

Northridge Manor Apartments
4155 Maida Road
Beaumont, TX 77708
(409) 899-8417

This property contains 150 subsidized apartments. The apartments are designated, under the Section 8 project type, to serve a mixed resident population. Qualifying economic income limits are Low as published by HUD each year for the Beaumont-Port Arthur MSA.

1. Fair Housing and Equal Opportunity Requirements

- A. It is this property'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 protecting the individual rights of applicants, residents, or staff which may subsequently be enacted.
- B. The property will not discriminate because of race, color, sex, familial status, religion, handicap, disability, sexual orientation, gender identity, marital status or national origin 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 property, 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 property will not discriminate because of race, color, sex, familial status, religion, handicap, disability, sexual orientation, gender identity, marital status or national origin. 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: Jettis White-Domoneck, Director of Housing Programs, 1980 Laurel St., Beaumont, TX 77701.

The property 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 Property 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: Jettis White-Domoneck, Director of Housing Programs, 1980 Laurel St., Beaumont, TX 77701, (409) 951-7220. This person is not directly involved in the day-to-day decision-making process involving admitting applicants to the property.

2. Privacy Policy

It is the policy of the property to guard the privacy of individuals conferred by the Federal Privacy Act of 1974 and to ensure the protection of such individuals' records maintained by the property. Therefore, neither the property 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 in no way limits the property'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

Applicants must meet the following requirements to be eligible for occupancy and housing assistance at the above-mentioned property:

- 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 unit, HUD requires every household member, including live-in aides, foster children and fostered adults (unless the household is an Exception as noted in [2] below) to have a Social Security Number (SSN).

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 rejected. 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 unit 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 tenant file.

(2) Exceptions:

- 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 property (not from the applicant) and will be kept in the tenant file.
 - Exception 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.

(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 unit 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 unit, 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. For persons under the age of 6 that were added to the applicant household within 6 months of the date of admission, the family must disclose and provide verification to the SSN within 90 days of the date of admission. An additional 90 day extension must be granted if delays are due to circumstances beyond the family's control.



(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 tenant's control.
 - During this time, the child will appear on tenant 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 adjudicated minors who are the Head, Spouse or Co-Head in each applicant family must sign and date an Authorization for Release of Information (HUD 9887/9887A) prior to receiving assistance, and annually thereafter.
- D. The unit 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 verified eligible immigration status, if under 62 years of age, to qualify for subsidy.
 - (3) 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:
- (a) 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;
 - (b) Is under the age of 24;
 - (c) Is not married;
 - (d) Is not a veteran of the United States Military;
 - (e) Does not have a dependent child;
 - (f) Is not a person with disabilities, and was not receiving Section 8 assistance as of November 30, 2005;
 - (g) Is not living with his/her parents who are receiving Section 8 assistance; and
 - (h) 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) A student who is otherwise eligible and meets screening requirements is eligible for assistance if the student meets the criteria indicated below. Section 8 assistance shall 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; when the student:
- (a). Is classified as Vulnerable Youth; A student meets HUD's definition of a vulnerable Youth when:
 1. The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
 2. The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;
 3. The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such



terms are defined in section 725 of the McKinney-Vento homelessness Assistance Act), or as unaccompanied, at risk of homelessness, and self-supporting, by

- a. A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act;
- b. The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
- c. The director of a program funder under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
- d. A financial aid administrator; or

(b) The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances

Any financial assistance a student receives under the Higher Education Act of 1965, from private sources, or from an institution of higher education that is in excess of amounts received for tuition and other fees is included in annual income, except:

- (a) If the student is over the age of 23 with dependent children or
- (b) If the Student is living with his or her parents who are receiving section 8 assistance

(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 2005 ensures that this property will protect housing assistance applicants and residents who have been victimized by domestic violence, dating violence, stalking and/or sexual assault as follows:

- (1) Applicants cannot be denied rental assistance solely because they were previously evicted from an assisted site for being victims;
- (2) Applicants cannot be denied assistance solely for criminal activity or other acts against them that were directly related to domestic violence, dating violence, stalking and/or sexual assault;
- (3) Residents cannot be evicted, nor have their subsidies terminated solely because they were victims of domestic violence, dating violence, stalking and/or sexual assault. 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.

Tenants will sign the VAWA lease addendum, Form HUD-91067. All tenants will have the option to complete the Certification of Domestic Violence, Dating Violence or Stalking, form HUD-91066. Management will provide all tenants with this form discreetly upon request, which they may complete if needed.

If an applicant is a victim of domestic violence, dating violence, stalking and/or sexual assault, completion of the written Certification Form HUD-91006 will be requested, which includes names of abusers, if known. 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 domestic violence victim. All documentation will be kept in a separate, secured location, separate from other tenant files, and will remain confidential.

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

4. Application Intake and Processing

- A. It is the property's policy to accept and process applications in accordance with applicable HUD Handbooks and regulations.
- B. This property 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.
- C. Due to the length of the property's waiting list, most applicants will wait many months before being offered a unit. Since information about the household members, income, assets and expenses change over time, we will provide a Pre-Application, which simply asks questions to determine whether or not the applicant household meets the qualifications to be added to the waiting list.

Pre-applications can be submitted via www.bmtha.org. If, due to a disability, an applicant is unable to complete an application online, a third party can assist in the completion of the form or our office may be contacted to discuss other alternatives needed due to a reasonable accommodation request. At the time of pre-application, if an applicant household qualifies for multiple unit types, the household must choose the unit size they are applying for.

As a pre-applicant household nears the top of the waiting list, they will be contacted in writing notifying the household of the date and time for an application interview. If the applicant household fails to arrive at the interview and/or fails to contact management within 10 calendar days of the date of the notification letter, the applicant household will be removed from the waiting list.

Only fully completed applications will be accepted and must be completed in person at the central office. 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.

- D. 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 tenant 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. While this demographic information is not used to determine applicant eligibility, it is gathered as a means to tracking the demographic makeup of applicant traffic-a statistic that is called for in the property's Affirmative Fair Housing Marketing Plan.

- E. 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.

- F. Upon determination that the application is completed, applications will be date and time stamped and the applicant will be added to the waiting list(s), if applicable. Ineligible applicants will be promptly notified in writing as to the reason the application is being rejected.
- G. 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 waiting list.

Income Targeting Procedures

- A. At least forty percent (40%) of all available units (within each project fiscal year) will be offered to families who are at or below Extremely Low income limit as established by HUD.
- B. The property will select eligible applicants from the waiting list whose income is at or below the extremely low income limit on an alternating basis to fill vacancies. Management will select the first Extremely Low income applicant on the waiting list (which may mean skipping over applicants with higher incomes) for the available unit, and then select the next eligible applicant currently at the top of the waiting list (regardless of income level) for the next available unit.
- C. As subsequent units become available, tenant selection will continue to alternate between the next extremely low income applicant and the eligible applicant at the top of the waiting list until the 40% target is reached. To ensure that the 40% targeting requirement is met, the waiting list will be monitored and appropriate documentation will be kept on file.
- D. Within the above guidelines, eligible applicants will be offered available units based on the date and time of application receipt. This will be clearly written or stamped on the application along with the initials of the individual accepting the application.

5. Applicant Screening Process

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

- A. Criminal history checks of convictions and outstanding warrants will be completed with a professional criminal checking agency. Management will deny admission in the following instances:
 - (1) Management will deny admission to an applicant family if the PHA determines that the family has a pattern of eviction from housing or termination from residential programs within the past 5 years. If the applicant has been evicted from a program operated by the PHA within the past 5 years, the applicant will be denied admission.
 - (2) If any household member has been evicted from federally-assisted housing in the last five years for drug-related criminal activity.
 - a. Management will admit an other-wise eligible family who was evicted from federally-assisted housing within the past 5 years for drug-related criminal activity, if the PHA is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program approved by management, or if the person who committed the crime is no longer living in the household.



- (3) If management has reasonable cause to believe that any household member is currently engaged in the use of illegal drugs and/or if any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
- (4) If any household member has an arrest of conviction, whether felony or misdemeanor, that involves drug activity within the past five years.
- (5) If any household member has ever been convicted of drug trafficking within the past ten years
- (6) If any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine or other drugs during his/her lifetime.
- (7) If any household member engages in criminal activity (including sex offenses) while living on site, subsidy 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.
- (8) If any household member is currently engaged in, or has engaged in any of the following activities within the past five years:
 - a. Violent criminal activity, defined as any criminal activity that has one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage
 - b. Criminal activity that may threaten the health, safety, or welfare of other tenants or PHA staff, contractors, subcontractors, or agents
 - c. Criminal sexual conduct, including but not limited to sexual assault, incest, open and gross lewdness, or child abuse.

B. Sex Offender Registry check

- (1) Applicants must provide a complete list of all states in which any household member has lived. 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 rejection notice will clearly state this as the reason that the family is being denied admission.
- (3) Prior to offering a unit, a criminal background check to determine whether any household member is subject to a lifetime sex offender registration requirement will be completed. This check will be done using a professional criminal checking agency, which automatically searches sex offender registries in all states.
- (4) Search results will be kept with the application, in the tenant file, for the term of tenancy plus three years. For rejected applicants, search results will be kept with the application for three years.



- (5) If, after moving in, management discovers that a tenant was admitted in error (s/he was admitted after June 25, 2001 and was subject to a state's lifetime registration requirement), subsidy termination 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 rejected.

At each Annual Recertification, management will ask whether any member of the household is subject to any state's lifetime sex offender registration program. Management will then verify using a professional criminal checking agency. If the household moved in after June 25, 2001, and this process reveals that the tenant falsified information or failed to disclose criminal history, or that management did not adequately check all states where the household member lived, subsidy termination will be immediately pursued.

C. Rental History – Management will deny admission to an applicant family if it is determined that the family:

- (1) Has a pattern of unsuitable past performance in meeting financial obligations, including rent within the past 12 months
- (2) Has a pattern of disturbance of neighbors, destruction of property, or living household habits at prior residences within the past 12 months which may adversely affect the health, safety, or welfare of other tenants
- (3) Has a pattern of eviction from housing or termination from residential programs within the past five years
- (4) Owes rent or other amounts to this or any other PHA or owner in connection with any assisted housing program.
- (5) Misrepresented or does not provide complete information related to eligibility, including income, award of preferences for admission, expenses, family composition or rent
- (6) Has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal or state assistance program
- (7) Has engaged in or threatened violent or abusive behavior toward management personnel

6. Occupancy Standards

Applicant households must meet the established occupancy standards of local Landlord/Tenant laws. As a general policy, there should be a minimum of one person per bedroom and no more than two persons per bedroom. Management will take into consideration mitigating circumstances such as reasonable accommodations for disabilities and verified medical reasons for a larger unit.

Units will be assigned in accordance with the following standards:

Unit Size	Minimum Occupancy	Maximum Occupancy
1 Bedroom	1 person	2 people
2 Bedrooms	2 people	4 people
3 Bedrooms	3 people	6 people
4 Bedrooms	4 people	8 people



After moving in, if changes in household composition cause a household to become overhoused or underhoused, the family must transfer, within 30 calendar days, to the first available unit of the proper size based on these occupancy standards.

7. Determination of Applicant Eligibility: Application Acceptance and Rejection

- A. Information needed to determine applicant eligibility will be obtained, verified, and the determination of applicant eligibility performed, in accordance with HUD and property eligibility requirements. Eligible applicants will be placed on the waiting list(s), and will be promptly issued a preliminary notice of eligibility, or a rejection notice, as appropriate.
- B. The property complies with applicant rejection requirements set forth in the HUD Handbook 4350.3. Management reserves the right to reject 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 unit.
 - (2) **Records of Disturbance of Neighbors, Destruction of Property 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 Rental Agreement:** Includes evidence of any failure to comply with the terms of rental 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.I (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 unit, 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 reject all applications where the applicant or any household member has engaged in certain criminal activity. The activities that will be grounds for rejection 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 unit 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 calendar days from the date they are first offered a unit, to allow them time to provide acceptable SSN documentation. After 90 calendar 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.
- (10) **Currently Housed Applicants:** If an applicant family is currently housed through a program operated by the PHA, the family must complete the term of their initial lease before they are eligible to receive assistance through a different PHA program.

For example, if an applicant is currently housed in a PHA owned public housing unit, and applies for the Housing Choice Voucher program, the applicant must complete the remaining months on their lease before they are eligible to receive a voucher.

- C. All applicant rejections will be made in writing, and will include specific reason(s) for the rejection.
- D. The rejected applicant has the right to respond, in writing, within 10 calendar days, to request a meeting to dispute the rejection. 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 owner's staff who was not involved in the initial decision to deny admission or assistance. Management will provide a written determination to the applicant within 5 (five) calendar days of the meeting

8. Applicants who Require Reasonable Accommodations

- A. A reasonable accommodation is a change, exception, or adjustment to a program, service, building, dwelling unit, or workplace that will allow a qualified person with a disability to fully participate in a program, take advantage of a service, live in a dwelling unit, or perform a job. Examples of reasonable accommodations include physical adaptations to units, live-in aides and assistance animals.
- B. 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 property's program type.

Next, the disability must have a direct correlation to the accommodation being requested by the applicant. And, the applicant must request a reasonable accommodation and provide verification of his/her disability and his/her need for the accommodation. Finally, for the accommodation to be reasonable it cannot result in a financial or administrative burden to the property.



- C. 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 rejected.

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 property; past history or other information that shows the applicant's inability to comply with the terms of the property's lease; or an objective determination that the applicant would require services from management that represent an alteration in the fundamental nature of the property's program.

- D. 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.
- E. Reasonable accommodations may include changes in the method of administering policies, procedures, or services.
- F. In providing reasonable accommodations for, or performing structural modifications for otherwise qualified individuals with disabilities, the property 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 property, including structural impracticality as defined in the Uniform Federal Accessibility Standards (UFAS).
- G. If the site 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 tenant remove the accommodation (or have it removed) upon vacating the unit.
- H. Live-In Aides are considered to be a reasonable accommodation. Property 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 unit as a remaining family member, once the tenant who needs the services leaves the unit or dies. Live-In Aides who violate any of the property'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.

9. Waiting List Management

It is property policy to administer its waiting list as required by HUD handbooks and regulations.

- A. Opening and Closing the Waiting List(s):



In order to maintain a balanced application pool, the property may restrict or suspend application-taking and close the waiting list. The property will also update the waiting list by removing the names of those who are no longer interested in, or no longer qualify for, housing.

Decisions about closing the waiting list will be determined based on the number of applications available for a particular unit size and the ability of the property to house an applicant in an appropriate apartment within a two-year period.

Closing and reopening of the waiting list, as well as any restrictions on accepting applications, will be publicly announced in publication(s) likely to be read by potential applicants. Advertisements will include information about where and when to apply, and will conform to the advertising and outreach practices described in the property's Affirmative Fair Housing Marketing Plan.

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

B. Updating the Waiting List:

- (1) The waiting list will be updated annually to keep applicant information current, and to remove anyone who wants to be removed or no longer qualifies for admission to the property.
- (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 or not. Confirmation must be returned to the property, in writing, using any forms which may be provided, within 10 (ten) calendar 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 applicants notify the property 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 unit size. The household will keep its original application date and place on the waiting list in the event of this type of change.

C. Removal of Applications from the Waiting List:

The property 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 property 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. This includes a lack of response to the waiting list annual update letter as well as the application interview letter. Failure to respond to either of these letters within the time allotted will result in removal from the waiting list.
- (3) The property attempted to contact the applicant in writing, but the letter was returned by the U.S. Postal Service as undeliverable.
- (4) The property 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 units for other than a medically-related reason.
- (6) The applicant accepted an offer of a unit but failed to move in on time, without notice.



- (7) The applicant household needs a different size unit due to a household composition change, and the property has no units 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.

10. Tenant 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 property. 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) Tenant-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) HUD-required Citizenship Declaration forms will be collected for each household member
 - (6) Applicant's ability and willingness to comply with the terms of the property's lease and community's policies
 - (7) Statutory, HUD, state and local preferences, if any
 - (8) HUD-required SSN documentation will be collected for all household members
- 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.

11. Verification Requirements

The property 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) Need for a unit specifically adapted for mobility impairments
 - (e) Citizenship eligibility
 - (f) Verification of student status and 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 history of drug-related, sex offender or violent criminal activity of any household member, verified through police and/or criminal background checks
- (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 property 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 calendar 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) Reports of interviews
- (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 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 rejected 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

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 tenant
- (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:
 - (b) Contacting the current landlord to gather previous rental history information if the applicant household is currently living in a government assisted complex.
 - (c) Otherwise-eligible households who apply for housing with outstanding balances owed to their current property, or to this property as a past tenant 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 property, 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 if the applicant household is currently living in a government assisted complex.
 - (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 property lease terms as it relates to these guidelines. Any unit for which the applicant has upkeep responsibility may be physically checked.
 - (c) An applicant's behavior toward the property manager and other staff will be considered as indicative of future behavior toward neighbors. Physical or verbal abuse or threats by an applicant toward property staff will be noted in the file.
- (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 of convictions and outstanding warrants with a professional criminal checking agency.
 - (b) Applicants who are listed on sex offender registries in any state must be rejected by HUD regulation.
- (4) A record of eviction from housing or termination from residential programs will be considered:
 - (a) Property management will check property records, management records, and other records to determine whether the applicants have been evicted from this property, any other assisted housing, or any other property in the past



- (b) Records of evictions from residential programs will be checked with service agencies and with any housing providers referred by the applicant.
- (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 Tenant 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 unit. This Report will also be printed for individuals (including Live-In Aides) who wish to move into an already-existing tenant household.
 - (ii) If any family member is currently living in another PIH/MF assisted unit, plans to vacate that unit will be discussed with the applicant. Move-Out/Move-In dates will be coordinated with management at the other assisted property 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 property, the Existing Tenant Search report(s), along with all documentation, will be kept in the tenant 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 property. However, the applicant must move out of the current property before HUD assistance can begin at this property. Special circumstances exist:
 - (1) for minor children where both parents legally share 50% custody, and
 - (2) for HUD-assisted household members in another property who are moving in order to establish a new household, when remaining family members will stay in the old unit.
 - (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 property while still living at this property, the household will be required to repay HUD for all overpaid assistance.

12. Attempted Fraud

- A. Any information provided by the applicant that verification proves to be untrue may be used to disqualify the applicant for admission on the basis of attempted fraud. The property considers false information about the following to be grounds for rejecting 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 any facts about his/her current situation, criminal history, or behavior in a manner that would affect eligibility, priorities, application selection criteria qualification, allowances or rent, the application will be rejected.
- 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 rejected, the application will be rejected. If the applicant has already moved in, this evidence may be the cause of eviction proceedings.
- D. Unintentional errors will not be used as a basis to reject applicants.

13. 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 for the apartment size. The alternating method 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.

Eligible families with handicapped/disabled members needing specific handicap features of a unit will be selected first, for available units which are accessible in ways specifically adapted for their use.

- 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 unit 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 calendar days from the date they are first offered a unit, to allow them time to provide acceptable SSN documentation.
 - (2) After 90 calendar 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 rejects 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, or desire to give 30-day notice to the family's existing property.
- D. When an applicant reaches the top of the waiting list, management will schedule a final screening appointment within ten calendar days. 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, the unit will be offered to the next applicant on the list. The first applicant will retain his/her place on the waiting list the first time this occurs. If the applicant fails to attend a second scheduled interview and/or fails to supply all required items a second time, the applicant will be removed from all waiting lists.

- E. Any family placed in a unit size different than that defined in the property's Occupancy Standards must agree to transfer to an appropriate size unit when one becomes available, in accordance with the Transfer Policy and Lease Addendum.
- F. A unit offer will be made in writing to an applicant household only after all applicable background checks have been completed, and the tenant interview has been completed, and all verification documents have been received.

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

- G. 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) business 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.
- H. If the applicant is offered a unit 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.
- I. If an applicant fails to move in on the agreed-upon date without notice, the application will be rejected, 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 unit will be offered to the next applicant on the list.
- J. 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 property letterhead, stating that the keys to the prior unit have been returned
 - (3) Copy of the move-out 50059A certification form from the prior property

14. Priorities for Accessible or Adaptable Apartments

- A. For apartments accessible to, or adaptable for, persons with mobility, visual, or hearing 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/adaptable apartments will be given priority over applicants requiring the same type of apartment. If a tenant is transferred as a reasonable accommodation to a household member's verified disability, the owner 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 existing accessible units, persons without disabilities may move into those apartments. However, they must agree to move to an available apartment of the appropriate bedroom size with no such design features, if an applicant or current resident requires that accessible unit. Units designed for the mobility-impaired are set aside for individuals who are mobility impaired.

15. Prior to Move-In

- A. Management will explain the HUD regulations regarding the following:
 - (1) Security deposits
 - (2) Annual recertifications
 - (3) Interim recertifications
 - (4) Unit inspections
 - (5) Community policies
 - (6) Transfer policies
- B. All adult household members (age 18 and older and any adjudicated minors who are the Head, Spouse or Co-Head) will sign the Lease, Community Policies or House Rules, Verification Consent Forms including the 9887/9887A, and related documents and 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 either prior to Move-In or on Move-In day.
- 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, Move-In Inspection form, Community Policies/House Rules, all other HUD-required forms and notices, and a receipt for the Security Deposit and first month's rent.

16. Apartment Inspection

All apartments must undergo a move-in inspection by management and the tenant the day of or prior to the day of move-in. A move-in inspection form will be completed and signed and dated by the tenant and management, confirming that the unit 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 property's Contract Administrator.

17. Unit Transfer Policies

- A. Residents will be placed on a transfer waiting list if they meet one of the following conditions:



- (1) Unit transfer is needed for medical reasons which are certified by doctor, or
- (2) Unit transfer is needed based on the need for an accessible unit, as certified by a physician or other medical professional, as a reasonable accommodation for persons with verified disabilities, or
- (3) Unit transfer is needed due to a change in family composition and/or family size

Four households will be selected from the external waiting list then one from the internal waiting list and the cycle will continue to ensure that internal transfers are occurring.

- B. Residents requesting transfers for the above reasons will be placed on a transfer list based on the apartment size requested.
- C. Residents with disabilities will be given priority for an apartment which has accessible features.
- D. Transfers should occur after the completion of the initial lease term (except those based on accessibility needs).
- E. When a household transfers to a new apartment, management will close out the existing deposit, deduct resident charges, and determine a new security deposit based on the new TTP or program requirement.
- F. Depending upon the circumstances of the transfer, a tenant may be obligated to pay all costs associated with the move. However, if a tenant is transferred as a reasonable accommodation to a household member's disability, then the owner must pay the costs associated with the transfer, unless doing so would be an undue financial and administrative burden.

18. Annual and Interim Recertifications

HUD 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.

Tenants 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.

HUD rules dictate that tenants 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. Management requires that any change to the household income or composition be reported to management within 10 calendar days. Tenants may request an interim recertification due to a decrease in income, or an increase in deductions.

This property requires a criminal background check for every tenant at every annual recertification. If such criminal checks reveal lease violations, the household may be evicted.

When a member of the household turns 18 between recertifications, they will receive a notification to come into the office to complete the HUD-9887/9887A. They will have 30 days to make an appointment to complete the paperwork, or the household may be evicted.

19. Remaining Family Members



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

20. Assistance Animals and Pets

Assistance animals are permitted as a reasonable accommodation for persons with verified disabilities, once the need has been properly verified by a physician.

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 assistance animal. All state and local health, safety, and licensing laws apply. Refer to the Pet Rules for animal care responsibilities.

Management reserves the right to deny a specific assistance 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 property of others, or
- C. It can be specifically documented that the presence of the assistance animal would pose an undue financial and administrative burden to the provider, or
- D. Documented evidence shows that the presence of the assistance animal would fundamentally alter the nature of this property's services.

The property allows one common household pet per unit, defined as a domesticated animal, such as a dog, cat, bird, fish, or turtle that is traditionally kept in the home for pleasure rather than for commercial purposes. Refer to the Pet Rules for tenant pet care responsibilities.

A Pet Deposit in the amount of \$ 250 is required for a cat or dog.

21. Other Disclosures

Property 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 Tenant Selection Plan will be provided, at no charge, to any applicant, tenant, or member of the general public at his/her request.

In the event of changes to this Tenant 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 our website and newspaper publication.



<p style="text-align: center;">EXHIBIT 16-1: HOUSING AUTHORITY OF THE CITY OF BEAUMONT NOTICE OF OCCUPANCY RIGHTS UNDER THE VIOLENCE AGAINST WOMEN ACT FORM HUD-5380</p>

To all Tenants and Applicants

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women but are available equally to all individuals regardless of sex, gender identity, or sexual orientation. The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that the Public Housing and Housing Choice Voucher programs are in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence; dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.”

Protections for Applicants

If you otherwise qualify for assistance under the Public Housing or Housing Choice Voucher program, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Protections for Tenants

If you are receiving assistance under the Public Housing or Housing Choice Voucher program, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under the Public Housing or Housing Choice Voucher program solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

Removing the Abuser or Perpetrator from the Household

The PHA may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If the PHA chooses to remove the abuser or perpetrator, the PHA may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, the PHA must allow the tenant who is or has been a victim and other household members to remain in the unit for 30 days, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.

In removing the abuser or perpetrator from the household, the PHA must follow Federal, State, and local eviction procedures. In order to divide a lease, the PHA may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

Moving to Another Unit

Upon your request, the PHA may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, the PHA may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

- 1. You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in the documentation section below.
- 2. You expressly request the emergency transfer.** Your housing provider may choose to require that you submit a form or may accept another written or oral request.
- 3. You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

OR

You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer. If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

The PHA will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

The PHA's emergency transfer plan provides further information on emergency transfers, and the PHA must make a copy of its emergency transfer plan available to you if you ask to see it.

Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking

The PHA can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from the PHA must be in writing, and the PHA must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to provide the documentation. The PHA may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to the PHA as documentation. It is your choice which of the following to submit if the PHA asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- ☐ A complete HUD-approved certification form given to you by the PHA with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- ☐ A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.

- ☐ A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, “professional”) from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.
- ☐ Any other statement or evidence that the PHA has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, the PHA does not have to provide you with the protections contained in this notice.

If the PHA receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), the PHA has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, the PHA does not have to provide you with the protections contained in this notice.

Confidentiality

The PHA must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

The PHA must not allow any individual administering assistance or other services on behalf of the PHA (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

The PHA must not enter your information into any shared database or disclose your information to any other entity or individual. The PHA, however, may disclose the information provided if:

- ☐ You give written permission to the PHA to release the information on a time limited basis.
- ☐ The PHA needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- ☐ A law requires the PHA or your landlord to release the information.

VAWA does not limit the PHA’s duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated

You can be evicted, and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, the PHA cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted, and your assistance terminated, if HP can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

1. Would occur within an immediate time frame, and
2. Could result in death or serious bodily harm to other tenants or those who work on the property.

If the PHA can demonstrate the above, the PHA should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

Other Laws

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

Non-Compliance with The Requirements of This Notice

You may PHA for violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with the HUD-Houston field office.

For Additional Information

You may view a copy of HUD's final VAWA rule at: <https://www.gpo.gov/fdsys/pkg/FR-2016-11-16/pdf/2016-25888.pdf>.

Additionally, the PHA must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For questions regarding VAWA, please contact compliance@bmtha.org or call 409-951-7200.

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY).

For 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>.

For local assistance, you may contact any of the following 24 hour hotlines:

Crisis Center of South East Texas (Sexual Assault, Stalking)
1-800-7-WE-CARE
<http://www.crisiscenterofsoutheasttx.org/>

Family Services (Domestic Violence, Dating Violence)
1-800-621-8882
<http://www.westrengthenfamilies.org/>

**EXHIBIT 16-2: CERTIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL
ASSAULT, OR STALKING AND ALTERNATE DOCUMENTATION,
FORM HUD-5382**

**CERTIFICATION OF
DOMESTIC VIOLENCE,
DATING VIOLENCE,
SEXUAL ASSAULT, OR STALKING,
AND ALTERNATE DOCUMENTATION**

**U.S. Department of Housing
and Urban Development**

OMB Approval No. 2577-0286
Exp. 06/30/2017

Purpose of Form: The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

Use of This Optional Form: If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

Submission of Documentation: The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

Confidentiality: All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-

limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

1. Date the written request is received by victim: _____
2. Name of victim: _____
3. Your name (if different from victim's): _____
4. Name(s) of other family member(s) listed on the lease: _____
5. Residence of victim: _____
6. Name of the accused perpetrator (if known and can be safely disclosed): _____
7. Relationship of the accused perpetrator to the victim: _____
8. Date(s) and times(s) of incident(s) (if known): _____
10. Location of incident(s): _____

In your own words, briefly describe the incident(s):

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature _____ Signed on (Date) _____

Public Reporting Burden: The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

**EXHIBIT 16-3: HOUSING AUTHORITY OF THE CITY OF BEAUMONT
EMERGENCY TRANSFER PLAN FOR VICTIMS OF DOMESTIC VIOLENCE, DATING
VIOLENCE, SEXUAL ASSAULT, OR STALKING
(PUBLIC HOUSING PROGRAM VERSION)**

Attachment: Certification form HUD-5382

Emergency Transfers

The PHA 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), the PHA 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. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation. The ability of the PHA 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 PHA 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 **public housing and housing choice voucher (HCV) programs** are 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 the PHA's management office and submit a written request for a transfer to the PHA. The PHA 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 the PHA's program; OR
2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

Confidentiality

The PHA 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 PHA 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 or persons that committed an act of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the Notice of Occupancy Rights under the Violence against Women Act for All Tenants for more information about the PHA's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

Emergency Transfer Timing and Availability

The PHA cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. The PHA will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. 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 PHA 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 PHA has no safe and available units for which a tenant who needs an emergency transfer is eligible, the PHA will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant's request, the PHA will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

Emergency Transfers: Public Housing (PH) Program

If the tenant is a public housing resident and requests an emergency transfer as described in this plan, the PHA will attempt to assist the tenant in moving to a safe unit quickly. The PHA will make exceptions as required to policies restricting moves.

Emergency transfers for which the tenant is not required to apply for assistance include the following:

- Public housing unit in a different development
- Public housing unit in the same development, if that unit is safe

At the tenant's request, the PHA will refer the tenant to organizations that may be able to provide further assistance.

The tenant may also request an emergency transfer to the following programs for which they are required to apply for assistance:

- HCV tenant-based program
- HCV project-based assistance
- Other programs administered by the PHA (such as state housing programs)

Emergency transfers will not take priority over waiting list admissions for these types of assistance. At the tenant's request, the PHA will refer the tenant to organizations that may be able to provide further assistance.

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 the 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, and Incest National Network's National Sexual Assault Hotline at 1-800-656-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>.

Attachment: Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking.

For local assistance, the tenant may contact any of the following 24 hour hotlines:

Crisis Center of South East Texas (Sexual Assault, Stalking)
1-800-7-WE-CARE
<http://www.crisiscenterofsoutheasttx.org/>

Family Services (Domestic Violence, Dating Violence)
1-800-621-8882
<http://www.westrengthenfamilies.org/>

EXHIBIT 16-4: EMERGENCY TRANSFER REQUEST FOR CERTAIN VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING, FORM HUD-5383

**EMERGENCY TRANSFER
REQUEST FOR CERTAIN
VICTIMS OF DOMESTIC
VIOLENCE, DATING VIOLENCE,
SEXUAL ASSAULT, OR STALKING**

**U.S. Department of Housing
and Urban Development**

OMB Approval No. 2577-0286
Exp. 06/30/2017

Purpose of Form: If you are a victim of domestic violence, dating violence, sexual assault, or stalking, and you are seeking an emergency transfer, you may use this form to request an emergency transfer and certify that you meet the requirements of eligibility for an emergency transfer under the Violence Against Women Act (VAWA). Although the statutory name references women, VAWA rights and protections apply to all victims of domestic violence, dating violence, sexual assault or stalking. Using this form does not necessarily mean that you will receive an emergency transfer. See your housing provider's emergency transfer plan for more information about the availability of emergency transfers.

The requirements you must meet are:

(1) You are a victim of domestic violence, dating violence, sexual assault, or stalking. If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation. In response, you may submit Form HUD-5382, or any one of the other types of documentation listed on that Form.

(2) You expressly request the emergency transfer. Submission of this form confirms that you have expressly requested a transfer. Your housing provider may choose to require that you submit this form, or may accept another written or oral request. Please see your housing provider's emergency transfer plan for more details.

(3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit. This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

OR

You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer. If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you submit this form or otherwise expressly request the transfer.

Submission of Documentation: If you have third-party documentation that demonstrates why you are eligible for an emergency transfer, you should submit that documentation to your housing provider if it is safe for you to do so. Examples of third party documentation include, but are not limited to: a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider, or other professional from whom you have sought assistance; a current restraining order; a recent court order or other court records; a law enforcement report or records; communication records from the perpetrator of the violence or family members or friends of the perpetrator of the violence, including emails, voicemails, text messages, and social media posts.

Confidentiality: All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking, and concerning your request for an emergency transfer shall be kept confidential. Such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections or an emergency transfer to you. Such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

TO BE COMPLETED BY OR ON BEHALF OF THE PERSON REQUESTING A TRANSFER

1. Name of victim requesting an emergency transfer: _____

2. Your name (if different from victim's) _____

3. Name(s) of other family member(s) listed on the lease: _____

4. Name(s) of other family member(s) who would transfer with the victim: _____

5. Address of location from which the victim seeks to transfer: _____

6. Address or phone number for contacting the victim: _____

7. Name of the accused perpetrator (if known and can be safely disclosed): _____

8. Relationship of the accused perpetrator to the victim: _____

9. Date(s), Time(s) and location(s) of incident(s): _____

10. Is the person requesting the transfer a victim of a sexual assault that occurred in the past 90 days on the premises of the property from which the victim is seeking a transfer? If yes, skip question 11. If no, fill out question 11. _____

11. Describe why the victim believes they are threatened with imminent harm from further violence if they remain in their current unit. _____

12. If voluntarily provided, list any third-party documentation you are providing along with this notice: _____

This is to certify that the information provided on this form is true and correct to the best of my knowledge, and that the individual named above in Item 1 meets the requirement laid out on this form for an emergency transfer. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature _____ Signed on (Date) _____



What is Considered Good Housekeeping?

The authority staff expects you to keep a clean and orderly home. Good housekeeping makes your apartment last longer, helps prevent fires, and keeps insects and other pest away.

You are expected to:

- Clean grease and spilled food from your oven after cooking.
- Keep the inside and the outside of your refrigerator clean.
- Defrost your refrigerator (if it is not a frost-free model) and be careful not to damage it with knives or other sharp tools.
- Keep your floors, windows, and cabinets clean.
- Prevent stains or damage to your walls.
- Scrub your tub, shower, and toilet as needed to keep them clean.
- Throw away your kitchen garbage and household trash every day.
- Do not let dirty dishes and dirty clothes pile up in your apartment.

What happens if I am a Poor Housekeeper?

If your unit has been damaged or abused, you will be charge for repairs and may be evicted.

If your home is dirty, cluttered with debris, or otherwise shows poor housekeeping you will be warned to correct the problems right away.

We may also require you to go to special classes to learn better housekeeping habits.

Cleaning Tips for Residents

*The following tips are intended to help make
your daily cleaning easier.*

Defrost your refrigerator anytime that ice is one inch thicker. Do not use electrical defrosters or sharp objects to break the ice. This may result in a damaged refrigerator or repair bill. If your refrigerator needs to be

defrosted, turn it off before you go to bed and simply remove the ice and water in the morning.

Also keep inside and outside of your refrigerator clean by wiping it with a damp cloth regularly. Food stays fresher in a clean refrigerator. Spoiled Food cause bad odor that are picked up by other foods. When odors collect in a refrigerator, it is difficult to get rid of them.

Here are some tips on how to get ride of odors in your refrigerator and how to keep it clean:

Add one tablespoon of baking soda to one quart of water. Baking soda will help keep the refrigerator free of odors.

- ❖ Turn the dial to off.
- ❖ Remove food and wipe off all containers with damp sponger or cloth. Set these things on the counter out of the way.
- ❖ Take out all shelves, racks, storage drawers and wash in warm sudsy water. Rinse and dry all parts.
- ❖ Wash the inside walls and door with a sponge or cloth dipped in baking soda solution. Rise with clean water and dry.
- ❖ Wash the gasket around the door with baking soda solution or a sudsy sponge or cloth. Rinse and wipe dry.
- ❖ Put shelves, racks, and drawers back in place. Put food in refrigerator.
- ❖ Turn control dial to the right setting.

Wash the outside of the refrigerator with a sponge or clothe dipped into warm sudsy water. Rinse the refrigerator with a damp clothe and wipe it dry. You can wax the outside of the refrigerator every couple of weeks if you want it to be shiny.

- ❖ Remove panel at the bottom of refrigerator. Wash panel in sudsy water. Rinse and dry.
- ❖ Behind the panel there may be an evaporator pan where defrost water collects. Pull the pan out, wash in sudsy water, rinse, and dry.
- ❖ Clean the floor and area under the refrigerator with a brush or vacuum cleaner. You may want to spray for roaches under the refrigerator.

You must also keep your oven and stove clean. You should clean them once a week. Wiping spills as they happen also will keep your stove clean. If you are not sure how to clean your stove and oven, ask your manager or see the attached.

Keep your bathroom sinks, tubs and commodes clean. Do not flush any objects such as hairbrushes, sanitary napkins, or diapers down the toilet. If articles have to be removed from your sewer line, you could be charged accordingly.

Washing Dishes

It is easier to wash dishes if you do it right after every meal. This keeps food and grease from being dried on, which makes it harder to wash off. Wipe off any leftover food and grease with a paper towel or a scraper suitable enough not to damage your dinnerware. Never pour grease down the drains for it will clog the pipes. Stack the dishes in piles according to the kind and size. Fill pots and pans with sudsy water to loosen any cooked-on foods. Use hot water to soak pans used to cook greasy or sugary foods. Use cold water to soak pans used to cook milk, eggs or starchy foods.

To lessen the chore of washing dishes it may help to clean up as you prepare a meal. As you finish using mixing spoons, bowls, measuring cups and other utensils, put them in the sudsy water. This will loosen most of the sticky food and grease.

Use a sink, dishpan, or basin filled with water as hot as your hands can stand to the level you want. Put in some detergent or soap. You can keep the dishwater clean, longer, and save on hot water if you leave the dirtiest pieces for last to wash. Use a dishcloth, sponge, or brush to wash each piece on both sides. Remember to clean between the "fingers" of the forks.

Cold water and dirty water will not get dishes clean. Add more hot water and more detergent soap to the dishpan/sink as needed. Change to clean water often if you have plenty of hot water. Wash the dishes in a small pan instead of the sink if you do not have much hot water. Wash the dishcloth, sponge, or brush in clean suds after use.

Wash Dishes in this Order:

- ❖ Glassware
- ❖ Silverware
- ❖ Plates, cups, saucers, and small dishes
- ❖ Serving plates and platters
- ❖ Cooking utensils
- ❖ Pots and pans

Cleaning the Bathroom

Lift up the seat and put soap or detergent into the toilet bowl and sink. Use the toilet brush to swab the inside of the toilet bowl clean. Be sure to scrub hard under the rim at the top of the bowl. With a separate cloth, clean the sink and rinse well.

Let the suds stay in the toilet bowl while you wash the outside of the bowl.

Dip the sponge or cloth into a pail of hot sudsy water to wash off the toilet seat cover and both sides of the seat. Wash the rim, the outside of the bowl, and the toilet stand the same way.

Use clean, hot water to rinse off all parts of the toilet

Flush the suds from the bowl. If there is still some discoloration or lime deposit, shake in 1/3 cup of toilet bowl cleaner. Let this stand for about one hour, then swab out the bowl with the brush and flush the toilet. ('Vanish' can stay in the bowl over night for bad stains.)

Always use hot soap or detergent suds to wash the sponge, cloth, and brush you use to clean the toilet. Rinse and let them dry before you put them away. Never use the toilet sponge, cloth, or brush on anything else!!

Mopping

To help keep floors clean wipe up spills immediately using a damp sponge or mop. Sweep, dust, mop

or vacuum floors frequently to keep grit and sandy dirt from grinding into floors. Use a broom or vacuum cleaner to pick up any dust or dirt before mopping floors.

Vinyl, Vinyl Asbestos, Asphalt, Linoleum, Rubber, Ceramic, or Unglazed Tile

- ❖ Fill Pail with warm water. Add detergent or soap to pail and swish to dissolve. (Special floor and all-purpose household cleaners also do a good cleaning job. Some floor care products clean and polish.)
- ❖ Dip a cloth or mop into the sudsy water, Wring it out until slightly damp.
- ❖ Wash one part of the floor at a time. Rinse with clean water. Let the floor dry completely before walking on it or putting back furnishing.

You can use household cleaners on a scrub brush to get off stains and black marks. Do Not use bleach or linoleum on vinyl floors.

Cement and Concrete

- ❖ Dip a stiff broom into the sudsy water. Use it to scrub the floor all over.
- ❖ Rinse the floor with a mop dipped in clean water.

Washing Windows

You do not need to buy something special to wash glass. Just add detergent to or soap to a pail of warm water and swish to dissolve. You can also wash windows by using warm water with ammonia or vinegar. Before washing windows, you can wash the window frames and sills by wiping with a damp cloth. Wipe very dirty windows on both sides with a damp cloth before washing. Do Not rub dry dirt because will scratch the glass.

Remember to Keep Ammonia Out of the Reach of Children — Do not Mix it With Any Other Special Cleaning Products!!

- ❖ Wet a sponge or soft cloth with sudsy water. Use this to wash one pane of glass at a time.
- ❖ Next, use a clean damp cloth to rinse that part of the window that same way.
- ❖ Dry with a clean cloth.
- ❖ Finish up by polishing the clean glass a handful of newspaper. This will make the glass dry and shiny.

Wash windows from one side to the other when you work indoors. Wash from top to bottom when you work outdoors. If there are streaks, you can tell which side to rub again. Change the wash water and the rinse water as soon as they become dirty. You can wet a small brush in the wash water to clean out the corners of the window frame ,or wrap cotton swabs around a toothpick or a match and use this to get into the corners.

Cleaning the Stove

- ❖ Put hot water in one pan and add soap or detergent. Swish up suds with your hand. Put clean hot water in another pan.
- ❖ Turn off the pilot light if your stove is gas.
- ❖ Before you clean the stove, spread newspapers on the floor to keep it dry.
- ❖ Lift the burners out and wash them in hot sudsy water in a pail or in the sink. If you have a gas stove.
- ❖ Let the stove cool. Then take out all the trays, shelves, and racks. Put these to soak in a Sink, washtub, or hot sudsy water.
- ❖ When all the parts are out, wash the stove all over. Dip sponge or cloth into hot sudsy water. Use this to wash the top and sides of the stove. Also, use it to wash the inside of the oven and broiler and any drawers.
- ❖ Use a sudsy sponge or cloth to wash the doors, both inside and out. If the door can be lifted off, wash it at the sink with hot sudsy water.
- ❖ Use a stiff brush to scrub off any burned-on food.

Keeping out Household Pest

Pests are hard to get rid of once they get onto the house. Here are ways to help keep them out in the first place:

- ❖ Keep the whole house very clean. Pests need food and they need places to hide. They like to hide in dirty places, so do not leave dirt or spilled food around the house. Scrub all parts of the house with soap or detergent and water. Use hot water when you can. Dip a cloth or sponge into the hot suds. Use it to wash:
 - Around water pipes, sinks and toilets.
 - Behind kitchen drawers and washtubs.
 - Shelves-especially in the kitchen and bathroom.
 - Storage places- especially those not opened often.
 - Around the baseboards and window frames.
 - Cracks and openings- in cupboards, walls, and floors.
- ❖ Get rid of garbage, bits of food, scraps of cloth, and other wastes that pests like to eat. Do not leave greasy dishes or pan around. They will attract pests. Try to wash them soon after use.
- ❖ Keep food on covered containers. Wash these containers often with hot soap or detergent suds- both inside and outside. When you go to the store make sure that boxes and bags of dry food are sealed and are not broken. Do not bring insects in the house in shopping bags and boxes used to carry groceries and other supplies from the store.
- ❖ Air bedding and mattresses in the sun often. Insects hide in dirty beds and bedding. Wash possible, hang them in the sun to dry.

PET POLICY

[24 CFR 5, Subpart C; 24 CFR 960, Subpart G]

INTRODUCTION

This chapter explains the PHA's policies on the keeping of pets and describes any criteria or standards pertaining to the policies. The rules adopted are reasonably related to the legitimate interest of the PHA to provide a decent, safe and sanitary living environment for all tenants, and to protect and preserve the physical condition of the property, as well as the financial interest of the PHA.

The chapter is organized as follows:

Part I: Service Animals and Assistance Animals. This part explains the difference between service animals, assistance animals, and pets, and contains policies related to the designation of a service animal or assistance animal as well as their care and handling.

Part II: Pet policies for all developments. This part includes pet policies that are common to both elderly/disabled developments and general occupancy developments.

Part III: Pet deposits and fees for elderly/disabled developments. This part contains policies for pet deposits and fees that are applicable to elderly/disabled developments.

Part IV: Pet deposits and fees for general occupancy developments. This part contains policies for pet deposits and fees that are applicable to general occupancy developments.

PART I: SERVICE ANIMALS AND ASSISTANCE ANIMALS

[Section 504; Fair Housing Act (42 U.S.C.); 24 CFR 5.303; 24 CFR 960.705; Notice FHEO 2013-01]

10-I.A. OVERVIEW

This part discusses situations under which permission for a service animal or an assistance animal may be denied, and also establishes standards for the care of service and assistance animals.

Notice FHEO 2013-01 was published April 25, 2013. The notice explains the difference between service animals and assistance animals. While the ADA applies to the premises of public housing agencies and to “public accommodations” such as stores and movie theaters, it does not apply to private-market rental housing. Therefore, in public housing the PHA must evaluate a request for a service animal under both the ADA and the Fair Housing Act. Service animals are limited to trained dogs.

Neither service animals nor assistance animals are pets, and thus, are not subject to the PHA’s pet policies described in Parts II through IV of this chapter [24 CFR 5.303; 960.705; Notice FHEO 2013-01].

10-I.B. APPROVAL OF SERVICE ANIMALS AND ASSISTANCE ANIMALS

Notice FHEO 2013-01 states that the PHA should first evaluate the request as a service animal under the ADA.

The PHA may only ask whether the dog is a service animal required due to a disability, and what tasks the animal has been trained to perform.

The PHA cannot require proof of training or certification for a service animal, even if the disability and/or tasks performed are not readily apparent. If the disability and/or tasks performed are not readily apparent, no further inquiries may be made.

PHAs may only deny a request for a service animal in limited circumstances:

- The animal is out of control and the handler does not take effective action to control it
- The animal is not housebroken, or
- The animal poses a direct threat to health or safety that cannot be eliminated or reduced by a reasonable modification of other policies

A service animal must be permitted in all areas of the facility where members of the public are allowed.

If the animal does not qualify as a service animal under the ADA, the PHA must next determine whether the animal would qualify as an assistance animal under the reasonable accommodation provisions of the Fair Housing Act. Such assistance animals may include animals other than dogs.

A person with a disability is not automatically entitled to have an assistance animal. Reasonable accommodation requires that there is a relationship between the person's disability and his or her need for the animal [PH Occ GB, p. 179].

A PHA may not refuse to allow a person with a disability to have an assistance animal merely because the animal does not have formal training. Some, but not all, animals that assist persons with disabilities are professionally trained. Other assistance animals are trained by the owners themselves and, in some cases, no special training is required. The question is whether or not the animal performs the assistance or provides the benefit needed by the person with the disability [PH Occ GB, p. 178].

A PHA's refusal to permit persons with a disability to use and live with an assistance animal that is needed to assist them, would violate Section 504 of the Rehabilitation Act and the Fair Housing Act unless [PH Occ GB, p. 179]:

- There is reliable objective evidence that the animal poses a direct threat to the health or safety of others that cannot be reduced or eliminated by a reasonable accommodation
- There is reliable objective evidence that the animal would cause substantial physical damage to the property of others

PHAs have the authority to regulate service animals and assistance animals under applicable federal, state, and local law [24 CFR 5.303(b)(3); 960.705(b)(3)].

PHA Policy

For an animal to be excluded from the pet policy and be considered a service animal, it must be a trained dog, and there must be a person with disabilities in the household who requires the dog's services.

For an animal to be excluded from the pet policy and be considered an assistance animal, there must be a person with disabilities in the household, and the family must request and the PHA approve a reasonable accommodation in accordance with the policies contained in Chapter 2.

10-I.C. CARE AND HANDLING

HUD regulations do not affect any authority a PHA may have to regulate service animals and assistance animals under federal, state, and local law [24 CFR 5.303; 24 CFR 960.705].

PHA Policy

Residents must care for service animals and assistance animals in a manner that complies with state and local laws, including anti-cruelty laws.

Residents must ensure that service animals and assistance animals do not pose a direct threat to the health or safety of others, or cause substantial physical damage to the development, dwelling unit, or property of other residents.

When a resident's care or handling of a service animal or assistance animal violates these policies, the PHA will consider whether the violation could be reduced or eliminated by a reasonable accommodation. If the PHA determines that no such accommodation can be made, the PHA may withdraw the approval of a particular service or assistance animal.

PART II: PET POLICIES FOR ALL DEVELOPMENTS [24 CFR 5, Subpart C; 24 CFR 960, Subpart G]

10-II.A. OVERVIEW

The purpose of a pet policy is to establish clear guidelines for ownership of pets and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. It also establishes reasonable rules governing the keeping of common household pets. This part contains pet policies that apply to all developments.

10-II.B. MANAGEMENT APPROVAL OF PETS

Registration of Pets

PHAs may require registration of the pet with the PHA [24 CFR 960.707(b)(5)].

PHA Policy

Pets must be registered with the PHA before they are brought onto the premises.

Registration includes documentation signed by a licensed veterinarian or state/local authority that the pet has received all inoculations required by state or local law, and that the pet has no communicable disease(s) and is free of fleas and pests. This registration must be renewed annually and will be coordinated with the annual reexamination date.

Pets will not be approved to reside in a unit until completion of the registration requirements.

Refusal to Register Pets

PHA Policy

The PHA will refuse to register a pet if:

- The pet is not *a common household pet* as defined in Section 10-II.C. below
- Keeping the pet would violate any pet restrictions listed in this policy
- The pet owner fails to provide complete pet registration information, or fails to update the registration annually
- The applicant has previously been charged with animal cruelty under state or local law; or has been evicted, had to relinquish a pet or been prohibited from future pet ownership due to pet rule violations or a court order
- The PHA reasonably determines that the pet owner is unable to keep the pet in compliance with the pet rules and other lease obligations. The pet's temperament and behavior may be considered as a factor in determining the pet owner's ability to comply with provisions of the lease.

If the PHA refuses to register a pet, a written notification will be sent. The notice will state the reason for refusing to register the pet and will inform the family of their right to appeal the decision in accordance with the PHA's grievance procedures.

Pet Agreement

PHA Policy

Residents who have been approved to have a pet must enter into a pet agreement with the PHA, or the approval of the pet will be withdrawn.

The pet agreement is the resident's certification that he or she has received a copy of the PHA's pet policy and applicable house rules, that he or she has read the policies and/or rules, understands them, and agrees to comply with them.

The resident further certifies by signing the pet agreement that he or she understands that noncompliance with the PHA's pet policy and applicable house rules may result in the withdrawal of PHA approval of the pet or termination of tenancy.

10-II.C. STANDARDS FOR PETS [24 CFR 5.318; 960.707(b)]

PHAs may establish reasonable requirements related to pet ownership including, but not limited to:

- Limitations on the number of animals in a unit, based on unit size
- Prohibitions on types of animals that the PHA classifies as dangerous, provided that such classifications are consistent with applicable state and local law
- Prohibitions on individual animals, based on certain factors, including the size and weight of the animal
- Requiring pet owners to have their pets spayed or neutered

PHAs may not require pet owners to have any pet's vocal cords removed.

PHAs may not require pet owners to obtain or carry liability insurance.

PHAs may not require that cats be declawed.

Definition of "Common Household Pet"

There is no regulatory definition of common household pet for public housing programs, although the regulations for pet ownership in both elderly/disabled and general occupancy developments use the term. The regulations for pet ownership in elderly/disabled developments expressly authorize PHAs to define the term [24 CFR 5.306(2)].

PHA Policy

Common household pet means a domesticated animal, such as a dog, cat, bird, or fish that is traditionally recognized as a companion animal and is kept in the home for pleasure rather than commercial purposes.

The following animals are not considered common household pets:

- Reptiles
- Rodents
- Insects
- Arachnids
- Wild animals or feral animals
- Pot-bellied pigs
- Monkeys
- Ferrets
- Birds of Prey
- Piranha or other dangerous fish
- Animals used for commercial breeding

Pet Restrictions

PHA Policy

The following animals are not permitted:

- Any animal whose adult weight will exceed 25 pounds
- Dogs of the pit bull, rottweiler, chow, or boxer breeds
- Ferrets or other animals whose natural protective mechanisms pose a risk to small children of serious bites or lacerations
- Any animal not permitted under state or local law or code

Number of Pets

PHA Policy

Only one dog or cat will be allowed per apartment.

In the case of fish, residents may keep no more than can be maintained in a safe and healthy manner in a tank holding up to 10 gallons. Such a tank or aquarium will be counted as 1 pet.

Other Requirements

PHA Policy

Dogs and cats must be spayed or neutered at the time of registration or, in the case of underage animals, within 30 days of the pet reaching 6 months of age. Exceptions may be made upon veterinary certification that subjecting this particular pet to the procedure would be temporarily or permanently medically unsafe or unnecessary.

Pets must be licensed in accordance with state or local law. Residents must provide proof of licensing at the time of registration and annually, in conjunction with the resident's annual reexamination.

10-IL.D. PET RULES

Pet owners must maintain pets responsibly, in accordance with PHA policies, and in compliance with applicable state and local public health, animal control, and animal cruelty laws and regulations [24 CFR 5.315; 24 CFR 960.707(a)].

Pet Area Restrictions

PHA Policy

Pets must be maintained within the resident's unit. When outside of the unit (within the building or on the grounds) dogs and cats must be kept on a leash or pet carrier. They must be under the control of the resident or other responsible individual at all times.

Pets are not permitted in common areas including lobbies, community rooms and laundry areas except for those common areas which are entrances to and exits from the building.

Pet owners are not permitted to exercise pets or permit pets to deposit waste on project premises outside of the areas designated for such purposes.

Designated Pet/No-Pet Areas [24 CFR 5.318(g), PH Occ GB, p. 182]

PHAs may designate buildings, floors of buildings, or sections of buildings as no-pet areas where pets generally may not be permitted. Pet rules may also designate buildings, floors of building, or sections of building for residency by pet-owning tenants.

PHAs may direct initial tenant moves as may be necessary to establish pet and no-pet areas. The PHA may not refuse to admit, or delay admission of, an applicant on the grounds that the applicant's admission would violate a pet or no-pet area. The PHA may adjust the pet and no-pet areas or may direct such additional moves as may be necessary to accommodate such applicants for tenancy or to meet the changing needs of the existing tenants.

PHAs may not designate an entire development as a no-pet area, since regulations permit residents to own pets.

PHA Policy

With the exception of common areas as described in the previous policy, the PHA has not designated any buildings, floors of buildings, or sections of buildings as no-pet areas. In addition, the PHA has not designated any buildings, floors of buildings, or sections of buildings for residency of pet-owning tenants.

Cleanliness

PHA Policy

The pet owner shall be responsible for the removal of waste from the exercise area by placing it in a sealed plastic bag and disposing of it.

The pet owner shall take adequate precautions to eliminate any pet odors within or around the unit and to maintain the unit in a sanitary condition at all times.

Litter box requirements:

- Pet owners must promptly dispose of waste from litter boxes and must maintain litter boxes in a sanitary manner.
- Litter shall not be disposed of by being flushed through a toilet.
- Litter boxes shall be kept inside the resident's dwelling unit.

Alterations to Unit

PHA Policy

Pet owners shall not alter their unit, patio, premises or common areas to create an enclosure for any animal.

Installation of pet doors is prohibited.

Noise

PHA Policy

Pet owners must agree to control the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to loud or continuous barking, howling, whining, biting, scratching, chirping, or other such activities.

Pet Care

PHA Policy

Each pet owner shall be responsible for adequate care, nutrition, exercise and medical attention for his/her pet.

Each pet owner shall be responsible for appropriately training and caring for his/her pet to ensure that the pet is not a nuisance or danger to other residents and does not damage PHA property.

No animals may be tethered or chained inside or outside the dwelling unit at any time.

Responsible Parties

PHA Policy

The pet owner will be required to designate two responsible parties for the care of the pet if the health or safety of the pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet.

A resident who cares for another resident's pet must notify the PHA and sign a statement that they agree to abide by all of the pet rules.

Pets Temporarily on the Premises

PHA Policy

Pets that are not owned by a tenant are not allowed on the premises. Residents are prohibited from feeding or harboring stray animals.

This rule does not apply to visiting pet programs sponsored by a humane society or other non-profit organizations and approved by the PHA.

Pet Rule Violations

PHA Policy

All complaints of cruelty and all dog bites will be referred to animal control or an applicable agency for investigation and enforcement.

If a determination is made on objective facts supported by written statements, that a resident/pet owner has violated the pet rules, written notice will be served.

The notice will contain a brief statement of the factual basis for the determination and the pet rule(s) that were violated. The notice will also state:

- That the pet owner has 10 business days from the effective date of the service of notice to correct the violation or make written request for a meeting to discuss the violation
- That the pet owner is entitled to be accompanied by another person of his or her choice at the meeting
- That the pet owner's failure to correct the violation, request a meeting, or appear at a requested meeting may result in initiation of procedures to remove the pet, or to terminate the pet owner's tenancy

Notice for Pet Removal

PHA Policy

If the pet owner and the PHA are unable to resolve the violation at the meeting or the pet owner fails to correct the violation in the time period allotted by the PHA, the PHA may serve notice to remove the pet.

The notice will contain:

- A brief statement of the factual basis for the PHA's determination of the pet rule that has been violated
- The requirement that the resident /pet owner must remove the pet within 10 calendar days of the notice
- A statement that failure to remove the pet may result in the initiation of termination of tenancy procedures

Pet Removal

PHA Policy

If the death or incapacity of the pet owner threatens the health or safety of the pet, or other factors occur that render the owner unable to care for the pet, the situation will be reported to the responsible party designated by the pet owner.

If the responsible party is unwilling or unable to care for the pet, or if the PHA after reasonable efforts cannot contact the responsible party, the PHA may contact the appropriate state or local agency and request the removal of the pet.

Termination of Tenancy

PHA Policy

The PHA may initiate procedures for termination of tenancy based on a pet rule violation if:

- The pet owner has failed to remove the pet or correct a pet rule violation within the time period specified
- The pet rule violation is sufficient to begin procedures to terminate tenancy under terms of the lease

Emergencies

PHA Policy

The PHA will take all necessary steps to ensure that pets that become vicious, display symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are immediately removed from the premises by referring the situation to the appropriate state or local entity authorized to remove such animals.

If it is necessary for the PHA to place the pet in a shelter facility, the cost will be the responsibility of the pet owner.

If the pet is removed as a result of any aggressive act on the part of the pet, the pet will not be allowed back on the premises.

PART III: PET DEPOSITS AND FEES

10-III.A. OVERVIEW

This part describes the PHA's policies for pet deposits and fees.

10-III.B. PET DEPOSITS

Payment of Deposit

The PHA may require tenants who own or keep pets in their units to pay a refundable pet deposit. This deposit is in addition to any other financial obligation generally imposed on tenants of the project [24 CFR 5.318(d)(1)].

The maximum amount of pet deposit that may be charged by a PHA on a per dwelling unit basis, is the higher of the total tenant payment (TTP) or such reasonable fixed amount as the PHA may require. The PHA may permit gradual accumulation of the pet deposit by the pet owner [24 CFR 5.318(d)(3)].

The pet deposit is not part of the rent payable by the resident [24 CFR 5.318(d)(5)].

PHA Policy

Pet owners are required to pay a pet deposit in addition to any other required deposits. The amount of the deposit is \$175 for elderly/disabled and \$250 for family sites and must be paid in full before the pet is brought on the premises.

Refund of Deposit [24 CFR 5.318(d)(1)]

The PHA may use the pet deposit only to pay reasonable expenses directly attributable to the presence of the pet, including (but not limited to) the costs of repairs and replacements to, and fumigation of, the tenant's dwelling unit. The PHA must refund the unused portion of the pet deposit to the tenant within a reasonable time after the tenant moves from the project or no longer owns or keeps a pet in the unit.

PHA Policy

The PHA will refund the pet deposit to the resident, less the costs of any damages caused by the pet to the dwelling unit, within 30 days of move-out or removal of the pet from the unit.

The resident will be billed for any amount that exceeds the pet deposit.

The PHA will provide the resident with a written list of any charges against the pet deposit after the move out inspection. If the resident disagrees with the amount charged to the pet deposit, the PHA will provide a meeting to discuss the charges.

10-III.C. OTHER CHARGES

Pet-Related Damages During Occupancy

PHA Policy

All reasonable expenses incurred by the PHA as a result of damages directly attributable to the presence of the pet in the project will be the responsibility of the resident, including:

- The cost of repairs and replacements to the resident's dwelling unit
- Fumigation of the dwelling unit
- Repairs to common areas of the project

The expense of flea elimination shall also be the responsibility of the resident.

If the resident is in occupancy when such costs occur, the resident shall be billed for such costs in accordance with the policies in Section 8-I.G, Maintenance and Damage Charges. Pet deposits will not be applied to the costs of pet-related damages during occupancy.

Charges for pet-related damage are not part of rent payable by the resident.

Pet Waste Removal Charge

The regulations do not address the PHA's ability to impose charges for house pet rule violations. However, charges for violation of PHA pet rules may be treated like charges for other violations of the lease and PHA tenancy rules.

PHA Policy

- A separate pet waste removal charge of \$5.00 per occurrence will be assessed against pet owners who fail to remove pet waste in accordance with this policy.
- Notices of pet waste removal charges will be in accordance with requirements regarding notices of adverse action. Charges are due and payable 14 calendar days after billing. If the family requests a grievance hearing within the required timeframe, the PHA may not take action for nonpayment of the charge until the conclusion of the grievance process.
- Charges for pet waste removal are not part of rent payable by the resident.

Non-Refundable

PHAs may require payment of a non-refundable nominal pet fee to cover the reasonable operating costs to the development relating to the presence of pets [24 CFR 960.707(b)(1)].

**Admissions/Public Housing/Section 8
Appendix M
Verification Policy**

A. METHODS OF VERIFICATION AND AGE OF DATE (24 CFR 960.259 (c))

The Beaumont Housing Authority will verify information through the five methods of verification acceptable to HUD in the following order:

1. HUD's Enterprise income verification (EIV) system
2. Third-party written verification
3. Third-party oral verification
4. Review of documents
5. Certification/self-declaration

Hud's Enterprise Income Verification system

BHA will utilize up-front income verification tools, including TASS and the Work Number, whenever possible.

BHA will utilize additional EIV tools, including a centralized computer matching system. BHA will pursue other computer matching agreements with federal, state, and local government agencies.

Use of Third-Party Verification to Supplement Enterprise Income Verification

Enterprise Income Verification replaces, to the maximum extent possible, the more time-consuming and less accurate third-party verification process to contacting individual employers identified by families or reviewing outdated income verification documents. However, third-party verification may continue to be necessary to complement enterprise income verification. Enterprise income verification should not be considered an automatic substitute for other third-party verification. Rather, EIV may supplement other verification documentation, such as original, current tenant-provided documents.

Third-Party Written Verification

Third-party verification is used to verify information directly with the source.

Third-party written verification forms will be sent and returned via first-class mail. The family will be required to sign an authorization allowing the information source to release the specified information.

Two attempts obtain third-party verification will be made before relying on another method.

Verifications received electronically directly from the source are considered their-party written verifications. Third-Party verification forms, including computerized printouts, will not be hand-carried by the family under any circumstances. BHA will send requests for third-party written verifications to the source at all times regardless of whether the family provides a computerized printout.

BHA will allow two weeks for return of third-party verifications.

If third-party written verification is not used, BHA will document the reasons in file.

Verifications are valid for 90 days from date of receipt.

Third-Party Oral Verification

Oral third-party verification will be used when written third-party verification is delayed or impossible. When third-party oral verification is used, staff will be required to complete a Certification of Document Viewed or Person Contacted form,

noting with whom they spoke, the date of the conversation, and the facts provided. If oral third-party verification is provided by telephone, BHA must originate the call. If third-party verification is not available, the housing authority will compare the specified information to any documents provided by the family.

Review of Documents

BHA staff will constantly monitor files pending verification documents in the event that third-party written or oral verification is unavailable or information has not been verified by a third-party within four weeks, BHA will annotate the file accordingly and utilize documents provided by the family as the primary source if the documents contain complete information.

All such documents, excluding government checks, will be photocopied and retained into the family file. When documents cannot be photocopied, staff viewing the documents will complete a Certification of Document Viewed or Person Contacted form.

The BHA will accept the following documents from families providing that tampering can be easily noted:

- Printed wage stubs
- Computer printouts from employers
- Signed letters (provided that the information is confirmed by phone)
- Other documents identified by BHA as acceptable verification

BHA will accept faxed documents directly from employer or other income source.

BHA will not accept photocopies.

If third-party verification is received after documents have been accepted as provisional verification and there is a discrepancy, the housing authority will contact the third-party source and the family to resolve differences.

BHA will allow up to one week for families to provide documents when third-party verification is impossible to obtain.

BHA will not delay the processing of an application beyond 45 days because a third-party information provider does not return verification in a timely manner.

Self-certification/Self-Declaration

When information cannot be verified by third-party or by review of documents, families will be required to submit a self-certification.

Self-certification means a notarized statement signed under penalty of perjury in the presence of a witness.

BHA will allow up to one week for family to provide a self-certification or self-declaration if other forms of verification is impossible to obtain.

Verification of Social Security Benefits

BHA shall use the TASS system to obtain current benefit history and discrepancy reports.

If unable to obtain current information from the TASS system, BHA will mail or fax a verification form directly to the local SSA office to obtain social security benefit information.

SSA may not make this data available due to the TASS system, if this occurs, BHA will call SSA, with the tenant on the line, to obtain current benefit amount.

BHA may accept an original SSA notice from the tenant, however, BHA must document in the tenant file, the reason third party verification was not available.

Appendix O

HUD Guidelines for Projecting Annual Income When Enterprise Income Verification (EIV) Data Is Available

HUD has established the criteria for what constitutes a *substantial difference* in cases where EIV income data differs from tenant-provided and/or other verified income information. HUD defines a *substantial difference* as one that is \$200 or more per month.

EIV Income Data Is Not Substantially Different Than Tenant-Provided Income Information

EIV may alleviate the need for 3rd party verifications when there **is not** a substantial difference between EIV and tenant-reported income.

In cases where EIV income data **is not** substantially different than tenant-reported income, BHA will follow guidelines below:

- If EIV income data is less than **current** tenant-provided documentation, the BHA will use tenant-provided documents to calculate anticipated annual income.
- If EIV income data is more than **current** tenant-provided documentation, BHA will use EIV income data to calculate anticipated annual income **unless** the tenant provides BHA with documentation of a change in circumstances (i.e. change in employment, reduction in hours, etc.) Upon receipt of acceptable tenant-provided documentation of a change in circumstances, BHA will use tenant-provided documents to calculate anticipated annual income.

EIV Income Data Is Substantially Different Than Tenant-Provided Income Information

In cases where EIV income data **is** substantially different than tenant-reported income, BHA shall follow the guidelines below:

- The BHA shall request written third-party verification from the discrepant income source, in accordance with 24 CFR 5.236(3)(i).
- The BHA should review historical income data for patterns of employment, paid benefits, and/or receipt of other income, when BHA cannot readily anticipate income, such as in cases of seasonal employment, unstable working hours, and suspected fraud.
- The BHA must analyze all data (EIV data, third-party verification, and other documents or information provided by the family) and attempt to resolve the income discrepancy.
- The BHA will use the most current verified income data (and historical income data if appropriate) to calculate anticipated annual income.

Actions the BHA Takes on Verified Unreported and/or Under-reported Income

In using the EIV system, there will be unreported income. BHA has set a limit to handle cases that do not exceed \$2500: The repayment structure will begin with a required down payment, and the final payment must be made within a year. Failure to enter into a repayment agreement and any amount over \$2500 will result in termination of assistance. Any and all amounts over \$2500 will be turned over to HUD's Office of Inspector General or the District County Attorney.

Reasonable Accommodations

A “reasonable accommodation” is a change, exception, or adjustment to a policy, practice or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces. Since policies and services may have a different effect on persons with disabilities than on other persons, treating persons with disabilities exactly the same as others will sometimes deny them an equal opportunity to use and enjoy a dwelling.

Federal regulations stipulate that requests for accommodations will be considered reasonable if they do not create an “undue financial and administrative burden” for the PHA, or result in a “fundamental alteration” in the nature of the program or service offered. A fundamental alteration is a modification that alters the essential nature of a provider’s operations.

If an applicant or participant indicates that an exception, change, or adjustment to a rule, policy, practice, or service is needed because of a disability, HUD requires that the PHA treat the information as a request for a reasonable accommodation.

The family must explain what type of accommodation is needed to provide the person with the disability full access to the PHA’s programs and services. The family must explain the relationship between the requested accommodation and the disability.

BHA will encourage the family to make its request in writing using a reasonable accommodation request form. However, BHA will consider the accommodation any time the family indicates that an accommodation is needed whether or not a formal written request is submitted.



HOUSING AUTHORITY

of the City of Beaumont, Texas

Family Obligations

1. The family must supply any information that the Housing Authority (HA) or HUD determines necessary in the administration of the program, including submission or required evidence of citizenship or eligible immigration status, any requested certification, release or other documentation.
2. The family must supply any information requested by the HA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition. The family must report all changes in income and/or family composition within 10 days of the date of the occurrence.
3. The family must disclose and verify social security numbers and must sign and submit consent forms for obtaining required information.
4. Any information supplied by the family must be true and complete.
5. The family must allow the HA to inspect the unit at reasonable times and after reasonable notice.
6. The family may not commit any serious or repeated violation of the lease.
7. The family must notify the HA before the family moves out of the unit. Proper notice is considered at least 30 days advanced written notice. When relocating, the family must remove all personal belongings; clothes, furniture, etc., remove any trash and clean the unit.
8. The family must use the assisted unit for residence by the family. The unit must be the family's only residence.
9. The family must promptly, i.e.; within 10 days, inform the HA of the birth, adoption or court-awarded custody of a child. The family must request HA approval to add any other family members as an occupant of the unit.
10. The family must promptly notify the HA if any family member no longer resides in the unit.
11. The family must not sublease or let the unit.
12. The family must not assign the lease or transfer the unit.
13. The family must supply any information or certification requested by the HA to verify that the family is living in the unit. The family must promptly notify the HA of an absence from the unit.

14. The members of the family must not commit fraud, bribery or any other corrupt or criminal act in connection with the programs.
15. The members of the family may not engage in any drug-related criminal activity, or violent criminal activity.
16. An assisted family, or members of the family, may not receive assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicated federal, State or local housing assistance program.

Notice of Action Which May Result in Termination of the Assistance

1. Failure to comply with any of the above family obligations.
2. If any member of the family has ever been evicted from public housing.
3. If a HA has ever terminated assistance under the certificate or voucher program for any member of the family.
4. If any member of the family commits any drug-related criminal-activity, or violent criminal activity.
5. If any member of the family commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
6. If the family currently owes rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance under the 1937 act.
7. If the family has not reimbursed any HA for amount paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.
8. If the family breaches an agreement with the HA to pay amounts owed to a HA, or amounts paid to an owner by a HA. (The HA, at its discretion, may offer a family the opportunity to enter an agreement to pay amounts owed to a HA or amounts paid to an owner by a HA.
9. If a family participating in the FSS program fails to comply, without good cause, with the family's FSS contract of participation.
10. If the family has engaged in or threatened abusive or violent behavior toward HA personnel.

Failure to comply with any of the above may result in the termination of Housing Assistance.

I hereby acknowledge that I have been informed of the Family Obligations and actions that result in termination of Housing Assistance.



APPLYING FOR HUD HOUSING ASSISTANCE?

**THINK ABOUT THIS...
IS FRAUD WORTH IT?**

Do You Realize...

If you commit fraud to obtain assisted housing from HUD, you could be:

- **Evicted** from your apartment or house.
- **Required to repay** all overpaid rental assistance you received.
- **Fined** up to \$10,000.
- **Imprisoned** for up to five years.
- **Prohibited** from receiving future assistance.
- **Subject** to State and local government penalties.

Do You Know...

You are committing fraud if you sign a form knowing that you provided false or misleading information.

The information you provide on housing assistance application and recertification forms will be checked. The local housing agency, HUD, or the Office of Inspector General will check the income and asset information you provide with other Federal, State, or local governments and with private agencies. Certifying false information is fraud.

So Be Careful!

When you fill out your application and yearly recertification for assisted housing from HUD make sure your answers to the questions are accurate and honest. You must include:

All sources of income and changes in income you or any members of your household receive, such as wages, welfare payments, social security and veterans' benefits, pensions, retirement, etc.

Any money you receive on behalf of your children, such as child support, AFDC payments, social security for children, etc.

Any increase in income, such as wages from a new job or an expected pay raise or bonus.

All assets, such as bank accounts, savings bonds, certificates of deposit, stocks, real estate, etc., that are owned by you or any member of your household.

All income from assets, such as interest from savings and checking accounts, stock dividends, etc.

Any business or asset (your home) that you sold in the last two years at less than full value.

The names of everyone, adults or children, relatives and non-relatives, who are living with you and make up your household.

(Important Notice for Hurricane Katrina and Hurricane Rita Evacuees: HUD's reporting requirements may be temporarily waived or suspended because of your circumstances. Contact the local housing agency before you complete the housing assistance application.)

Ask Questions

If you don't understand something on the application or recertification forms, always ask questions. It's better to be safe than sorry.

Watch Out for Housing Assistance Scams!

- Don't pay money to have someone fill out housing assistance application and recertification forms for you.
- Don't pay money to move up on a waiting list.
- Don't pay for anything that is not covered by your lease.
- Get a receipt for any money you pay.
- Get a written explanation if you are required to pay for anything other than rent (maintenance or utility charges).

Report Fraud

If you know of anyone who provided false information on a HUD housing assistance application or recertification or if anyone tells you to provide false information, report that person to the HUD Office of Inspector General Hotline. You can call the Hotline toll-free Monday through Friday, from 10:00 a.m. to 4:30 p.m., Eastern Time, at 1-800-347-3735. You can fax information to (202) 708-4829 or e-mail it to Hotline@hudoig.gov. You can write the Hotline at:



HUD OIG Hotline, GFI
451 7th Street, SW
Washington, DC 20410

Smoke Free Policy

In accordance with HUD regulations, the Housing Authority of the City of Beaumont has adopted this smoke free policy for all public housing units. The policy is effective as of July 30, 2018

Due to the increased risk of fire, increased maintenance costs, and the known health effects of secondhand smoke, smoking is prohibited in all living units and interior areas, including but not limited to hallways, rental and administrative offices, community centers, day care centers, laundry centers, and similar structures. Smoking is also prohibited in outdoor areas within 25 feet from public housing and administrative office buildings.

This policy applies to all employees, residents, household members, guests, and service persons. Residents are responsible for ensuring that household members and guests comply with this rule.

The term “smoking” means any inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other prohibited tobacco product in any manner or any form. Prohibited tobacco products include water pipes or hookahs.

Violation of the smoke-free policy constitutes a violation of the terms of the public housing lease. Consequences of lease violations include termination of tenancy.

The PHA has removed all designated smoking areas at each property. Smoking is prohibited at all PHA properties.

The smoke-free policy will be effective for all residents, household members, employees, guests, and service persons on July 30, 2018

Residents must execute a smoke-free lease addendum as part of the annual lease renewal process. Regardless of the lease renewal date, all residents must be in compliance with the smoke-free policy no later than October 1, 2017.

Evidence of a violation of this policy includes, but is not limited to, resident complaints, witness observation, and odor or evidence of tobacco paraphernalia observed during unit maintenance visits, inspections and other interactions with the residents and their guests.

Any deviation from this Smoke Free Policy by any household member or their guest will be considered a lease violation. Three lease violations will result in eviction.

Simple Steps To Protect Your Family From Lead Hazards

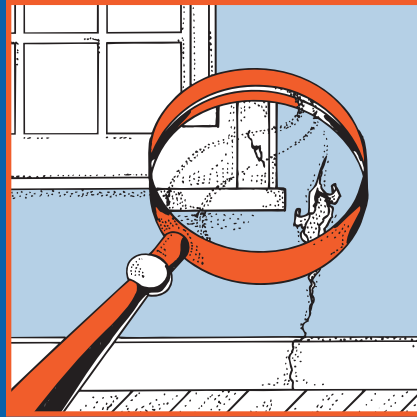
If you think your home has high levels of lead:

- ◆ Get your young children tested for lead, even if they seem healthy.
- ◆ Wash children's hands, bottles, pacifiers, and toys often.
- ◆ Make sure children eat healthy, low-fat foods.
- ◆ Get your home checked for lead hazards.
- ◆ Regularly clean floors, window sills, and other surfaces.
- ◆ Wipe soil off shoes before entering house.
- ◆ Talk to your landlord about fixing surfaces with peeling or chipping paint.
- ◆ Take precautions to avoid exposure to lead dust when remodeling or renovating (call 1-800-424-LEAD for guidelines).
- ◆ Don't use a belt-sander, propane torch, high temperature heat gun, scraper, or sandpaper on painted surfaces that may contain lead.
- ◆ Don't try to remove lead-based paint yourself.



Recycled/Recyclable

Printed with vegetable oil based inks on recycled paper
(minimum 50% postconsumer) process chlorine free.



Protect Your Family From Lead In Your Home



 **EPA** United States
Environmental
Protection Agency



United States
Consumer Product
Safety Commission



United States
Department of Housing
and Urban Development

Are You Planning To Buy, Rent, or Renovate a Home Built Before 1978?

Many houses and apartments built before 1978 have paint that contains high levels of lead (called lead-based paint). Lead from paint, chips, and dust can pose serious health hazards if not taken care of properly.



OWNERS, BUYERS, and RENTERS are encouraged to check for lead (see page 6) before renting, buying or renovating pre-1978 housing.

Federal law requires that individuals receive certain information before renting, buying, or renovating pre-1978 housing:



LANDLORDS have to disclose known information on lead-based paint and lead-based paint hazards before leases take effect. Leases must include a disclosure about lead-based paint.



SELLERS have to disclose known information on lead-based paint and lead-based paint hazards before selling a house. Sales contracts must include a disclosure about lead-based paint. Buyers have up to 10 days to check for lead.



RENOVATORS disturbing more than 2 square feet of painted surfaces have to give you this pamphlet before starting work.

IMPORTANT!

Lead From Paint, Dust, and Soil Can Be Dangerous If Not Managed Properly

- FACT:** Lead exposure can harm young children and babies even before they are born.
- FACT:** Even children who seem healthy can have high levels of lead in their bodies.
- FACT:** People can get lead in their bodies by breathing or swallowing lead dust, or by eating soil or paint chips containing lead.
- FACT:** People have many options for reducing lead hazards. In most cases, lead-based paint that is in good condition is not a hazard.
- FACT:** Removing lead-based paint improperly can increase the danger to your family.

If you think your home might have lead hazards, read this pamphlet to learn some simple steps to protect your family.

Lead Gets in the Body in Many Ways

Childhood lead poisoning remains a major environmental health problem in the U.S.

Even children who appear healthy can have dangerous levels of lead in their bodies.

People can get lead in their body if they:

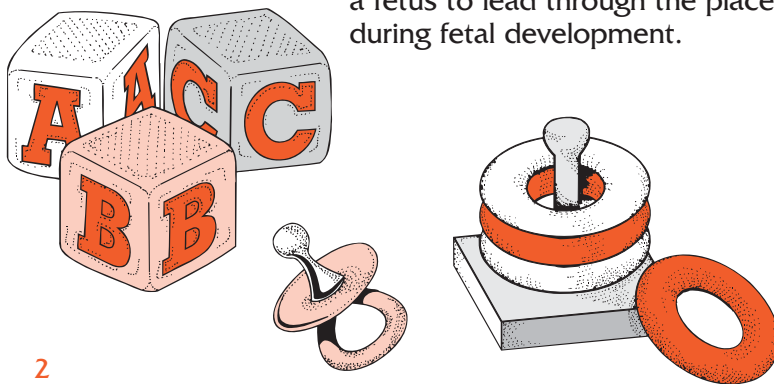
- ◆ Breathe in lead dust (especially during renovations that disturb painted surfaces).
- ◆ Put their hands or other objects covered with lead dust in their mouths.
- ◆ Eat paint chips or soil that contains lead.

Lead is even more dangerous to children under the age of 6:

- ◆ At this age children's brains and nervous systems are more sensitive to the damaging effects of lead.
- ◆ Children's growing bodies absorb more lead.
- ◆ Babies and young children often put their hands and other objects in their mouths. These objects can have lead dust on them.

Lead is also dangerous to women of childbearing age:

- ◆ Women with a high lead level in their system prior to pregnancy would expose a fetus to lead through the placenta during fetal development.



Lead's Effects

It is important to know that even exposure to low levels of lead can severely harm children.

In children, lead can cause:

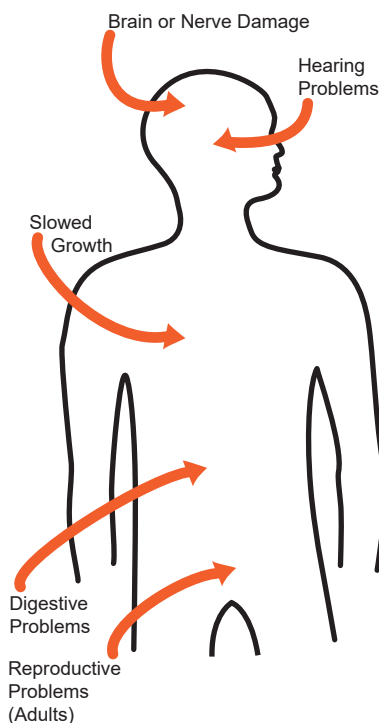
- ◆ Nervous system and kidney damage.
- ◆ Learning disabilities, attention deficit disorder, and decreased intelligence.
- ◆ Speech, language, and behavior problems.
- ◆ Poor muscle coordination.
- ◆ Decreased muscle and bone growth.
- ◆ Hearing damage.

While low-lead exposure is most common, exposure to high levels of lead can have devastating effects on children, including seizures, unconsciousness, and, in some cases, death.

Although children are especially susceptible to lead exposure, lead can be dangerous for adults too.

In adults, lead can cause:

- ◆ Increased chance of illness during pregnancy.
- ◆ Harm to a fetus, including brain damage or death.
- ◆ Fertility problems (in men and women).
- ◆ High blood pressure.
- ◆ Digestive problems.
- ◆ Nerve disorders.
- ◆ Memory and concentration problems.
- ◆ Muscle and joint pain.



**Lead affects
the body in
many ways.**

Where Lead-Based Paint Is Found

In general, the older your home, the more likely it has lead-based paint.

Many homes built before 1978 have lead-based paint. The federal government banned lead-based paint from housing in 1978. Some states stopped its use even earlier. Lead can be found:

- ◆ In homes in the city, country, or suburbs.
- ◆ In apartments, single-family homes, and both private and public housing.
- ◆ Inside and outside of the house.
- ◆ In soil around a home. (Soil can pick up lead from exterior paint or other sources such as past use of leaded gas in cars.)

Checking Your Family for Lead

Get your children and home tested if you think your home has high levels of lead.

To reduce your child's exposure to lead, get your child checked, have your home tested (especially if your home has paint in poor condition and was built before 1978), and fix any hazards you may have.

Children's blood lead levels tend to increase rapidly from 6 to 12 months of age, and tend to peak at 18 to 24 months of age.

Consult your doctor for advice on testing your children. A simple blood test can detect high levels of lead. Blood tests are usually recommended for:

- ◆ Children at ages 1 and 2.
- ◆ Children or other family members who have been exposed to high levels of lead.
- ◆ Children who should be tested under your state or local health screening plan.

Your doctor can explain what the test results mean and if more testing will be needed.

Identifying Lead Hazards

Lead-based paint is usually not a hazard if it is in good condition, and it is not on an impact or friction surface, like a window. It is defined by the federal government as paint with lead levels greater than or equal to 1.0 milligram per square centimeter, or more than 0.5% by weight.

Deteriorating lead-based paint (peeling, chipping, chalking, cracking or damaged) is a hazard and needs immediate attention. It may also be a hazard when found on surfaces that children can chew or that get a lot of wear-and-tear, such as:

- ◆ Windows and window sills.
- ◆ Doors and door frames.
- ◆ Stairs, railings, banisters, and porches.

Lead dust can form when lead-based paint is scraped, sanded, or heated. Dust also forms when painted surfaces bump or rub together. Lead chips and dust can get on surfaces and objects that people touch. Settled lead dust can re-enter the air when people vacuum, sweep, or walk through it. The following two federal standards have been set for lead hazards in dust:

- ◆ 40 micrograms per square foot ($\mu\text{g}/\text{ft}^2$) and higher for floors, including carpeted floors.
- ◆ 250 $\mu\text{g}/\text{ft}^2$ and higher for interior window sills.

Lead in soil can be a hazard when children play in bare soil or when people bring soil into the house on their shoes. The following two federal standards have been set for lead hazards in residential soil:

- ◆ 400 parts per million (ppm) and higher in play areas of bare soil.
- ◆ 1,200 ppm (average) and higher in bare soil in the remainder of the yard.

The only way to find out if paint, dust and soil lead hazards exist is to test for them. The next page describes the most common methods used.

Lead from paint chips, which you can see, and lead dust, which you can't always see, can both be serious hazards.

Checking Your Home for Lead

Just knowing that a home has lead-based paint may not tell you if there is a hazard.



You can get your home tested for lead in several different ways:

- ◆ A paint **inspection** tells you whether your home has lead-based paint and where it is located. It won't tell you whether or not your home currently has lead hazards.
- ◆ A **risk assessment** tells you if your home currently has any lead hazards from lead in paint, dust, or soil. It also tells you what actions to take to address any hazards.
- ◆ A combination risk assessment and inspection tells you if your home has any lead hazards and if your home has any lead-based paint, and where the lead-based paint is located.

Hire a trained and certified testing professional who will use a range of reliable methods when testing your home.

- ◆ Visual inspection of paint condition and location.
- ◆ A portable x-ray fluorescence (XRF) machine.
- ◆ Lab tests of paint, dust, and soil samples.

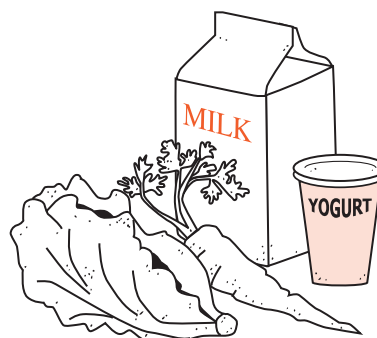
There are state and federal programs in place to ensure that testing is done safely, reliably, and effectively. Contact your state or local agency (see bottom of page 11) for more information, or call **1-800-424-LEAD (5323)** for a list of contacts in your area.

Home test kits for lead are available, but may not always be accurate. Consumers should not rely on these kits before doing renovations or to assure safety.

What You Can Do Now To Protect Your Family

If you suspect that your house has lead hazards, you can take some immediate steps to reduce your family's risk:

- ◆ If you rent, notify your landlord of peeling or chipping paint.
- ◆ Clean up paint chips immediately.
- ◆ Clean floors, window frames, window sills, and other surfaces weekly. Use a mop or sponge with warm water and a general all-purpose cleaner or a cleaner made specifically for lead. REMEMBER: NEVER MIX AMMONIA AND BLEACH PRODUCTS TOGETHER SINCE THEY CAN FORM A DANGEROUS GAS.
- ◆ Thoroughly rinse sponges and mop heads after cleaning dirty or dusty areas.
- ◆ Wash children's hands often, especially before they eat and before nap time and bed time.
- ◆ Keep play areas clean. Wash bottles, pacifiers, toys, and stuffed animals regularly.
- ◆ Keep children from chewing window sills or other painted surfaces.
- ◆ Clean or remove shoes before entering your home to avoid tracking in lead from soil.
- ◆ Make sure children eat nutritious, low-fat meals high in iron and calcium, such as spinach and dairy products. Children with good diets absorb less lead.



Reducing Lead Hazards In The Home

Removing lead improperly can increase the hazard to your family by spreading even more lead dust around the house.

Always use a professional who is trained to remove lead hazards safely.



In addition to day-to-day cleaning and good nutrition:

- ◆ You can **temporarily** reduce lead hazards by taking actions such as repairing damaged painted surfaces and planting grass to cover soil with high lead levels. These actions (called “interim controls”) are not permanent solutions and will need ongoing attention.
- ◆ To **permanently** remove lead hazards, you should hire a certified lead “abatement” contractor. Abatement (or permanent hazard elimination) methods include removing, sealing, or enclosing lead-based paint with special materials. Just painting over the hazard with regular paint is not permanent removal.

Always hire a person with special training for correcting lead problems—someone who knows how to do this work safely and has the proper equipment to clean up thoroughly. Certified contractors will employ qualified workers and follow strict safety rules as set by their state or by the federal government.

Once the work is completed, dust cleanup activities must be repeated until testing indicates that lead dust levels are below the following:

- ◆ 40 micrograms per square foot ($\mu\text{g}/\text{ft}^2$) for floors, including carpeted floors;
- ◆ 250 $\mu\text{g}/\text{ft}^2$ for interior windows sills; and
- ◆ 400 $\mu\text{g}/\text{ft}^2$ for window troughs.

Call your state or local agency (see bottom of page 11) for help in locating certified professionals in your area and to see if financial assistance is available.

Remodeling or Renovating a Home With Lead-Based Paint

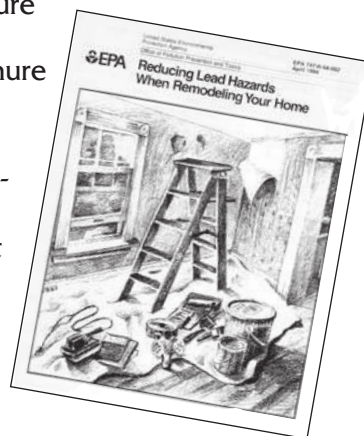
Take precautions before your contractor or you begin remodeling or renovating anything that disturbs painted surfaces (such as scraping off paint or tearing out walls):

- ◆ **Have the area tested for lead-based paint.**
- ◆ **Do not use a belt-sander, propane torch, high temperature heat gun, dry scraper, or dry sandpaper** to remove lead-based paint. These actions create large amounts of lead dust and fumes. Lead dust can remain in your home long after the work is done.
- ◆ **Temporarily move your family** (especially children and pregnant women) out of the apartment or house until the work is done and the area is properly cleaned. If you can't move your family, at least completely seal off the work area.
- ◆ **Follow other safety measures to reduce lead hazards.** You can find out about other safety measures by calling 1-800-424-LEAD. Ask for the brochure "Reducing Lead Hazards When Remodeling Your Home." This brochure explains what to do before, during, and after renovations.

If you have already completed renovations or remodeling that could have released lead-based paint or dust, get your young children tested and follow the steps outlined on page 7 of this brochure.



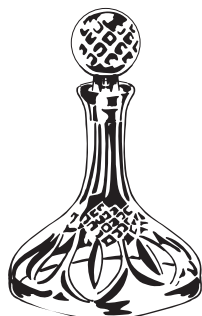
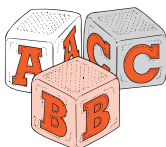
If not conducted properly, certain types of renovations can release lead from paint and dust into the air.



Other Sources of Lead



While paint, dust, and soil are the most common sources of lead, other lead sources also exist.

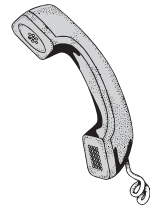


- ◆ **Drinking water.** Your home might have plumbing with lead or lead solder. Call your local health department or water supplier to find out about testing your water. You cannot see, smell, or taste lead, and boiling your water will not get rid of lead. If you think your plumbing might have lead in it:
 - Use only cold water for drinking and cooking.
 - Run water for 15 to 30 seconds before drinking it, especially if you have not used your water for a few hours.
- ◆ **The job.** If you work with lead, you could bring it home on your hands or clothes. Shower and change clothes before coming home. Launder your work clothes separately from the rest of your family's clothes.
- ◆ Old painted **toys** and **furniture**.
- ◆ Food and liquids stored in **lead crystal** or **lead-glazed pottery or porcelain**.
- ◆ **Lead smelters** or other industries that release lead into the air.
- ◆ **Hobbies** that use lead, such as making pottery or stained glass, or refinishing furniture.
- ◆ **Folk remedies** that contain lead, such as "greta" and "azarcon" used to treat an upset stomach.

For More Information

The National Lead Information Center

Call **1-800-424-LEAD (424-5323)** to learn how to protect children from lead poisoning and for other information on lead hazards. To access lead information via the web, visit **www.epa.gov/lead** and **www.hud.gov/offices/lead/**.

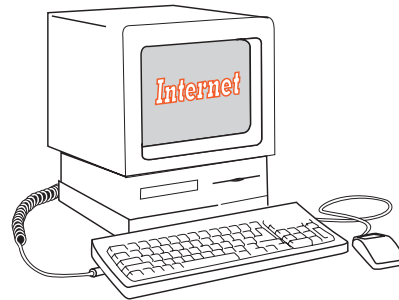


EPA's Safe Drinking Water Hotline

Call **1-800-426-4791** for information about lead in drinking water.

Consumer Product Safety Commission (CPSC) Hotline

To request information on lead in consumer products, or to report an unsafe consumer product or a product-related injury call **1-800-638-2772**, or visit CPSC's Web site at: **www.cpsc.gov**.



Health and Environmental Agencies

Some cities, states, and tribes have their own rules for lead-based paint activities. Check with your local agency to see which laws apply to you. Most agencies can also provide information on finding a lead abatement firm in your area, and on possible sources of financial aid for reducing lead hazards. Receive up-to-date address and phone information for your local contacts on the Internet at **www.epa.gov/lead** or contact the National Lead Information Center at **1-800-424-LEAD**.

For the hearing impaired, call the Federal Information Relay Service at **1-800-877-8339** to access any of the phone numbers in this brochure.

EPA Regional Offices

Your Regional EPA Office can provide further information regarding regulations and lead protection programs.

EPA Regional Offices

Region 1 (Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont)

Regional Lead Contact
U.S. EPA Region 1
Suite 1100 (CPT)
One Congress Street
Boston, MA 02114-2023
1 (888) 372-7341

Region 2 (New Jersey, New York, Puerto Rico, Virgin Islands)

Regional Lead Contact
U.S. EPA Region 2
2890 Woodbridge Avenue
Building 209, Mail Stop 225
Edison, NJ 08837-3679
(732) 321-6671

Region 3 (Delaware, Maryland, Pennsylvania, Virginia, Washington DC, West Virginia)

Regional Lead Contact
U.S. EPA Region 3 (3WC33)
1650 Arch Street
Philadelphia, PA 19103
(215) 814-5000

Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee)

Regional Lead Contact
U.S. EPA Region 4
61 Forsyth Street, SW
Atlanta, GA 30303
(404) 562-8998

Region 5 (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin)

Regional Lead Contact
U.S. EPA Region 5 (DT-8J)
77 West Jackson Boulevard
Chicago, IL 60604-3666
(312) 886-6003

Region 6 (Arkansas, Louisiana, New Mexico, Oklahoma, Texas)

Regional Lead Contact
U.S. EPA Region 6
1445 Ross Avenue, 12th Floor
Dallas, TX 75202-2733
(214) 665-7577

Region 7 (Iowa, Kansas, Missouri, Nebraska)

Regional Lead Contact
U.S. EPA Region 7
(ARTD-RALI)
901 N. 5th Street
Kansas City, KS 66101
(913) 551-7020

Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming)

Regional Lead Contact
U.S. EPA Region 8
999 18th Street, Suite 500
Denver, CO 80202-2466
(303) 312-6021

Region 9 (Arizona, California, Hawaii, Nevada)

Regional Lead Contact
U.S. Region 9
75 Hawthorne Street
San Francisco, CA 94105
(415) 947-4164

Region 10 (Alaska, Idaho, Oregon, Washington)

Regional Lead Contact
U.S. EPA Region 10
Toxics Section WCM-128
1200 Sixth Avenue
Seattle, WA 98101-1128
(206) 553-1985

CPSC Regional Offices

Your Regional CPSC Office can provide further information regarding regulations and consumer product safety.

Eastern Regional Center

Consumer Product Safety Commission
201 Varick Street, Room 903
New York, NY 10014
(212) 620-4120

Western Regional Center

Consumer Product Safety Commission
1301 Clay Street, Suite 610-N
Oakland, CA 94612
(510) 637-4050

Central Regional Center

Consumer Product Safety Commission
230 South Dearborn Street, Room 2944
Chicago, IL 60604
(312) 353-8260

HUD Lead Office

Please contact HUD's Office of Healthy Homes and Lead Hazard Control for information on lead regulations, outreach efforts, and lead hazard control and research grant programs.

U.S. Department of Housing and Urban Development

Office of Healthy Homes and Lead Hazard Control
451 Seventh Street, SW, P-3206
Washington, DC 20410
(202) 755-1785

This document is in the public domain. It may be reproduced by an individual or organization without permission. Information provided in this booklet is based upon current scientific and technical understanding of the issues presented and is reflective of the jurisdictional boundaries established by the statutes governing the co-authoring agencies. Following the advice given will not necessarily provide complete protection in all situations or against all health hazards that can be caused by lead exposure.

U.S. EPA Washington DC 20460
U.S. CPSC Washington DC 20207
U.S. HUD Washington DC 20410

EPA747-K-99-001
June 2003

Are You a Victim of Housing Discrimination?

Fair Housing is Your Right!

If you have been denied your housing rights...you may have experienced unlawful discrimination.



U.S. Department of Housing and Urban Development

WHERE TO MAIL YOUR FORM OR INQUIRE ABOUT YOUR CLAIM

**For Connecticut, Maine, Massachusetts,
New Hampshire, Rhode Island, and Vermont:
NEW ENGLAND OFFICE**

Fair Housing Hub
U.S. Dept. of Housing and Urban Development
Thomas P. O'Neill, Jr. Federal Building
10 Causeway Street, Room 321
Boston, MA 02222-1092
Telephone (617) 994-8320 or 1-800-827-5005
Fax (617) 565-7313 • TTY (617) 565-5453
E-mail: Complaints_office_01@hud.gov

**For New Jersey and New York:
NEW YORK/NEW JERSEY OFFICE**

Fair Housing Hub
U.S. Dept. of Housing and Urban Development
26 Federal Plaza, Room 3532
New York, NY 10278-0068
Telephone (212) 264-1290 or 1-800-496-4294
Fax (212) 264-9829 • TTY (212) 264-0927
E-mail: Complaints_office_02@hud.gov

**For Delaware, District of Columbia, Maryland,
Pennsylvania, Virginia, and West Virginia:
MID-ATLANTIC OFFICE**

Fair Housing Hub
U.S. Dept. of Housing and Urban Development
The Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107
Telephone (215) 656-0663 or 1-888-799-2085
Fax (215) 656-3419 • TTY (215) 656-3450
E-mail: Complaints_office_03@hud.gov

**For Alabama, the Caribbean, Florida, Georgia, Kentucky, Missis-
sippi, North Carolina, South Carolina, and Tennessee:
SOUTHEAST/CARIBBEAN OFFICE**

Fair Housing Hub
U.S. Dept. of Housing and Urban Development
Five Points Plaza
40 Marietta Street, 16th Floor
Atlanta, GA 30303-2808
Telephone (404) 331-5140 or 1-800-440-8091
Fax (404) 331-1021 • TTY (404) 730-2654
E-mail: Complaints_office_04@hud.gov

**For Illinois, Indiana, Michigan, Minnesota,
Ohio, and Wisconsin:
MIDWEST OFFICE**

Fair Housing Hub
U.S. Dept. of Housing and Urban Development
Ralph H. Metcalfe Federal Building
77 West Jackson Boulevard, Room 2101
Chicago, IL 60604-3507
Telephone (312) 353-7776 or 1-800-765-9372
Fax (312) 886-2837 • TTY (312) 353-7143
E-mail: Complaints_office_05@hud.gov

**For Arkansas, Louisiana, New Mexico, Oklahoma, and Texas:
SOUTHWEST OFFICE**

Fair Housing Hub
U.S. Dept. of Housing and Urban Development
801 North Cherry, 27th Floor
Fort Worth, TX 76102
Telephone (817) 978-5900 or 1-888-560-8913
Fax (817) 978-5876 or 5851 • TTY (817) 978-5595
E-mail: Complaints_office_06@hud.gov

**For Iowa, Kansas, Missouri and Nebraska:
GREAT PLAINS OFFICE**

Fair Housing Hub
U.S. Dept. of Housing and Urban Development
Gateway Tower II
400 State Avenue, Room 200, 4th Floor
Kansas City, KS 66101-2406
Telephone (913) 551-6958 or 1-800-743-5323
Fax (913) 551-6856 • TTY (913) 551-6972
E-mail: Complaints_office_07@hud.gov

**For Colorado, Montana, North Dakota, South Dakota,
Utah, and Wyoming:
ROCKY MOUNTAINS OFFICE**

Fair Housing Hub
U.S. Dept. of Housing and Urban Development
1670 Broadway
Denver, CO 80202-4801
Telephone (303) 672-5437 or 1-800-877-7353
Fax (303) 672-5026 • TTY (303) 672-5248
E-mail: Complaints_office_08@hud.gov

**For Arizona, California, Hawaii, and Nevada:
PACIFIC/HAWAII OFFICE**

Fair Housing Hub
U.S. Dept. of Housing and Urban Development
600 Harrison Street, Third Floor
San Francisco, CA 94107-1300
Telephone (415) 489-6524 or 1-800-347-3739
Fax (415) 489-6558 • TTY (415) 436-6594
E-mail: Complaints_office_09@hud.gov

**For Alaska, Idaho, Oregon, and Washington:
NORTHWEST/ALASKA OFFICE**

Fair Housing Hub
U.S. Dept. of Housing and Urban Development
Seattle Federal Office Building
909 First Avenue, Room 205
Seattle, WA 98104-1000
Telephone (206) 220-5170 or 1-800-877-0246
Fax (206) 220-5447 • TTY (206) 220-5185
E-mail: Complaints_office_10@hud.gov

***If after contacting the local office nearest you, you still have ques-
tions – you may contact HUD further at:***

U.S. Dept. of Housing and Urban Development
Office of Fair Housing and Equal Opportunity
451 7th Street, S.W., Room 5204
Washington, DC 20410-2000
Telephone (202) 708-0836 or 1-800-669-9777
Fax (202) 708-1425 • TTY 1-800-927-9275

To file electronically, visit: www.hud.gov

PLACE
POSTAGE
HERE

MAIL TO:

Public Reporting Burden for this collection of information is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The Department of Housing and Urban Development is authorized to collect this information by Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, (P.L. 100-430); Title VI of the Civil Rights Act of 1964, (P.L. 88-352); Section 504 of the Rehabilitation Act of 1973, as amended, (P.L. 93-112); Section 109 of Title I- Housing and Community Development Act of 1974, as amended, (P.L. 97-35); Americans with Disabilities Act of 1990, (P.L. 101-336); and by the Age Discrimination Act of 1975, as amended, (42 U.S.C. 6103).

The information will be used to investigate and to process housing discrimination complaints. The information may be disclosed to the United States Department of Justice for its use in the filing of pattern and practice suits of housing discrimination or the prosecution of the person(s) who committed that discrimination where violence is involved; and to State or local fair housing agencies that administer substantially equivalent fair housing laws for complaint processing. Failure to provide some or all of the requested information will result in delay or denial of HUD assistance.

Disclosure of this information is voluntary.



HOUSING DISCRIMINATION INFORMATION

Departamento de Vivienda y Desarrollo Urbano Oficina de Derecho Equitativo a la Vivienda
U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity

Instructions: (Please type or print) Read this form carefully. Try to answer all questions. If you do not know the answer or a question does not apply to you, leave the space blank. You have one year from the date of the alleged discrimination to file a complaint. Your form should be signed and dated.

Your Name

Your Address

City

State

Zip Code

Best time to call

Your Daytime Phone No

Evening Phone No

Who else can we call if we cannot reach you?

Contact's Name

Best Time to call

Daytime Phone No

Evening Phone No

Contact's Name

Best Time to call

Daytime Phone No

Evening Phone No



What happened to you?

How were you discriminated against?

For example: were you refused an opportunity to rent or buy housing? Denied a loan? Told that housing was not available when in fact it was? Treated differently from others seeking housing?

State briefly what happened.

HOUSING DISCRIMINATION INFORMATION

Departamento de Vivienda y Desarrollo Urbano Oficina de Derecho Equitativo a la Vivienda
U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity

2 Why do you think you are a victim of housing discrimination?

Is it because of your:

• race • color • religion • sex • national origin • familial status (families with children under 18) • disability?

For example: were you denied housing because of your race? Were you denied a mortgage loan because of your religion? Or turned down for an apartment because you have children?

Briefly explain why you think your housing rights were denied and circle the factor(s) listed above that you believe apply.

3 Who do you believe discriminated against you?

For example: was it a landlord, owner, bank, real estate agent, broker, company, or organization?

Identify who you believe discriminated against you.

Name

Address

4 Where did the alleged act of discrimination occur?

For example: Was it at a rental unit? Single family home? Public or Assisted Housing? A Mobile Home?

Did it occur at a bank or other lending institution?

Provide the address.

Address

City

State

Zip Code

5 When did the last act of discrimination occur?

Enter the date

____/____/____

Is the alleged discrimination continuing or ongoing?

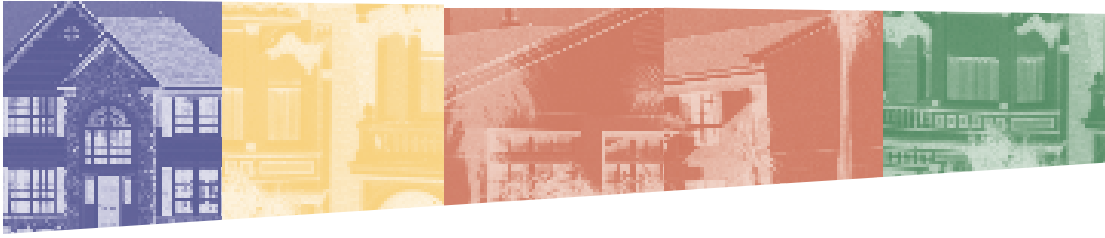
Yes No

☐☐

Signature

Date

Send this form to HUD or to the fair housing agency nearest you. If you are unable to complete this form, you may call that office directly. See address and telephone listings on back page.



It is Unlawful to Discriminate in Housing Based on These Factors...

- Race
- Color
- National origin
- Religion
- Sex
- Familial status (families with children under the age of 18, or who are expecting a child)
- Handicap (if you or someone close to you has a disability)

If You Believe Your Rights Have Been Violated...

- HUD or a State or local fair housing agency is ready to help you file a complaint.
- After your information is received, HUD or a State or local fair housing agency will contact you to discuss the concerns you raise.

Detach here. Fold and close with glue or tape (no staples)

Keep this information for your records.

Date you mailed your information to HUD:

____/____/____

Address to which you sent the information:

Office

Telephone

Street

City

State

Zip Code

If you have not heard from HUD or a State or local fair housing agency within three weeks from the date you mailed this form, you may call to inquire about the status of your complaint. See address and telephone listings on back page.

ARE YOU A VICTIM OF HOUSING DISCRIMINATION?

"The American Dream of having a safe and decent place to call 'home' reflects our shared belief that in this nation, opportunity and success are within everyone's reach.

Under our Fair Housing laws, every citizen is assured the opportunity to build a better life in the home or apartment of their choice — regardless of their race, color, religion, sex, national origin, family status or disability."

Alphonso Jackson
Secretary

HOW DO YOU RECOGNIZE HOUSING DISCRIMINATION?

Under the Fair Housing Act, it is Against the Law to:

- Refuse to rent to you or sell you housing
- Tell you housing is unavailable when in fact it is available
- Show you apartments or homes only in certain neighborhoods
- Set different terms, conditions, or privileges for sale or rental of a dwelling
- Provide different housing services or facilities
- Advertise housing to preferred groups of people only
- Refuse to provide you with information regarding mortgage loans, deny you a mortgage loan, or impose different terms or conditions on a mortgage loan
- Deny you property insurance
- Conduct property appraisals in a discriminatory manner
- Refuse to make reasonable accommodations for persons with a disability if the accommodation may be necessary to afford such person a reasonable and equal opportunity to use and enjoy a dwelling.
- Fail to design and construct housing in an accessible manner
- Harass, coerce, intimidate, or interfere with anyone exercising or assisting someone else with his/her fair housing rights

FACT SHEET

For HUD ASSISTED RESIDENTS

Project-Based Section 8

“HOW YOUR RENT IS DETERMINED”

Office of Housing

September 2010

This Fact Sheet is a general guide to inform the Owner/Management Agents (OA) and HUD-assisted residents of the responsibilities and rights regarding income disclosure and verification.

Why Determining Income and Rent Correctly is Important

Department of Housing and Urban Development studies show that many resident families pay incorrect rent. The main causes of this problem are:

- Under-reporting of income by resident families, and
- OAs not granting exclusions and deductions to which resident families are entitled.

OAs and residents all have a responsibility in ensuring that the correct rent is paid.

OAs' Responsibilities:

- Obtain accurate income information
- Verify resident income
- Ensure residents receive the exclusions and deductions to which they are entitled
- Accurately calculate Tenant Rent
- Provide tenants a copy of lease agreement and income and rent determinations Recalculate rent when changes in family composition are reported
- Recalculate rent when resident income decreases
- Recalculate rent when resident income increases by \$200 or more per month
- Recalculate rent every 90 days when resident claims minimum rent hardship exemption
- Provide information on OA policies upon request
- Notify residents of any changes in requirements or practices for reporting income or determining rent

Residents' Responsibilities:

- Provide accurate family composition information
- Report all income
- Keep copies of papers, forms, and receipts which document income and expenses
- Report changes in family composition and income occurring between annual recertifications
- Sign consent forms for income verification
- Follow lease requirements and house rules

Income Determinations

A family's anticipated gross income determines not only eligibility for assistance, but also determines the rent a family will pay and the subsidy required. The anticipated income, subject to exclusions and deductions the family will receive during the next twelve (12) months, is used to determine the family's rent.

What is Annual Income?

Gross Income – Income Exclusions = Annual Income

What is Adjusted Income?

Annual Income – Deductions = Adjusted Income

Determining Tenant Rent

Project-Based Section 8 Rent Formula:

The rent a family will pay is the **highest** of the following amounts:

- 30% of the family's monthly *adjusted* income
 - 10% of the family's monthly income
 - Welfare rent or welfare payment from agency to assist family in paying housing costs.
- OR
- \$25.00 Minimum Rent

Income and Assets

HUD assisted residents are required to report **all** income from all sources to the Owner or Agent (OA).

Exclusions to income and deductions are part of the tenant rent process.

When determining the amount of income from assets to be included in annual income, the actual income derived from the assets is included except when the cash value of all of the assets is in excess of \$5,000, then the amount included in annual income is the higher of 2% of the total assets or the actual income derived from the assets.

Annual Income Includes:

- Full amount (before payroll deductions) of wages and salaries, overtime pay, commissions, fees, tips and bonuses and other compensation for personal services
- Net income from the operation of a business or profession
- Interest, dividends and other net income of any kind from real or personal property (See Assets Include/Assets Do Not Include below)
- Full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except for deferred periodic payments of supplemental security income and social security benefits, see Exclusions from Annual Income, below)
- Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except for lump-sum additions to

family assets, see Exclusions from Annual Income, below Welfare assistance

- Periodic and determinable allowances, such as alimony and child support payments and regular contributions or gifts received from organizations or from persons not residing in the dwelling
- All regular pay, special pay and allowances of a member of the Armed Forces (except for special pay for exposure to hostile fire)
- For Section 8 programs only, any financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965, shall be considered income to that individual, except that financial assistance is not considered annual income for persons over the age of 23 with dependent children or if a student is living with his or her parents who are receiving section 8 assistance. For the purpose of this paragraph, "financial assistance" does not include loan proceeds for the purpose of determining income.

Assets Include:

- Stocks, bonds, Treasury bills, certificates of deposit, money market accounts
- Individual retirement and Keogh accounts
- Retirement and pension funds
- Cash held in savings and checking accounts, safe deposit boxes, homes, etc.
- Cash value of whole life insurance policies available to the individual before death
- Equity in rental property and other capital investments
- Personal property held as an investment
- Lump sum receipts or one-time receipts
- Mortgage or deed of trust held by an applicant
- Assets disposed of for less than fair market value.

Assets Do Not Include:

- Necessary personal property (clothing, furniture, cars, wedding ring, vehicles specially equipped for persons with disabilities)
- Interests in Indian trust land
- Term life insurance policies
- Equity in the cooperative unit in which the family lives
- Assets that are part of an active business
- Assets that are not effectively owned by the applicant

or are held in an individual's name but:

- The assets and any income they earn accrue to the benefit of someone else who is not a member of the household, and
- that other person is responsible for income taxes incurred on income generated by the assets
- Assets that are not accessible to the applicant and provide no income to the applicant (Example: A battered spouse owns a house with her husband. Due to the domestic situation, she receives no income from the asset and cannot convert the asset to cash.)
- Assets disposed of for less than fair market value as a result of:
 - Foreclosure
 - Bankruptcy
 - Divorce or separation agreement if the applicant or resident receives important consideration not necessarily in dollars.

Exclusions from Annual Income:

- Income from the employment of children (including foster children) under the age of 18
- Payment received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone)
- Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses
- Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member
- Income of a live-in aide
- Subject to the inclusion of income for the Section 8 program for students who are enrolled in an institution of higher education under Annual Income Includes, above, the full amount of student financial assistance either paid directly to the student or to the educational institution
- The special pay to a family member serving in the Armed Forces who is exposed to hostile fire
- Amounts received under training programs funded by HUD
- Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and

benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS)

- Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program
- Resident service stipend (not to exceed \$200 per month)
- Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs and training of a family member as resident management staff
- Temporary, non-recurring or sporadic income (including gifts)
- Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era
- Earnings in excess of \$480 for each full time student 18 years old or older (excluding head of household, co-head or spouse)
- Adoption assistance payments in excess of \$480 per adopted child
- Deferred periodic payments of supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts
- Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit
- Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home

Federally Mandated Exclusions:

- Value of the allotment provided to an eligible household under the Food Stamp Act of 1977
- Payments to Volunteers under the Domestic Volunteer Services Act of 1973
- Payments received under the Alaska Native Claims Settlement Act
- Income derived from certain submarginal land of the US that is held in trust for certain Indian Tribes

- Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program
- Payments received under programs funded in whole or in part under the Job Training Partnership Act
- Income derived from the disposition of funds to the Grand River Band of Ottawa Indians
- The first \$2000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U.S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands
- Payments received from programs funded under Title V of the Older Americans Act of 1985
- Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *In Re Agent-product* liability litigation
- Payments received under the Maine Indian Claims Settlement Act of 1980
- The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990
- Earned income tax credit (EITC) refund payments on or after January 1, 1991
- Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation
- Allowance, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990
- Any allowance paid under the provisions of 38U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran
- Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act
- Allowances, earnings and payments to individuals participating under the Workforce Investment Act of 1998.

Deductions:

- \$480 for each dependent including full time students or persons with a disability
- \$400 for any elderly family or disabled family
- Unreimbursed medical expenses of any elderly family or disabled family that total more than 3% of Annual Income
- Unreimbursed reasonable attendant care and auxiliary apparatus expenses for disabled family member(s) to allow family member(s) to work that total more than 3% of Annual Income
- If an elderly family has both unreimbursed medical expenses and disability assistance expenses, the family's 3% of income expenditure is applied only one time.
- Any reasonable child care expenses for children under age 13 necessary to enable a member of the family to be employed or to further his or her education.

Reference Materials

Legislation:

- Quality Housing and Work Responsibility Act of 1998, Public Law 105-276, 112 Stat. 2518 which amended the United States Housing Act of 1937, 42 USC 2437, et seq.

Regulations:

- General HUD Program Requirements; 24 CFR Part 5

Handbook:

- 4350.3, Occupancy Requirements of Subsidized Multifamily Housing Programs

Notices:

"Federally Mandated Exclusions" Notice 66 FR 4669, April 20, 2001

For More Information:

Find out more about HUD's programs on HUD's Internet homepage at <http://www.hud.gov>

Resident Rights



& Responsibilities



Secretary of HUD

This brochure does not apply to the Public Housing Program, the Section 8 Moderate Rehabilitation Program (except for multifamily housing projects that are insured by HUD), and the Housing Choice Voucher Program (except when a voucher is used in a multifamily housing project with a HUD-insured mortgage).

You, as a resident (tenant), have rights and responsibilities that help make your HUD-assisted housing a better home for you and your family.

This brochure is being distributed to you because the United States Department of Housing and Urban Development, which has ultimate jurisdiction over the project in which you live, has provided some form of assistance or subsidy for this apartment building. As part of its dedication to maintaining the best possible living environment for all residents, your HUD field office encourages and supports the following:

- Management agents and property owners communicate with residents on any and all issues.
- Owners and managers give prompt consideration to all valid resident complaints and resolve them as quickly as possible.
- Residents' right to organize and participate in the decisions regarding the well-being of the project and their home.

Along with your owner/management agent, you play an important role in making your place of residence—the unit (apartment), the grounds, and other common areas—a better place to live and in creating a community you can be proud of.

This brochure briefly lists some of your most important rights and responsibilities to help you get the most out of your home.



Your Rights

As a resident of a HUD-assisted multifamily housing project, you should be aware of your rights.

Rights

Involving Your Apartment

- The right to live in decent, safe, and sanitary housing that is free from environmental hazards such as lead-based paint hazards.
- The right to have repairs performed in a timely manner, upon request, and to have a quality maintenance program run by management.
- The right to be given reasonable notice, in writing, of any nonemergency inspection or other entry into your apartment.

Rights

Involving Resident Organizations

- The right to organize as residents without obstruction, harassment, or retaliation from property owners or management.
- The right to post materials in common areas and provide leaflets informing other residents of their rights and of opportunities to involve themselves in their project.
- The right, which may be subject to a reasonable, HUD-approved fee, to use appropriate common space or meeting facilities to organize or to consider any issue affecting the condition or management of the property.
- The right to meet without the owner/manager present.
- The right to be recognized by property owners and managers as having a voice in residential community affairs.

Rights

Involving Nondiscrimination

The right to equal and fair treatment and use of your building's services and facilities, without regard to race, color, religion, gender, disability, familial status (children under 18), national origin (ethnicity or language), or in some circumstances, age.

Your Responsibilities

As a resident of a HUD-assisted multifamily housing project, you also have certain responsibilities to ensure that your building remains a suitable home for you and your neighbors. By signing your lease, you and the owner/management company have entered into a legal, enforceable contract. You and the owner/management company are responsible for complying with your lease, house rules, and local laws governing your property. If you have any questions about your lease or do not have a copy of it, contact your management agent or your local HUD field office.

Responsibilities

to Your Property Owner or Management Agent

- Complying with the rules and guidelines that govern your lease.
- Paying the correct amount of rent on a timely basis each month.
- Providing accurate information to the owner at the certification or recertification interview to determine your total tenant payment, and consenting to the release of information by a third party to allow for verification.
- Reporting changes in the family's income.

Responsibilities

to the Project and to Your Fellow Residents

- Conducting yourself in a manner that will not disturb your neighbors.
- Not engaging in criminal activity in the unit, common area, or grounds.
- Keeping your unit clean and not littering the grounds or common areas.
- Disposing of garbage and waste in a proper manner.
- Complying with local codes that affect the health or safety of the residence.
- Maintaining your apartment and common areas in the same general physical condition as when you moved in.
- Reporting any apparent environmental hazards to the management, such as peeling paint—which is a hazard if it is a lead-based paint—and any defects in building systems, fixtures, appliances, or other parts of the unit, the grounds, or related facilities.

Your Participation *is important*

Residents in HUD-assisted multifamily housing can play an important role in decisions that affect their project. Different HUD programs provide for specific resident rights. You have the right to know under which HUD program your building is assisted. To find out if your apartment building is covered under any of the following categories, contact your management agent.

If your building was funded under **Section 236, 221 (d)(3)/BMIR, Rent Supplement Program, Section 202 Direct Loan Program, Section 202/811 Capital Advance Programs, or is assisted under any applicable project-based Section 8** programs, and prior HUD approval is required before the owner can prepay, you have the right to participate in or be notified of, and comment on, the following:

- An increase in the maximum permissible rent.
- Conversion of a project from project-paid utilities to tenant-paid utilities or a reduction in tenant utility allowance.
- Conversion of residential units in a multifamily housing project to a nonresidential use or to condominiums, or the transfer of the project to a cooperative housing mortgagor corporation or association.
- Partial release of mortgage security.
- Capital improvements that represent a substantial addition to the project.
- Nonrenewal of a project-based Section 8 contract.
- Any other action which could ultimately lead to involuntary temporary or permanent relocation of residents.
- Prepayment of mortgage.



Your Participation *continued...*

If your unit has a project-based Section 8 contract that is expiring or being terminated and will not be renewed, the assisted family may elect to remain in the same project in which the family was residing on the date of the eligibility event for the project. The family residing in an assisted unit may be eligible for an enhanced voucher. Owners must provide a 1-year notification of their intent to opt out of the Section 8 contract. Residents may use the Section 8 voucher in any building with rents in the allowable range. Eligible tenants can receive enhanced vouchers only if they remain in the same project in which they resided on the date the Section 8 contract was terminated. If an eligible tenant moves, they are eligible for a Section 8 voucher that is not enhanced. You also have the right to Relocation Counseling, where you can learn about housing options available to you.

Residents of HUD-assisted housing are our partners and partners in their communities. HUD regulations give residents the right to press for improved conditions by organizing independent resident associations. These associations encourage residents to become involved in the decisions that affect their homes without harassment or retaliation by property owners or management.

—Secretary of HUD

If you live in a building that is **owned by HUD** and is being sold, you have the right to be notified of, and comment on, HUD's plans for disposing of the building.

Additional Assistance



If you need help or more information, you may contact:

- Your property manager or management company.
- The project manager in HUD's Multifamily Hub, Multifamily Field Office, or your local Contract Administrator.
- Your local HUD Field Office - <http://www.hud.gov/local/index.cfm>
- The housing counseling agency in your community (for assistance, call the HUD Housing Counseling Service Locator at 1-800-569-4287).
- HUD's National Multifamily Housing Clearinghouse at 1-800-685-8470 to report maintenance or management concerns.
- HUD's Office of Inspector General Hot Line at 1-800-347-3735 to report fraud, waste, or mismanagement.
- Citation to the Multifamily Housing Rule—24 CFR Part 245.
- World Wide Web - <http://www.hud.gov>

If you believe that you have been discriminated against, or would like information on what constitutes housing discrimination, call 1-800-669-9777, or call your local HUD Office of Fair Housing and Equal Opportunity.

Your local government tenant/landlord affairs office, legal services office, and tenant organizations may also provide you with information on additional rights you have under local or state law.

The brochure about your rights and responsibilities as a resident of HUD assisted multifamily housing is available in languages other than English. To find out which language versions are currently in stock, contact HUD's National Multifamily Housing Clearinghouse at 1-800-685-8470.



**U.S. Department of Housing
and Urban Development**

Office of Multifamily Housing Programs

Washington, DC 20410-0000

Official Business

Penalty for Private Use \$300