

Resident Selection Criteria

This Resident Selection Criteria has been prepared for:

Episcopal Place Apartments
1112 26th Street South
Birmingham, AL 35205
205-939-0085

This community is specifically designated for the following assistance program:

202/ Section 8 Project Based Assistance

The population served by this community is:

Head of Household must be sixty two (62) years of age or older or in need of a mobility or hearing accessible apartment. Applicants applying for accessible units must provide documentation that the household member is mobility or hearing impaired and would benefit from the features of this unit.

In order to qualify for occupancy, the household's income must be less than or equal to:

Low, Very Low, and Extremely Low Income Limits

See Waiting List Selection Preferences in the attached criteria for specific guidelines regarding admitting applications based on income targeting.

Applications are accepted for this community as follows:

Monday – Friday 8:00 a.m. – 5:00 p.m. at the community rental office located at:
1112 26th Street South, Birmingham, Alabama 35205

In the event that the applicant has a disability or has difficulty completing an application, the applicant should advise the community rental office of the applicant's needs by calling (205) 939-0085. Appropriate assistance will be provided by the community rental office in a confidential manner and setting.

This community has 100 units. The unit type breakdown is as follows:

95 one bedroom apartments and 5 two bedroom units

Occupancy Standards:

Unit Size	Minimum Occupancy	Maximum Occupancy
1 Bedroom	1 Person	2 People
2 Bedroom	2 People	4 People

As a general policy, there should be a minimum of one person per bedroom and no more than two persons per bedroom. Management shall take into consideration mitigating circumstances such as reasonable accommodations for disabilities or compliance with the City's Building and Occupancy Code regarding floor area, minimum space and occupancy standards. This may increase or decrease the maximum number of persons to be assigned to a unit.

Revised 09/2014



Episcopal Place

RESIDENT SELECTION CRITERIA

(HUD SECTION 202 WITH SECTION 8 ASSISTANCE)

PURSUANT TO SECTION 504 OF THE REHABILITATION ACT OF 1973, THE FAIR HOUSING AMENDMENTS ACT OF 1988, AND TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, IT IS THE POLICY OF THIS COMMUNITY TO PROVIDE HOUSING ON AN EQUAL OPPORTUNITY BASIS. WE DO NOT DISCRIMINATE ON THE BASIS OF RACE, RELIGION, COLOR, SEX, FAMILIAL STATUS, NATIONAL ORIGIN OR DISABILITY OR ANY OTHER PROTECTED CLASS IN ACCORDANCE WITH FEDERAL, STATE AND LOCAL LAWS, INCLUDING SEXUAL ORIENTATION, GENDER IDENTITY OR MARITAL STATUS.

Residents will be selected in accordance with the following:

- I. An applicant may be eligible for assistance and occupancy ONLY IF:
 - A. The household's annual income does not exceed program income limits.
 - B. The appropriate size unit for the applicant's household is available within the community. See Cover Page section of this Resident Selection Criteria.
 - C. The unit for which the household is applying will be the household's only residence.
 - D. The household agrees to pay the rent required by the program under which they will be receiving assistance (if applicable).
 - E. At the time of admission, the applicant is not receiving assistance on another unit which will not be terminated at the time of admission.
 - F. The applicant provides social security numbers for all household members and proof of the numbers reported before they can be admitted. If all household members have not disclosed and/or provided verification of their Social Security Numbers at the time a unit becomes available, the next eligible applicant must be offered the available unit. The applicant who has not provided required Social Security Number information for all non-exempt household members has 90 days from the date they are first offered an available unit to disclose/verify the Social Security Numbers. During this 90-day period, the applicant may retain its place on the waiting list. After 90-days, if the applicant is unable to disclose/verify Social Security Numbers of all non-exempt household members, the applicant should be determined ineligible and removed from the waiting list. *Exemptions: 1) Residents age 62 and older as of January 31, 2010 whose initial determination of eligibility was begun prior to January 31, 2010 or 2) Those individuals who do not contend eligible immigration status (individuals in a mixed family that are not claiming to be eligible under HUD's noncitizen regulations).*

Applicant households with a child under the age of 6 added to the household within the last six months, have 90 days from the date of move-in to provide a social security number for that child. An extension of an additional 90 days may be granted. Failure to provide a social security number after the 90-day extension may result in lease termination.

When adding a new household member who is under the age of 6 to an existing household, the resident must disclose and provide verification of social security number of the individual to be added within 90 days of adding the child. An additional 90-day extension must be granted if delays are due to circumstances beyond the family's control.
 - G. The applicant and all household members must meet HUD's requirements regarding restrictions on assistance to non-citizens by providing a signed Declaration and copies of eligibility documents, as applicable. A list of acceptable documents can be provided to the applicant upon request. Households with one or more eligible members and one or more ineligible members qualify for pro-rated assistance provided that all required immigration documentation has been submitted in a timely manner.

If appropriate documentation to verify eligible non-citizen status is not submitted at time of application, per the Incomplete Application letter, applicant has 10 days to submit required documentation.

The following documentation must be provided for each family member regardless of age to determine citizenship status:

1. U.S. citizens:

- a) A signed declaration of citizenship
- b) U.S. birth certificate or U.S. passport

2. Noncitizens 62 years and older:

- a) A signed declaration of eligible noncitizen status
- b) Proof of age

3. Noncitizens under the age of 62 claiming eligible status:

- a) A signed declaration of eligible immigration status
- b) A signed consent form
- c) One of the DHS-approved documents listed on declaration form

4. Noncitizens not claiming eligible immigration status

- a) A signed statement that acknowledges ineligibility for assistance

Verification of citizenship will be verified through the Department of Homeland Security (DHS) using Multifamily Systematic Alien Verification for Entitlements (SAVE) system.

- H. The applicant is capable of fulfilling the lease agreement with or without assistance. This community is a housing provider only and no supportive living services are provided that require licensing.
- I. The head of household, co-head, spouse, and any adult household members eighteen (18) years of age or older in each applicant household must sign a Consent to the Release of Information prior to receiving assistance and annually thereafter (HUD 9887 & 9887a). All adult members must sign individual verification forms. The applicant shall provide birth certificates for all household members as requested.
- J. The applicant is not a student at an institution of higher learning; or if the applicant is a student at an institution of higher learning, the applicant meets one of the following exceptions:
 - 1. Is age 24 or older
 - 2. Is a veteran
 - 3. Is married
 - 4. Has a dependent child
 - 5. Is applying to reside with their parents in a Section 8 property *Note: Parents is defined as the biological or adoptive parents or guardians, such as grandparents, aunt/uncle, godparents, etc.*
 - 6. Is a student with a disability receiving Section 8 as of November 30, 2005

If none of the above criteria is met, both the student and the student's parents must meet the income requirements for eligibility or the student must demonstrate his/her independence from parents except a "vulnerable youth." Vulnerable youths are students that are or were orphans, in Foster Care, wards of the court at age 13 or older, emancipated or under legal guardianship, an unaccompanied youth who is homeless or at risk of homelessness and are automatically considered an independent student.

a) INDEPENDENT STUDENT STATUS

- i. Is or will be at least 24 years old December 31 of the award year for which subsidy is sought or,
- ii. Is a veteran of the US Armed Forces or on active duty for other than training or,
- iii. Have legal dependent(s) other than a spouse or,
- iv. Is a graduate or a professional student or,
- v. Is married or,
- vi. Is or was an orphan, foster child, or a ward of the court at age 13 or older
- vii. Is or was immediately prior to the age of majority, an emancipated minor or in legal guardianship as determined by a court or,
- viii. Is or was verified during the award year as either an unaccompanied youth who is homeless or at risk of homelessness and is self-supporting. This must be verified by:
 - A local educational agency's homeless liaison;
 - The director (or designee) of a program funded under the Runaway &

Homeless Youth Act;

- The director of a program funded under Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act; or
- A financial aid administrator

- ix. Is a student for whom a financial aid administrator has made a documented determination of independence by reason of other unusual circumstances.
Provide letter from financial aid administrator.

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

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

Any financial assistance an eligible student receives (1) under Higher Education Act of 1965, (2) from private sources or (3) from an institution of higher education that is in excess of amounts received for tuition is included in annual income, except if the student is living with his or her parents who are receiving Section 8 assistance.

II. Applicants will then be evaluated based on the following:

- A. All applicants must provide rental history for the past three (3) years.
- B. All applications will be reviewed by a third-party screening agency to determine applicant suitability.
- C. Upon review, applicants will be evaluated based on credit, criminal history, and landlord and resident histories. A comprehensive recommendation based on SPM's suitability standards will be provided with detailed reasons for the recommendation.

1. Present and Past Performance in Meeting Financial Obligations.

Applicants will be **accepted** if their credit is minor, moderate, limited or no credit. Applicants with high levels of credit problem will be **accepted with conditions**. They will be required to produce an eligible co-signer/guarantor within ten (10) days of notification of such, or the applicant will be denied. Co-signers/Guarantors must complete a Guarantor Application and will be reviewed by the same third-party screening agency. Co-Signers/Guarantors are required to have a moderate credit risk or lower. Applicants will be permitted only two attempts to provide a qualified co-signer.

Applicants with severe levels of credit problems, judgments or collection records from prior residencies, eviction records, or criminal histories that have been outlined in this resident selection criteria will be **rejected**.

(Please note that the community may determine that an applicant is unsuitable based on other factors such as verifications of house-keeping habits or former landlord rental references not evaluated by our third-party screening service. Details on these requirements are further defined in this document.)

The lack of credit history will not automatically disqualify an applicant.

2. Present and Past Housing References. Any one (1) of the following by any household member will be cause for applicant rejection:

- a) Any one history that the applicant has moved owing a balance.
- b) Any one "eviction" from a previous residence, including but not limited to, eviction from federally assisted housing for drug related criminal activity.
- c) Any four late payments of rent within a twelve month period from a current or previous residence.
- d) Any one report that the applicant, his/her household members or guests, were destructive to the apartment or common areas from a current or previous residence.
- e) Any one report that the applicant has or had poor housekeeping habits from a current or previous residence.
- f) Any one report that the applicant caused or was involved in disturbances from a current or previous residence.
- g) Any one report that the applicant did not abide by the rules and regulations from a current or previous residence.
- h) In addition, HUD provides us with information about an applicant's current status as a

HUD housing recipient. We will use the Enterprise Income Verification (EIV) system to determine if the applicant or any member of the applicant household is currently receiving HUD assistance. Nothing prohibits a HUD housing assistance recipient from applying at this community. However, the applicant must move out of the current property and/or forfeit any voucher before HUD assistance at this community will begin. Please see also Section 1c and 1e above.

An Existing Tenant Search will be performed during the application process on all household members listed on the application. The Existing Tenant Search will determine if an applicant or any member of the household is currently receiving subsidy at another community. This report will be used for applicants only and the results will be printed and maintained with the application file in accordance with HUD's recordkeeping requirements.

If management discovers that the applicant is currently receiving assistance, management will attempt to coordinate move-out and move-in dates with the resident and the PHA or owner/agent of the property at the other location. Management will follow-up with the respective PHA or owner/agent to confirm the individual's program participation status before admission. In addition, applicants will be notified that assistance will not be provided in the new unit until the day after assistance stops in the residence identified in EIV.

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

3. **Bed Bug Infestation History.** If an applicant makes Management aware of bed bugs at the applicant's current or previous building or residence or if Management has reason to suspect that the applicant may have been exposed to a bed bug infestation, Management may require the applicant's furniture, clothing, and all household items to be professionally inspected and certified as bed bug free within seven (7) days prior to move-in. Additionally, prior to move-in, Management reserves the right to inspect all items intended to be moved into the Community to verify that no bed bug infestation exists. Failure to comply with the above steps to prevent bed bugs from infesting the Community may be cause to reject the applicant.
4. **Present and Past Housekeeping History.** An appointment may be scheduled with the applicant at their current address if no credit or housing references are made available. The purpose of obtaining housekeeping history is to determine if the dwelling unit is being maintained in a decent, safe, and sanitary condition, and if any of the following conditions exist. Any application will be rejected for any one of the following:
 - a) Any unauthorized alteration to the dwelling unit which would create an unsafe condition, such as an insurance risk or a fire hazard.
 - b) Any unauthorized redecoration (painting or wallpapering) in the dwelling unit.
 - c) Any unauthorized use of the dwelling unit.
 - d) Any wall damage to the dwelling unit. Examples are: holes, punctures, graffiti, crayon, writing, coloring, etc., to any wall in the dwelling unit.
 - e) Any floor/carpet damage.
 - f) Any ceiling damage.
 - g) Any damage to fixtures (lights, appliances, plumbing, rental furniture).
 - h) Any damage to interior/exterior door, door jambs, door knobs, screens, windows. Examples are: holes, punctures, burst, broken, cracked, torn, missing, etc.
 - i) Poor housekeeping habits which constitute an unsanitary living condition (excessive accumulation of garbage or trash, dirty dishes and generally filthy).
 - j) Any obvious sign where maintenance is needed in a rented dwelling unit and the resident has neglected to notify the management.
 - k) Any gas driven machine or exterior cooking apparatus housed in the dwelling unit (motorcycles, lawn mowers, gas and charcoal grill, etc.).
 - l) Inadequate control and supervision of household members.
 - m) Any evidence of unauthorized person or persons living in the dwelling unit.

NOTE: "Damages" are defined as those which are above normal wear and tear caused or

created by inhabitants, their household members, or guests.

5. Present and Past Character History. All applicants and adult household members will be screened for criminal history prior to move-in and recertification. A history of convictions for any of the following offenses may be cause for rejection of an application for housing, or if the history applies to an existing resident, may result in lease termination. The Notice of Ineligibility will give the applicant the appeal procedures and explain their right to an informal hearing to provide mitigating circumstances and procedures to request a reasonable accommodation.

a) Violent Felonies

- i. A conviction for these or similar violent felonies at any time prior to application, will result in denial for:
 - Homicide
 - Sex offenses, including but not limited to forcible rape child molestation, and aggravated sexual battery
 - Inclusion on a life time sex offender registry
 - Kidnapping
 - Multiple (two or more) violent felonies from incidents that occurred on different dates
- ii. A conviction for these or similar violent felonies within eight (8) years prior to application will result in denial for:
 - Arson and crimes involving explosives
 - Felony involving bodily harm to a person
 - Manslaughter
 - Armed robbery
 - Burglary
 - Aggravated assault
 - Any Crime of violence that may establish that the applicant constitutes a direct threat to the health or safety of other individuals

b) Sale, Distribution or Manufacture of Controlled Substances

A conviction for the sale, distribution or manufacture of a controlled substance within eight (8) years from application, will result in denial. Multiple convictions from these crimes will result in denial of the application.

c) Nonviolent Felonies

A conviction for a nonviolent felony within five (5) years from the date of application will result in denial for:

- Buying, receiving, or possession of stolen property
- Robbery or theft
- Auto theft
- Embezzlement
- Prostitution
- Stalking
- Weapon Offenses
- Crime involving the illegal use of a controlled substance (other than the sale or manufacturing of such) with no evidence reflecting completion of a related recovery program
- Illegal gambling
- Commercialize vice

d) Violent Misdemeanors

If the conviction for a violent misdemeanor occurred within five (5) years prior to application, admission will be denied for these and similar crimes:

- Arson and crimes involving explosives
- Aggravated assault
- Sexual assault
- Robbery
- Stalking
- Domestic violence
- Kidnapping

e) Nonviolent Misdemeanors

If the conviction for a nonviolent misdemeanor occurred within two (2) years from the date of the application, admission may be denied for:

- Use or possession of illegal substance
- More than one DWI
- Buying, receiving, or possession of stolen property
- Burglary or theft
- Auto theft
- Embezzlement
- Prostitution
- Weapon offense

f) Multiple Misdemeanors

If the conviction for two or more misdemeanors for crimes that occurred on different dates seven (7) years prior to application, admission will be denied for these and similar crimes:

- Aggravated assault
- Arson or crimes involving explosives
- Robbery
- Sexual assault
- Stalking
- Domestic violence
- Weapon offenses

g) Appeal

After the property notifies an applicant that it plans to deny admission to a household based on a criminal conviction, the applicant has fourteen (14) days to provide information that the criminal history record does not apply to the applicant or provide any other information of mitigating circumstances to appeal the decision denying the application by contacting the person listed in the denial letter.

During the appeal/reconsideration process, the seven-factor test and any other relevant information will be applied to the applicant's situation.

h) Seven Factor Test

- The seriousness of the criminal offense;
- The relationship between the criminal offense and the safety and security of residents, staff or property;
- The length of time since the offense, with particular weight being given to significant periods of good behavior;
- The age of the applicant at the time of the offense;
- The number of and nature of any other criminal convictions;
- Evidence of rehabilitation, such as employment, participation in a job training program, education, participation in a drug or alcohol treatment program, or recommendations from a parole or probation officer, employer, or social worker, and
- Tenancy supports or other risk mitigation services the applicant will receive during tenancy.

i) The Department of Housing and Urban Development requires the prohibition of lifetime registered sex offenders from admission to HUD-assisted housing. If it is determined that a household member is subject to a state lifetime sex offender registration, the household will be denied or assistance will be terminated unless the ineligible member is removed from the household. For applicant households, the ineligible household member must be removed from the application or the application will be denied. For existing households, proof that the ineligible member has been removed from the household must be provided to management; This would include (1) executing a new Lease without the eligible household member, or (2) establishing utility account (s) in the name of the ineligible member, or (3) verification of a change in address from the U.S. Postal Service for the ineligible member.

j) Anyone who is currently engaging in the illegal use of a drug or is a current illegal abuser or addict of a controlled or illegal substance.

- k) Anyone whose illegal use or pattern of illegal use of any controlled or illegal substance may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.
- l) Anyone whose abuse or pattern of abuse of alcohol may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.
- m) Anyone whose tenancy would constitute a threat to the health or safety of other individuals (including community management staff and Owner's employees) or whose tenancy would result in substantial physical damage to the property of others, or whose tenancy would interfere with the peaceful and quiet enjoyment of the premises by others, or whose behavioral patterns, habits or practices may be reasonable expected to have a detrimental effect on the residents of the community (examples include, but are not limited to: history of domestic violence, history of quarreling with neighbors, disturbing neighbors, etc.)

Management will conduct a check of all adult household members for sex offender registration and criminal history at the time of annual recertification. Should there be any evidence that any member of the household is subject to a lifetime state sex offender registration or that any prior records have been falsified or not properly disclosed or that a criminal history is discovered that violates the above policies in effect at the time of the annual recertification, the resident's Lease may be immediately terminated.

- 6. Legal Age. The Head of household must have the capacity under state and local law to enter into a legally binding lease agreement, including being of legal age.
- 7. Misrepresentation of Information. Applicant rejection will result if, during the course of processing an application, it becomes evident that an applicant has falsified or otherwise misrepresented any facts about his/her current situation, history, or behavior in a manner that would affect eligibility, applicant selection criteria qualifications, allowances or rent. This provision shall not be applied to minor mistakes that produce no benefit to the applicant.

III. Number of Occupants:

Applicants will be housed in the unit size appropriate for their household. In accordance with HUD Handbook 4350.3, household members include, but are not limited to: all full-time family members; all anticipated children (children expected to be born to a pregnant woman, children in the process of being adopted, children whose custody is being obtained, foster children, children who are temporarily in a foster home who will return to the family, and children in joint custody arrangements); children who are away at school and who live at home during recesses; live-in aides; foster adults.

For specific unit sizes in this community, refer to Cover Page section of this Resident Selection Criteria. For households with or without a spouse, the number of occupants per bedroom may be adjusted with medical documentation.

In compliance with Section 504, a larger unit will be given to an applicant/resident as a reasonable accommodation upon verification of need if such units are present in the community.

At the applicant's request, they may be placed on the waiting list for more than one unit type for which they qualify.

- IV. All applicant's household members will be processed as one approval or denial for an apartment. If any one of the household members fails to meet the requirements of this Resident Selection Criteria, the application will be denied.

All applicants will be placed on the waiting list after initial screening in order of date and time of application, with the exception of applicants who are requesting a VAWA external emergency transfer into the property from another property. They will receive a VAWA preference and will be placed on the waiting list in order of date and time of their application and will receive priority on the waiting list above current applicants. Proper documentation and verification for this applicant's VAWA external emergency transfer is required.

- V. Any adult member added to the Lease at any time after initial move-in must also meet the requirements of the Resident Selection Criteria. This includes an adult child who is moving in with an elderly parent to aid in their care and well-being.
- VI. Live-in aides will be screened according to the Present and Past Housing References and Character History requirements listed in sections 2b and 2e above prior to being considered eligible to reside with an applicant or resident.

VII. WAITING LIST SELECTION PREFERENCES– In order to select those households most in need of housing, HUD and this community have established the following preference categories and statutory categories that shall serve as the basis for selecting residents from among applicants:

A. Resident Transfers

Resident transfers within the community will be added to the current waiting list and given priority over applicants on the waiting list.

Residents will also be given priority over waiting list applicants when allocating available Section 8 assistance slots.

The following are the only instances in which a transfer will be approved for a resident:

1. Household is under-housed – too many people for the bedroom size apartment
2. Household is over-housed – not enough people for the bedroom size apartment
3. Unit destroyed due to no fault of the resident (i.e. fire, flood, tornado, etc.)
 - a) Resident will be housed in an available appropriately sized vacant unit. Resident understands that this unit will become their permanent residence.
 - b) If there is no vacant unit available then resident will be re-housed in their original unit after all repair work has been completed
 - c) If there are more than one resident displaced due to a fire, flood, tornado, etc, households will be placed in appropriately sized vacant units available in order of initial move in date.
4. Reasonable Accommodation (subject to proper verification)
5. Medical Condition (subject to proper verification)
6. VAWA Emergency Transfer – Resident or family member is a victim of domestic violence, dating violence, sexual assault, or stalking and needs a transfer to another unit. This transfer is subject to proper verification. Residents who seek a VAWA emergency transfer will be given first priority on the waiting list.

Should a resident request a transfer as part of a reasonable accommodation, the community will pay the cost of the physical move for the resident as long as doing so does not place an undue financial and administrative burden upon the community.

The following considerations will be taken into account when determining whether a transfer is required:

- Is there an apartment of appropriate size in the community?
- Is there a market for the size apartment the resident will be vacating?
- How long will the resident remain in the community?

If a resident is required to transfer due to a change in household composition, the resident has 30 days after they have been notified that an appropriately sized apartment is available for them. If they do not move in that time frame, they are required to pay full market rent.

B. Mobility Impaired

Mobility impaired eligible families will be given priority when units are specifically designated for their use, subject to proper third (3rd) party verification (Verification of Need for Reasonable Accommodation/Unit with Special Features).

C. Income Targeting

HUD requires that Owners must make at least 40 percent of the assisted units, that become available in each year of the community's fiscal year, available for leasing to families whose income do not exceed 30 percent of the area median income ("extremely low-income") at time of admission.

An estimated number of move-outs will be prepared each year and the community will ensure that 40% of that estimated number of applicants will be admitted at equal to or less than 30% of the area median income as defined by HUD. Should the estimation prove inaccurate and the number of move-ins does not meet the 40% target, the next applicant who meets the income level requirement will be moved to the top of the list and admitted. This testing procedure will be applied to all applicants during the year and records regarding this procedure will be kept on an annual basis and in the rental office. The determination of compliance will be made annually and the documentation will be kept on file in the rental office.

NOTE: Within each of the above listed groups, approved applicants will be housed based solely on the date and time of the application.

- VIII.** If an applicant is offered a unit and is unable to move at the required time (i.e. have to give a notice to current landlord, medical reasons) they may remain on the waiting list in their current position and the next applicant may be contacted to see if they are able to move in to the available unit. In this instance, the applicant that was “skipped over” will be offered the next available unit. If the applicant is offered an available apartment again and is still unable to move at the required time but wishes to remain on the waiting list, they will be placed at the bottom of the list.
- If an applicant is offered a unit and refuses it but wishes to remain on the list, they will remain on the waiting list but will be placed at the bottom of the list as of the date of the refusal.
- If an applicant has been offered a housing unit twice and for other than a verified medical reason, the applicant has refused to take the unit offered, on the third such occasion the applicant will be removed from the waiting list. In this case, the applicant will have to re-apply.
- On occasions, applicants will be sent an update letter from the Community requesting confirmation of their desire to remain on the waiting list. If the applicant fails to respond in the time allotted to such a letter, they may be removed from the waiting list without further communication from the community.
- IX.** Should the wait for one or more unit size become excessive (exceed twelve (12) months), the community can, at its discretion, close the waiting list and no longer accept applications. When the waiting list is closed, the community will publish a notice to that effect in a publication likely to be read by potential applicants and will state the reasons for closing the waiting list. When the community reopens the waiting list, it will again publish a notice to that effect in a publication likely to be read by potential applicants (if possible, the same publication that the notice to close the waiting list was published should be used). This notification will be extensive and will state how to apply for an apartment and how applications will be added to the waiting list.
- X.** If, at the time of application, there is a waiting list for the unit size the applicant is applying for all screening must be completed in accordance with these criteria at the time of application. In addition, if at the time the applicant reaches the top of the waiting list they have been on the waiting list for more than 120 days, all information previously collected (including 9887, 9887A, and all screening in accordance with this criteria) should be redone.
- XI.** Mitigating circumstances shall be considered for applicants with disabilities in accordance with Section 504.
- XII.** The Violence Against Women Act (VAWA) provides protections to women or men who are the victims of domestic violence, dating violence, sexual assault, or stalking. Management understands that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault, or stalking, people who have been victims of violence have certain rights under the Violence Against Women Reauthorization Act of 2013. This policy is intended to support or assist victims of domestic violence, dating violence, sexual assault and/or stalking and protect persons seeking to exercise VAWA protections, as well as affiliated individuals (as defined by HUD), from being denied housing or from losing their housing/ HUD assisted housing as a consequence of their status as a victim of domestic violence, dating violence, sexual assault and/or stalking.
- VAWA protections are not provided to guests, unauthorized residents or service providers (including live-in aides) hired by the resident.
- In accordance with the Violence Against Women Act, this community will not deny housing or assistance to an applicant or affiliated person, who otherwise qualifies, because of the applicant’s status as a victim of domestic violence, dating violence, sexual assault, and/or stalking. A Notice of Occupancy Rights under the Violence Against Women Act shall be provided to all applicant households which further explains applicant and resident rights under VAWA.
- If any applicant wishes to exercise the protections provided in the VAWA, he/she should contact Management in writing.
- An applicant may certify they are a victim of domestic violence by providing any one of the following documents:
- A.** The Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation (Form HUD 5382)
 - B.** A signed statement from a victim service provider, attorney, or medical professional who has helped the victim address incidents of domestic violence, dating violence, sexual assault, and/or stalking.
 - C.** A federal, state, tribal, territorial, or local police record or court record.
- If the applicant is currently living in a shelter established to protect victims of violence covered under the VAWA, Management will accept verification of such living arrangement in lieu of additional verifications. The person seeking to exercise VAWA protections is not required to name his/her abuser if doing so would result in imminent threat or if the person seeking to exercise VAWA protections does not know the name of his/her abuser.

Failure to provide any one of these documents within 14 business days of management's request could have an impact on implementing VAWA protections. Management, on a case by case basis and due to mitigating circumstances, may extend the time period for submitting the documentation.

Management allows residents who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the resident's current unit to another unit when he/she feels they are a) in imminent danger or b) were sexually assaulted on the property within 90 days of the request. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation. The ability of Management to honor such request for residents currently receiving assistance, however, may depend upon a preliminary determination that the resident is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether Management has another dwelling unit that is available to offer the resident for temporary or more permanent occupancy. Management will accept the Emergency Transfer Request directly from the person seeking to exercise the VAWA protections or from an advocate working on behalf of the person seeking to exercise VAWA protections.

Information provided by the victim in accordance with the certification shall be retained in confidence and not entered into any shared database nor provided to any related entity except when the disclosure is: 1) consented to by the applicant in writing, 2) required for use in eviction proceedings, or 3) as required by law. Management will retain all documentation relating to the victim in a separate file that is kept in a separate secure location from other applicant or resident files.

Similarly, criminal activity directly related to domestic violence, dating violence, sexual assault, or stalking, engaged in by a member of the applicant/resident's household, any guest, or other person under the applicant/resident's control, shall not be cause for termination of assistance, tenancy, or occupancy rights of the victim of the criminal acts.

The VAWA protections shall not supersede any provision of any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking.

- XIII.** Applicants should understand that being placed on the waiting list for an apartment does not guarantee eligibility for housing. The final determination for eligibility is done after the move in interview and until that time, applicant understands that the application is subject to further review.
- XIV. Rejection and/or Grievance Procedure:** Management will follow the grievance procedure in compliance with requirements set forth in HUD Handbook 4350.3. When rejecting an application, management will:
- A.** Provide notification in writing of reason(s) for rejection;
 - B.** Inform the applicant they have 14 days to request in writing a meeting with the Regional Property Manager to discuss the rejection;
 - C.** Participate through a representative in an informal meeting;
 - D.** Provide a written response of the final decision to applicant within five (5) days of meeting.
 - E.** In instances involving punitive actions by management against residents, residents have 10 days after being notified of management's action to request a meeting with the property manager for the resident to request reconsideration of the action and provide additional information or documentation. The resident can bring a representative or advocate to this meeting, and, if disabled, the resident can request reasonable accommodations in the manner or location where the meeting occurs.
- XV.** To verify the identity of each applicant and all adult household members, a photo ID will be required and proof of self-identification may be provided in any of the following forms:
- A.** A valid, state issued unexpired driver's license.
 - B.** A valid, state issued unexpired nondriver identification card.
 - C.** Valid photo voter ID card or other valid ID card issued by any state or the federal government, as long as it contains a photo.
 - D.** Valid U.S. passport.
 - E.** Valid government employee ID card with a photo.
 - F.** Valid U.S. military ID card containing a photo.
 - G.** Valid tribal ID card containing a photo.