

# TENANT SELECTION PLAN

## Section 8 and 236 Programs

Emmett Apartments

**DEVELOPMENT NAME**

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2614 North Emmett Street

**DEVELOPMENT ADDRESS**

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Revised: January 17, 2020

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# TENANT SELECTION PLAN

## Section 8 and 236 developments



City of Chicago Identification Number: \_\_\_\_\_

Emmett Apartments  
"Development"

Emmett Apartments, LP  
Owner's Name (the "Owner")

Bickerdike Apartments, LLC  
Managing Agent's Name (the "Management")

### I. INTRODUCTION

This Tenant Selection Plan (this "Plan") outlines the procedures that will be followed in selecting tenants for the Development. Management is responsible for implementing these procedures.

With respect to the fifty (50) units in the Development designated as Chicago Housing Authority ("CHA") RAD Project Based Voucher units, in the event of a conflict between the procedures in this Plan and the procedures in Chapter 18 of the CHA's Housing Choice Voucher Program Administrative Plan, as may be amended by the CHA from time to time (the "CHA Administrative Plan"), the procedures of Chapter 18 the CHA Administrative Plan shall prevail and apply. The CHA Administrative Plan is attached hereto as Addendum 3.

#### A. Development Description (Check the one that applies)

- The Development does not offer subsidized rents.
- The Development offers subsidized rents. This means the rent that a tenant pays is based upon the tenant's household income. Therefore, the rent paid by tenants may vary among tenants as well as from time to time for an individual tenant. The rents attached to this Plan as **Exhibit A** reflect the market or contract rent for the Development and **not** the typical tenant portion of the rent. (Subsidized rents are usually made available through participation in one of two housing programs: (i) the HUD Section 8 program or (ii) the HUD 236 program which are further augmented by either the Rent Supplement or Rental Assistance programs. Both of these programs have household income limitations.)

In addition, the Development  **does**  **does not** accept Housing Choice Vouchers.  
(Check the one that applies)

#### B. Tenant Type

The Development is designated as housing for: (check all that apply)

- Elderly
- Family & Special Needs

Special Needs Family

Elderly & Special Needs

Family

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If the "Elderly" or "Elderly & Special Needs" designation is selected, the age restriction, for the units designated Elderly, will be:

(Check the one that applies)

- 55 and above (households whose head or spouse or sole member is at least 55 years of age) or,
- 55 and above (one person 55 years of age or older) or,
- 62 and above (**all** members of the household are 62 years of age) or,
- 62 and above (households whose head **or** spouse **or** sole member is at least 62 years of age) (this is only available to developments participating in a HUD housing program); or
- Other (please describe) \_\_\_\_\_

If any of the "Special Needs" designations is selected, the Development is serving the following special needs population(s):

(Check all that apply)

- Battered Women
- Disabled
- HIV/AIDS
- Homeless
- Foster Care Families
- Transient Families
- Other (please describe) \_\_\_\_\_
- Developmentally Disabled
- Physically Disabled
- Ex-offenders
- Substance Abusers
- Mentally Ill

**C. Unit Distribution**

**1. Development (Start-Up only)**

The Development will offer 100 rental units.

This  **includes**  **does not include** a management unit.

(Check the one that applies)

The income limitations of these units are as follows:

- \_\_\_\_\_ Market rate (no income restriction) units
- 100 Units at 60% Median income
- \_\_\_\_\_ Units at \_\_\_\_\_ % Median income
- \_\_\_\_\_ Units at \_\_\_\_\_ % Median income
- \_\_\_\_\_ Units at \_\_\_\_\_ % Median income
- \_\_\_\_\_ Manager unit(s)

**2. Development (Up and Running only)**

<b><u>Per Regulatory Agreement</u></b>				<b><u>Per Extended Use Agreement (if applicable)</u></b>			
_____	Market rate units			_____	Market rate units		
_____	Units at _____%	Median income		_____	Units at _____%	Median income	
_____	Units at _____%	Median income		_____	Units at _____%	Median income	
_____	Units at _____%	Median income		_____	Units at _____%	Median income	
_____	Units at _____%	Median income		_____	Units at _____%	Median income	
_____	Manager unit(s)			_____	Manager unit(s)		

**3. Other Agreements**

<b><u>Per SRN Written Agreement (if applicable)</u></b>				<b><u>Per Section 811 PRA Contract (if applicable)</u></b>			
_____	Market rate units			_____	Market rate units		
_____	Units at _____%	Median income		_____	Units at _____%	Median income	
_____	Units at _____%	Median income		_____	Units at _____%	Median income	
_____	Units at _____%	Median income		_____	Units at _____%	Median income	
_____	Units at _____%	Median income		_____	Units at _____%	Median income	
_____	Manager unit(s)			_____	Manager unit(s)		

**D. Rent Structure**

The current rent structure for the Development, by unit size and income distribution, is attached to this Plan as **Exhibit A**.

**E. Civil Rights and Nondiscrimination Requirements**

**1. General**

Federal civil rights laws addressing fair housing prohibit discrimination against applicants or tenants on the basis of race, color, national origin, sex, disability, religion, and familial status. The Illinois Human Rights Act addressing fair housing prohibits discrimination against applicants or tenants on the basis of race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation, gender identity or unfavorable discharge from military service.

HUD's Office of General Counsel issued a memo dated April 4, 2016, which is guidance concerning how the Fair Housing Act applies to the use of criminal history by providers or operators of housing and real-estate related transactions.

The remaining paragraphs in this section provide brief descriptions of key federal civil rights laws regarding fair housing and accessibility.

Owner and Management shall be familiar and comply with the regulations implementing these applicable federal civil rights laws and any state civil rights laws or local ordinance regarding fair housing and accessibility.

## **2. Fair Housing Act**

Fair Housing Act Amendments of 1988 ("Fair Housing Act") prohibits discrimination in housing on the basis of race, color, religion, sex, disability, familial status and national origin regardless of any federal financial assistance.

Under the Fair Housing Act, Owner and Management shall not take any of the actions listed below based on race, color, religion, sex, disability, familial status and national origin:

- a. Deny anyone the opportunity to apply to rent housing, or deny to any qualified applicant the opportunity to lease housing suitable to his or her needs;
- b. Provide anyone housing that is different from that provided to others;
- c. Subject anyone to segregation, even if by floor or wing;
- d. Restrict anyone's access to any benefit enjoyed by others in connection with housing program;
- e. Treat anyone differently in determining eligibility or other requirements for admission, in use of the housing amenities, facilities or programs, or in the terms and conditions of a lease;
- f. Deny anyone access to the same level of services;
- g. Deny anyone the opportunity to participate in a planning or advisory group that is an integral part of the housing program;
- h. Publish or cause to be published an advertisement or notice indicating the availability of housing that prefers or excludes persons; and
- i. Retaliate against, threaten, or act in any manner to intimidate someone because he or she has exercised rights under the Fair Housing Act.

Fair Housing Act provides additional protections for persons with disabilities. It requires that the Management make reasonable accommodations in rules, policies, practices, or services as may be necessary to afford handicapped persons equal opportunity to use and enjoy a dwelling. Moreover, it contains specific accessibility requirements that apply to the design and construction of new multi-household housing.

Owner of federally assisted housing program shall display the Fair Housing poster required by the Fair Housing Act.

## **3. Title VI of the Civil Rights Act of 1964**

Title VI of the Civil Rights Act of 1964 prohibits all recipients of federal financial assistance from discriminating based on race, color or national origin.

4. **Age Discrimination Act of 1975**

Age Discrimination Act of 1975 (the "Age Discrimination Act") prohibits discrimination based upon age in federally assisted and funded program, except in limited circumstances. It is not a violation of the Age Discrimination Act to use age as screening criteria in a particular program if age distinctions are permitted by statute for that program or if age distinctions are a factor necessary for the normal operation of the program or the achievement of a statutory objective of the program or activity.

5. **Section 504 of the Rehabilitation Act of 1973 (for HOME and CDBG programs)**

Section 504 of the Rehabilitation Act of 1973 ("Section 504") prohibits discrimination based upon disability in all programs or activities operated by recipients of federal financial assistance. Although Section 504 often overlaps with the disability discrimination prohibitions of the Fair Housing Act, it differs in that it also imposes broader affirmative obligations on the Owner to make their programs as a whole, accessible to persons with disabilities. Section 504 obligations include the following:

- a. Making and paying for reasonable structural modifications to units and/or common areas that are needed by applicants and tenants with disabilities, unless these modifications would change the fundamental nature of the project or result in undue financial and administrative burdens;
- b. Operating housing that is not segregated based upon disability or type of disability, unless authorized by federal statute or executive order;
- c. Providing auxiliary aids and services necessary for effective communication with persons with disabilities;
- d. Performing a self-evaluation of Management's programs and policies to ensure that they do not discriminate based on disability; and
- e. Developing a transition plan to ensure that structural changes are properly implemented to meet program accessibility requirements.
- f. Section 504 also establishes accessibility requirements for newly constructed or rehabilitated housing, including providing a minimum percentage of accessible units.

If the Owner, Management and Development employ 15 or more persons, regardless of their location or duties, a Section 504 Coordinator must be designated.

Does the Section 504 Coordinator requirement apply?  
(Check the one that applies)

Yes  No

If "Yes" was checked, indicate the name of the Section 504 Coordinator:

Name: Shadonna Ware - Asset Manager

Telephone Number: 773-278-5669

TDD Number: \_\_\_\_\_

6. **Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity (for HOME and CDBG programs)**

Effective March 5, 2012, HUD implemented new regulations intended to ensure that HUD's core housing programs are open to all eligible persons regardless of actual or perceived sexual orientation, gender identity or marital status (HUD Notice 2015-01).

Owners and operators of HUD-assisted housing, or housing whose financing is insured by HUD, must make housing available without regard to sexual orientation, gender identity, or marital status.

All otherwise eligible families, regardless of marital status, sexual orientation, or gender identity, will have the opportunity to participate in HUD programs.

Owners and operators of HUD-assisted housing or housing insured by HUD are prohibited from asking about an applicant or occupant's sexual orientation and gender identity for the purpose of determining eligibility or otherwise making housing available.

7. **Executive Order 13166 – Limited English Proficiency (for HUD programs only)**

Executive Order 13166 requires Owner/Management to take reasonable steps to ensure meaningful access to the information and services they provide for persons with limited English proficiency. This may include interpreter services and/or written materials translated into other languages.

8. **Violence Against Women and Justice Department Reauthorization Act of 2005 & 2013 (for Tax Credit, HOME, TCAP and 1602 developments only)**

Violence Against Women and Justice Department Reauthorization Act of 2005 (VAWA 2005, and reinstated in the HUD Reauthorization Act of 2013) protects victims of domestic violence, dating violence or stalking, as well as their immediate family members generally, from being evicted or being denied housing assistance if an incident of violence is reported and confirmed.

Owner/Management responding to an incident of actual or threatened domestic violence, dating violence or stalking that could potentially have an impact on a tenant's participation in the housing program may request in writing that an individual complete, sign and submit within 14 business day of the request, the HUD-approved certification form (HUD-91066).

Alternatively, in lieu of the certification form or in addition to it, Owner/Management may accept (i) a federal, state, tribal, territorial, or local police record or court record or (ii) documentation signed and attested to by a professional (employee, agent or volunteer of a victim service provider, an attorney, medical personnel, etc.) from whom the victim has sought assistance.

Owner/Management is encouraged to carefully evaluate abuse claims as to avoid conducting an eviction based on false or unsubstantiated accusations.

9. **Military Status Discrimination (Chicago Only)**

Chicago has amended its Human Rights Ordinance and Fair Housing Ordinance to prohibit discrimination targeting current and former members of the military in all areas under the Commission's jurisdiction: employment, public accommodations, credit transactions, bonding, and housing. This protection extends to any individual who is on active duty, or in any reserve component of any branch of any state or Federal armed forces, or a veteran. The amendments apply to actions taken on or after March 6, 2016.

## II. **PREFERENCES**

### A. **Establishing Preferences**

Preferences are not permitted if they in any way negate affirmative marketing efforts or fair housing obligations. The following preferences apply to the Development:

#### 1. **CHA Tenant Preferences**

- a) **CHA 10/1/1999 Relocates/Applicants.** Current and former Lathrop Homes tenants with a right of return will receive priority for RAD PBV units in the development. Tenants with a right of return will be referred to the Property Manager through the CHA Housing Offer Process (HOP). The HOP system will contain the names of eligible, lease-compliant CHA applicants, listed in an order that reflects the priorities under the Relocation Rights Contracts and the housing choices identified by the CHA leaseholders. Once the HOP list has been exhausted and CHA has determined the need to access the CHA Family Site-Based waitlist, the Property Manager will work with the CHA and its Occupancy Department to receive names of potential candidates from the CHA's Family Site-Based waitlist for RAD PBV assisted units at this site.

#### 2. **Existing Tenant Preferences**

The following actions are always given priority if applicable. If not, State Mandated Preferences take precedence.

- a) A unit transfer because of household size.
- b) A unit transfer based on the need for an accessible unit.
- c) A unit transfer of a non-handicapped individual living in a handicapped accessible unit to accommodate a handicapped applicant on the Waiting List (as defined below). A lease addendum (**Exhibit B**) will be entered into with non-handicapped tenant living in a handicapped accessible unit.

#### 3. **State Mandated Preferences**

The Development must comply with the three Illinois mandatory preferences required in Section 11 and 12 of 20 ILCS 3805 as described below:

- a) Displaced from an urban renewal area.
- b) Displaced as a result of a governmental action.
- c) Displaced as a result of a major disaster.

#### 4. **Optional Preferences**

In addition to the preferences mandated by the State of Illinois and the Existing Tenant Preferences listed above, the Development may establish the following preferences. The preferences listed below are subordinate to State Mandated Preferences and Existing Tenant Preferences.

*(Check all that apply and rank in the order of highest preference (1) to lowest preference):*

- a) HUD Pre-approved Preferences

- i. Preference for Working Families

Order # \_\_\_\_\_

- ii. Preference for Persons with Disabilities  Order # 1 \_\_\_\_\_
- iii. Preference for Victims of Domestic Violence  Order # 2 \_\_\_\_\_
- iv. Preference for elderly, displaced, homeless, or disabled single person over other single persons  Order # \_\_\_\_\_
- b) Residency Preferences (with HUD approval)  Order # \_\_\_\_\_
- c) Local Preference (as established by PHA/PSH)  Order # \_\_\_\_\_
- d) Existing Tenant Transfers (other)  Order # 3 \_\_\_\_\_  
Including, but not limited to a change in household composition, a deeper rent subsidy, or for medical reasons certified by a doctor.

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**B. Verification of Preferences**

The State Mandated Preferences will be verified by third party verification (**Exhibit C**). Third party verification will also be utilized if the Owner has adopted any of the Former Federal Preferences. If Management has selected any of the optional preferences and will not be using third party verification the following means of verification will be utilized:

N/A

**C. Selection of Families for Participation**

1. An eligible applicant who qualifies for a preference will receive housing before any other applicant who is not so qualified. These preferences take precedence over other applicants' place on the Waiting List, or date of submission of application.
2. Applicants will be informed of the availability of preferences, and will be given an opportunity to certify that they qualify for a preference. Applicants may claim a preference at any time during the application process.

**D. When a Preference Is Denied**

1. If it is determined that an applicant does not meet the criteria for receiving a preference, the applicant will promptly receive a written notice of this determination from Management (**Exhibit D**). The notice will contain a brief statement of the reasons for the determination, and state that the applicant has the right to meet with the Management's designee to review this decision. If the applicant requests a meeting, it will be conducted by a person or persons designated by Management.
2. Denial of a preference does not prevent the applicant from exercising any legal rights the applicant may have against Management and/or Owner.

**E. Exceptions to the Preference Rule**

1. **Relocation and/or Unit Transfers:**  
Management must give priority to current households
  - i) when their units are designated for rehabilitation and/or
  - ii) for current households residing in a unit within the Development that has been designated as uninhabitable by federal, state, local municipalities or Management due to fire, flood or other natural disaster.

**III. PRE-APPLICATION CARD PROCESSING**

*(Please check which method will be used)*

- The Development will use pre-application cards or;
- The Development will use pre-applications.

**A. Distribution of Pre-Application Cards or Pre-Applications**

1. A letter will be sent to households who respond to the marketing efforts (**Exhibit E**). This letter will include a Pre-Application Card or Pre-Application (**Exhibit F**) to be completed and mailed to Management. This letter will also inform persons about the Development's preferences and will indicate that all applicants will be given an opportunity to show that they qualify for a preference.
2. The letter will state that those persons qualifying for a preference will receive housing before any other applicant who is not so qualified.
3. In addition, the letter will inform all applicants that for those persons not claiming a

preference, screening will be conducted according to the order in which the Pre-Application Cards or Pre-Applications are received.

4. All returned Pre-Application Cards or Pre-Applications will be logged in, indicating the time and date received (**Exhibit G**). The Pre-Application log will indicate whether the applicant has claimed a preference or has requested a handicapped accessible unit.

#### **B. Processing Pre-Application Cards or Pre-Applications**

1. Pre-Application Cards or Pre-Applications will be filed in the order of receipt. In addition, Pre-Application Cards or Pre-Applications will also be categorized according to preferences, unit size and Special Occupancy Categories (as described in **Section X**).
2. All persons making inquiries will be provided a Pre-Application Card or Pre-Application with instructions to mail this Pre-Application Card or Pre-Application to Management. Pre-Application Cards or Pre-Applications received after initial sorting will be categorized in accordance with the process stated above.
3. For Developments beginning their initial marketing efforts (start-up), no Pre-Application Cards or Pre-Applications will be accepted after the date on which 95% occupancy of the Development has been reached and the applicable Waiting List has been closed.
4. For Developments, which have completed their initial marketing efforts (Up and Running), no Pre-Application Cards or Pre-Applications will be accepted after the date on which the applicable Waiting List has been closed.
5. All Pre-Application Cards or Pre-Applications will be retained on-site permanently.

#### **IV. WAITING LIST(S) PROCEDURES**

The Property Manager will establish a site-based waiting list for non-public housing-RAD PBV LIHTC applicants. Applicants from the site-based list will be given the opportunity to be screened for available non-RAD PBV units when they become available for occupancy. Prospective applicants will also be identified through marketing efforts conducted by the Property Manager according to an affirmative fair housing marketing plan.

##### **A. Creation of Non-CHA Waiting List(s)**

If an applicant is eligible for tenancy, but no appropriately sized unit is available (as referred to in **Section VII**), Management will place the applicant on a waiting list (the "Waiting List") for the Development (**Exhibit H**). The Waiting List(s) will be maintained in either:  
(*Check the one that applies*)

- A bound ledger (manually)  
 A computer program (electronically)

The Waiting List(s) will contain the following information for each applicant listed:

1. Applicant name
2. Household unit size (number of bedrooms household qualifies for under site occupancy standards)  
(*NOTE: applicant may qualify for multiple unit sizes*)
3. Date and time application received
4. Qualification for any preferences and ranking
5. Annual income level
6. Targeted program qualifications
7. Accessibility requirements
8. Number of persons in household

The Waiting List will be maintained in accordance with the following guidelines:

- The pre-application or pre-application card will be a permanent file.
- All applicants will be maintained in order of preference. Applications equal in preference will be maintained by date and time sequence.

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**B. Changes In Income or Household Composition**

When placed on the Waiting List, applicants will be informed to notify Management when the following changes occur:

- Address and/or phone number
- Household composition
- Preference status
- Income (Optional)

If an applicant's income changes to an amount which is no longer eligible, written notice will be given advising the applicant that: (1) they are not presently eligible; (2) the applicant could be eligible if the household income decreases, the number of household member changes, or the Income Limit changes; and (3) they may choose to remain or not remain on the Waiting List.

If an applicant's household composition changes resulting in a need for a different apartment size, Management will, upon notification by applicant, place the applicant on the appropriate Waiting List. Management's policy for handling changes in household composition are indicated below: (check the one that applies)

- Applicant will maintain original application date. (Applicant will be placed on new bedroom list according to original application date.)
- Applicant will receive new application date based on redetermination. (Applicant will be placed at bottom of new bedroom list.)

**C. Contacting Persons on the Waiting List(s)**

1. Applicants on the Waiting List will be contacted as follows:

When a unit becomes or will become available within \_\_\_\_\_ days, Management will select the next applicant who meets applicable preference criteria or whose name is chronologically at the top of the appropriate Waiting List. Management will contact the selected applicant utilizing the following procedure: (*i.e. certified mail, regular mail, telephone or other.*) Modifications will be made to reasonably accommodate persons with disabilities who request or require such modifications.

Applicants, who respond timely and accept the offered unit, will be contacted to schedule an interview. This represents the beginning of the screening process. Those applicants who do not respond timely or who do not accept the offered unit will be processed in the manner indicated below:

a. If Management does not receive a response within 10 days, the applicant will forfeit the opportunity to apply for the offered unit (*check the one that applies*)

- and will be removed from the applicable Waiting List.
- but will remain at the top of the applicable Waiting List. When a second unit becomes available, Management will again attempt to contact the applicant and will explain that if the applicant does not respond within \_\_\_\_\_ days or fails to accept the second unit, the applicant's name will be removed from the applicable Waiting List.
- (Other)

- b. If Management receives a timely response but the applicant rejects the first offered unit, the applicant (*check the one that applies*)

- will be removed from the applicable Waiting List.
- will remain at the top of the applicable Waiting List. When a second unit becomes available, Management will again attempt to contact the applicant and will explain that if the applicant does not respond within 10 days or fails to accept the second unit, the applicant's name will be removed from the applicable Waiting List.
- (Other)

2. If, after an interview has been scheduled, the applicant fails to attend or to contact Management to reschedule the interview, the policy regarding how applicants will be addressed is: (*Please indicate Management's policy below.*)

**D. Updating the Waiting List(s)**

1. The Waiting List will be updated at least once every twelve months in the following manner:

- A letter will be sent via regular/certified mail to each applicant on the Waiting List(s) (**Exhibit I**). The letter will include a Reply Card (**Exhibit J**) to be returned if the applicant is still interested in living at the Development. The applicant will be given 30 days (excluding weekends and designated federal holidays) from the date the letter was mailed in which to respond. If no response is received, the applicant's Pre-Application Card will be removed from the Waiting List and a letter will be sent informing the applicant of this action. If the letter is returned with a forwarding address, it will be re-mailed to the address indicated and a new response time same as above will begin.

- (Other)

2. After each of the Waiting List(s) are updated based on the Reply Cards returned, an acknowledgement letter (**Exhibit K**)  will  will not (*Check the one that applies*) be sent to each applicant. It is the applicant's responsibility to notify the Management office of any change in address, telephone number or telephone device for the deaf (TDD) number (if applicable).
3. If it is determined an applicant failed to respond to a Waiting List update due to a disability and such applicant was either removed or lowered on the Waiting List, the applicant must be reinstated at the original place on the Waiting List.

**E. Closing and Re-Opening the Waiting List(s)**

1. **Closing the Waiting List(s)**

The Waiting List(s) for the Development will be closed when the following occurs:

The waiting list will be closed at the discretion of the organization.

When Management decides to close the Waiting List(s), future applicants will be advised that the Waiting List(s) are closed and additional applications will not be

taken. When Management decides to no longer accept applications, a notice to that effect will be published in the following publication(s):

The closing of the wait list will be posted on the Bickerdike Website, La Voz Community Newspaper, and a sign will be posted on the door of the Property Management Office.

The notice must state the reasons for the Management's refusal to accept additional applications.

**2. Re-opening the Waiting List(s)**

Prior to each re-opening of the Waiting List(s), a notice, announcing the re-opening and providing information on the rules regarding how, when, and where to apply, will be placed in the advertisements/publications listed below:

**Note:** IHDA now requires all Tenant Selection Plans to include ILHousingSearch.org which is a Housing Locator Resource for Marketing. Please print screen shot of "Property Profile" and attach to TSP as proof of enrollment in ILHousingSearch.org.

When re-opening the waiting list, a notice will be posted to the Bickerdike Website, an ad will be listed in the La Voz Community Newspaper, a letter will be sent to all those listed on our Marketing List, and it will be listed on the ILHousingSearch.org web site.

The Waiting List(s) will be re-opened when the following occurs:

The Waiting List will be re-opened when the number of applicants are less than 150.

**3. Affirmative Marketing Plan Requirements**

Management will affirmatively market the Development in its outreach efforts during the re-opening of the Waiting List(s). Management will provide a copy of the Affirmative Fair Housing Plan to applicants upon request for review.

**V. THE (INTERVIEW) SCREENING PROCESS**

**A. Application Requirements**

The following information will be used to determine program eligibility for anyone who is seeking housing at the Development.

Live in aides, new household members and police officers, security personnel or managers residing in HUD subsidized units will be subject to same screening for drug abuse and other criminal activity applied to other applicants.

1. The head of household must complete a written application certifying the accuracy of all information that is provided. The applicant will be provided with the appropriate disclosures concerning the Privacy Act (5 U.S.C. § 552a). In addition to providing applicant(s) the opportunity to complete applications at the Development, Management may also send out and receive applications by mail. Management shall accommodate persons with disabilities who, as a result of their disabilities, cannot utilize the Management's preferred application process by providing alternative methods of taking applications.
2.  A credit report will be ordered.  
 A credit report will not be ordered.
3.  A criminal background search will be obtained once applicant passes the "pre-qualification" screening. If the applicant does not pass the pre-qualification screening, a criminal background search will not be ordered
4. Verification of employment, income, bank accounts, and other assets, etc., is required as applicable for each applicant.
5. Verification of previous housing, for 3-5 years, is required. This will include references from previous landlords. If applicable, it will also include verification for those who were

homeowners or lived with parents or guardians. Applicants will not be rejected solely for a lack of rental history.

6. Verification of Social Security Numbers for all members of the household is required.

7. Other: \_\_\_\_\_

**B. Home Visits**

Home Visits will be conducted to inspect the current dwelling of the applicant to determine that the housekeeping practices are acceptable. Details of this process are outlined in **Exhibit L**. Home Visits will be conducted for all applicants who reside within 10 miles of the Development. Home Visits will be conducted for every applicant household reaching the final stages of the approval process.

Home Visits will not be conducted.

**C. Completion of Application Process**

All applications will be processed within thirty days after the date of the applicant's initial interview or within five business days of receipt of all required documentation, whichever is later (excluding weekends and designated federal holidays).

**VI. ELIGIBILITY REQUIREMENTS**

**A. Income**

The annual gross income of the applicant(s) must be equal to or less than the income limit established by the applicable program's administrative rules for the appropriate household size.

**B. Date of Birth**

Dates of birth must be disclosed for all household members.

**C. Social Security Numbers**

The head of household/spouse/co-head must disclose Social Security Numbers for all household members. An explanation of acceptable documentation is provided in **Addendum 1** attached to this Plan.

**D. Student Eligibility Requirements (for Tax Credit only)**

Households consisting entirely of full-students are not eligible for Tax Credits unless the household is income eligible and one or more of the following exceptions applies to the household:

1. All members of the household are married (they do not need to be married to each other) and are entitled to file a joint tax return.
2. The household consists of single parent(s) and their child (or children) and no one in the household is a dependent of a third party.
3. At least one member of the household receives assistance under Title IV of the Social Security Act (i.e. TANF).
4. At least one member of the household is participating in an officially sanctioned job training program.
5. At least one member of the household was formerly in foster care.

Full-time status for purposes of the LIHTC program includes attendance at regular facilities for five or more months during the calendar year in which the taxable year of the taxpayer begins.

## VII. OCCUPANCY STANDARDS

The unit must have enough space to accommodate the household. Occupancy standards must comply with federal, state and local occupancy standards, and/or laws in connection with occupancy requirements, fair housing and civil rights laws, as well as landlord-tenant laws and zoning restrictions.

1. For the purpose of determining the unit size for which a household may be eligible; the following will be counted as members of the household:
  - a. Fulltime household members
  - b. Unborn children
  - c. Children in the process of being adopted
  - d. Children whose custody is being determined
  - e. Foster children
  - f. Children temporarily in a foster home
  - g. Children in joint custody 50% of the year or more
  - h. Children away at school but home for recess
  - i. Live in aides
  - j. Foster adults

The Occupancy Standards for the development are:

A Maximum of two (2) Persons Per Bedroom

2. Upon request, an applicant or resident may be placed on as many of the Development's Waiting List(s) that the household size qualifies.
3. A household may be required to provide proof of custody of related or unrelated occupants in order to be considered for a change in unit size.

## VIII. SECURITY DEPOSITS

If applicable, a security deposit equal to one month's total tenant payment or tenant rent will be collected. The security deposit must be paid upon signing the lease for the unit. The amount of the security deposit established at move-in does not change when a tenant's rent changes.

**Note:** The owner may collect the security deposit on an installment basis (HUD Handbook 4350.3 - Chapter 6, Section 2).

## IX. REJECTION CRITERIA

The ability of the applicant to fulfill lease obligations will be considered. An applicant may be rejected for one or more of the following reasons:

### A. Insufficient/Inaccurate Information on Application

Refusing to cooperate fully in all aspects of the application process or supplying false information will be grounds for rejection.

### B. Credit and Financial Standing

1. Unsatisfactory history of meeting financial obligations (including, but not limited to timely payment of rent, outstanding judgments or a history of late payment of utility bills) will be considered. In general, greater emphasis will be placed on the applicant's history of paying rent, utilities, and other housing related costs, than the applicant's consumer credit history. Applicants will not be subject to rejection due to consumer credit payment history. If an applicant is rejected based on the credit report, they will be provided with the reasons for rejection and given the name of the credit bureau that performed the credit check. Applicants will also be given two weeks to dispute any information on the credit report.

2. The Property Manager will assess an applicant's ability to meet the financial obligations of a lease. In general, greater emphasis will be placed on the

applicant's history of paying rent, utilities and other housing related costs, than on the applicant's consumer credit history. Persons screening for CHA units at Emmett Street Apartments will not be subject to rejection due to consumer credit payment history. However, in order to properly review a prospective tenant's history of paying housing costs, utilities and other costs, it will be necessary to obtain credit report. All other criminal and background checks will be made for all applicants as described in this TSP.

3. The inability to verify credit references may result in rejection of an applicant. Special circumstances will be considered in which credit has not been established (income, age, marital status, etc.) and lack of credit history will not cause an applicant to be rejected. In such circumstances, a person with a history of creditworthiness may be required to guarantee the lease.
4. The applicant's financial inability to pay his/her monthly contribution toward the rent of the unit may be assessed. Ordinarily, the total of the applicant's monthly contribution plus other long-term obligations (payments extending more than twelve months) should be less than 40% of his/her monthly gross income. Income ratios may be considered in the context of the applicant's credit and employment history and potential for increases in income.

**C. Criminal Convictions/Current Drug Use**

1. Applicants who fall into the following categories will be rejected:

- a) any household in which any member uses illegal drugs, or has a current addiction to or engagement in the illegal use of a controlled substance interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents will be denied admission and, if an occupant, will be subject to termination of tenancy.
- b) any household containing a member(s) who was evicted in the last three years from housing for drug-related criminal activity. Exception: if the evicted household member has successfully completed an approved supervised drug rehabilitation or the circumstances leading to the eviction no longer exist (e.g. the household member no longer resides with the applicant household).
- c) any household member that is subject to a state sex offender lifetime requirement. In order to comply with this provision, a criminal background check will be conducted on all applicants over the age of 18 that includes a check of all state sex offender registration program lists, or a national registration list that includes the information from all states.
- d) any household member for whom there is reasonable cause to believe that the member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.

2. Applicants who fall into the following categories may be rejected. In addition, if other persons that will be living in the unit fall into these categories, the applicant may be rejected. **Note:** The owner shall ensure that the relevant "reasonable" time period is uniformly applied to all applicants in a non-discriminatory manner and in accordance with applicable fair housing and civil rights laws.

- a) criminal convictions that involved physical violence to persons or property, or endangered the health and safety of other persons within the last 10 year(s);
- b) criminal convictions in connection with the manufacture or distribution of a controlled substance within the last 3 year(s); or

c) Other housekeeping, or failure to comply with lease agreements.

**D. Household Characteristics**

Household size or household characteristics were not appropriate for the specific type of unit available at the time of application.

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**E. Unsanitary Housekeeping**

Housekeeping will be considered because home visits are conducted. Housekeeping criteria are not intended to exclude households whose housekeeping is only superficially unclean or disorderly if such conditions do not appear to affect the health, safety or welfare of other residents.

Housekeeping will not be considered because home visits are not conducted.

**F. Exception to Rejection Criteria**

The development has adapted the following policy regarding Extenuating Circumstances: **Note:** Additional references include the Guidance for PHAs and Owners of Federally-Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions, HUD Notice H 2015-10 dated November 2<sup>nd</sup>, 2015. Additionally, HUD Memo dated April 4, 2016, Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions.

Extenuating circumstances will be considered in cases when applicants would normally be rejected. The applicants will have to provide, in writing, the circumstances under which he/she will be an acceptable resident in the future.

**If the applicant is a person with disabilities, Management must consider extenuating circumstances where this would be required as a matter of a Reasonable Accommodation.**

**X. REJECTION PROCEDURES**

**A. Written Notification**

Each rejected applicant will be promptly notified in writing of the reason(s) for rejection (**Exhibit M**). This notice will advise the applicant that he/she may, within 14 days of receipt of the notice (excluding weekends and designated federal holidays), respond in writing or request to meet with Management to discuss the notice.

**B. Review of Rejected Applications**

The applicant will have 14 days (excluding weekends and designated federal holidays) to respond in writing or request a meeting to discuss the rejection. Any meeting with the applicant or review of the applicant's written response will be conducted by a member of Management's staff who did not participate in the decision to reject the applicant.

If the applicant appeals the rejection, the applicant will be given a final written decision from Management within five days (excluding weekends and designated federal holidays) of the applicant's written response or meeting. If the decision is reversed, the applicant will be offered a suitable vacant unit. If no such unit is available, the applicant will be offered the next appropriate unit.

**XI. SPECIAL OCCUPANCY CATEGORIES**

Applicants will be interviewed and processed as authorized in **Sections V through VIII**, with exceptions made as follows:

**A. Persons with Disabilities**

An applicant with disabilities will be given priority for an accessible unit if such applicant deems that this type of unit is appropriate for their household.

If the household determines that the accessible unit is not appropriate for the household's needs, the household's name will be returned to its place on the Development's Waiting Lists, as applicable.

## **XII. NO SMOKING POLICY**

The premises known as Emmett Street Apartments is to be occupied by tenants and members of tenant's household has been designated a smoke-free living environment. Tenant and members of tenant's household shall not smoke anywhere in any interior or exterior areas of the property. This policy applies to all tenants, guests, visitors, service personnel and employees. Tenants are responsible for the actions of their households, their guests and visitors. If a tenant, member of the tenant's household, a guest or visitor of the tenant is observed in violation of this **No Smoking Policy**, it will constitute both non-compliance of a material provision of the tenant's Lease Contract and a serious violation of the Lease Contract.

## **XIII. FIREARMS POLICY**

The Emmett Street Apartments are firearms free properties. The Owner prohibits displaying, controlling, using, or possessing any firearms, ammunition, or other weapons anywhere on or near its properties by applicants, tenants and guests. Unless required by lawful employment and obtained in accordance with law; firearms, ammunition, or other weapons are strictly prohibited on or near the Owner's properties.

## **XIV. POST SELECTION TENANCY REQUIREMENTS**

### **A. Annual Recertification Requirements**

Owners are required to conduct and tenants are required to submit to a recertification of household income and composition at least annually (applicable per program guidelines). Owners must then recalculate the tenants' rents and assistance payments, if applicable, based on the information gathered.

Owner must inform tenants, through written notices, about the tenants' responsibility to provide information about changes in family income or composition necessary to properly complete an annual recertification. These notices include information on the recertification process, requirements, and timelines.

### **B. Interim Recertification Requirements**

To ensure that assisted tenants pay rents commensurate with their ability to pay, tenant must supply information required 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. An adult member of the family who was reported as unemployed on the most recent certification or recertification obtains employment; or
4. The families' income cumulatively increases by \$200 or more per month. In addition, tenants may request an interim recertification due to any changes occurring since the last recertification that may affect their total tenant payment or tenant rent and assistance payment for the tenant, including decreases in income, increases in allowances (i.e., increases medical expenses and higher child care costs), and other changes affecting the calculation of a family's annual or adjusted income including but not limited to a family member turning 62 years old, becoming a full-time student, or becoming a person with a disability. Rev. 10/13/2015 pg. 26

### **C. Unit Inspections**

#### **1. Move-In Inspection**

Owner will perform a move-in inspection with tenant prior to execution of a lease using a form to indicate the condition of the unit. The move-in inspection form must be attached to and made a part of the lease agreement. The condition of the unit must be decent, safe, sanitary, and in good repair. If cleaning or repair is required the Owner must specify on the inspection form the date by which the work will be completed. The date must be no more than 30 days after the effective date of the lease. Both the Owner and tenant must sign and date the inspection form. The tenant has 5 days to report any additional deficiencies to the Owner to be noted on the move-in inspection form.

2. **Move-Out Inspection**

Owner will complete a move-out inspection with tenant, if the tenant is available and willing to participate. Upon a tenant's request, he/she must be allowed to attend the move-out inspection conducted by Owner. If a tenant does not wish to participate, the Owner may do the inspection alone. If an Owner determines that the unit is damaged as a result of tenant abuse or neglect, Owner may use the security deposit to cover repair costs in compliance with all applicable local and state laws.

3. **Housekeeping Inspections**

Owner reserves the right to conduct annual inspections as part of the annual recertification process. In addition, where there is reasonable cause to believe that tenant has poor or unsafe housekeeping habits, Owner reserves the right to conduct periodic inspections to ensure that the housing remains decent, safe, and sanitary.

D. **Implementation of House Rules**

The Owner has established written House Rules which are an attachment to every lease agreement. These House Rules shall be compliant with HUD requirements and will not discriminate against individuals based upon membership in any federal, state or local protected class. (See Section E - 2 on page 4 for a list of protected classes).

Owners must give tenants written notice 30 days prior to implementing any new house rules.

XV. **AMENDING THE TENANT SELECTION PLAN**

This Plan may be amended only with the prior written approval of the Organization.

**XVI. CERTIFICATION**

By signing this Plan, Management certifies that the contents of this Plan will be followed as written, and that no other Tenant Selection Plan has been executed for the Development at this time, or will be executed in the future without written approval from the Illinois Housing Development Authority.

**Counterparts and Electronic Signatures.** This Plan may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. A signed copy of this Plan transmitted by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Plan.

**MANAGEMENT:**

Entity Name: Bickerdike Apartments, LLC

Signature: \_\_\_\_\_

Print Name: Joy Aruguete

Title: Chief Executive Officer

Dated: \_\_\_\_\_

This Plan is acknowledged and agreed to.

**OWNER:**

Entity Name: Emmett Apartments, LP

Signature: \_\_\_\_\_

Print Name: Joy Aruguete

Title: Secretary/Treasurer

Dated: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# EXHIBIT A

## RENT STRUCTURE

# of Units	Unit Type	Market Rate	Low-Income	Very Low-Income	Utility Allowance
	Studio				
	1 Bedroom				
	2 Bedroom				
	3 Bedroom				
	4 Bedroom				
	5 Bedroom				

**NOTE:** The rents shown above are the initial rents for the development. After the initial rents, this exhibit will be replaced with a copy of the most recently approved Rent Schedule for the Development.

**EXHIBIT B**

**LEASE ADDENDUM FOR ACCESSIBLE UNIT AVAILABILITY**

This addendum to the Lease Agreement between \_\_\_\_\_  
(Lessor)

and \_\_\_\_\_  
(Lessee)

entered into a lease agreement on \_\_\_\_\_.  
(Date)

In order to comply with Section 8.27 of Section 504 of the Rehabilitation Act of 1973, the landlord or its agent must first lease vacant accessible units to current occupants requiring accessibility features of the vacant unit and occupying a unit not having such features. If no such occupants exist, the unit would be leased to an eligible qualified applicant on the waiting list, who requires the accessibility features of the vacant unit. When offering an accessible unit to an applicant not having handicaps requiring the accessibility features of the unit, the landlord must require the applicant to agree to move to a non-accessible unit when available.

The resident noted above has been offered an accessible unit and does not have handicaps requiring such a unit. The resident noted above hereby agrees, upon request of the landlord to transfer to a non-handicapped accessible unit to accommodate a person or person(s) on the wait list who have required such an accessible unit. The resident noted above will be responsible for all moving expenses they incur.

Agreed to this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
(Lessor)

Date Signed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
(Lessee)

Date Signed: \_\_\_\_\_

**Accepted:**

\_\_\_\_\_  
\_\_\_\_\_  
Owner or its Agent

Date Signed: \_\_\_\_\_

## EXHIBIT C

### VERIFICATION OF PREFERENCE STATUS

Dear \_\_\_\_\_:

\_\_\_\_\_ (Applicant) SSN# \_\_\_\_\_,

has applied for housing at \_\_\_\_\_ and has indicated that they are eligible for a housing preference given the following circumstance:

**1. State Preferences**

- A.  Displaced from an urban renewal area.
- B.  Displaced by a disaster, such as a fire or flood, that resulted in extensive damage or has destroyed the unit.
- C.  Displaced by an activity carried on by an agency of the United States or by any State or local government body or agency.

**2. Former Federal Preferences**

- A.  An action by an owner which resulted in the applicant's having to vacate his/her unit where:
  - \* the reason for the owner's action is beyond the applicant's ability to control or prevent.
  - \* the action occurred despite the applicant's having met all previously imposed conditions of occupancy.
  - \* the action taken is other than a rent increase.
- B.  Actual or threatened physical violence directed against applicant or one or more members of the applicant's household by a spouse or other member of the applicant's household; or, the applicant lives in a housing unit with such an individual who engages in such violence
- C.  Applicant is living in substandard housing because:  
\_\_\_\_\_
- D.  Applicant lacks a fixed, regular, and adequate nighttime residence.
- E.  Applicant is paying \$\_\_\_\_\_ in monthly rent which is greater than 50% of the household income.

In order to determine the preference status, we are required to verify the preference. Therefore, we would appreciate your completing the certification below and returning this form in the enclosed envelope. This information will be used only for purpose of determining the preference for this applicant.

Sincerely,

I hereby authorize the release of the requested information.

\_\_\_\_\_  
Property Manager

\_\_\_\_\_  
Signature of Applicant

-----  
(Please complete items below, sign and date).

I verify that \_\_\_\_\_ (Applicant's) current living situation meets  
\_\_\_\_\_ preference(s) as cited on the previous page.

Firm or Agency Name \_\_\_\_\_

\_\_\_\_\_  
Signature

Print Name \_\_\_\_\_

Title \_\_\_\_\_

Firm or Agency Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Date \_\_\_\_\_

# EXHIBIT D

## REJECTION LETTER FOR PREFERENCES

Re: \_\_\_\_\_ Apartments

Dear \_\_\_\_\_:

In your recent application for \_\_\_\_\_ Apartments, you indicated that you qualify for the following preference(s):

- Displaced from an urban renewal area.
- Displaced by a disaster, such as a fire or flood, that resulted in extensive damage or has destroyed the unit.
- Displaced by an activity carried on by an agency of the United States or by any State or local government body or agency.
- (List the preferences adopted by the owner)

After reviewing the documentation, which you submitted, we regret to inform you that you do not meet the criteria for receiving a preference based on the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_

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).

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

\_\_\_\_\_  
Telephone (voice)

\_\_\_\_\_  
Telephone (TDD)

If you feel this decision has been made in error and wish to provide additional documentation, please contact the rental office at \_\_\_\_\_ (voice) or \_\_\_\_\_ (TDD).

Sincerely,

Property Manager

# **EXHIBIT E**

## **APPLICANT INQUIRY**

Date: \_\_\_\_\_

Dear \_\_\_\_\_:

Thank you for your initial inquiry regarding housing at \_\_\_\_\_. Residents will be selected only from those eligible persons who make formal application. We had numerous inquiries for our apartments.

We are now accepting pre-application cards from interested households. If you are still interested in living at \_\_\_\_\_, please return the enclosed pre-application card by mail as soon as possible.

You may be eligible for a preference if one of the following conditions applies to you have been displaced: from an urban renewal area; by a disaster, such as a fire or flood, or by an activity carried on by an agency of the United States or by any State or local government body or agency. (Also list the preferences adopted by the owner). Households qualifying for a preference will receive assistance before any other applicant households that are not so qualified. If you feel you qualify for a housing preference, complete the appropriate certification form attached to this letter and return it along with your pre-application card by mail.

For households not claiming housing preference, screening will be conducted according to the order in which the pre-application cards were received.

Interviews will be conducted at \_\_\_\_\_. Leasing personnel will be unable to see applicants prior to their scheduled interview. If you have any questions, we will be happy to answer them at the time of your interview.

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).

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

\_\_\_\_\_  
Telephone (voice)

\_\_\_\_\_  
Telephone (TDD)

Sincerely,

Property Manager

# EXHIBIT F

## PRE- APPLICATION CARD

Date Received: \_\_\_\_\_ Time Received: \_\_\_\_\_

Interested person for  1 BR  2 BR  3 BR  other \_\_\_\_\_  
(Check all that apply)

Name (Head of Household): \_\_\_\_\_

Address: \_\_\_\_\_

Phone (Home): \_\_\_\_\_ Phone (Work): \_\_\_\_\_

Cell phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Would you be interested in a handicapped accessible unit?  Yes  No

Do you feel you qualify for a housing preference?  Yes  No

Do you live/work in the \_\_\_\_\_ Community?  Yes  No

Annual Household Income: \$ \_\_\_\_\_ Date Apartment Needed? \_\_\_\_\_

Household data: Please list all persons who will occupy the unit:

<u>Name</u>	<u>Age</u>	<u>Relationship</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

### Optional and for Federally Subsidized Programs ONLY.

<b>ETHNICITY:</b>	<input type="checkbox"/> Hispanic or Latino	<input type="checkbox"/> Non-Hispanic or Non-Latino
<b>RACE:</b>	<input type="checkbox"/> Caucasian	<input type="checkbox"/> African American
	<input type="checkbox"/> Asian	<input type="checkbox"/> American Indian or Alaskan
	<input type="checkbox"/> Native	<input type="checkbox"/> Native Hawaiian or Other Pacific Islander



# EXHIBIT H

## SAMPLE WAITING LIST

Date Rec'd	Time Rec'd	Head of Household	Unit Size	Income Level			Need for Accessible Unit		Comment/Contact	Remove/Rejected Date	Move-in Date	Preference Type
				EL	VL	L	Y	N				
12/3/01	10:30 AM	Mary Tate	2	X				X			Working household preference; Elderly Preference	
12/4/01	1:00 PM	Hiroshi Kihara	2		X		X					

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# EXHIBIT I

## WAITING LIST UPDATE

Date: \_\_\_\_\_

Dear \_\_\_\_\_:

We are currently in the process of updating our waiting list for \_\_\_\_\_

\_\_\_\_\_. Some time ago, you expressed an interest in living at our development, and your name was placed on the waiting list.

If you are still interested in living at \_\_\_\_\_,

enclosed is a card that must be returned to \_\_\_\_\_, management office, within 15 days (excluding weekends and designated Federal Holidays). Failure to return this information within this time period will result in your name being permanently removed from the waiting list.

It is not necessary to call or come in to the office at this time, as we do not have anything immediately available.

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).

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

\_\_\_\_\_  
Telephone (voice)

\_\_\_\_\_  
Telephone (TDD)

Thank you for your interest in \_\_\_\_\_.

Sincerely,

Property Manager

**EXHIBIT J**

**REPLY CARD**

---

**I AM STILL INTERESTED IN LIVING AT**

---

DEVELOPMENT NAME

---

APPLICANT NAME

---

CURRENT ADDRESS

---

HOME PHONE#

---

WORK PHONE#

---

E-MAIL ADDRESS

---

CELL PHONE #

UNIT SIZE DESIRED

0 BR

1 BR

2 BR

3 BR

OTHER

# **EXHIBIT K**

## **WAITING LIST ACKNOWLEDGEMENT**

Date \_\_\_\_\_

Dear \_\_\_\_\_:

This letter is to acknowledge receipt of your waiting list update card. Currently you are on our  
\_\_\_\_\_ bedroom waiting list(s).

We do not have an exact time in which you will be contacted regarding an apartment; however, please remember to keep us advised of your current address and phone number.

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).

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

\_\_\_\_\_  
Telephone (voice)

\_\_\_\_\_  
Telephone (TDD)

Sincerely,

Property Manager

# **EXHIBIT L**

## **HOME VISIT REPORT**

Applicant Name \_\_\_\_\_

Current Address \_\_\_\_\_

- The person conducting the Home Visit report is employed by the Management
- The person conducting the Home Visit is a hired agent of the Management and is employed by \_\_\_\_\_

Person Conducting Home Visit \_\_\_\_\_

Date of Applicant's Tenancy in this Unit: From \_\_\_\_\_ To \_\_\_\_\_

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### **1. GENERAL CLEANLINESS**

A. Bedrooms, Living/Dining Room  Good  Acceptable

Explain: \_\_\_\_\_

B. Kitchen Appliances  Good  Acceptable

Explain: \_\_\_\_\_

C. Bathroom  Good  Acceptable

Explain: \_\_\_\_\_

D. Are there any cleaning supplies in the unit?  Yes  No

E. Is there evidence of vermin infestation?  Yes  No

Explain: \_\_\_\_\_

### **2. OTHER COMMENTS**

A. Did the applicant have any comments on the unit or its conditions?

\_\_\_\_\_

B. Other comments by staff

\_\_\_\_\_

### **3. I HAVE READ THE ABOVE HOME VISIT REPORT AND I AM AWARE OF ITS CONTENTS.**

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Inspector's Signature

Date \_\_\_\_\_

Date \_\_\_\_\_

# EXHIBIT M

## APPLICANT REJECTION

Date \_\_\_\_\_

Dear \_\_\_\_\_:

Thank you for your interest in renting an apartment at \_\_\_\_\_. After careful consideration and review of your application, we regret we are not able to accept your application for tenancy at this time for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_

If you wish to appeal this decision, please contact the \_\_\_\_\_

Management office at \_\_\_\_\_ (voice) or \_\_\_\_\_ (TDD) within 14 days of the date of this letter (excluding weekends and designated federal holidays) to schedule an appointment.

Regardless of whether or not you decide to respond to this notice, you may still exercise other avenues of relief available to you if you believe that you have been discriminated against on the basis of race, color, creed, religion, sex, national origin, age, familial status, ancestry, unfavorable military discharge, marital status, receipt of governmental assistance, handicap, sexual orientation, or gender identity.

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).

\_\_\_\_\_  
\_\_\_\_\_  
Name

\_\_\_\_\_  
\_\_\_\_\_  
Address

\_\_\_\_\_  
\_\_\_\_\_  
City

\_\_\_\_\_  
\_\_\_\_\_  
State

\_\_\_\_\_  
\_\_\_\_\_  
Zip

\_\_\_\_\_  
\_\_\_\_\_  
Telephone (voice)

\_\_\_\_\_  
\_\_\_\_\_  
Telephone (TDD)

Sincerely,

Property Manager

# **ADDENDUM 1**

## **SOCIAL SECURITY NUMBER REQUIREMENTS**

The head of household/spouse/co-head must disclose social security numbers (SSN's) for all household members. In addition, applicants must provide adequate documentation or acceptable evidence of the SSN including any of those listed below:

- Original Social Security card
- Driver's license with SSN
- Identification card issued by a federal, state or local agency, a medical insurance provider, or an employer or trade union
- Earnings statements on payroll stubs
- Bank statement
- Form 1099
- Benefit award letter
- Retirement benefit letter
- Life insurance policy
- Court records

Applicants do not need to disclose or provide verification of a SSN to be placed on the waiting list; however applicants must disclose a SSN and provide adequate documentation to verify each SSN for all non-exempt household members before they can be housed.

If household members have not disclosed and/or provided verification of the SSN at the time a unit becomes available, the next eligible applicant must be offered the available unit.

The applicant who has not provided required SSN has 90 days from the date they are first offered an available unit to disclose/verify the SSN. During this 90-day period, the applicant may retain its place on the waiting list. After 90 days, if the applicant has been unable to supply the SSN documentation the applicant will be determined ineligible and removed from the waiting list. An additional 90 days will be granted if the failure to provide documentation of a SSN is due to circumstances that are outside the control of the applicant.

Individuals who have applied for legalization under the Immigration and Reform Control Act of 1986 will be able to disclose their SSN, but unable to supply the cards for documentation. SSN are assigned to these persons when they apply for amnesty. The cards are forwarded to the Department of Homeland Security (DHS) until the persons are granted temporary lawful resident status. Until that time, their acceptable documentation is a letter from the DHS indicating social security numbers have been assigned.

## **ADDENDUM 2** **(Section 811 Only)**

### **ENTERPRISE INCOME VERIFICATION (EIV)**

HUD has developed a web-based computer system containing employment and income information on individuals participating in HUD's rental assistance programs.

The EIV system provides the owner and/or manager of the property with income information and employment history for applicants and residents. This information is used to meet HUD's requirement to independently verify employment and/or income when applicants certify for rental assistance.

This development will use EIV to perform an Existing Tenant Search Report for all applicants. This report identifies applicants applying for assisted housing that may be receiving rental assistance at the time of application processing at another location.

Owners/Agents must:

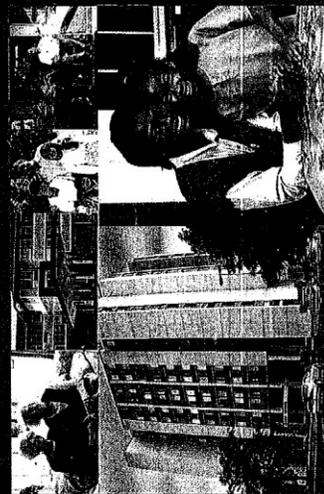
1. Run this report at the time they are processing an applicant for admission to determine if the applicant or any applicant household members are currently being assisted at another Multifamily Housing or Public and Indian Housing (PIH) location.
2. Provide a copy of the handout "EIV & You" (see attached) for all new applicants.



**RENTAL HOUSING INTEGRITY IMPROVEMENT PROJECT**

# EIV & You

**ENTERPRISE INCOME VERIFICATION**



**What YOU Should Know  
if You are Applying for or are Receiving  
Rental Assistance through the Department of  
Housing and Urban Development (HUD)**

## What is EIV?

EIV is a web-based computer system containing employment and income information on individuals participating in HUD's rental assistance programs. This information assists HUD in making sure "the right benefits go to the right persons".



## What income information is in EIV and where does it come from?

- Social Security Administration:
  - Social Security (SS) benefits
  - Supplemental Security Income (SSI) benefits
  - Dual Entitlementment SS benefits

The Department of Health and Human Services (HSS) National Directory of New Hires (NDNH):

- Wages
- Unemployment compensation
- New Hire (W-4)

## What is the information in EIV used for?

The EIV system provides the owner and/or manager of the property where you live with your income information and employment history. This information is used to meet HUD's requirement to independently verify your employment and/or income when you recertify for continued rental assistance. Getting the information from the EIV system is more accurate and less time consuming and costly to the owner or manager than contacting your income source directly for verification.

Property owners and managers are able to use the EIV system to determine if you:

- correctly reported your income

They will also be able to determine if you:

- Used a false social security number
- Failed to report or under reported the income of a spouse or other household member
- Receive rental assistance at another property

## Is my consent required to get information about me from EIV?

Yes. When you sign form HUD-9887, Notice and Consent for the Release of Information, and form HUD-9887-A, Applicant's/Tenant's Consent to the Release of Information, you are giving your consent for HUD and the property owner or manager to obtain information about you to verify your employment and/or income and determine your eligibility for HUD rental assistance. Your failure to sign the consent forms may result in the denial of assistance or termination of assisted housing benefits.

## Who has access to the EIV information?

Only you and those parties listed on the consent form HUD-9887 that you must sign have access to the information in EIV pertaining to you.

## What are my responsibilities?

As a tenant in a HUD assisted property, you must certify that information provided on an application for housing assistance and the form used to certify and recertify your assistance (form HUD-50059) is accurate and honest. This is also described in the *Tenants Rights & Responsibilities* brochure that your property owner or manager is required to give to you every year.



#### Penalties for providing false information

Providing false information is fraud. Penalties for those who commit fraud could include eviction, repayment of overpaid assistance received, fines up to \$10,000, imprisonment for up to 5 years, prohibition from receiving any future rental assistance and/or state and local government penalties.

#### Protect yourself, follow HUD reporting requirements

When completing applications and recertifications, you must include all sources of income you or any member of your household receives. Some sources include:

- Income from wages
- Welfare payments
- Unemployment benefits
- Social Security (SS) or Supplemental Security Income (SSI) benefits
- Veteran benefits
- Pensions, retirement, etc.
- Income from assets
- Monies received on behalf of a child such as:
  - Child support
  - AFDC payments
  - Social security for children, etc.

If you have any questions on whether money received should be counted as income, ask your property owner or manager.

When changes occur in your household income or family composition, immediately contact your property owner or manager to determine if this will affect your rental assistance.

Your property owner or manager is required to provide you with a copy of the fact sheet "How Your Rent is Determined" which includes a listing of what is included or excluded from income.



#### What if I disagree with the EIV information?

If you do not agree with the employment and/or income information in EIV, you must tell your property owner or manager. Your property owner or manager will contact the income source directly to obtain verification of the employment and/or income you disagree with. Once the property owner or manager receives the information from the income source, you will be notified in writing of the results.

#### What if I did not report income previously and it is now being reported in EIV?

If the EIV report discloses income from a prior period that you did not report, you have two options: 1) you can agree with the EIV report if it is correct, or 2) you can dispute the report if you believe it is incorrect. The property owner or manager will then conduct a written third party verification with the reporting source of income. If the source confirms this income is accurate, you will be required to repay any overpaid rental assistance as far back as five (5) years and you may be subject to penalties if it is determined that you deliberately tried to conceal your income.

#### What if the information in EIV is not about me?

EIV has the capability to uncover cases of potential identity theft; someone could be using your social security number. If this is discovered, you must notify the Social Security Administration by calling them toll-free at 1-800-772-1213. Further information on identity theft is available on the Social Security Administration website at: <http://www.ssa.gov/pubs/10064.html>.

#### Who do I contact if my income or rental assistance is not being calculated correctly?

First, contact your property owner or manager for an explanation.

If you need further assistance, you may contact the contract administrator for the property you live in, and if it is not resolved to your satisfaction, you may contact HUD. For help locating the HUD office nearest you, which can also provide you contact information for the contract administrator, please call the Multifamily Housing Clearinghouse at: 1-800-685-8470.



#### Where can I obtain more information on EIV and the income verification process?

Your property owner or manager can provide you with additional information on EIV and the income verification process. They can also refer you to the appropriate contract administrator or your local HUD office for additional information.

If you have access to a computer, you can read more about EIV and the income verification process on HUD's Multifamily EIV homepage at: [www.hud.gov/offices/hsg/mfh/rhip/eiv/eivhome.cfm](http://www.hud.gov/offices/hsg/mfh/rhip/eiv/eivhome.cfm).



JULY 2009

**ADDENDUM 3**

**Housing Choice Voucher Program  
Administrative Plan**

DRAFT