited to providing information due to a lack of authority over third party providers, and established HUD regulations.

**5. Accessible Unit Transfer:**

Management shall require a resident to transfer when the unit is equipped with accessibility features that the occupying household does not need, and a resident or applicant has been identified who does need the accessibility features of the unit.

**6. Under or Over-housed Transfer:**

Management shall require a resident to transfer when a household's composition changes, and the unit is no longer appropriately sized based on the occupancy standards established above and an appropriately sized unit becomes available.

In the event of a management initiated or required transfer management will notify the resident in writing of the requirement & reason for transfer, the time frame for transfer, and consequences for failing to transfer.

Transfers for reasons other than those listed above will not be permitted. Other reasons include but are not limited to:

- Residents wishing to transfer to a different sized unit which they meet the occupancy standards for, but are not currently under or over housed will not be considered for a transfer.
- Existing households who wish to separate into two or more households will not be considered for a transfer.

Existing households seeking to move to another unit in the community may only do so pursuant to the unit transfer policy, excepting an existing household who wishes to separate into multiple households in which event they may wait until the community waitlist is opened and apply to the community waitlist.

## Civil Rights Protections

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It is the policy of Management to comply with current and future legislation protecting the rights of applicants, residents and staff, including but not limited to:

- Section 504 of the Rehabilitation Act of 1973
- Fair Housing Amendment Act of 1988

- Title IV of the Civil Rights Act of 1964

### **Fair Housing**

Humphrey Management will follow and abide by the Fair Housing and Equal Opportunity Laws and any other Fair Housing and Civil Rights Laws in effect in the intake and processing of applications and selecting residents.

We will not discriminate against any person on the basis of the following protected classes:

Federal: Race, Color, National Origin, Religion, Sex, Disability, Familial Status

Maryland: Includes all federal protected classes listed above plus: Marital Status, Sexual Orientation, Gender Identity

Baltimore City: Includes all federal and state protected classes listed above plus: Age, Ancestry, Source of Income

### **Disability & Reasonable Accommodations**

Management will utilize the Telecommunications Relay Services accessed by dialing 711 to communicate with persons with hearing or speech disability. Management will conduct in person interviews for any applicant or resident needing assistance with the application process.

Management will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunities for all. In accordance with Section 504, management will make reasonable accommodations for individuals with disabilities (applicants or residents). Such accommodations may include a change in the method of administering policies, procedures, or services.

In addition, management may perform modifications to the dwelling or common areas where such modifications would be necessary to afford full access for qualified individuals with disabilities.

A person with a disability may request a reasonable accommodation at any time during the application process or residency in writing, orally, or by any other equally effective means of communication. Requests for accommodations should be submitted to the Community Manager.

Upon receipt, management shall review the request, and if necessary, shall require the resident to provide additional documentation or meet with management to discuss the request. Provided the resident has submitted all necessary documentation and complied with management requests, a final written determination shall be issued within thirty (30) days after receipt of the resident's initial request.

If an individual with a disability requires an accommodation or modification, Management will honor the request unless doing so would result in:

- (a) A violation of State and/or federal law;
- (b) A fundamental alteration in the nature of the program;
- (c) An undue financial and administrative burden on the Owner or Management Agent;
- (d) A structurally infeasible alteration; or
- (e) An alteration requiring the removal or alteration of a load-bearing structural member.

In such cases, Management will offer other suggestions that would not result in the circumstances described above.

### **Accessible Units**

This community has eighteen (18) accessible units set aside for persons who need the accessibility features of the units.

Accessible units will be held for 30 days during lease up if an applicant requiring the features of the unit is not located. If after this 30-day period an eligible household requiring the accessible features of the unit is not found, the unit may be rented to an otherwise qualified household. If no household members in an accessible unit require the features of the unit, the household must transfer to a comparable and available non-accessible unit (for which the household qualifies) at the owner's expense when the accessible unit is needed for an applicant who requires the unit's features.

### **VAWA Protections for Victims of Domestic Violence, Dating Violence, Stalking or Sexual Assault**

The Violence Against Women Act (VAWA) provides that criminal activity directly relating to domestic violence, dating violence, stalking or sexual assault engaged in by a member of a resident's household or any guest or other person under the resident's control, shall not be cause for being denied housing, termination of assistance, or occupancy rights if the resident or an immediate member of the resident's family is the victim or the threatened victim of that abuse. VAWA also provides that an incident(s) of actual or threatened domestic violence dating violence, stalking, or sexual assault will not be

construed as serious or repeated violations of the lease by the victim (or threatened victim) and will not be "good cause" for the termination of the assistance, tenancy, or occupancy rights of a victim of such violence.

Management utilizes form *HUD-5382* to certify that a person is a victim of domestic violence, dating violence, stalking or sexual assault. In lieu of a certification, a resident may provide: A federal, State, tribal territorial, or local police record or court record; Documentation signed and attested to by an employee, agent or volunteer of a victim service provider, an attorney or a medical professional, from which the victim has sought assistance in addressing domestic violence, dating violence, stalking, sexual assault or the effects of abuse.

Management is mindful that the delivery of the certification form to the resident in response to an incident via mail may place the victim at risk. Therefore, management may require that the resident come into the office to pick up the certification form and will work with residents to make delivery arrangements that do not place the resident at risk.

If an individual does not provide the form *HUD-5382* or the information that may be provided in lieu of the certification by the 14th business day (or any approved extension), none of the VAWA protections afforded to the victim of domestic violence, dating violence, stalking or sexual assault will apply. However, in certain circumstances, at the discretion of Management, assistance may be provided to an individual based solely upon the individual's statement or other corroborating evidence.

NOTE: Any household containing a member with a demonstrated history of committing domestic violence, dating violence, stalking and/or sexual assault must exclude that member from the household to be considered for residency.

#### **Limited English Proficiency**

Management utilizes Telelanguage Interpretation Services to provide access to services for those individuals with Limited English Proficiency.

### **Modification of Resident Selection Criteria**

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These criteria will be posted in the management office and made available for applicants to review. It will be updated periodically in accordance with changes implemented in federal and state guides. Any questions pertaining to these selection criteria should be directed to the Community Manager.

Page 12 contains an acknowledgment of receipt.

**I have received a copy of the Resident Selection Criteria for Weinberg Place:**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature*

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*Signature*

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*Date*



This community and its Owner Agent 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.

**We do business in accordance with Federal Fair Housing Law  
(Fair Housing Amendments Act of 1988)**