

TENANT SELECTION PLAN

FOR

Northfield Manor
901 Cannon Valley Drive
Northfield, Minnesota 55057

Owner

Northfield Manor, INC
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Northfield, Minnesota 55057

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NORTHFIELD MANOR TENANT SELECTION PLAN

OVERVIEW:

Northfield Manor employs a **Management Agent** to fully assume all duties on behalf of the Owner as required in HUD Handbook 4381.5 for overseeing and monitoring project management responsibilities in accordance with the Owner's personnel policies and HUD Handbook 4350.3 REV-1 Change 4 and future revised editions.

The day to day operations of **Northfield Manor** is managed by the **Manor Coordinator**, under the immediate supervision of the **Management Agent**.

Northfield Manor, a Section 8/202 with initial occupancy in 1981. The property has been designated to serve persons with a disability, or persons 62 years and older without regard to race, color, religion, disability, familial status, national origin or gender. Northfield Manor does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.

Northfield Manor shall comply fully with Federal Fair Housing Laws. Applicants will not be discriminated against with regard to race, color, religion, gender, and disability, familial status, national origin or other class protected by State or local law. The tenant rent is based upon the greater of 30% of the adjusted gross income,

Northfield Manor has 63-One bedroom apartments and 1-Two bedroom apartment. All apartments are equipped with an entry-way, living room, and/or combined living room/dining room and kitchen, bathroom, and storage closets. Each apartment is equipped with an emergency pull cord system that is monitored by a 24-hour "In-House" staff. The building also features two elevators, Social Room, laundry facilities, and in-house mail delivery, and transportation for grocery shopping.

The project is contracted with the U.S. Dept. of Housing and Urban Development, Section 202/8 HAP contract through which funds and subsidy vouchers are provided to sustain required operations.

The procedures contained in the Tenant Selection Plan have been established in accordance with compliance with the Department of Housing and Urban Development (HUD) Handbook 4350.3, REV-1, Change 4, as amended, and all other applicable federal statutes and regulations.

PROCEDURES FOR ACCEPTING APPLICATIONS:

Anyone who wishes to secure housing must fully complete the Application for Residency and Exhibit 3-3 Owners Notice Form. The **Manor Coordinator** shall provide a packet of information including: A welcome letter, a Fact Sheet for HUD assisted Residents, Uniform Consumer Information Guide, Unit Floor Plan, Tenant Selection Plan, an Application for Admittance along with a business card to interested persons.

Upon receipt of a completed application the Applicant will receive one of the following from the **Manor Coordinator**:

- A letter to acknowledge receipt of the completed application and notification of its addition to current waiting list.
- A phone call to schedule an application interview within standard business hours.

During the Application Interview the following criteria will be determined:

- Make an initial determination of the income eligibility of the household;
- The size of the unit desired or needed and sufficient information to screen Applicant's prior landlord history.
- The Applicant will be required to give consent to management's requirement to secure a credit and criminal background history and must provide sufficient information to enable management to secure such reports.

All other interested persons may access the project's website for more information at: www.northfieldretirement.org

PROJECT ELIGIBILITY REQUIREMENTS:

The head of household, co-head or spouse must be sixty-two (62) years of age or older or persons with a disability. The unit for which the applicant is applying must be the family's only residence. An applicant must agree to pay the rent required by the program under which the applicant will receive assistance.

CITIZENSHIP REQUIREMENTS:

By law, only U.S. citizens and eligible noncitizens may benefit from federal rental assistance. See Chapters 3, 4, 7, and 8 for other citizenship and eligible immigration status requirements.

- **Manor Coordinator** determines the applicant's citizenship or immigration status during the initial eligibility determination, prior to move-in.
- As part of the annual or interim recertification process, **Manor Coordinator** must determine the citizenship/immigration status of tenants from whom the owner has not previously collected the proper documentation or whose documentation suggested that their status was likely to change.
- If the status of a family member in a mixed family changes from ineligible to eligible, the family may request an interim recertification.
- The required evidence of citizenship/immigration status for any new family member must be submitted at the first interim or regular recertification after the person moves to the unit.

SOCIAL SECURITY NUMBER REQUIREMENTS:

Applicants are not required to have or disclose their Social Security Number (SSN) in order to be placed on the wait list. However, each member of the applicant household must disclose and provide verification of their Social Security Number (SSN) before the household may be housed. The only exceptions to this requirement are household members who do not claim to have eligible immigration status, and household members who are 62 years of age and older who were already receiving federal housing assistance on January 31, 2010.

Households may retain their place on the wait list if all household members required to disclose a SSN cannot do so at the time an apartment is offered. In this case, the household will have 90 calendar days to disclose and provide verification of all SSNs. If all SSNs are disclosed and verified within 90 days, the household will be offered the next available unit. If all SSNs are not disclosed and verified within 90 calendar days of the date an apartment is offered, the application will be cancelled and the household will be removed from the wait list.

Northfield Manor may accept and allow move-in of applicant households that include a family member under the age of 6 who cannot provide a Social Security Number (SSN) if the child was added to the household within the six months prior to move-in. The households will have 90 days and one additional 90-day extension to provide the SSN. This extension also applies to in-place households wishing to add a new family member under the age of 6 to the unit.

The documentation required to verify the SSN is a valid Social Security Number card issued by the Social Security Administration, or an original document issued by a federal or state government agency which contains the name and SSN of the individual along with identifying information of the individual.

All information reported by the family is subject to verification.

All adults in the applicant's family must sign verification consent forms for management to verify all information prior to receiving Section 8 housing assistance and annually thereafter.

An applicant may be receiving subsidy elsewhere at the time of the application process; however, once the applicant is accepted as a resident of **Northfield Manor**, he/she may not receive subsidy anywhere else.

Individuals who have already disclosed a valid SSN do not have to re-disclose their SSN. However, any affected tenants must provide verification of SSNs at the time of their next interim or Annual Recertification.

INCOME LIMITS:

Northfield Manor is a Section 8/202 property designated for persons with a disability, or persons 62 years and older. **Northfield Manor** initial occupancy was in 1981, and must admit extremely low-income families unless HUD has approved an exception to admit families whose incomes are above the extremely low income limit.

Income limits are based on family size and the annual income the family receives.

Applicant's household annual income must not exceed the income guidelines for the county in which the facility is located as set forth by HUD. Income limits are updated by HUD annually. The applicant family's annual income must not exceed the applicable income limit.

Income limits are published annually and are available from the local HUD office or on-line at: www.huduser.org.

PROCEDURES FOR SELECTING APPLICANTS FROM THE WAITING LIST:

When an appropriate unit is available, the **Manor Coordinator** shall review the waiting list to identify the next applicant's name is in chronological order at the top of the list.

The Project Manager shall:

- Interview the Applicant
- Confirm and updated all information provided on the application.
- Obtain current information of income, expense and Family Composition as applicable and necessary to verify eligibility and compute the resident's share of the rent.

The Applicant shall be informed that a final decision on eligibility cannot be made until all verifications have been completed and current income has been verified.

Former residents desiring to return to the property must re-apply; meet all HUD and Owner requirements, and be placed on the waiting list.

The **Manor Coordinator** is solely responsible for accepting from the waiting list.

PROCEDURES FOR APPLYING FEDERAL PREFERENCES:

Income-targeting

Owners with Section 8 units are required to ensure that during a fiscal year at least 40% of the units that become available, together with initial certifications of in-place tenants, serve extremely low-income families.

Northfield Manor's location enables the property to achieve the income-targeting guidelines because a significant number of our applicants meet the criteria for having "extremely - low" income. Based on this composition of our property we are able to meet the 40% target with no additional procedures in place.

The **Managing Agent** shall review the composition of admissions to confirm that the 40% target will be met for any fiscal year. If this periodic review reveals that admissions of extremely low-income applicants are below the 40% requirement, the Owner shall use additional procedures to ensure that the requirement is met by the end of the fiscal year:

Admit only extremely low-income families until the 40% target is met. In chronological order, the **Manor Coordinator** shall select eligible applicants from the waiting list whose incomes are at or below the extremely low income limit to fill the first 40% of expected vacancies in the property. Once this target has been reached, admit applicants in waiting list order.

Federal Preferences

The **Managing Agent** shall use the following preferences that will be consistent with applicable civil rights requirements and does not result in disparate treatment of applicants with respect to any of the protected bases.

- Victims of Domestic Violence
- Homeless or displaced persons

APPLICANT SCREENING CRITERIA:

Ensuring That Screening is Performed Consistently, **Manor Coordinator** shall apply the criteria consistently to all applicants. To ensure that all applicants are treated consistently during the screening process:

1. Only the **Manor Coordinator** shall conduct screening to reduce inconsistencies.
2. Standard forms designed to meet HUD screening criteria shall be used to screen all applicants.
3. **Manor Coordinator** will research State and Federal Sex Offender Listings at the time of initial application, and at annual recertification.
4. Use objective criteria:
 - For example, when interviewing an applicant's former landlord about rent payment and rental history, the Project Manager shall ask fact-based questions. Avoid subjective questions that ask for opinions or do not directly relate to the tenant's ability to meet the requirements of the lease.

Sample of appropriate questions to ask:

- a. Was the tenant ever late with a rent payment? If yes, when and how many times was the tenant late?
- b. Did other lease violations occur? If so, what were they? How frequently did each of the other lease violations occur?
- c. Was the tenant ever cited for disturbing behavior? How often?
- d. Did the tenant violate house rules? What rules were violated, and how many times did violations occur?
- e. Was the tenant evicted?

Sample of inappropriate questions to ask:

- a. Did the tenant's boyfriend/girlfriend visit often?
- b. Did the tenant make lots of complaints to the Owner?
- c. What is the tenant's reputation?
 - Follow a formal, written process for collecting information. Do not take into consideration informal or "gossip" about an applicant. Such information may be discriminatory and will affect applicants inconsistently since the Owner does not collect it for all applicants.

The **Manor Coordinator** shall use the following EIV Tenant Search Report when screening Applicants for occupancy:

EIV existing tenant search: Search will be completed at the time of application for all household members listed on the application to:

1. Discuss with the applicant if the report identifies that the applicant or a member of the applicant's household is residing at another location, giving the applicant the opportunity to explain any circumstances relative to his/her being assisted at another location. This may be a case where the applicant wants to move from his/her present location or where two assisted families share custody of a minor child.
2. Follow up with the respective Property Manager or Managing Agent to confirm the individual's program participation status before admission, if necessary, depending on the outcome of the discussion with the applicant. The report gives the **Managing Agent** the ability to coordinate move-out and move-in dates with the Property Manager or Managing Agent of the property at the other location.
3. Retain the search results with the application along with any documentation obtained as a result of contacts with the applicant and the Property Manager or Managing Agent at the other location.

The **Manor Coordinator** shall use the following guidelines and/or consider the following factors in screening Applicants for occupancy:

Screen for Credit History

Examining an applicant's credit history is one of the most common screening activities. The purpose of reviewing an applicant's credit history is to determine how well applicants meet their financial obligations. A credit check can help demonstrate whether an applicant has the ability to pay rent on time.

The **Manor Coordinator** shall use two primary sources to determine rental and credit history:

- Obtain two positive landlord references covering a period of five (5) years. The **Manor Coordinator** shall rely more on former landlords than current landlord. Former landlords do not have a reason to provide misleading information, and therefore may provide accurate references. The landlord verifications will be made during the initial screening process. A positive landlord reference would include:
 - Rent was paid and in a timely manner;
 - Applicant must show compliance with facility and lease policies;
 - Property was left in an acceptable condition with any back balances paid in full;
 - In the event that a landlord reference is unavailable or if an Applicant is presently residing with family members the **Landlord Verification Form** will be waived.

Secure Screening for Credit and Criminal Background Checks

Manor Coordinator will order credit and criminal background reports for each Applicant. These companies charge a fee for this service but cannot pass the fee/charge to the applicant.

Review the report to determine the applicant's history of meeting financial obligations including payments for rent, utilities, loans, revolving credit cards and other obligations. Verify that no collection or outstanding balance due for rental or housing related activity such as utility payments or property management companies, or eviction.

Rejection Criteria

Managing Agent may reject an applicant for a poor credit history, but must not reject an applicant for lack of a credit history. Applicants with poor or unacceptable Credit Histories may still be permitted to have their names added to the waiting list. Consideration will be granted on the Person's individual situation. The Applicant's will be given an opportunity to provide an explanation and request further consideration.

Examples of unacceptable background history is one that reflects the following:

- Consistent, past-due payments of more than 90 days;
- A history of repeated insufficient fund checks;
- Derogatory credit (repossessions, foreclosures, judgments, collections, charge-offs, liens, bankruptcy not yet discharged, etc.);
- Delinquent or charge off debt due other apartment communities;
- Unpaid utility company collections which would prohibit applicant from obtaining services;
- Failure to cooperate with re-certification procedures;
- Violation of house rules;
- Previous evictions for lease violations;
- History of disruptive behavior;
- Poor housekeeping practices;
- Any household member who has a history or pattern of alcohol abuses and whose behavior would interfere with others' health, safety and right to peaceful enjoyment;
- Any household member currently engaging in or has engaged in violent criminal activity or other criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents, or the site's employees, contractors, or agents;
- Termination of assistance for fraud;
- A household in which any member is currently engaged in illegal use of drugs, or for which the owner has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents;
- Any household member is a convicted felon or convicted of repeated misdemeanors;
- Any household member who is subject to a state sex offender lifetime registration requirement.

There are two exceptions to the above provisions allowed by HUD:

- The evicted household has successfully completed an approved, supervised drug rehabilitation program, **OR** the circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household).
- The owner shall require written evidence that the members of the household are not and have not engaged in criminal activity for a reasonable period of time – seven (7) years or longer. The owner shall require the household member to submit documentation to support the reconsideration of the decision which includes:
 - A certification that states that she or he is not currently engaged in such criminal activity and has not engaged in such criminal activity for seven (7) years or longer.
 - Supporting information from such sources as a probation officer, social service agency worker or criminal record(s) that can be verified by the owner.

REJECTING INELIGIBLE APPLICANTS:

Applicants may be rejected if:

- They are ineligible, as defined in paragraph, (B) Eligibility Requirements;
- They do not meet the **OWNER'S TENANT SELECTION CRITERIA**;
- They are unable to disclose and document all Social Security numbers;
- They are unable to disclose all information to verify household composition;
- They failed to sign and submit verification consents:
 - Forms HUD 9887, 9887a;
 - Relevant individual verification consents.

Applicants may be denied particular units and placed on a waiting list if:

- The household characteristics are not appropriate for the type of unit available at **Northfield Manor**.

EXAMPLE: There's only a unit equipped for the handicapped available and the following is true:

- The applicant's household does not include an individual requiring the features of the unit and b) there are either tenants in the project or applicants on the waiting list who desire such unit and either head of household or spouse requires the features of the unit.

In the event that an applicant is rejected, the applicant will receive written notification from the **Northfield Manor Office Coordinator**. The applicant shall have fourteen (14) days from the date of the letter to respond in writing or to request a meeting to discuss the rejection. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process. Responses should be directed to: **Shelley Holden VP Residential Housing & Property Management - 900 Cannon Valley Drive - Northfield Retirement Community Northfield, Minnesota 50557.**

When an applicant is rejected, more detailed information concerning appeal rights will be furnished at the time of rejection. If the applicant appeals the rejection, the Owner shall give the applicant a written final decision within 5 days of the response or meeting.

The Management Agent shall keep the following materials on file for at least 3 years:

- Application;
- Initial rejection notice;
- Any applicant reply, Owner's final response; and
- All interview and verified information on which the Owner based the rejection.

PROHIBITED SCREENING:

- Applicants shall not be required to submit physical examinations or medical testing as a condition of admission.
- Applicants shall not be required to participate in a meals program that has not been approved by HUD.
- Applicants shall not be required to donate, contribute or pay a membership fee as a condition of admission. No other payment shall be required other those provided in the lease.

CHANGES IN INCOME FOR WAITING LIST APPLICANTS:

When an Applicant's name reaches the top of the waiting-list and his/her income has changed, and now exceeds the HUD income guidelines, the **Manor Coordinator** will give written notice advising the Applicant that:

- (1) He/she is not presently eligible for assistance under the Section 8 program and that his/her name will be removed from the waiting list.
- (2) His or her name will be removed from the waiting list until such changes occur with their income or family size.
- (3) The **Manor Coordinator** shall retain copies of all such notices attached to the Applicant's Application.

OCCUPANCY STANDARDS:

The **Manor Coordinator** will consider the size of the unit, the size of the bedrooms, and the number of bedrooms so long as their policy allows for family preferences (within HUD guidelines) to be considered. The Owner has developed and implementation, occupancy standards that must take into consideration the following factors:

- The number of persons in the family;
- The sex and relationship of family members;
- The family's need for a larger unit as a reasonable accommodation; and
- Balancing the need to avoid overcrowding.

Residents will be required to meet and verify the following State and HUD standards for occupancy:

Household Members

<u>Unit Size</u>	<u>Maximum Persons</u>
1 bedroom	2
2 bedroom	2

Household members include all full-time members of the Elderly Household. Elderly household means a family whose head or spouse or sole member is a person who is at least (62) years in age or older. Live-in attendants: A person who resides with one or more elderly persons or persons with disabilities, and who:

- is determined to be essential to the care and well-being of the person(s);
- is not obligated for the support of the person(s); and
- would not be living in the unit except to provide the necessary supportive services.

The live-in aide qualifies for occupancy only as long as the individual needing supportive services requires the aide's services and remains a tenant, and **MAY NOT** qualify for continued occupancy as remaining family member. Management will use the HUD approved Lease Addendum to deny/evict from occupancy, any person(s) who are longer eligible to reside in the unit.

DETERMINING ELIGIBILITY OF REMAINING FAMILY MEMBER:

The following basic requirements for eligibility must be met for a person to qualify as a remaining member of a household:

- The individual must be a party to the lease when the family member leaves the unit.
- The individual must be of legal contract age under state law.
- The remaining family member is defined in Section 202 and Section 811 regulations as the surviving member or members of an elderly family or family with disabilities that was a party to the lease and living in the assisted unit with the now deceased member of the family at the time of his or her death.
- The remaining family member, based on the death of the family member, is eligible to remain in the unit but must pay rent based on income. In this case, eligibility of the remaining family member, as defined by the death of the family member, is not reviewed.
- If the individual who establishes eligibility for the project leaves the unit for any reason other than death in a Section 202/8, Section 202 PAC, Section 202 PRAC or Section 811 PRAC project, the owner must determine if the individual(s) still residing in the unit meet the eligibility requirements for the project, income and age or disability.
- If the individual is not eligible for the project, the individual may remain in the unit but must pay contract rent. In a Section 202 PRAC or 811 PRAC project, the individual may not remain in the unit.

100% OF UNITS RECEIVE ASSISTANCE UNDER ASSISTANCE CONTRACT:

Managing Agent may not admit an applicant with a voucher, unless the applicant agrees to give up the voucher prior to occupancy. Before admitting such applicants, owners must inform voucher holders of the following:

- The family must be placed on the project waiting list and must give up the voucher when the family moves into the project.
- If the family later moves out of the project, the project subsidy will not move with the family as it does with a voucher; and
- The family will need to reapply to the PHA to receive another voucher.

UNIT TRANSFER POLICIES:

- Our in-house transfer policy shall be established in accordance with HUD's policies. Any in-house tenants will receive priority status to transfer to another available apartment when the need is based on a medical reason; change in family or the need for a more accessible unit arises.
- A certified physician must certify a unit transfer for a medical reason in writing.
- Eligible tenants must submit a written request for the **transfer** to the **Manor Coordinator**.
- Transfer requests will be placed on an in-house **waiting list**, in the order of the date they are received.

POLICY TO COMPLY WITH SECTION 504 OF THE REHABILITATION ACT:

- Section 504 prohibits discrimination based upon disability in all programs or activities operated by recipients of federal financial assistance.
- A Reasonable Accommodation as defined by the Fair Housing Act is any accommodation by management in rules, policies (including acceptance of assistance animals as an exception to a Pet Policy), and practices of services to give a person with a disability an equal opportunity to use and enjoy a dwelling unit or common space. It is the tenant's responsibility to inform management of any situation where a Reasonable Accommodation is needed.
- Reasonable Accommodations should be submitted in writing. If unable to provide the request in writing, please notify management. Reasonable structural modifications to units and/or common areas that are needed by applicants and tenants with disabilities may be approved and funded by the project, unless these modifications would change the fundamental nature of the project or result in undue financial and administrative burdens.
- Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, religion, sex, disability, familial status, or national origin in any program or activity receiving federal financial assistance from HUD.

- Owners of HUD-subsidized multifamily housing must also display the Fair Housing poster required by the Fair Housing Act and HUD regulations at 24 CFR, part 110.

POLICY FOR OPENING AND CLOSING THE WAITING LIST FOR THE PROPERTY:

The **Manor Coordinator** shall monitor the vacancies at the property and the waiting list regularly to ensure that there are enough applicants to fill the vacancies. If there aren't enough applicants to fill potential vacancies, the Owner will not close the waiting list.

Furthermore, the **Manor Coordinator** shall monitor the waiting list to make sure that they do not become so long that the wait for a unit becomes excessive. The methods of advertising used to announce opening and closing of the waiting list should be described.

- a. The waiting list may be closed for one or more unit sizes when the average wait is excessive (e.g., one year or more occupancy needs).
- b. When the Owner closes the list, the **Manor Coordinator** must advise potential applicants that the waiting list is closed and refuse to take additional applications.

The dates, times, address where families may apply. The notices will provide potential Applicants with information that includes the project's address and telephone number, management contact information, how to submit an application, information on eligibility requirements.

Upon request from a person with a disability, additional time will be given as a reasonable accommodation for submission of an application after the closing deadline. This reasonable accommodation is to allow persons with disabilities the greatest possible opportunity to submit an application.

UPDATING THE WAITING LIST:

Any application meeting the requirements as stated in the **Project Eligibility** and **Applicant Screening Criteria** sections will be placed on the wait list by the **Manor Coordinator**.

One's place on the waiting list is determined by the date on which all application materials are received at the office; however, acceptance to the waiting list does not automatically guarantee eligibility for an apartment. Further screening as described in the applicant screening criteria section will be completed at the time an apartment is offered.

- The initial application shall be timed and dated when received.
- It is the responsibility of the Applicant to contact the **Manor Coordinator** every 6-months to remain current on the waiting list.
- Applicants on the waiting list are required to recertify their income annually in order to remain on the waiting list.
- **Manor Coordinator** will update this information concurrently with the Annual Income Re-certification performed for residents currently residing at the project.

ELIGIBILITY OF STUDENTS:

Student eligibility requirements apply to applicants enrolled at an institution of higher education who are under 24 years of age, unless the applicant is a student who is living with his/her parents who are applying for Section 8 assistance.

Students who are 24 years of age or over, married, a veteran of the US Military, have a dependent child *or* is a person with disabilities, as defined in section 3(b)(3)(F) of the United States Housing Act of 1937 (42USC 1437a (b3E)) that was receiving Section 8 assistance as of November 30, 2005 qualify.

- If the applicant is legal contract age, is not claimed as a dependent on their parent(s) or guardian(s) latest tax return and meets the criteria from at least one of following questions, they qualify:
 - Will you be at least 24 years old by December 31 of the current year?
 - Have you established a household separate from parents or legal guardians for at least one year prior to application for occupancy?
 - Were you an orphan or a ward of the court through the age of 18?
 - Are you a veteran of the U.S. Armed Forces?
 - Do you have legal dependents other than a spouse?
 - Are you a graduate or professional student?
 - Are you married?
- If the applicant is claimed on their parent(s) or guardian(s) latest tax return or does not meet the criteria from at least one of above questions; they must meet eligibility requirements for Section 8 assistance and their parents, individually or jointly, must be income eligible for section 8 assistance.

COMPLYING WITH THE VIOLENCE AGAINST WOMEN ACT (VAWA):

These protections prohibit **Managing Agent** from evicting or terminating assistance from individuals being assisted under a project-based Section 8 program if the asserted grounds for such action is an instance of domestic violence, dating violence or stalking. **Manor Coordinator** shall refer to HUD Notice 09-15 for detailed procedures and further guidance.

Rights and responsibilities of owners/agents and tenants

Managing Agent must provide tenants the option to complete the Certification form as described in HUD Notice 09-15. The certification form may be made available to all eligible families at the time of admission or, in the event of a termination or start of an eviction for cause proceeding, the certification may be enclosed with the appropriate notice, directing the family to complete, sign and return the form within fourteen (14) business days.

Tenant Selection Plans and Policies and Procedures

As required by the provisions of Section 606 of the VAWA, **Managing Agent** may request a tenant to certify that he/she is a victim of domestic violence, dating violence or stalking and that the incidence(s) of threatened or actual abuse are bona fide in determining whether the protections afforded under the VAWA are applicable.

The identity of the victim and all information provided to **Managing Agent** relating to the incident(s) of domestic violence must be retained in confidence by the **Managing Agent** and

must neither be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is

- a. requested or consented to by the individual in writing;
- b. required for use in an eviction proceeding or termination of assistance; or c) otherwise required by applicable law. The HUD-approved certification form provides notice to the tenant of the confidentiality of the form and the limits thereof.

Managing Agent must retain all documentation relating to an individual's domestic violence, dating violence or stalking in a separate file that is kept in a separate secure location from other tenant files.

Managing Agent is required to attach the HUD-approved Lease Addendum, Form HUD-91067, to each existing or new lease.

Existing tenants

Managing Agent must expeditiously begin to notify existing tenants of the modification to the lease. Notification is accomplished by forwarding to each tenant a copy of the addendum that revises the existing lease agreement. **Managing Agent** must also include a letter clearly stating that the tenant can either accept the modification or move but that a response is due within 30 days. For additional information on lease modifications, refer to HUD Handbook 4350.3, REV-1, Occupancy Requirements of Subsidized Multifamily Housing Programs, Chapter Six.

Lease Bifurcation

Should it be determined that physical abuse caused by a tenant is clear and present, the law provides Owner/Agent the authority to bifurcate a lease i.e., remove, evict, or terminate housing assistance to that individual, while allowing the victim, who lawfully occupies the home, to maintain tenancy. **Managing Agent** must keep in mind that the eviction of or the termination action against the individual must be in accordance with the procedures prescribed by federal, state, and local law.

In the event that one household member is removed from the unit because of engaging in acts of domestic violence, dating violence or stalking against another household member, an interim recertification should be processed reflecting the change in household composition. See Handbook 4350.3 REV-1, Occupancy Requirements of Subsidized Multifamily Housing Programs, Chapter 7, Section 2, for processing interim Re-certifications.

Tenants and family members of tenants who are victims of domestic violence, dating violence or stalking are protected by the VAWA from being evicted or from housing assistance being terminated because of the acts of violence against them.

TENANT SELECTION PLAN:

The **Management Agent** shall review/update the TSP at least annually to ensure that it reflects current operating practices, program priorities and HUD requirements.

POLICY FOR NOTIFYING APPLICANTS OF CHANGES IN THE TENANT SELECTION PLAN:

- The **Manor Coordinator** shall send to all applicants on the waiting by snail mail (U.S. postal system), a letter indicating that a change has been made in the Owner's Tenant Selection Plan.
- The **Manor Coordinator** shall retain copies of such notices attached to each applicant's application form/attachments.
- The **Manor Coordinator** shall provide copies of the Tenant Selection Plan to waiting list applicants.
- A copy of the TSP shall also be made available on the Project's website.

CHARGES FOR FACILITIES AND SERVICES:

Management Agent must not collect any money from tenants at initial occupancy other than rent and the maximum HUD-allowed security deposit, unless they receive HUD approval to do otherwise.

RENT PAYMENT:

All rent is due on the 1st of each month; however, the tenant is allowed up to (5) days to pay his/her rent. The **Managing Agent** may deduct accrued, unpaid late rent from the tenant's security deposit at the time of move-out if permissible under state and local Laws.

PET DEPOSIT:

- If permission is granted under the Project's Pet Policies to house a pet in the unit, a tenant must pay a pet deposit of \$300.00. (Note: This deposit is required for cats and dogs only)
- Pet deposits are to be used only to pay reasonable expenses directly attributable to the presence of the pet on the property. Such expenses would include, but not limited to, the cost of repairs and replacement to the unit, fumigation of the unit, and the cost of animal care facilities.
- The **Managing Agent** must return the unused portion of a pet deposit to the tenant within a reasonable time after the tenant moves from the property or no longer owns or keeps a household pet in the unit.
- The **Manor Coordinator** shall further consult with HUD Handbook 4350.1 REV-1, Change 4 for additional rules and regulations relating to pet policies as updates occur.
- A copy of our Pet Policy is included in the Application Packet and is available in upon request thereafter.

NSF CHECKS:

Per HUD rules and regulations, no additional fees will be levied against a resident whenever a check is returned for "Non-sufficient Funds."

DAMAGES:

- Whenever damage is caused by carelessness, misuse, or neglect on the part of the tenant, household member, or visitor, the tenant is obligated to reimburse the **Managing Agent** for the damages within 30-days after the tenant receives a bill from the **Managing Agent**.
- The **Managing Agent** may deduct accrued, unpaid damage charges from the tenant's security deposit at the time of move-out, if such a deduction is permitted under state and local laws.
- The tenant cannot be charged more than the actual and reasonable costs incurred by the project for repairing the damages.

Whenever damage is caused by carelessness, misuse, or neglect on the part of the tenant, household member, or visitor, the tenant is obligated to reimburse the Owner for the damages within 30 days after the tenant receives a bill from the Owner.

The Owner's bill is limited to actual and reasonable costs incurred by the Owner for repairing the damages.

KEY LOSS/REPLACEMENT:

The **Managing Agent** may charge a tenant \$35.00 to replace lost keys and for unreturned keys at the time of move-out.

SECURITY DEPOSIT REQUIREMENTS:

- The amount of the security deposit established at move-in does not change when a tenant's rent changes.
- The tenant is expected to pay the security deposit from his/her own resources, and/or other public or private sources.
- The security deposit is refundable.
- An applicant may be rejected if he/she does not have sufficient funds to pay the deposit.

HUD requires collection of a security deposit at the time of the initial lease execution. The required security amount is equal to the greater of \$50 or the TTP/Total Tenant Payment, line 28 from the HUD 50059 form.

- At the time of the initial execution of the Lease, the **Managing Agent** must collect a security deposit that equals the assessed first month's rent plus utility allowance.

- Security deposits provide the Owner with some financial protection when a tenant moves out of the unit and fails to fulfill his/her obligations under the lease.
- The **Managing Agent** shall place the security deposit in an interest-bearing account and allocate the interest to the tenant annually. The amount of the security deposit established at move-in does not change when a tenant's rent changes. The tenant must pay the security deposit from his/her own resources, and/or other public or private sources.

REFUNDS:

In order to receive a refund of the security deposit, a tenant must provide the Owner with a forwarding address or arrange to pick up the refund.

Timeliness

Within 21-days after the move-out date the **Managing Agent** shall either:

- refund the full security deposit plus accrued interest to a tenant that does not owe any amounts under the lease; or
- Provide the tenant with an itemized list of any unpaid rent, damages to the unit, and an estimated cost for repair, along with a statement of the tenant's rights under State and Local laws.
- If the amount the **Managing Agent** claims is less than the security deposit amount plus accrued Interest, the Project Manager must refund the unused balance to the tenant.
- If the **Managing Agent** fails to provide the list to the tenant that the tenant is entitled to, a full refund of the tenant's security deposit plus accrued interest.
- If a disagreement arises concerning the reimbursement of the security deposit to the tenant, the tenant has the right to present objections to the Managing Agent in an informal meeting. The Managing Agent must keep a record of any disagreements and meetings in the tenant file for a period of three years for inspection by HUD Field Office or Contract Administrator. These procedures will not preclude the tenant from exercising any rights under state and local law.
- If the security deposit is insufficient to reimburse the Owner for any unpaid or other amounts that the tenant owes under the lease, the Owner may be able to claim reimbursement from the HUD Field Office or Contract Administrator.
- Any reimbursement from HUD received by the Owner must be applied first toward any unpaid tenant rent due under the lease. Additionally, no reimbursement may be claimed for unpaid rent for the period after termination of the tenancy.

When a Tenant Transfers to a New Unit, the Owner May:

- Transfer the security deposit; or

- Charge a new deposit and refund the deposit for the old unit If the deposit for the old unit is refunded, the Owner must:
 - Follow the requirements listed in Chapter 6, HUD Handbook 4350.3 REV-1 Change 3, paragraph 6-18 regarding the refunding and use of the security deposit
 - Complete a move-out inspection
 - Follow procedures listed above in REFUNDS

UNIT INSPECTIONS:

Before Move-In

Before executing a lease, the **Manor Coordinator** and tenant must jointly inspect the unit. After the **Manor Coordinator** conducts a unit inspection; the inspection form must indicate the condition of the unit. The condition of the unit must be decent, safe, sanitary and in good repair. If cleaning and repair is required, the Project Manager must specify on the inspection form the date by which the work will be completed. This date should not exceed 30-days after the effective date of the lease.

Both the **Manor Coordinator** and the tenant must sign and date the inspection form. The inspection form must include the statement, "The unit is in decent, safe and sanitary condition".

The tenant has 5 days to report any additional deficiencies to the Owner to be noted on the move-in inspection form.

The move-in inspection form must be made part of the lease, as an attachment to the lease.

At Move-Out

All tenants or their authorized representatives are encouraged to accompany the **Manor Coordinator** on the move-out inspection. This will help resolve or any disagreements regarding damages to the unit. If no one is available and the tenant is unable to participate, the **Manor Coordinator** may do the inspection alone or with an accompanying staff. All keys must be turned in at the end of the move-out process.

ANNUAL RECERTIFICATION REQUIREMENTS:

- The **Manor Coordinator** will conduct Annual Re-certifications for all tenants on the anniversary of their move-in date.
- All new tenants receive their Notice for an up-coming Re-certification at the initial lease signing.
- In order to be re-certified all tenants must meet with the **Manor Coordinator** and supply all information requested regarding his/her income, assets, and expenses. Household members are also required to report other factors that may affect the determination of adjusted income. The rent and assistance payments will be recomputed, if applicable, based on the information gathered.

- The tenant must sign consent forms, and the **Manor Coordinator** must obtain third-party Verification of the following items and document them in the tenant file (or document why third-party verification was unavailable). (See HUD Handbook 4350.3 REV-1, Change 4, Chapter 5, Section 3, for more information about verification of income.)

Examples of information required:

- Social Security Benefits/Pension (Income)
- Bank Accounts/ Real Estate Property (Assets)
- Medicare Payments/Prescription Drugs (Expenses related to allowable medical deductions)

The **Manor Coordinator** shall provide the tenant with a copy of the HUD fact sheet describing how the tenant's rent is calculated. Fact Sheets are included in Appendix 14 of HUD Handbook 4350.3.

INTERIM RECERTIFICATION REPORTING POLICIES:

The **Manor Coordinator** shall process an Interim Re-certification if there has been a change (s) since the last re-certification that may affect the TTP or tenant rent and assistance payment for the tenant. To ensure that assisted tenants pay rents commensurate with their ability to pay, tenants must supply information requested by the Owner or HUD for use in an interim recertification of family income and composition in accordance with HUD requirements. All tenants must notify the Owner when:

1. A family member moves out of the unit;
2. The family proposes to move a new member into the unit;
3. At a minimum, Owners must apply screening criteria for drug abuse and other criminal activity to persons proposed to be added to the household, including live-in aides;
4. An adult member of the family who was reported as unemployed on the most recent certification or recertification obtains employment; or
5. The family's income cumulatively increases by \$200 or more per month.
6. The **Manor Coordinator** shall process the recertification of family income and family composition within a reasonable time, which is only the amount of time needed to verify the information provided by the tenant. Generally, this should not exceed 4 weeks.
7. Tenants may request an interim recertification due to any changes occurring since the last recertification that may affect the TTP or tenant rent and assistance payment for the tenant.

Changes a tenant may report include the following:

Decreases in income including, but not limited to, loss of employment, reduction in number of hours worked by an employed family member, and loss or reduction of welfare income:

8. The **Manor Coordinator** may refuse to process an interim recertification when the tenant reports a decrease in income only if the following apply:
 - The decrease was caused by a deliberate action of the tenant to avoid paying rent.
 - The **Manor Coordinator** has a confirmation that the decrease in income will last less than one month. For example, the tenant's employer verifies in writing that the tenant will be laid off for only two weeks. If the Project Manager determines that the decrease in income will last less than one month, the Project Manager may choose, but is not obligated to process an interim recertification.
 - The Owner must, however, implement this policy consistently for all tenants who experience a reduction in income that will last for less than one month.

CHANGES IN FAMILY COMPOSITION:

1. If the qualifying person leaves the unit, determine whether the remaining member of the household is eligible to receive assistance.
2. For Section 202/8 Projects determine if the individual still residing in the unit meets the eligibility requirements for the project: income, age or disability. If the individual is not eligible, he/she may not receive rental assistance and may not be allowed to remain in the unit.

IMPLEMENTATION OF HOUSE RULE CHANGES:

House rules are listed in the lease as an attachment and must be attached to the lease. The **Manor Coordinator** shall give tenants written notice 30 days prior to implementing new house rules.

THE ENTERPRISE INCOME VERIFICATION OR EIV:

In an effort to ensure the right assistance is provided to the right people. The Department of Housing and Urban Development (HUD) has provided managers with access to a verification database called the Enterprise Income Verification System (EIV).

EIV provides information about project-based and tenant-based HUD assistance recipients. This database is also used to verify certain types of reported incomes with records maintained with the Social Security Administration, Department of Health and Human Service (HHS) as well as the National Database of New Hires. HHS provides information about current and past employment and unemployment insurance information.

As an Applicant and possible Resident of Northfield Manor, HUD mandates that you be informed about this system. By signing HUD form 9887, you authorize HUD and the Northfield Manor to use data obtained through computer matching with other agencies to verify your income in order to establish eligibility.