

# TENANT SELECTION PLAN

Jazz On the Boulevard  
DEVELOPMENT NAME

4657 S Drexel Blvd, Chicago IL 60653 ( scattered Site)  
DEVELOPMENT ADDRESS

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# TENANT SELECTION PLAN FOR FEDERALLY SUBSIDIZED DEVELOPMENTS (For Section 8 and 236 developments)



IHDA Identification Number: HTF-1634

Jazz on the Boulevard  
"Development"

Drexel Jazz Limited Partnership (DJLP)

Owner's Name (the "Owner")

Heartland Housing Inc.  
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.

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

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 (Check the one that applies)

☒ The Development is not designated as housing exclusively for any particular tenant type. (This would typically include those developments known as "Family")

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

☐ Elderly

☐ Family & Special Needs

☐ Special Needs Family

☐ Elderly & Special Needs

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) Families of of CHA PH Waitinglist

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

- |  |   |
|--|---|
| <input type="checkbox"/> Battered Women  | <input type="checkbox"/> Developmentally Disabled |
| <input type="checkbox"/> Disabled  | <input type="checkbox"/> Physically Disabled      |
| <input type="checkbox"/> HIV/AIDS  | <input type="checkbox"/> Ex-offenders             |
| <input type="checkbox"/> Homeless  | <input type="checkbox"/> Substance Abusers        |
| <input type="checkbox"/> Foster Care Families  | <input type="checkbox"/> Mentally Ill             |
| <input type="checkbox"/> Transient Families  |   |
| <input checked="" type="checkbox"/> Other (please describe) <u>Families of of CHA PH Waitinglist</u> |   |

### C. Unit Distribution

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

The Development will offer \_\_\_\_\_ 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

\_\_\_\_\_ Units at \_\_\_\_\_ % Median income

\_\_\_\_\_ Units at \_\_\_\_\_ % Median income

\_\_\_\_\_ Units at \_\_\_\_\_ % Median income

\_\_\_\_\_ Units at \_\_\_\_\_ % Median income

\_\_\_\_\_ Manager unit(s)

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

<u>Per Regulatory Agreement</u>				<u>Per Extended Use Agreement (if applicable)</u>			
<u>0</u>	Market rate units			_____	Market rate units		
<u>24</u>	Units at	<u>60%</u>	Median income	<u>24</u>	Units at	<u>60%</u>	Median income
<u>15</u>	Units at	<u>50%</u>	Median income	<u>15</u>	Units at	<u>50%</u>	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, age, 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, or unfavorable discharge from military service.

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**

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: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

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

**6. 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.

**7. Violence Against Women and Justice Department Reauthorization Act of 2005 (for Section 8 developments only)**

Violence Against Women and Justice Department Reauthorization Act of 2005 (VAWA 2005) 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 are encouraged to carefully evaluate abuse claims as to avoid conducting an eviction based on false or unsubstantiated accusations.

## 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. 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.

#### 2. 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.

#### 3. 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) Former Federal Preferences ☐ Order # \_\_\_\_\_
- b) HUD Pre-approved Preferences
  - i. Preference for Working Families ☐ Order # \_\_\_\_\_
  - ii. Preference for Persons with Disabilities ☐ Order # \_\_\_\_\_
  - iii. Preference for Victims of Domestic Violence ☐ Order # \_\_\_\_\_
  - iv. Preference for elderly, displaced, homeless, or disabled single person over other single persons ☐ Order # \_\_\_\_\_
- c) Residency Preferences (with HUD approval) ☐ Order # \_\_\_\_\_

- d) Local Preference (as established by PHA) ☐ Order # \_\_\_\_\_
- e) Existing Tenant Transfers (other) ☐ Order # \_\_\_\_\_  
including, but not limited to a change in household composition, a deeper rent subsidy, or for medical reasons certified by a doctor.

**B. Verification of Preference**

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:

\_\_\_\_\_

**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 inquires 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**

**A. Creation of 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.

**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 apartments 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 14 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.*)

Management will contact applicants through the following process to schedule and intake interview: Management will contact the applicant via telephone at least three (3) times within a forty-eight (48) hours time period.

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 \_\_\_\_ 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)

If the applicant cannot be reached, a letter shall be sent by pre-paid First Class mail to the applicant requesting a date and time for an interview. If the applicant does not respond within ten ( 10) business days from the date Management sent its letter, then the applicant forfeits the opportunity to apply for the available unit, but will remain at the top of the applicable Waiting List. When a second unit becomes available, Management will send another letter to the applicant. If the applicant does not respond to the second letter, Management will deem the applicant inactive and remove the applicant from the applicable Waiting List.

2. If an applicant refuses a unit, the applicant remains at the top of the applicable Waiting List. Management will send a letter to the applicant stating that after a second refusal of an available unit Management will remove the applicant from the applicable Waiting List and place the applicant in the inactive file.

3. When an interview is scheduled, but the applicant fails to attend, Management will attempt to contact the applicant by telephone. Management will telephone the selected applicant three (3)

times within a forty-eight ( 48) hour period. If there is no contact made with the selected

applicant. Management will place the applicant in the inactive file. However, if Management does

contact the applicant and the applicant had good cause to miss the interview, such as illness or

accident, then 1 Gautreaux v. CHA et al., No. 66 C 1460, and the consent decree thereunder was

terminated in 1997.

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Management will schedule another appointment. If the applicant again fails to attend the interview,

Management will place the applicant in the inactive file.

4. Management will document all of its attempts at contacting the applicant (Exhibit F)\_\_\_\_\_

- 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 7 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 \_\_\_\_ 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)

Following the completion of initial interviews, the applicable Waiting List will be updated at least once every twelve (12) months in the following manner: Management will send a letter to each applicant on the applicable Waiting List (Exhibit G). The letter will inform the applicant to return the included Reply Card (Exhibit H), if the applicant still wants to live at the Development. The applicant will have fifteen ( 15) business days from the date Management sent its letter to respond. If Management receives no response, Management will place the applicant in the inactive file and send a letter informing the applicant of this action (Exhibit I). Management will remove names of applicants for the following reasons:

1. Applicants who do not respond to the Management's request to attend meetings or provide and/or update information. When an interview is scheduled, but the applicant fails to attend, Management will telephone the selected applicant three (3) times within a forty-eight (48) hour period. If there is no response from the applicant after three (3) attempts within forty-eight (48) hours, the applicant's name will be determined inactive and removed from the applicable Waiting List.

2. Applicants whose correspondence the U.S. Postal Service marked as "Undeliverable."

3. Applicants who have not returned a completed application within ten (10) business days from the date Management provided an application. Applicants with unusual circumstances may request, in writing, an extension of time, which Management can grant at its discretion.

4. Applicants who Management determines are former tenants that owe money to the Development. Management will place these applicants on the applicable Waiting List only after the applicant has paid the debt.

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:

1. Waiting List for Affordable Housing Units

Once the number of Pre-Application Cards for a unit size equals three times the number of Units for that size inside the Development or if the Development has attained ninety-five percent (95%) occupancy, then Management does not have to accept any additional Pre-Application Cards

Maximum Pre-Application Cards per unit size

30.-1 Bedroom

36 - 2 Bedrooms

24- 3 Bedrooms

2. Waiting List for PH-Assisted Units

Once the number of persons CHA provides to Management from the RMTS database equals three times the total number of units for size inside the Development or if all of the PH-Assisted units are rented, then Management does not have to accept any additional persons from CHA RMTS database. As PH-Assisted units undergo turnover, Management will notify the CHA - CHA will provide Management with a list of households that are next in terms of priority according to the Relocation Rights Contract for the Development.

Unit Size Maximum Persons from RMTS Database

1 Bedroom 27

2 Bedrooms 27

3 Bedrooms 27

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):

27Skyline Pioneer Press  
Chicago Sun Times  
Chicack Tribune

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 how to apply, will be placed in the following publications:

27Skyline Pioneer Press  
Chicago Sun Times  
Chicago Tribune

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

1. Waiting List for Affordable Housing Units

If, based on the maximum number of Pre-Application Cards, it is anticipated that all persons who have submitted Pre-Application Cards for a specific unit size and income tier will be housed within the next twelve {12} months, the Waiting List for that unit size and income tier only will be reopened and Pre-Application Cards will again be accepted. Management will present the notice of the reopening of the Waiting List to the public through marketing efforts outlined in the Affirmative Fair Housing Marketing Plan.

2. Waiting List for PH-Assisted Units

If Management anticipates that all persons provided by CHA from the RMTS database will be housed within the next twelve (12) months, then Management will reope- the Waiting List for PH-Assisted Units by seeking additional persons from the RMTS database.

**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.  
☐ A criminal background search will not be obtained.
4. Verification of employment, income, bank accounts, and other assets, etc., is required as applicable for each applicant.
5. Verification of previous housing, for 0 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. Proof of citizenship status for all members of the household is required.
7. Verification of Social Security Numbers for all members of the household is required.
8. Other: Affordable Units: Management will schedule interviews with applicants in accordance with the procedure outlined in Section (V)(B). If Management determines based on the information provided in the Pre-Application Card that a prospective applicant may be eligible and a unit is available, Management will have the prospective applicant complete a rental application at the Management office. Management will use the applicants household above the age of 18 to sign the rental application and Release Forms authorizing Management or a third party under contract with Management to determine if the Applicant satisfies the Owner's



Screening Criteria. Applicants will pay a non-refundable Credit and Background check fee of thirty (\$30) dollars for each household member 18 years or older. Management will conduct credit and background checks, including a criminal report, that covers the past ten (10) years

9. PH-Assisted Units: Management will schedule interviews for applicants for PH-Assisted Units in accordance with the procedure outlined in Section (V)(B). Applicants for PH-Assisted units will complete a rental application at the Management office. All members of the applicant household above the age of 18 must attend the interview. Management will require all members of the applicant household above the age of 18 to sign the rental application and release forms authorizing Management or a third party under contract with Management to determine if the applicant satisfies the Selection and Rejection Criteria in Section (IX). CHA ensures that applicants for the PH-Assisted units from the RMTS database will have already gone through a credit and background check, including a criminal report, that covers the past three (3) years.
10. Management will pay any additional costs for any credit or background checks on applicants for the PH-Assisted Units beyond three (3) years.
11. Background checks, including a criminal report that covers the past ten (10) years. Obtain copies of birth certificates for all household members.
12. Determine anticipated total annual income from all sources received by the household head and spouse, even if temporarily absent, and by each additional household member, including all net income derived from net family assets. Management will consider only the income the household anticipates obtaining in the twelve months preceding the date of the rental application. If it is not feasible to anticipate a level of income over a 12-month period, Management will annualize the income anticipated for a shorter period. In the event anticipated income is zero, Management will require a notarized statement signed by all household members age 18 years or older demonstrating that no income is coming into the household.

**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 \_\_\_\_\_ 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. Income Targeting – (Applicable Only to the Section 8 Project Based Program)**

1. ☒ The Development is not required to comply with the Income Targeting requirement.  
☐ The Development is required to comply with the Income Targeting requirement.
2. The method with which to achieve this requirement is selected below:

(check the one that applies)

- ☐ Admit only extremely low-income applicants until the requirement is met. In chronological order, select eligible applicants from the Waiting List whose incomes are at or below the extremely low-income limit to fill the first 40% of expected vacancies in the Development. Once the Development has achieved the 40% target, admit applicants in the Waiting List order.
- ☐ Alternate between the first extremely low-income applicant on the Waiting List and the applicant at the top of the Waiting List. To implement this method, select the first extremely low-income applicant on the Waiting List (bypassing applicants on the Waiting List with higher incomes) for the next available unit. Then the next eligible applicant currently at the top of the Waiting List (regardless of income level) for the next available unit. As subsequent units become available, tenant selection continues to alternate between the next extremely low-income applicant and the eligible applicant at the top of the Waiting List until the 40% target is reached.
- ☐ Alternate between the first extremely low-income applicant on the Waiting List and the applicant at the top of the Waiting List in groups of 10. In chronological order, admit the first 4 extremely low-income households from the Waiting List and then admit the next 6 households from the top of the Waiting List, regardless of income. This procedure results in 40% or more of admissions being extremely low-income. After filling the first 10 available units, again admit the first 4 extremely low-income households on the Waiting List and then the next 6 households currently at the top of the Waiting List.

**C. Sole Residence**

The unit must be the applicant's sole residence in order for the applicant to be eligible for housing.

**D. Citizenship Requirements**

Only applicants and tenants who are either United States citizens or eligible non-citizens may benefit from federal rental assistance. Specifics regarding citizenship requirements and the documentation process are provided in **Addendum 1** attached to this Plan.

**E. Certification of Social Security Numbers**

The head of household/spouse/co-head must disclose Social Security Numbers for all household members. If no Social Security Numbers have been assigned to a particular household member, applicants must sign a certification stating that no Social Security Numbers has been assigned. An explanation of required documentation and provisions for accepting applicants without proper documentation is provided in **Addendum 2** attached to this Plan.

**F. Student Eligibility Requirements (for Section 8 only)**

For the household to be eligible for assistance, any person residing in the Unit who attends an institute of higher learning (full or part-time) must be one of the following:

2. A dependent of the head of household
3. Over age 23
4. A veteran
5. Married to another person residing in the Unit
6. A parent with dependent child(ren) who are also residing in the Unit
7. A disabled individual who was receiving rental assistance prior to November 30, 2005
8. Independent from parents or have parents who are income-eligible for Section 8



assistance

NOTE: To prove that a person aged 18-23 is "Independent", an owner must verify (and document) that the student meets all of the following criteria:

1. Is of legal contract age under state law,
2. Has established a separate household from parents for at least a year or meets the U.S. Department of Education definition of an independent student\*,
3. Is not claimed on parents' tax return, and
4. Receives (or does not receive) financial help from parents?

If the student is not "Independent", then the parents must be income-eligible for Section 8. The parents may sign a self declaration and certification of income. They must be below the applicable HUD income limit. The income limit that will be used is:

If the parents live in the U.S. - income limit for the country that the parents live in.  
If the parents live outside the U.S. - limit where the property is.

\* U.S. Department of Education defines an independent student as:

To be classified as an independent student for Title IV aid, a student must meet one or more of the following criteria:

- be at least 24 years old by December 31 of the applicable award year for which aid is sought;
- be an orphan or a ward of the court or have been one until the age of 18;
- be a veteran of the U.S. Armed Forces;
- have legal dependents other than a spouse (for example, dependent children or an elderly dependent parent);
- be on active military duty for purposes other than training;
- be a graduate or professional student; or
- be married.

## **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:  
See Exhibit M

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. 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 bills) will be considered. 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 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 (Not applicable for Section 8 properties).
3. 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 \_\_\_% 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) current addiction to or engagement in the illegal use of a controlled substance.
  - b) any household containing a member(s) who was evicted in the last three years from federally assisted 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.
  - 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.

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

**D. Household Characteristics**

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

**E. Unsanitary Housekeeping**

Housekeeping will be considered because home visits are conducted (**See Section V.B**). 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.

**F. Exception to Rejection Criteria**

The development has adapted the following policy regarding Extenuating Circumstances: (Check the one that applies)

- ☐ Extenuating circumstances will not be considered.
- ☒ 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.

(For Section 8 developments only)

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

**IX. REJECTION PROCEDURES**

**A. Written Notification**

Each rejected applicant will be promptly notified in writing of the reason(s) for rejection (**Exhibit N**). 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.

**X. 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.

**XI. AMENDING THE TENANT SELECTION PLAN**

This Plan may be amended only with the prior written approval of the Illinois Housing Development Authority.

**XII. 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.

**MANAGEMENT:**

Entity Name: Heartland Housing, Inc.

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

Print Name: Kandyse McCoy-Cunningham

Title: Director of Property Management

Today's Date: 11/22/2015

**OWNER:**

Entity Name: Drexel Jazz Limited Partnership

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

Print Name: Michael Goldberg

Title: Secretary

Today's Date: 11/20/2015

This Plan is reviewed as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**ILLINOIS HOUSING DEVELOPMENT AUTHORITY:**

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

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

Title: \_\_\_\_\_



City of Chicago  
COMMISSION ON HUMAN RELATIONS

740 N. Sedgwick, Suite 400, Chicago, IL 60654  
Phone 312/744-4111, Fax 312/744-1081, TTY 312/744-1088  
[www.cityofchicago.org/humanrelations](http://www.cityofchicago.org/humanrelations)

## MILITARY STATUS DISCRIMINATION

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. The amendments apply to actions taken on or after March 16, 2016.

**Who is protected by the military status amendment?** 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 thereof. Former members of the military who are discriminated against on the basis of his/her military discharge status are also protected.

### **Examples of military status discrimination may include –**

- Name-calling or badmouthing a co-worker or subordinate employee about his military service
- Rejecting an employment application from a disabled veteran because the employer assumes that veteran might take too much time off work for medical reasons and increase the employer's medical insurance premiums
- Denying service to a uniformed military service member based on the business owner's objection to military involvement
- Rejecting a rental application from a veteran because the landlord assumes such a tenant may manifest violent episodes of post-traumatic stress disorder
- Refusing to accept rent payments from a service member who may be trying to pay her rent with her G.I. Bill's housing allowance

Employers may be held responsible for discriminatory conduct of supervisors and other agents. Discrimination against current and former members of the military may also violate state or federal laws prohibiting discrimination.

### **Penalties for violations of the Human Rights Ordinance include—**

- Fines of \$100 to \$1,000 per incident, paid to the City
- Damages and attorney fees, paid to the complaining party
- An injunction ordering specific actions to eliminate discriminatory practices
- Business license discipline

Anyone who has experienced discrimination in the City of Chicago may file a discrimination complaint at the Commission on Human Relations. The Commission investigates and rules on each discrimination complaint through a neutral process which allows each side the opportunity to support their positions.

For more information, see [www.cityofchicago.org/humanrelations](http://www.cityofchicago.org/humanrelations).

# HEARTLAND ALLIANCE HOUSING

## Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

### Emergency Transfers-Effective 06/14/2017

**Heartland Housing Inc.** is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA),<sup>1</sup> **Heartland Housing Inc.** allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.<sup>2</sup> The ability of **Heartland Housing Inc.** to honor such requests for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether Heartland Housing Inc. has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees that HUD-assisted properties are in compliance with VAWA. IHDA will assess VAWA compliance including but not limited to the Emergency Transfer Plan requirements during regular monitoring.

### Eligibility for Emergency Transfers

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

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

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

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

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

### **Emergency Transfers in Cases Where a Safe Unit Is Not Immediately Available**

If the **Heartland Housing Inc.** does not have a safe unit immediately available for an internal emergency transfer, the victim will be placed on the Emergency Transfer Waitlist, if the **Heartland Housing** chooses to create/manage such a waitlist. Tenants on the Emergency Transfer Waitlist, if it exists, will take precedence over applicants on other property waitlists.

If **Heartland Housing Inc.** has no safe and available units for which an existing tenant who needs an emergency transfer is eligible, a tenant may also request an External Emergency Transfer. A tenant may choose to pursue both an Internal and an External Transfer at the same time.

**Heartland Housing Inc.** will take the following steps to assist the tenant with an external emergency transfer.

- **Heartland Housing Inc.** will provide the victim with a list of other HUD-assisted Owner/Agents under IHDA's jurisdiction including unit size, preferences and contact information.
- At the tenant's request, **Heartland Housing Inc.** will assist tenants in contacting one or more of those providers.
- **Heartland Housing Inc.** will assist in arrangements with the other provider to facilitate the move. In particular, IHDA or Owner / Agent will request the tenant's permission to share tenant files with the other provider. If the tenant provides written consent to do so, and any applicable confidentiality requirements are met, **Heartland Housing Inc.** will share documentation from the tenant's current file in order to expedite a tenant's new application process.

If **Heartland Housing Inc.** is contacted by another Owner / Agent, or tenant of another provider's housing seeking an Emergency Transfer, **Heartland Housing Inc.** will take the following steps:

- Give the transfer priority over other kinds of transfer, second only to the priority for internal transfers and accessible units described below.
- Expedite the application / screening process using any documentation from the tenant's existing file that the other provider is able to make available.

In all cases of both Internal and External Emergency Transfer, **Heartland Housing Inc.** will give the victim the names, addresses, and phone numbers of domestic advocacy organizations that stand ready to assist VAWA victims on an emergency basis to help them.

### **Priority of VAWA Emergency Transfers over Other Categories of Emergency Transfer**

In general, **Heartland Housing Inc.** will prioritize needs of existing tenants over external transfers, and opportunities to maximize use of accessible units (see next section). The order for priority of VAWA Emergency Transfers will be as follows:

- First priority will go to Internal Emergency Transfers, including VAWA Emergency Transfers. Priority among VAWA Emergency Transfers and other non-VAWA Emergency Transfers will be evaluated on a case-by-case basis if such conflicts arise.



Addendum to Jazz on the Boulevard Tenant Selection Plan  
Includes all Chicago Housing Authority Requirements

### **I. General Info**

All units will be subject to the provision of the Federal Low Income Housing Tax Credit program. In order to meet the goals of a mixed income community, the Development will offer 39 rental units reserved for low and very low-income households in income tiers as follows:

# of Units	Residents
15	Public housing households with incomes no more than 50% of current area median income
15	Public housing households with incomes between 50% and 60% of current area median income
9	Households with incomes no more than 60% of current area median income
39	Total Units

The 30 units for public housing households are the "PH-Assisted Units," while the nine remaining units are "Affordable Housing Units." The following policies and procedures will apply to all applicants, whether for PH-Assisted Units or Affordable Housing Units, unless otherwise noted.

### **II. Marketing Procedures**

#### **A. Affirmative Marketing Requirements**

Management will initiate affirmative marketing efforts thirty (30) days before any other marketing efforts. Management will send a letter to the groups listed on the outreach section of the Development's Affirmative Fair Housing Marketing Plan stating that the marketing of the Development is commencing. This letter will also contain descriptive information about the Development and solicit tenant referrals (Exhibit A).

In addition to the outreach activities stated above, Management will publish a General Notification. General Notification is the placement of suitable advertisements in newspapers identified in the Development's Affirmative Fair Housing Marketing Plan. Management will publish the General Notification at the same time letters referenced above are sent. The General Notification will include the following items: name, address, telephone number of the rental office, the approximate date units will be available, and the size of the units available. In addition, all printed advertisements will include the Fair Housing too. The General Notification will also request that persons interested in living in the Development should contact Management to request a Pre-Application Card (Exhibit B).

#### **B. PH-Assisted Units**

The marketing of PH-Assisted Units will begin by notifying the prospective residents included in the CHA Resident Management Tracking System ("RMTS") database of the upcoming availability of units. If such notification does not yield a sufficient number of responses from CHA residents, Management will consider more extensive outreach measures. CHA will maintain the RMTS database and will be the primary source of prospective residents for PH Assisted Units. The CHA will provide Management with sufficient training and instruction materials such that Management can utilize the RMTS database in accordance with the terms of this Plan. All applicants provided by the RMTS database will be compliant with their current CHA lease.

### **III. Priority of Applicants**

#### **A. Priority of Applicants for PH-Assisted Units**

All admissions to the PHA-Assisted Units shall be in conformity with the 1995 Revised Agreement Regarding Former Residents of the Lakefront Properties and the Future Use of Those Properties dated September 22, 1995 (the "1995 Revised Agreement"), as modified and amended by that certain Order dated March 18, 2003 issued by the United States District Court for the Northern District Court of Illinois, Eastern Division (the "2003 Court Order") and the Tenant Selection Plan. The Authority will furnish to the Owner a list of persons who shall have first priority to be offered a replacement PHA-Assisted Unit at the Development in accordance with the Tenant Selection Plan, the 1995 Revised Agreement, the 2003 Court Order ("First Priority Applicants"), and the Relocation Rights Contract (Exhibit D), specifically subparagraph (4)(d).

#### **B. Priority of Applicants for Affordable Housing Units**

Management will give priority to applicants for the Affordable Housing Units who live or work in the immediate community and meet the "Selection and Rejection Criteria" outlined in Section (IX). The immediate community is Kenwood/Oakland. To obtain this priority, an applicant must provide documentation that demonstrates the applicant's current residence or the location of current employment is within the immediate community. Examples of acceptable verification are a residential lease, utility bill, voter registration card, etc. Management will also extend this priority given to working individuals to a household whose head, spouse, or sole member is age 62 or older and/or is receiving Social Security disability benefits or any other payment based on the individual's inability to work.

#### **IV. PRE-APPLICATION CARD PROCESSING**

##### **A. Distribution of Pre-Application Cards**

Management will provide a Pre-Application Card only to persons making inquiries about residing in Affordable Housing Units in the Development. Prospective residents from the CHA RMTS database do not have to complete a Pre-Application Card.

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

1. Management will file and log in order of receipt all returned Pre-Application Cards, indicating the time and date received. The Pre-Application Card log (Exhibit C) will indicate whether the applicant has a priority or has requested an accessible unit.
2. Management does not have to accept Pre-Application Cards after the date on which the Development reaches ninety-five percent (95%) occupancy and the applicable Waiting List has been closed.
3. Management will maintain on-site for a period of three years all Pre-Application Cards.

#### **V. WAITING LIST PROCEDURES**

##### **A. Definition of Waiting Lists**

###### **1. Waiting List for Affordable Housing Units**

Management will maintain a Waiting List for Affordable Housing Units. Applicants who submitted Pre-Application Cards, but who Management did not contact for an interview or reject will receive a letter stating they are on a Waiting List and their position on the applicable Waiting List. An applicant's position on the Waiting List will be based on the chronological order in which an applicant's Pre-Application Card is received; provided, however, that priority will be given to those who qualify for any priority or Special Occupancy Category described in Section (XII). Those applicants Management deems ineligible based on the information provided in the Pre-Application Card will receive a rejection letter (Exhibit E) specifying the reason for ineligibility and informing the applicant that they can meet with Management to discuss the reason for ineligibility.

###### **2. Waiting List for PH-Assisted Units**

The Chicago Housing Authority (CHA) will maintain the RMTS database and CHA will be the only source of prospective residents for the PH-Assisted Units. CHA will provide Management with a list of households that are next in terms of priority according to the Relocation Rights Contract for the Development. This list will be Management's Waiting List for PH-Assisted Units. Management will use the RMTS database to ensure that applicants meet the specific income requirements for the PH-Assisted Units. Specifically, Management will differentiate between Chicago Housing Authority households with incomes no more than 50% of current area median income and Chicago Housing Authority households with incomes between 50% and 60% of current area median income.

The CHA will provide Management with sufficient training and instruction materials such that Management can utilize the RMTS database in accordance with the terms of this Plan and the Relocation Rights Contract (Exhibit D). Subsequent priorities in admission to occupancy will be consistent with the Gautreaux Orders. The Gautreaux Orders are all applicable orders of the United States District Court for Northern Illinois in *Gautreaux vs. CHA et al.*, Nos. 66 C 1459 and 1460.<sup>1</sup>

#### **VI. Credit, Financial Standing and Employment**

1. The applicant's financial ability to pay his/her rent will be assessed. Any unsatisfactory history of meeting financial obligations (including, but not limited to the payment of rent, outstanding judgments, or a history of late payment of bills) as outlined below will be reviewed carefully, and may, in Management's discretion, be grounds for rejection.

All applicant household members 18 years of age or older will be subjected to review. The following standards must be met:

- a) No delinquent debts (including but not limited to matters that have been

referred for collection and civil judgments) within the past two years, except under the circumstances outlined in Section IX.K.

b) No landlord judgments within the past three years with no new negative landlord history; provided however that an applicant will be excepted from this criterion if the applicant provides verification acceptable to Management that such judgment was the result of a landlord's or Section 8 program administrator's failure to comply with their respective obligations;

c) No bankruptcies, except under the circumstances outlined in Section IX.K.

d) No debt due to any public housing authority.

e) Slow pays and delinquencies for medical bills (hospital and doctors) and student loans will not be counted.

f) No outstanding delinquencies owed to utility providers, except under the circumstances outlined in Section IX.K.

If a rental application is rejected because of poor credit or financial standing, Management will provide the applicant with the reason for rejection and give the name of the credit bureau that provided the credit report. An applicant may appeal a rejection pursuant to Section XI.(B) hereof.

The inability to verify income may result in the rejection of the application. All legal forms of verifiable income may be accepted subject to good business practices in the Low-Income Housing Tax Credit Property Management and Compliance industry. In the case of child support, the child support payments must be validated by 1) court documentation or 2) a minimum of six consecutive months of cancelled checks, money order receipts, or cashiers' check receipts. If an applicant's income exceeds the limits on income restricted apartments, an applicant may be referred to other housing options.

## **VII. Income and Employment**

a) All applicants (head of household or co-head of household) must satisfy a 30 hour a week work requirement, unless exempt as provided below. Applicants, with the exception of Public Housing Applicants, must have income sufficient such that the sum of the unit rent plus utilities does not exceed 30% of the household's adjusted income (as defined by 24 CFR 5.611) and must provide a minimum of one year of employment history.

b) A Public Housing Applicant may satisfy the work requirement by providing evidence acceptable in Management's discretion that the applicant is working a minimum 30 hours a week. Such applicants who do not meet this criterion will be considered pursuant to Section (IX)(K).

c) Notwithstanding the foregoing provisions of this Section VIII.C.4, PH-Assisted Unit and Affordable Housing Unit applicant households shall not be required to comply with the work requirements of this Section when all adult members or the sole member of the household is: (a) age 62 or older, (b) a blind or disabled individual as defined under 42 U.S.C. 416(i)(1) or 42 U.S.C. 1382c and provides third party verification that he or she is unable to comply with the requirements of this Section because of his or her blindness or disability, or (c) the primary caretaker of such a blind or disabled individual and provides evidence satisfactory to Management that he or she is unable to comply the requirements of this section because of his or her role as such a caretaker.

d) If a head of household and co-head of household are not otherwise exempt under Section (IX)(C)(4)(c), the household will be deemed to have satisfied the screening requirements and once accepted for residency will be deemed to meet minimum continued occupancy requirements of this Section if either the head of household or co-head of household satisfies the requirements of this Section. All other household members age 18 or older must satisfy an employment requirement of this Section unless otherwise exempt under Section (IX)(C)(4)(c). The employment requirement for all household members who are age 18 or older but are not the head or co-head of household shall consist of either the activities described in (IX)(C)(4)(b) above or those activities described in (IX)(K)(4) below.

e) All households will be expected to make best efforts to meet or exceed the 30-hour employment requirement in Section ((IX)(C)(4)(c) above. A resident will still be in compliance with the employment requirement during a period of temporary unemployment, not to exceed six (6) consecutive months or a period as long as unemployment benefits are available, including extensions, whether or not the resident qualified for such benefits. Residents who are temporarily unemployed will be required to engage in other self-sufficiency

activities.

### **VIII. History of Residency**

Prior evictions and/or outstanding landlord and/or housing judgments within the past three years will be grounds for rejection of an application, except in the circumstances described in Section (IX)(C)(1)(b).

The previous three (3) years of housing and/or the past two landlords will be verified and documented for each applicant. This includes housing for applicants who were previously homeowners or lived with parents/guardian. The inability to contact prior landlords to verify prior residences may be grounds for rejection; provided that Management will work with CHA to contact CHA Applicants' non-CHA landlords who do not respond to Management's initial requests for verification. The following circumstances will be considered with respect to the applicant or any other person who will be living in the unit, and may be grounds for rejection of an application:

1. Any history of physical violence to persons or property.
2. Any behavior at prior residence which could adversely affect the health, safety, or peaceful enjoyment of other residents.
3. Any criminal activity by a guest or visitor of the applicant that threatened the health, safety or peaceful enjoyment of other residents.
4. A record of consistent failure to timely pay rent, except if the applicant provides Management written verification that such consistent failure to timely pay rent was the result of consistent receipt of government benefits after the rent due date, and that the applicant consistently paid rent within 3 days of receipt of government benefits.
5. Applicant is in violation of applicant's current lease.
6. Any activity that involved causing a fire or other significant damage on or near residential premises, either intentionally, or through gross negligence or careless disregard.
7. An applicant or any member of the applicant's household engaged in gang-related activity.

#### **E. Criminal Activity/Drug-Related Activity**

1. An applicant shall not be admitted if a background check reveals any of the following circumstances with regard to an applicant or member of an applicant's household:

a) An applicant or member of the applicant's household is subject to a lifetime registration requirement or a 10 year registration requirement under the Illinois Sex Offender Statute;

b) An applicant or member of the applicant's household fails a drug test. All applicants and all members of an applicant's household age 18 and older must pass a drug test during the initial application to demonstrate that they are not currently using illegal drugs. Such drug tests must be conducted at facilities that use the National Institute of Drug Abuse Guidelines and screen for illegal drugs only, not properly prescribed prescription drugs containing controlled substances. Management will pay the cost of the drug test for any applicant for a PH-Assisted Unit.

(i) If an applicant passes the test, the applicant will have satisfied this criterion.

(ii) If an applicant refuses to take a test, the applicant will be rejected.

(iii) If an applicant fails the test, and is unable or unwilling to enter a substance abuse treatment program (in the case of a CHA Applicant, after being referred to a CHA Service Connector), the applicant will be rejected.

(iv) If an applicant fails the test, but (1) enrolls in a substance abuse treatment program, and upon completion, (2) provides verification from a reliable certified drug treatment counselor or program administrator indicating that the applicant has successfully completed a substance abuse treatment program and that there is a reasonable probability that the applicant will be successful in refraining from using illegal drugs, and (3) the applicant passes a subsequent drug test, paid for by Management, the applicant will have satisfied this criterion and consideration of the applicant's satisfaction other screening criteria will continue.

c) An applicant or member of the applicant's household has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine or other illegal substance on the premises of federally assisted housing.

d) Management determines that an applicant's use or pattern of illegal use of a controlled substance or such person's use or pattern of abuse of alcohol may interfere with the health, safety, or right to peaceful enjoyment of the premises

by other residents or Management. (For the purpose of this Plan, "pattern" shall mean more than one incident.) .

2. Written documentation of the following circumstances will be grounds for rejection of the applicant or any other person who will be living in the unit, provided that such circumstances, including the period during which criminal activity occurred, will be considered on a case by case basis in light of Mitigating Circumstances by Management in its discretion, as specified in Section (IX)(E)(3), below, and subject to Section (IX)(E)(1), above. "Written documentation", as used in this Plan, has to be in writing and from a legal or other credible source, including, but not limited to, written communications from prior landlords, property management files, police reports, and jail, prison or court records.

a) In the past 10 years any member of the applicant's household engaged in any criminal activity which would constitute a felony under applicable law (For the purpose of this Plan, "criminal activity" shall mean any act in violation of any criminal code, law, or regulation, whether or not such act resulted in an arrest or conviction.);

b) Any criminal activity in the past 10 years, including:

(i) Physical violence to another person or property, assault, aggravated assault, or activity which would adversely affect the health, safety, or right to peaceful enjoyment of the premises by other residents, Management or its employees;

(ii) Any drug-related criminal activity, including but not limited to the illegal manufacture, sale, distribution, possession, storage, service, delivery or cultivation of a controlled substance;

(iii) Any criminal activity involving a weapon (as "weapon" is defined under the Illinois Criminal Code), including but not limited to, displaying a weapon with a verbal or non-verbal threat to shoot, fire, explode, throw, or otherwise discharge a weapon to inflict any injury on another person or to damage any property through the intentional, reckless, careless or negligent use of such weapon; or

(iv) Any criminal activity that involved arson.

c) In the case of an applicant who passes a drug test but whose other screening reveals evidence of illegal drug use, failure to provide evidence satisfactory to Management that applicant is not a current user of illegal drugs. (If an applicant has successfully completed a substance abuse treatment program, but has a history of substance abuse treatment followed by recidivism, in addition to the demonstrating current abstention from drug use, Management will require that the applicant demonstrate to Management's satisfaction why his/her current situation is more likely than in the past to lead to successful continued abstention from illegal use of controlled substances.) Management shall maintain written documentation of any such failure by a Public Housing Applicant to demonstrate that such person is not a current user of illegal drugs, and Management shall provide CHA with copies of such written documentation.

3. "Mitigating Circumstances" are facts relating to the applicant's record of unsuitable behavior which, when verified, would indicate that (1) the reason for the unsuitable behavior is no longer in effect or is under control; and (2) the applicant's prospect for lease compliance is an acceptable one. Mitigating Circumstances must be compelling and substantial for Management to consider admitting an applicant whose screening reveals criminal activity. Consideration of verifiable Mitigating Circumstances does not guarantee that an applicant will be admitted. Management will consider the seriousness of the offense, whether or not the applicant was convicted of the offense, the circumstances surrounding the offense, and whether the offense occurred only once, or was repeated. In addition, Management will consider the following Mitigating Circumstances as support for an applicant's assertion that the applicant is no longer involved in criminal activity and that his or her prospect for lease compliance is acceptable.

a) The applicant has no subsequent criminal history;

b) Verification from a probation or parole officer that the applicant has satisfied the terms of his/her probation or parole, if applicable;

c) Verification of the applicant's participation in services or counseling services, if such services are available;

d) Verification that the applicant has made restitution for his criminal activity (where applicable);

e) In connection with written documentation of illegal drug use by an applicant who passed a drug test, applicant provides:



(i) Verification from a reliable certified drug treatment counselor or program administrator indicating that the applicant has successfully completed treatment and that the applicant is complying with any applicable aftercare requirements, including if the counselor has such knowledge, that the applicant is not currently using a controlled substance (A "reliable" counselor or administrator shall be one who has not demonstrated a pattern of providing inaccurate or unreliable information. Management shall be the final judge of what constitutes adequate and credible verification);

(ii) Verification from a self-help program such as Narcotics Anonymous indicating that the applicant has been participating in their program, and, if the program has such knowledge, that the applicant is not currently using a controlled substance;

(iii) Verification from a probation or parole officer that an applicant has met or is meeting the terms of probation or parole with respect to refraining from the illegal use of a controlled substance; or

(iv) Verification acceptable to Management of other Mitigating Circumstances pertaining to the written documentation of applicant's illegal drug use; or

(v) Negative results of an additional voluntary drug test, paid for by Management, conducted at facilities that use the National Institute of Drug Abuse Guidelines, and which screens for illegal drugs only, not properly prescribed prescription drugs containing controlled substances.

#### F. Home Visits/Unsanitary or Hazardous Housekeeping

1. A home visit will be conducted by Management as described in Section (VI)(D) as part of the initial application process. Applicants will be notified at least two days prior to the scheduled visit. The purpose of the home visit is to determine whether the applicant and all potential occupants are capable of caring for a unit in a way that creates a healthy and safe living environment.

2. If the unit inspected as part of the home visit shows health or safety hazards caused by the applicant or other potential occupants, housekeeping that contributes to infestation, or damage to the unit caused by the applicant or other potential occupants, the application may be rejected. Management may take photographs to document the applicant's housekeeping. Housekeeping criteria are not intended to exclude households whose housekeeping is only superficially disorderly if such conditions do not appear to affect the health, safety, or welfare of other residents.

3. If the home visit reveals that the applicant is currently permitting unauthorized occupants to reside in the unit, that the applicant or other potential occupants are engaged in criminal activity, or some other circumstances which are inconsistent with the information presented in the applicant's application, the applicant may be rejected. Management will document any cases where a home visit results in a rejection.

4. Home visits conducted with CHA Applicants will be considered in determining such applicants' compliance with the CHA lease in addition to evaluating the standards in this Section (IX)(F). A CHA Applicant whose home visit reveals circumstances which are cause for rejection may be considered pursuant to Section (IX)(K)(5), except in the case of a cause for rejection under Section (IX)(F)(3).\

#### G. Pets

Management will allow pets in the Development in accordance with the Condo Association rules. Management at its discretion will not allow large pets (forty (40) pounds or over in weight) or those that are of an aggressive breed. Management will not reject an applicant solely because the applicant has a pet.

#### H. Child Care

Children living in the Development must be adequately supervised. Applicants with children under 10 years of age must certify to Management that adequate day care or supervision will be provided, and must provide written verification of school enrollment for children over 6 years of age. An applicant's failure to provide requested verification will be grounds for rejection.

#### I. Other Basis for Rejection of the Application

1. At the time of application, applicant submitted funds that were not honored by the

financial institution from which they were drawn.

2. During interactions with Management, applicant appears to be intoxicated or under the influence of drugs, or is abusive as evidenced by objectionable conduct such as physical violence, threats or profanity. Management shall maintain written documentation of such conduct, and Management shall provide CHA with copies of such written documentation if it relates to Public Housing Applicants.

3. Applicant has attempted to bribe a member of the staff in order to obtain an apartment.

4. If an applicant is accepted, the applicant's acceptance shall be conditioned upon continued compliance with the Screening Criteria; an applicant's acceptance may be revoked for violation of the Screening Criteria prior to the applicant's execution of a lease.

J. The following list of factors will not be considered in making a decision to reject an applicant

Race

Marital Status

Parental Status

Sexual Preference

Source of Income

Disability

Ancestry

National Origin

Political Ideology

Color

Religion

Age, as defined by the Chicago Fair Housing Regulations

Sex

K. Working to Meet the Screening Criteria

Only applicants for PH-Assisted Units can work to meet the Screening Criteria. Subject to the admissions priorities in Section (III) and the Relocation Rights Contract (Exhibit C), after all applicants who preference the Development and meet the Screening Criteria have been accepted for occupancy, Management may, as specified in this Section (IX)(K), conditionally admit applicants who do not satisfy the Screening Criteria, but who are compliant with their current lease and who provide evidence sufficient in Management's discretion that they are working to meet the Screening Criteria. By way of example only, the following could be evidence that an applicant is working to meet the Screening Criteria:

1. Applicants who have delinquent debts may demonstrate that they are working to meet the Screening Criteria by showing that delinquent debts do not exceed \$1,000. If an applicant has a delinquency in excess of \$1,000, Management will not be required to admit the applicant, but will consider in its discretion Mitigating Circumstances that can be documented by the applicant, such as illness or medical problems, and whether the applicant has a good history of rent payment and utility payment.

2. Applicants who have declared bankruptcy may demonstrate that they are working to meet the Screening Criteria if they can show that they have not filed for bankruptcy in the past four years. If an applicant has a bankruptcy discharge date within the last four years, Management will not be required to admit the applicant, but will consider in its discretion verifiable Mitigating Circumstances, such as excessive medical bills, divorce, and whether bankruptcy debts included rental and utility payments. The decision to continue processing the rental application in light of such Mitigating Circumstances relevant to a bankruptcy will be made on a case by case basis in Management's discretion.

3. Applicants who have outstanding delinquencies owed to a utility provider may demonstrate that they are working to meet the Screening Criteria by providing verification of a payment plan with the utility that has been in good standing for six months, and the utility is willing to re-establish an account.

4. Applicants who are not working a minimum 30 hours a week but who are subject to such requirement may demonstrate that they are working to meet the Screening Criteria if the applicant provides evidence acceptable in Management's discretion, that the applicant is spending an average of 30 hours a week in one or a combination of the following activities: (1) employment; (2) enrollment in and regular attendance in an economic self-sufficiency program, which shall include a program designed to encourage, assist, train or facilitate the economic independence of participants and their families or to provide work for participants, including programs for job training, employment counseling, work placement, basic skills training, workfare, financial or household management, or an apprenticeship; and (3) enrollment in and regular

attendance in a regular program of education including GED classes, secondary or post-secondary education, or English proficiency or literacy classes. The foregoing 30-hour minimum employment requirement will not be applicable to full time students enrolled in a higher educational or vocational program. Evidence of satisfaction of this requirement may include, among other things, written verification of employment from an employer, a pay stub indicating hours worked, or written verification of enrollment in a program identified above by an administrator or instructor of such program.

5. An applicant who does not pass a home visit conducted pursuant to Section (IX)(F)(4) may demonstrate that he/she is working to meet the Screening Criteria if after a minimum of 30 days the applicant passes a subsequent home visit and demonstrates to Management's satisfaction that the circumstances which caused the applicant to fail the initial housekeeping inspection no longer exist or are under control and are unlikely to recur.

6. A CHA Applicant may also demonstrate that he or she is working to meet the Screening Criteria by providing other evidence acceptable in Management's discretion that he or she is engaged in activities designed to help him or her meet the Screening Criteria within one year of occupancy, as required by this Section. A CHA Applicant may include Mitigating Circumstances as defined in Section (IX)(E)(3) of this Plan among the evidence presented to show that the CHA Applicant is working to meet the Screening Criteria within one year of occupancy.

7. Applicants whose household, in its entirety, consists of full-time students any of whom do not meet one of the exemptions listed below will not be considered eligible for housing. For the purposes of Tax Credit Requirements, a full-time student is one who attends, or plans to attend during the next twelve months, an educational organization which normally maintains a regular facility and curriculum for a minimum of five months per calendar year and is considered a full time student by the institution.]

Exemptions for units regulated under Section 42 of the Internal Revenue Code are as follows:

(1) Anyone of the students filing a joint federal income tax return. A copy of the joint federal tax return must be included in the applicant's file;

(2) A household consisting of a single parent (with custody) and a school age child or children, both of whom are not dependents of a third party;

(3) A household receiving assistance under Title IV of the Social Security Act;

(4) A household receiving Aid to Families with Dependent Children; or

(5) A member of the household enrolled in and receiving assistance under the Job Training Partnership Act or similar governmental job training program.

When a CHA Applicant does not satisfy the Screening Criteria, but is nevertheless admitted because Management has determined that the CHA Applicant is working to meet the Screening Criteria pursuant to Section (IX)(K), the CHA Applicant and Management shall memorialize in writing the conditions the CHA Applicant is currently satisfying and must continue to satisfy to show that he or she is working to meet the Screening Criteria (the "Individual Service Plan"). The Individual Service Plan shall be attached as a rider to the CHA Applicant's lease and failure to comply with the conditions of the Compliance Plan at any time during the first year of occupancy shall be grounds for non-renewal of the lease at the expiration of the lease term.

Applicants who continue to satisfy the working to meet standards in Sections (IX)(K)(1-5) above may continue to reside at the Development. With respect to Screening Criteria that a CHA Applicant is working to meet pursuant to Section (IX)(K), if after 9 months of occupancy a CHA Applicant does not meet such Screening Criteria, Management will notify CHA to begin looking for a unit for the resident at a property where the CHA Applicant satisfies the occupancy criteria. If a CHA Applicant does not meet the Screening Criteria and he or she is not working to meet those criteria pursuant to Section (IX)(K) on the first anniversary of the CHA Applicant's move-in date, Management may notify the CHA Applicant and CHA and, if requested by Management, CHA shall transfer the CHA Applicant to a unit outside the Development. CHA will relocate such a CHA Applicant within 14 days of the first anniversary of the CHA Applicant's move-in date.

L. During the screening process, staff performing the review will consider the following prior to rejection of any application.

1. If negative screening information is received regarding an applicant and if the



conditions of Section (IX)(K) are not satisfied, Management will contact the applicant and set up a meeting to determine whether past or current Mitigating Circumstances exist that may make it possible to approve the application.

2. If an applicant fails to satisfy the Screening Criteria and there is not sufficient evidence of Mitigating Circumstances in Management's discretion to overcome such failure, the application will be rejected. If an applicant is eligible and passes the Screening Criteria or provides sufficient evidence of Mitigating Circumstances to warrant admission, the applicant will be accepted subject to availability of units.

#### **IX. APPLICATION ACCEPTANCE AND MOVE-IN PROCEDURE**

A. Management will notify applicants upon successful completion of the application process at which time arrangements will be made, including a specific time schedule, for lease signing, payment of security deposit and first month's rent, and attendance at a tenant orientation.

B. The applicant must pay the first month's rent and security deposit at the time the lease is signed in the form of a money order or cashier's check. The security deposit is equal to one month's rent. Residents PH-Assisted Units will pay a security deposit in accordance with CHA's security deposit requirements, which currently require payment of a deposit equal to the greater of \$50 or one month's rent, but in no event in excess of \$150.

C. An applicant who Management has approved for an apartment must sign the lease, pay the rent and the security deposit, and take possession of the apartment on the scheduled move-in date. As a courtesy, Management will telephone an applicant to inform him or her that the rental application has been approved. In addition, Management will mail a "Welcome Letter" (Exhibit K) to the applicant that will include the next steps the applicant must take. An applicant who does not proceed with the move-in schedule outlined in the Welcome Letter may forfeit the designated apartment. If an applicant wishes to move in at a later date, but within a thirty (30) day period of the date that the rental application was approved, Management may offer an alternate apartment and move-in date based on availability. The above move-in procedure, to the extent inconsistent with the RRC, will not apply to current CHA Leaseholders who have been accepted for occupancy of a Public Housing Unit.

D. Before move-in, all family members must complete a pre-occupancy tenant orientation at the location designated by Management.

E. All applicants accepted for occupancy shall concurrently with lease execution, execute all applicable addenda and riders to the lease.

#### **X. REJECTION PROCEDURES**

##### **A. Written Notification**

Management will promptly notify applicants in writing whose rental application has been rejected and will include the reason(s) for the rejection (Exhibit E). The notice will advise the applicant that he or she may within fourteen (14) business days of the receipt of the notice respond in writing or request to meet with Management to discuss the notice. For applicants for PH-Assisted Units who are governed by the Relocation Rights Contract, the notice will inform them of their right to grieve pursuant to the Relocation Rights Contract. The notice shall also inform the applicant that responding to Management's notice does not prevent the applicant from exercising any legal rights. In the case of applicants for PH-Assisted Units, Management shall provide a copy of such notice to CHA.

##### **B. Review of Rejected Applicants**

The applicant will have fourteen (14) business days to respond in writing or request a meeting with Management to appeal the rejection. An applicant appealing a rejection on the basis of poor credit or financial standing will be given forty-five (45) days from Management's receipt of an Appeal Request to dispute any information on the credit report. If forty-five (45) days lapse without the applicant disputing the information on the credit report, and the applicant has not pursued an appeal on other grounds pursuant to this Section, Management shall deem the application rejected and the applicant shall be required to re-apply for a unit in the Development. A member of the Management's staff who did not participate in the decision to reject the applicant will conduct any meeting with the applicant or review of the applicant's written response.

If the applicant appeals the rejection and requests a meeting, Management will schedule the meeting with the applicant within five (5) business days of receipt of the appeal. The applicant will be given a final written decision from Management within five (5) business days of Management's meeting with the applicant or Management's receipt of the applicant's written response. If Management reverses the rejection, the applicant will be offered a suitable vacant unit. If no such unit is available, the applicant will be offered the next appropriate unit. While an applicant's appeal is pending, no unit will be reserved for the applicant. An applicant whose appeal Management denies, except for those public housing applicants whose

rejection is reversed by an independent hearing officer as described below, will not be offered a unit.

Current applicants for PH-Assisted Units who are governed by the Relocation Rights Contract and whose application to reside in a CHA Unit is rejected because of a failure to satisfy Management's Screening Criteria or a failure to engage in activities to meet the Screening Criteria may, pursuant to the Relocation Rights Contract and the CHA Grievance Procedure, request an informal hearing with Management and, if denied, a formal de novo hearing before an independent hearing officer. Management will provide CHA with copies of correspondence with the applicant in connection with the filing of a grievance by a rejected applicant.

## **XII. SPECIAL OCCUPANCY CATEGORIES**

All applicants given preference within a Special Occupancy Category must meet the eligibility and selection criteria outlined in Sections (VII) through (IX) of this plan. Applicants will be interviewed and processed as authorized in Sections (V) through (X), with exceptions as follows:

### **Persons with Disabilities**

Subject to income tiers set forth in Section I, an applicant with disabilities will be given priority for accessible units if an accessible unit is requested and documentation of need is received. Unless an applicant requests placement in an accessible unit, Management will not inquire whether an applicant or a member of an applicant's household has a disability or inquire as to the nature or severity of the disability of such persons. If the applicant deems that the accessible unit is not appropriate for the household's needs, the applicant's name will return to its place on the Interested Person's List or Waiting List, as applicable.

## **XIII. AMENDING THE TENANT SELECTION PLAN**

Management may amend this Tenant Selection Plan only with prior written approval of the Owner, Illinois Housing Development Authority (IHDA), CHA, and the City of Chicago (City). Notwithstanding the foregoing, Management may, without the consent of IHDA, CHA, and the City, amend this Tenant Selection Plan to bring it into compliance with existing fair housing or other laws.

## **ADDENDUM 3**

### **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.

U.S. Department of Housing and Urban Development  
Office of Housing • Office of Multifamily Housing Programs



**RHIIP**

**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?

### The Social Security Administration:

- Social Security (SS) benefits
- Supplemental Security Income (SSI) benefits
- Dual Entitlement 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?

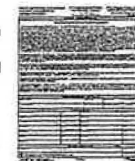
Yes. When you sign form HUD-9887, Notice and Consent for the Release of Information, and form HUD-9887-A, Applicant's/Tenant's Consent to the Release of Information, you are giving your consent for HUD and the property owner or manager to obtain information about you to verify your employment and/or 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/rhiip/eiv/eivhome.cfm](http://www.hud.gov/offices/hsg/mfh/rhiip/eiv/eivhome.cfm).



JULY 2009

Month	Type of Match
January	Monthly
February	Quarterly
March	Monthly
April	Monthly
May	Quarterly
June	Monthly
July	Monthly
August	Quarterly
September	Monthly
October	Monthly
November	Quarterly
December	Monthly

3. The new hires (W-4), wage and unemployment benefit data is loaded into EIV by the 20<sup>th</sup> of each month.
4. EIV retains NDNH employment and income data for a tenant for two years (8 quarters).

## **VI. USING EIV DATA AND REPORTS.**

### **A. Requirements for Using EIV Data.**

#### **1. Updating O/A Requirements.**

##### **a. Tenant Selection Plan.**

O/As using the Existing Tenant Search in EIV as part of their screening criteria for new tenants must include written policies for using the search in their Tenant Selection Plan.

##### **b. Policies and Procedures.**

O/As using EIV must have written policies and procedures for using the EIV employment and income data and EIV verification reports at the time of recertification. In addition, O/As who elect to use any of the reports at times other than at recertification, e.g., the Income Discrepancy Report and/or the New Hires Report, must also include in their policies and procedures information for staff to follow for using the reports and data.

Following written policies and procedures will ensure that applicants and tenants are treated fairly and are not being discriminated against.

## 2. Consent for the Release of Information.

### a. Applicants.

O/As do not need a form HUD-9887, *Notice and Consent for the Release of Information*, signed by the applicant or applicant family members on file in order to use the Existing Tenant Search in EIV. See Section VI.B.2.a, below, for a discussion on the Existing Tenant Search.

### b. Tenants.

- (1) A form HUD-9887 must be on file before accessing the income reports in EIV for an individual. However, the form HUD-9887 is not required for accessing the verification reports (see Section VI.B covering the Income Reports and Verification Reports).
- (2) Before accessing the employment or income data contained in EIV for a tenant, the O/A must make sure there is a current form HUD-9887 on file. The form must be signed and dated by:
  - Each adult member of a household regardless of whether he or she has income.
  - The head of household, spouse, co-head and each family member who is at least 18 years of age must sign and date the form at move-in, at initial (when tenant begins receiving a subsidized rent, e.g., Section 236 tenant begins receiving Section 8) and annual recertification.
  - A family member when he/she turns 18.

The form is valid for 15 months from the date of signature.

- (3) The form HUD-9887 authorizes HUD and the O/A to use data obtained through computer matching with another agency for verifying the individual's income used for establishing the eligibility for and level of benefits under HUD's assisted housing programs. The form also authorizes HUD and the O/A to seek wage, new hire (W-4) and unemployment claim information from current or former employers to verify information obtained through computer matching.
- (4) In addition to the form HUD-9887, the O/A must make sure a signed and dated form HUD-9887-A, *Applicant's/Tenant's Consent to the Release of Information*, is on file. This form authorizes the O/A to request information about the tenant from a third party source.



- (5) Both forms HUD-9887 and HUD-9987-A limit the O/A from requesting information about a tenant to “within the last 5 years when the tenant received assistance”.

See Paragraphs 5-15 and 5-21 of HUD Handbook 4350.3 REV-1 for more information on the HUD-9887 and HUD-9887-A forms.

**c. Disclosing an Individual’s Information to Another Person or Entity.**

The Federal Privacy Act (5 USC 552a, as amended) prohibits the disclosure of an individual’s information to another person without the written consent of such individual. As such, the EIV data of an adult household member may not be shared (or a copy provided or displayed) with another adult household member, unless the individual has provided written consent to disclose such information. However, the O/A is not prohibited from discussing with the head of household (HOH) and showing the HOH how the household’s income and rent were determined based on the total income reported and verified.

**3. Tenant Notification of Recertification.**

O/As are required to provide reminder notices to tenants informing them of their responsibility to provide the O/A with information about changes in family income or composition that are necessary to properly complete an annual recertification. The notification must be in writing and must include a list of information that tenants are required to bring with them to their recertification interview. This list must include documentation needed to support the income they are receiving as well as documentation to support any deductions they may be eligible to receive. For example, elderly and disabled tenants should be requested to bring in information related to social security benefits, e.g., benefit letter from SSA, and medical expenses and tenants who are working should be requested to bring in documentation, e.g. check stubs, to support the income they are currently receiving.

Having the necessary documentation available at the time of the recertification interview will save time in completing the recertification process. In addition, asking the right questions at the time of the interview will ensure that the correct information has been provided and will assist in reducing errors in income and rent determinations.

See Chapter 7, Paragraph 7-7 and Exhibits 7-1, 7-2, 7-3 and 7-4 of Handbook 4350.3 REV-1 for additional information on the recertification notification requirements and the *Guide to Interviewing for Owners of HUD Subsidized Multifamily Housing Projects* posted on the Multifamily RHIIP website at <http://www.hud.gov/offices/hsg/mfh/rhiip/mfhrhiip.cfm> for guidance on asking the right questions during the recertification interview.



When the employment and income information in EIV is the same as what the tenant reports he/she is receiving, the O/A can use the EIV Income Report for third party verification and tenant provided documents for income calculation purposes. This new process of accepting tenant provided documentation in conjunction with the EIV data replaces the more time-consuming, costly and less accurate third party verification process currently used by O/As.

**4. Employment and Income Information.**

The employment and income information contained in EIV may be used by O/As at the time of recertification only for verifying the employment and income of tenants currently being assisted under one of Multifamily Housing's rental assistance programs listed in Section II. See Attachment 5, Using EIV Data Flow Chart.

**5. Independent Third Party Verification.**

a. O/As must obtain independent third party verification which is used to complement EIV data when:

- (1) The tenant disputes the EIV data;
- (2) The tenant is unable to provide the O/A with acceptable and current income documentation;
- (3) There is incomplete EIV data for a tenant; or
- (4) There is no EIV data for a tenant.

See Section VI.B.1.a.(1)(b) for obtaining *Proof of Income Letter*, from SSA. Also, see Chapter 5, Paragraph 5-13 of Handbook 4350.3 REV-1 for information on acceptable verification methods.

- b. When the O/A is unable to obtain third party verification, e.g., the third party does not respond, the tenant file must be documented why third party verification was not available. See Chapter 5, Paragraph 5-19.E of Handbook 4350.3 REV-1.
- c. O/As always have the discretion to obtain additional third party verification of income or verification of other EIV data based on circumstances encountered during the recertification process.

**B. Using EIV Reports.**

At the time of recertification, O/As must use the EIV reports to verify the employment and income of tenants participating in one of Multifamily Housing's

of the lease or other “good cause” for terminating the assistance, tenancy, or occupancy rights of a victim of abuse.

- C. Criminal activity directly related to domestic violence, dating violence or stalking, engaged in by a member of a tenant’s household or any guest or other person under the tenant’s control, shall not be cause for termination of assistance, tenancy, or occupancy rights of the victim of the criminal acts.
- D. Assistance may be terminated or a lease “bifurcated” in order to remove an offending household member from the home. Whether or not the individual is a signatory to the lease and lawful tenant, if he/she engages in a criminal act of physical violence against family members or others, he/she stands to be evicted, removed, or have his/her occupancy rights terminated. This action is taken while allowing the victim, who is a tenant or a lawful occupant, to remain.
- E. The provisions protecting victims of domestic violence, dating violence or stalking engaged in by a member of the household, may not be construed to limit the O/A, when notified, from honoring various court orders issued to either protect the victim or address the distribution of property in case a family breaks up.
- F. The authority to evict or terminate assistance is not limited with respect to a victim that commits unrelated criminal activity. Furthermore, if an O/A can show an actual and imminent threat to other tenants or those employed at or providing service to the property if an unlawful tenant’s residency is not terminated, then evicting a victim is an option, the VAWA notwithstanding. Ultimately, O/As may not subject victims to more demanding standards than other tenants.
- G. The VAWA protections shall not supersede any provision of any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence or stalking. The laws offering greater protection are applied in instances of domestic violence, dating violence or stalking.

## **VI. RIGHTS AND RESPONSIBILITIES OF OWNERS/AGENTS AND TENANTS**

### **A. Owners/Agents (O/As) Rights and Responsibilities**

#### **1. Tenant Selection Plans and Policies and Procedures**

O/As should update their Tenant Selection Plans and/or House Rules, as applicable, to incorporate the VAWA policies and protections.

Amending these documents will ensure uniformity in spreading awareness of the VAWA and avoid improper evictions.

O/As are encouraged to establish policies that support or assist victims of domestic violence, dating violence or stalking and that will protect victims, as well as members of their family, from losing their HUD-assisted housing as a consequence of domestic violence, dating violence or stalking.

O/As must provide tenants the option to complete the Certification form discussed in 3, below. The certification form may be made available to all eligible families at the time of admission or, in the event of a termination or start of an eviction for cause proceeding, the certification may be enclosed with the appropriate notice, directing the family to complete, sign and return the form within fourteen (14) business days.

## **2. Certification and Confidentiality**

O/As 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 days of the request, the HUD-approved certification form (HUD-91066). The O/A may extend this time period at his/her discretion.

Alternatively, in lieu of the certification form or in addition to it, O/As may accept a) a federal, state, tribal, territorial, or local police record or court record or b) 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 in addressing domestic violence, dating violence or stalking or the effects of the abuse. The signatory attests under penalty of perjury (28 U.S.C. §1746) to his/her belief that the incident in question represents bona fide abuse, and the victim of domestic violence, dating violence or stalking has signed or attested to the documentation.

O/As are not required to demand that an individual produce official documentation or physical proof of an individual's status as a victim of domestic violence, dating violence or stalking in order to receive the protections of the VAWA. O/As, at their discretion, may provide assistance to an individual based solely upon the individual's statement or other corroborating evidence. O/As are encouraged to

carefully evaluate abuse claims as to avoid conducting an eviction based on false or unsubstantiated accusations.

O/As should be mindful that the delivery of the certification form to the tenant via mail may place the victim at risk, e.g., the abuser may monitor the mail. Therefore, in order to mitigate risks, O/As are encouraged to work with the tenant in making acceptable delivery arrangements, such as inviting them into the office to pick up the certification form or making other discreet arrangements.

The identity of the victim and all information provided to O/As relating to the incident(s) of domestic violence must be retained in confidence by the O/A and must neither be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is a) requested or consented to by the individual in writing; b) required for use in an eviction proceeding or termination of assistance; or c) otherwise required by applicable law. The HUD-approved certification form provides notice to the tenant of the confidentiality of the form and the limits thereof.

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

### **3. Lease**

#### **a. Lease Addendum**

O/As are required to attach the HUD-approved Lease Addendum, Form HUD-91067, (Attachment 2), which includes the VAWA provisions, to each existing or new lease.

**1) New admissions.** O/As must provide the tenant with the applicable HUD model lease along with the Lease Addendum.

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

### **b. Lease Bifurcation**

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

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

## **B. Tenants Rights and Responsibilities**

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

If requested, tenants are required to submit to the O/A a completed Certification of Domestic Violence, Dating Violence or Stalking, Form HUD-91066, or other supporting documentation as described in VI.A.2, above, within 14 business days of the O/A's request, or any extension of that date provided by the O/A. If the certification or other supporting documentation is not provided within the specified timeframe, the landlord may begin eviction proceedings.

If the tenant has sought assistance in addressing domestic violence, dating violence or stalking from a federal, state, tribal, territorial jurisdiction, local police or court, the tenant may submit written proof of this outreach.

It is possible for someone lawfully occupying the unit, who is also a victim, to be evicted or removed from the home. If the victim commits separate criminal activity, a landlord may evict them for engaging in crime. Furthermore, if a victim poses "an actual and imminent threat to other tenants or those employed at or providing service to the property," they could be evicted, despite the VAWA. Of paramount

consideration within the VAWA is that the landlord may not hold the victim to a more demanding standard than other tenants.

## **VII. ADDITIONAL INFORMATION**

O/As are encouraged to access the complete version of the VAWA (Public Law 109-162; 119 Stat. 2960) via the internet at the following address: <http://thomas.loc.gov> (the Library of Congress website). The VAWA technical corrections bill (Public Law 109-271) was signed into law on August 12, 2006, and may also be viewed via the Library of Congress website using the above noted address.

## **VIII. PAPERWORK REDUCTION**

The information collection requirements contained in this notice have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3520) and assigned OMB Control Number 2502-0204. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.

Any questions related to this Notice should be addressed to the Multifamily Housing Assistance Policy Division at (202) 708-3000.

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Brian D. Montgomery  
Assistant Secretary for Housing -  
Federal Housing Commissioner

Attachments (2)

## **ADDENDUM 2**

### **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.

The Social Security Number requirements do not apply to:

- Individuals who do not contend eligibility immigrant status; and
- Individuals age 62 or older as of January 31, 2010, whose initial determination was begun before January 31, 2010.

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verify the individual's identity, obtain employment and income information about the individual through computer matching programs for verification purposes at recertification and to ensure that the Department is not paying duplicate rental assistance on behalf of that individual.

### **III. Applicability**

This Notice applies to the following programs:

- A. Project-based Section 8
  - 1. New Construction
  - 2. State Agency Financed
  - 3. Substantial Rehabilitation
  - 4. Section 202/8
  - 5. Rural Housing Services Section 515/8
  - 6. Loan Management Set-Aside (LMSA)
  - 7. Property Disposition Set-Aside (PDSA)
- B. Section 101 Rent Supplement
- C. Section 202/162 Project Assistance Contract (PAC)
- D. Section 202 Project Rental Assistance Contract (PRAC)
- E. Section 811 PRAC
- F. Section 236
- G. Section 236 Rental Assistance Payment (RAP)
- H. Section 221(d)(3) Below Market Interest Rate (BMIR)

### **IV. Change in Social Security Number (SSN) Requirements**

- A. Change in Regulation
  - 1. Revised Regulation

The regulation at 24 CFR 5.216 now requires that assistance applicants and tenants, excluding tenants age 62 and older as of January 31, 2010, whose initial determination of eligibility was begun prior to January 31, 2010, and those individuals who do not contend eligible immigration status, to disclose and provide verification of the complete and accurate SSN assigned to them. The requirement to disclose and provide verification of a SSN is no longer limited to those assistance applicants and tenants six years of age and older. In addition, the process of having an applicant household certify they have a SSN for each household member six years of age and older, and continuing with the recertification process until the time of their move-in certification is no longer applicable.

- 2. Exceptions to Disclosure of SSN

The SSN requirements do not apply to:



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(a) Individuals who do not contend eligible immigration status.

- (1) Mixed Families: For projects where the restriction on assistance to noncitizens applies and where individuals are required to declare their citizenship status, the existing regulations pertaining to proration of assistance or screening for mixed families must continue to be followed. In these instances, the owner will have the tenant's Citizenship Declaration on file whereby the individual did not contend eligible immigration status to support the individual not being subject to the requirements to disclose and provide verification of a SSN.

NOTE: The O/A may **not** deny assistance to mixed families due to nondisclosure of a SSN by an individual who does not contend eligible immigration status.

- (2) For Section 221(d)(3) BMIR, Section 202 PAC, Section 202 PRAC and Section 811 PRAC properties, the restriction of assistance to noncitizens does not apply. Individuals living at one of these properties who do not contend eligible immigration status must sign a certification, containing the penalty of perjury clause, certifying to that effect. The certification will support the individual not being subject to the requirements to disclose or provide verification of a SSN. The certification must be retained in the tenant file.

(See Handbook 4350.3 REV-1, Paragraphs 3-12 N, O and P for more information on mixed families and proration of assistance.)

NOTE: HUD regulations do not prohibit an individual (head of household with other eligible household members) with ineligible immigration status from executing a lease or other legally binding contract. However, if your state law prohibits this, the family must **not** be admitted into the program.

- (b) Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.

The eligibility determination is based on participation in either a Public and Indian Housing 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.

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- (1) 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.
  - (2) When determining the eligibility of an individual who meets the exception requirements for SSN disclosure and verification, documentation must be obtained 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. This documentation must be retained in the tenant file. An O/A must not accept a certification from the applicant stating they qualify for the exemption.

Example:

- Mary Smith does not have a SSN. Mary does not have to disclose or provide verification of a SSN because she was 73 years old as of January 31, 2010, and her initial eligibility for HUD's rental assistance program was determined when she moved into Hillside Apartments on February 1, 2009 (initial eligibility was determined prior to January 31, 2010.)
- Mary moved out of Hillside Apartments on April 10, 2010, and moved in with her daughter who was not receiving HUD's rental assistance.
- Mary then applied at Jones Village, another HUD subsidized apartment complex, on November 5, 2010. Because Mary's initial eligibility to receive HUD's rental assistance was begun prior to January 31, 2010 (February 1, 2009), Mary is not required to meet the SSN disclosure and verification requirements as long as the owner can verify Mary's initial eligibility date at Hillside Apartments was begun prior to January 31, 2010.

- (c) Existing tenants as of January 31, 2010, who have previously disclosed their SSN and HUD has determined their SSN to be valid.

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O/As may confirm HUD's validation of the tenant's SSN by viewing the household's Summary Report or the Identity Verification Report in the EIV system.

B. Timeframe for Providing Social Security Numbers

1. Applicants

(a) Applicants currently on or applying to waiting list

Applicants do not need to disclose or provide verification of a SSN for all non-exempt household members at the time of application and for placement on the waiting list. However, applicants must disclose and provide verification of a SSN for all non-exempt household members before they can be housed.

(b) Housing applicants from the waiting list

If all non-exempt household members have not disclosed and/or provided verification of their SSNs at the time a unit becomes available, the next eligible applicant must be offered the available unit.

The applicant who has not disclosed and/or provided verification of SSNs for all non-exempt household members has 90 days from the date they are first offered an available unit to disclose and/or verify the SSNs. During this 90-day period, the applicant may, at its discretion, retain its place on the waiting list. After 90 days, if the applicant is unable to disclose and/or verify the SSNs of all non-exempt household members, the applicant should be determined ineligible and removed from the waiting list.

2. Tenants

(a) Timeframe for providing SSN

(1) All tenants, except those individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010 (based on the effective date of the form HUD-50059 or form HUD-50058, whichever is applicable), and those individuals who do not contend eligible immigration status, must disclose and provide verification of their SSN at the time of their next interim or annual recertification if:

(i) They have not previously disclosed a SSN;

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(ii) Previously disclosed a SSN that HUD or the SSA determined was invalid; or

(iii) Been issued a new SSN.

(2) If a tenant fails to provide a valid and verified SSN, the household is subject to termination of tenancy in accordance with 24 CFR 5.218. See Paragraph E.1. below.

(b) SSN Not Previously Disclosed

The head of household must bring SSN verification, through one or more of the documents listed in Section IV.D Verification, to the recertification meeting for any household member who has not disclosed and provided verification of their SSN.

(c) Invalid SSN Disclosed

The head of household must be notified when EIV pre-screening or the SSA validation determines that a household member has provided an invalid SSN. See Section IV.D.1(d) for information on the Failed EIV Pre-Screening Report and the Failed Verification Report and Section IV.D.2 for acceptable SSN verification documentation.

(d) Assignment of a New SSN

If a tenant or any member of a tenant's household is or has been assigned a new SSN, the tenant must provide the SSN and documentation to verify the SSN (see Section D. Verification below) to the O/A at:

(1) The time of receipt of the new SSN; or

(2) The next interim or regularly scheduled recertification;  
or

(3) Such earlier time as specified by the O/A.

(e) Adding a Household Member

(1) Age Six or Older

When a tenant requests to add a household member who is age six or older, the documentation of the SSN as

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referenced in Section IV.D.2 of this notice for the new household member, must be provided to the O/A at the time of the request or at the time the recertification that includes the new household member is processed. The O/A must not add the new household member until such time as the documentation is provided.

(2) Child Under the Age of Six

(i) With a SSN - When adding a household member who is a child under the age of six with a SSN, the child's SSN must be disclosed and verification provided at the time of processing the recertification of family composition that includes the new household member.

(ii) Without a SSN - If the child does not have a SSN, the O/A must give the household 90 days in which to provide documentation of a SSN for the child. An additional 90-day period **must** be granted by the O/A if the failure to provide documentation of a SSN is due to circumstances that are outside the control of the tenant. Examples include but are not limited to: delayed processing of the SSN application by the SSA, natural disaster, fire, death in family, etc. During this time period, the child is to be included as part of the household and will receive all of the benefits of the program in which the tenant is involved, including the dependent deduction.

A TRACS ID will be assigned to the child until the documentation of the SSN is required to be provided. At the time of the disclosure of the SSN, an interim recertification must be processed changing the child's TRACS ID to the child's verified SSN. If the SSN is not provided, the household is subject to the penalties described in Paragraph E. below.

C. Applying for a Social Security Number

An individual who has never been issued a SSN card or who has lost their SSN card may complete Form SS-5 – *Application for a Social Security Card* to request an original or replacement SSN card, or change information on his/her SSA record. The form is attached to this Notice and also available online at

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www.ssa.gov, or can be obtained at the local SSA office. O/As should provide assistance in applying for a SSN to any applicant or tenant who requests it.

D. Verification

1. The O/A shall verify and document each disclosed SSN by:
  - (a) Obtaining the documentation listed in 2 below from each member of the applicant's or tenant's household.
  - (b) Making a copy of the original documentation submitted, returning the original to the individual and retaining the copy in the file folder;
  - (c) Recording the SSN on line 45 of the form HUD-50059 and transmitting the data to TRACS in a timely manner. O/As are encouraged to transmit the form HUD-50059 data within 30 calendar days, to enable HUD to initiate its computer matching efforts; and
  - (d) To ensure that the SSN transmitted to TRACS is valid, O/As must use the Failed EIV Pre-Screening Report and the Failed Verification Report in EIV in accordance with the instructions in the current HUD Housing Notice, *Enterprise Income Verification System*.
    - (1) The Failed EIV Pre-Screening Report identifies tenants who failed the EIV pre-screening test due to invalid or missing personal identifiers.
    - (2) The Failed Verification Report identifies tenants that have had their personal identifiers sent to SSA, via HUD's computer matching program with the SSA, but the data could not be verified by SSA due to missing or invalid information or other SSA issues.
2. Acceptable Verification Documents – Most individuals should be able to verify all SSNs with a Social Security card. However, if the applicant or tenant cannot produce the Social Security card for any or all non-exempt household members, other documents showing the household member's SSN may be used for verification. He or she may be required to provide one or more of the following alternative documents to verify his or her SSN.
  - (a) Original document issued by a federal or state government agency which contains the name, SSN, and other identifying information

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*Information Technology Security Policy*, dated October 1, 2008. The handbook is available online at:  
<http://www.hud.gov/offices/adm/hudelips/handbooks/admh/2400.25/index.cfm>.

- (b) The retention in the tenant file of the Household Summary Report from the EIV system which will report the status of the identity verification process provides verification of the SSN. Retaining this report in the tenant file and destroying the copy of the SSN documentation will minimize the risk of exposing the individual's SSN. O/As are encouraged to minimize the number of tenant records that contain documents which display the full nine-digit SSN.

E. Penalties for a Tenant's Non-disclosure of SSN

1. Termination of Tenancy – O/As must terminate the tenancy of a tenant and the tenant's household if the tenant does not meet the SSN disclosure, documentation and verification requirements in the specified timeframe as the household is in non-compliance with its lease.
  - (a) This termination of tenancy includes those households who have not disclosed and verified the SSN for any child under the age of 6 who did not have a SSN when added to the household with the understanding that this SSN would be provided within 90 days after admission, or within the 90-day extension period, if applicable.
  - (b) There is **no** proration of assistance for those household members who are required to obtain a SSN but who fail to disclose and verify their SSN.
  - (c) Termination of tenancy does not apply to those households with individuals who do not contend eligible immigration status or who are age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010 (based on the effective date of the form HUD-50059 or form HUD-50058, whichever is applicable), unless there are other members of the household who have not disclosed or provided verification of their SSNs.
2. Deferring Termination of Tenancy – The O/A may defer termination of tenancy and provide the tenant with an additional 90 days past their next regularly scheduled recertification of income and family composition to become compliant with the SSN disclosure and verification requirements.



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- (a) The deferral is at the O/A's discretion and must only be provided if failure to meet the SSN requirements was due to circumstances outside the control of the tenant and there is likelihood that the tenant will be able to disclose and provide verification of the needed SSN(s) by the deadline date.
  - (b) After this 90-day deferral, if the tenant has not disclosed and provided verification of the needed SSN(s), the O/A must pursue termination of tenancy.

**V. Mandatory Use of the Enterprise Income Verification (EIV) System**

**A. New Regulation**

The new regulation at 24 CFR 5.233 requires O/As to incorporate use of EIV in its entirety:

- 1. As a third-party source to verify tenant employment and income information during mandatory recertifications of family composition and income, and
- 2. To reduce administrative and subsidy payment errors.

**B. Implementing the Use of the EIV System**

- 1. Effective January 31, 2010, it is mandatory that O/As use EIV:
  - (a) At the time of recertification of family composition and income.
  - (b) At other times as specified:
    - (1) By HUD in the current Housing Notice *Enterprise Income Verification (EIV) System*.
    - (2) In the O/A's Tenant Selection Plan and Policies and Procedures.
- 2. In order to account for the 120 days permitted to process an annual recertification, all recertifications with an effective date of June 1, 2010, and beyond must reflect use of the EIV system. This date was determined by adding 120 days to the January 31, 2010, effective date of the final rule.

**C. EIV System**



## 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 the disaster, such as a fire or flood, that resulted in extensive damage or has destroyed the unit.
- C. ☐ Displayed by an activity carried on by an agency of the United States or by any State or local government body or agency.

### 2. Formal 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 living 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 the 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 \_\_\_\_\_

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Most recent version of policy is located at <http://intranet.heartlandalliance.org>



## 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 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 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

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## 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. (Also list the preferences adopted by the owner). Households qualifying for a preference will receive assistance before any other applicant household 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 preferences, 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

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City	State	Zip
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Telephone (voice)

Telephone (TDD)

Sincerely,

Property Manager

208 S LaSalle Street, Suite 1818 Chicago, IL 60604 Ph 312.660.1300 Fax 312.660.1500 [www.heartlandalliance.org](http://www.heartlandalliance.org)





## Heartland Housing, Inc. Pre-Application Card

This is a pre-application card for housing at (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> San Miguel Apartments | <input type="checkbox"/> Leland Apartments               |
| <input type="checkbox"/> Parkway Apartments    | <input type="checkbox"/> Mae Suites                      |
| <input type="checkbox"/> Karibuni Apartments   | <input type="checkbox"/> Los Vecinos                     |
| <input type="checkbox"/> Jazz on the Boulevard | <input type="checkbox"/> Prairie Apartments (Milwaukee)  |
| <input type="checkbox"/> Hollywood House       | <input type="checkbox"/> Capuchin Apartments (Milwaukee) |

Name	Birth Date	Age	SS#	Full- time Student over the next 12 months Y or N

Address: \_\_\_\_\_  
Street City State ZIP Code

Phone: \_\_\_\_\_

### B. WHO WILL BE LIVING IN YOUR HOUSEHOLD

	Name	Relationship to head	Birth Date	Age	SS#	Full- time Student over the next 12 months Y or N
1						
2						

### CURRENT HOUSING AND INCOME INFORMATION:

Bedroom size requested (check one): ☐ Studio ☐ 1 BR ☐ 2 BR ☐ 3 BR

Current Rent Amount: \$ \_\_\_\_\_ Are you currently homeless? ☐

Monthly Household Income: \$ \_\_\_\_\_ Your Current Employer or Source of Income: \_\_\_\_\_

Are you interested in an accessible unit or accommodation? ☐

Do you have Pets? ☐ Please describe: \_\_\_\_\_

**PREFERENCE IN HOUSING:** If you qualify in one of the following categories, please check the box.

Verification will be required if you state a preference.

- |  |   |
|--|---|
| <input type="checkbox"/> Displaced from an urban renewal area      | <input type="checkbox"/> Displaced as a result of a governmental action |
| <input type="checkbox"/> Displaced as a result of a major disaster | <input type="checkbox"/> Homeless or referred from Homeless Prevention  |

**\*This pre-application card does not guarantee you will be offered an apartment. You will need to complete a full application in order to be considered for housing.**

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#### FOR OFFICE USE ONLY

Date of Pre-App.: \_\_\_\_\_ Time: \_\_\_\_\_  
Income eligible: Y N Household Size: Y N  
Pref: Y N Accessible: Y N  
Pet: Y N  
Pre-App: Accepted Denied



Most recent version of policy is located at <http://intranet.heartlandalliance.org>



**WAITING LIST**

Page: \_\_\_\_

**HEARTLAND HOUSING, INC.  
WAITING LIST**

PROPERTY: \_\_\_\_\_

PROPERTY MANAGER: \_\_\_\_\_

QUARTER/DATE CREATED: JAN      APRIL      JULY      OCTOBER

UNIT SIZE: \_\_\_\_\_

Head of Household Name	Date of App.	Time of App.	Accessible Unit Request (Y OR N)	Preference Type (See footnotes)	Accepted or Denied	Date Notif. Letter Sent	Comments	Move-In Date

**2-5, Receiving Applications.**

This Waiting List is to be utilized for all applicants who are moved from the Pre-Application Binder to the application processing stage. The Waiting List is to be purged each quarter (Jan., April, July, and Oct.), removing applicants who are either denied or who move into housing.

PRERERENCE TYPES: 1. Displaced from an urban renewal area. 2. Displaced as a result of a governmental action 3. Displaced as a result of a major disaster. 4. Live or work in the community 5. Homeless or referred from Homeless Prevention



Date: 09/14 2011

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

You applied for an apartment at \_\_\_\_\_. We are updating our waiting list.

If you are still interested in living at \_\_\_\_\_ please complete the enclosed Reply Card and send it back to us within 14 days of the postmark date (excluding weekends and designated federal holidays). **If you do not respond to us within 14 days, you will be removed from our Waiting List.**

Please return the Reply Card to \_\_\_\_\_ (address).

If you have further questions, please feel free to contact me at the property at \_\_\_\_\_

Sincerely,

\_\_\_\_\_(name)  
Property Manager  
\_\_\_\_\_ Apartments

[www.heartlandalliance.org](http://www.heartlandalliance.org)



2-5, Waiting List Update Letter

<http://www.iwpr.org/About/employment.htm#fellowship>



Date: \_09/14 2011

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

You applied for an apartment at \_\_\_\_\_. We are updating our waiting list.

If you are still interested in living at \_\_\_\_\_ please complete the enclosed Reply Card and send it back to us within 14 days of the postmark date (excluding weekends and designated federal holidays). **If you do not respond to us within 14 days, you will be removed from our Waiting List.**

Please return the Reply Card to \_\_\_\_\_ (address).

If you have further questions, please feel free to contact me at the property at \_\_\_\_\_

Sincerely,

\_\_\_\_\_(name)  
Property Manager  
\_\_\_\_\_ Apartments

[www.heartlandalliance.org](http://www.heartlandalliance.org)



2-5, Waiting List Update Letter

<http://www.iwpr.org/About/employment.htm#fellowship>



## WAITING LIST REPLY CARD

### I AM STILL INTERESTED IN LIVING AT:

Apartment Name: \_\_\_\_\_

Your Name: \_\_\_\_\_

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

\_\_\_\_\_

Home Phone: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Unit Size Desired: 0 BR 1BR 2 BR 3 BR

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## **EXHIBIT M**

### **OCCUPANCY STANDARDS**

The following standards will determine the number of bedrooms required to accommodate a family of a given size, except that such standards may be waived when a vacancy problem exist and it is necessary to achieve or maintain full occupancy. In selecting a unit size for the applicant, Management's occupancy standards must comply with Federal, State, and local fair housing and civil rights laws, landlord-tenant laws, and zoning laws.

#### Number of Bedrooms

1

2

3

#### Number of Persons

##### Minimum Maximum

1 2

2 4

3 6

Notwithstanding anything to the contrary, if during the term of any lease, a child is born or a child under the age of one is adopted by the tenant, and as a result of such birth or adoption, the occupancy standard established above shall be violated, the tenant shall not be required by Management to move or transfer to a larger unit in order to comply with the occupancy standard until the conclusion of the term of the then-existing lease; provided that the tenant shall at all times satisfy all other obligations under the lease, rules, and regulations applicable to the leased unit.

