

Resident Selection Plan Section 202 PRAC Housing for Seniors



Island Elderly Housing

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PROPERTY INFORMATION

Property Name	Island Elderly Housing
Property Contact Name	Dorothy Young
Address	60B Village Road
City, State, Zip	Vineyard Haven, MA 02568
Phone	(508) 693-5880
TTY/TDD/ Audio Relay	711 National Voice Relay



THE PURPOSE OF THE RESIDENT SELECTION PLAN

The resident selection plan helps to ensure that residents are selected for occupancy in accordance with HUD requirements and established management policies.

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

- Entre em contato com o escritório de gerenciamento se precisar de ajuda para entender este documento.
- Contacte por favor la oficina de gestión si usted necesita ayuda a comprender este documento.

BUSINESS RELATIONSHIP

The relationship between Island Elderly Housing, Inc. ("IEH") and a resident or applicant is a business relationship. A courteous and businesslike attitude is required from both parties. IEH reserves the right to not conduct business with anyone who is verbally abusive, swears, is disrespectful, makes threats, uses discriminatory language, appears to be intoxicated or under the influence of alcohol or drugs, is argumentative, or in general displays an attitude, at any time, which causes IEH or the property staff to believe we would not have a positive business relationship.

If an applicant or any member of the applicant's family demonstrates unprofessional behavior in the presence of the management team or other residents/applicants, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the application will be rejected.

If the applicant or any member of the applicant's family exhibits threatening behavior, appears to be intoxicated or under the influence of alcohol or illegal drugs or attempts to intimidate the staff, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the application will be rejected.

If the applicant or any member of the applicant's family is not appropriately attired, when visiting the management office, the applicant will be asked to leave.

Appropriate attire includes shoes, shirts and pants, shorts or skirts. Unacceptable attire includes, but is not limited to:

- Pajamas
- Bathing suits
- Clothing that allows display of foundation garments (underwear)
- Clothing with inappropriate language or pictures

Animals, (other than assistance animals necessary to allow the applicant/resident to conduct business with IEH) are not allowed in the management office.

Children are always welcome. When in the management office, minors must be supervised. Property staff is not responsible for child care or supervision.

Aside from standard property charges, property staff is not permitted to accept any money, services or favors connected with the application process or associated with any aspect of residency on this property.

Smoke Free Housing

Smoking is prohibited in all IEH units and buildings and is prohibited anywhere within twenty-five (25') feet of any IEH building. This policy applies to all owners, property staff, applicants, residents, guests, and servicepersons.

“Smoking” shall include the inhaling, exhaling, or carrying of any lighted cigarette, e-cigarette, cigar, pipe, hookah, other tobacco products, marijuana including medical marijuana, herbal smoking products “Legal Weed” or products known as “bath salts” or other legal or illegal substance.

USE OF MARIJUANA – FEDERALLY FUNDED PROPERTY

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

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

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

HUD's Office of Multifamily Housing has issued a memorandum titled *Use of Marijuana in Multifamily Assisted Properties*. The memorandum, which is posted on the Multifamily Housing website, details how owners enforce the requirements found in the Controlled Substance Act and the Quality Housing and Work Responsibility Act of 1998.

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

SECURITY DEPOSIT REQUIREMENTS



IEH must collect a security deposit at the time of the initial lease execution. IEH will comply with any HUD rules and applicable state and local laws governing the security deposit. The security deposit amount is based on the Total Tenant Payment (TTP) calculated at move in.

If the move-in certification is corrected, and the TTP is recalculated, the security deposit requirement will be recalculated as well. Otherwise, the amount of the security deposit established at move-in does not change when a resident's rent changes.

The resident is expected to pay the security deposit from his/her own resources and/or other public or private sources. An applicant will be rejected if he/she does not have sufficient funds to pay the deposit.

PETS

Residents are allowed to keep pets in the unit. Additional pets may be allowed only in extenuating circumstance at move-in and only then with prior discussion and written approval by the Property Management Office.

Certain restrictions apply and are outlined in the property Pet Rules. Pets and assistance animals must be approved **before** they are allowed to live in the unit. A copy of the Pet Rules is available upon request.

If an applicant wishes to request approval of an assistance animal – necessary to alleviate the symptoms or side-effects of a disability - the applicant (or applicant's representative) must request a reasonable accommodation. Please review the process to request a reasonable accommodation in Appendix A. The applicant should also review the Assistance Animal Policy which is available upon request.

ASSISTANCE DEFINITION

The property is operating under the guidelines established for the HUD Project Rental Assistance Contract (PRAC) program. A person must be capable of fulfilling the lease requirements.

SUBSIDY

Residents at this property are offered subsidized rent. This means the rent that a household pays is based upon the household income. The rent paid by residents may vary.

TENANT-BASED VOUCHERS

IEH may not admit an applicant with a voucher to a unit with PRAC assistance unless the applicant agrees to give up the voucher prior to occupancy. This will be verified with the former housing provider.

If IEH discovers that any household member failed to give up current HUD housing assistance before moving to [IEH](#), no rent subsidy will be provided by the Department of Housing and Urban Development until the day after the move out/surrender is complete.

Household members who sign the lease will be responsible for paying the market rent until qualified to receive HUD assistance on this property. Any assistance paid in error must be returned to HUD.

Applicants should consult with the local HUD office if the former landlord is accepting subsidy after move-out.

Please note that housing assistance provided through HUD's multi-family housing program is not the same as the housing assistance provided through the voucher program. If any family member moves out, the housing subsidy will not move with the family as it does with a voucher. The family will be required to re-apply to a PHA to receive another voucher.

ASSISTED LIVING

IEH and property staff does not provide, nor has the authority to provide, any personal care or personal supervision services. All care and supervision services must be provided by the resident or aides supervised by the resident or the resident's representative(s). IEH and property staff does not provide assistance with personal activities or daily living.

FAIR HOUSING POLICIES

FAIR HOUSING

The Fair Housing Act prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability, and familial status.

In addition, the state of [Massachusetts](#) has added Fair Housing protections based on [Age](#), [Ancestry](#), [Children](#), [Genetic Information](#), [Marital Status](#), [Public and/or Rental Assistance](#), [Sexual Orientation](#), [Veteran/Military Status](#) and [Gender Identity](#).

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

IEH complies with Title VI of the Civil Rights Act of 1964 which prohibits discrimination based on race, color, or national origin in any program or activity receiving federal financial assistance from HUD.

SECTION 504 OF THE REHABILITATION ACT OF 1973

IEH complies with Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination, based on the presence of a disability in all programs or activities operated by recipients of federal financial assistance.

Although Section 504 protections often overlap with the disability discrimination prohibitions included in the Fair Housing Act, Section 504 differs in that it imposes broader affirmative obligations to make their programs, as a whole, accessible to persons with disabilities.

Requests for Reasonable Accommodation or Modification

In accordance with the Fair Housing Act and Section 504 of the Rehabilitation Act, IEH will make reasonable accommodations or modifications for individuals with disabilities (applicants or residents) unless these modifications would change the fundamental nature of the housing program or result in undue financial and administrative burden. Please see Appendix A for additional information.

COMPLIANCE WITH REQUIREMENTS OUTLINED IN THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

IEH understands that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault or stalking, people who have been victims of violence have certain protections provided through the Violence Against Women Reauthorization Act of 2013 (VAWA 2013).

If any applicant wishes to exercise the protections provided in the VAWA 2013, he/she should contact property management immediately.

IEH will not assume that any act is a result of abuse covered under the VAWA 2013. In order to receive the protections outlined in the VAWA 2013, the applicant must specify that he/she wishes to exercise these protections.

AVAILABILITY OF ASSISTANCE FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)" requires IEH to develop and implement a system to provide housing assistance so persons with Limited English Proficiency (LEP) can have meaningful access to assisted housing opportunities. IEH will provide for such meaningful access consistent with, and without unduly burdening the fundamental mission of the property.

IEH will work to ensure that people who apply for and/or qualify for housing assistance are provided meaningful access to HUD's housing assistance program.

THE EQUAL ACCESS RULE

IEH ensures that HUD's core housing programs are open to all eligible persons regardless of sexual orientation, gender identity or marital status in accordance with *The Equal Access Rule*.

ELIGIBILITY REQUIREMENTS



PROPERTY ELIGIBILITY DEFINITION

This 202 PRAC property is designed to provide housing to elderly families who meet the eligibility and screening requirements. In order for a family/household to meet the “family type” eligibility requirements, the head-of-household, the co-head-of-household or the spouse must be 62 or older. Age limits do not apply to other family members.

Income Limits

Income eligibility will be determined by using the family’s gross annual income. Applicant will have annual income that does not exceed the HUD determined applicable income limits for admission. Allowances will not be used to determine income eligibility.

Occupancy Standards

Below, please find this property’s occupancy standards description:

Number of Bedrooms	Min. # Household Members	Max. # Household Members
0	1	1
1	1	2

Verifying the Need for an Accessible Unit

When an applicant requests an accessible unit, IEH will conduct inquiries to:

1. Verify that the applicant is qualified for the unit, which is only available to persons with a disability or to persons with a particular type of disability
2. Verify that the applicant needs the features of the unit as an accommodation to his or her disability
3. Verify that the applicant is qualified to receive a priority on the waiting list available to persons with a disability or to persons with a particular type of disability

PROGRAM ELIGIBILITY

Based on federal regulations, IEH may admit only eligible applicants. In the selection of applicants for admission, eligibility criteria have been established in accordance with HUD guidelines. The following eligibility standards will be applied in accordance with HUD requirements:

1. The household’s annual income must not exceed program income limits at move-in
2. The Head-of-Household (HOH), co-Head-of-Household and the spouse (regardless of age) and all adults in each household must sign an Authorization for Release of Information (HUD Forms 9887 and 9887A) and IEH created verification documents prior to receiving assistance and annually thereafter



3. The unit for which the household is applying must be the household's only residence
4. An applicant must agree to pay the rent required by the program under which the applicant will receive assistance
5. Applicants who claim eligible status must disclose Social Security Numbers for all household members and provide proof of the numbers reported (*See additional information below*)
6. The household size must be appropriate for the available apartments (*See Occupancy Standards*)
7. All information reported by the household is subject to verification

Disclosure and Verification of Social Security Numbers

All household members receiving HUD housing assistance or applying to receive HUD housing assistance are required to provide a Social Security Number and adequate documentation necessary to verify that number. This rule applies to all household members including live-in aides, foster children and foster adults. Adequate documentation includes a Social Security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN such as:

- 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
- Retirement benefit letter
- Life insurance policy
- Court records

Exceptions to Disclosure of Social Security Number

The Social Security Number requirements do not apply to:

1. Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.
2. Individuals who do not contend eligible immigration status.

If, at the time a unit becomes available, all non-exempt household members have not provided adequate documentation necessary to verify Social Security Numbers, the next eligible applicant must be offered the available unit.

All non-exempt household members have ninety (90) days-from the date they are first notified that a unit is available-to provide documentation necessary to verify the Social Security

Numbers. During this 90-day period, the household may retain its place on the waiting list, but will not be considered again until the required documentation is provided.

If, after ninety (90) days, the applicant is unable to disclose/verify the Social Security Numbers of all non-exempt household members, the household will be determined ineligible and removed from the waiting list.

The applicant may apply again, after obtaining the appropriate documentation. The applicant will be placed on the waiting list based on the date and time the **new** application is received.

Secondary Verification of the Social Security Number

The Social Security Number provided will be compared to the information recorded in the Social Security Administration database through HUD's Enterprise Income Verification System (EIV) to ensure that the Social Security Number, birth date and last name match. If EIV returns an error that cannot be explained or resolved, assistance and/or tenancy may be terminated and any assistance paid in error must be returned to HUD. If the applicant/resident deliberately provides an inaccurate Social Security Number, IEH and/or HUD may pursue additional penalties due to attempted fraud.

SINGLE RESIDENCE/SUBSIDY CRITERIA

A household is eligible for assistance only if the unit will be the household's only residence. IEH will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit.

Applicants MUST disclose if they are currently receiving HUD housing assistance.

Residents can only receive subsidy for one unit/residence at a time. This prohibition does not prevent a person who is currently receiving assistance from applying for an assisted unit in another property.

If, for any reason, an applicant moves in to this property before moving out of another subsidized unit, the new resident will be required to pay market rent until the move out from the previous property is complete and the resident is eligible to receive HUD subsidy for this property. Assistance in the new unit will begin, if the household is still eligible, the day after assistance ends for the previous unit.

There is an exception to this rule. Children in joint custody arrangements can receive HUD housing assistance in two units when both parent/guardian families receive HUD housing assistance.

All adults will be required to sign the Acknowledgement in Appendix B.

ELIGIBILITY OF STUDENTS

Student eligibility is determined at move-in/initial certification and at each annual certification. If student status changes for an adult during residency, the resident must report the change in student status and eligibility will be determined to see if the household is eligible to receive assistance.

If an applicant or existing resident is a student, the following criteria must be met in order for that student to be considered eligible.

- 1) The individual must be of legal contract age under state law.
- 2) The individual must not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations.
- 3) The individual must have established a household separate from parents or legal guardians for at least one year prior to application for occupancy or the individual meets the U. S. Department of Education's definition of an independent student.

Independent Student

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

- 1) Be at least 24 years old by December 31 of the award year for which aid is sought
- 2) Be an orphan or a ward of the court through the age of 18
- 3) Be a veteran of the U.S. Armed Forces
- 4) Have legal dependents other than a spouse (for example, dependent children or an elderly dependent parent)
- 5) Be a graduate or professional student or
- 6) Be married

The individual must obtain a certification of the amount of financial assistance that will be provided by parents, guardians or others signed by the individual providing the support. The financial assistance provided by persons not living in the unit is part of annual income that must be verified to determine eligibility and at each subsequent certification.

PROCEDURES FOR TAKING APPLICATIONS

Upon request, IEH will provide interested parties with a copy of the application package. The person who is indicated as the Head-of-Household (HOH) must execute and sign all documents that are included in the application package. Before completing or executing any forms, additional copies should be made for all adult household members and in some cases for minors who will live in the unit.

All adult applicants must complete the application package as instructed. IEH will make a reasonable accommodation to assist in the application process if the applicant or any member of the applicant household is disabled.

IEH requires applicants to provide a government issued photo ID - used for verifying the identity of all applicants. If the applicant is not able to visit the site, alternative means of verifying identity, such as Skype or Facetime, may be utilized.

In some cases and when appropriate, this ID may also be used to verify age and relationship to other family members.

IEH may require a birth certificate or other documentation that can be used to verify age, and relationship to other household members as required by HUD.

All applications can be mailed to Island Elderly Housing, Inc. at 60B Village Road Vineyard Haven, Mass. 02568 or dropped off at Hillside Village III, 421 Edgartown Road in Vineyard Haven. IEH will also accept the application in an equally effective format, as a reasonable accommodation, if there is the presence of a disability.

All documents in the Application Package must be **completed in full**, signed and dated in order to be accepted. Applicants **will not** be added to the waiting list until all application forms have been properly completed and signed as appropriate.

Upon receipt of the completed application, IEH will make a preliminary eligibility determination before adding a household to the waiting list or initiating final eligibility tasks. IEH will review the application to ensure that there are no obvious factors that would make the applicant ineligible.

INCOMPLETE APPLICATIONS

If the application is not complete, IEH will attempt to contact the applicant to obtain missing information.

The applicant will have two (2) business days to respond and provide missing information. If the applicant fails to provide required information within the two (2) day period, IEH will return the application.

PRELIMINARY DETERMINATION OF APPLICANT ELIGIBILITY

IEH will pre-screen the top three applicants on the waiting list. Information needed to determine applicant eligibility shall be obtained, verified, and the determination of applicant eligibility performed, in accordance with HUD and property eligibility requirements. If a preliminary eligibility review indicates that a household appears eligible for tenancy, but units of appropriate size are not available, IEH will place the household on the waiting list for the property and notify the household when a suitable unit becomes available.

FINAL DETERMINATION OF ELIGIBILITY

When a unit becomes available, all eligibility criteria will be reviewed before a final eligibility determination is made. Being eligible, however, does not guarantee that the application will be approved.

All adult applicants (and if appropriate minors) will be subject to the certain screening based on landlord/rental history, credit history and criminal history. If the screening process determines that the family meets HUD's and IEH's standards for admission, the family is found eligible.

Live-in Aides

Please contact the property management office if a live-in aide will be moving in to the unit. If the family plans to include a live-in aide, the live-in aide is not required to complete the same application forms. Live-in aides must complete the Live-in Aide Questionnaire and participate in screening and other O/A verifications that are required.

The live-in aide has no rights to the unit as a remaining family member and must agree to relinquish possession of the unit within a reasonable time if the resident is absent for an extended period of time or if the resident leaves for any reason. The live-in aide will be required to sign an acknowledgement the live-in aide has no right of residency or occupancy if the resident is absent or if the resident moves out for any reason including death.

WAITING LISTS

To ensure that applicants are appropriately and fairly selected for the next available unit (*when a unit type is not available at the time of application*), it is essential for IEH to maintain waiting lists. IEH will place the applicant household on the waiting list after preliminary eligibility determination is complete.

The applicant will be placed on the waiting list for all indicated unit types as long as:

- The applicant household meets the Occupancy Standards described in this plan, and
- The waiting list for the unit type is open

The applicant (Head-of-Household (HOH)) will be contacted, based on the waiting list selection criteria, for the first unit that becomes available based on the selection guidelines described in this plan.

MAINTAINING WAITING LISTS

It is the policy of IEH to administer its waiting list as required by HUD handbooks and regulations. IEH will update the waiting list by removing the names of applicants based on the requirements set forth in this plan.

IEH will contact each applicant household annually. The Head-of-Household (HOH) will be the only person contacted unless otherwise requested.

If this letter is unable to be delivered by the United States Postal Service, the application will be removed from the waiting list.

If the Head-of-Household (HOH) fails to respond to IEH's inquiries regarding the desire to remain on the waiting list, the application will be removed from the waiting list.

In addition, an adult member of the applicant household must contact the property, in writing, if household information changes (i.e. number of household members, number of future household members, criminal history, income, etc.). If the household size or composition changes, IEH will:

1. Update the waiting list information and
2. Decide whether the household needs the same or a different unit

If, as a result of the household composition change, it is determined that the household will be on the waiting list for a different unit than originally indicated, the household will maintain their place on the waiting list for the new unit.

If there are no units of the appropriate type on the property, the household will be removed from the waiting list.

REMOVAL OF APPLICANTS FROM THE WAITING LIST

IEH will remove an applicant's name from the waiting list when if any of the following apply:

- Applicant requests that the household name be removed
- The unit that is needed – using household size as the basis – has changed, and no appropriate size/type unit exists in the property
- Applicant fails to meet eligibility requirements
- Applicant fails to meet occupancy standards
- Applicant fails to meet screening requirements
- Applicant is rejected for any reason described in this plan
- Applicant cannot be contacted by US Mail (letters are returned or undeliverable)
- Applicant cannot be contacted by phone (number disconnected or changed)
- Applicant fails to keep application information up to date based on the requirements described in this plan
- Applicant was clearly advised, in writing, of the requirement to tell IEH of his/her continued interest in housing by a particular time and failed to do so
- Applicant refused second offer of a unit (*See Right to Refusal Policy for additional information.*)

If an applicant is removed from the waiting list, and subsequently IEH determines that an error was made in removing the applicant, the applicant will be reinstated at the original place on the waiting list.

If an applicant is removed from the waiting list and later, the applicant household feels that they are now qualified for assistance/tenancy, the applicant household must submit a new application. The applicant will be placed on the waiting list, as necessary, based on the submission date and time of the **new** application.

There are certain situations when IEH may refuse to accept an application. IEH will not accept applications from individuals who were previously rejected because the applicant:

- Is subject to a state lifetime sex offender registry
- Has been convicted of a crime as indicated in the criminal screening criteria (*certain time restrictions apply*)
- Has been evicted from another property managed or owned by IEH
- Has been evicted from a federally assisted property for drug use in the last three years

In addition, if an applicant previously accepted a unit offered by IEH and the applicant failed to take possession of the unit on the agreed upon date without notice to IEH, IEH reserves the right to refuse all future applications.

Preferences

Unit Transfer Preference:

Residents who have submitted a Unit Transfer Request for a transfer to another unit within their building and who are deemed eligible for the transfer are given preference on the waiting list. This means that a resident transferring from one unit to another within their building will be offered a unit before an applicant. Unit Transfer Requests are only permitted by residents to transfer to another unit within the building they currently reside in, in certain qualifying situations.

Transfers between buildings are prohibited by the Department of Housing and Urban Development. To move to another building, a NEW application must be completed and signed. This new application will be processed the same as any new application.

VAWA Emergency Transfer (Internal Transfer):

In some cases, **existing residents** that qualify for a VAWA Emergency Transfer may receive preference over other residents who have requested a unit transfer. Please see the VAWA Policy and/or contact property staff for additional information.

VAWA Emergency Transfer (External Transfer):

In some cases, existing residents that qualify for a VAWA Emergency Transfer to another Island Elderly Housing owned building may receive preference over other applicants. Please see the VAWA Policy and the VAWA Emergency Transfer Plan and/or contact property staff for additional information.

Emergency HUD Preference:

On occasion, usually in response to a presidentially declared disaster, HUD requests that owner/agents implement a temporary preference for victims. IEH may implement a temporary emergency preference based on requests from the Department of Housing.

If HUD requests that IEH implement such a request, the preference will be in place for a maximum of thirty (30) days from the date of notification to existing applicants.

If such a preference is implemented, applicants who qualify for the preference will receive priority over other applicants / residents with preferences except when a resident has requested a unit transfer because

1. The resident requires the accessibility features of a different unit; or
2. There is a verified medical need for a unit transfer.

When an applicant qualifies for a preference because of a presidentially declared disaster, applicants moving from a property owned or managed by IEH will receive preference over other applicants moving from other properties.

Verification of Preferences

All preferences will be verified using the verification methodology described in this resident selection plan.

Special consideration applies when a VAWA Emergency Transfer Request is submitted by a victim of a VAWA crime. If this is your situation, please contact the property staff for additional information.

Change in Preference Status While on the Waiting List

Occasionally households on the waiting list who did not qualify for a preference when they applied will experience a change in circumstances that qualifies them for a preference. In such cases, it is the responsibility of the applicant to contact IEH so that their change in status may be verified and the waiting list can be updated to reflect the preference as appropriate.

To the extent the verification determines the household does now qualify for a preference, they will be selected from the waiting list in accordance with the preference and the date the application was received.

Exceptions to the Preference Rule



Management will give priority to current residents:

- Residing in a unit that has been determined uninhabitable due to flood, fire or other natural disaster
- When a unit is designated for rehabilitation or repair

These situations represent extenuating circumstances and the normal selection order may be adjusted to address the needs of these residents.

PRIVACY POLICY

It is the policy of IEH to guard the privacy of individuals conferred by the Federal Privacy Act of 1974 and to ensure the protection of such individuals' records maintained by IEH. Neither the property owner nor its agents shall disclose any personal information contained in its records to any person or agency, other than HUD, its Contract Administrators or other federal/state entity or investor auditing entities, unless the individual about whom information is requested gives written consent to such disclosure. Such consent may be provided in an equally effective manner, as a reasonable accommodation, when there is the presence of a disability.

This Privacy Policy in no way limits IEH's ability to collect such information to determine eligibility, compute rent, or determine an applicant's suitability for tenancy.

VERIFICATION

IEH shall obtain verifications in compliance with requirements set forth by the Department of Housing and Urban Development. After the preliminary eligibility determination, no decision to approve an application shall be made until information provided on the application form and during subsequent interviews has been collected and any necessary follow-up interviews have been performed. All information relative to the following items must be verified as described in these procedures:

INFORMATION TO BE VERIFIED

Information to be verified includes, but is not limited to:

- 1) Eligibility for Admission, such as
 - a) Income
 - b) Assets And Asset Income
 - c) Identification
 - d) Age
 - e) Household Composition
 - f) Social Security Numbers
 - g) Citizenship And/or Legal Status
 - h) Student Status
 - i) Current HUD Assistance
- 2) Allowances, such as



- a) Age
 - b) Disability
 - c) Full Time Student Status
 - d) Child Care Expenses
 - e) Disability Assistance Expenses
 - f) Medical Expenses (For Elderly/Disabled Households Only)
- 3) Compliance with Resident Screening Guidelines, such as
 - a) Criminal History
 - b) Credit History
 - c) Rental/Residence History
 - 4) The Need for an Accessible Unit

METHODS OF VERIFICATION

Verifications will be attempted in the following order:

1. Upfront Income Verification (UIV)
2. Third-party (as appropriate)
3. In the absence of any of the above, notarized or witnessed statements from the household member (*IEH is not required to accept family/self-certification*). Each file will be documented, when appropriate, to show that staff attempted to obtain third-party verification before relying on family certification.

SOURCES OF INFORMATION

Sources of information may include, **but are not limited to:**

- Any member of the applicant household
- Present and former housing providers/landlords
- Present and former employers
- Banks
- Insurance Companies
- Any Asset Manager
- Family members
- Any person or organization providing gifts/regular contributions to the household
- Credit Screening providers
- Criminal Screening providers
- Eviction Screening providers
- Social workers/Parole Officers
- Court records
- Drug Treatment Centers
- Health Providers
- Physicians
- Clergy
- Schools/Institutes of Higher Education

- Department of Homeland Security (DHS)
- Department of Health and Human Services (HHS)
- The Internal Revenue Service (IRS)
- The Social Security Administration (SSA)
- Medicare/Medicaid
- Representative of the United States Armed Forces
- Any federal/local benefit providers
- Pharmacies
- Utility Providers
- Local and non-local law enforcement
- Automated criminal databases
- Sexual Offenders registries when available
- The world wide web (internet)

IEH will be the final judge of the credibility of any verification submitted by an applicant. If IEH questions the validity of a document or the validity of information provided, it will be reviewed by management staff for a ruling regarding acceptability.

PERIOD FOR VERIFICATION

Only verified information that is less than 120 days old may be used for verification. Verified information not subject to change (such as a person's date of birth) will not be re-verified.

CONSENT AND VERIFICATION FORMS

Regardless of age, the Head-of-Household (HOH), the co-Head-of-Household (HOH) the spouse of the Head-of-Household (HOH) and all adult members of a household must sign HUD's consent forms so that IEH can verify eligibility.

1. HUD-9887, *Notice and Consent for the Release of Information to HUD and to a PHA*
2. HUD-9887-A, *Applicant's/Resident's Consent to the Release of Information Verification by Owners of Information Supplied by Individuals Who Apply for Housing Assistance*

Consent and verification forms protect the rights and privacy of residents and applicants by allowing them to have control over any information collected about them.

All adult members of an applicant or resident household must also sign individual verification forms authorizing IEH to verify household income and applicable eligibility factors (e.g., disability status) and to allow for screening.

When a minor living in the unit turns 18, he/she will have thirty (30) days to meet with the management staff and sign appropriate forms. Failure to do so will result in termination of subsidy for the entire household.

PROVISIONS FOR REFUSAL TO SIGN

If any member of the applicant's household does not sign and submit the consent forms as required, IEH must reject the application and deny assistance and/or tenancy.

MISREPRESENTATION

Any information, provided by the applicant that proves to be untrue may be used to disqualify the applicant because of misrepresentation or attempted fraud. IEH will not take any action to reduce or deny assistance based on inconsistent information received during the verification process until IEH has independently investigated the information.

IEH considers false information about the following to be grounds for rejecting an applicant:

- Identity
- Social Security Numbers/Information
- Income
- Assets/Income From Assets
- Household Composition
- Disability
- Birth Date/Age
- Eviction History
- Criminal History
- Sexual Offender Status
- Eligibility For Preferences and Priorities
- Allowances
- Current/Previous Residence History
- Current Housing Assistance
- Status As A Student

Unintentional errors that do not cause preferential treatment will not be used as a basis to reject applicants.

APPLICANT SCREENING CRITERIA

Screening is performed in a manner that is reasonable, consistent, and complies with fair housing laws.

Screening is used to help ensure that households admitted to a property will abide by the terms of the lease, pay rent on time, take care of the property and unit, and allow all residents to peacefully enjoy their homes.

Anyone who wishes to live on the property must be screened prior to moving in. This includes, but is not limited to, live-in aides, or additional household members wishing to move-in after the initial move-in. *Certain exceptions apply to children/minors.* The current screening guidelines in place at the time the new household member applies will be used to determine eligibility for admission.

SCREENING FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY

HUD has established standards that prohibit admission of:

Island Elderly Housing

1. Any household in which any member was evicted in the last three years from federally assisted housing for drug-related criminal activity.
2. A household in which any member is currently engaged in illegal use of drugs or for which IEH has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents.
3. Any household member who is subject to any state lifetime sex offender registration requirement.
4. Any household member if there is reasonable cause to believe that 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.

Current use will be presumed and will be investigated if, within the last eighteen (18) months, the resident has been charged or convicted of substance abuse related crimes (including crimes related to alcohol abuse) or crimes involving controlled substances as defined by the Controlled Substance Act.

In addition to HUD requirements, IEH has established a policy to reject all applications where the applicant or any household member has engaged in criminal activity as described in this document.

IEH will reject applications if any household member's criminal history includes one or more of the following:

1. Record of any conviction which involved the following felonies within the past ten (10) years of application:
 - a. Murder
 - b. Arson
 - c. Felony Assault
 - d. Kidnapping
 - e. Burglary
 - f. Treason
 - g. Crimes involving harm to children
 - h. Sexual offenses
 - i. Crimes involving explosives
 - j. Crimes involving terrorism
 - k. Crimes involving the manufacture or distribution of illegal or controlled substances



2. Fraud
3. Record of three (3) or more felony convictions;
4. Record of any conviction which involved felonies other than those listed above in paragraph 1 or the following misdemeanor offenses, within the past five (5) years of application:
 - a. Assault resulting in bodily injury
 - b. Misdemeanor Domestic Violence
 - c. Burglary
 - d. Resisting arrest
 - e. Indecent exposure
 - f. Obscenity
 - g. Pimping/Prostitution
 - h. Graffiti
 - i. Possession of a controlled substance
 - j. Property theft
 - k. Unlawful possession of a weapon
 - l. Violating a restraining order
 - m. Terroristic Threats
 - n. Reckless Damage or Destruction
5. Record of any conviction which involved other Class A or Class 1 misdemeanor offenses within the past three (3) years of application;
6. Record of any conviction which involved any other Class B or Class 2 misdemeanor offense within the past two (2) years of application;
7. Record of any conviction which involved any other Class C or Class 3 misdemeanor or offense within the past one (1) year of application;
8. Record of three or more convictions which involved a misdemeanor offense within the past three (3) years of application.
9. Record of any act that interferes or may interfere with the peaceful and quiet enjoyment of the premises within the past two (2) years of application.

Note: When there is no conviction, regulations specifically provide that denial of assistance for criminal activity must be based on a "preponderance of the evidence" that the applicant engaged in such activity.
10. Record of any conviction which involved a sex crime;
11. Record of any conviction which involved harm to a child;

12. Record of any conviction which involved harm to an animal
13. Record of any conviction for any act covered under the Violence against Women Act
14. Sex Offender Registration: Applicant is subject to registration under a state sex offender registration program.

If IEH discovers an unresolved criminal charge of an act covered under the Violence against Women Act, charge of a felony, or a charge involving the possession, use or distribution of marijuana, the application will be suspended until the charge is resolved. At that time, IEH's current screening criteria will be applied.

If a resident or applicant has requested VAWA protections and such protections have been justified based on IEH's investigation, the abuser/perpetrator will not be approved to live on the property.

If IEH is unable to complete required criminal or sexual offender screening, the application will be rejected.

If IEH determines that a sex offender is part of the household, IEH will allow the household to remove the sex offender from the application. Removal must be documented using a signed, notarized copy of IEH's form.

The household will have ten (10) business days to provide verification that the household member has alternative housing or that the household member has applied for alternative housing.

Failure to provide such documentation will result in rejection of the application for all household members. In this case, IEH reserves the right to monitor household composition after move-in.

If IEH discovers that a sex offender has moved in to the unit, assistance will be terminated and the household will be evicted in accordance with HUD requirements. Any assistance paid-in-error must be returned to HUD.

Consideration of Extenuating Circumstances

In deciding whether to exercise discretion to admit an individual who has engaged in prohibited criminal activity, IEH will consider all of the circumstances relevant to the particular admission decision, including but not limited to: the seriousness of the offending action; the effect that denial of the entire household would have on family members not involved in the criminal activity; and the extent to which the applicant has taken all reasonable steps to prevent or mitigate the criminal activity.

Additionally, when specifically considering whether to deny admission for illegal drug use by a household member who is no longer engaged in such activity, IEH will consider whether the

household member is participating in or has successfully completed a drug rehabilitation program, or has otherwise been rehabilitated successfully.

Criminal Screening Discoveries

If the criminal background investigation indicates that the applicant does not meet the criminal screening criteria, IEH will reject the applicant in accordance with HUD guidance and IEH's standards for applicant rejection. Before rejecting the household, IEH will compare the information provided by the applicant with the criminal history report. If the information conflicts, IEH will:

1. Notify the household of the proposed action based on the information;
2. Provide the content of the criminal record and information about how to obtain a copy of the information;
3. Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency;
4. Allow the household the opportunity to remove the household member.

In this situation, applicants will have ten (10) business days to resolve the discrepancy. If the applicant fails to contact IEH or indicates that he/she cannot provide documentation to refute the criminal discovery, IEH will reject the application and remove the household from the waiting list.

If, after move-in, IEH discovers that there was criminal history that would have resulted in rejection, IEH will contact the resident to ascertain the accuracy of the criminal report. If the resident would have been rejected had the information been known at the time of the eligibility determination, IEH will take appropriate action including notifying HUD's Office of the Inspector General of potential fraud and pursuing termination of tenancy (eviction).

SCREENING CREDIT HISTORY

IEH reviews each adult applicant's credit history. IEH does not consider medical bills/expenses or student loans when reviewing credit history.

Credit history will be reviewed to determine if there is any debt owed to a prior landlord or HUD. Applicants owing prior landlords will be rejected unless:

- Such debt has been paid or
- Applicant has entered in to a repayment agreement and can demonstrate that payments toward the principal amount(s) have been on time for the most current 6 months

IEH will also review utility payment history. If the applicant is unable to establish a telephone landline in the new unit prior to taking occupancy, the application will be rejected.

Other credit history will be reviewed; the following discoveries will be reason for rejection:

- One or more outstanding judgments in excess of \$1000 within the last three years
- Two or more checks returned for non-sufficient funds in the last year

- Current credit score below 350
- Default on any loan/payment agreement within the last two years
- Any record of failure to pay child support owed within the last 12 months
- IEH determines applicant will not be able to maintain rent payments

Debt-to-Income (“DTI”) is a term which describes a person’s monthly debt load as compared to their monthly gross income. IEH may calculate DTI to determine whether an applicant can maintain rent payments.

If the applicant has no credit history, the credit screening will be considered “positive”.

SCREENING RENTAL HISTORY

If any member of the applicant household has been evicted from any property owned or managed by [IEH](#) for lease violations, that applicant household will be rejected.

An applicant will provide references from the past two (2) landlords or a period of time of not less than six (6) years) if two (2) landlords are not available. If two (2) landlord references are available, the period of time will not be less than three (3) years. If any member of the applicant household has been evicted from any property, for lease violations, within the last six (6) years, the application will be rejected.

If the applicant fails to identify one or more residences where he/she lived in the last six (6) years, the applicant will be rejected and the household will be removed from the waiting list.

IEH will contact the prior property owner/agent (as indicated above) and inquire about the following information:

- Adherence to the Lease & Community Policies
- Compliance with certification reporting requirements
- Rental Payment Performance
- Compliance with requirements to fully and accurately disclose income information in a timely manner
- Requirement to Return Assistance Paid in Error due to under-reporting income or un-reported income
- Unit Maintenance/Damage
- Presence of Bed Bugs, Head Lice, Roaches or other parasitic infestation
- Record of Disturbing Neighbors
- Complaints

If information obtained is negative the applicant will be rejected. Negative responses include but are not limited to:

- Failure to comply with the lease
- Failure to comply with House Rules, Pet Rules or Assistance Animal Rules

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- Failure to fully and accurately report income, new employment or changes in household composition in a timely manner
- Providing false information
- Attempting to receive or receiving HUD assistance in multiple units/homes
- Slow or no response to requests to recertify
- Poor rental payment history (average more than two (2) late payments per year, record of bounced checks, any outstanding balance)
- Record of poor unit maintenance or damage to the unit beyond normal wear-and-tear
- Presence of parasitic infestation unless the applicant agrees to have all unit contents treated before move-in (*IEH will arrange for and pay for treatment*)
- Complaints from neighbors regarding actions that directly affect the peace and quiet comfort of others living in the community
- Record of actions that interfered with or prevented the previous landlord from effectively managing the property.
- A current outstanding balance owed by any household member to a prior landlord
- A current outstanding balance owed by any household member to HUD to return assistance paid in error
- Failure to execute or pay repayment agreements

If no rental history is available, IEH will accept two (2) references from a person who is not related to the applicant who is a licensed business owner, accredited professional or an employee of an accredited education facility. No additional inquiry will be made.

SCREENING FOR RECEIPT OF HUD ASSISTANCE IN ANOTHER UNIT

All applicants **MUST** disclose if they are currently receiving HUD housing assistance. IEH will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit on this property. HUD provides IEH with information about an applicant's current status as a HUD housing assistance recipient.

IEH will use the **Existing Tenant Report** provided via HUD's Enterprise Income Verification System (EIV) to determine if the applicant or any member of the applicant household is currently receiving HUD housing assistance.

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

If an applicant fails to fully and accurately disclose rental history, the application may be denied based on the applicant's "misrepresentation" of information and the household will be removed from the waiting list.

This information will be reviewed periodically after move-in.



If any household member receives or attempts to receive HUD housing assistance while receiving HUD housing assistance on this property, the household member will be required to reimburse HUD for assistance paid in error. This is considered a material lease violation and may result in penalties up to and including eviction and pursuit of fraud charges.

REJECTING INELIGIBLE OR UNQUALIFIED APPLICANTS

IEH reserves the right to reject applicants for admission based on any of the following:

- No unit of the appropriate size exists on the property
- The household fails to meet the HUD indicated eligibility requirements for the assistance program/property
- Any non-exempt member of the household fails to provide a Social Security Number or adequate documentation to verify the Social Security Number (SSN)
- Any member of the household fails to meet the applicant screening requirements
- Any member of the household fails to sign appropriate verification documents
- Misrepresentation
- Fraud
- Any member of the household fails to respond to management inquiries for additional information during the application process
- Any member of the household fails to provide changed household information to the management company as indicated
- IEH is unable to contact the applicant via US Mail (letters undeliverable or returned) and/or by phone (number disconnected or changed)
- Any member of the household has a record of eviction, for lease violations, from any property managed by IEH
- Any member of the household has a record of eviction, for lease violations, from any property within the last three years
- There is record of outstanding or overdue payments to a previous landlord
- There is record of outstanding or overdue payments to HUD
- There is record of outstanding or overdue payments to utility providers
- Any member of the household refused to allow treatment of unit contents, at the cost of the owner/agent, when there is history of the presence of bed bugs, fleas, or other parasites
- The household is unable to establish a telephone landline in the new unit
- The household is unable to pay the security deposit required
- The household is unable to take possession of the unit within 30 days of offer
- The household is unable to pay the first month's rent (TTP)
- The household refuses two or more unit offers

REJECTION NOTICES

IEH will promptly notify the household (Head-of-Household (HOH), in writing, of the denial of admission or assistance. A rejection letter will be sent to the Head-of-Household (HOH) via First Class Mail. The rejection letter will include the reason(s) for the rejection.

APPEALING THE DECISION TO REJECT

In the event that an applicant is rejected, the applicant shall have fourteen (14) days from the date of the letter to respond in writing or to request a meeting to dispute the rejection.

Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.

If there is no appeal request **within fourteen (14) days**, the rejection will be considered final.

Reasons to appeal include:

- You believe the decision has been made in error
- You believe there are extenuating circumstances that should be considered
- You or a member of your household is a victim of abuse covered by the Violence Against Women Act and you feel your status as a victim contributes to the decision to deny
- You or a member of your household is a person with a disability, and you believe a reasonable accommodation would allow us to continue processing the application
- Your household was rejected because the application includes someone who is a registered sex offender and you wish to remove that household member

Any staff person engaged in the initial review will not be involved in the appeal. Applicants may bring a representative to assist in the appeal meeting. Applicants and/or their representatives have the right to request a reasonable accommodation to:

- Assist in facilitating your request for appeal
- To assist in your participation during the appeal meeting

IEH will provide written notification of a final decision within five (5) business days of the meeting.

Offering an Apartment

When a unit becomes available and eligibility is determined, available units will be offered using one or more of the following methods:

- In writing
- Over the phone
- By email

If IEH is unable to contact the household (Head-of-Household (HOH) within five (5) business days from the date of the letter, the offer will be cancelled and the apartment will be offered to the next applicant based on the selection criteria described in this plan.

Failure to respond to IEH will be considered a refusal of the unit offer. (See Right to Refusal policy.)

Offering Accessible Units

Units that have been made accessible in accordance with the Universal Federal Accessibility Standards or the Americans with Disabilities Act Accessibility Guidelines will be offered to applicant households with disabled members first. In some cases, IEH may implement marketing effort to ensure that disabled households occupy accessible units.

Units with communication accessible features will be offered to households with a verified need for communication accessible units first.

Units with mobility accessible features will be offered to households with a verified need for mobility accessible units first.

After move-in, if the members of the household who required the special features of the accessible unit no longer reside in the unit, and where the lease permits, IEH will require the remaining members of the household to move to a unit without accessibility features when such a unit of the appropriate size becomes available.

If there is no household on the waiting list that has requested an accessible unit, the unit will then be offered to the next household based on the selection order.

Before the applicant can accept that accessible unit, all adult members of the applicant household must sign an agreement that includes a requirement to move, at the household's expense, to the first available non-accessible unit that meets the household's occupancy requirements as described in this plan. The resident household will not be required to move if:

1. No unit that meets the household's occupancy requirements is available
2. There is no applicant household on the waiting list requesting an accessible unit

In either of the cases above, the household will have a maximum of thirty (30) calendar days to complete the move. If the applicant fails to move in thirty (30) calendar days, assistance will be terminated. This rule, in no way, affects the single residence criteria. The household can only accept assistance in one unit on any given day.

Offering Units to Applicants with Disabilities Requesting Accessibility Features

IEH will not skip over a household that has reached the top of the waiting list and has indicated a need for certain unit features because of a disability.

The household will be given the opportunity to benefit from the program and decide, in compliance with the Fair Housing Act and Section 504, whether a unit meets the needs of the disabled household member. The household may accept the unit and request some

modification to the unit as a reasonable accommodation. See Appendix A for information about requesting a reasonable modification.

Applicant/Resident Selection Order

Accessible Apartments will be offered in the following order:

Applicant/Resident Selection Order

Accessible Apartments will be offered in the following order:

1. The next existing resident household on the waiting list who resides in an accessible unit and who is requesting a unit transfer within their building to a different accessible unit based on a verified need for a reasonable accommodation or verified medical need
2. The next existing resident household on the waiting list who resides in a non-accessible unit and who is requesting a unit transfer within their building to an accessible unit based on a verified need for an accessible unit
3. The next applicant household on the waiting list with a verified need for an accessible unit
4. The next existing resident household on the waiting list who does not need an accessible unit but who is requesting a unit transfer within their building to a different unit based on an Emergency VAWA Transfer Request
5. The next applicant household on the waiting list who does not need an accessible unit (conditions apply)

Accessible units will always be offered to residents and applicants who need the features of the accessible unit before they are offered to resident and applicants who do not need the features of an accessible unit.

Right to Refusal

The Right to Refusal Policy applies to applicants and existing residents who have submitted a Unit Transfer Request. Residents requesting unit transfer and applicants will be offered available units based on the information included in this resident selection plan.

Each household will be offered the opportunity to accept an offered apartment two (2) times. If a resident/applicant does not wish to accept an offered apartment, they have the right to refuse the offer.

Residents/applicants must notify IEH of their intent to refuse the unit offer by using one or more of the following methods:

- In writing (delivered by fax, mail or other means)
- By email
- Over the phone

Note: If the refusal is made over the phone, contact must be made with a member of the management staff. Leaving a message is not adequate.

The first time an applicant or resident refuses a unit, the unit will be offered to the next qualified household based on the selection order described above. The applicant or resident will retain the same place on the waiting list.

The second time an applicant or resident refuses an offered unit; the household will be removed from the waiting list.

Right to refusal policies will be modified in four cases:

1. If a disabled applicant or resident is at the top of the waiting list, they will be offered units as they become available regardless of whether they include accessible features. A disabled household has the right to refuse an unlimited number of non-accessible units or units that do not meet specific accessibility requirements.
2. If an applicant or resident household with no disabled members is at the top of the waiting list, and there are no disabled households on the waiting list, that household may be offered an accessible unit. An applicant household with no disabled household members has the right to refuse an unlimited number of accessible units or units that do not meet their needs.
3. Any applicant may reject an available unit on a property set aside for the elderly and/or disabled if this unit is close to another unit with an animal. This action will not negatively affect the household's application for occupancy or position on the waiting list to be eligible for the next available unit. IEH is not obligated at the time the applicant rejects a unit to provide an alternate unit.

Timeframe for Taking Possession of a Unit

The applicant must agree to take possession of a unit in no more than thirty (30) calendar days from the day of accepting the unit unless IEH provides written exception to this policy.

If the applicant household does not complete appropriate paperwork and does not take possession of the unit within thirty (30) days from accepting the offer, the applicant will be subsequently rejected and removed from the waiting list. (Extenuating circumstances related to verified medical situations will be considered.)

IEH reserves the right to refuse subsequent applications. The unit will be offered to the next eligible applicant/resident based on the selection order described in this plan.

Household Split

In some cases, a household may split. A Split Household is defined as one assisted household becoming two or more assisted households. This happens when one or more household members move out of the unit in to a new unit. Some of the original household members remain in the original unit.

When this happens, those members establishing a “new” household will be treated as a new applicant and will be placed at the bottom of the waiting list. New application documents must be completed and submitted to IEH. The “new” household must be eligible and must meet all screening requirements. The resident selection plan in effect at the time of the final eligibility determination will be used.

Changes in Household Composition

Adding Household Members after Initial Occupancy

IEH must approve any new adult household member **before** he/she moves in to the unit. Eligibility criteria, screening criteria and compliance with occupancy standards will be reviewed before the new household member is approved or denied.

The request to add a new household member will not be considered if the resident has provided notice to vacate the unit. This helps prevent applicants from “jumping” ahead on the waiting list.

Any new adult household member will be considered an applicant and must participate in the eligibility determination and screening processes described in the resident selection plan in place at the time of the eligibility determination.

When a change in family composition is reported in Section 202 PRAC projects, adult children are not eligible to move into a unit after initial occupancy unless they are performing the functions of a live-in aide and are classified as a live-in aide for eligibility purposes.

The adult children are required to sign a release form relinquishing any future rights to the unit as a remaining member of the tenant family, as they qualify for occupancy only as long as the individual needing the supportive services is in occupancy.

The rent/assistance payment will be re-calculated to reflect any income or allowances for the new household member. If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the addition of the new household member.

This policy applies to live-in aides as well. Screening criteria will also be applied to live-in aides, **except for the criterion regarding credit performance or the ability to pay rent on time** because live-in aides are not responsible for rental payments.

However, live in aides must meet other screening criteria established by IEH. Income and/or allowances received by live-in aides will not be considered.

Information about new household members who are minors must be provided to IEH as quickly as possible but within no more than thirty (30) calendar days. This includes, as applicable, required eligibility information including Social Security Numbers and other pertinent information.

If the new household member is under the age of six, special consideration regarding Social Security Number disclosure and verification of Social Security Numbers is given.

The household will be given ninety (90) calendar days to provide the Social Security Number and adequate documentation to verify the Social Security Number provided. In some cases, an additional ninety (90) days may be provided.

If the household fails to provide the required Social Security Number information within the allotted timeframe, the household's tenancy will be terminated (eviction) in accordance with HUD requirements.

Each dependent child that lives in the unit may be eligible for a \$480 deduction that decreases the monthly rent payment by roughly \$12.00 per month. The rent payment will be re-calculated to reflect any income or allowances for the new household member.

If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the addition of the new household member.

Failure to notify IEH about changes in household composition as described above may result in retroactive rent changes and/or termination of subsidy/tenancy for the entire household. Please contact property staff if you have questions about this policy.

Removing Household Members after Initial Occupancy

Residents must notify IEH if any household member listed on the lease or on HUD Form 50059 leaves the unit. This notification must occur as quickly as possible but within no more than thirty (30) calendar days.

Upon notice, the rent payment will be re-calculated to remove any income or allowances for the previous household member. If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the removal of the household member.

Failure to provide notice to IEH, within thirty (30) days, could result in rent increases retroactive to the first of the month after the household member left. Subsidy paid in error will be returned, as required, to the Department of Housing & Urban Development.

If the resident fails to notify IEH of a change in household composition within thirty (30) calendar days, and that change would result in a rent decrease, IEH will make the decrease effective the first of the month following the notice. No retroactive rent credits will be returned to the resident.

Failure to notify IEH about changes in household composition may result in termination of subsidy and/or tenancy for the entire household. Please contact property staff if you have questions about this policy.

Apartment Inspections

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

The move-in inspection is an opportunity to familiarize the new resident with the property and the unit, as well as to document its current condition. By performing move-in inspections, on-site management and residents are assured that the unit is in livable condition and is free of damages. A move-in inspection gives maintenance an opportunity to familiarize residents with the operation of appliances and equipment in the unit.

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

In addition, IEH will perform **unit inspections on at least an annual basis** to determine whether the appliances and equipment in the unit are functioning properly and to assess whether a component needs to be repaired or replaced. This is also an opportunity to determine any damage to the unit and, if so, make the necessary repairs. At this time, residents may be charged for damages to the unit so long as those damages are not the result of normal wear-and-tear.

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



Changes to the Resident Selection Plan

Applicants will be notified in writing when the resident selection plan undergoes significant change or when preferences are added or removed. At that time, applicants will be:

1. Given an opportunity to review the new plan
2. Notified of changes to preferences
3. Asked if they wish to remain on the waiting list

If the applicant household does not respond, that household will be deemed ineligible and removed from the waiting list.

The current resident selection plan, in place at the time of final eligibility determination, will be used to make a final decision to approve or reject the application.

Appendix A - Request for Reasonable Accommodation or Modification

IEH is committed to complying with the Fair Housing Act and Section 504 of the Rehabilitation Act by ensuring that its policies and practices do not deny individuals with disabilities the opportunity to participate in, or benefit from, nor otherwise discriminate against individuals with disabilities in connection with the operation of housing services or programs solely on the basis of such disabilities.

If an individual with a disability requests an accommodation or modification, IEH will fulfill these requests, unless doing so would result in a fundamental alteration in the nature of the program or create an undue financial and administrative burden. In such a case, if possible, IEH will offer an alternative solution that would not result in a financial or administrative burden.

- (1) IEH informs all applicants/residents that, at any time, the applicant/resident or a person acting on behalf of the applicant/resident may make a request for reasonable accommodation or modification for an individual with a disability.
- (2) At the time of application, all applicants are provided with a copy of the Reasonable Accommodation - Modification Policy. This is provided in writing as part of the Application Package or, upon the applicant's request, the Policy will be provided in an equally effective format.
- (3) All applicants/residents are provided with a Reasonable Accommodation/Modification Request Form when requesting a reasonable accommodation or modification. The request will be accepted in an equally effective format, as a reasonable accommodation, if there is the presence of a disability. A resident or applicant may submit the request in writing, orally, or use another equally effective means of communication to request an accommodation or modification.
- (4) Residents and applicants may contact the management office located within their property for information about requests.

- (5) IEH will provide an initial reply to requests as quickly as possible, but no more than ten (10) business days from the receipt of the request unless IEH explains the delay. Response may include but is not limited to:
 - i. Request Approval
 - ii. Request Denial
 - iii. Request for Additional Information or Verification of Need
- (6) IEH will consent to or deny the request as quickly as possible. Unless IEH explains the delay, the applicant/resident will be notified of the decision to consent or deny within no more than thirty (30) calendar days after receiving all necessary information and documentation from the resident and/or appropriate verification sources. All decisions to grant or deny reasonable accommodations will be communicated in writing or, if required/requested, in an alternative format.
- (7) Exceptions to the thirty (30) day period for notification of IEH's decision on the request will be provided to the resident setting forth the reasons for the delay.
- (8) If the request for reasonable accommodation or modification is denied, the requestor has the right to appeal the decision within ten (10) business days of the date of the written notification of denial. The appeal meeting will be conducted by a person who was not originally involved in the decision to deny.

Appendix B: Dual Subsidy Notice

I understand that my application to move to **ISLAND ELDERLY HOUSING** with the rest of my household members has met preliminary eligibility requirements.

I have indicated, on the application, that:

1. I am not currently receiving HUD assistance in another unit
2. I am currently receiving HUD assistance in another unit.

According to the current HUD lease, if I am living in a community and receiving HUD project-based assistance, I must provide a 30-day notice to the agent managing the property where assistance is currently provided.

If IEH discovers that any household member failed to move out of a HUD assisted residence before moving to IEH, no rent subsidy or utility allowance will be provided by the Department of Housing and Urban Development until the day after the move out is complete. Household members who signed the lease will be responsible for paying the market rent until qualified to receive HUD assistance on this property. Any assistance paid in error must be returned to HUD.

3. I am the recipient of a housing voucher.

I understand that HUD prohibits residents from benefiting from Housing Voucher assistance in a unit assisted through HUD's PRAC program.



I understand that HUD prohibits residents from benefiting from Housing Voucher assistance in a unit assisted through HUD's PRAC program. When the application is submitted the household will be added to the waiting list. A unit will be offered in accordance with the resident selection plan. If the family later moves out of the project, the project subsidy will not move with the family as it does with a voucher. If you wish to participate in the voucher program after move-out, you will need to reapply to the PHA to receive another voucher.

*All household members must be removed from or forfeit the voucher before receiving HUD assistance for a unit on this property. If IEH discovers that any household member failed to give up current HUD assistance before moving to **IEH**, no rent subsidy or utility allowance will be provided by the Department of Housing and Urban Development until the day after the move out is complete. Household members who signed the lease will be responsible for paying the market rent until qualified to receive HUD assistance on this property. Any assistance paid in error must be returned to HUD. This information will be verified using the Existing Tenant Report in EIV. If EIV indicates a conflict and verification information indicates that the information provided is not true, and the EIV information is verified, then IEH will reject the application based on misrepresentation of information.*

Appendix C – Verification of Household Composition

In compliance with HUD's Rental Housing Integrity Improvement Project (RHIIP), IEH will make every effort to ensure that the correct assistance is provided to those who seek housing assistance.

If an applicant household indicates that one or more members should be removed from the application, IEH will accept such notification from the Head-of-Household (HOH) if it is provided on a notarized form provided by IEH. The following rules apply.

If the household is being rejected because a member is registered as a sex offender in any state lifetime sex offender registry, IEH will take extra steps to ensure that the sex offender is not housed in any unit on the property. The household will have to provide documentation to prove that the sex offender will live at another location. Acceptable documentation includes, but is not limited to:

- Confirmation from a landlord with copy of an executed lease
- Confirmation from local police
- Confirmation from anyone who maintains sex offender registries including but not limited to:
 - a) Dru Djodin Sex Offender Registry
 - b) Megan's List
 - c) State or Federal Sex Offender Registries
- New driver's license with new address

Information will be confirmed for up to one year after move-in.

If it is discovered that the household allowed any registered sex offender to live in the unit, the applicant must understand that he/she is not qualified to receive subsidy or live on the property. All subsidy paid-in-error must be returned to HUD. Because this is a material lease violation, all household members must vacate the unit within 30 days.

One of the key requirements, at application and during residency, is to disclose who will be living in the unit at any given time. It is important to understand the difference between a resident and a guest.

Resident: A resident is any person who is listed on the application, on any Family Summary submitted and on the lease who will reside in the unit.

Guest: A guest is a person who visits any resident and may stay overnight no more than thirty (30) consecutive nights in a one-year period. If IEH suspects that a guest should actually be classified as a resident, IEH will request a meeting with the Head-of-Household (HOH).

In accordance with HUD requirements, the resident will have ten (10) days to meet with IEH. Failure to respond to the request to meet will result in termination of assistance beginning the first of the month following the 10-day notice.

If IEH suspects that a guest is actually living in the unit, IEH will ask for verification of alternative residence. Samples of such verification include one or more of the following:

- Verification with the United States Postal Service that no mail, for the guest, is delivered to the unit address
- *A current driver's license for the "guest" with an alternative address
- *A current lease indicating an alternative residence
- *A current utility bill in the person's name showing an alternative address
- *A current insurance policy or other such invoice/bill showing an alternative address

**Current means issued/created within the last thirty (90) days.*

In addition, the resident(s), indicated on the lease, must sign a notarized statement confirming that the guest does not violate the guest policy as indicated above and does not reside in the unit.

Live-in Aides: A live-in aide must meet HUD's definition of a live-in aide:

- 1) Is essential to the care and well-being of the resident
- 2) Is not dependent on the resident for support
- 3) Is only living in the unit to provide essential support

If a resident or applicant requests a live-in aide, IEH is required to verify the need for a live-in aide using third-party verification.

Live-in Aides are required to complete the Live-in Aide Questionnaire. The information on the Live-in Aide questionnaire will be verified and the prospective live-in aide will be screened in accordance with the resident selection plan in place at the time of review. The live-in aide will not be screened for the "ability to pay rent" since the live-in aide is not responsible for rent payment.

The live-in aide must be approved and must sign the House Rules and the HUD-approved Live-in Aide Addendum before move-in. IEH must sign a revised 50059 before the live-in aide is allowed to move-in.

If a live-in aide moves in prior to screening and prior to signing required forms, IEH will issue a notice of lease violation and may pursue other action including, but not limited to eviction of the live-in aide, termination of assistance and/or termination of tenancy.

Children/Minors: At move-in, all non-exempt household members, including children, must have a Social Security Number and adequate documentation to verify the Social Security Number.

When children are later added to the household, the following will be required.

For children who are born, adopted or in foster care or in another legal custodial relationship with an existing household member, IEH requires the following:

- Social Security Number and proof that the number is valid
 - For children under the age of 6 years old - must be provided within ninety (90) days or IEH is required to terminate tenancy.
 - An additional ninety (90) may be provided if extenuating circumstances exist
- Proof of age/legal custodial arrangement
 - Birth certificate indicating that a household member is a parent; or
 - Adoption paperwork indicating that a household member is a parent as appropriate; or
 - Verification from the foster agency indicating the unit as the primary residence of the foster child as appropriate; or
 - Other documents proving legal custody arrangement as appropriate

For children who are not part of a legal custody arrangement who will be living in the unit, IEH requires:

- Social Security Number and proof that the number is valid
 - For children under the age of 6 years old - must be provided within ninety (90) days or IEH is required to termination of tenancy. An additional ninety (90) may be provided if extenuating circumstances exist
- Two forms of proof that the child resides with a member of the household

- Verification from a government organization indicating that the unit will be the primary residence for the minor (examples include but are not limited to school records, children services agencies, foster programs, etc.)
- Verification from a medical professional in the know indicating that the unit will be the primary residence for the minor
- Verification from a social service organization indicating that the unit will be the primary residence of the minor (examples include but are not limited to homeless shelters, shelters for victims of domestic violence, etc.)
- A signed, notarized statement from an adult household member claiming guardianship of the minor child

IEH does not and will not establish policies intended to exclude children. If none of the household members can provide documentation for minors, as described above, IEH will meet with the resident to discuss reasonable alternatives. IEH will be the final judge of what is considered adequate documentation proving household composition/residency.

Appendix D - VAWA Policy

PROTECTIONS PROVIDED UNDER THE VAWA

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

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

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

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

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

However, being a victim of a VAWA crime is not reason to change the eligibility or applicant screening requirements set forth in the Tenant Selection Plan unless such requirements interfere with protections provided under the VAWA.

For example: IEH may waive the requirement to review landlord history for an applicant if the victim has provided necessary documentation to certify their status as a victim and if contacting a previous landlord would put the applicant's location at risk of exposure to the accused perpetrator.

Being a victim of a VAWA crime is not reason to waive requirements set forth in the HUD Model Lease or in any lease attachment or HUD approved lease addendum unless such requirements interfere with protections provided under the VAWA.

For example: IEH may waive the requirement for a 30-day notice to vacate if the victim has provided necessary documentation to certify their status as a victim and the resident wishes to move to elude the accused perpetrator.

IEH will not assume that any act is a result of abuse covered under the Violence against Women Act. In order to receive the protections outlined in the VAWA, the applicant/resident must specify that he/she wishes to exercise these protections. If any applicant or resident wishes to exercise the protections provided in the VAWA, he/she should contact the property staff immediately. IEH is committed to ensuring that the Privacy Act is enforced in this and all other situations.

CONFIDENTIALITY

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

1. Requested or consented to by the victim in writing; or
2. Required for use in an eviction proceeding or termination of assistance; or
3. Otherwise required by applicable law.

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

REQUESTS & CERTIFICATION

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



- Complete a VAWA Request Form provided by IEH
- Submitted a written request (*including email but not texting*)
- Make a personal (oral) request either in person or via phone/Facetime, etc.

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

Option 1: When IEH responds to a request to exercise protections provided under the VAWA, IEH will request that an individual provide HUD approved form *Certification as a Victim of Domestic Violence, Dating Violence, Stalking or Sexual Assault* to certify status as a VAWA victim or as a person affiliated with a VAWA Victim. The person seeking VAWA protections may obtain this form from the property staff or from HUD's web site.

IEH understands that the delivery of the certification form to the applicant/resident via mail may place the victim at risk, (e.g., the accused perpetrator may monitor the mail). IEH will work with the applicant/resident in making acceptable delivery arrangements.

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

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

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

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

Island Elderly Housing

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

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

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

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

Signed and dated by person providing certification:

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

Signed and dated by person seeking VAWA protections:

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

Option 5: If the person seeking VAWA protections cannot provide any of the documents described above, the person should contact IEH to discuss acceptable alternatives. If the



documents above cannot be provided, IEH will be the final decision maker regarding acceptable alternatives.

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

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

If IEH receives documentation that contains conflicting information (*including certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator*), IEH will require an applicant or tenant to submit third-party documentation, as described above, within thirty (30) calendar days of the date of the request for the third-party documentation.

To ensure that a person is not wrongly accused of committing an act covered under the VAWA, IEH will carefully evaluate abuse claims as to avoid denial, termination of assistance, termination of tenancy or eviction based on false or unsubstantiated accusations.

IEH will review and respond to requests to exercise protections provided under the VAWA as quickly as possible but within no more than ten (10) business days of receiving all required documentation. IEH may provide the response in any manner acceptable to the victim and IEH. Responses include:

- Approval of the Request for a specific VAWA accommodation
- Denial of the Request for a specific VAWA accommodation
- Request for additional information or Request to Meet

If the request is denied, the person seeking VAWA protections will have the right to appeal. Requests to appeal must be received within ten (10) business days of the date of the denial. When requested, the appeal will be held with someone who was not involved in the original decision to deny. IEH will grant a reasonable accommodation when there is the presence of a disability.

LEASE BIFURCATION

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

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

The resident must keep in mind that eviction of or termination action must be in accordance with the procedures prescribed by federal, state, and local law. IEH is committed to attempting to assist the victim and persons affiliated with the victim, however, evictions are generally carried out through the court system and IEH cannot override or circumvent a legal decision.

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

LEGAL ACTION

Victims are encouraged to seek police/legal protection from their accused perpetrator. In some cases, IEH may file a restraining order against the accused perpetrator to prevent the accused perpetrator from entering the property.

VAWA does not limit the authority of IEH, when notified of a court order, to comply with a court order with respect to:

- The rights of access or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or
- The distribution or possession of property among members of a household.

TERMINATION OF TENANCY OR TERMINATION OF ASSISTANCE

VAWA does not limit IEH' authority to deny, evict or terminate assistance to a resident/applicant for any violation that is not the result of an act of domestic violence, dating violence, sexual assault, or stalking.

IEH will not subject the resident/applicant, who is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, or is affiliated with an individual who is or has been a victim of domestic violence, dating violence, sexual assault or stalking, to a more demanding standard than other resident/applicants in determining whether to evict or terminate assistance.

VAWA does not limit IEH's authority to deny, terminate assistance to or evict a resident/applicant under a covered housing program when IEH can demonstrate an actual and imminent threat to other resident/applicants or those employed at or providing service to property of the covered housing provider would be present if that resident/applicant or

lawful occupant is not evicted or terminated from assistance. In this context, words, gestures, actions, or other indicators will be considered an “actual and imminent threat” if they meet the standards provided in the definition of “actual and imminent threat”.

*Note: **Actual and imminent threat** refers to a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: The duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.*

Determinations about the presence of imminent danger will not be based on stereotypes, but will be tailored to particularized concerns about individual residents.

IEH will take into account individual circumstances when making a determination to terminate tenancy; such circumstances might include, among other things, the seriousness of the offending action, the extent of participation by the leaseholder in the offending action, and whether the leaseholder, if not the wrongdoer, took all feasible steps to prevent the offending action from occurring and has removed the offending person from the lease or otherwise banned the offending person from the premises in the future.

Any eviction or termination of assistance will be initiated only when there are no other actions that could be taken to reduce or eliminate the threat. Examples of such action include, but are not limited to:

- Transferring the victim to a different unit when doing so would reduce or eliminate the threat
- Barring the perpetrator from the property,
- Contacting law enforcement to increase police presence
- Develop other plans to keep the property safe, or
- Seeking other legal remedies to prevent the perpetrator from acting on a threat

LEASE ADDENDUM

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

ENSURING EQUAL ACCESS

If you are disabled or have difficulty understanding English, please request our assistance and we will ensure that you are provided with meaningful access based on your individual needs.

Se você é incapacitado ou tem dificuldade em entender inglês, por favor solicite nossa assistência e nós vamos garantir que você é fornecido com acesso significativo baseado em suas necessidades individuais

Island Elderly Housing

Si se desactivan o tienen dificultad para entender el inglés, por favor solicite nuestra ayuda y nos aseguramos de que le proporciona un acceso significativo basado en sus necesidades individuales.



