



Tenant Selection Plan

Section 42

Affordable Housing for Families 55 Years and Older



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PROPERTY INFORMATION

Property Name	Centennial Senior Apartments
Property Address	400 E. Centennial Drive
City, State, Zip	Oak Creek, WI 53154
Phone	(414) 762-7762
Fax	(414) 285-2205
Email	CentennialSenior@wimmercommunities.com
Website	https://www.wimmercommunities.com/seniorliving

THE PURPOSE OF THE TENANT SELECTION PLAN

The Tenant Selection Plan helps to ensure that residents are selected for occupancy in accordance with HUD requirements and established management policies.

Please contact the management office if you need help understanding this document. Contacte por favor la oficina de gestión si usted necesita ayuda a comprender este documento. (Spanish)

- Por favor contate o escritório de gerência se deve ajudar entendimento este documento. (Portugese)
- Si vous avez besoin d'aide à la compréhension de ce document, veuillez communiquer avec le Bureau de gestion. (French)
- Souple kontakte Biwo jesyon a si w bezwen èd pou konprann dokiman sa a. (Haitian Creole)
- Xin liên lạc với văn phòng điều hành nếu bạn cần giúp đỡ sự hiểu biết tài liệu này. (Vietnamese)
- Пожалуйста свяжитесь с офисом управления, если Вам нужна помощь в понимании этого документа. (Russian)
- Bitte kontaktieren Sie das Leitungsbüro, wenn Sie helfen müssen, dieses Dokument zu verstehen. (German)
- 請聯絡管理辦公室, 如果你需要幫助理解這份文件。 (Chinese)
- もしこの文書を理解しているための助けを必要とすれば、経営オフィスと連絡を取ってください。 (Japanese)

AVAILABILITY OF THE TENANT SELECTION PLAN, APPLICATION AND SUPPORTING DOCUMENTS

A copy of the current Tenant Selection Plan is publicly available upon request. Applicants or people assisting applicants with the Pre-Application or Application process may request a paper or electronic copy by contacting the property management staff.

Applications may be submitted in person or by mail. Applications may also be submitted electronically. If an applicant wishes to submit the application electronically, the application must be encrypted and password protected to protect any Personally Identifiable Information. Applicants must notify the owner/agent if the application is submitted electronically. The owner/agent will not open links or documents unless such submission is expected.

OBTAINING INFORMATION ELECTRONICALLY

Upon request, an interested applicant will be provided with access to an electronic version of the current Tenant Selection Plan and associated application documents. An electronic version of the current Tenant Selection Plan and associated documents are available on the property web site at www.wimmercommunities.com/seniorliving.com.

These include, but are not limited to:

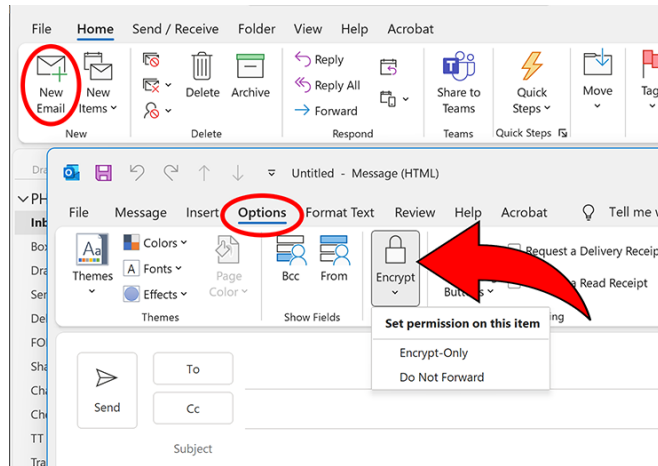
- The Tenant Selection Plan;
- Application Package
- Current Income Limits;
- A Copy of the House Rules/Pet & Assistance Animal Rules;



Any required documents that contain personal information must be encrypted and password protected to protect any Personally Identifiable Information. Applicants must notify the owner/agent if the application will be submitted electronically. The owner/agent will not open links or documents unless such submission is expected.

How to encrypt:

- In an email message, select Options > Encrypt. Choose the encryption option that has the restrictions you'd like to enforce, such as Do Not Forward. Finish composing your email and then select Send.



BUSINESS RELATIONSHIP

The relationship between a landlord (owner/agent) and a resident or applicant is a business relationship.

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

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

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

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

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



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

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

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

Children are always welcome. When in the management office, all members of the applicant/resident family must behave in a professional manner. Property staff do not provide childcare or supervision.

Aside from standard property charges, property staff are not permitted to accept any money, gifts, services or favors connected with the Pre-Application or Application process or associated with any aspect of residency on this property.

If property staff solicits any mandatory payment for any part of the Pre-Application or Application process, the applicant should notify the property staff or the owner/agent. Wimmer Communities – (414) 529-3900

SMOKE FREE HOUSING

Other than in designated smoking areas, smoking is prohibited in any area of the property, both private and common, whether enclosed or outdoors. This policy applies to all owners, property staff, applicants, residents, guests, and service persons. Breach of this policy may result in non-renewal of the lease agreement.

“Smoking” shall include the inhaling, exhaling, or carrying of any lighted cigarette, e-cigarette, cigar, pipe, vaping, hookah, other tobacco products, marijuana including medical marijuana, herbal smoking products “Legal Weed” or products known as “bath salts” or other legal or illegal substance.

Please note that use of illegal substances or illegal use of controlled substances is grounds for denial of housing/assistance in accordance with the Quality Work & Housing Responsibility Act (QWHRA). This includes marijuana (including medical marijuana). State laws that legalize medical marijuana directly conflict with QHWRA and thus are subject to federal preemption.

USE OF MARIJUANA

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

Please note that use of illegal or controlled substances is grounds for denial of housing/assistance in accordance with the Quality Work & Housing Responsibility Act (QWHRA). This includes marijuana (including medical marijuana). State laws that legalize medical marijuana directly conflict with QHWRA and thus are subject to federal preemption.



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Residents are prohibited from using marijuana (even in a smokeless manner). The owner/agent will take the appropriate legal action to terminate tenancy for any resident using marijuana or any illegal controlled substance while residing at Centennial.

If HUD rules change, the property Tenant Selection Plan and the property House Rules may be edited to conform to the policies set forth by HUD.

SECURITY DEPOSIT REQUIREMENTS

The owner/agent must collect a Security Deposit at the time of the initial lease execution before moving into the unit. The owner/agent requires that residents pay the security deposit in a guaranteed form (e.g., money order, cashier's check, bank check).

The owner/agent will comply with any HUD rules and applicable state and local laws governing the Security Deposit.

The Security Deposit amount is 1 month rent or up to \$900.

The applicant family is expected to pay the Security Deposit from their own resources and/or other public or private sources. The owner/agent requires that residents pay the security deposit in a guaranteed form (e.g., money order, cashier's check, bank check).

If the applicant family is unable to pay the Security Deposit in full, before move in, the owner/agent will allow the resident to pay the Security Deposit in three equal monthly payments. The resident must sign a Security Deposit Agreement. An applicant family will be rejected for refusal to sign a Security Deposit Agreement if the Security Deposit cannot be paid. Failure to pay the required Security Deposit is a material lease violation and may result in termination of tenancy.

PETS

Certain restrictions apply and are outlined in the property Community Policy Rules & Regulations Handbook – 11.0 Animals. Pets and Assistance Animals are to be approved **before** they are allowed to live in the unit. A copy of the Community Policy Rules & Regulations Handbook is available upon request.

When applicable, residents must agree to pay any required Pet Deposit and must agree to abide by the property's Pet & Assistance Animal Rules.

If an applicant wishes to request approval of an Assistance Animal – necessary to alleviate the symptoms or side-effects of a disability - the applicant (or applicant's representative) must request a Reasonable Accommodation. Please request a Reasonable Accommodation Packet from the leasing office. The applicant family should also review the Pet & Assistance Animal Rules.

PET DEPOSIT

The Pet & Assistance Animal Rules require residents who own dogs or cats (pets) or keep dogs or cats (pets) in their units to pay a refundable Pet Deposit. This deposit is in addition to any other financial obligation generally imposed on residents.

The Pet Deposit will not exceed \$250.00 and is payable at move in.

The applicant will be asked to make the full payment of Pet Deposit, however, if applicant is unable to do so, a \$50.00 initial Pet Deposit will be required at the time the pet is brought on to the premises. The resident will be



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required to pay the remaining balance in minimum increments of \$50.00 per month until the \$250.00 Pet Deposit is collected. Residents are allowed to pay the entire Pet Deposit in increments greater than those described if desired.

The owner/agent will use the Pet Deposit only to pay reasonable expenses directly attributable to the presence of the pet. Such expenses would include, but not be limited to, the cost of repairs and replacement to the unit, fumigation of the unit, and the cost of animal care facilities.

The owner/agent will return the unused portion of a Pet Deposit to the resident within a reasonable time after the resident moves from the property.

Residents, their guests and/or service providers are required to comply with the property Pet & Assistance Animal Rules.

HUD HOUSING VOUCHERS

The owner/agent may not admit an applicant family if any member is in possession of a HUD housing assistance voucher provided through HUD's Public and Indian Housing (PIH) program unless the applicant agrees to give up the voucher prior to occupancy. This will be verified with the Housing Authority providing the HUD housing assistance voucher.

Please note that housing assistance provided through HUD's Multifamily Housing program is not the same as the housing assistance provided through HUD's Public and Indian Housing voucher program. If any family member moves out, the housing subsidy will not move with the family as it does with a voucher. The family will be required to re-apply to a PHA to receive another voucher.

Applicants should consult with the Contract Administrator or the HUD office if any former landlord is accepting subsidy after move-out.

This property accepts Section 8 Housing Vouchers issued through the City of Milwaukee, or Milwaukee County.

ASSISTED LIVING

The owner/agent and property staff does not provide, nor has the authority to provide, any personal care or personal supervision services. Any required care or supervision must be provided by the resident or aides supervised by the resident or the resident's representative(s). The owner/agent and property staff does not provide assistance with personal activities of daily living. This property is Independent Living. If you are in need of resources for in home care, please visit the leasing office.

SECTION 42 RENT

Rent guidelines are set by the Federal Department of Housing and Urban Development (HUD) based on the median county income. Your actual rent is set by each property using these guidelines. If an applicant meets the current Section 42 Income Limits, set by HUD, the applicant will qualify for rent rates lower than market rate. Section 42 rent is a fixed rent amount, set by owner/agent, following the HUD maximum rents, utility allowance, and HUD requirements.

Utility Allowances are deducted from the maximum allowable rent to determine the maximum monthly chargeable tenant rent. A Utility Allowance is provided, as the tenant is required to pay for their own electric usage.

FAIR HOUSING POLICIES



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Information about fair housing and civil rights protections are included in Appendix A and Appendix D of this Tenant Selection Plan.

SECTION 42 ELIGIBILITY REQUIREMENTS -

Based on federal regulations, the owner/agent may admit only eligible applicant families. In the selection of applicant families for admission, eligibility criteria have been established in accordance with HUD guidelines.

The following eligibility standards will be applied in accordance with HUD requirements:

1. At move in, the family/household's Annual Income must not exceed program Income Limits.
2. The family must qualify based on any applicable Asset Restrictions established by HUD for Section 42.
3. The household size must be appropriate based on the available apartments. (*See Occupancy Standards*)
4. Applicants and residents must disclose SSNs and provide verification of the complete and accurate SSN assigned for all household members.
5. The Head-of-Household, co-HOH/spouse, and all adults in each applicant family must sign a Consent for the Release of Information during the application process. Information provided by a family/household is subject to verification.
6. Only U.S. citizens or eligible noncitizens may receive assistance under all Multifamily Housing Programs.
7. Students enrolled in an institute of higher education must meet program eligibility requirements.
8. The unit for which the family/household is applying will be the family/household's only residence.
9. Residents must agree to pay the Section 42 current rent rate.
10. No applicant/resident may be subject to state lifetime sex offender registration.
11. No applicant may be using marijuana at the time of eligibility determination, nor during residency.
12. All information reported by the household is subject to verification.

PROPERTY ELIGIBILITY DEFINITION

FAMILY TYPE (SECTION 42 ELDERLY)

This Section 42 property is designed to provide housing to individuals (head-of-household, the co-head-of-household or a spouse) 55 and older who meet the eligibility and screening requirements.

INCOME LIMITS-

Income limits vary by household size. The owner/agent will provide applicants with a copy of the current income limits for the property area upon request. In addition, applicants can review the income limits by accessing the following web site. <https://www.huduser.gov/portal/datasets/il.html>.

Income limits are updated at least annually. HUD requires that property managers incorporate the most recently published income limits when determining eligibility.

Applicants may also find the current property income limits on the property website – www.wimmercommunities/seniorliving.com (select property).

OCCUPANCY STANDARDS-

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

Below, please find the occupancy standards description:



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Number of Bedrooms	Min. # Household Members	Max. # Household Members
1	1	2
2	1	4

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

SOCIAL SECURITY NUMBER DISCLOSURE REQUIREMENTS (ALL PROGRAMS)

All household members who are currently qualified for Section 42 or applying for Section 42 Affordable Housing are required to provide a Social Security Number and adequate documentation necessary to verify that number.

Note: An Individual Tax Identification Number is not the same as a Social Security Number and will not be accepted in lieu of a Social Security Number.

This rule applies to all household members including live-in aides, foster children and foster adults. Adequate documentation includes a Social Security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN such as:

- Original Social Security card;
- Driver's license with SSN;
- Identification card issued by a federal, State, or local agency, a medical insurance provider, or an employer or trade union;
- Earnings statements on payroll stubs;
- Bank statement;
- Form 1099;
- Benefit award letter;
- Retirement benefit letter;
- Life insurance policy;
- Court records.

All Programs: If the applicant cannot provide any of the above, the applicant will advise the owner/agent. The owner/agent may accept self-certification of SSN *and* at least one third-party document, such as a bank statement, utility or cell phone bill, benefit letter, etc., that contains the name of the individual. *When none of the other accepted methods is available and if verifying an individual's SSN using this method, the owner/agent must document why the other SSN documentation was not available. The owner/agent must obtain a valid SSN card issued by the SSA or an original document issued by a federal or state government agency that contains the name of the individual and the SSN of the individual, along with other identifying information of the individual. The resident family's qualification for Section 42 must be terminated if any member fails to provide the required documentation (some exceptions apply).*

Exceptions to Disclosure of Social Security Number

The Social Security Number requirements do not apply to:

1. A child under the age of 6 years added to the applicant family within the 6-month period prior to the household's date of admission. The household will have a maximum of 90-days after the date of admission to provide the Social Security Number and adequate documentation that the Social Security Number is valid. An additional 90 days may be granted under certain circumstances. If the household does not provide the Social Security Number and adequate documentation to verify the Social Security Number within the prescribed timeframe, HUD requires that the owner/agent terminate assistance.
2. A minor under the age of 6 years being added to the household after move-in. The household will have a maximum of 90-days after adding the child to provide the Social Security Number and adequate documentation that the Social Security Number is valid. An additional 90 days may be granted under certain circumstances. If the household does



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not provide the Social Security Number and adequate documentation to verify the Social Security Number within the prescribed timeframe, HUD requires that the owner/agent terminate assistance.

3. Foster children or adults when:
 - The foster agency will not provide the SSN or adequate documentation to verify the SSN; and
 - HUD approves.

If, at the time a unit becomes available, all non-exempt household members have not provided adequate documentation necessary to verify Social Security Numbers, the next eligible applicant family must be offered the available unit.

All non-exempt household members have ninety (90) days-from the date they are first notified that a unit is available-to provide documentation necessary to verify the Social Security Numbers. During this 90-day period, the household may retain its place on the waiting list but will not be considered again until the required documentation is provided.

If, after ninety (90) days, the applicant family is unable to disclose/verify the Social Security Numbers of all non-exempt household members, the household will be determined ineligible and removed from the waiting list. The applicant family may apply again, after obtaining the appropriate documentation. The applicant family will be placed on the waiting list based on the date and time the new Application is received.

APPLICATION REQUIREMENTS -

A Section 42 applicant must provide the following during the application process:

1. Drivers License/ State Photo ID
2. Social Security Card

If any applicant has questions or experiences difficulty providing the described information or determining the type of documentation required, the applicant should contact the management office.

If any applicant is unable to provide the required documentation when application is submitted, the applicant must contact the management office to request an extension.

If any applicant fails to provide this information in the timeframes described, the applicant family may be rejected by the owner/agent.

ELIGIBILITY OF STUDENTS ENROLLED AT AN INSTITUTE FOR HIGHER EDUCATION

(ALL NON SECTION 8)

Student eligibility is determined at move-in/initial certification and at each annual certification. If student status changes for an adult during residency, the resident must report the change in student status and eligibility will be determined to see if the household is eligible to receive assistance.

If an applicant or existing resident is a student, the following criteria must be met in order for that student to be considered eligible.

1. The individual must be of legal contract age under state law.
2. The individual must not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations.
3. The individual must have established a household separate from parents or legal guardians for at least one year prior to application for occupancy or the individual meets the U. S. Department of Education's definition of an independent student.



INDEPENDENT STUDENT

To be classified as an independent student, a student must meet one or more of the following criteria:

1. Be at least 24 years old by December 31 of the award year for which aid is sought;
2. Be an orphan or a ward of the court through the age of 18;
3. Be a veteran of the U.S. Armed Forces;
4. Have legal dependents other than a spouse (for example, dependent children or an elderly dependent parent);
5. Be a graduate or professional student;
6. Be married;
7. Be a vulnerable youth as defined by HUD and the Department of Education.

The individual must obtain a certification of the amount of financial assistance that will be provided by parents, guardians or others signed by the individual providing the support. The financial assistance provided by persons not living in the unit is part of Annual Income that must be verified to determine eligibility and at each subsequent certification.

STUDENT FINANCIAL ASSISTANCE

Student financial assistance that is not specifically excluded will be included as part of the family's Annual Income unless the student is the HOH, co-HOH/spouse and is over 23 (24) with a dependent child. Student loans are not considered.

For non-Section 8 programs, any financial assistance, in excess of tuition, that a student receives under the Higher Education Act of 1965, is excluded when determining Annual Income for the family.

For non-Section 8 programs, any financial assistance that is provided through a qualified Coverdell Education Savings Account (ESA) or other qualified ESA, is excluded when determining Annual Income for the family.

Any financial assistance a student receives (1) from private sources, or (2) from an institution of higher education, that is in excess of amounts received for tuition and other qualified fees, is included when determining Annual Income for the family, except if the student is the HOH, co-HOH or spouse and is at least 24 years of age with a dependent child or children (as defined by HUD).

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

The definition of tuition is consistent with the definition provided by the Department of Education and includes tuition, books, mandatory fees, room and board for a student (who is not the HOH, co-HOH/spouse) and costs for reasonable accommodations when the student is disabled.

PROCEDURES FOR TAKING APPLICATIONS

It is the owner/agent's policy to accept and process Applications in accordance with HUD guidance. The owner/agent will make a reasonable accommodation to assist in the Application process if the applicant or any member of the applicant family is disabled.

- Upon request, the owner/agent will provide interested parties with a paper copy of the Application Package. Applicants may make an appointment to pick up an Application Package or may call the property management staff and request a paper copy.
- Upon request, the owner/agent will provide interested parties with an electronic copy of the Application Package. Applicants may contact the property management staff and request an emailed copy.
- Applicants may download a copy of the Application Package from our Applicant Document Portal at www.wimmercommunities/seniorliving.com.



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Before completing or executing any forms, additional copies should be made for all adult household members who will live in the unit.

The person who is indicated as the Head-of-Household (HOH) must execute and sign all documents that are included in the Application Package.

When the applicant is notified of an available unit, the applicant must complete a Full Application Package.

The owner/agent requires applicants to provide a government issued photo ID - used for verifying the identity of all applicants. A copy of the applicants ID may be provided using one of several alternatives including in-person or online means. In some cases, and when appropriate, this ID may also be used to verify age.

The owner/agent may request a birth certificate or other like documentation that can be used to verify age.

Because Applications include Personally Identifiable Information (PII), applicants must not submit Application Packages via email unless all attachments have been password protected and encrypted using an NIST compliant encryption solution.

All Applications can be submitted:

1. Via First Class mail;
2. On site at the property management office;
3. Through a secure email – Encrypted and password protected

The owner/agent will accept the Application in an equally effective format, as a reasonable accommodation, if there is the presence of a disability.

All documents in the Application Package must be **completed in full**, signed and dated to be accepted.

PRELIMINARY DETERMINATION OF APPLICANT ELIGIBILITY

The owner/agent will make a preliminary eligibility determination before adding a household to the waiting list or initiating final eligibility tasks. The owner/agent will review all eligibility requirements and determine that there are no obvious factors that would make the applicant family ineligible.

If a preliminary eligibility review indicates that a household appears eligible for tenancy, but units of appropriate size are not available, the owner/agent will place the household on the waiting list for the property and notify the household when a suitable unit becomes available.

If no appropriate unit exists in the property, the owner/agent will reject the applicant family.

FINAL DETERMINATION OF ELIGIBILITY

When a unit becomes available, and when the applicant family is at the top of the waiting list, each adult member must submit a complete application within 10 (ten) business days of notification by the owner/agent. All eligibility criteria will be reviewed, and information will be verified as required before a final eligibility determination is made. Being eligible, however, does not guarantee that the Application will be approved.

All adult applicants will be subject to the certain screening based on landlord/rental history, credit history and criminal history.

LIVE-IN AIDES



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Applicants or current residents must contact the management office staff if a live-in aide will be moving in to the unit. If the family plans to include a live-in aide, the live-in aide is not required to complete the same Application forms. Live-in aides must complete the Live-in Aide Application and participate in screening and other verifications that are required.

The live-in aide must meet HUD's definition of a live-in aide.

The live-in aide has no rights to the unit as a remaining family member and must agree to relinquish possession of the unit within a reasonable time if the resident is absent for an extended period of time or if the resident leaves for any reason.

The live-in aide will be required to sign a lease addendum acknowledging that the live-in aide has no right of residency or occupancy if the resident is absent or if the resident moves out for any reason including death.

WAITING LISTS

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

The applicant family will be placed on the waiting list for a one or two bedroom apartment as long as:

- The applicant family meets the Occupancy Standards described in this plan; and
- The waiting list is open.

The Head-of-Household (HOH) will be contacted when the family approaches the top of the waiting list and a unit becomes available based on the selection guidelines described in this plan.

MAINTAINING WAITING LISTS

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

An adult member of the applicant family must contact the property if household information changes (i.e. number of household members, number of future household members, criminal history, income, etc.). If the household size or composition changes, the owner/agent will:

1. Update the waiting list information; and
2. Determine eligibility based on changes.

If, as a result of the household composition change, it is determined that the applicant family remains eligible, the applicant family will maintain their place on the waiting list. If determined ineligible, the applicant family will be rejected and removed from the waitlist.

REMOVING APPLICANTS FROM THE WAITING LIST

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

- Applicant family requests removal;
- The unit that is needed – using household size as the basis – has changed, and no appropriate size/type unit exists in the property;



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- The unit that is needed – using household size as the basis – has changed, and that unit size/type is not offered at the property.
- Applicant family fails to meet eligibility requirements;
- Applicant family fails to meet occupancy standards;
- Any individual applicant fails to meet screening requirements;
- Applicant family is rejected for any reason described in this plan;
- Applicant family cannot be contacted by phone (number disconnected or changed);
- Applicant family cannot be contacted by other electronic means including email;
- Applicant family fails to keep owner/agent up to date based on the requirements described in this plan
- Applicant family was clearly advised, in writing, of the requirement to tell owner/agent of his/her continued interest in housing and failed to do so;
- Applicant family refused second offer of a unit (See Right to Refusal Policy for additional information.).
- Applicant family accepted a unit but failed to move into the unit within 30 calendar days. Some exceptions apply.

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

If an applicant family is removed from the waiting list, and later, the applicant family feels that they are now qualified for tenancy, the owner/agent will add the applicant family to the bottom of the waiting list as necessary, based on the inquiry date and time.

There are certain situations when the owner/agent may refuse to accept an Application. The owner/agent will not accept Applications from individuals who were previously rejected because a member of the applicant family:

- Is subject to a state lifetime sex offender registry;
- Has been rejected because he/she has been convicted of a crime as indicated in the criminal screening criteria (*certain time restrictions apply*);
- Has been evicted from another property managed or owned by the owner/agent;
- Has been evicted from a federally assisted property for drug use in the last three years.

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

SELECTING APPLICANT FAMILIES FROM THE WAITING LIST

When a unit becomes available, the owner/agent will contact the next applicant family on the waiting list (*based on the selection criteria described in this plan*) and the Head-of-Household, co-HOH/spouse and all adult family members will be required to meet with management for an eligibility interview.

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

PREFERENCES

Applicant families with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference.

Assigning preferences to applicant families who meet certain criteria is a method intended to provide housing opportunities to applicant families based upon household circumstances.



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Preferences affect only the order applicant families are selected from the waiting list. They do not make anyone eligible who was not otherwise eligible. Preferences are not permitted if they, in any way, interfere with fair housing requirements.

Owner/agent-Adopted Preferences – Unit Transfer/Splits/Property to Property

Unit Transfer Preference

Residents who have submitted a Unit Transfer Request and who are deemed eligible for the transfer are given preference on the waiting list. This means that a resident transferring from one unit to another will be offered a unit before an applicant family.

A Section 42 resident may request a unit transfer based on financial or medical needs. Applicant must meet the Section 42 income limit to be placed on a lower set aside unit (30%, 40% or 50%) wait list. Owner/agent will 3rd party verify all income and assets to determination eligibility for chosen set aside. If a unit transfer is requested based on a medical need or a need deemed to prevent tenant from having full enjoyment of unit, owner/agent may consider the request. Verification of need may be required at owner/agent discretion.

If the unit transfer is requested and qualifies for special consideration based on the VAWA Emergency Transfer Policy, the request will receive preference over other requests to transfer. Please see information about how preferences are “weighted” below.

Split Household Preference

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 family” requesting a separate unit will be required to submit an Application. Household members who remain in the existing unit are not required to re-apply.

The Application will be reviewed for eligibility as described in this plan and if approved, that applicant family will receive preference over other residents and applicants.

If the household split is requested and qualifies for special consideration based on the VAWA Emergency Transfer policy, the request will receive preference over other requests to “split” a household.

Property to Property Preference

If an applicant family is living on another property owned or managed by Wimmer Communities and is a resident in good standing, that applicant family will receive preference over other applicant families on the waiting list. The applicant family will not receive preference over:

- An applicant family or resident with a verified need for an accessible unit;
- A resident requesting a new unit because he/she qualified for a VAWA Emergency Transfer;

VAWA Emergency Transfer (Internal Transfer)

In some cases, families that qualify for a VAWA Emergency Transfer (VET) may receive preference over other residents who have requested a unit transfer. Victims of VAWA crimes who qualify for a VAWA Emergency Transfer (VET) will receive preference equal to other residents requesting an emergency transfer. Selection will be based upon the date and time the completed VAWA Emergency Transfer (VET) Request was received by the owner/agent. If no unit is immediately available, the resident will be added to the property waiting list. If the family wishes to seek alternative housing outside of the property, the resident family may remain on the property waiting list (with a VET preference) while seeking alternative housing options. Please see Appendix D and/or the VAWA Policy and/or contact property staff for additional information.



Weight of Preferences as Described

When offering a unit, the owner/agent will consider applicant families and residents requesting unit transfers who qualify for preference over applicant families and residents requesting unit transfer who do not qualify for any of the preferences described above.

Residents who are requesting new units and who meet the qualifications listed below will be placed on the waiting list, with a preference, based on the date and time the completed Unit Transfer Request is received.

These existing residents will be placed first.

- Verified need for an accessible unit;
- Verified need for a reasonable accommodation;
- Verified medical or financial need;
- VAWA Emergency Transfer
- Resident is currently living in an accessible unit and no longer needs the features
- Under housed (unit is too small)

Residents who are requesting new units and who do not qualify for preferences will be placed next based on the date and time the completed Unit Transfer Request is received and their eligibility for other preferences.

Applicants

The following would be offered equal preference on the waiting list and would be offered a unit based on the date and time the completed request is received, and the family is added to the waiting list.

1. Residents who request and qualify for an internal VAWA Emergency Transfer (VET)
2. Residents requesting a unit transfer because of a verified need for a reasonable accommodation
3. Residents requesting a unit transfer because the family is underhoused with more than two persons living in the unit
4. Residents requesting a unit transfer because the unit is not habitable and requires repair (e.g. fire, hurricane, etc.)

Applicant families who do not qualify for the preferences listed above will be placed next based on the date and time the request is received and their eligibility for other preferences.

Verification of Preferences

All preferences will be verified using the verification methodology described in this Tenant Selection Plan.

Special consideration applies when a VAWA Emergency Transfer Request is submitted by a victim of a VAWA crime. If this is your situation, please review the information in Appendix D and/or contact the property staff for additional information.

When a Request for Preference is Denied

If it is determined that an applicant does not meet the criteria for receiving a preference, the applicant family will receive notice of this determination within ten (10) business days. The notice will contain the reasons for the determination. The applicant family has the right to meet with the owner/agent representative to review or appeal the decision.

Change in Preference Status While on the Waiting List

Occasionally applicant families on the waiting list who did not qualify for a preference when they applied will experience a change in circumstances that qualifies them for a preference. In such cases, it is the responsibility of the applicant to contact the owner/agent so that their change in status may be verified and the waiting list can be updated to reflect the preference as appropriate.

To the extent the verification determines the applicant family does now qualify for a preference, they will be selected from the waiting list in accordance with the preference and the date and time added to waitlist.



Exceptions to the Preference Rule

Management will give priority to current residents:

1. Residing in a unit that has been determined uninhabitable due to flood, fire or other natural disaster;
2. When a unit is designated for rehabilitation or repair.

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

OPENING AND CLOSING WAITING LIST

To ensure that applicant families on the waiting list are processed in a reasonable amount of time, the owner/agent may close waiting lists in whole or in part.

Decisions about closing and opening the waiting list will be based on the ability of the owner/agent to house an applicant family in an appropriate apartment within a reasonable period of time.

The owner/agent may use a twelve (12) month waiting period to determine whether the waiting list will be closed. Notice announcing that the waiting list is closed or open will be will publicly announced on the property website.

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

PRIVACY POLICY

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

Unless the individual about whom information is requested gives consent to such disclosure, neither the property owner nor its agents shall disclose any personal information to any person or agency, other than:

- Staff associated with the property as appropriate;
- Service providers as appropriate;
- HUD;
- HUD's agents;
- Contract Administrators;
- Other federal/state entity or investor auditing entities.

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

VERIFICATION

The owner/agent shall obtain verifications in compliance with requirements set forth by the Department of Housing and Urban Development. After the preliminary eligibility determination, no decision to approve an application shall be made until information provided on the application form and during subsequent interviews has been collected and any necessary follow-up interviews have been performed.

All information must be verified as required by HUD and described in these procedures.



METHODS OF VERIFICATION

Verifications will be attempted as follows:

1. **Written, third-party verification from the source, also known as “tenant-provided verification”.** An original or authentic document generated by a third-party source dated within 120 days of the date received by the owner/agent. (e.g., resident provided bank statement). For fixed-income sources, a statement for the appropriate benefit year is acceptable documentation. Owner/agents may also accept third-party verification directly from the verification source. For example, owner/agents may (but are not required to) obtain verification of disability directly from a medical care provider (e.g., physician, physical therapist, etc.) or may accept a letter provided by the provider to the resident;
2. **Third Party Verification or Self-Certification (Employment or Unemployment Income).** Employer third party verification and/or payroll stubs required.
3. **A Written Third-party Verification Form (as appropriate);**
4. **Oral verification.** When verifying information over the telephone or via the internet, it is important to be certain that the person is the party he or she claims to be. When verifying information by phone, the owner must record and include in the tenant’s file the following information:
 - a. Third-party’s name, position, and contact information;
 - b. Information reported by the third party;
 - c. Name of the person who conducted the telephone/internet interview; and
 - d. Date and time of the call.
5. **Family Self-Certification.** In the absence of any of the above or as provided in HUD guidance, notarized or witnessed self-certification from the household member (*the owner/agent is not required to accept family/self-certification*). Except when accepted based on HUD guidance (e.g., Streamlining, Assets Disposed, etc.), when the owner/agent accepts Family Self-Certification, the tenant file will be documented, when appropriate, to show that staff attempted other acceptable verification before relying on family self-certification.

SOURCES OF INFORMATION

Sources of information may include, **but are not limited to:**

- Any Member Of The Applicant Family;
- Present And Former Housing Providers/Landlords;
- Present And Former Employers;
- Banks;
- Insurance Companies;
- Any Asset Manager;
- Family Members;
- Any Person Or Organization Providing Gifts/Regular Contributions To Any Member;
- Social Workers/Parole Officers;
- The Work Number;
- Court Records;
- Schools/Institutes Of Higher Education;
- Department Of Homeland Security (DHS);
- Department Of Health And Human Services (HHS);
- The Internal Revenue Service (IRS);
- The Social Security Administration (SSA);
- Representative Of The United States Armed Forces;
- Any Federal/Local Benefit Providers;
- Utility Providers;
- The World Wide Web (Internet).

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



PERIOD FOR VERIFICATION

Only verified information that is less than 120 days old may be used for verification.

Income from federal programs may be verified using an award letter for the award year until the COLA is announced.

Verified information not subject to change (such as a person's date of birth) will not be re-verified.

OWNER/AGENT CREATED VERIFICATION FORMS

The owner/agent may create verification forms for specific verification needs and must include the language required by HUD.

Applicants who refuse to sign consent forms are subject to rejection. Residents who refuse to sign consent forms are subject to termination of tenancy.

Owner/agent created verification forms must clearly state that the applicant or resident is not required to sign the form if it does not clearly indicate who will provide the requested information and who will receive the information. The owner/agent will retain a copy of the verification form and provide a copy to the applicant or resident upon request.

STREAMLINED DETERMINATION OF INCOME, STREAMLINED VERIFICATION OF ASSETS & STREAMLINED CERTIFICATION FOR FIXED INCOME FAMILIES

The owner/agent has implemented the following Streamlining processes.

- Streamlined Determination of Fixed Income.** At move-in and at least every three years, owner/agents will verify income from any fixed income source using verification methods described above. In Year 2 and in Year 3, owner/agents will apply any published/documented COLA or Fixed Percentage Increase to the previous year's fixed income amount. For January – April certifications. Once the SS COLA is announced, the SS COLA will be applied for any certifications, for the award year, that were not complete on the date of the announcement.
- Streamlined Verification of Assets When the Net Cash Value of Assets Is At Or Below The Current Asset Threshold Established By HUD (Subject To Annual Adjustment by HUD).** At move-in and at least every three years, owner/agents will verify the cash value of assets that are not specifically excluded, and will verify the income from those assets when possible. In Year 2 and in Year 3, owner/agents will conduct such verification only if the net cash value of all family assets exceeds the current Asset Threshold. If the net cash value of all family assets (except those specifically excluded), is equal to or less than the current Asset Threshold, the owner/agent will accept the families notarized or witnessed self-certification providing the net cash value of assets not specifically excluded and any known income from those assets. The owner/agent will not accept Self-certification of Assets at move-in.
- Streamlined Certification for Fixed Income Families.** When 90% or more of the total annual income is derived from a fixed income source (e.g., Social Security, Pension, Annuity), at move-in and at least every three years, owner/agents will verify the cash value of assets that are not specifically excluded, any fixed income amounts and the amount of any income that is not fixed. In Year 2 and in Year 3, the owner/agent will apply Streamlined Determination of Fixed Income and Streamlined Verification of Assets. The owner/agent will also accept self-certification of amounts that are not fixed or the owner/agent will use the amount of income that is not fixed on the most recent Tenant Income Certification in effect at the time of any certification interview.



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Streamlined Verification of Assets and Streamlined Certification will not be utilized if any member of the family has received a lease violation for failing to fully and accurately report income information.

Streamlined verifications for income or assets may not be used if tenant cannot provide sufficient information to process certification. Owner/agent has the option to fully or partially use third party verifications to ensure proper accountability of income and assets.

MISREPRESENTATION/ERRORS

Any information, provided by an applicant that proves to be untrue may be used to disqualify the applicant family because of misrepresentation or attempted fraud.

The owner/agent will not take any action until the owner/agent has independently investigated the information. The owner/agent considers false information about the following to be grounds for rejecting an applicant family:

- Identity;
- Social Security Numbers/Information;
- Income/Assets/Income from Assets;
- Household Composition;
- Disability;
- Birth Date/Age;
- Eviction History;
- Criminal History;
- Sexual Offender Status;
- Eligibility for Preferences and Priorities;
- Allowances;
- Current/Previous Residence History;
- Current Housing Assistance;
- Status as A Student;

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

ERRORS CAUSED BY A MEMBER OF THE RESIDENT FAMILY (ALL PROGRAMS)

If an owner suspects that a resident has inaccurately supplied or misrepresented information that affects the rent or a family's eligibility, the owner must investigate and document the resident file.

If the resident family meets with the owner to discuss the error, and the owner is convinced the submissions were correct, the owner will document the file accordingly and close the investigation.

If, after meeting with the resident family, the owner determines that the provision of inaccurate information was an unintentional program violation, the owner will correct the certification(s) if applicable, and correct household income/changes with WHEDA.

If the owner determines the resident knowingly provided inaccurate or incomplete information, and this can be substantiated through documentation, the owner will pursue the incident as fraud.

If any adult member of the family fails to meet with the owner/agent as requested, the owner/agent will initiate termination of tenancy (eviction) in compliance with HUD's guidance.



ERRORS CAUSED BY THE OWNER/AGENT, A SERVICE BUREAU OR OWNER/AGENT SOFTWARE (ALL PROGRAMS)

If the owner/agent determines that an error was made and the family's income was over-reported, the owner must complete corrections to the prior certification(s) affected by the income change.

- The owner/agent will request a meeting to discuss the error.
- The owner/agent will prepare corrections that must be signed by all adult members.
- Owner/Agent will correct any changes with WHEDA/HUD if applicable.

APPLICANT SCREENING CRITERIA

Screening is performed in a manner that is reasonable, consistent, and complies with fair housing laws. Screening is used to help ensure that households admitted to a property will abide by the terms of the lease, pay rent on time, take care of the property and unit, and allow all residents to peacefully enjoy their homes.

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

SCREENING FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY – BASIC CRIMINAL SCREENING IS REQUIRED

HUD has established standards that prohibit admission of:

1. Any applicant family in which any member was evicted in the last three years from federally assisted housing for drug-related criminal activity
2. A applicant family in which any member is currently engaged in illegal use of drugs or for which the owner/agent has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents. The owner/agent has implemented a policy to address the term "currently engaged". Current will be indicated and investigated if there is a record of arrest or conviction within the last two (2) years.
3. Any applicant family member if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents. The screening standards are based on behavior, not the condition of alcoholism or alcohol abuse.
4. Any applicant family that includes household member who is subject to any state lifetime sex offender registration requirement (household member may be removed). Owner/agent has established policy to provide household member a 30 day notice to vacate upon discovery of registration.

In addition to HUD requirements, the owner/agent has established a policy to reject all applicant families when any member of the applicant family has engaged in criminal activity as described in this document.

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

1. Criminal activities resulting in felony conviction involving violence, potential violence, destruction of property, human trafficking, terrorist activities, weapons charges or the illegal distribution or manufacture of an illegal or controlled substance. Applicant families that include members with this type of criminal history will be automatically denied. The owner/agent will meet with the applicant and the applicant's family and will consider extenuating circumstances if the conviction or exit from incarceration (whichever is later) occurred no less than ten (10) years before the date of Application and when no additional criminal activity is indicated.
2. Criminal activities resulting in other felony convictions if the conviction or exit from incarceration occurred no less than seven (7) years before the date of Application. The owner/agent will consider extenuating circumstances when no additional criminal activity is indicated.



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3. A record of three or more separate instances where the applicant is involved in criminal activities resulting in felony conviction no less than ten (10) years before the date of Application.
4. Criminal activities resulting in misdemeanor convictions involving violence, potential violence, destruction of property, human trafficking, terrorist activities, weapons charges or the illegal distribution or manufacture of a controlled substance within five (5) years of conviction or exit from incarceration, whichever is later. The owner/agent will meet with the applicant and the applicant's family and will consider extenuating circumstances if the conviction or exit from incarceration (whichever is later) occurred no less than three (3) years before the date of Application and when no additional criminal activity is indicated.
5. United States Code Title 8, subsection 1324(a)(1)(A) prohibits the harboring of illegal aliens. HUD does not require owner/agent to review legal immigration status unless a non-citizen is claiming eligible status.
6. Any member of the applicant family that is currently subject to registration under a state lifetime sex offender registration program. If the owner/agent determines that a registered sex offender is part of the applicant family, the owner/agent will allow the applicant family to remove the sex offender from the Application. Removal must be documented using a signed, notarized copy of the owner's form. The applicant family will have ten (10) business days to provide verification that the household member has alternative housing or that the household member has applied for alternative housing. Failure to provide such documentation will result in rejection of the applicant family. In this case, the owner/agent reserves the right to monitor household composition after move-in. If the owner/agent discovers that a sex offender has moved in to the unit, assistance will be terminated and the household will be evicted in accordance with HUD requirements. Any assistance paid-in-error must be returned to HUD.

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

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

The owner/agent will review certain criminal history, based on HUD recommendations, for all adult household members at each Annual Recertification.

Consideration of Extenuating Circumstances

In deciding whether to exercise discretion to admit an individual or applicant family that has engaged in prohibited criminal activity, the owner/agent will, upon request, consider all of the circumstances relevant to the particular admission or eviction decision, including but not limited to: the seriousness of the offending action; the effect that denial of the entire applicant family would have on family members not involved in the criminal activity; and the extent to which the applicant has taken all reasonable steps to prevent or mitigate the criminal activity.

Criminal Screening Discoveries

If the criminal background investigation results indicate that the applicant does not meet the criminal screening criteria, the owner/agent will reject the applicant in accordance with HUD guidance and the owner/agent's standards for applicant rejection.

Before rejecting the applicant family, the owner/agent will compare the information provided by the applicant with the criminal history report. If the information conflicts, the owner/agent will:

- Notify the applicant family of the proposed action based on the information;
- Provide the content of the criminal record and information about how to obtain a copy of the information;
- Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency;
- Allow the applicant family the opportunity to remove the household member.

In this situation, applicants will have ten (10) business days to contact the owner/agent and provide evidence to refute the criminal discovery. If the applicant fails to contact the owner/agent or indicates that he/she cannot provide documentation to refute the criminal discovery, the owner/agent will reject the Application and remove the applicant family from the waiting list.



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

SCREENING CREDIT HISTORY

The owner/agent reviews each adult applicant's credit history. Owner/Agent has set credit rating standards which will weigh in the decision to approve/decline an applicant. Owner/Agent has discretion to accept a certain level of risk based on applicant circumstances which may require a double security deposit or guarantor.

The owner/agent does not consider medical bills/expenses when reviewing credit history.

The owner/agent does not consider student loans and/or expenses when reviewing credit history.

Bankruptcy: The owner/agent will reject any applicant family that includes a member with a discharged bankruptcy (Chapter 7 or Chapter 13) within the last three (3) years. The owner/agent will consider the applicant if the bankruptcy was dismissed and other credit information is "positive".

Foreclosure: The owner/agent will reject any applicant family that includes a member named in a foreclosure, including foreclosure of reverse mortgages, within the last three (3) years.

Collections: The owner/agent will reject any applicant family that includes a member currently paying or being pursued to pay any collectible amount in excess of \$500 when such collections began within the preceding three (3) years. The owner/agent will use a screening company to assist with credit screening. Records to be reviewed include, but are not limited to:

- Civil judgment;
- Child Support;
- Federal Tax Lien;
- State Tax Lien;
- Forcible Detainer;
- Garnishment;
- Utility Lien (Power, Water, Sewer, Gas).

Credit history will be reviewed to determine if there is any debt owed to a prior landlord or HUD. Any applicant family that includes a member owing prior landlords or HUD will be rejected unless:

- Such debt has been paid; or
- Applicant has entered in to a repayment agreement and can demonstrate that payments toward the principal amount(s) have been on time for the most recent six (6) months.

Other credit history will be reviewed to determine credit risk. Applicants with high or severe credit risk will be declined. Factors impacting credit risk include, but are not limited to:

- Any applicant has one or more outstanding judgments within the last three (3) years.
- Any applicant has record of returned for non-sufficient funds within the last twelve (12) months.
- Payment history, account balances, and charge-offs.
- Any applicant has received an overpayment of federal assistance due to misrepresentation and/or fraud within the last three (3) years.

Limited or no credit history is acceptable, provided all other screening criteria are met.



SCREENING RENTAL HISTORY

If any member of the applicant family has been evicted from any property owned or managed by Wimmer Communities for lease violations, that applicant family will be rejected.

The owner/agent will review rental history with any landlord indicated in the past three (3) years. The owner/agent will also review information provided through automated databases including eviction databases. If any member of the applicant family has been evicted from any property, for lease violations, within the last seven (7) years, the applicant family will be rejected.

If an applicant fails to identify one or more residences where he/she lived in the last three (3) years, the applicant family will be rejected and the applicant family will be removed from the waiting list.

The owner/agent will contact the prior property owner/agent (as indicated above) and make inquiries related to the applicant's rental history including, but not limited to:

- Adherence to the lease & community policies;
- Compliance with certification reporting requirements;
- Rental payment performance;
- Compliance with requirements to fully and accurately disclose income information in a timely manner;
- Requirement to return assistance paid in error due to under-reporting income or un-reported income;
- Unit maintenance/damage;
- Presence of bed bugs, head lice, roaches or other parasitic infestation;
- Record of disturbing neighbors;
- Complaints.

If information obtained is negative the applicant family will be rejected. Negative responses include, but are not limited to:

- Failure to comply with the lease;
- Failure to comply with House Rules, Pet & Assistance Animal Rules;
- Failure to fully and accurately report income, new employment or changes in household composition in a timely manner;
- Providing false information;
- Attempting to receive or receiving HUD assistance in multiple units/homes;
- Slow or no response to requests to recertify;
- Poor rental payment history (average more than two (2) late payments per year, record of bounced checks, any outstanding balance);
- Record of poor unit maintenance, housekeeping, or damage to the unit beyond normal wear-and-tear;
- Presence of parasitic infestation unless all members of the applicant family agree to have all unit contents treated before move-in (*applicant/tenant will arrange for and pay for treatment*);
- Complaints from neighbors regarding actions that directly affect the peace and quiet comfort of others living in the community;
- Record of actions that interfered with or prevented the previous landlord from effectively managing the property;
- A current outstanding balance owed by any household member to a prior landlord;
- A current outstanding balance owed by any household member to HUD to return assistance paid in error;
- Refusal to execute or pay repayment agreements to return improper payments to HUD.

If the prior landlord will not or cannot provide information about an applicant's landlord history, the owner/agent will consider such history positive unless there is other evidence supporting a negative rental performance.

Limited or no landlord history is acceptable, provided all other screening criteria are met.



REJECTING INELIGIBLE OR UNQUALIFIED APPLICANTS

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

- No unit of the appropriate size exists on the property;
- The applicant family fails to meet the HUD indicated eligibility requirements for the assistance program/property;
- Any non-exempt member of the applicant family fails to provide a Social Security Number or adequate documentation to verify the Social Security Number (SSN);
- Any member of the applicant family fails to meet the applicant screening requirements;
- Any member of the applicant family fails to sign appropriate verification documents;
- Misrepresentation;
- Fraud;
- Any member of the applicant family fails to respond to management inquiries for additional information during the Application process;
- The owner/agent is unable to contact the applicant family via US Mail (letters undeliverable or returned) and/or by phone (number disconnected or changed);
- Any member of the applicant family has a record of eviction, for lease violations, from any property managed by [Wimmer Communities](#);
- Any member of the applicant family has a record of eviction, for lease violations, from any property within the last seven (7) years;
- Any member of the applicant family has a record of outstanding or overdue payments to a previous landlord;
- Any member of the applicant family has a record of outstanding or overdue payments to HUD;
- Any member of the applicant family has a record of outstanding or overdue payments to utility providers;
- Any member of the applicant family refused to allow treatment of unit contents, at the cost of the owner/agent, when there is history of the presence of bed bugs, fleas, or other parasites;
- The applicant family is unable to establish utilities in the new unit;
- The applicant family is unable to pay the Security Deposit required;
- The applicant family is unable to take possession of the unit within 30-60 days;
- The applicant family is unable to pay the first month's rent (prorated if appropriate);
- The applicant family refuses two or more unit offers.

REJECTION NOTICES

The owner/agent will promptly notify the applicant family (Head-of-Household (HOH)) of the denial of admission. A rejection will be sent to the Head-of-Household (HOH) via First Class Mail to the address on file and/or email. The rejection letter will include the reason(s) for the rejection. It is up to the HOH to communicate with other adult family members. Any adult applicant may request an electronic or paper copy of the rejection letter.

APPEALING THE DECISION TO REJECT

Any applicant may make a request to appeal the rejection within **fourteen (14) calendar days from the date of the rejection**. The appeal may be made in writing or via email. If the applicant appeals the rejection via email, the email must not contain any personally identifiable information such as a date of birth, Social Security Number, etc.

The owner/agent will accept the request in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability. Such requests are to be submitted to the property management office.

If there is no appeal request **within fourteen (14) days**, the rejection will be considered final. Reasons to appeal include:

- Applicant believes the decision has been made in error;
- Applicant believes there are extenuating circumstances that should be considered;
- Any member of the applicant family is a survivor of abuse covered by the Violence Against Women Act and the applicant feels that status as a survivor of a VAWA crime contributes to the decision to deny;



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- Any member of the applicant family is a person with a disability, and you believe a reasonable accommodation would allow us to continue processing the Application;
- The applicant family was rejected because a member is someone who did not “pass” criminal screening or is a registered sex offender and the applicant family wishes to remove that household member.

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

- Assist in facilitating your request for appeal.
- To assist in your participation during the appeal meeting.

The owner/agent will provide notification of a final decision within five (5) business days of the meeting.

OFFERING AN APARTMENT

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

- Over the phone;
- By email;
- In writing;

If the owner/agent is unable to contact the household (Head-of-Household (HOH) within five (5) business days from the date of the letter, the offer will be cancelled and the apartment will be offered to the next applicant family based on the selection criteria described in this plan.

Failure to respond to the owner/agent will be considered a refusal of the unit offer. (See Right to Refusal policies.)

OFFERING UNITS TO APPLICANT FAMILIES OR RESIDENTS WITH PREFERENCES

Applicants/residents with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference.

RIGHT TO REFUSAL

The Right to Refusal Policy applies to applicant families and existing residents who have submitted a Unit Transfer Request. Residents requesting unit transfer and applicants will be offered available units based on the information included in this Tenant Selection Plan.

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

Residents/applicant families must notify the owner/agent of their intent to refuse the unit offer by using one or more of the following methods:

- In writing (delivered by fax, mail or other means);
- By email;
- Over the phone;

Note: If the refusal is made over the phone, contact must be made with a member of the management staff. Leaving a message is not adequate.

The first time an applicant family or resident refuses a unit, the unit will be offered to the next qualified household based on the selection order described above. The applicant family or resident will retain the same place on the waiting list. The second time an applicant family or resident refuses an offered unit, the household will be



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removed from the waiting list or has the option to be put on the bottom of the waiting list if the prospective tenant indicates the desire to do so.

Right to refusal policies will be modified in three cases:

1. Any applicant family may reject an available unit on a property set aside for the elderly and/or disabled if this unit is close to another unit with an animal. This action will not negatively affect the household's Application for occupancy or position on the waiting list to be eligible for the next available unit. The owner/agent is not obligated at the time the applicant family rejects a unit to provide an alternate unit.
2. An applicant or resident qualifies for a VAWA Emergency Transfer and the person who is a survivor of a VAWA crime or the person who is affiliated with the person who is a survivor of a VAWA crime does not consider the unit "safe".
3. If an applicant family or resident is offered a unit that does not match the request due to location near designated smoking sections, the applicant family or resident may refuse that unit with no penalty.

TIMEFRAME FOR TAKING POSSESSION OF A UNIT

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

If the applicant family does not complete appropriate paperwork and does not take possession of the unit within thirty (30) days from accepting the offer, the applicant family will be subsequently rejected and removed from the waiting list. (Extenuating circumstances related to verified medical situations will be considered.)

The owner/agent reserves the right to refuse subsequent Applications. The unit will be offered to the next eligible applicant family/resident.

UNIT TRANSFER POLICIES

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

1. There is a verified need for a reasonable accommodation or a verified medical need for a different unit;
2. 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;
3. The resident has requested and qualifies for a VAWA Emergency Transfer;

Existing residents must complete a Unit Transfer Request. The Unit Transfer Request must be completed and signed by the head of household and all adult household members who wish to move. The owner/agent will accept the Unit Transfer Request in an equally effective format, as a reasonable accommodation, if there is the presence of a disability. Special consideration is given when the unit transfer is requested because:

- There is a verified need for a reasonable accommodation or a verified medical need for a different unit;
- The resident has requested and qualifies for a VAWA Emergency Transfer;
- There is a change in household size that makes the current unit too large or too small for the family based on the owner/agent's occupancy standards.

Except under specific circumstances, unit transfers will be granted only if:

- The household has not given notice to move;
- The resident is not being evicted;
- The resident is current for all outstanding charges;
- The resident has no record of more than one minor lease violation in the last 12 months;
- The resident has no record of any major lease violations;
- The resident complies with lease provisions regarding decent safe and sanitary conditions of the current unit.

A unit transfer request for a household whose size/composition has not changed since move-in (or most recent transfer transfer) will not be considered for at least one year.



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An appropriately sized unit will be available before the resident household is required to move. At that time, the household will have thirty (30) days to complete the transfer. A unit transfer fee of \$300 is applicable and must be paid in full by unit transfer effective date. If needed, unit transfer fee may be paid in pre-approved installments.

SECURITY DEPOSITS, PET DEPOSITS & UNIT TRANSFERS

When a resident transfers to a new unit with all other household members, the owner/agent will transfer the existing Security Deposit and Pet Deposit to the new unit. The resident must pay for any damage charges within thirty (30) days for the original unit.

SECURITY DEPOSITS, PET DEPOSITS & HOUSEHOLD SPLITS

If the household “splits” and one or more residents remain in the original unit, the original Security Deposit will remain with the original unit and a new Security Deposit will be collected for the new unit.

If a pet remains in the original unit, the Pet Deposit will remain with the original unit.

If all pets are being moved to the new unit, the Pet Deposit will transfer to the new unit. The pet owner/resident will receive a bill for fees or damages caused by the pet. This bill must be paid within 30 days.

Please note: Special consideration applies to people who are survivors of VAWA crimes or people who are affiliated with survivors of VAWA crimes – specifically when the accused perpetrator lives in the unit. Please review the VAWA policy – Lease Bifurcation - in Appendix D or contact property staff for additional information.

CHANGES IN HOUSEHOLD COMPOSITION

ADDING HOUSEHOLD MEMBERS AFTER INITIAL OCCUPANCY

The owner/agent must approve any new adult household member **before** he/she moves in to the unit. Eligibility criteria, screening criteria and compliance with occupancy standards will be reviewed before the new household member is approved or denied.

The request to add a new household member will not be considered if the resident has provided notice to vacate the unit. This helps prevent applicants from “jumping” ahead on the waiting list.

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

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

However, live in aides must meet other screening criteria established by the owner/agent. Income and/or allowances received by live-in aides will not be considered.

Information about new household members who are minors must be provided to the owner/agent as quickly as possible but within no more than thirty (30) calendar days. This includes, as applicable, required eligibility information including Social Security Numbers, proof of citizenship or non-citizen eligibility and other pertinent information.



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Failure to notify the owner/agent about changes in household composition as described above, within thirty (30) calendar days, may result in termination of tenancy for the entire household. Please contact the owner/agent or property staff if you have questions about this policy.

REMOVING HOUSEHOLD MEMBERS AFTER INITIAL OCCUPANCY

Residents must notify the owner/agent if any household member listed on the lease leaves the unit. This notification must occur as quickly as possible but within no more than thirty (30) calendar days.

Failure to notify the owner/agent about changes in household composition may result in termination of tenancy for the entire household. Please contact the owner/agent if you have questions about this policy.

APARTMENT INSPECTIONS

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

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

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

In addition, the owner/agent will perform **unit inspections on at least an annual basis** to determine whether the appliances and equipment in the unit are functioning properly and to assess whether a component needs to be repaired or replaced. This is also an opportunity to determine any damage to the unit and, if so, make the necessary repairs. At this time, residents may be charged for damages to the unit so long as those damages are not the result of normal wear-and-tear.

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

CHANGES TO THE TENANT SELECTION PLAN

Applicant families will be notified in writing when the Tenant Selection Plan undergoes significant change or when preferences are added or removed. At that time, applicant families will be:

1. Given an opportunity to review the new plan;
2. Notified of changes to preferences;
3. Asked if they wish to remain on the waiting list.

If the applicant family does not respond, that household will be deemed ineligible and removed from the waiting list. The current Tenant Selection Plan, in place at the time of final eligibility determination, will be used to make a final decision to approve or reject the Application.



APPENDIX A – REQUEST FOR REASONABLE ACCOMMODATION OR MODIFICATION

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

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

The owner/agent informs all applicants/residents that, at any time, the applicant/resident or a person acting on behalf of the applicant/resident may make a request for reasonable accommodation or modification for an individual with a disability.

At the time of Application, all applicants may review the Reasonable Accommodation Modification (RAM) Policy. The RAM Policy is also provided in an electronic or paper format upon the applicant's request.

All applicants/residents may request a Reasonable Accommodation/Modification (RAM) Request Form when requesting a reasonable accommodation or modification. The request will be accepted in an equally effective format, as a reasonable accommodation, if there is the presence of a disability. A resident or applicant may submit the request in writing, electronically or orally, or use another equally effective means of communication to request an accommodation or modification.

Residents and applicants may contact the management office located within their property for information about requests.

The owner/agent will provide an initial reply to requests as quickly as possible, but no more than ten (10) business days from the receipt of the request unless the owner/agent explains the delay. Response may include but is not limited to:

1. Request Approval
2. Request Denial
3. Request for Additional Information or Verification of Need

The owner/agent will consent to or deny the request as quickly as possible. Unless the owner/agent explains the delay, the applicant/resident will be notified of the decision to consent or deny within no more than thirty (30) calendar days after receiving all necessary information and documentation from the resident and/or appropriate verification sources. All decisions to grant or deny reasonable accommodations will be communicated in writing or, if required/requested, in an alternative format.

Exceptions to the thirty (30) day period for notification of the owner/agent's decision on the request will be provided to the resident setting forth the reasons for the delay.

If the request for reasonable accommodation or modification is denied, the requestor has the right to appeal the decision within ten (10) business days of the date of the notification of denial. The appeal meeting will be conducted by a person who was not originally involved in the decision to deny.



APPENDIX C – VERIFICATION OF HOUSEHOLD COMPOSITION

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

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

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

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

If it is discovered that the household allowed any registered sex offender to live in the unit, residents must understand that the family is not qualified to live on the property.

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

Resident: A resident is any person who is listed on the Application and on the lease, who will reside in the unit.

Guest: A guest is a person who visits any resident and may stay overnight no more than fourteen (14) consecutive nights in a one-year period or may stay overnight no more than ninety (90) non-consecutive nights in any one-year period without express consent of the owner/agent.

If the owner/agent suspects that a guest should actually be classified as a resident, the owner/agent will request a meeting with the Head-of-Household (HOH).

The resident will have ten (10) days to meet with the owner/agent. Failure to respond to the request to meet may result in termination of tenancy, be subject to non-renewal of lease per owners discretion.

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

- Verification with the United States Postal Service that no mail, for the guest, is delivered to the unit address;
- *A current driver’s license for the “guest” with an alternative address;
- *A current lease indicating an alternative residence;
- *A current utility bill in the person’s name showing an alternative address;
- *A current insurance policy or other such invoice/bill showing an alternative address.

**Current means issued/created within the last thirty (30) days.*

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

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



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

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

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

The live-in aide must be approved and must accept the House Rules and sign the HUD-approved Live-in Aide Addendum before move-in. The tenant must sign a revised lease before the live-in aide is allowed to move-in.

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

Children/Minors: At move-in, all non-exempt household members, including children, must have a Social Security Number and adequate documentation to verify the Social Security Number.

When children are later added to the household, the following will be required.

For children who are born, adopted or in foster care or in another legal custodial relationship with an existing household member, the owner/agent requires the following:

- Social Security Number and proof that the number is valid;
 - For children under the age of 6 years old - must be provided within ninety (90) days or owner/agent is required to terminate tenancy.
 - An additional ninety (90) may be provided if extenuating circumstances exist.
- Proof of age/legal custodial arrangement;
 - Birth certificate indicating that a household member is a parent; or
 - Adoption paperwork indicating that a household member is a parent as appropriate; or
 - Verification from the foster agency indicating the unit as the primary residence of the foster child as appropriate; or
 - Other documents proving legal custody arrangement as appropriate.

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

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



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

APPENDIX D – FAIR HOUSING & OTHER CIVIL RIGHTS PROTECTIONS

FAIR HOUSING

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

In addition, the state of Wisconsin has added Fair Housing protections based on Wis. Stat. 106.50(1) including, marital status, ancestry, source of income, sexual orientation, age, status as a victim of domestic abuse, sexual assault or stalking.

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

The owner/agent complies with Title VI of the Civil Rights Act of 1964 which prohibits discrimination based on race, color, or national origin in any program or activity receiving federal financial assistance from HUD.

SECTION 504 OF THE REHABILITATION ACT OF 1973

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

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

Coordinating Efforts to Comply with Section 504 Requirements

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

Name of Section 504 Coordinator:	Dave Wimmer
Address:	5300 S. 108 th Street Suite #1 Hales Corners, WI 53130
Phone Number:	414-529-3900

Requests for Reasonable Accommodation or Modification

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



LIMITED ENGLISH PROFICIENCY

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)" requires the owner/agent to develop and implement a system to provide housing assistance so persons with Limited English Proficiency (LEP) can have meaningful access to assisted housing opportunities.

The owner/agent will provide for such meaningful access consistent with, and without unduly burdening the fundamental mission of the property. The owner/agent will work to ensure that people who apply for and/or qualify for housing assistance are provided meaningful access to HUD's housing assistance program.

THE EQUAL ACCESS RULE

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

THE SEXUAL HARASSMENT IN FAIR HOUSING INITIATIVE

Sexual harassment in housing includes demands for sex or sexual acts in order to buy, rent or continue renting a home. It also includes other unwelcome sexual conduct that makes it hard to keep living in or feel comfortable in your home. Applicants and residents are encouraged to contact the property management staff or the owner/agent if they feel that they have been subjected to sexual harassment by any landlord, property manager, maintenance staff or other people who have control over housing.

PROTECTIONS PROVIDED UNDER THE VAWA

Please see the Property VAWA Policy for a more detailed explanation of the process used to assist you in exercising protections provided under VAWA.

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

This policy is intended to support or assist survivors of VAWA crimes and protect survivors, as well as affiliated persons, from being denied housing or from losing their HUD assisted housing as a consequence of their status as a survivors of VAWA crimes.

VAWA protections are provided to affiliated persons which are defined as follows:

1. A spouse, parent, brother, sister, or child of the survivor, or a person to whom the survivor stands in the place of a parent or guardian (for example, the affiliated individual is a person in the care, custody, or control of the survivor); or
2. Any individual, resident/applicant, or lawful occupant living in the household of that individual.

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

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

Unless such requirements interfere with protections provided under the VAWA, being a survivor of a VAWA crime is not reason to change the screening requirements set forth in the Tenant Selection Plan.



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For example: An owner/agent may waive the requirement to review landlord history for an applicant if the survivor has provided necessary documentation to certify their status as a survivor of a VAWA crime and if contacting a previous landlord would put the applicant's location at risk of exposure to the accused perpetrator/imminent danger.

Eligibility requirements for housing programs cannot be modified. Being a survivor of a VAWA crime does not automatically make a person eligible for housing assistance.

Being a survivor of a VAWA crime is not reason to waive requirements set forth in the HUD Model Lease or in any lease attachment or HUD approved lease addendum unless being a survivor of a VAWA crime was the cause of the lease violation.

For example: An owner/agent may waive the requirement for a 30-day notice to vacate if the survivor has provided necessary documentation to certify their status as a survivor of a VAWA crime and the resident wishes to move to elude the accused perpetrator.

When applicable, the resident will be required to work with the owner/agent to reduce the likelihood of future lease violations.

The owner/agent will not assume that any act is a result of abuse covered under the Violence Against Women Act. In order to receive the protections outlined in the VAWA, the applicant/resident must specify that he/she wishes to exercise these protections. If any applicant or resident wishes to exercise the protections provided in the VAWA, he/she should contact the owner/agent or the property staff immediately.

Confidentiality

The owner/agent is committed to ensuring that the Privacy Act is enforced in this and all other situations.

HUD Form 5380 **Notice of Occupancy Rights under the Violence Against Women Act** provides notice to the resident/applicant of the confidentiality of information about a person seeking to exercise VAWA protections and the limits thereof. The identity of the survivor and all information provided to the owner/agent relating to the incident(s) of abuse covered under the VAWA will be retained in confidence.

Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is

1. Requested or consented to by the survivor in writing for a limited period of time; or
2. Required for use in an eviction proceeding or termination of assistance; or
3. Otherwise required by applicable law.

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

Requests & Certification

The person seeking VAWA protections may make a request for a VAWA accommodation in any reasonable manner. The resident/applicant may:

- Complete a VAWA Request Form provided by the owner/agent;
- Submitted a request (*including email but not texting*);
- Make a personal (oral) request either in person or via phone/Facetime, etc.

Once a request is made, the owner/agent requires that the applicant certifies their status as a survivor of a VAWA crime or as a person affiliated with a survivor of a VAWA crime using one of the following methods. Applicants



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and residents decide which of the following methods is used to certify their status as a survivor of a VAWA crime or as someone affiliated with a survivor of a VAWA crime.

Option 1: the owner/agent responds to a request to exercise protections provided under the VAWA, the owner/agent will request that an individual provide HUD Form 5382 *Certification as a Victim of Domestic Violence, Dating Violence, Stalking or Sexual Assault* to certify status as a VAWA survivor or as a person affiliated with a VAWA survivor. The person seeking VAWA protections may obtain this form from the property staff or from HUD's web site.

The owner/agent understands that the delivery of the certification form to the applicant/resident via mail may place the survivor at risk, (e.g., the accused perpetrator may monitor the mail). The owner/agent will work with the applicant/resident in making acceptable delivery arrangements.

Option 2: Alternatively, if the applicant/resident has sought assistance in addressing domestic violence, dating violence, sexual assault and/or stalking from a federal, state, tribal, territorial jurisdiction, local police or court, the resident may submit proof of this outreach in lieu of the certification form.

The owner/agent will accept a federal, state, tribal, territorial, or local police record or court record other official record documenting status as a survivor of a VAWA crime or a person affiliated with a survivor of a VAWA crime as defined in this policy.

Option 3: The owner/agent will also accept a document signed and attested to by a professional (*employee, agent or volunteer of a survivor service provider, an attorney, medical personnel, etc.*) from whom the person seeking VAWA protections has sought assistance in addressing domestic violence, dating violence, sexual assault and/or stalking or the effects of the abuse. This document must be signed by the applicant/resident.

The signatory attests under penalty of perjury that he/she believes it is the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under the VAWA, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking.

Based on HUD's instruction above, the statement must be signed, dated, and notarized or witnessed, and must include the following language:

Name of person seeking protections has worked with me to receive assistance in addressing domestic violence, dating violence, sexual assault and/or stalking or the effects of the abuse.

Name of professional providing documentation believe it is the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under the VAWA, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking

Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government, HUD, the PHA and any owner (or any employee of HUD, the PHA or the owner) may be subject to penalties for unauthorized disclosures or improper uses of information collected based on the consent form. Use of the information collected based on this verification form is restricted to the purposes cited above. Any person who knowingly or willfully requests, obtains or discloses any information under false pretenses concerning an applicant or participant may be subject to a misdemeanor and fined not more than \$5,000. Any applicant or participant affected by negligent disclosure of information may bring civil action for damages, and seek other relief, as may be appropriate, against the officer or employee of HUD, the PHA or the owner responsible for the unauthorized disclosure or improper use. Penalty provisions for misusing the social security number are contained in the



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Social Security Act at 208 (a) (6), (7) and (8). Violation of these provisions are cited as violations of 42 U.S.C. 408 (a) (6), (7) and (8).

The information provided above is true and is based on my knowledge of incidents involving domestic violence, dating violence, sexual assault or stalking.

Signed and dated by person providing certification: _____

I acknowledge that submission of false information is a basis for denial of admission, termination of assistance, or eviction. In addition, providing false information may prompt the owner/agent to notify HUD and pursue civil action related to fraud based on HUD requirements. I am requesting to exercise protections provided through the VAWA because I am a survivor of domestic violence, dating violence, stalking and/or sexual assault (VAWA crimes) or I am a person affiliated with someone who is a survivor of a VAWA crime as defined in this document.

Signed and dated by person seeking VAWA protections: _____

The owner/agent can provide you with a form that can be used to fulfill this requirement.

Option 4: If the applicant/resident is currently living in a licensed shelter established to protect survivors of violence covered under the VAWA, the owner/agent will accept third-party verification (*from the shelter*) of such living arrangement in lieu of certification methods described above.

Option 5: If a person participates in the VAWA Interview and assists the manager in completing the VAWA Interview Questionnaire, additional certification is not required.

Option 6: If the person seeking VAWA protections cannot provide any of the documents described above, the person should contact the property management staff or the owner/agent to discuss acceptable alternatives. If the documents above cannot be provided, the owner/agent will be the final decision maker regarding acceptable alternatives.

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

The person seeking VAWA protections will have thirty (30) calendar days from the date of the request to provide certification in writing, using any of the options above.

This certification may be submitted in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability.

If the owner/agent receives documentation that contains conflicting information (*including certification forms from two or more members of a household each claiming to be a survivor and naming one or more of the other petitioning household members as the perpetrator*), the owner/agent will require an applicant or tenant to submit third-party documentation, as described above in Option 2 or Option 3, within thirty (30) calendar days of the date of the request for the third-party documentation.

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



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The owner/agent will review and respond to requests to exercise protections provided under the VAWA as quickly as possible but within no more than ten (10) business days of receiving all required documentation.

The owner/agent may provide the response in any manner acceptable to the survivor and the owner/agent.

Responses include:

- Approval of the Request for a specific VAWA accommodation
- Denial of the Request for a specific VAWA accommodation
- Request for additional information or Request to Meet

If the request is denied, the person seeking VAWA protections will have the right to appeal. Requests to appeal must be received within ten (10) business days of the date of the denial. When requested, the appeal will be held with someone who was not involved in the original decision to deny. The owner/agent will grant a reasonable accommodation when there is the presence of a disability.

Lease Bifurcation

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

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

The resident must keep in mind that eviction of or termination action must be in accordance with the procedures prescribed by federal, state, and local law. The owner/agent is committed to attempting to assist the survivor and persons affiliated with the survivor, however, evictions are generally carried out through the court system and the owner/agent cannot override or circumvent a legal decision.

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

Legal Action

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

The VAWA does not limit the authority of an owner/agent, when notified of a court order, to comply with a court order with respect to:

- The rights of access or control of property, including civil protection orders issued to protect a survivor of domestic violence, dating violence, sexual assault, or stalking; or
- The distribution or possession of property among members of a household.

NONRETALIATION

The owner/agent will not discriminate against any person because that person has opposed any act or practice made unlawful by the Violence Against Women Act or because that person testified, assisted, or participated in any matter related to the Violence Against Women Act or a VAWA crime.



NONCOERCION

The owner/agent shall not coerce, intimidate, threaten, or interfere with, or retaliate against, any person in the exercise or enjoyment of, on account of the person having exercised or enjoyed, or on account of the person having aided or encouraged any other person in the exercise or enjoyment of, any rights or protections under the Violence Against Women Act including:

1. Intimidating or threatening any person because that person is assisting or encouraging a person entitled to claim the rights or protections under the Violence Against Women Act.
2. Retaliating against any person because that person has participated in any investigation or action to enforce the Violence Against Women Act.
- 3.

PROTECTION TO REPORT CRIMES FROM HOME

Owner/agents, residents, occupants, service providers, guests and applicants:

1. Shall have the right to seek law enforcement or emergency assistance on their own behalf or on behalf of another person in need of assistance; and
2. Shall not be penalized based on their requests for assistance or based on criminal activity of which they are a victim or otherwise not at fault under statutes, ordinances, regulations, or policies adopted or enforced by covered governmental entities. Prohibited penalties include:
 - a. Actual or threatened assessment of monetary or criminal penalties, fines, or fees.
 - b. Actual or threatened eviction.
 - c. Actual or threatened refusal to rent or renew tenancy.
 - d. Actual or threatened refusal to issue occupancy permit or landlord permit.
 - e. Actual or threatened closure of the property, or designation of the property as a nuisance or a similarly negative designation.

Termination of Tenancy

The VAWA does not limit an owner/agent's authority to deny, evict or terminate a resident/applicant for any violation that is not the result of an act of domestic violence, dating violence, sexual assault, or stalking.

The owner/agent will not subject the resident/applicant, who is a survivor of domestic violence, dating violence, sexual assault, or stalking, or is affiliated with an individual who is a survivor of domestic violence, dating violence, sexual assault or stalking, to a more demanding standard than other resident/applicants in determining whether to evict or terminate tenancy.

The VAWA does not limit an owner/agent's authority to deny, or evict a resident/applicant under a covered housing program when the owner/agent can demonstrate an actual and imminent threat (*to other resident/applicants or those employed at or providing service to property of the covered housing provider*) would be present if that resident/applicant or lawful occupant is not evicted/terminated. In this context, words, gestures, actions, or other indicators will be considered an "actual and imminent threat" if they meet the standards provided in the definition of "actual and imminent threat".

*Note: **Actual and imminent threat** refers to a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: The duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.*

Determinations about the presence of imminent danger will not be based on stereotypes but will be tailored to particularized concerns about individual residents.



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

Any eviction or termination of tenancy, will be initiated only when there are no other actions that could be taken to reduce or eliminate the threat. Examples of such action include, but are not limited to:

- Transferring the survivor to a different unit when doing so would reduce or eliminate the threat – *Also see Addendum A for information about VAWA Emergency Transfers;*
- Barring the perpetrator from the property;
- Contacting law enforcement to increase police presence;
- Develop other plans to keep the property safe; or
- Seeking other legal remedies to prevent the perpetrator from acting on a threat.

Lease Addendum

The HUD approves lease addendum will be implemented and provided in accordance with HUD guidance.

VAWA EMERGENCY TRANSFERS

Wimmer Communities is concerned about the safety of residents and applicants, and such concern extends to residents and applicants who are survivors of domestic violence, dating violence, sexual assault, or stalking – collectively referred to as VAWA crimes.

The owner/agent has developed a VAWA Emergency Transfer (VET) Plan that allows survivors of VAWA crimes or people associated with survivors of VAWA crimes to request a VET. Please refer to the property's VAWA Policy and VET Policy for more detailed information.

Definitions

Please be aware of the following definitions:

Internal VAWA Emergency Transfer refers to an emergency relocation of a resident to another unit where the resident would not be categorized as a new applicant (usually referred to as a unit transfer); that is, the resident may reside in the new unit without having to undergo an application process. If a unit is available, the resident must be eligible for the unit based on the requirements set forth by the governing agency. The resident should discuss unit transfer eligibility requirements with the owner/agent and/or property staff to fully understand the requirements.

When a resident qualifies for an internal VAWA Emergency Transfer, and when no unit is immediately available (vacant and ready for occupancy), the owner/agent will add the resident to the property's waiting list with a preference. The resident may remain on the property waiting list even if the resident decides to pursue an External VAWA Emergency Transfer

External VAWA Emergency Transfer refers to an emergency relocation of a resident to another unit where the resident would be categorized as a new applicant; that is the resident must undergo apply and be eligible in order to reside in the new unit. The applicant may be required to meet the eligibility requirements and/or screening requirement set forth by the agencies that govern the housing program and by the property's owner/agent.

Safe unit refers to a unit that the survivor of domestic violence, dating violence, sexual assault, or stalking believes is safe.



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VAWA Emergency Transfer (VET)

In accordance with the Violence Against Women Act (VAWA), [Wimmer Communities](#) allows residents who are survivors of VAWA crimes or people who are affiliated with survivors of VAWA crimes to request a VAWA Emergency Transfer from the resident's current unit to another unit that is part of this property (internal transfer).

Residents' who request and qualify for a VAWA Emergency Transfer will receive equal preference to any other resident who requests and qualifies for any other emergency unit transfer. Selection will be based on date and time the completed request and all required documents are received.

Residents may request a VAWA Emergency Transfer from the resident's current unit to another unit that is part of another property (external transfer). Residents may also request assistance if they wish to request a VAWA Emergency Transfer to a unit that is part of this property (external transfer).

Regardless of whether the resident/applicant is applying for an internal VAWA Emergency Transfer or an external VAWA Emergency Transfer, residents/applicants requesting a VET must qualify for the new unit based on the requirements set forth by the governing agency.

When requesting an external VAWA Emergency Transfer, the resident/applicant should understand that they may also be subject to other screening requirements set forth by the owner/agent responsible for the other property.

The resident or applicant is responsible for paying for any expenses associated with the move.

The U.S. Department of Justice (DOJ) administers programs that provide funding for survivors covered by VAWA, and the Victims Crime Fund could be used to pay for relocation expenses of these survivors, or to provide other sources of support, which could free up funding to pay for moving costs. Information about the Crime Victims Fund is available at: <https://www.ovc.gov/about/victimsfund.html>. Information about Office of Violence Against Women grants is available at www.justice.gov/ovw/grant-programs.

Eligibility for VAWA Emergency Transfers

A resident/applicant is eligible for a VAWA Emergency Transfer (VET) when:

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

If the resident is a survivor of sexual assault, the resident may be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar day period preceding a request for a VAWA Emergency Transfer.

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

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

Safety and Security of Applicants and Residents

Victims of VAWA crimes and/or any person affiliated with a survivor of a VAWA crime are urged to take all reasonable precautions to be safe.

FOR OFFICE USE ONLY			
5/20/2024	HOTMA Updates		
7/16/2024	RBD Updates		
2/26/2025	RBD Updates		
4/25/25	RBD Updates		

