

**Shore Hill Apartments
9000 Shore Road
Brooklyn, NY 11209**

**RESIDENT SELECTION PLAN
(Revised February 7, 2024)**

This apartment community contains 558 subsidized apartments. The apartments are designated, under the Section 8 project type and Low-Income Housing Tax Credit program, to house elderly and disabled families as defined in 24 CFR Part 5. Qualifying economic income limits are Low, Very Low and Extremely Low as published by HUD each year for King County, New York.

1. Fair Housing and Equal Opportunity Requirements

- A. It is this community's policy to comply with Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights act of 1968, Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, Fair Housing Act Amendments of 1988, E.O. 13166 and any legislation or HUD directives protecting the individual rights of applicants, residents, and/or staff which may subsequently be enacted.
- B. The community will not discriminate because of race, color, sex, familial status, religion, handicap, disability, national origin, actual or perceived sexual orientation, gender identity, marital status, or any other classes protected by federal, state or local regulations or laws in the leasing, rental, or other disposition of housing in any of the following ways:
- (1) Deny to any household the opportunity to apply for housing, nor deny to any eligible applicant.
the opportunity to lease housing suitable to its needs,
 - (2) Provide housing which is different than that provided others,
 - (3) Subject a person to segregation or disparate treatment,
 - (4) Restrict a person's access to any benefit enjoyed by others in connection with the housing program,
 - (5) Treat a person differently in determining eligibility or other requirements for admission,
 - (6) Deny a person access to the same level or services, or
 - (7) Deny a person the opportunity to participate in a planning or advisory group which is an integral part of the housing program.
- C. It is the policy of this community, pursuant to Section 504 of the Rehabilitation Act (if applicable) and the Federal Fair Housing Act to provide reasonable accommodations and modifications upon request to all applicants, residents, and employees with disabilities.

The community will not discriminate because of race, color, sex, familial status, religion, handicap, disability, national origin, actual or perceived sexual orientation, gender identity, marital status or any other classes protected by federal, state or local regulations or laws.



Questions and inquiries regarding applicant treatment relative to Section 504 of the Rehabilitation Act of 1973 should be addressed by mail to the following person, responsible for related policies: Section 504 Coordinator, Rose Community Management, 6000 Freedom Square, Suite 500, Independence, OH 44131, telephone (voice): 216-642-7777 or 888-833-ROSE (7673). (TTY): 711.

The community will do its due diligence to identify and eliminate situations or procedures which create a barrier to equal housing opportunity for all. In accordance with Section 504, the community will make reasonable accommodations for individuals with handicaps or disabilities as well as for individuals with limited English proficiency (applicants or residents).

- D. Questions and inquiries regarding applicant treatment relative to Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Executive Order 11063, E.O. 13166 or the Fair Housing Act Amendments of 1988 should be addressed by mail to the following person, responsible for related policies: Patricia Churgovich, Director of Property Management, Rose Community Management, 6000 Freedom Square, Suite 500, Independence, OH 44131, telephone (voice): 216-642-7777 or 888-833-ROSE (7673). (TTY): 711. This person is not directly involved in the day-to-day decision-making process involving admitting applicants to the community.
- E. Limited English Proficiency: Management complies with Executive Order 13166 in its efforts to improve access to all of its programs and activities for persons who, as a result of national origin, are limited in their English proficiency. A Language Access Plan, which outlines the specific language assistance that is provided for persons who are limited in their English proficiency, is available for review upon request.

2. Privacy Policy

It is the policy of the community to guard the privacy of individuals granted by the Federal Privacy Act of 1974 and to ensure the protection of such individuals' records maintained by the community. Therefore, neither the community nor its agents will disclose any personal information contained in its records to any person or agency unless required by law, or unless the individual about whom information is requested will give written consent to such disclosure.

This privacy policy does not limit the community's ability to collect such information as it may need to determine eligibility, compute rent, or determine an applicant's suitability for tenancy. Consistent with the intent of Section 504 of the Rehabilitation Act of 1973, any information obtained regarding handicap or disability will be treated in a confidential manner.

3. General Eligibility Requirements

This property is available to households that include a member who is 62 or older or whose head, spouse, or sole member is a person with a disability without regard to age. Additional household members of any age, including children, are welcome. Applicants must meet the following requirements to be eligible for occupancy and housing assistance at the community:

- A. The family's annual income must not exceed the Low-income limits, based on family size. Income eligibility must be determined prior to approving applicants for tenancy.



B. Social Security number requirements:

- (1) In order to determine eligibility and offer a apartment, HUD requires every household member, including live-in aides, foster children and fostered adults to have a Social Security Number (SSN) unless the individual has an Exemption as noted in [2] below.

In addition, the applicant family must provide (for management to copy) a valid Social Security card issued by the Social Security Administration for each household member.

- If the household member cannot produce his/her valid Social Security card, at least one of the following alternative documents must be provided as documentation:
 - An original document issued by a federal or state government agency which shows the person's name and SSN along with other identifying information (i.e. SSA benefit award letter)
 - Driver's license that shows the Social Security Number
 - Earnings statement on payroll stubs
 - Bank statement or Form 1099
 - Retirement benefit letter
 - Life insurance policy or court records
 - Other evidence that HUD designates as acceptable

Documents that are not originals, or that have been altered, are mutilated or are illegible, or that appear to be forged, will be denied. In this case, management will explain the reason why the document is not acceptable, and will request the submission of acceptable documentation within a reasonable time frame, prior to a apartment being offered.

After making a copy of the Social Security card the original will be returned to the applicant. After the electronic transmission of the move-in certification, the SSN will be verified via the EIV computer matching program with the Social Security Administration, and a copy of that verification (EIV Income Summary Report) will be retained in the resident file.

(2) Exemptions:

- a. Individuals who acknowledge that they are not entitled to housing assistance because they do not have eligible immigration status.

This is documented by the household member's Citizenship Declaration, showing that the individual did not contend eligible immigration status. Mixed households with unassisted, ineligible noncitizens can be admitted with prorated assistance, even though the unassisted individuals do not have SSN documentation.

- b. Household members who were age 62+ as of 1/31/10 AND whose initial determination of eligibility had already begun prior to 1/31/10
- Persons who previously lived in either a Public and Indian Housing or Multifamily HUD-assisted program will have 50058 or 50059 move-in certifications, with



effective dates to support this exception. Documentation must be obtained from the prior community (not from the applicant) and will be kept in the resident file.

- Exemption status for these individuals remains valid, even when the person moves to another HUD-assisted program, and/or if there is a break in tenancy.
- c. Household members under the age of 6 who do not yet have Social Security Numbers assigned to them and who have been added to the household within the six months prior to being offered an apartment. While these applicant households may be offered an apartment and move into the community, the family must provide Social Security Numbers for the children under age 6 within 90 (ninety) days in order to continue to receive HUD subsidy. This may be extended for an additional 90 (ninety) days if the SSN cannot be obtained for reasons beyond the household's control.

(3) Timeframes for providing Social Security Numbers and documentation

- Although applicants are not required to provide Social Security Number documentation when the application is submitted, documentation for all non-exempt household members must be provided before a household can be housed.
- If there is missing SSN documentation for any non-exempt household member when the household reaches the top of the waiting list and a apartment is available, then the household will be skipped, in order to admit the next eligible household.
 - The skipped applicant household may keep its position on the waiting list for 90 days from the date they are first offered a apartment, to allow them time to provide acceptable SSN documentation.
 - After 90 days, if any household member has not provided SSN documentation, the household will be determined as ineligible and will be removed from the waiting list.

(4) Adding household members after move-in:

- For a new member, regardless of age, who has a social security number, SSN documentation must be provided no later than the processing of the certification that adds the new person to the household.
- If the new member is a child under 6 without a social security number, the household has 90 days to provide SSN documentation. An additional 90 days will be granted only if failure to provide documentation is due to circumstances beyond the resident's control.
 - During this time, the child will appear on resident certifications with all appropriate benefits and deductions and a TRACS ID will be assigned by HUD.
 - When the SSN documentation is provided, an interim certification will be processed to change the TRACS ID to the verified SSN.
 - If acceptable SSN documentation is not provided by the deadline date, eviction proceedings will begin to terminate tenancy of the household, since the



household will be in non-compliance with its lease.

- C. All adults, as well as any emancipated minors who are the Head, Spouse or Co-Head in each applicant family, must sign and date all required consent forms for verification purposes, including an Authorization for Release of Information (HUD 9887/9887A), prior to receiving assistance and annually thereafter.
- D. The apartment for which the family is applying must be the only residence of each household member.
- E. An applicant must agree to pay the rent required by the program under which the applicant will receive assistance.
- F. Citizenship Requirements
 - (1) All applicants must complete a Citizenship Declaration. For children 12 years of age and younger, the Declaration may be completed by the parent/guardian.
 - (2) Each family member must have U.S. citizenship, naturalization, and/or (if under 62 years of age) verified eligible immigration status, to qualify for subsidy.
 - (3) Non-citizens age 62 and older must sign a declaration of eligible immigration status and provide a proof of age document. A person claiming to be an eligible non-citizen who is under age 62 must sign a Verification Consent Form and present one of the following documents, along with the completed application, or prior to the determination of eligibility:
 - (a) Form I-551, Permanent Resident Card
 - (b) Form I-94, Arrival Departure Record, with one of the following annotations:
 - (1) "Admitted as refugee Pursuant to section 207", or
 - (2) "Section 208" or "Asylum", or
 - (3) "Section 243(h)" or "Deportation stayed by Attorney General", or
 - (4) "Paroled Pursuant to Sec. 212(d)(5) of the INA".
 - (c) If Form I-94 is not annotated, one of the following documents must be provided:
 - (1) Final court decision granting asylum, but only if no appeal is taken, or
 - (2) Letter from a DHS asylum officer granting asylum (if application was filed on/after 10/1/90), or from a DHS district director granting asylum (if application was filed before 10/1/90), or
 - (3) Court decision granting withholding of deportation, or
 - (4) Letter from a DHS asylum officer granting withholding of deportation (if application was filed on/after 10/1/90)
 - (d) Receipt issued by the DHS indicating that an application for issuance of a replacement document in one of the above-listed categories has been made and that the applicant's entitlement to the document has been verified
 - (e) Other acceptable evidence; other documents determined by the DHS to constitute acceptable evidence of eligible immigration status, as announced by notice published in the Federal Register.
 - (4) All persons claiming to be eligible non-citizens who are under age 62 will have their citizenship eligibility status verified through the computerized SAVE System provided by



the Department of Homeland Security (DHS).

If secondary verification is necessary and is not provided within the SAVE System, immigration status will be verified using the paper process. A completed Document Verification Request, Form G-845S, and photocopies of the immigration documentation provided by the applicant will be mailed to the local immigration office to receive verification of the validity of the documents.

G. Student Eligibility

- (1) Section 8 assistance will not be provided to any individual who is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential who:
 - (a) Is under the age of 24;
 - (b) Is not married;
 - (c) Is not a veteran of the United States Military;
 - (d) Does not have a dependent child;
 - (e) Is not a person with disabilities, and was not receiving Section 8 assistance as of November 30, 2005;
 - (f) Is not living with his/her parents who are receiving Section 8 assistance; and
 - (g) Is not individually eligible to receive Section 8 assistance or has parents, individually or jointly, who are not income-eligible to receive Section 8 assistance.
- (2) For a student to be eligible independent of his/her parents (where the income of the parents is not relevant), the student must demonstrate independence by meeting all of the following criteria:
 - (a) Be of legal contract age under state law, and
 - (b) Has established a household separate from parents or legal guardians for at least one year prior to application, or meets the U.S. Dept. of Education's definition of an independent student, and
 - (c) Not be claimed as a dependent by parents or legal guardians under IRS regulations, and
 - (d) If not a "Vulnerable Youth", obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support, even if no assistance will be provided.

An Independent Student who meets one of the criteria below is considered to be a "vulnerable youth":

- Is an orphan, in foster care, or a ward of the court - or was one of those at any time when s/he was age 13 or older, or
- Is (or was, immediately prior to the age of majority) an emancipated minor or in legal guardianship, determined by a court in his/her State of legal residence, or
- Was either an unaccompanied youth (homeless) or at risk of homelessness and was self-supporting during the school year in which the application was submitted, verified as noted above
- For vulnerable youth:
 - ◆ The tax return requirement only applies to providing the student's tax returns and not that of the student's parents, and



- ◆ A written certification of income provided is not required by the student's parent(s).

(3) If an ineligible student is a member of an applicant (or an existing) household receiving Section 8 assistance, the assistance for the entire household will be terminated.

H. The Violence Against Women Act (VAWA, P.L. 109-62) and the Justice Department Reauthorization Act of 2013 ensure that this community will protect applicants, residents and affiliated individuals who have been victimized by domestic violence, dating violence, stalking and/or sexual assault (referred to as "VAWA crimes") as follows:

- (1) Applicants cannot be denied rental assistance solely because they were previously evicted from an assisted site for being victims of VAWA crimes;
- (2) Applicants cannot be denied assistance solely for criminal activity directly related to VAWA crimes;
- (3) Residents cannot be evicted, nor have their subsidies terminated solely because they were victims of VAWA crimes. Being a victim does not qualify as a "serious or repeated violation of the lease" or "other good cause" for eviction.
- (4) The abusers may be evicted and their names removed from leases. Remaining household members may continue residency as long as they are eligible.
- (5) In order to receive VAWA protections a victim must specifically contact management to state that s/he wants to exercise these protections. Since a Live-In Aide is not a tenant who is party to the lease, s/he cannot apply for VAWA protections as a victim, though s/he may be an affiliated individual.
- (6) If an applicant or tenant is a victim of a VAWA crime, completion of a written Certification Form will be requested in writing from management in a safe and confidential manner. The Certification includes disclosing the names of the abuser(s) if known and safe to disclose and must be completed and returned within 14 business days in order for VAWA protections to be extended.
- (7) Only victim service providers, medical professionals or attorneys who have counseled a victim can provide physical proof or documentation of the applicant's/resident's status as a VAWA crime victim.
- (8) All VAWA documentation will be kept in a secured location, separate from other tenant files, and will remain confidential.
- (9) The community has a formal Emergency Transfer Plan and related Request Form to assist any VAWA crime victim who reasonably fears that s/he faces violence in the very near future if s/he remains in the current unit, or who is a victim of sexual assault which occurred on the premises during 90 days before an emergency transfer was requested.

Tenants will sign the VAWA lease addendum, Form HUD-91067.

VAWA crime victims can be evicted or have their assistance terminated for serious or repeated lease violations that are not related to VAWA crimes. However, management will not hold victims to a more demanding set of rules than it applies to any other tenants.

HUD's Notice of Occupancy Rights Under the Violence Against Women Act, with the Certification Form attached, will be provided to any applicant whose application is denied, as well as to each household upon move-in.



- I. The applicant must have previously demonstrated an ability to pay rent and adhere to a lease. Applicants will not be denied due to a lack of rental history but may be denied for a poor rental history.

4. Reasonable Accommodations

Rose Community Management, LLC (RCM) treats all people equally with no difference in the terms or conditions in the rental of housing and does not deny equal housing opportunity. RCM is prohibited from dismissing or denying any request for a reasonable accommodation or reasonable modification **without undergoing the complete verification process** upon an applicant's or a resident's request for a reasonable accommodation or modification.

We are committed to ensuring that our policies and procedures do not discriminate against individuals with disabilities, on the basis of disability. Therefore, if an individual with a disability requires an accommodation such as an accessible feature or change to Rose Community Management LLC's (RCM) policy, RCM will provide such accommodation or modification unless doing so would result in a fundamental alteration in the nature of the housing or an undue financial and administrative burden. In such case, RCM will make another accommodation or modification that would not result in a financial or administrative burden.

A person with a disability may request a reasonable accommodation or modification at any time during the application process or residency. This request may be in writing or verbally communicated.

Reasonable accommodation or modification methods or actions that may be appropriate for a particular individual may be found to be inappropriate for another individual. The decision to approve or deny a request for a reasonable accommodation or modification is made on a case-by-case basis and takes into consideration the disability and the needs of the individual as well as the nature of the housing or non-housing activity.

The Regional Manager, or Regional VP will review and recommend an approval or deny the initial request. The Section 504 Coordinator (Director of Compliance) will review the denial to validate and finalize the decision.

See Policy 3.110 Parking Policy for People with Disabilities for parking-related accommodations and Policy 3.500 – Assistive Animal Policy.

RCM will consult with local counsel regarding non-routine, complex, or complicated requests especially if accessibility is requested.

DEFINITION OF REASONABLE ACCOMMODATION:

Federal/state laws and regulations require that a person with disabilities receive a reasonable accommodation (nonstructural changes) to provide that person with full use and enjoyment of the home and public/common areas. A **reasonable accommodation** is a change, exception, or adjustment to a rule, policy, practice, or service that allows a person with a disability to use and enjoy a dwelling, including public and common use areas. Examples of reasonable accommodations include but are not limited to:



- An applicant with disabilities may request a home with special accessibility features.
- A resident with disabilities may request a therapeutic pet or assistive animal by health-care provider verification (if pets are not allowed) or to waive pet security deposit and/or fee.
- A resident with disabilities may request auxiliary aids, assistive devices such as tactile signs for the visually impaired.
- A resident with disabilities may request a transfer to a more accessibly located home providing a more accessible route, such as one near an elevator or a first-floor home.
- Permitting an outside agency or family member to assist an applicant to meet admission standards or to assist a resident meet the essential terms of the lease, rules and regulations and/or Community or Resident Handbook.
- A resident may request “economic” accommodations, such as waivers of parking fees, or insurance requirements and changes to financial requirements.

Fair housing laws require that housing providers bear accommodation costs that do not amount to an undue financial and administrative burden and the requested accommodation does not constitute a fundamental alteration of RCM’s operations. Most accommodations are no or low cost. Management may not require people with disabilities to pay extra fees or deposits as a condition of receiving a reasonable accommodation.

DEFINITION OF REASONABLE MODIFICATION:

Certain federal/state laws and regulations require that a person with disabilities be allowed a reasonable modification of their current apartment to afford such person full access and use of the housing program. A **reasonable modification** is a structural change made to a resident's living space or to the common areas of a community, which is necessary to enable a resident with a disability to have full use of and enjoyment of the housing. Reasonable modifications can include structural changes to interiors and exteriors of dwellings and to common and public use areas. A structural change involves a substantial modification to a structural part or doorway, such as widening doorways. Other examples of reasonable modifications are installing grab bars in a bathroom, adding a ramp, etc. The cost for the reasonable modification shall be paid by the applicant/resident (exception: federally assisted communities must pay for modifications under federal Section 504 requirements).

DEFINITION OF A PERSON WITH A DISABILITY:

A person with a disability as defined by the Federal Fair Housing includes (1) individuals with a physical or mental impairment that substantially limits one or more major life activities; (2) individuals who are regarded as having such an impairment; and (3) individuals with a record of such an impairment. As used in this definition, the phrase “physical or mental impairment” includes, but is not limited to:

- A. Conditions such as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus (HIV), developmental disabilities, and mental illness.
- B. Observable impairments may include, blindness or low vision, deafness or being hard of hearing, mobility limitations, and other types of impairments with observable symptoms or



effects, such as intellectual impairments (including some types of autism), neurological impairments (e.g., stroke, Parkinson's disease, cerebral palsy, epilepsy, or brain injury), or other diseases or conditions that affect major life activities or bodily functions.

"Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, and learning.

The definition of disability does not include sex offenders or any individual who is an alcohol abuser or drug abuser whose current use of alcohol or drugs would constitute a direct threat to property or the safety of others. The definition does protect alcohol abusers who are being treated or have received treatment for their alcoholism or drug addiction.

TIMELINESS

RCM will evaluate each request on a case-by-case basis, in a timely and professional manner. RCM has an obligation to provide prompt responses to requests. If there is a delay in responding to an accommodation request, after a reasonable amount of time the delay may be construed as a failure to provide the reasonable accommodation.

CONFIDENTIALITY

RCM must keep information about a disability, medical treatment, or details about tasks a service animal does confidential and not share it, except:

- with management employees who need this information to make a decision to grant or deny a reasonable accommodation request, or
- when disclosure is required by law (for example, a court-issued subpoena).

It is not appropriate to discuss an applicant or resident's disability or accommodations with another resident.

5. Application Intake and Processing

- A. It is the community's policy to accept and process applications in accordance with applicable HUD Handbooks and NYSHCR regulations.
- B. This community will perform marketing activities in accordance with its Affirmative Fair Housing Marketing Plan, with the aim of marketing to potential applicants in its geographical area who are least likely to apply. Materials used to solicit applicants for the waiting list must contain details about services, activities, and facilities accessible to individuals with disabilities. This includes information on whether there is accessible parking available for picking up or dropping off applications, even if parking is generally not provided.
- C. NYS Homes and Community Renewal (NYSHCR) authorization will be required prior to executing marketing activities.
- D. Applications can be requested in person at the community during normal business hours from 10 a.m. to 4:30 p.m., or via telephone call, email or written request mailed to the community.



All submitted applications must be in writing, on forms provided. If, due to a disability, an applicant is unable to complete an application, a third party can assist in the completion of the form. Only fully completed applications will be accepted. Every application must be completed and signed by the head of household and all additional household members 18 years of age or older. All of the members of the household must be listed on the application.

Applications can be returned in person to the office or via fax, email or U.S. mail to the community address.

- E. All applicants will be provided with HUD Form 92006, Supplement to the Application. This form gives applicant households the option of including contact information for a family member, friend or social service agency worker who can assist with services and special needs, or in resolving resident issues. Although the applicant is not required to provide another contact, the applicant must sign and return the form along with the completed application.

All applicants will also be provided with HUD Form 27061-H, Race and Ethnic Data Reporting Form, which must be returned along with the completed application. This demographic information is not used to determine applicant eligibility. HUD uses this data to track the makeup of applicant traffic, a statistic that is required to be included in the community's Affirmative Fair Housing Marketing Plan. Applicants may check one or more boxes or note their refusal to complete the information in addition to signing and dating the form.

- F. Staff or staff-provided assistance will be available upon request. This may take the form of answering questions about the application, helping applicants who might have literacy, vision, or limited English proficiency challenges via oral or written translation or large print, and, in general, make it possible for interested parties to apply for assisted housing. Applicants may bring an individual with them, to help with the application, if desired.
- G. Upon determination that the application is completed, staff will add, via handwriting or stamp, the date and time the application was received, followed by the initials of the person accepting the application. The applicants name will be added to the list of lottery participants, if applicable. Ineligible applicants will be promptly notified in writing as to the reason the application is being denied.
- H. If the application received is not fully complete (including any required attachments) and/or is not signed/dated by all household members age 18 years or older, the application will be returned to the household and the household will not be added to the pool of applications reserved for the lottery.

NYSHCR Lottery requirement

New York State Homes and Community Renewal's (NYSHCR) lottery requirements for Shore Hill are as follows:

- a. Ineligible applicants will receive a written notification explaining the reason for the denial.
- b. applications will be kept either at the community or its designated file storage locations.
- c. The authorized representative of the project must have full authority to make



- certifications.
- d. A lottery for vacant units must be held on a specified date and time.
 - e. The lottery can be conducted either by live-stream with electronic invitations or by electronic video recording with a waiver obtained from HCR for the live-stream requirement.
 - f. The lottery should be conducted by trained and experienced staff from the Owner, Developer, or Managing Agent. The person in charge of the lottery must be identified.
 - g. All applications received by the approved deadline should be entered into the lottery and randomized, unless stated otherwise in the approved Affirmative Fair Housing Marketing Plan.
 - h. The order in which applicants are selected for occupancy should be based on the results of the randomization of the lottery.
 - i. Applicants may only be called out of lottery order if there is a specifically approved preference or set-aside in the Project's Affirmative Fair Housing Marketing Plan or other regulatory document approved by NY HCR.
 - j. The lottery must be conducted in accordance with the guidelines approved by NY HCR in the Affirmative Fair Housing Marketing Plan.
 - k. Under the New York Department of Housing and Community Renewal's timing guidelines, recipients must hold a random lottery within 10 business days after the 30-day application period ends. This lottery will add 200 new applicants to the purged waitlist, with 100 applicants selected for each bedroom size.

Income Targeting Procedures

At least forty percent (40%) of all available apartments (within each project fiscal year) will be offered to families whose gross unadjusted income does not exceed the Extremely Low income limit as established by HUD.

The community's waiting list software automatically alerts the manager when the income targeting percentage is not being met. When this occurs, the manager will offer the next available unit to the next Extremely Low applicant household on the waiting list. Applicants will once again be offered apartments based on their position on the waiting list.

In addition, a report will be printed from the community's compliance software quarterly, showing the percentage of new admissions and their income limits. If the community has not met the income targeting requirement, management will calculate the number of Extremely Low-Income applicants that would achieve the 40% goal to date. The next applicants to be offered apartments will be selected, in order, from the Extremely Low-Income applicants on the waiting list until the 40% goal has been achieved. Once the income targeting percentage has been met applicants will once again be offered apartments based on their position on the waiting list.

Within the above guidelines, as well as allowing for waiting list preferences in Section 9, eligible applicants will be offered available apartments based on the date and time of application acceptance. This will be clearly written or stamped on the application along with the initials of the individual accepting the application.

6. Applicant Screening Process

Listed below are the criteria and methods used to review the household's application.



A. Criminal background check

- (1) Criminal screening is performed by the professional screening service included in the community's compliance software. If this is not available criminal screening is accomplished by management working with local law enforcement agencies. The Owner/Management will not use arrest records to screen applicants or household members for criminal history.
- (2) If a criminal history is found during the screening process and the application has not been denied for other reasons already, on-site management will refer the applicant's file to management's Compliance Director for final determination. A case-by-case review of the criminal background will be performed in an individualized manner that will evaluate all circumstances surrounding the criminal record including mitigating circumstances.
- (3) The Compliance Director will conduct the final review to determine whether an applicant is accepted or denied based on criminal history. A case-by-case review of the criminal background will be performed in an individualized manner that will evaluate all circumstances surrounding the criminal record including mitigating circumstances. Mitigating circumstances include but are not limited to the following:
 - Recency of the criminal behavior
 - The seriousness of the offense
 - The age of the applicant at the time of the offense
 - Evidence of rehabilitation
 - Whether the offense is related to acts of domestic violence committed against the applicant or not, and
 - Evidence that the applicant has maintained a good tenant history before and/or after the conviction or conduct.
- (4) The community will prohibit admission of any household containing any member who was evicted in the last three years from federally assisted housing for drug-related criminal activity.
- (5) Although some states have legalized the use of marijuana for medical and/or recreational purposes its manufacture, distribution or possession is still a federal criminal offense under the Controlled Substances Act. Therefore, no applicant can be admitted if s/he is using marijuana.
- (6) Any household whose application is denied due to criminal activity will receive a written notice including the reason for the denial along with HUD's Notice of Occupancy Rights Under the Violence Against Women Act, with the Certification Form attached.

The household has the right to request a copy of the screening document that caused the denial and to request a meeting with management, within 14 days of the denial, to present mitigating or extenuating circumstances including when the crime occurred, history since that time and the successful completion of a formal rehabilitation program. Applicants will be given the opportunity to dispute both before and after management decides to deny an application.



- (7) If a member of the applicant household has been arrested for any criminal activity listed in this section and the charge is still pending, the application will be placed on pending status. Management may conduct a further investigation to document actual criminal behavior. The household will keep its place on the waiting list and management will move on to the next applicant household. After adjudication and/or documented behavioral evidence have been gathered the application will be re-evaluated.
- (8) If any household member engages in criminal activity (including sex offenses) while living on site, subsidy termination will be pursued to the extent allowed by the lease, HUD regulations, and state/local law. To avoid eviction of the household, the family will be given the opportunity to remove the member engaging in criminal activity from the household.

B. Sex Offender Registry check

- (1) Applicants must provide a complete list of all states in which any household member has lived on the Application for Assistance. Failure to provide accurate information to management is grounds to deny the application.
- (2) Management is required to ask whether the applicant, or any member of the applicant household, is subject to a lifetime sex offender registration requirement in any state. If so, the family will be given the opportunity to remove the ineligible household member from the applicant household. If the family member who is subject to a lifetime sex offender registration requirement remains part of the applicant family, the application will be denied. The written denial notice will clearly state this as the reason that the family is being denied admission.
- (3) During the screening process prior to offering a apartment, all state sex offender registries are checked by the property management software system to determine whether any household member is subject to a lifetime sex offender registration requirement.
- (4) Search results will be kept with the application, in the resident file, for the term of tenancy plus three years. For denied applicants, search results will be kept with the application for three years.
- (5) If, after moving in, management discovers that a resident was admitted in error (s/he was admitted after June 25, 2001 and was subject to a state's lifetime registration requirement), eviction will be pursued immediately.
- (6) If any member of the applicant family is listed on any state's sex offender registry, the household's application will be denied unless the household member is removed from the Application for Assistance.

C. Credit checks

- (1) Applicants may be denied for a poor credit history but cannot be denied for lack of a credit history.



- (2) Previous landlords will be contacted to determine if the applicant paid rent on time and/or left the community with any unpaid balances.
- (3) Management's property management software system will be used to obtain a credit report for each adult applicant in the household. No cost will be charged to the applicant. Applicants may be denied if any of the following credit information is verified for any member of the applicant family:
 - (a) Applicant has had a bankruptcy within the last 12 months or 1 year
 - (b) Applicant has more than \$5000 in outstanding debt
 - (c) Applicant has had a foreclosure in the last 6 (six) months
 - (d) Applicant currently has any outstanding landlord or utility collections
 - (e) Applicant currently has more than 6 (six) collections outstanding, regardless of type
 - (f) Applicant has had more than one previous non-payment procedure in housing court during the past 3 (three) years

Exemptions include medical collections, exemptions for student debt and/or if applicant has proof of repayment of debt. Proof must be a statement of satisfaction from creditor, court, or other legal proof.

- (4) Domestic violence can often have negative economic consequences for a victim of VAWA crimes (domestic violence, dating violence, stalking and sexual assault). The perpetrator may take out credit cards in a victim's name and ruin their credit history or cause damage to a victim's apartment causing eviction. Management will take such extenuating circumstances into account and will not deny tenancy or occupancy rights based solely on these adverse factors that are a direct result of being a victim of VAWA crimes.

D. Rental History

- (1) If any household member was a previous resident at this community, the resident file will be checked. If there is documentation that the resident was repeatedly notified of rules violations or lease violations, or if the household left the community owing overpaid HUD assistance, unpaid rent or damages, the application will be denied.
- (2) Previous landlords will be contacted to ask for comments regarding the applicant's rental history. Acceptable topics of discussion include but are not limited to: cooperation with recertification processes, compliance with the lease and house rules, rent payment, housekeeping and history of pest infestation.
 - (a) An applicant household will be denied if any member of the household has left another HUD-assisted community owing overpaid HUD assistance, unpaid rent or damages.
 - (b) An application will be denied if the household has been evicted from a previous residence or has a history of lease violations within the past 3 (three) years.
 - (c) Domestic violence can often have negative consequences for a victim of VAWA



crimes (domestic violence, dating violence, stalking and sexual assault). The perpetrator may cause damage to a victim's apartment causing eviction and/or poor rental history. The perpetrator may force a victim to participate in criminal activity or a victim may be arrested as part of policies that require arresting both parties in a domestic disturbance. Management will take such extenuating circumstances into account and will not deny tenancy or occupancy rights based solely on these adverse factors that are a direct result of being a victim of VAWA crimes.

- (d) The community will deny a household in which any member is currently engaged in illegal use of drugs or which shows a pattern of drug use that may interfere with the health, safety, and right to peaceful enjoyment of the community by other residents.
- (e) The community will deny a household in which any member shows a pattern of alcohol abuse that may interfere with the health, safety, and right to peaceful enjoyment of the community by other residents. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.

7. Occupancy Standards

Applicant households must meet the established occupancy standards of local Landlord/Resident laws.

Apartments will be assigned in accordance with the following standards:

Apartment Size	Minimum Occupancy	Maximum Occupancy
Studio	1 person	2 people*
1-bedroom	1 person	3 people*

* Based on local occupancy code

8. Determination of Applicant Eligibility: Application Acceptance and Denial

- A. Information needed to determine applicant eligibility will be obtained, verified, and the determination of applicant eligibility performed, in accordance with HUD and NYSHCR requirements. Eligible applicants will be placed on the waiting list(s) and will be promptly issued a preliminary notice of eligibility, or a denial notice. All eligible applicants must be approved by the New York State Division of Homes and Community Renewal prior to unit assignment.
- B. The community complies with applicant denial requirements set forth in the HUD Handbook 4350.3. Management reserves the right to deny applicants for admission if it is determined that the applicant or any member of the household falls within any one or more of the following categories:
 - (1) **Misrepresentation:** Willful or serious misrepresentation in the application procedure or certification process for any government assisted dwelling apartment.
 - (2) **Records of Disturbance of Neighbors, Destruction of Community or Other**



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

- (3) **Violent Behavior:** Includes documented evidence of acts of violence or of any other conduct which would constitute a danger or disruption to the peaceful occupancy of neighbors.
- (4) **Non-Compliance with Lease Agreement:** Includes evidence of any failure to comply with the terms of lease agreements at prior residences, such as failure to recertify as required, providing shelter to unauthorized persons, keeping unauthorized pets, or other acts in violation of rules and regulations.
- (5) **Owing Prior Landlords:** Applicants who owe a balance to present or prior landlords will not be considered for admission until the account is paid in full and reasonable assurance is obtained that the contributing causes for nonpayment of rent or damages have changed sufficiently to enable the family to pay rent and other charges when due.
- (6) **Ineligible Students:** Applicant households whose members include an ineligible student who is enrolled in an institution of higher education as noted in Section 3 (Program Eligibility Requirements/Student Eligibility).
- (7) **Unsanitary or Hazardous Housekeeping:** Includes creating any health or safety hazard through acts of neglect, and/or causing or permitting any damage to, or misuse of premises and equipment; causing or permitting infestation, foul odors or other problems injurious to other persons' health, welfare or enjoyment of the premises; depositing garbage improperly; failing to reasonably and properly use all utilities, facilities, services, appliances and equipment within the dwelling apartment, or failing to maintain them in a clean condition; or any other conduct or neglect which could result in health or safety problems or damage to the premises.
- (8) **Criminal Activity:** Management has established a policy to deny all applications where the applicant or any household member has engaged in certain criminal activity. The activities that will be grounds for denial of an application are defined in Section 5A (Applicant Screening Process, Criminal Background Check).
- (9) **Social Security Number Documentation:** If there is missing SSN documentation for any non-exempt household member when the household reaches the top of the waiting list and a apartment is available, then the household will be skipped, in order to admit the next eligible household. The skipped applicant household may keep its position on the waiting list for 90 days from the date they are first offered an apartment, to allow them time to provide acceptable SSN documentation. After 90 days, if any household member has not provided SSN documentation, the household will be determined as ineligible and will be removed from the waiting list.

C. The Regional Manager will personally examine each application that a third-party screener has marked for rejection. This review will involve comparing the application to Shore Hill's



official screening policies as documented by RCM before making a definitive decision on eligibility. All applicant denials will be made in writing and will include specific reason(s) for the denial.

- D. The denied applicant has the right to respond, in writing, within 14 days, to request a meeting to dispute the denial. Persons with disabilities have the right to request reasonable accommodations to participate in the grievance process. This meeting must be conducted by a member of the management staff who was not involved in the initial decision to deny admission or assistance. The Regional Manager for the community will provide a written determination to the applicant within 5 (five) days of the meeting.

9. Applicants who Require Reasonable Accommodations/Modifications

- A. A reasonable accommodation is a change, modification, alteration or adaptation in policy, procedure, practice, rules, or services that provides a qualified individual with a disability the opportunity to participate in, or benefit from, housing or non-housing activities.
- B. A reasonable modification is a structural modification of the home or of public or common areas.
- C. For reasonable accommodations to apply there are several requirements. First, the applicant must have a verifiable disability (mental or physical impairment that substantially limits one or more major life activities) as defined by HUD as applicable to the community's program type.

Next, the disability must have a direct correlation to the accommodation being requested by the applicant. The applicant must request a reasonable accommodation and should use the form provided by the community. Verification of disability and the need for the accommodation will be verified using the form provided by management unless the applicant submits a health care provider certification with the same information or the applicant has an obvious impairment.

Finally, for the accommodation to be reasonable it cannot result in a financial or administrative burden to the community.

- D. In some situations, even with reasonable accommodations, applicants with disabilities cannot meet essential program requirements. In these situations, the applicant is not eligible and the applicant will be denied.

Examples of such situations include cases where the applicant's behavior or performance in past housing caused a direct threat to the health or safety of persons or community; past history or other information that shows the applicant's inability to comply with the terms of the community's lease; or an objective determination that the applicant would require services from management that represent an alteration in the fundamental nature of the community's program.

- E. If an applicant makes a request, management will provide a reasonable accommodation if the applicant has a verifiable disability that is directly related to the request and providing the reasonable accommodation will not result in a financial or administrative burden to management or to the owner.
- F. Reasonable accommodations may include changes in the method of administering policies,



procedures, or services.

- G. In providing reasonable accommodations for, or performing structural modifications for otherwise qualified individuals with disabilities, the community is not required to:
- (1) Make structural alterations that require the removal or altering of a load-bearing structure,
 - (2) Provide support services that are not already part of its housing programs,
 - (3) Take any action that would result in a fundamental alteration in the nature of the program or service, or
 - (4) Take any action that would result in an undue financial and administrative burden on the community, including structural impracticality as defined in the Uniform Federal Accessibility Standards (UFAS).
- H. If the community is unable to make a reasonable accommodation due to a resulting financial burden, the applicant may, at his/her own expense, make the accommodation after structural approval by management. Management may require that the resident remove the accommodation (or have it removed) upon vacating the apartment.
- I. Live-In Aides are considered to be a reasonable accommodation. Management must obtain verification that the Live-In Aide is needed to provide necessary supportive services essential to the care and well-being of the individual, and that there is a disability-related need for the Live-In Aide. This verification will be obtained from the individual's physician, medical practitioner or health care provider.

The Live-In Aide cannot stay in the apartment as a remaining family member once the resident who needs the services leaves the apartment or dies. Live-In Aides who violate any of the community's House Rules will be subject to eviction. Live-In Aides must meet the same screening criteria as any other applicant, with the exception of credit checks. The EIV Existing Tenant Search Report will be obtained for Live-In Aides and move-out/move-in dates coordinated with the current assisted community.

Additional Information on Reasonable Accommodation Request:

Notification Process for Reasonable Accommodation Policy

Applicants or residents are informed that they can request reasonable accommodations at any time, either verbally or in writing. Upon such a request, they are provided with a Request for Reasonable Accommodation Form. This ensures that applicants are made aware of their rights and the process for requesting accommodations under the policy.

Interactive Process for Challenging Requests:

If a request for accommodation is deemed to pose a fundamental alteration or undue financial and administrative burden, an interactive process is engaged. This involves a dialogue between the management and the resident or applicant to explore possible alternative accommodations that would effectively meet the individual's disability-related needs without imposing an undue burden or fundamentally altering the nature of our operations.

Minimum Necessary Information Commitment:



There is a commitment to only seek the minimum information necessary to determine if the requested accommodation addresses the individual's disability-related needs. This ensures respect for privacy and minimizes unnecessary disclosure of personal information.

No Unnecessary Disability-Related Information Requirement:

When the disability and the need for accommodation are obvious no additional disability-related information will be required from the individual requesting the accommodation. This streamlines the process and respects the individual's dignity and privacy.

Waitlist Policies and Reasonable Accommodation:

This Resident Selection Plan outlines how reasonable accommodation requests are handled in relation to waitlist policies and procedures. This ensures that applicants and residents who require accommodations are fairly considered and that their needs do not unduly affect their position on waitlists or access to housing.

Responsible Personnel and Compliance:

Specific personnel, such as the Community Manager (CM), Regional Manager (RM), Regional Vice President (RVP), and the Section 504 Coordinator, are identified as responsible for ensuring timely approval and provision of reasonable accommodations. These personnel are also tasked with engaging in the interactive process with tenants and facilitating compliance with applicable disability rights requirements under Section 504. This clear delineation of responsibility ensures that there is accountability and that requests are handled efficiently and in compliance with legal requirements.

10. Waiting List Management

A. Updating the Waiting List:

- (1) The waiting list will be purged annually, generally in October to keep applicant information current, and to remove anyone who wants to be removed or no longer qualifies for admission to the community.
- (2) A letter will be sent to each applicant, asking for outdated information to be updated in writing, and asking whether the applicant wishes to remain on the waiting list. Confirmation must be returned to the community, in writing, using any forms which may be provided, within 30 (thirty) days of the letter's postmark date. Upon request, assistance will be provided to any applicant households with disabilities or limited English proficiency, to enable them to meet this deadline.
- (3) When an applicant notifies the community of changes in household composition, the waiting list information will be updated, and a determination will be made as to whether or not the household needs a different apartment size.

B. Removal of Applications from the Waiting List:

The community will not remove an applicant's name from the waiting list unless:

- (1) The applicant requests that his/her name be removed.
- (2) The applicant was clearly told, in writing, of the requirement to advise the community of



his/her continued interest in housing by a particular time, and failed to do so, even after being provided with reasonable accommodations in the event of handicap or disability.

- (3) The community attempted to contact the applicant in writing, but the letter was returned by the U.S. Postal Service as undeliverable.
- (4) The community has notified the applicant, in writing, of its intention to remove the applicant's name because the applicant no longer qualifies for assisted housing.
- (5) The applicant refused two offers of apartments for other than a medically-related reason.
- (6) The applicant accepted an offer of an apartment but failed to move in on time, without notice.
- (7) The applicant household needs a different size apartment due to a household composition change, and the community has no apartments of that size.
- (8) The applicant household failed to provide SSN documentation for any non-exempt household member after the expiration of the provided grace period.
- (9) Applicants will not be removed from the waitlist for failure to respond to requests to verify their continued interest in the waitlist, unless management makes reasonable attempts to reach the applicant using each known form of contact, including via mail, email, and phone, provided the applicant supplies this contact information, and will provide at least fourteen (14) calendar days for the applicant to respond. Management must make at minimum three (3) attempts to contact the applicant, each no less than twenty-four (24) hours apart.

11. Applicant Interviews

- A. As the applicant approaches the top of the waiting list, management will interview the applicant and explain the regulations and policies associated with the community. The interview will be conducted in accordance with the HUD Handbook 4350.3 and topics will include, but are not limited to:
 - (1) Income/asset/expense information, as well as household composition
 - (2) Resident-paid utilities
 - (3) The requirement for all household members age 18+ to sign consent for release of information forms
 - (4) Proof of legal residence will be collected
 - (5) Applicant's ability and willingness to comply with the terms of the community's lease and community's policies
 - (6) Statutory, HUD, state and local preferences, if any
 - (7) HUD-required SSN documentation will be collected for each household member
 - (8) HUD-required Citizenship Declaration forms will be collected for each household member
- B. All reasonable efforts will be made to offer reasonable accommodations as requested by applicants with disabilities and/or limited English proficiency during the application process, as well as during tenancy and for all appeal processes.
- C. All adults in the applicant household will sign HUD-required Verification Consent Forms including the 9887/9887A.



12. Verification Requirements

The community will obtain verifications in compliance with requirements set forth in the HUD Handbook 4350.3.

A. Types of Verification Required

All information relative to the following items must be verified:

(1) Eligibility for Admission, such as:

- (a) Income, assets, and asset income
- (b) Household composition
- (c) Social Security number documentation for all non-exempt household members
- (d) Verification of student status and eligibility
- (e) Need for an apartment specifically adapted for vision or mobility impairments
- (f) Citizenship eligibility

(2) Allowable deductions, for items such as:

- (a) Age 62+, disability, or handicap of household head, spouse and/or co-head
- (b) Full time student status
- (c) Child care costs
- (d) Handicap expenses
- (e) Medical expenses (for elderly/handicapped households only)

(3) Compliance with resident selection guidelines, such as:

- (a) Proof of ability to pay rent
- (b) Previously demonstrated adherence to lease for previous rentals
- (c) Positive prior landlord reference: rent-paying, caring for a home with safe, clean, satisfactory housekeeping habits, based on documented management's visit to current dwelling
- (d) No disqualifying criminal history (including drug-related crimes and inclusion on a state sex offender registry as previously noted) of any household member.
- (e) Absence of objectively verified behavior that would give management reasonable cause to believe that the applicant's abuse of drugs/alcohol would interfere with the health, safety and right to peaceful enjoyment of the community by other residents or staff.

Any of the above items which result in the denial of the applicant must be documented, and appropriate verification forms/letters placed in the applicant's file.

B. Period for Verification: Only verified information that is within 120 days of the date presented to management may be used for verification. Verified information not subject to change (such as a person's date of birth) need not be re-verified.

C. Forms of Verification: Documentation required as part of the verification process may include:



- (1) Checklists completed as part of the interview process, signed by the applicant
- (2) Verification forms completed and signed by third parties
- (3) Use of HUD's EIV (Enterprise Income Verification) system, a computerized database containing social security and employment/unemployment income
- (4) Conversation logs and/or activity tabs
- (5) Documentation provided by the applicant, i.e. award letters, pay stubs, bank statements
- (6) Notes of telephone conversations with reliable sources, faxes, e-mail or internet correspondence. At a minimum, each file notation will indicate the date and time of the conversation, source of the information, name and job title of the individual contacted, and a written summary of the information received.
- (7) Verification of student status, as well as applicable parental income certification, verifying their eligibility for Section 8 in the jurisdiction of their residence, for students applying for housing.

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

D. Sources of information to be checked may include, but are not limited to:

- (1) The applicant by means of interviews.
- (2) Present and former housing providers
- (3) Present and former employers
- (4) HUD's EIV (Enterprise Income Verification) system, a computerized database containing Social security and employment/unemployment income
- (5) Social workers, parole officers, court records, drug treatment centers, physician, clergy, INS
- (6) Law enforcement
- (7) Credit checks

E. Preferred Forms of Verification: Verifications will be attempted in the following order:

- (1) HUD's electronic EIV system, as applicable; The Work Number or other state government databases
- (2) Written third-party verification generated by the source of the income, which may be provided by the applicant/resident
- (3) Oral third-party verification from the source of the income
- (4) Family (self) certification when information can't be verified by a method above.

F. Applicant history will be checked using the following methods:

- (1) Past performance meeting financial obligations, especially rent:
 - (a) Credit checks will be processed using a professional credit checking agency. Criteria for admission has been described in Section 5.
 - (b) Contacting the current landlord and at least one prior landlord to gather previous rental history information.



- (c) Otherwise-eligible households who apply for housing with outstanding balances owed to their current community, or to this community as a past resident are ineligible. After the applicant presents proof of payment of any such balances, s/he may re-apply and, if otherwise eligible, will be added to the waiting list based on the re-application date.
- (2) Disturbance of neighbors, destruction of community, or living or housekeeping habits that would pose a threat to other residents:
 - (a) Staff will check for these potential problems with the current landlord and at least one former landlord.
 - (b) If the applicant is not currently living under a lease, the housing provider will be asked to verify the applicant's ability to comply with community lease terms as it relates to these guidelines. Any apartment for which the applicant has upkeep responsibility may be physically checked.
 - (c) An applicant's behavior toward the community manager and other staff will be considered as indicative of future behavior toward neighbors. Physical or verbal abuse or threats by an applicant toward community staff will be considered.
 - (3) Involvement in criminal activity on the part of any applicant household member which would adversely affect the health, safety, or welfare of other residents.
 - (a) Criminal history checks including convictions and outstanding warrants will be completed using a professional credit checking agency.
 - (b) Applicants who are listed on lifetime sex offender registries in any state must be denied by HUD regulation.
 - (4) A record of eviction from housing or termination from residential programs will be considered. The professional screening service included in the property's compliance software checks for eviction records and any court proceedings to determine whether applicants have been evicted from any address listed on the application, or other addresses.
 - (5) Current residence in other HUD assisted housing.
 - (a) Applicant households must disclose if any household member is currently receiving HUD housing assistance. Households are not permitted to receive assistance in multiple households for the same time period, or to receive assistance if more than one residence will be maintained.
 - (b) HUD provides management with information about whether each applicant receives HUD assistance, and where that residence is located.
 - (c) Management will use the EIV (computerized Enterprise Income Verification) system's Existing Resident Search report to identify household members who currently reside in HUD's Public and Indian Housing, or Multifamily programs.
 - (i) This report will be printed for each member of the applicant family when processing the applicant for admission, prior to offering a apartment. This Report will also be printed for individuals (including Live-In Aides) who wish to move into



an already-existing resident household.

- (ii) If any family member is currently living in another PIH/MF assisted apartment, plans to vacate that apartment will be discussed with the applicant. Move-out/move-in dates will be coordinated with management at the other assisted community to avoid HUD being billed for double subsidy.
 - (iii) Results of discussions with the applicant and/or other site will be recorded on the Existing Tenant Search.
 - (iv) For applicants who move into the community, the Existing Resident Search report(s), along with all documentation, will be kept in the resident file with the application for the term of tenancy plus three years. For applicants who do not move in, the report(s) and documentation will be retained, along with the application, for three years.
- (d) Applicants living in other HUD-assisted housing may apply to this community. However, the applicant must move out of the current community before HUD assistance can begin at this community. Special circumstances exist:
- (1) for minor children where both parents legally share 50% custody, and
 - (2) for HUD-assisted household members in another community who are moving in order to establish a new household, when remaining family members will stay in the old apartment.
- (e) If any member of the applicant household fails to accurately disclose his/her rental status, the application may be denied based on "misrepresentation of information." After move-in, if any household member receives, or tries to receive, HUD housing assistance at another community while still living at this community, the household will be required to repay HUD for all overpaid assistance.

13. Attempted Fraud

- A. Any information provided by the applicant that verification proves to be untrue or any information that has been knowingly omitted may be used to disqualify the applicant for admission on the basis of attempted fraud. The community considers false information about the following to be grounds for denying an applicant:
- (1) Income, assets and/or expenses
 - (2) Household composition
 - (3) Social Security Numbers
 - (4) Preferences and priorities
 - (5) Eligibility for allowances
 - (6) Previous residence history or criminal history
 - (7) Citizenship, naturalization, and/or eligible immigration status
- B. If, during the course of processing an application, it becomes evident that an applicant has falsified or otherwise willfully misrepresented or omitted any facts about his/her current or past situation, criminal history, or behavior in a manner that would affect eligibility, priorities, application selection criteria qualification, allowances or rent, the application will be denied.



- C. During the course of processing an application, there may be errors in name spellings, dates of birth and other such data, resulting in inaccurate criminal, credit, or other screening. In these cases, screening may be re-done. If these checks result in documentation of circumstances that would have caused an applicant to be denied, the application will be denied. If the applicant has already moved in, this evidence may be the cause of eviction proceedings.
- D. If willful misrepresentation or omission during the application process is discovered after the applicant family has moved in, this will be considered to be fraud and may result in eviction.
- E. Unintentional errors will not be used as a basis to deny applicants.

14. Offering an Apartment

- A. When an apartment becomes available for occupancy, it will be offered to the applicant at the top of the waiting list. Procedures for meeting income targeting requirements as described in Section 4 (Application Intake and Processing) will be used which may cause the applicant at the top of the waiting list to be passed over in order to admit an applicant at the Extremely Low income limit.

If apartments with accessibility features are available, eligible families with handicapped/disabled members needing specific accessibility features of an available apartment will be selected first.

- B. Although applicants other than the Head of Household are not required to provide Social Security Number documentation when the application is submitted, documentation for all non-exempt household members must be provided before a household can be housed. If there is missing SSN documentation for any non-exempt household member when the household reaches the top of the waiting list and a apartment is available, then the household will be skipped, in order to admit the next eligible household.
 - (1) The skipped applicant household may keep its position on the waiting list for 90 days from the date they are first offered an apartment, to allow them time to provide acceptable SSN documentation.
 - (2) After 90 days, if any household member has not provided SSN documentation, the household will be determined as ineligible and will be removed from the waiting list.
- C. If an applicant does not accept an offer without good cause, the applicant is removed from all waiting lists. "Good cause" includes medical reasons, recent death of a close family member, desire to give 30-day notice to the family's existing community, and denial of an apartment because the available apartment is close to an apartment with an assistance animal or pet to which someone in the applicant family is allergic or other extenuating circumstances. When an apartment is denied for good cause, the applicant will keep his/her place on the waiting list, and management will offer the available apartment to the next applicant.
- D. When an applicant reaches the top of the waiting list, management will schedule an interview appointment. The applicant must come in to the office for this appointment, and



must bring all items requested by management. If the applicant fails to attend and/or fails to supply all items, one additional appointment will be made to remedy any deficiencies. If the applicant fails to attend this second interview and/or fails to supply all required items a second time, the household will be removed from the waiting list.

- E. An apartment offer will be made in writing to an applicant household only after all criminal, credit and landlord checks have been completed, and the resident interview has been completed, and all verification documents have been received. Applicants must be approved by the New York State Division of Homes and Community Renewal (NYSHCR) prior to unit assignment.

If an applicant household fails to meet the community's eligibility criteria, and the application is denied, there is an appeals process. These procedures will be provided to the applicant household as part of the denial letter.

- F. If mail sent to the address the applicant listed as his/her current address is returned by the Postal Service, the document will be kept on file and an attempt will be made to contact the applicant via other means. If the applicant cannot be contacted within 5 (five) working days by alternate means, the apartment will be offered to the next applicant on the waiting list. Attempts to contact the household will be documented in the applicant file, and the applicant will be removed from the waiting list.
- G. If the applicant is offered an apartment in writing but fails to reply by the date noted on the offer letter, the applicant will be removed from the waiting list. The apartment will be offered to the next applicant on the waiting list.
- H. If an applicant fails to move in on the agreed-upon date without notice, the application will be denied, the applicant's name will be removed from all waiting lists and the apartment will be offered to the next household on the waiting list. An exception will be made in the case of a medical extenuating circumstance; in this case, the applicant will retain his/her place on the waiting list, and the apartment will be offered to the next applicant on the list.
- I. Prior to receiving the keys to the apartment on move-in day, the applicant is required to provide proof that the family has moved out of prior HUD-assisted housing (if applicable). This can consist of any of the following documents:
 - (1) Copy of signed, dated move-out inspection report
 - (2) Hand-written note from the prior landlord (signed and dated), on community letterhead, stating that the keys to the prior apartment have been returned
 - (3) Copy of the move-out 50059A certification form from the prior community

15. Priorities for Accessible Apartments

- A. For apartments designed to be accessible for persons with mobility or visual impairments, households containing at least one person with such an impairment will have first priority (as applicable for a particular apartment feature).
- B. Current residents who require accessible apartments will be given priority over applicants requiring the same type of apartment. If a resident is transferred as a reasonable



accommodation to a household member's verified disability, the community will pay the costs (not to include transfer of utilities) associated with the transfer, unless doing so would be an undue financial/administrative burden.

- C. When there are no residents or applicants who need the features of an accessible apartment, persons without disabilities may move into such an apartment. However, by signing the appropriate Lease Addendum when moving into the apartment, the household must agree to move to an available apartment with no such design features, if an applicant or current resident requires the specific features of the accessible apartment occupied by the family. This move must be made within 30 days of management notifying the Head of Household that such an apartment is available, and at the household's own expense. Apartments designed for the mobility-impaired are set aside for individuals who are mobility impaired.

16. Prior to Move-In

- A. Management will explain the HUD and LIHTC regulations regarding the following:
 - (1) Security deposits
 - (2) Annual recertifications
 - (3) Interim recertifications
 - (4) Apartment inspections
 - (5) Community policies
 - (6) Transfer policies
 - (7) Lease Terms
- B. All adult household members (age 18 and older and any emancipated minors who are the head, spouse or co-head) will sign the move-in certification, the lease with attached Resident Handbook, and related move-in documents and lease addenda.
- C. Social security number documentation must be provided for every non-exempt household member including live-in aides, foster children and foster adults.
- D. The applicant and management will inspect the apartment and sign the Move-In Inspection form.
- E. The applicant will pay the security deposit.
- F. The applicant will pay the rent for the first month, as set forth in the lease.
- G. The applicant will be given a copy of the move-in certification, lease and Resident Handbook, Move-In Inspection form, all other HUD-required forms and notices, and a receipt for the security deposit and first month's or prorated rent.

17. Apartment Inspection

Apartments must be inspected by management and the resident the day of or prior to move-in. A Move-In Inspection form will be completed and signed and dated by the resident and management, confirming that the apartment is in decent, safe, and sanitary condition. After



move-in, inspections will be completed at least annually by management and inspections may also be conducted by HUD, and/or the community's Contract Administrator or Housing Finance Agency.

18. Apartment Transfer Policies

A. Residents will be placed on a transfer waiting list, based on the date of their written request, if they meet one of the following conditions:

- (1) Apartment transfer is needed based on a disability-related need as verified by a licensed health care provider as a reasonable accommodation for a person with a verified disability, or
- (2) Apartment transfer is needed for a medical reason which is verified by a doctor or other licensed health care provider, or
- (3) Emergency transfer is requested, in writing, by an eligible victim of VAWA crimes. The community's Emergency Transfer Plan is available upon request.

Residents who meet any of the qualifications above will be given priority over applicants, including priority for accessibility features of an apartment. Management must obtain approval from NYSHCR on all transfers.

- B. Residents requesting transfers for the above reasons will be placed on a transfer list. Residents being transferred under the terms of the Emergency Transfer Plan for victims of VAWA crimes will have first priority for an appropriate vacant unit based on the date of their written Emergency Transfer Request.
- C. The unit transfer process is limited to two days: one to move out of the current apartment and one to move into the new apartment.
- D. Households occupying handicap-accessible apartments whose members no longer need the features of the apartment are required to transfer to the next available non-accessible/apartment within 30 days of management notification of an available apartment, at the family's own expense.
- E. When a household transfers to a new apartment, management will transfer the existing security deposit.
- F. Depending upon the circumstances of the transfer, a resident may be obligated to pay all costs associated with the move. However, if a resident is transferred as a reasonable accommodation due to a household member's disability, the community must pay the costs associated with the transfer (not including the transfer of utilities), unless doing so would be an undue financial and administrative burden.

19. Annual and Interim Recertifications

HUD and LIHTC regulations require an annual recertification of income, assets and expenses for rent determination. Interim recertifications depend upon certain resident changes such as changes to household members and/or changes in income, assets or expenses. This policy



will be explained prior to the move-in.

Residents are required to notify management when there is any change in household composition. The same screening criteria are used for all new household members as are required for new households (with the exception of credit checks for Live-In Aides). Residents are required to notify management any time a previously unemployed adult in the household begins working, and/or if the household's income goes up \$200/month or more. Residents may request an interim recertification due to a decrease in income or an increase in deductions.

20. Remaining Family Members

In order to stay in the apartment as a remaining family member if the head of household leaves the apartment, a person must already be on the lease when the head of household leaves and must be of legal contract age under state law.

21. Assistive Animals

An assistive animal is permitted as a reasonable accommodation for a person with a verified disability once the need has been properly verified by a physician, psychiatrist, social worker, or other licensed medical professional.

There must be a direct relationship between the person's disability and his or her need for the animal. Neither a security deposit nor a pet fee is required for an assistive animal. All state and local health, safety, and licensing laws apply. Refer to the Assistive Animal Agreement/Addendum to Lease Agreement for resident responsibilities in caring for their assistive animal.

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

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

22. Pets

This community allows up to one dog or one cat or other household pet per apartment. The pet(s) must be registered with the office prior to moving into the apartment and a copy of the Pet Rules and/or Pet Addendum (applicable to non-assistive pets only) will be provided.

Violation of these rules may be grounds for removal of the pet or termination of the pet owner's



tenancy, or both. Refer to the Pet Addendum and Pet Rules located in the Resident Handbook for resident pet care responsibilities.

A Pet Deposit in the amount of \$300 is required for a dog or a cat. A payment schedule will be provided with the amounts and dates due for the balance after the initial \$50 deposit.

23. Other Disclosures

Community employees are not permitted to accept any money connected with the application procedure, criminal or credit checks and/or apartment designation.

A copy of this Resident Selection Plan will be provided, at no charge, to any applicant, resident, or member of the general public at his/her request.

In the event of changes to this Resident Selection Plan, all applicants will be notified that the Plan has changed, and that a copy of the revised Plan will be provided, at no charge, upon request. Notification will be made via U.S. first-class mail to all applicants on the waiting list at the time of the revision.

