

TENANT SELECTION PLAN

Desert Villa Apartments
635 S. Auburn Street, Kennewick, WA 99336
Phone: (509) 586-4927 | Fax: (509) 582-4573

1. Project Eligibility Requirements:

- a. **Desert Villa Apartments** provides housing for low, very low, and extremely low-income elderly households. An elderly household means that all household members must be 62 years of age or older. It is subsidized through the US Department of Housing and Urban Development.

Management will take the following screening criteria into consideration when determining an applicant's eligibility for residency at Desert Villa and Desert Villa East Apartments.

- b. **Citizenship Requirements.** By law, only US citizens and eligible non-citizens may benefit from federal rental assistance. Compliance with these rules ensures that only eligible families receive subsidy. These requirements apply to families making applications to the property, families on the waiting list and residents. Assistance at Desert Villa Apartments is restricted to the following:

1. US Citizens or nationals; and
2. Non-citizens who have eligible immigration status as determined by HUD.

Per HUD requirement, all applicants who wish to be considered for the section 8 units must submit evidence of citizenship or eligible immigration status at the start of the application process. All families, regardless of age, must declare their citizenship or immigration status. Non-citizens must sign a Verification Consent Form and submit documentation of their status or sign a declaration that they do not claim to have eligible status. Any household member who is age 62 or older in addition to signing a declaration of eligible immigration status must provide a proof of age document. Management will verify eligible immigration status through the Department of Home Land Security web site. US citizens must also sign a declaration of citizenship and provide required documents. Mixed families, a family with one or more ineligible family members and one or more eligible family members may receive prorated assistance.

- c. **Social Security Number Requirement.** All applicants, including children, must disclose social security numbers in order for the owner to make an eligibility determination. Individuals who do not content eligible immigration status and are part of a mixed family are not required to disclose SSN. If no SSN has been assigned to a particular family member, the applicant must sign a certification stating that no SSN has been assigned. Applicants who do not have documentation of their social security number may request a 90-day extension to allow them time to obtain documentation. At the end of the 90-day extension, if an applicant does not produce the required SSN and verification, they will be removed from the waiting list. In no event will a resident ever be able to move in without first providing a copy of the SSN. Owner/Agent will accept and not deny occupancy to applicant households that include a family member under the age of 6 years who does not yet have a social security number assigned to him/her and was added to the household 6 months or less from the move in date. The household will be given 90 days from the effective date of their move in certification to provide documentation of the SSN for the child. An additional 90-day period must be granted by the O/A if the failure to provide documentation of SSN is due to circumstances that are outside the control of the household.

Applicant possession of an SSN or a written affidavit of possession of an SSN must be produced indicating the applicant has a valid SSN or proof of having an SSN.

The household characteristics of the applicant must be appropriate for the type of unit available appropriate consent forms and comply with the verification process. The unit assigned to the applicant must be his/her sole place of residency. Only persons listed on the residents' certification are authorized to occupy the apartment.

2. **Income Limit:** Applicant's household income limit cannot exceed the maximum income limits for the household size as set forth by the US Housing and Urban Development (HUD) annually. Current applicable income limits are posted in the community office and can be provided by the Community Director by request.

Zero Income. When an applicant or resident who claims zero income or nominal income for the household applies, recertifies, and/or has an income change, Management must have the applicant or resident complete an Income Asset Statement. In addition, an applicant or resident who claims zero or nominal income for the household will be required to complete and sign a Certification of Non-Income form. Once both forms have been signed management will: a) Run a check through HUD's Enterprise Income Verification (EIV) system (used only for existing residents); b) recertify residents with little or no income on a quarterly basis (Jan, March, June and September). Also, if a family has been at zero or nominal income for 6 months, obtain a copy of the tax return for each adult member of the family by asking them to sign the IRS form 4506T.

Management may not require verification of benefits not being received if an applicant/resident does not apply for benefits for which they may be qualified (e.g., AFDC, unemployment, child support, etc.). However, there must be a signed statement from the applicant/resident verifying that they have chosen not to participate in the benefit program for which they may be eligible.

3. Procedure for Accepting and Selecting Applications from the Waiting List.

- a. **Initial Application.** Pre-applications are taken for the waiting list. All prospective residents 18 years and over must fill out the application in full. The form is reviewed with the applicant(s) to make sure that answers are clear, and that all information is given. All persons intended to reside in the apartment must be named, and no one not listed may live in the unit. If an appropriate unit is available now or in the near future, and no eligible waiting list applicant has priority, the application is processed immediately for approval or rejection. The application information allows tentative determination (subject to confirmation) of the applicant's eligibility (family size, household characteristics, estimated anticipated annual income, assets now owned and disposition of assets during the previous two years.) Handicap status is required only if the applicant is requesting a handicap-accessible unit or special accommodations. The wait list is open using the HUD approved Affirmative Fair Housing Marketing Plan as a guideline. Applications will be distributed to interested parties. Returned applications will be stamped with the date and time of receipt then each application will be placed on the waiting list according to a first come basis. To ensure fair housing opportunity is provided applications can be mailed upon request.
- b. **Preferences:** Desert Villas is a project-based section 8 program and provides affordable housing for the community. It is a first come first serve, and equal housing opportunity and rent here is based on income, so, everyone is welcome to apply. The five applicants at the top of the waiting list are considered active prospects even if a unit is not yet available. Steps are taken to qualify the applicants so that when a unit becomes available the pre-screening, including verifications, is already completed. Verifications are kept current within 120-day periods. If the top applicant is found to be ineligible, the next party on the waiting list becomes the lead applicant. An interview is held to determine final qualifications or the applicant to be placed in the next available unit. Application information is updated, the applicant is advised of the penalty for false information, current income and asset data are checked, and additional verification forms are signed if needed. Social Security information or certifications are given. Potential accommodation for handicapped applicants is considered. Final occupancy determination is not made until certification procedures are completed. The waiting list is maintained for all unit sizes. Based on current experience with turnover for that size unit, an estimate is made as to the possible length of waiting time. No promise is made, since conditions, time schedules and priorities may change. An applicant may be on multiple waiting lists (or waiting for more than one unit size). Applicants will be placed on each waiting list for which their household qualifies based on the application date and time. The applicant is notified when an appropriate unit is available. Applicant interest is verified twice annually. The applicant can be asked to re-contact the office once every three to six months; however, management is responsible for reviewing the list and confirming continued applicant interest and eligibility. A bi-annual inquiry letter sent by management accomplishes this. If there is no response from an applicant within (10) calendar days after sending letter, or a negative response (returned undeliverable), the applicant is removed from the waiting list. Applicants who are offered occupancy and refuse an apartment two different times will be removed from the waiting list unless the applicant has a verified "hardship". A "hardship" will be defined as, but not limited to, undue financial burden or poor health. If the applicant is removed from the waiting list, and later the owner determines that an error was made in removing the applicant such as incorrect address was used in sending mail to the applicant, applicant did not respond to information or updates because of a disability, the applicant will be reinstated

at the original place on the waiting list. An apartment will be held for a maximum of 10 days for an applicant (from the time the applicant is notified that an apartment is available) to effective date of the lease. All changes to the application and waiting list updates must be from the applicant. Changes to the application will become effective when received from the applicant at the rental office. It is the responsibility of the applicant to notify management of any changes to the contact information. Applicants may be rejected if they do not keep management informed of current contact information. When the applicant's name nears the top of the waiting list, the detailed verification process begins. The resident file contains documentation of all verifiable data. All information pertinent to the eligibility, admission and continued occupancy of a resident household must be verified in accordance with Federal program regulations. Interviewing and documentation will be completed by the management staff to ensure that all applicants/residents are made aware of the Federal program regulations. Verifications will be used to determine if all of the information contained on the application/recertification checklist is true and correct. Information to be verified includes, but is not limited to:

- 1) Family Composition, 2) Assets, 3) Income from all Sources, 4) Allowances, 5) Rental History, 6) Credit History, 7) Criminal Records, and 8) Sex Offender screening.

The eligible applicant/resident is interviewed by the management representative to determine their eligibility status. At this time the applicant/resident is requested to sign releases for verification. All "permanent" documents (i.e., photo identification, drivers' licenses, birth certificates, social security cards, etc.) are photocopied and placed in the applicant/resident file, at the time of application. Third parties are used as a primary source for information. All applicants and residents (over the age of 18) are required to sign their consent to the release of information (HUD 9887 and 9887-A) at admission, annual recertification, or initial certification. Failure to do so is grounds for rejection or termination of one's lease. All information provided on the application will be verified. False, inaccurate, or incomplete information may disqualify you. All income will be verified by management via third party confirmation, (i.e., verification form completed by employer, at least six to eight consecutive paychecks, tax returns for the single parent household, marriage certificate, six months consecutive bank statements, and financial assistance in excess of amounts received for tuition that an individual receives under the Higher Education Act of 1965. (Some exceptions may apply), letter from social Security and/or Public Assistance, etc.).

- c. Income Targeting.** Desert Villa will ask preliminary questions on the waitlist application to determine income level. Families/Applicants will be targeted for move in so that no less than 40% of the accepted applicants are at least extremely low income as determined by HUD annually adjusted for family size for Kennewick-Pasco MSA. At the beginning of each year on January 1st, we will start over the process of income targeting. We will start by processing the 1st person on the waiting list who we have pre-identified is likely to qualify at or below 30% AMI (Extremely low-income level). We will make notes on our waiting list for all other families before them on the waiting list that they were skipped due to income targeting. If the 1st person we process does not qualify, or does not complete the move in process, we will go down to the 2nd person on the waiting list and make notes for all that were skipped over.

After we have moved in 1 household who has qualified under the Extremely Low-Income tier bracket, we will select the next household for move in from the waiting list and ensure they qualify under the HUD 80% or 50% AMI guidelines. We will continue the targeted waiting list process to ensure at least 40% of all households moved in are Extremely low income. The practice would look like this:

1 st move in for the year	Qualifies under 30% AMI	Resulting income targeting 100%
2 nd move in for the year	Qualifies under 50/80% AMI	Resulting income targeting 50%
3 rd move in for the year	Qualifies under 30% AMI	Resulting income targeting 67%
4 th move in for the year	Qualifies under 50/80% AMI	Resulting income targeting 50%
5 th move in for the year	Qualifies under 50/80% AMI	Resulting income targeting 40%
6 th move in for the year	Qualifies under 30% AMI	Resulting income targeting 50%
7 th move in for the year	Qualifies under 50/80% AMI	Resulting income targeting 43%
8 th move in for the year	Qualifies under 30% AMI	Resulting income targeting 50%

The practice will continue so long as we do not fall below 40% of the housed applicants being over the 30% AMI limit. Applicants who are skipped due to income targeting will maintain their position on the waiting list.

*Current families who are housed without Section 8 assistance who become eligible to receive subsidy (LIHTC only families who complete an IC 50059) will compute into this 40% income targeting as described by HUD 4350.3 Chapter 4-5, A.

- d. **Background (drug related and criminal activity) Check.** Desert Villa is required by HUD regulations to deny the application that, during the past 3 years, any member of the household has been involved in drug-related or violent criminal activity or other criminal acts that could harm the health, safety, or peace of a community. While part of our process includes checking criminal conviction and arrest records, applicants may be denied on the basis of credible information regardless of whether there has been any arrest or conviction for such behavior. If the behavior constitutes a felony involving serious injury, kidnapping, death, arson, rape, sex crimes and/or child sex crimes, extensive property damage, drug-related offenses, felony burglary or felony robbery the application will be denied regardless of how long ago the behavior occurred. If the behavior constitutes any felony or it constitutes any misdemeanor or gross misdemeanor involving assault, intimidation, sex related, drug related, property damage or weapons violations the application will be denied if the behavior occurred 7 years ago or less. All other cases of criminal behavior not specifically listed above, your application will be denied unless those, who engaged in such acts, provide evidence sufficient to verify that such individual(s) have not engaged in any such activity during the last three years. Drug-related criminal activity including drug-related criminal activity means the illegal manufacture, sell, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute, or use the drug. Desert Villa shall permanently prohibit admission to any applicant if any household member has been convicted of the manufacture or production of methamphetamine on the premises of federal assisted housing. Eviction in last 3 years from federally assisted housing for illegal drug activity: Desert Villa shall deny admission to housing program to applicants who have been evicted from public or other federally assisted housing due to drug-related activity within the last three (3) years. Regardless of past criminal behavior individuals who constitute a likely threat to the health or safety of an individual, the apartment community, or the property of others will be denied. Pattern of abuse of alcohol: Desert Villa shall deny admission to a household if it has cause to believe that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety or right to peaceful enjoyment of the premises by other residents. Also, Desert Villa shall deny admission for a felony or misdemeanor involving violence against a person or property; possession, manufacturing, using, or distributing a controlled illegal substance, possession of an unregistered firearm or illegal weapon. Applicants have an opportunity to explain all adverse references. Individuals with such records will not be admitted even if other eligible family members are admitted. Any applicant or household member who has been arrested for any of the above-described offenses will have their application suspended until the case has been legally resolved. **Lifetime Sex Offender.** Applications that include any household members who are subject to a state sex offender lifetime registration requirement will be rejected. If management rejects an applicant for any reason, a rejection letter will be sent to the applicant. This letter will state in writing the reasons and provide an opportunity for the applicant to respond to or ask for a meeting. If an applicant wishes to appeal the rejection, they must do so within 14 days. If requested by applicant, the meeting will be with a staff member or agent who is not the same person who made the original rejection determination. A follow-up written response will be sent within five days of the rejection hearing. Rejection records will be kept for at least three years. Please note that applicants with no verifiable rental or credit history will be given due consideration using personal references from three reliable sources other than relatives or close friends (e.g., clergyman, teachers, employers, etc.).
- e. **Rejecting Ineligible Applicants.** An applicant may be denied and/or rejected at any time if they have not met one or more of the resident selection criteria. If your application is denied, you will be notified by letter which will state the reason for denial.
- f. **Reasonable Accommodations.** Management will apply the same screening criteria to all applicants. However, management is obligated to offer qualified applicants with handicaps or disabilities additional consideration in the application of rules, practices, or services and structural alternations if it will enable an otherwise eligible applicant or resident with a disability an equal opportunity to access and enjoy the housing program. Management is not, however, required to make a reasonable accommodation or physical modification if the accommodation or modification will result in a financial burden to the property or if it requires management to alter or change a basic component of the housing program.

The following are reasons why applicants will be rejected:

1. **HUD Criteria.** The applicant does not meet HUD's occupancy requirements, including unit size, unit type, income limits, etc.
2. **Lack of Information.** The applicant refuses to or cannot provide all required application information including Social Security numbers or certifications. Refusing to sign required documents (i.e., Verification Authorization forms, Consent to Release Information, etc.) will be grounds for rejection.
3. **Negative References.** The prior landlord(s) up to three years back or other references provide negative reports regarding keeping of lease terms, payment of rent and other occupancy obligations, housekeeping habits, engaging in illegal activity, or incompatibility with other resident and neighbors. These reports are verified as much as possible, and the applicant is given a fair opportunity to overcome negative reports by explaining mitigating circumstances. These circumstances can include items that were related to disability when there is the potential to overcome those problems through reasonable accommodation.
4. **Credit.** All available credit references are checked without charge to the applicant. Rejection is possible if credit reports contain substantive negative information. (If other criteria are satisfactory, the applicant is given an opportunity to respond to negative credit reports.) Examples of poor credit are: left prior housing owing money to landlord; prior eviction; two or more credit accounts over 90 days past due with unpaid bills up to \$3,500.00; two or more accounts in collection status; bankruptcy within the last five years for reasons other than medical emergency, divorce, death of spouse; civil judgements against the applicant not yet resolved. Circumstances will be reviewed, and applicant responses considered. Applicants who have disclosed a previous eviction or a current eviction on their application will be rejected upon third party validation.

NOTE: Under Fair Credit Reporting Act Section 605(h) "if...the request includes addresses for the consumer that substantially differs from the addresses in the file of the consumer...the consumer reporting agency shall notify the requestor of the existence of the discrepancy." Should Desert Villa Apartments receive notice of such a discrepancy they shall verify that the address reported does indeed belong to the applicant(s). Verification may be through any/all of the following methods: *Ask the applicant about the address* *Cross check accounts on screening report against information provided by applicant* *Cross check information provided by third party verifiers against report* Should you wish to dispute any address discrepancies reported, Desert Villa Apartments staff can provide you with a dispute form that you can complete and forward to On-site Manager or contacting the On-Site Manager's Renter Relations Group at 1-877-222-0384.

4. **Occupancy Standards.** Household size must be appropriate for the unit. The size of the unit that an applicant qualifies for is dependent on the size of the household and any verifiable special needs of the household. In general, maximum occupancy is calculated as two people per bedroom, plus one additional person, but may allow variations specific to local ordinances. The minimum and maximum standards are as follows:

Occupancy Standards

Unit Size	Minimum # of persons in Household	Maximum # of persons in Household
1 bedroom	1	3
2 bedroom	2	5

All Live in Aides will be screened for criminal records and must not result in overcrowding. The live in aide qualifies for occupancy only as long as the individual needing supportive services requires the aide's services and remains a tenant and may not qualify for continued occupancy as a remaining family member.

5. **Unit Transfer Policy.** Desert Villa Apartments prefers to make vacant units available to households not currently served by Desert Villa Apartments, drawing from the properties waitlist. However, in order to meet changing household needs, to serve the needs of other residents, and to provide a need for a deeper subsidy, or to achieve improved overall building management, a unit transfer may be allowed for existing residents. This may occur in one of two ways, (1) a current resident of Desert Villa may request a unit transfer to another unit or, (2) Desert Villa may initiate a move to another unit.

Accommodation as defined by Federal law. A request for a unit transfer may be initiated by a resident at any time. The resident request will be handled like that of any other member of the public who requests to be on the wait list. A resident who requests a unit transfer for medical reasons must provide certification from a medical professional that they have a medical need for a different unit.

Desert Villa will transfer residents to different units as reasonable accommodation for a household member's disability. Transfers which are needed as reasonable accommodation will be made on a priority basis. Desert Villa will transfer residents to a different unit if there is need for an accessible unit. Transfers which are in need of an accessible unit will be made on a priority basis. If multiple residents are in need for these transfers a waitlist will be provided based on the time the request was made. Desert Villa will allow a transfer for a VAWA Emergency transfer. Emergency VAWA transfer requests will be prioritized above all non-emergency internal unit transfer requests.

The property manager may also initiate a unit transfer to meet changing household needs, including the following: based on household size or composition, building need or household income.

EXAMPLE: If the number of household members decreases to less than one person per bedroom, the household will have to move to a smaller unit in the building as soon as one becomes available. A household that occupies a handicapped-accessible unit and does not need the special features of that unit may have to move to allow a household with one or more members who need the features of that unit to move in.

Desert Villa Residents' awaiting a unit transfer will take priority over the property wait list for vacant units. Reasonable accommodation and the need for accessible units are first priority. Desert Villa residents awaiting a unit transfer for underutilization may take priority over the property waitlist. Desert Villa will keep a transfer wait list for the purpose of reasonable accommodation, accessible units, and underutilization. The wait list will be based on the date and time the request was made. Reasonable accommodations and accessible units will take priority on the waitlist over the underutilization.

If a household is being moved to a different unit as a reasonable accommodation due to household member's disability, the owner will pay for the move unless doing so would constitute an undue financial and administrative burden. Transfer to a dwelling that will allow a person with a disability to have an equal opportunity to participate in HAP housing programs is permitted. With the exception of HUD mandated transfers, residents must live at Desert Villa Apartments for at least one year prior to placement on the wait list for an internal move to a larger unit. This is to avoid temporary move ins to wait for a different size unit. Internal moves may be caused by occupancy of a unit that is the wrong size or verified medical condition. The cost of such a move is a resident responsibility. Residents must be given thirty-day notice of such a required move. Failure to move requires payment of the market rent on the present unit and failure to pay such rent is a material non-compliance with the lease. Note: Residents are required to notify management immediately when family size or other unit needs change. Residents qualifying for the wait list for an internal move must register the move request in writing with the management office or may be notified of such qualification by management in writing. The wait list date is the date the family became eligible for the unit change, such as a change in family size or other conditions. Households residing in an apartment with accessible features, in which no member of the household requires the accessible features, will be required to transfer to the next available appropriate size apartment once a person requiring the accessible features is identified. All transfer costs (including, but not limited to moving, telephone, utility deposit costs) will be paid by the household.

6. **Policies to comply with Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Act Amendments of 1988 and other Relevant Civil Rights Laws and Statutes:** Desert Villa apartments was developed to provide safe, clean, and comfortable housing at rental rates appropriate for low-income residents. One of the processes necessary to achieve these goals is to define our selection and occupancy policies for our prospective and current residents. This publication outlines occupancy requirements and procedures. Desert Villa Apartments intends to administer these selection criteria in a fair and consistent manner and in accordance with regulations of the US Department of Housing and Urban Development (HUD). It is the policy of Desert Villa Apartments to comply fully with 24 CFR, Part 1 Title VI of the Civil Rights Act of 1964 Title VIII and Section 3 of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974), Executive Order 11063, 24 CFR, Part 8 Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act; 24 CFR, Part 100 et seq Fair Housing Amendments Act; Subpart M of 24 CFR, part 108 Affirmative Fair Housing Marketing Plan for the

property, 24 CFR Part 146 Age Discrimination Act of 1975 and any legislation protecting those individual rights of residents, applicants or staff members which may subsequently be enacted. **Non-Discrimination and Accessibility.** Desert Villa Apartments provides equal housing opportunities for all eligible persons. There is no actual or implied placement based on race, ethnic origin, religious affiliation, sexual preference or marital status. There are specially designed units that are handicap accessible. Reasonable additional accommodation will be considered and/or provided for handicapped persons, including permission to use assistive animals when needed. Desert Villa Apartments will not discriminate because of race, color, sex, religion, age, handicap, disability, marital status, familial status, gender identity, sexual orientation or national origin in the rental of housing or in its use or occupancy. Management will not:

- Deny any household the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to rent housing suitable to their needs.
- Provide housing which is different than that provided for other, subject a person to segregation 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.
- Deny a person the opportunity to participate in planning or advisory group, which is an integral part of the housing program.
- Publish or cause to be published an advertisement or notice indicating the availability of housing that prefers or excludes persons.
- Discriminate against someone because of that person's relation to or association with another individual; or retaliate against, threaten, or act in any manner to intimidate someone because he or she has exercised rights under the Fair Housing Act.

Desert villa Apartments will not automatically deny admission to a particular group or category or otherwise eligible applicants. Each applicant in a particular group or category will be treated on an individual basis in the normal processing routine. Desert Villa Apartments will seek to identify and eliminate situations or procedures which create a barrier to equal housing opportunity for all. In accordance with Section 504 of the rehabilitation Act of 1973, management will provide reasonable accommodation for individuals with handicaps or disabilities (applicants or residents). Such accommodations may include changes in the method of administering policies procedures or services.

Section 504 Coordinator

Holly Patterson, Compliance Director
5415 California Ave. SW, Seattle, WA 98136
(206) 230-9874

7. Policy for Opening and Closing the Waiting List. The waiting list and/or the in-house transfer waiting list are kept chronologically on a form and state the following:

- Date and time the application was received
- Name of the head of household and address
- Unit size and household number
- Income level (i.e., ELI, VLI, LI)
- Need for an accessible unit
- Comment/contact - record of correspondence between management and applicant.
- Removed/Rejected date
- Move-in date

When a unit becomes available, the waiting list will be reviewed to fill the vacant unit. Using the Maximum Income Limits stated in BASIC PROGRAM REQUIREMENTS, and HOUSEHOLD SIZE (Occupancy Standards) as guidelines, contact will be made via the telephone provided on the application. A letter will be mailed to the applicant if management is unable to reach the applicant by telephone. The applicant will be given 10 days to respond. An initial interview will be scheduled to determine the applicant's housing eligibility. It is the applicant's responsibility to update management if there are any changes of information (i.e. address telephone number, household size income, etc.) that was provided on the application. If a response is not received within 10 days, the applicant's name will be removed from the waiting list. It is our general practice to use the waiting list and the transfer waiting list alternately to fill vacant units. The waiting list may be closed when it contains a year plus

waiting period, based on current turnover experience. The waiting list will be closed and reopened using the Affirmative Marketing Plan as a guideline which will be communicated to referral groups, **Calvary Baptist Church, St. Joseph Catholic Parish, and Tri Cities Chinese Alliance Church**, in accordance with the plan and publicly advertised as indicated in the HUD approved Affirmative Fair Housing Market Plan. Applications are not accepted when the waiting list is closed.

8. Eligibility of College Students. 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 or tuition is included in annual income, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving section 8 assistance. Section 8 assistance shall not be provided to any individual who:

- Is enrolled as either a part time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential.
- Is under the age of 24
- Is not married
- Is not a veteran of the United States Military
- Does not have a dependent child
- Is not a person with disabilities, such term is defined in the United State Housing Act of 1937 and was not receiving Section 8 assistance as of November 30, 2005
- Is not living with his or her parents who are receiving Section 8 assistance and
- or has parents (individually or jointly) who are not income eligible to receive Section 8 assistance.

For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate the absence of, or his or her independence from, parents. The student must:

- Be of legal contract age under state law
- Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, or meet the U.S. Department of Education's definition of an independent student
- Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations
- Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing their support. This certification is required even if no assistance will be provided.

If an ineligible student is a member of an applicant household or an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated in accordance with HUD guidelines.

The definition of an independent student is as follows:

- The student must be at least 24 years old by December 31 of the award year for which aid is sought
- Be an orphan, in foster care, or a ward of the court or was an orphan, in foster care or a ward of the court any time when the individual was 13 years or older through the age of 18.
- Is or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence.
- Has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth as unaccompanied, at risk of homelessness and self-supporting.
- Is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.
- Be a veteran in the U.S. Armed Forces of the United States or is currently serving on active duty in the Armed Forces for other than training purposes.
- Have legal dependents other than a spouse (for example, dependent children or an elderly dependent parent);
- Be a graduate or professional student; or
- Be married

9. **Pet Policy.** No pets are allowed on the premises without written permission from management. Only service animals and common household pets are accepted per Section 504 requirements.

10. **Violence against Women Act (VAWA) Protections.** The VAWA protections apply to families applying for or receiving rental assistance payments under the project-based Section 8 program. The law protects victims of sexual assault, domestic violence, dating violence or stalking, as well as their immediate family members' generally, from being evicted or being denied housing assistance for an incident of violence that is reported and confirmed. The VAWA also provides that an incident of actual or threatened domestic violence, dating violence, sexual assault or stalking does not qualify as a serious or repeated violation of the lease nor does it constitute good cause for terminating the assistance, tenancy, or occupancy rights of the victim. Furthermore, criminal activity directly relating to domestic violence, dating violence, sexual assault or stalking is not grounds for terminating the victim's tenancy. A lease may be bifurcated in order to evict, remove, or terminate the assistance of the offender while allowing the victim, who is a resident or lawful occupant, to remain in the unit. The landlord may request in writing that the victim, or a family member on the victim's behalf, certify that the individual is a victim of abuse or other documentation as noted on the certification form, be completed, and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction or denial of housing assistance.

11. **Enterprise Income Verification (EIV).** In an effort to ensure accurate rental assistance is provided to the residents of project-based HUD assistance properties, the Department of Housing and Urban Development (HUD) has provided property managers with access to a new verification database called the Enterprise Income Verification (EIV). The EIV database has been available since 2007; however, its use by Owners and/or Management Agents became mandatory January 31, 2010. All household members, age 18 and older, five consent to the release of this information by signing forms HUD-9887 and HUD-9887A at the time of move in and annual recertification. EIV provides information about project-based HUD assistance recipients. The database is used to verify for applicants with signed HUD-9887/9887A on file: Whether the applicant(s) are currently receiving subsidy at another multifamily or public Indian housing community. This report would be run prior to move in and only indicates if subsidy is received. No other information is released to management. For residents with signed HUD-9887/9887A on file certain types of reported income with records maintained in the Social Security Administration databases and the Department of Health and Human Services National Database of New hires. SSA provides information about current social security income received and whether the social security number provided for an individual matches their database. HHS provides information about current/prior employment and unemployment insurance information. This report is run as part of the Household's recertification process. If discrepancy is discovered by HUD between the EIV database and what your household indicated during your initial and/or annual recertification, our office will contact you for clarification of the information provided. You may be asked to provide additional documentation of individual citizenship and/or income. We are required to do this, so we can assure you that you are receiving all assistance for which you are eligible. If it is discovered subsidy was received by a member or all members of a household as a direct result of a fraudulent act(s) (unreported income, purchase or stolen social security numbers, etc.), we are required to take the necessary steps to recapture all subsidy from households as well as report individuals to HUD, and in some cases pursue the eviction of the household and judgment for monies owed as a consequence of the rental subsidy received under the false pretense.

Applicant Signature and Date

Applicant Signature and Date

Manager Signature and Date

