

SOUTH PITTSBURG ELDERLY HOUSING

TENANT SELECTION PLAN

Amended in 2026

Management does not discriminate on basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.

This project is designated as an elderly project with only 1 bedroom units. It is a project built under Section 236 and has a contract for Section 8 units.

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SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 prohibits discrimination based upon disability in all programs or activities operated by recipients of federal financial assistance. Although Section 504 often overlaps with the disability discrimination prohibitions of the Fair Housing Act, it differs in that it also imposes broader affirmative obligations on owners to make their programs as a whole, accessible to persons with disabilities. These obligations include the following:

- Making and paying for reasonable structural modifications to units and/or common areas that are needed by applicants and tenants with disabilities, unless these modifications would change the fundamental nature of the project or result in undue financial and administrative burdens
- Operating housing that is not segregated based upon disability or type of disability, unless authorized by federal statute or executive order
- Providing auxiliary aids and services necessary for effective communication with persons with disabilities
- Developing a transition plan to ensure that structural changes are properly implemented to meet program accessibility requirements
- Performing a self-evaluation of the owner's program and policies to ensure that they do not discriminate based on disability
- Operating their programs in the most integrated setting appropriate to the needs of qualified individuals with disabilities

Assistance to insure equal access to this document will be available in alternate formats and provided in a confidential manner and setting. An individual with disabilities is responsible for providing his/her own transportation to and from the location where this document is kept by advocacy groups, social workers, family members or personal friends. The applicant should inform Management if additional assistance is needed to complete forms or understanding program requirements, procedures, house rules, etc... Advocacy groups, social workers, family members or personal friends may provide assistance. If an individual with disabilities is involved, all hearings or meetings required by this document will be conducted at an accessible location with appropriated assistance provided.

For mobility impaired persons - This document is kept at the office, which is accessible facility on an accessible route. This document may be examined at a convenient time for both the management and applicant at a scheduled time.

For hearing impaired persons - Management will provide assistance to hearing impaired persons in reviewing this document. Assistance may include provision of a qualified interpreter at a time convenient to both Management and applicant to schedule an appointment.

For vision impaired persons - We will provide a staff person to assist a vision-impaired person in reviewing this document. Assistance may include: describing the contents of the document, reading the document or sections of the document or providing such other assistance, as may be needed to permit the contents of the document to be communicated to the person with vision impairments,

FAIR HOUSING ACT

The Fair Housing Act prohibits discrimination in housing and housing related transactions with respect to the following bases: race, age, color, religion, sex, creed, national origin, disability, sexual orientation or gender identity and familial status. It applies to housing, regardless of the presence of federal financial assistance. Affirmative marketing guidelines and objectives will be implemented in the marketing and selection of residents.

Management shall not:

- Deny to any family the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to lease housing suitable to its needs
- Provide housing, which is different, than that provided others
- Subject a person to segregation or unequal or different treatment
- Restrict a person's access to any benefit enjoyed by others in connection with the housing program

- Treat a person differently in determining eligibility or other requirements for admission
- Deny a person access to the same level of services
- Deny a person the opportunity to participate in a planning or advisory group, which is an integral part of the housing program

We shall not automatically deny admission to a particular group or category of otherwise eligible applicants. Every individual be treated on an individual basis in the normal processing routine.

Management will seek to identify and eliminate situations or procedures which create a barrier to equal housing opportunity for all. In accordance with Section 504, Management will make physical or procedural changes to permit individuals with disabilities to have full advantage of the housing program. Such accommodations may include changes in the method of administering policies, procedures or services.

In addition, the Owner may perform structural modifications to housing and non-housing facilities where such modifications would be necessary to afford full access to the housing program for qualified individuals with handicaps.

In reaching a reasonable accommodation with, or performing structural modifications for, otherwise qualified individuals with handicaps, Owner is not required to:

- Make structural alterations that require the removal or altering of a load-bearing structural member
- Provide support services that are not already part of its housing programs
- Take any action that would result in a fundamental alteration in the nature of the program or service
- Take any action that would result in an undue financial and administrative burden on the Owner.

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Title VI prohibits all recipients of federal financial assistance from discriminating based on race, color, or national origin in any program or activity receiving federal financial assistance from HUD.

Title VI regulations require that recipients have an affirmative obligation to take reasonable steps to remove or overcome any discriminatory practice or usage that subjects individuals to discrimination based on race, color, or national origin. The regulations also require that, even in the absence of prior discrimination, recipients should take affirmative steps to overcome the effects of conditions that results in limiting participation by persons of a particular race, color, or national origin.

Title VI regulations also require that owners maintain racial and ethnic data showing the extent to which members of minority groups are beneficiaries of federal financial assistance.

AGE DISCRIMINATION ACT OF 1975

This Act prohibits discrimination based upon age in federally assisted and funded programs or activities, except in limited circumstances, although the South Pittsburg Elderly Chester Powell Apartments prohibits any occupancy under the age of 62 years of age based on the Charter with the State of Tennessee.

LIMITED ENGLISH PROFICIENCY:

A person with limited English proficiency or "LEP" is not able to speak, read, write or understand the English language well enough to allow him/her to interact well with the staff have the following rights:

- A right to a qualified interpreter service at no cost to them
- A right not to be required to rely on their minor children, other relatives or friends as interpreters
- A right to file a grievance about the language access provided to them

A person who is LEP will be given adequate information in his or her language to understand the services and benefits offered.

PRIVACY POLICY:

It is the policy of Owner/Agent to protect the privacy of individuals covered by the Federal Privacy Act of 1974, and to ensure the protection of such individuals' verification records maintained by the property.

The information may be released to appropriate federal, state and local agencies, when relevant, and to civil, criminal or regulatory investigators and prosecutors. However, the information will not be otherwise disclosed or released unless the individual gives written authorization to do so.

This privacy policy in no way limits management the 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 on handicap or disability will be treated in a confidential manner.

PURPOSE OF THE TENANT SELECTION PLAN:

The plan describes application procedures, screening of tenants, equal opportunity requirements and non-discrimination requirements, when the applicant can be rejected, and selecting between current tenants and applicants on the waiting list who need Section 8 assistance.

The tenant selection plan is designed to protect the owner, tenant, and applicant. The owner is protected against charges of illegal discrimination arbitrariness and partiality. The tenants are protected against the admission of persons who will not respect their rights. The applicant is protected against illegal discrimination and favoritism. The policies of tenant selection are consistently and fairly applied and all applicants are accepted or rejected by the same selection criteria.

The tenant selection criteria are established at the project level, not by law or regulations. The plan is not so restrictive that it places undue hardship on individual applicants, frustrates the purpose of federal assistance or violates equal opportunity laws.

ELIGIBILITY -

To apply for Section 8 housing assistance, applicants must be qualified under the income limits established by the U.S. Department of Housing and Urban Development (HUD), for the type of development, and for the size and type of unit available. Being eligible, however, is not entitlement to housing. In addition, every applicant must meet the tenant selection criteria. The tenant selection criteria are used to demonstrate the applicant's suitability as a tenant using verified information on past behavior to document the applicant's ability, either alone or with assistance, to comply with the rules governing tenancy. The applicant will be judged on current and past behavior and practices related to tenancy and not on any attribute or behavior that may be imputed to a particular group or category of persons of which an applicant may be a member. Applicants must also qualify in accordance with one or more of the following eligibility criteria.

ELIGIBLE APPLICANTS

Elderly Family (24 CFR 5.403) - means a family whose head or spouse or sole member is a person who is at least 62 years of age or has been defined by the Social Security Administration to have a disabled status.

Applicants and tenants must meet the following requirements to be eligible for occupancy and housing assistance.

- A. Family annual income must not exceed program limits.
- B. Applicants must disclose social security numbers for all members with proof of numbers disclosed.
- C. All adults in each applicant family must sign an authorization for release of information prior to receiving assistance and annually thereafter.
- D. The unit for which the family is applying for must be the family's only residence.
- E. The applicant must agree to pay the rent required by the program under which the applicant will receive assistance.

- F. Only U.S. Citizens or eligible non-citizens may receive assistance under Section 8 or Section 236.
- G. All information reported by the family is subject to verification.
- H. Various subsidy or insurance programs may impose additional occupancy restrictions.

INELIGIBLE APPLICANTS:

An applicant is considered ineligible if:

- o The household members, regardless of age, fail to submit evidence of citizenship or eligible immigration status
- o The household members are found to own a livable home.
- o The household's annual gross income is greater than the applicable income limit established by HUD; i.e., Exhibit A- HUD Income Guidelines
- o The amount the household would be required to pay using the applicable HUD rent formula equals or exceeds the gross rent for the unit
- o Management determines that the applicant and/or household member(s) do not meet the tenant selection criteria or the criteria under which the property was developed

Any ineligible applicants admitted under the following limitations **must pay contract rent**:

- o If the HAP Agreement was signed before October 1, 1981; i.e., Pre '81 Universe, applicants must be of **low or very low-income status**. Owners may not, without written approval, admit income ineligible applicants.
- o If the HAP Agreement was signed on or after October 1, 1981; i.e., Post'81 Universe, applicants must be of **very low-income status**. Owners may not, without written approval, admit income ineligible applicants.

Actions owners must take before admitting ineligible applicants:

- o Admit all available eligible applicants, unless there is good cause for denying them assistance
- o Take all reasonable steps to attract eligible applicants, including using marketing efforts likely to attract eligible applicants
- o Place in the files of any ineligible tenants who are admitted a written certification that the steps required above have been completed.

PROJECT ELIGIBILITY REQUIREMENTS:

1. The applicant must be of legal contract age under state law. A birth certificate is required.
2. The applicant must disclose social security numbers for all members and provide proof of the numbers reported
3. The applicant and all family members regardless of age must meet the documentation requirements of United States citizenship or eligible immigration status. (See Citizenship/Immigration Status Requirements below)
4. The applicant must sign an Authorization for Release of Information prior to receiving assistance and annually thereafter.
5. The applicant must agree to pay the rent as required by the program under which the applicant will receive assistance
6. The unit for which the person is applying must be their only residence.
7. The applicant must agree to furnish all information required to verify all sources of income, certain expenses and occupancy preference claims where necessary.
8. The applicant must agree to annual recertification of income in established time frame per lease agreement and program description

DEVELOPMENT ELIGIBILITY CRITERIA AND OCCUPANCY STANDARDS -

Chester Powell Apartments consist of one building located at 330 South Cedar Avenue; South Pittsburg, TN. 37380. The building houses the following units:

50 - 1 bedrooms

The total amount of apartments available for Section 8 are:

50 -1 bedrooms

Section 8 apartments are not designated as such but are filled first from the waiting list.

INCOME LIMITS -

All income is converted to an annual figure. Annual income is the gross amount of income anticipated to be received by all family members during the 12 months following the date of certification or recertification. The income limits used to determine eligibility vary by program and are as follows:

- (1) Extremely low income; 30% of the median income
- (2) Very low income; 50% of the median income
- (3) Low income; 80% of the median income

HUD establishes and publishes income limits for each county or Metropolitan Statistical Area (MSA) in the country. The income limits are based on the median income of the geographic area for which the limit is established. Therefore, the income limit for one city or county is likely to be very different from the income limit for another city or county. Income limits are published annually and are based on family size and the annual income the family receives.

For each project assisted under a contract for project-based Section 8 assistance, the owner must follow an Income Targeting criteria, to lease no less than 40% of the dwelling units that become available for occupancy in a fiscal year to extremely low-income families (see above). In order to comply with the Income Targeting criteria, set by HUD, all applicants will be selected from the waiting list based on the compliance of this criteria. Extremely low income applicants will be selected from the waiting list first, if the South Pittsburg Elderly Housing is not in compliance with the Income Targeting requirements. Once the 40% requirement is met, then the applicants will be selected on a first-come, first-served basis after the preference has been met (resident of Marion County, TN.).

When determining family size for establishing income eligibility, the owner must include all persons living in the unit except the following:

- Live-in aide - is a person who resides with an elderly or mobility impaired person who:
 1. Who is determined to be essential to the care and well-being of the tenant
 2. Is not obligated for the support of the tenant
 3. Would not be living in the unit except to provide the necessary supportive services,
- Guests- guests are limited to staying no more than 14 days in a calendar year

When determining family size for income limits, the owner must include the following individuals who are not living in the unit:

- Temporarily absent family members who are still considered family members. (For example, a family member working in another state on temporary assignment)
- Family members in the hospital or a rehabilitation facility for periods of limited or fixed duration
- Persons permanently confined to a hospital or nursing home may not be listed as the head, co-head, or spouse, but may be included as other adult family members

APPLICATION:

It is Owner/Agent's policy to accept and process applications in accordance with applicable HUD regulations and SPHA recommended procedures.

Anyone who wishes to be admitted to or placed on a property's waiting list must complete an application. All applications will be processed from any interested person or persons. Applications will be accepted in person by management personnel or through postal delivery. Upon receipt of an application, the time and date will be noted and the initials of the personnel who received it.

Every application must be completed in its entirety, with or without assistance, and signed and dated by the head of the household and co-head(s), and all household members 18 years and older, if applicable. All members of the household shall be listed on the application form. Staff will assist any applicant who might have trouble completing the application form. This assistance might take the form of answering questions about the application, helping applicants who might have literacy, vision or language problems and in general, making it possible for interested parties to apply for housing. The application will be completed to the extent that all factors of eligibility are included and a determination can be made by Management on the apparent eligibility status of an

applicant. Applications that are incomplete and/or have not been signed and dated as required will not be processed.

The application must include:

- Household characteristics: name, sex, age, disability status (for eligibility purposes only) of each household member, need for accessible unit, and race/ethnicity of head of household and student status
- General household contact information - address, phone number
- Sources and estimates of anticipated annual income and assets
- Screening information: prior landlords, credit history, and drug and criminal history, if applicant has been evicted from federally assisted housing for any drug related criminal activity within the last 3 years.
- Citizen declaration and consent forms
- Applicant signature and date certifying the accuracy and completeness of information provided.

No decision to accept or reject applicants shall be made until all verifications prompted by the application form have been received. The following items will be verified by Management to determine eligibility and suitability for admission to the development:

- Eligibility information
- Annual income
- Assets and Asset income
- Housing preferences; if applicable
- Allowance information
- Social Security number for all persons in household
- Information used in tenant screening
- Citizenship/legal non-citizenship status

Owner/Agent will be the final judge of what constitutes adequate and credible documentation. If there is any doubt about the truthfulness or reliability of information received, alternative methods will be pursued until management is satisfied that the documentation obtained is the best available.

Applications will be considered on a first received, first reviewed basis. Applications are kept in current file for six months.

STATUTORY PREFERENCES:

It is Owner/Agents policy that preference does not guarantee admission. Every tenant must still meet the Tenant Selection Standards for being accepted as a resident. Owner/Agent will apply the following rules in the order shown for selecting eligible applicants.

- o Preference required by individual programs pursuant to statute:
Preference of opportunity to rent will be given to elderly families, including handicapped and disabled persons and displaced persons, over single persons.
- o Preference based upon HUD regulation. (HUD 4350.3, Chapter 2)
- o Preference as required by State/Local law. (HUD 4305.3, Chapter 2)

As a HUD Section 236 property, we are required to give preference to applicants who have been displaced by government action or a presidential declared disaster. Any preference for displacement that is required for Section 236 will be verified by the local authority where displacement occurs.

SCREENING:

ONLY THOSE APPLICATIONS THAT ARE COMPLETE WILL BE REVIEWED.

Screening is used to help ensure that families admitted to a property will abide by the terms of the lease, pay rent on time, take care of the property and unit, and allow all residents to peacefully enjoy their homes. An effective screening policy also ensures fair, consistent, and equal treatment of applicants.

Management will not employ criteria that are unrelated to an applicant's ability to meet essential lease requirements. It is unlawful to make an inquiry to determine whether an applicant, a person intending to reside in the unit after it is rented or made available, or any persons associated with that person, has a handicap, or to make inquiry as to the nature or severity of a handicap of such a person,

Upon receipt of a completed application form and sign releases permitting us to obtain necessary information

related to the selection criteria that consider factors that include but are not limited to, the following:

- Demonstrated ability to pay rent on time
- Comments from current and former landlords: Endorsements from at least two is preferred. Inquiry will be made pertaining to current/past rental history including nonpayment of rent, failure to cooperate with applicable recertification procedures; violations of house rules; violation of lease, history of disruptive behavior, housekeeping habits; termination of assistance for fraud; previous evictions, and/or abusive use or pattern of abuse of alcohol that may interfere with the right health, safety or peaceful enjoyment of the property by other tenants.
- Credit reference: Credit checks may be useful when no rent payment history is available. However, lack of a credit history, as opposed to a poor credit history, is not sufficient justification to reject an applicant;
- Drug related or criminal activity: Inquires may be made of each applicant 18 years of age and older to determine if there has been an arrest/convictions involving the illegal manufacture or distribution of a controlled substance and/or other arrest/convictions involving the illegal use of a controlled substance by consulting a third party.
- Criminal history record: Inquires may be made of each applicant 18 years of age and older to determine if they are subject to a state sex offender lifetime registration requirement;
- Applicant's ability to comply with the terms of the lease
- Housekeeping habits: Housekeeping criteria are not intended to exclude households whose housekeeping is only superficially unclean or disorderly if such conditions would not appear to affect their or others health, safety and/or welfare;
- Consideration of Extenuating/Mitigating Circumstances in the Screening Process: Owners may consider extenuating/mitigating circumstances in evaluating information obtained during the screening process to assist in determining the acceptability of an applicant;
- EIV (Existing Tenant Search): will be assessed to screen applicant prior to move in to verify assisted housing elsewhere.
- Eligibility of Students: will be determined if applicant is eligible as a student enrolled at an institution of higher education.

A student would be considered ineligible for assistance if:

- If they are a full or part time student at an institution of higher education for the purpose of obtaining a degree, certificate, etc.
- Is under the age of 24
- Is not married
- Is not a veteran of the US Military
- Does not have a dependent child
- Is not a person with disabilities and not receiving Section 8 assistance as of 11/30/05
- Is not living with his/her parents who are receiving Section 8 assistance; and
- Is not individually eligible to receive Section 8 assistance and has parents who are not income eligible to receive Section 8 assistance.

A student would be considered eligible for assistance if:

- If they are independent from his/her parents and can demonstrate the independence from parents
- Be of legal contract age under the Tennessee State Law
- Have established a household separated from parents or legal guardians for at least one year prior to application for occupancy or meet the US Dept. Educations definition of an independent student.
- Not be claimed as a dependent by parents or legal guardians to IRS regulations; and
- Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing support. The certification is required even if no assistance will be provided.

The following factors will not be used when screening an applicant:

- Physical examinations: Owners may not require physical examinations or medical testing as a condition of admission. Owners may uniformly require all applicants to furnish evidence of ability to meet the obligations of tenancy but may not impose greater burdens on individuals with handicaps;
- Meals and Other Services: Owners must not require tenants to participate in a meal program or establish other mandatory charges for services without the prior consent of SPHA;

- Donations or contributions; Owners must not require a donation, contribution, or membership fee as a condition of admission.

The owner must either:

- Accept the applicant;
Provide housing, or
Place the applicant on the waiting list if a unit of suitable size is not available

Or

Reject the applicant.

We will deny admission to federally assisted housing if:

- Any household containing a member(s) who was evicted from federally assisted housing for drug-related criminal activity within the last 3 years.
- The owner may, but is not required to, consider two exceptions to this provision:
 1. The evicted household member has successfully completed an approved, supervised drug rehabilitation program, or
 2. The circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household)
- A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to a peaceful enjoyment of the property by other residents.
- MSUT DENY if household member who is subject to a state or federal sex offender lifetime registration requirement or is a sex offender subject to a current registration program.
- Any household member if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.
- Any household member with violent criminal activity where there is bodily harm or any other criminal activity that would interfere with the enjoyment of the property will not be accepted

Management reserves the right to require criminal background checks at any time during residency if in receipt of credible and verifiable information. Criminal History will result in the rejection of the application or the termination of HUD Section 8 assistance.

Screening for credit history. A credit check will be done on all applicants that pass the criminal check. The purpose for reviewing an applicant's credit history is to determine how well they meet their financial obligations. Any applicant who receives a poor (failing) credit score from the credit service used may not be considered for eligibility. Applicants whose credit score is poor because of medical will be accepted. Applicants with judgments will be prohibited.

In the event of little or no credit history or personal references, applicants may be screened by landlord for references on payment of rent and housekeeping skills.

Applicants who have ever, at any time and any place, had a prior lease terminated for non-payment of rent, or who have ever been evicted as a result of a court proceeding for non-payment of rent, or a record of past due rent and/or a record of property destruction, will not be accepted at this facility.

Owners may need to verify age for several reasons: to determine eligibility for a property restricted to elderly persons or families or to determine whether a person is old enough to sign a legally binding contract. Owners may also need to verify age to determine whether a family is entitled to certain allowances based upon the age of the head, spouse, co-head or minor.

All applicants will be screened and selected in full accordance with **ALL** federal, state, and local housing and equal opportunity laws.

All persons requesting to be added to the applicant's lease agreement must meet the approved tenant selection criteria.

If the owner determines the family is eligible and is otherwise acceptable, and a unit is available, the owner will assign the family a unit of appropriate size in accordance with the General Occupancy Standards.

VERIFICATION REQUIREMENTS:

Management shall obtain verifications in compliance with requirements set forth in Appendix 4, Acceptable Forms of Verification of the HUD Handbook 4350.3. No decision to accept or reject an application shall be made until all verifications prompted by the application form have been collected and any necessary Follow-up Interview has been performed.

- A. Types of Verification Required - All information relative to the following items must be verified as described in these procedures:

Eligibility for admission, such as:

- Income, assets and asset income
- Family composition
- Social Security numbers; and
- Declaration of citizenship/legal non-citizenship

Housing Preferences, if applicable

- Age, disability, or handicap, of family member
- Full time student status;
- Childcare costs
- Handicap expenses; and/or
- Medical costs

Compliance with Tenant Selection Criteria, such as:

- Documented ability and willingness to abide by lease requirements, and, if applicable, housing programs requirements;
- Previous history of tenancy; and/or
- Absence of current or history of criminal activity of any household member

All the above information must be documented and appropriate verification forms or letters placed in the applicant or resident file.

- B. Preferred Types of Verification

Verifications shall be attempted in the following order:

- Third party written
- Third-party oral with a record kept in the file
- Review of documentations provided by the family
- In the absence of any of the above: affidavits from the family
- EIV

Each file will be documented to show that Management attempted to obtain third party written documentation before relying on some less acceptable form of information.

- C. Source of Information

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

- The applicant by means of interviews;
- Present and former landlord, or housing providers;
- Present and former employers;
- Agencies providing credit, criminal and landlord history;
- Family social workers, parole officers, court records, drug treatment centers, clinic, physicians, clergy, and/or
- Police departments

D. Forms of Verification

Documentation employed as part of the verification process may include, but is not limited to;

- Applications and/or forms completed as part of the interview process and signed by the applicant;
- Verification forms completed and signed by third parties;
- Reports of interview;
- Letters; and/or
- Notes of telephone conversations with reliable sources

Management staff will be the final judge of the credibility of any verification submitted by an applicant. Staff will continue to pursue credible documentation until it is obtained or the applicant is rejected for failing to provide required documentation.

E. Verification Time Frame

Only verified information that is less than 90 days old may be used for certification or recertification. Verifications may be extended for 30 days with a telephone update. (A record of the update must be placed in the applicant's file.) Verified information not subject to change (such as a person's date of birth) need not be re-verified.

Information obtained which is subject to change, and for which verifications are more than 120 days old, must be re-verified.

REJECTING APPLICANTS AND DENIAL OF RENTAL ASSISTANCE:

Applicants may be rejected if:

- The applicant is ineligible
- The applicant's household characteristics are not appropriated for the size or type of units that are available;
- The applicant does not meet the owner's written tenant selection criteria including the occupancy standards and screening criteria established in the tenant selection plan
- The applicant fails to disclose and document all Social Security numbers or execute a certification if numbers have not been issued (excluding individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010 and those individuals who do not contend eligible immigrant status)
- The applicant fails to prove declaration of citizenship or legal non-citizenship;
- The applicant was/is unable to fulfill obligations and comply with all terms of the previous/current Lease/Rental Agreement;
- The applicant has a record of chronic late, underpayment or nonpayment of rightful obligations, including rent and utilities;
- The applicant has record of disruptive behavior
- The applicant has record of destruction of property;
- The applicant has a record of poor living or housekeeping habits;
- The applicant has a history of criminal activity involving crimes of physical violence to persons or property, or a record of other criminal acts which may endanger the health, safety, or welfare of other residents;
- The applicant has been evicted for material non-compliance, or 'other good cause', from current or previous housing
- The applicant has history of activities that would be injurious to the reputation of the property and/or be likely to cause an increase in the rate of hazard insurance on the property
- The applicant purposefully falsified, misrepresented or withheld information or submitted inaccurate and/or incomplete information on any application or during the interview related to eligibility, award of preference for admission, allowance, family composition or rent;
- The applicant has current or recent problems involving chemical or drug dependency resulting in any of the other reasons for non-selection' and/or
- The applicant was evicted or lost housing assistance because she/he purposefully falsified, misrepresented or withheld information or submitted inaccurate and/or incomplete information on any

application or during the interview related to eligibility, award of preference for admission, allowance, family composition or rent;

- The applicant failed to sign and submit verification consent forms or the Authorization for Release of Information (HUD-9887 and HUD-9887-A)
- The applicant refuses to comply with housing program requirements, policies and/or procedures; i.e., failure to sign and submit relevant forms, consents, releases, etc...

Applicants must be rejected if:

- The applicant was evicted from federally assisted housing for drug-related criminal activity within the last 3 years, unless successful completion of an approved, supervised drug rehabilitation program can be substantiated;
- The applicant is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that such use of pattern of use may interfere with the health, safety and right to peaceful enjoyment of the property by other tenants;

If Management does not place an applicant on the waiting list or immediately process the applicant for admission, Management must promptly notify the applicant in writing of the rejection, and explain in the notice the reasons for the rejection,

- That the applicant has 14 days to respond in writing or to request a meeting to discuss the rejection.
- If the applicant is an individual with handicaps, the applicant may inform Management this fact and may request to make reasonable accommodations in the policies or practices to enable the applicant equal opportunity.

An Owner/Agent, who did not make the initial decision to reject the applicant, must conduct any meeting with the applicant or review of the applicant's written response.

If the applicant appeals the rejection, Management must give the applicant a written final decision within 5 days of the response or meeting.

Management must keep the following materials on file for at least three years: application, initial rejection notice, any applicant reply, owner's final response and all interview and verified information on which the owner based the rejection. When disposing of rejected applications, all information is shredded.

MITIGATING CIRCUMSTANCES:

Management will hold a second interview with any applicant known to have a disability or handicap who cannot meet one or more of the tenant screening criteria. The purpose of this interview is to determine whether it is possible to admit the applicant through consideration of mitigating circumstances or by applying reasonable accommodation.

Mitigating circumstances would be facts (that can be verified) that would overcome or outweigh information gathered in the tenant screening process.

Acceptable evidence of mitigating circumstances may include the following:

- Verification that unacceptable past behavior is either no longer in effect or otherwise controlled
- Applicants who claim unacceptable behavior resulting from alcoholism or drug addiction must verify that they are not currently engaging in alcohol abuse or the use of illegal drugs. Current abuse is defined as use more than 120 days prior to the date of application.

During the period that the applicant is claiming no current use, the applicant's behavior in the previously unacceptable area must have shown improvement. Unimproved behavior shall be taken to construe that either the applicant's unacceptable behavior was not caused by alcohol or drug abuse, or the applicant is still engaging in alcohol or drug abuse. Lack of improvement in a previously unacceptable area shall result in a rejected application.

Management shall also have the right to request further information reasonably needed to verify a mitigating circumstance, even if such information is of a medically confidential nature. If the applicant refuses to provide or give access to such further information, Management will give no further consideration to the mitigating circumstance.

OFFERING A UNIT:

When a unit becomes available, in-place residents are considered first. If there are no in-place residents in need of the unit, the unit will be offered to the applicant at the top of the list for that unit size. If the applicant does not respond to the offer of tenancy within five (5) days, the offer will be cancelled and the apartment will be offered to the next applicant on the waiting list. If the applicant wants to wait for the next unit and refuses the unit a second time, he will be removed from the waiting list with the time and date being documented on the waiting list.

OCCUPANCY STANDARDS:

The following shall apply when assigning bedroom size standards:

- No more than two persons should be required to occupy a bedroom
- Children of the same sex may share a bedroom
- Unrelated adults and persons of the opposite sex may occupy separate bedrooms
- Children may share a bedroom with a parent, if the parent so wishes. This decision is made by the parent

Occupancy standards of this project will be based on the following:

NUMBER OF PERSONS IN UNIT		
Number of Bedrooms	MINIMUM	MAXIMUM
1	1	3

The owner is required to establish reasonable occupancy standards that will:

- o Assist as many people as possible, without overcrowding, and
- o Minimize vacancies

More than two persons may occupy a bedroom provided there is sufficient square footage in the bedroom to meet local standards. If local standards permit, the living room may be considered a habitable sleeping room, therefore, increasing the overall occupancy level.

Families that need the special features of the unit shall use units accessible to the mobility, visual and/or hearing impaired. Owners may lease these units to families who do not need the special features when no current resident or no one on the waiting list needs such a unit. The housing provider must, however, have a lease provision that requires the family to transfer to another suitable unit when someone can document the need for the special features of the unit.

A. Physically Handicapped/Disabled Applicants

For units accessible to or adaptable for persons with mobility, visual or hearing impairments, households containing at least one person with such impairment will have first priority, (as applicable for a particular unit's features).

Note: Current residents in good standing requiring accessible/adaptable units shall be given priority over applicants requiring the same type of unit. Where no such applicants or current residents are at hand, management reserves the right to hold such units available while outreach efforts are in process to obtain applicants with need for such units. Where non-handicapped persons are moved into units designed to meet special needs, they must agree to move to the first available appropriately sized unit with no such design features available should an applicant or current resident require an accessible unit of the type currently occupied by the non-handicapped person.

Requests for a unit transfer must be made in writing and the request must state the reason for the request. The transfer request must fall within the following list of reasons:

- Medical need certified by a doctor
- Reasonable accommodation of tenant's physical or developmental disability

Only residents in good standing requesting transfers for above reason will be placed on a transfer list if the following conditions have been met:

- Rent is in good standing
- Unit has been maintained in an appropriate manner
- No formal complaints have been issued against tenant or household members

"In place" residents who require unit transfer will be selected before applicants on our waiting list.

If request is approved, the tenant agrees to pay damages to present unit that are beyond normal wear and tear. Tenant must move within 30 days after the owner notifies the family that a unit of the required size or accommodation is available within the property.

Tenants who are in an oversize unit because of decrease of family members may stay in unit and pay market rent or move within 30 days after owner notification.

When a household transfers to a new apartment, management will transfer the existing deposit.

If no appropriately sized unit is available the tenant will be placed on an in-house transfer waiting list in accordance with the date the family met the eligibility criteria.

WAITING LIST

Owner/Agent's waiting list is **ALWAYS** open. To ensure that applicants are appropriately and fairly selected for the next available unit a waiting list is maintained, as required by HUD handbooks and regulations.

If no suitable unit is available the owner will place an apparently eligible applicant on an approved waiting list.

Each apparently eligible applicant will be assigned his/her appropriate place on the waiting list based on the date and time the application is received for a suitable type and/or size of unit and in conjunction with factors affecting preference of priority as established in the development's Tenant Selection Plan, including VAWA, student requirements and preferences set by the Board of Commissioners.

Data included on the waiting list includes the following data taken from the application:

- Date and time the applicant submitted an application
- Name of head of household
- Annual income level (used to estimate levels for income-targeting, i.e., extremely low-income, very low-income and low-income)
- Identification of the need for an accessible unit, including the need for accessible features (if applicable)

Whenever a change is made in the waiting list, an action is taken, or an activity specific to an applicant occurs, a notation will be made on the waiting list.

Manual maintained waiting lists will be maintained as a permanent record. The list will not to be "rewritten". The list is maintained in a manner that cannot easily be altered. The list is kept in a manner that can be audited. The list also provides an easily viewable record of the date and time of application and date and time of selection from the waiting list.

Removal of Applicants from the Waiting List -

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

- The applicant has moved into a unit
- The applicant was rejected
- The applicant requests that the name be removed
- The applicant was clearly advised of the requirement to tell Management of his/her continued interest in housing by a particular time and failed to do so; or

- Management made a reasonable effort to contact the applicant to determine if there is continued interest in housing but has been unsuccessful;
- The applicant has been on the list for six months with no activity.

All applicants removed from the list will be documented with date and time of removal.

As soon as a notice to vacate is received, staff will immediately contact the first applicant on the waiting list. The initial contact will be by telephone with a minimum of three times within a 48 hour period. If the applicant cannot be contacted within four days, the offer will be cancelled and the unit will be offered to the next applicant on the waiting list.

Should the applicant reject the offer, the applicant shall be given a second offer of a suitable vacancy as soon as one becomes available. Should the applicant reject the second offer, the applicant shall be removed from the waiting list unless the applicant can verify that a hardship exists or that there are mitigating circumstances.

Note: Applicants who can show a good reason for failing to contact Owner/Agent within a reasonable time beyond the time originally given will be allowed to retain their position on the waiting list; i.e., applicant in the hospital, being on vacation, etc... Applicants who fail to respond in a timely manner for reasons that are related to a disability, and not the fault of the applicant should also be reinstated; i.e., applicant requests the housing provider contact an advocate, being contacted by telephone rather than mail, etc...

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

Handicapped Accessible Units -

Applicants requiring the features of an accessible unit; i.e., a disabled family shall be offered an accessible unit, of appropriate bedroom size, before applicants not requiring the accessible features regardless of the disabled family's position on the waiting list. If the disabled family is the next applicant on the waiting list and the available unit, of appropriate bedroom size, is not an accessible unit, management will make the available unit accessible (for the disabled family to rent) to the greatest extent possible pursuant to Section 504 of the Rehabilitation Act of 1973, as amended.

HUD FORM 9887 AND 9887-A:

A current form HUD-9887 is on file before accessing the employment or income data contained in EIV for a resident. The 9887 and 9887-A is provided and signed with the application, updated at interview for apartment if needed and at annual recertification. The form is signed by the head of household, spouse or co-head, regardless of age, and each family member who is 18 years of age or older. The form is valid for 15 months from the date of signature.

EIV & YOU BROCHURE:

The EIV & You brochure is to inform tenants and potential tenants about the EIV system, the data that is available about them in EIV, how the information will be used, and their responsibilities as a tenant. The benefits are: If tenants accurately report their income then the right amount of rental assistance will be paid on their behalf, thus allowing more families to receive the rental assistance they need. Furthermore, the administrative workload on O/As will be significantly reduced because they will not have to set up repayment agreements with tenants to recover rental assistance that was inappropriately paid on their behalf and discovered through use of the EIV system. And finally, there will be fewer tenants moving out of their units while still owing back rent because the right amount of rental assistance will have been paid from the beginning. The potential for fraud, waste and abuse in HUD's rental assistance programs will be diminished.

EIV EXISTING TENANT REPORT

All applicants **MUST** disclose if they are currently receiving HUD housing assistance. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit.

HUD provides the owner/agent with information about an applicant's current status as a HUD housing assistance recipient. The owner/agent will use the Enterprise Income Verification System (EIV) to determine if the applicant or any member of the applicant household is currently receiving HUD assistance. The form HUD-9887, does not need to be on file to use the Existing Tenant Search in the EIV system at the time of application processing and tenant screening.

Nothing prohibits a HUD housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit any voucher before HUD assistance on this property will begin. Special consideration applies to:

- Recipients of HUD assistance in another unit who are moving to establish a new household when other family/household members will remain in the original unit

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

This information will be reviewed periodically. If any household member receives or attempts to receive assistance in another HUD assisted unit while receiving assistance on the property, the household member will be required to reimburse HUD for assistance paid in error. This is considered a material lease violation and may result in penalties up to and including eviction and pursuit of fraud charges.

CITIZENSHIP/IMMIGRATION STATUS REQUIREMENTS:

By law, only U.S. citizens and eligible noncitizens may benefit from federal rental assistance. Section 214 of the Housing and Community Development Act of 1980 restricts rental assistance to non-citizens (effective June 19, 1995). Therefore, we must verify that all members of the applicant's household are U.S. citizens or eligible non-citizens. These requirements apply to families making application to the property, families on the waiting list, and tenants.

All applicants for assistance must be given notice of the requirement to submit evidence of citizenship or eligible immigration status at the time of application.

All family members, regardless of age, must declare their citizenship or immigration status.

Noncitizens (except those ages 62 and older) must sign a Citizenship Declaration for and submit documentation of their status or sign a declaration that they do not claim to have eligible status. Noncitizens age 62 and older must sign a declaration of eligible immigration status and provide a proof of age document. U.S. Citizens must sign a declaration of citizenship.

A mixed family- a family with one or more ineligible family members and one or more eligible family members - may receive prorated assistance, continued assistance, or a temporary deferral of termination of assistance.

Applicant families that are mixed are eligible only for prorated assistance.

Applicants who hold a noncitizen student visa are ineligible for assistance, as are any noncitizen family members living with the student. Non-Citizen student with a citizen spouse or child is considered a mixed family.

One or all of the following documentation will be requested: United States driver's license, Social Security card, the 11-digit number found on the INS form 1-94, or Certified Birth Certificate.

All family members, regardless of age, must declare their citizenship or immigration status by completing a Family Summary Sheet and a Citizenship Declaration Form. The Family Summary provides the owner with information on each household member. The Declaration Form is used to declare citizenship, eligible immigration status or election to not contend eligible status and acknowledge ineligibility. Upon completion of these two forms, management will complete the Owner's Summary of Family form.

SOCIAL SECURITY NUMBER REQUIREMENTS:

Effective January 31, 2010, all household members receiving assistance or applying to receive assistance will be required to provide a Social Security Number and adequate documentation necessary to verify that number. This rule applies to all household members including live-in aides, foster children and foster adults. Effective 4/7/2016 if a child under the age of 6 years old is added to the household within 6 months prior to moving in, the child can move-in without a SSN, but must provide a SSN within 90 days of moving in. If no SSN is provided for the child, the agent must notify the resident of the termination of assistance.

Adequate documentation means a Social Security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN such as:

- Original social Security card
- Identification card issued by a federal, State, or local agency, a medical insurance provider, or an employer or trade union
- Earnings statements on payroll stubs
- Bank statement
- Form 1099
- SSA benefit award letter
- Retirement benefit letter
- Life insurance policy
- Court records

For eligibility purposes, applicants do not need to disclose or provide verification of a Social Security Number for household members to be placed on the waiting list. However, applicants must disclose a Social Security Number and provide adequate documentation to verify each Social Security Number for all non-exempt household members before they 1) can be screened 2) can participate in the eligibility interview or 3) can be housed.

EXCEPTIONS TO DISCLOSURE OF SOCIAL SECURITY NUMBER:

The Social Security Number requirements do not apply to:

1. Individuals who do not contend eligible immigration status.

When applicants and residents are required to declare their citizenship status, the existing regulations pertaining to proration of assistance or screening for mixed families must continue to be followed. In these instances, the owner will have each resident's Citizenship Declaration on file - whereby the individual did not contend eligible immigration status - to support exception to the requirements to disclose and provide verification of a Social Security Number. The owner/agent may not deny assistance to mixed families due to nondisclosure of a Social Security Number by an individual who does not content eligible immigration status.

2. Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.

The eligibility date is based on the initial effective date of the form HUD-50059 or form HUD-50058, whichever is applicable

Documentation that verifies the applicant's exemption status must be obtained from the owner of the property where the initial determination of eligibility was determined prior to January 31, 2010. This documentation must be retained in the resident file. An owner/agent cannot accept a certification from the applicant stating they qualify for the exemption.

The exception status for these individuals is retained if the individual moves to a new assisted unit under any HUD assisted program or if there is a break in his/her participation in a HUD assisted program.

If all non-exempt 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 the Social Security Numbers of all non-exempt household members, the applicant should be determined ineligible and removed from the waiting list.

SECONDARY VERIFICATION OF THE SOCIAL SECURITY NUMBER:

The Social Security Number provided will be compared to the information recorded in the Social Security Administration database (through HUD's Enterprise Income Verification System) to ensure that the Social Security Number, birth date, and last name match. If EIV returns an error that cannot be explained or resolved, assistance and/or tenancy may be terminated and any assistance paid in error must be returned to HUD. If the applicant/resident deliberately provides an inaccurate Social Security Number, the owner/agent and/or HUD may pursue additional penalties due to attempted fraud.

HUD FORM 92006 (Supplemental and Optional Contact Information):

This optional contact person or organization form identifies a person or organization that may be able to help in resolving any issues that arise during their tenancy. This form is a part of the application and can be updated, removed or changed at any time.

APPLICATION INTERVIEW:

At the time an appropriate unit becomes available, or sooner, then Management will interview and obtain current information about the family's circumstances. Any question that is asked of one applicant must be asked of all applicants. A final decision on eligibility cannot be made until all verifications are complete.

Management will refer to HUD Handbook 4350.3 for income, asset and allowance information as well as the documents owners must:

- Confirm and update all information provided on the rental application. (If the applicant is determined ineligible the owner must comply with proper procedures for rejection);
- Explain program requirements, verification procedures and penalties for false information. The penalties include eviction, loss of assistance, fines up to \$10,000 and imprisonment up to five years;
- Obtain family income and composition information needed to certify eligibility and compute the tenant's share of the rent. Any change in family income and composition since the date of application should also be obtained;
- Review the financial information on the rental application and specifically ask the applicant whether any member of the household receives the types of income or assets as listed on the application. If it seems likely that an applicant is receiving a form of income not reported on the application, ask the applicant about that source of income and document the applicant's response in the file;
- Ask the head of household, spouse, co-head(s) and household members age 18 years and over to sign the release of information consent portion of any verification request, or other applicable forms, used for determining eligibility;
- Require the head of household, spouse, co-head(s) and household members age 18 years and over to give a written verification as to whether any family member did/did not dispose of any assets for less than fair market value during the two years preceding the effective date of the verification.
- Require the head of household, spouse, co-head(s) and household members to disclose and document all Social Security Numbers or execute a certification when a Social Security Number has not been assigned;
- Require that all household member to make declaration of citizenship or legal non-citizenship. Parents make the declaration for minor household members. Legal non-citizenship requires documentation. In cases where citizenship is "questionable" management may require documentation;
- Advise the family that, for a sample of cases, HUD will compare the information with Federal, State, or local agencies;
- Tell the family that a final decision on eligibility cannot be made until all verifications are complete;
- Inform the family that Federal laws prohibit discrimination against individuals with handicaps.
- Inform applicants of housing for the elderly or handicapped about the rules on owning pets; and
- Provide the household with Federal and State Data
- Fill out the following forms: Ethnicity, Citizenship, Family Summary and Disposal of Asset
- Tenant consent to disclose EIV income information to other adults in the apartment will be offered to all

adult household members and signed by those who approve. If not signed - information will not be shared.

LEASING PROCESS AND DEPOSITS:

A lease is a contract between the owner and tenant through which they agree to the terms for residing in the unit. It is legally binding on both the owner and the tenant and enforceable in a court of law. The following documents are part of the tenants file:

- 50059 signed by the tenant and the manager
- Move-in inspection report signed by the tenant and manager along with list of standard charges
- House rules developed by the owner
- Disclosure that the following forms were given: Lead hazard pamphlet, Rights and Responsibilities, Fact sheet for determining your rent, and EIV brochure

The manager collects a security deposit when the lease is signed. The security deposit is the same as one month's rent. If an applicant cannot pay the deposit at move-in they will be rejected. The amount of the deposit does not change with changes in tenant's income or rent.

VIOLENCE AGAINST WOMEN ACT (VAWA):

The Violence Against Women Act was promoted for a noble cause to make the lives of victims of abuse easier and to prevent homelessness. In accordance with the Violence Against Women Act (VAWA), the owner/agent will not penalize victims of domestic violence, as well as members of their family, from being denied housing or losing their HUD-assisted housing as a consequence of stalking, dating violence, sexual assault or rape if the incident under review is a direct result of such abuse.

The Landlord may not consider incidents of domestic violence, dating violence, or stalking as serious or repeated violations of the lease or other "good cause" for termination or assistance, tenancy or occupancy rights of the victim of abuse.

The Landlord may not consider criminal activity directly relating to abuse, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse.

The Landlord may request in writing that the victim, or a family member on the victim's behalf, certify that the individual is a victim of abuse and that the Certification of Domestic Violence, Dating Violence or Stalking, Form HUD-5382, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction. Nothing prevents a victim who has committed a crime or violated a lease from being denied, evicted or terminated.

Emergency Transfers

The South Pittsburgh Housing Authority and South Pittsburgh Elderly Housing (SPHA) is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA),¹ the SPHA allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit, even if that transfer requires the relocation to

¹ Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

another managed property. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.² The ability of SPHA to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether the SPHA has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees that The South Pittsburg Housing Authority and The South Pittsburg Elderly Housing is in compliance with VAWA.

Eligibility for Emergency Transfers

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L is eligible for an emergency transfer, if: the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

Emergency Transfer Request Documentation

To request an emergency transfer, the tenant shall notify SPHA's management office and submit a written request for a transfer to 214 Elm Avenue; South Pittsburg, TN. The SPHA will provide reasonable accommodations to this policy for individuals with disabilities. The tenant's written request for an emergency transfer should include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under HP's program; OR
2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises

² Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

Confidentiality

The SPHA will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives the SPHA written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the tenant.

Emergency Transfer Timing and Availability

A VAWA request will be given priority over any other Internal Emergency Transfer* from others seeking to be placed on a waiting list or that has requested for any other type of emergency transfer requests. The SPHA cannot guarantee that a transfer request will be approved but once approved, will work as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking into a Safe Unit*. The Internal Emergency Transfer* is subject to availability but will be completed when it is Immediately Available* and safe for transfer. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. An Internal Emergency Transfer* will be made, if available, to another public housing unit, in South Pittsburg and will be given priority housing. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred.

The SPHA may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit. If the SPHA has no Safe Unit*and/or available units for which a tenant who needs an emergency is eligible, the SPHA will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move for External Emergency Transfer*. At the tenant's request, the SPHA will also assist tenants in contacting the local organizations that offer assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan. The SPHA will help with outreach activities to other organization that assist and will provide resources to VAWA victims. The SPHA will also help with arrangements with other housing providers to help facilitate the move to other External Emergency Transfers*. Although the SPHA will assist VAWA requests as best as possible, the transfer request does not guarantee continued assistance or an External Emergency Transfer* to other HUD Housing.

Safety and Security of Tenants

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact:

- National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).
- Tenants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 800-656-HOPE, or visit the online hotline at <https://ohl.rainn.org/online/>.
- Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

HOUSE RULES:

Upon move-in each applicant will be provided a signed copy of our Rules. The original signed copy will remain in the tenants file as long as the tenant resides at The Chester Powell Apartments. The house rules are reasonable and related to the safety, care and cleanliness of the building or the safety and comfort of the tenants. The rules comply with HUD requirements and state and local laws and do not discriminate. It is each tenant's responsibility to read this guidebook and follow the rules of conduct. Management reserves the right to update and change the Rules when it sees fit. Management will then provide a 30-day notice to each tenant of the changes.

PET RULES:

We have a no pet policy but we do allow persons with disabilities to keep a common household pet in their unit subject to verification from their doctor that they are disabled and that they do need a pet. **Only one pet is allowed per apartment unit.** Tenants must then sign an 'Assistance Animal Agreement' on pet rules. The resident must agree to abide by all applicable state and local health and safety laws that pertain to the Assistance Animal and must have evidence of current license if required by local codes. The resident must give manager written certification from a veterinarian that the animal has been immunized against diseases common to that type of animal, and this must be updated annually. Violation of the rules may be grounds for removal of the pet or termination of the pet owner's tenancy or both.

CONSENT TO DISCLOSE:

The Federal Privacy Act (5 USC 552a, as amended) prohibits the disclosure of an individual's information to another person without the written consent of such individual. As such, the EIV data of an adult household member may not be shared (or a copy provided or displayed) with another adult household member or to a person assisting the tenant with the recertification process, unless the individual has provided written consent to disclose such information.

However the manager is not prohibited from discussing with the head of household and showing the head of household how the household's income and rent were determined based on the total income reported and verified.

APARTMENT INSPECTIONS:

A MOVE-IN INSPECTION will be done on the unit giving the tenant a chance to familiarize themselves with the unit as well as to document its current condition. This assures that the unit is in livable condition and is free of damages. After the inspection, the tenant has five days to report any additional deficiencies to the manager. This will be signed by the tenant and the manager.

THE MOVE-OUT INSPECTION will be done at the time of move-out to ensure there are no damages to the unit. The manager will list the damages on the move-out form and compare it with the move-in form to determine if the damage is reasonable wear and tear or excessive damage caused by the tenant's abuse or negligence. The tenant will be encouraged to be present during the inspection but has the right to decline.

Annual inspections will be done by the property manager and a maintenance staff. At these inspections management has the opportunity to determine whether or not the appliances and equipment in the unit are functioning properly and to assess whether anything needs to be repaired or replaced. It allows management the opportunity to determine any damage to the unit caused by the tenant's abuse or negligence and, if so, make the necessary repairs and bill the tenant for the cost of the repairs.

Other periodic inspections will be done by management or other authorized agencies. Tenants will be given a 24-hour notice before anyone enters their apartment unless entrance is an emergency nature and we have to enter right away. When this happens, the tenant will be left a notice that lets them know we were in their apartment and why.

ANNUAL RECERTIFICATIONS:

The recertification date is the first day of the month in which the tenant moved into the property. The recertification date does not change if a tenant transfers from one unit to another unit at the property. Management will inform tenants, through written notices, about the tenants' responsibility to provide information about changes in family income or composition necessary to properly complete an annual recertification. These notices include information on the recertification process, requirements and timelines. The notices are as follows:

1. **INITIAL NOTICE** - Upon signing the lease and at each annual recertification, the manager will provide an initial notice to the tenant. The notice serves to ensure the tenant understands they will need to report to the property management office by the specified date the following year to prepare for their next recertification. The tenant must sign and date the initial notice acknowledging receipt. The manager also signs and dates the notice as a witness. A copy of this notice will be in the tenant file.

2. **FIRST REMINDER NOTICE** - 120 days prior to the recertification anniversary date the first reminder notice is sent. The first reminder notice reminds the tenant of the requirements in the HUD lease regarding the tenant's responsibility to recertify annually, gives the name of the manager who the tenant must schedule the interview with, lists the information the tenant needs to bring to the interview, states the cutoff date by which the tenant must contact the property manager, provide the information and signatures necessary to process the recertification, state that if the tenant responds to the property manager after the specified cutoff date (10th day of the 11th month after the last recertification), the manager will process the annual recertification but will not provide the tenant 30 days notice of any rent increase, and if the tenant fails to respond before the recertification anniversary date, the tenant will lose the assistance and will be responsible for paying market rent. The manager will maintain a copy of this notice in the tenant file.

3. **SECOND REMINDER NOTICE** - If the tenant fails to respond within 30 days of the first reminder notice, the manager will provide a second reminder notice approximately 90 days prior to the tenant's recertification anniversary date informing the tenant that their recertification information is due. The second reminder notice also contains all the information given in the first reminder notice. The manager will maintain a copy of this notice in the tenant file.

4. **THIRD REMINDER NOTICE** - If the tenant does not respond to the second reminder notice before 60 days prior to the recertification anniversary date, the manager will provide the tenant a third reminder notice no later than 60 days prior to the anniversary date. This notice will also serve as a 60-day notice to terminate assistance, and as a 60-day rent increase notice. The third reminder notice will contain all of the information given in the first reminder notice and specify the amount of rent the tenant will be required to pay if the tenant fails to provide the required recertification information by the recertification anniversary date and state this rent increase will be made without additional notice. In addition, the tenant may be evicted for non-compliance with the lease requirement to recertify annually. Eviction will only be pursued as a last measure to enforce compliance. The manager will maintain a copy of this notice in the tenant file.

During the annual recertification interview a new lease and addendums are signed, consent to the release of information is signed; they are given copies of Rights and Responsibilities, HUD's Fact Sheet, and EIV and You, and an initial notice for next year's review is signed.

HUD's EIV system will be used to verify income and employment of current tenants, as well as any income discrepancies. Third party verification will be obtained from all sources of the household's income assets and allowable expenses to complement and or update EIV data, unless they have the last 6 paycheck stubs from current employer already in their file and it matches EIV records.

A 30-day written notice to the tenant of a rent increase is required except in cases of a tenant's failure to recertify or fraud. Rent decreases are effective the first day of the month following the date of the change.

INTERIUM RECERTIFICATION: The tenant is required to advise the manager immediately if any of the following changes occur -

- Any household member moves out of the unit
- Any adult member of the household who was reported as unemployed on the most recent certification or recertification obtains employment,
- The household's income cumulatively increases by at least \$200 per month (All tenants 18 and over must report changes in family income or composition within a 30-day period. Failure to do so will result in the waiver of management's 30-day notice for any resulting rental increase.)
- Changes such as a family member turning 62 years old

EIV USE POLICY:

Manager uses the EIV system in its entirety. Managers must use the:

- EIV Income Report as a third party source to verify a tenant's employment and income during mandatory recertification's (annual and interim) of family composition and income
- Other EIV income reports (Income Discrepancy Report, New Hires Report and No Income Report) to identify issues or discrepancies which may impact a family's assistance
- EIV Verification Reports (Existing Tenant Search, Multiple Subsidy Report, Identity Verification Reports, and Deceased Tenants Report) that further assist in reducing subsidy payment errors.

Existing Tenant Report is done on all approved applications before move-in and will be retained with the application and kept for three years unless they become a tenant. It will then be retained in the tenant file for the term of tenancy plus three years.

For all new admission, including Initial Certification, the manager will:

1. Review a Summary Report on all tenants within 90 days of a move in and at annual and interim until all nonexempt household members show a "verified" status. This will then be printed and put in resident's file.
2. Review and print the Income Report and Income Discrepancy Report within 90 days after transmission of the move-in certification to TRACS to confirm/validate the income reported by the household. This report will also be printed at all interims and annual recertification along with any documentation received to resolve income discrepancies, if applicable.
3. Resolve any income discrepancies with the household within 3 days of the Income Report date.

In addition to assisting with employment and verification process, EIV is used to monitor compliance of existing residents. The following reports are put in a Master File and generated through the use of EIV:

- Failed Pre-Screening/Failed Verification report is done monthly
- Deceased Tenant report is done monthly
- New Hires Report is done monthly
- Multiple Occupancy Report is done monthly

All reports will be reviewed and errors corrected or documented. We make sure that the data recorded in TRACS is correct, information provided by residents is correct and that residents are complying with reporting requirements. We try to run these reports within the first 10 days of the month.

Managers will investigate and confirm possible income discrepancies of \$2,400 or more as disclosed on the EIV Income Discrepancy Report to determine whether or not the discrepancy is valid.

These reports are kept locked up and secure and will be maintained for three years. At the end of three years they will be shredded.