



GOODLETTE ARMS APARTMENTS

TENANT SELECTION PLAN

Effective 08/10/18

Goodlette Arms Apartments, located at 948 Goodlette Road, Naples, Florida 34102, has a total of 250 apartment units. Of the total units, 242 are covered by a Project Based Section 8 Housing Assistance Payment Contract. The unit mix and program type is as follows:

Unit Type	Project Based Section 8	No Section 8 subsidy-possible Owner's Subsidy
Efficiency	158	6
One Bedroom	84	2

The criteria in the Tenant Selection Plan outlines the method by which we secure residents for the property to ensure that all applicants or potential residents are treated uniformly. Management will follow all applicable Federal, State and local laws, ordinances and regulations, including the Federal Fair Housing Law and all HUD regulations in soliciting and selecting tenants for Goodlette Arms Apartments.

Please contact the management office if you need help understanding this document.

I. PROJECT ELIGIBILITY REQUIREMENTS

- A. Project specific requirements.** Section 658 of Title VI of Subtitle D of the Housing and Community Development Act of 1992 (HCDA) permits owners of certain federally assisted projects to restrict occupancy in such projects to elderly families in accordance with the rules, standards, and agreements governing occupancy in effect at the time of the development of the project. Goodlette Arms Apartments has chosen to restrict occupancy to elderly households only. An Elderly person or family is defined as a household where the head or spouse is age 62 or older. Either the head or spouse of the applicant/resident family must be at least 62 years of age to qualify. If the qualifying resident leaves the unit, a determination must be made as to the eligibility of the remaining household member. If the remaining member does not meet the age requirement, they must vacate the apartment within 30 days of the date the qualifying resident leaves the unit.
- B. Citizenship/Immigration status requirements.** SECTION 214 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1980 (as amended) All applicants will be required to complete paperwork required by Section 214 of the Housing and Community Development Act of 1980, as amended, which prohibits the Secretary of HUD from making financial assistance available to persons other than United States citizens, nationals or certain categories of eligible non-citizens in the following HUD programs administered on this property:
 - Section 8 Housing Assistance Payment programs, and
 - Section 236 of the National Housing Act
- C. Social Security Number (SSN) requirements.** Applicants must disclose and provide verification of the complete and accurate SSN assigned to each household member. Failure to disclose and provide documentation and verification of SSNs will result in an applicant not being admitted.





GOODLETTE ARMS APARTMENTS

The Social Security Number requirements do not apply to:

1. Individuals who do not contend eligible immigration status.
 - In such instance, Goodlette Arms Apartments will maintain the Citizenship Declaration on file – wherein the individual did not contend eligible immigration status to support the individual not being subject to SSN disclosure and verification requirements.
 - Regulations pertaining to pro-ration of assistance of screening for MIXED families will be followed.

2. Individuals age 62 or older as of January 31, 2010 whose initial determination of eligibility was begun before January 31, 2010.
 - Eligibility determination is based on participation in a PIH or Multifamily HUD assisted program. The eligibility date is based on the initial effective date of the form HUD-50059 or form HUD-50058, whichever is applicable.
 - When determining the eligibility of an individual who meets the exception requirements for the SSN disclosure, Goodlette Arms Apartments will obtain documentation from the owner of the property where the initial determination of eligibility was determined prior to January 31, 2010 that verifies the applicant's exemption status. The documentation will be retained in the resident file. Goodlette Arms Apartments will not accept a certification from the applicant stating they qualify for the exemption.
 - Note: The exception status for these individuals is retained if the individual moves to a new assisted unit under any HUD assisted program or if there is a break in his or her participation in a HUD assisted program.

3. A child under the age of 6 years added to the applicant household within the 6-month period prior to the household's date of admission. The household will have a maximum of 90-days after the date of admission to provide the Social Security Number and adequate documentation that the Social Security Number is valid. An additional 90 days may be granted under certain circumstances. If the household does not provide the Social Security Number and adequate documentation to verify the Social Security Number within the prescribed time frame, Goodlette Arms Apartments will terminate tenancy.

Rules Pertaining to Applicants:

1. Applicants do not need to disclose or provide verification of SSN to be placed on the waiting list.
2. Applicants must disclose SSN and provide adequate documentation to verify the SSN for all non-exempt members before they can be housed.
3. If all non-exempt household members have not disclosed and or provided verification of SSN at the time a unit becomes available, the next applicant will be offered the available unit.
 - a. The applicant who has not provided required SSN for all non-exempt members has 90 days from the date they are first offered an available unit to disclose/verify SSN;
 - b. During the 90 day period the applicant may retain their place on the waiting list;





GOODLETTE ARMS APARTMENTS

- c. After the 90 days, if the applicant is unable to disclose/verify the SSN of all non-exempt members of the household the applicant will be determined ineligible and removed from the waiting list.

Verification of SSN:

Management of Goodlette Arms Apartments will verify and document each disclosed SSN by:

1. Obtaining documentation from each member of the Applicant's household.
2. Making a copy of the original documentation that is submitted, returning the original and retaining the copy in the Resident file.
3. Recording the SSN on line 45 of the HUD-50059 and transmitting the data to TRACS within 30 calendar days of move in.
4. Ensure that the SSN transmitted to TRACS is valid by processing the Failed EIV Pre-screening Report and the Failed Verification Report in EIV.

Acceptable Forms of SSN Verification:

1. Social Security Card
2. Other such documents
 - a. Original document issued by a federal or state government agency containing the name, SSN and other identifying information of the individual;
 - b. Driver's license with SSN;
 - c. Identification card issued by a medical insurance provider; or by an employer or trade union.
 - d. Earnings statements on payroll stubs;
 - e. Bank statement;
 - f. Form 1099;
 - g. Benefit award letter;
 - h. Retirement benefit letter;
 - i. Life insurance policy;
 - j. Court records.

Rejection of Documentation:

Documents used to verify Social Security Numbers will be rejected if they:

1. Are not original documents; or,
2. Are original documents that have been altered, mutilated or are not legible; or,
3. Appear to be forged or not authentic.

Applying for a Social Security Number:

Management of Goodlette Arms Apartments will make available Form SS-5, Application for a Social Security Card, to anyone who has never been issued a SSN card or who has lost their SSN card, to aid in applying for a Social Security Card.

II. INCOME LIMITS

The family's annual income must not exceed the current published HUD established low-income limits.





GOODLETTE ARMS APARTMENTS

III. **PRELIMINARY APPLICATION PROCESS**

A. Taking Preliminary Applications. When the waiting list is open for the desired apartment, preliminary applications will be made available via the property's website, varying local agencies, or at the management office. A preliminary application must be completed in its entirety in order to be processed. Misrepresentation on the preliminary application or failure to complete the preliminary application will be grounds for denial. All preliminary applications must be returned by mail only. No walk in preliminary applications will be accepted.

B. Preferences.

Applicants with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference.

Assigning preferences to applicants who meet certain criteria is a method intended to provide housing opportunities to applicants based upon household circumstances.

Preferences affect only the order applicants are selected from the waiting list. They do not make anyone eligible who was not otherwise eligible. Preferences are not permitted if they in any way negate affirmative marketing efforts or fair housing obligations. The following apply to Goodlette Arms Apartments:

1. Existing Tenant Preferences

Residents who are requesting new units and who meet the qualifications will be placed on the preferred waiting list based on the date and time the complete Unit Transfer Request is received. These existing residents will be placed first.

- A) Section 236 renters in need of deeper subsidy, especially where the current 236 resident is in need of more than the maximum Owner's subsidy.
- B) Imminent Threat (VAWA Emergency Transfer)
VAWA Emergency Transfer (Internal Transfer) – In some cases, families that qualify for a VAWA Emergency Transfer may receive preference over other residents. Please see the VAWA Policy and the VAWA Emergency Transfer Plan and/or contact property management for additional information.
- C) Verified need for a reasonable accommodation.
- D) Verified Medical need.
- E) Unit size due to over-utilization of a unit.

2. Imminent Threat (VAWA Emergency Transfer - Applicants)

3. HUD Regulatory Preferences

Preference is given to applicants displaced by government action or a presidentially declared disaster.





GOODLETTE ARMS APARTMENTS

- C. Occupancy Standards.** Persons completing a Preliminary Application may only apply for one apartment size and must declare the apartment size for which they wish to apply.

Efficiency – maximum of one person
One Bedroom – maximum of two persons

- D. Placement on the Waiting List.** All preliminary applicants are placed on the appropriate waiting list by date and time when the preliminary application was received, as long as the requested apartment waiting list is open.

- E. Notification of Placement.** Upon receipt of a completed preliminary application, Goodlette Arms will notify the applicant in writing that their preliminary application has been received and that they have been placed on the relevant waiting list, to the extent that waiting list is open. Please note that acceptance to the Goodlette Arms waiting list does not guarantee an apartment at Goodlette Arms.

- F. Updates to Preliminary Applications.** Preliminary applicants are required to notify Goodlette Arms in writing if any information contained in the preliminary application changes.

- G. Income-targeting.** The annual income of at least 40% of the applicants admitted into the development in any fiscal year under the Section 8 contract must be at or below 30% of the area median income (ELI). The annual income of the remainder of the applicants admitted must be at or below 80% of the area median income (LI). Median income is determined by HUD from time to time and is adjusted for household size.

- H. Selection from Waiting List.** When Goodlette Arms anticipates a unit coming available, they will begin processing the applicant(s) at the top of the applicable waiting list. Management will review an applicant's credit and criminal background information in accordance with the Screening Criteria outlined below.

Management may be required to make exceptions to this procedure in order to fulfill the HUD Income Targeting Requirements discussed above. Management will take the following steps to ensure compliance:

1. For each vacancy, management will examine the percentage of ELI admissions for the year to date;
2. If the number of ELI households admitted is at least 40% and is expected to remain above 40%, applicants will be selected based on waiting list order as described above.

If it appears that the number of ELI households admitted may fall below 40%, management will skip any non-ELI applicants at the top of the waiting list and select and process the highest ELI applicants. When management determines that the number of ELI households admitted is and will again be above 40%, management will



GOODLETTE ARMS APARTMENTS

return to selecting applicants based on waiting list order as described above. A notice of explanation will be issued to those non-ELI applicants who are skipped as a result of this process.

I. Applicant Screening Criteria. Once selected from the waiting list, Goodlette Arms Apartments will secure background information on the applicant(s) considering the following factors:

CREDIT POLICY:

An applicant will be denied if the applicant owes any money to Full Circle Management LLC and/or Full Circle Communities, Inc.

Applicants will not be disqualified for having no credit. Medical bills will not be considered in determining an applicant's credit-worthiness. A Summary Credit Report will be run through Yardi Resident Screening that contains summary information derived from a more thorough detailed report, which the property staff does not have access to. The Regional Manager does have access to the detailed report.

If an applicant takes exception with any findings, the applicant is solely responsible for making any corrections and reapplying.

If an applicant is "declined", they will be given the name, address and telephone number of the consumer reporting agency(s) that provided the consumer information to Goodlette Arms Apartments.

The Summary Credit Report model used, is set up to "decline" an application for the following reasons:

- An applicant has an open bankruptcy within the last 7 years.
- An applicant has a closed bankruptcy within the last 2 years.
- An applicant has delinquent debt that exceeds \$1,000.
- An applicant has any evictions on the credit report from any other landlord.
- An applicant has any unpaid judgments or collections regarding a rental.
- An applicant has more than 1 default and/or eviction notice in the last 24 months in the Yardi Screening database.
- An applicant has an eviction filed in the last 60 months in the Yardi Screening database.
- An applicant cannot pass a Social Security Number fraud analysis.
- An applicant has other names associated with the Social Security Number they provided.

CRIMINAL ACTIVITY POLICY:

A Criminal Background Check will be conducted in accordance with HUD and the property's policies. An application will be rejected for any of the following:

- Any household containing a member who was evicted within the last three years from Federally Assisted Housing for drug-related criminal activity. Goodlette Arms Apartments may, but is not required to, consider two exceptions to this





GOODLETTS ARMS APARTMENTS

provision:

- a) The evicted household member successfully completed an approved, supervised drug rehabilitation program; or
- b) The circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household).
- Any household 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 who is subject to a state sex offender lifetime registration requirement.
- If there is reasonable cause to believe that any household member's behavior, due to abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents.
- Any Felony/Misdemeanor conviction(s) or No Contest plea(s) on file with any state, county or federal court unless the applicant has been pardoned if record has passed the following time, calculated from the time of final disposition according to the following guidelines:

Drug Conviction – Felony 20 years, Misdemeanor 2 years.

DUI Felony Conviction – 10 years.

Unclassified Conviction – Felony 10 years, Misdemeanor 5 years.

Property Conviction – Felony 100 years, Misdemeanor 10 years.

Sex Conviction – Felony 100 years, Misdemeanor 10 years.

Theft by Conviction – Felony 10 years, Misdemeanor 5 years.

Theft by Check Conviction – Felony 10 years, Misdemeanor 5 years.

Traffic Felony Conviction – 10 years

VCAP Conviction – Felony 100 years, Misdemeanor 100 years.

Weapons – Felony 100 years, Misdemeanor 5 years.

Terrorism related Conviction – No time limit.

Conviction Statuses: Active, Probation, and Parole – No time limit.

Conviction Status: Adjudication Withheld or Deferred Adjudication 10 years.

- J. Approval/Rejection from Waiting List.** If an applicant meets the minimum standards outlined above, they will be mailed a complete application package, and will be scheduled for an appointment to complete the application and verification process. If an applicant fails to meet the minimum standards outlined above, they will be mailed a rejection letter as outlined below.
- K. Procedures for rejecting ineligible applicants.** If an application is denied because information obtained from the credit report does not meet the minimum standards as outlined above, the responsibility of management is limited to informing the applicant that the application has been rejected based on confidential information received from a credit bureau. The applicant will be given the name, address and phone number of the credit bureau. If the applicant believes the credit report is in error, he/she must contact the credit bureau directly. Upon written notification by the applicant that any issues with the credit



GOODLET ARMS APARTMENTS

report have been resolved, a new credit report will be obtained from the credit bureau. The application is considered rejected until such updated information is obtained.

The position on the waiting list will be suspended pending receipt of corrected information; however, the suspension will be allowed for a maximum of sixty (60) days, after which time the rejection will become final.

Should an applicant appeal his/her denial due to extenuating circumstances, such as poor credit that was caused by a serious illness, the applicant is required to provide documentation.

If an applicant is denied due to information obtained on the criminal report, management's responsibility is limited to informing the applicant that the application has been rejected based upon confidential information received from this report. The applicant will be given the name, address and phone number of the agency of the bureau in which the report was received.

If the applicant believes the information on the criminal report is inaccurate, the applicant must contact the agency directly and obtain a copy of the report.

Any and all appeals for any denial must be made in writing to the Vice President:

Corina Pitsenbarger
Full Circle Management, LLC
310 S. Peoria St., Ste. 500
Chicago, IL 60607
email: cpitsenbarger@fccommunities.org

Appeals must be received within 14 days from the date of the rejection letter and will be responded to within 7 business days.

IV. COMPLETE APPLICATION PROCESS

- A. Invitation to Apply.** Preliminary applicants selected from the waiting list will be provided with a complete application package, and will be scheduled for an appointment to complete the application and verification process. If the applicant cannot physically come to the office, the application process may be completed by mail. If the applicant is unable to attend the scheduled appointment or return the application via mail by the appointment date, they may request an appointment date change. An applicant may miss/reschedule the appointment, however, the completed application must be received within 30 days of the initial appointment date or the application will be canceled and the applicant will be removed from the waiting list.
- B. Complete Application and Verifications.** All applicants over the age of 18 must complete a full application, sign the HUD-required consent forms and all applicable verification forms necessary to verify all income, allowances, assets and any other





GOODLETTE ARMS APARTMENTS

household characteristics and/or circumstances that will affect their eligibility prior to receiving assistance and annually thereafter. All applicable forms will be signed by the applicant(s) during the interview appointment. For applications that are sent via mail, all applicable forms must be returned to the management office within 14 days from the date Goodlette Arms mailed the forms to the applicant, or the application will be canceled and the applicant will be removed from the waiting list.

V. POLICY TO COMPLY WITH SECTION 504 OF THE REHABILITATION ACT OF 1973

Goodlette Arms Apartments does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs. This community is not equipped with apartments specifically designed for persons with mobility impairments. However, management will consider requests from individuals with disabling conditions or mobility impairments for reasonable accommodations in policies, practices, or facilities, so long as such requests do not present an undue administrative or financial burden to management, or alter the fundamental nature of the program or property.

The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development's regulations implementing Section 504 (24 CFR, part 8 dated June 2, 1988).

Corina Pitsenbarger
310 S. Peoria St., Ste 500
Chicago, IL 60607
847-849-5301
TRS 711

VI. POLICY TO COMPLY WITH THE FAIR HOUSING ACT AMENDMENTS OF 1988

Management will not discriminate on the basis of race, color, national origin, religion, sex, disability status, or familial status in any phase of the occupancy process.

VII. POLICY TO COMPLY WITH STUDENT RULES

Eligibility of Students Enrolled at an Institute for Higher Education

Student eligibility is determined at move-in/initial certification and at each annual certification. Student eligibility may also be reviewed at interim certification if student status has changed since the last certification.

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:***

- Is living with his or her parents who are receiving Section 8 assistance; or
- Is individually eligible to receive Section 8 assistance and has parents who are income eligible to receive Section 8 assistance; or





GOODLETTS ARMS APARTMENTS

- Is a veteran of the United States military; or
- Is married; or
- Has a dependent other than a spouse (e.g. dependent child); or
- Is at least 24 years of age; or
- Is a person with disabilities, as such term is defined in section 3(b)(3)(E) of the 1937 Act and was receiving assistance under section 8 of the 1937 Act as of November 30, 2005; or
- Is classified as Vulnerable Youth. A student meets HUD's definition of a vulnerable youth when:
 - 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;
 - 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;
 - 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 Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by
 - A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act; or
 - The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director; or
 - The director of a program funded 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
 - A financial aid administrator; or
- The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.

If a student does not meet the eligibility criteria above, but can prove independence from parents under HUD rules, then the student would meet HUD's student eligibility criteria. Please see property staff if you need additional information about proving independence from parents.

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

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

Any financial assistance a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition and other fees is included in annual income, except:





GOODLETTS ARMS APARTMENTS

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

Financial assistance that is provided by persons not living in the unit is not part of annual income if the student meets the Department of Education's definition of "vulnerable youth".

The definition of tuition is consistent with the definition provided by the Department of Education

Prohibition of Assistance to Noncitizen Students

Noncitizen students and their noncitizen families may not receive assistance. Noncitizen students are not eligible for continuation of assistance or temporary deferral of termination of assistance. A noncitizen student is defined as an individual who is as follows:

- A resident of another country to which the individual intends to return;
- A bona fide student pursuing a course of study in the United States; and
- A person admitted to the United States solely for the purpose of pursuing a course of study as indicated on an F-1 or M-1 student visa.

This prohibition applies to the noncitizen student's noncitizen spouse and noncitizen children. However, spouses and children who are U.S. citizens may receive assistance. For example, a family that includes a noncitizen student married to a U.S. citizen is a mixed family.

VIII. UNIT TRANSFER POLICIES

In order for a current resident to be considered for a unit transfer they must first complete a Unit Transfer Form (all adult household members intending to transfer must sign the Unit Transfer Form). Current residents who request or need an apartment transfer due to a reasonable accommodation, certified medical reasons or due to change in household size or composition that results in the unit being over-occupied will be given preference over those on the waiting list. Current resident transfers are outlined in Section III B.

Other residents wishing to apply for another apartment may do so if they have lived in their current apartment for at least one year, the waiting list is open for the apartment size they are requesting, their apartment has been kept in good condition with no damages, they do not have any delinquent rent or damages, there have been no confirmed complains against the household, there have been no lease violations within the past 12 months and they meet the occupancy standards stated above for the size of unit requested. If the request for the transfer is approved, the resident will be placed on the requested waiting list in the order in which their application was completed.

IX. WAITING LIST POLICY

- A.** A waiting list for each apartment size and each program type is maintained:
- Efficiency – with Section 8 Assistance
 - Efficiency – without Section 8 Assistance
 - One Bedroom – with Section 8 Assistance
 - One Bedroom – without Section 8 Assistance





GOODLETTE ARMS APARTMENTS

B. Closing/Reopening the Waiting Lists

1. Management reserves the right to close a waiting list when the average wait is anticipated to exceed one year.
2. Management reserves the right to reopen a waiting list when deemed necessary.
3. When a decision is made to close or open any waiting list, Management will notify the public through all media and community contacts listed in the Affirmative Fair Housing Marketing Plan. In the case of opening the waiting list, the notification will be issued to these sources prior to the date that the development will begin accepting preliminary applications.

X. MAINTAINING WAITING LISTS

It is management's policy to administer the waiting lists as required by HUD handbooks and regulations. Applicants are required to keep management informed of their desire to remain on the waiting list. At the minimum:

1. The applicant may notify the management office in writing, via paper, email or fax at least once every year, between January 1 and June 30, that they are still interested in an apartment. Or,
2. Once per year, management will mail, via United States Postal Service, each applicant family on the waiting list a letter asking if they wish to remain on the waiting list. The applicant family will be given a time frame to respond to the letter in writing, advising management of their desire to remain on the waiting list.

Failure to either notify the management office in writing between January 1 and June 30 every year or respond to the letter within the time-frame given, will result in the application being canceled and the applicant will be removed from the waiting list. No further contact will be made.

XI. APARTMENT ASSIGNMENT

Goodlette Arms will make three attempts, at least six hours apart to contact the first approved and eligible applicant on the waiting list for the applicable apartment type. Management will make an offer of an apartment. The applicant will be given 24 hours to answer with their decision. If the applicant accepts the apartment, they must agree on a date to sign the lease and take possession of the apartment within thirty days of accepting the apartment.

If management is unable to reach the applicant, a letter will be sent to the applicant documenting our effort and requesting that the applicant contact the Management Office, as there may be an apartment available. Goodlette Arms will then go to the next applicant on the waiting list.

In the event an applicant has accepted and been assigned to an apartment and then cancels, that applicant shall not be returned to the waiting list. However, we will consider extenuating





GOODLETTS ARMS APARTMENTS

circumstances.

When an applicant is offered an apartment, they may choose to turn it down and keep their position on the waiting list. If the reason for their turn-down is they are not ready to move at this time, management will wait 30 days before offering them the next apartment. If an applicant rejects a second apartment, their name will be removed from the waiting list and they will be required to reapply when the waiting lists are open, if they still desire an apartment at this community.

XII. SECURITY DEPOSIT REQUIREMENTS

The Security Deposit must be paid in the form of a Cashier's Check or Money Order and is due at the time of the initial lease execution. Management will comply with any HUD rules and applicable state and local laws governing the Security Deposit.

For people receiving Section 8 Assistance, the Security Deposit amount will be equal to one month's resident rent. For people not receiving Section 8 Assistance, the Security Deposit amount will be \$300.

A \$200 Pet Deposit is required for any household that has a dog or cat. The pet must be properly registered with the office. Payment of the deposit may be made in full upon registration or in \$10 installments with a \$50 down payment. Note: Assistance Animals are not considered a pet, and therefore, would not require a Pet Deposit.

XIII. APARTMENT INSPECTIONS

All apartments must undergo periodic inspection conducted by the on-site management team, HUD or HUD's representatives/agents. These inspections include not only interior but also exterior inspections. Residents have the right to be present, and are encouraged, to be present during unit inspections.

The move-in inspection is an opportunity to familiarize the new resident with the property and the unit, as well as to document the current condition of the unit. By performing move-in inspections, the owner/agent and residents are assured that the unit is in livable condition and is free of damages. A move-in inspection gives the owner/agent an opportunity to familiarize residents with the operation of appliances and equipment in the unit. Any items needing cleaning or repair will be noted on the inspection form and show a date as to when the work will be completed. The date must be no more than 30 days after the effective date of the lease. The resident has 5 days to report any additional deficiencies to the management office.

The move-out inspection is conducted when a household vacates a unit. The owner/agent will list the damages on the Unit Inspection Form and compare it with the Unit Inspection Form completed at move-in to determine if there is any damage or excessive wear-and-tear.

In addition, the owner/agent will perform unit inspections on at least an annual basis to determine whether the appliances and equipment in the unit are functioning properly and to





GOODLETTS ARMS APARTMENTS

assess whether a component needs to be repaired or replaced. This is also an opportunity to determine any damage to the unit and, if so, make the necessary repairs. At this time, residents may be charged for damages to the unit so long as those damages are not the result of normal wear-and-tear.

HUD, or its authorized contractor(s), has the right to inspect the units and the entire property to ensure that the property is being well maintained. These inspections assure HUD that owners and their agents are fulfilling their obligations under the regulatory agreements and/or subsidy contracts and that residents are provided with decent, safe, and sanitary housing.

XIV. SECTION 236 OWNER SUBSIDY

Pursuant to HUD Notice H 00-8, and with notice provided to HUD, Management is offering an "Owner's subsidy" on the Section 236 units. To qualify for this subsidy, an applicant must meet the Project Eligibility, Applicant Screening Criteria and Occupancy Standards identified above.

Recipients of this subsidy will pay no more than 30% of their adjusted income in rent; however the subsidy is capped at a maximum of \$400 per unit per month. Following is a current rent schedule detailing these amounts:

Unit Size	Basic Rent	Max Subsidy	Min. TTP	Min. Adj. Inc.
Efficiency	\$738	\$400	\$338	\$13,520
1-Bedroom	\$819	\$400	\$419	\$16,760

Current residents under the Section 236 program, current applicants on the Section 8 waiting list, and future applicants for both Section 236 and Section 8 are eligible for this subsidy.

XV. PROTECTIONS PROVIDED UNDER THE VAWA

The Violence Against Women Act (VAWA) provides protections to women or men who are applicants to or residents of any "covered housing program" and who are the victims of domestic violence, dating violence, sexual assault and/or stalking – collectively referred to as VAWA crimes. Management understands that, regardless of whether state or local laws protect victims of VAWA crimes, **people who have been victims of violence have certain rights under federal fair housing regulation.**

This policy is intended to support or assist victims of VAWA crimes and protect victims, as well as affiliated persons, from being denied housing or from losing their HUD assisted housing as a consequence of their status as a victim of VAWA crimes.

VAWA protections are provided to affiliated persons which are defined as follows:

- A spouse, parent, brother, sister, or child of the victim, or a person to whom the victim stands in the place of a parent or guardian (for example, the affiliated individual is a person in the care, custody, or control of the victim); or
- Any individual, resident/applicant, or lawful occupant living in the household of that individual.





GOODLETTS ARMS APARTMENTS

Other than what is described above, VAWA protections are not provided to guests, unauthorized residents or service providers (including live-in aides) hired by the resident. VAWA ensures that victims are not denied housing and housing assistance is not terminated solely because the person is a victim of a VAWA crime.

- *Confidentiality*

The ***Notice of Occupancy Rights under the Violence Against Women Act*** provides notice to the resident/applicant of the confidentiality of information about a person seeking to exercise VAWA protections and the limits thereof. The identity of the victim and all information provided to management relating to the incident(s) of abuse covered under the VAWA will be retained in confidence. Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is

- Requested or consented to by the victim in writing and denoting a specific timeframe; or
- Required for use in an eviction proceeding or termination of assistance; or
- Otherwise required by applicable law.

Management will retain all documentation relating to an individual's domestic violence, dating violence, sexual assault and/or stalking in a separate file that is kept in a separate secure location from other applicant or resident files.

- *Requests & Certification*

The person seeking VAWA protections may make a request for a VAWA accommodation in any reasonable manner. The resident/applicant may:

- Complete a VAWA request form provided by management

- Submit a written request (*including email but not texting*)

- Make a personal (oral) request either in person or via phone/Facetime, etc.

Once a request is made, management requires that the applicant certifies their status as a victim of a VAWA crime using one of the following methods. Applicants and residents decide which of the following methods is used to certify their status as a victim of a VAWA crime or as someone affiliated with the victim of the VAWA crime.

Option 1: When the owner/agent responds to a request to exercise protections provided under the VAWA. The owner/agent will request that an individual provide the HUD approved Form - *Certification as a Victim of Domestic Violence, Dating Violence, Stalking or Sexual Assault* to certify status as a VAWA victim or as a person affiliated with a victim. The person seeking VAWA protections may obtain this form from the property staff or from HUD's web site. Management understands that the delivery of the certification form to the applicant/resident via mail may place the victim at risk, (e.g., the accused perpetrator may monitor the mail). Management will work with the applicant/resident in making acceptable delivery arrangements.

Alternatively, if the applicant/resident has sought assistance in addressing domestic violence, dating violence, sexual assault and/or stalking from a federal, state, tribal, territorial jurisdiction, local police or court, the resident may submit written proof of this outreach in lieu of the certification form.



GOODLETTS ARMS APARTMENTS

Option 2: The owner/agent will accept a federal, state, tribal, territorial, or local police record or court record or other official record documenting status as a victim of a VAWA crime or a person affiliated with a victim of a VAWA crime as defined in this policy.

Option 3: The owner/agent will also accept a document signed and attested to by a professional (employee, agent or volunteer of a victim service provider, an attorney, medical personnel, etc.) from whom the person seeking VAWA protections has sought assistance in addressing domestic violence, dating violence, sexual assault and/or stalking or the effects of the abuse. This document must be signed by the applicant/resident. The signatory attests under penalty of perjury (28 U.S.C. §1746) that the professional believes it is the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under the VAWA, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking.

Based on HUD's instruction above, the written statement must be signed, dated, and notarized or witnessed, and must include the following language:

***Name of person seeking protections** has worked with me or this organization to receive assistance in addressing domestic violence, dating violence, sexual assault and/or stalking or the effects of the abuse.*

***Name of professional providing documentation** believe it is the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under the VAWA, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking.*

Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government, HUD, the PHA and any owner (or any employee of HUD, the PHA or the owner) may be subject to penalties for unauthorized disclosures or improper uses of information collected based on the consent form. Use of the information collected based on this verification form is restricted to the purposes cited above. Any person who knowingly or willfully requests, obtains or discloses any information under false pretenses concerning an applicant or participant may be subject to a misdemeanor and fined not more than \$5,000. Any applicant or participant affected by negligent disclosure of information may bring civil action for damages, and seek other relief, as may be appropriate, against the officer or employee of HUD, the PHA or the owner responsible for the unauthorized disclosure or improper use. Penalty provisions for misusing the social security number are contained in the Social Security Act at 208 (a) (6), (7) and (8). Violation of these provisions are cited as violations of 42 U.S.C. 408 (a) (6), (7) and (8).

The information provided above is true and is based on my knowledge of incidents involving domestic violence, dating violence, sexual assault or stalking.

Signed and dated by person providing certification: _____

*I acknowledge that **submission of false information is a basis for denial of admission,***





GOODLETTS ARMS APARTMENTS

termination of assistance, or eviction. In addition, providing false information may prompt the owner/agent to notify HUD and pursue civil action related to fraud based on HUD requirements. I am requesting to exercise protections provided through the VAWA because I am a victim of domestic violence, dating violence, stalking and/or sexual assault (VAWA crimes) or I am a person affiliated with someone who is a victim of a VAWA crime as defined in this document.

Signed and dated by person seeking VAWA protections: _____

Option 4: If the resident is currently living in a shelter established to protect victims of violence covered under the VAWA, Management will accept verification of such living arrangement in lieu of certification methods described above.

Option 5: If the person seeking VAWA protections cannot provide any of the documents described above, the person should contact the property management staff to discuss acceptable alternatives. If the documents above cannot be provided, Management will be the final decision maker regarding acceptable alternatives.

The victim is not required to name his/her accused perpetrator if doing so would result in imminent threat or if the victim does not know the name of his/her accused perpetrator.

The person seeking VAWA protections will have thirty (30) calendar days from the date of the written request to provide such certification. This certification may be submitted in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability.

If the owner/agent receives documentation that contains conflicting information (*including 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 perpetrator*), Management will require an applicant or tenant to submit third-party documentation, as described above, within thirty (30) calendar days of the date of the request for the third-party documentation.

- *Lease Bifurcation*

If Management determines that physical abuse caused by a resident is clear and present, the law provides Management the authority to bifurcate a lease (*i.e., remove, evict, or terminate housing assistance to any accused perpetrator*), while allowing the victim, who lawfully occupies the home, to maintain tenancy.

Management may attempt to evict the accused perpetrator, but applicants and residents should know that state/local tenant/landlord laws prevail and Management must comply with such laws. Management cannot guarantee that a court will award or enforce an eviction.

The resident must keep in mind that eviction of or termination action must be in accordance with the procedures prescribed by federal, state, and local law. Management is committed to attempting to assist the victim and persons affiliated with the victim, however, evictions are



GOODLETTS ARMS APARTMENTS

generally carried out through the court system and Management cannot override or circumvent a legal decision.

In the event that one household member is removed from the unit because of engaging in acts of domestic violence, dating violence, sexual assault and/or stalking against another household member, an appropriate certification will be processed reflecting the change in household composition. Special consideration will be given if the remaining household members are not qualified to remain in the unit as a "remaining household member".

- Lease Addendum

The HUD approved lease addendum will be implemented and provided in accordance with HUD guidance.

- VAWA Emergency Transfer

A resident/applicant who is a victim of a VAWA crime is eligible for an emergency transfer when:

- *The person making the request is a victim of a VAWA crime or is a person affiliated with a victim of a VAWA crime*
- *There is a request for a VAWA Emergency Transfer; and*
- *The resident reasonably believes that there is a threat of imminent harm if the resident remains within the same unit; or*
- *If the resident is a victim of sexual assault, the resident 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.*

This is true even if the resident is not a resident in good standing.

A resident/applicant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in the property VAWA Emergency Transfer (VET) Plan.

For more detailed information about the protections provided under the VAWA or for more information about the property's VET Plan, please contact the property management staff.

XVI. EIV USAGE

All Applicants MUST disclose if they are currently receiving HUD housing assistance. Management will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit or who attempt to receive HUD assistance in two separate residences.

HUD provides Management with information about an applicant's current status as a HUD housing assistance recipient via the Enterprise Income Verification System (EIV). In order to eliminate the potential for dual subsidy payments, Management will use the Existing Tenant Search in the EIV to determine if the applicant or any member of the applicant household is currently receiving HUD assistance. Management will use this report as part of their screening criteria for new tenants. The Existing Tenant Search will be completed for each occupant of the household and will be **completed as part of the full application process once an**





GOODLETTE ARMS APARTMENTS

applicant is selected from the waiting list.

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

- A. Minor children where both parents share 50% custody
- B. Recipients of HUD assistance in another unit who are moving to establish a new household when other family/household members will remain in the original unit

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

The Multiple Subsidy Report, via EIV, will be reviewed on a quarterly basis for residents living on this property. If any household member receives or attempts to receive assistance in another HUD assisted unit while receiving assistance on this property, the household member will be required to reimburse HUD for assistance paid in error. This is considered a material lease violation and may result in penalties up to and including eviction and pursuit of fraud charges.

If it is found that an applicant or any member of their household is currently living in another Section 8 subsidized property and receiving subsidy, they will be notified in writing that they will need to terminate their subsidy with the current property prior to moving in. The notice will state that if they fail to do so and a dual subsidy case exists, they will be required to pay any amount that HUD fails to pay on the new unit due to dual subsidy.

Goodlette Arms must approve any proposed new household member **before** he/she moves in to the unit. The proposed new household member will be considered an applicant and must participate in the eligibility determination and screening processes described above. In addition, the rent payment will be re-calculated to reflect any income or allowances for the new household member.

XVIII. LIVE-IN AIDE REQUIREMENTS

In the event a resident requires a live-in aide as defined by HUD, Goodlette Arms will conduct the appropriate screening criteria. The screening criteria will not include credit performance. Live-in aides must be counted for purposes of determining appropriate unit size. Income and/or allowances received by the live-in aide will not be considered. The live-in aide will only occupy the unit based upon the live-in aide lease addendum. Upon the date the resident does not require the live-in aide's services, the live-in aide will vacate the unit within 24 hours.

XIX. MODIFICATION OF THE TENANT SELECTION PLAN

Management will notify applicants on the waiting list via mail if the Tenant Selection Plan has





GOODLETTS ARMS APARTMENTS

been revised and that a copy of the Tenant Selection Plan is available from the on-site office upon request.

XX. LIMITED ENGLISH PROFICIENCY

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)" requires the owner/agent to develop and implement a system to provide housing assistance so persons with Limited English Proficiency (LEP) can have meaningful access to assisted housing opportunities.

The owner/agent will provide for such meaningful access consistent with, and without unduly burdening the fundamental mission of the property. The owner/agent will work to ensure that people who apply for and/or qualify for housing assistance are provided meaningful access to HUD's housing assistance program.

XXI. USE OF MARIJUANA – FEDERALLY FUNDED PROPERTY

Regardless of the purpose of legalization under state law, the use of marijuana in any form, is illegal under the Controlled Substances Act (CSA) and therefore is an illegal controlled substance under Section 577 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA). Based on federal law, new admissions of any marijuana user – including people who use medical marijuana - are prohibited.

QHWRA requires that owner/agents establish lease standards that prohibit admission based on the illegal use of controlled substances including state legalized marijuana. State laws that legalize medical marijuana directly conflict with QHWRA and thus are subject to federal preemption.

Residents are prohibited from using marijuana (even in a smokeless manner).

If HUD rules change, the property's Tenant Selection Plan and the property's House Rules may be edited to conform to the policies set forth by HUD.