

Selinon Park Tenant Selection Plan

Effective date: October 1, 2025

Owners: **Full Circle Communities, Inc.**
310 S. Peoria St, Suite 500
Chicago, IL 60607

Managing Member of:
Selinon GP, LLC

General Partner of:
Selinon Park Limited Dividend Housing Association
Limited Partnership

MDV Properties GP LLC
Member of Selinon GP, LLC
(MDV Housing LLC, its Managing Member, Marvin D. Veltkamp, its sole Member)

Property Manager: **Full Circle Management LLC**

Service Providers: **Zero Day (“Lead Provider”)**
Housing Resources, Inc. (HRI)
Kalamazoo Community Mental Health and Substance Abuse Services (KCMHSAS)
Bronson Community Health (Bronson)

Total Development Units – 75

24 - 1 Bedroom Units
23 - 2 Bedroom Units
18 - 3 Bedroom Units
10 – 4 Bedroom Units

PSH Tenant Units*

14 – 1 Bedroom Units
5 – 2 Bedroom Units
3 – 3 Bedroom Units
1 – 4 Bedroom Unit

*7 PSH Tenant Units are reserved for Medicaid Super Utilizers

Contents

Overview	3
1. Determining Eligibility for Tenancy at the Development.....	4
Income Requirements	5
2. Special Occupancy Categories	6
A. Qualifying for Admission Under MSHDA Permanent Supportive Housing Program Tenant (“PSH Tenant”) Eligibility Requirements.....	6
B. Qualifying for Admission Under Section 811 PRA Program (“Section 811 PRA Tenant”) Eligibility Requirements and 811 PRA Addendum	7
C. Qualifying for Admission Under Medicaid Super Utilizer Program Eligibility Requirements	8
3. Preferences	9
Priority of Preferences	9
1. First Priority: Existing PSH Tenants.....	9
2. Second Priority: Existing Tenants that are not PSH Tenants	10
3. Third Priority: Eligible PSH Tenants with SPDAT Acuity Score	10
4. Fourth Priority: Veterans.....	10
Exceptions to Preferences	10
4. Outreach.....	11
Public Media Plan	11
5. Application and Selection Process.....	12
Applications.....	12
Fees.....	12
Confidentiality of Applications.....	12
Processing Applications.....	13
Contacting Persons on the Waiting List.....	14
Accommodations	14
6. Notifications	15
Interview	15
7. Selection/Rejection of Applicant.....	16
Screening Criteria.....	16
Provisions for Screening Medicaid Super Utilizers.....	17
8. Appeal Process	17
9. Notification of Decision on Application	17
Provisions Relating to Rejection of an Application	18

13. Occupancy.....	18
Apartment Assignment Process	18
Individualized Service Plan (ISP).....	18
Tenant Eviction Alternatives	19
Tenant Hardship Exceptions	20
Rent Waiver.....	20
14. Annual Recertification Policy	20
Interim Recertification Policy.....	20
15. Record-Keeping.....	21
16. Review and Modification of Tenant Selection Plan	21
Modifications Related to Medicaid Super Utilizers	21
17. Key Regulations.....	22

Overview

Selinon Park (the “Development”) will develop 23 units of Permanent Supportive Housing (PSH) for individuals who meet defined criteria of eligibility within an integrated affordable housing development, totaling 75 units. The objective of this Tenant Selection Plan (the “Plan”) is to consolidate relevant policies and procedures affecting the selection of tenants for subsidized and non-subsidized units, pursuant to applicable federal and state requirements. The following tenant selection policies have been established to minimize subjective factors in deciding whom we will select for residency. The Plan sets out a procedure for processing and selecting applicants for subsidized and non-subsidized units, including the establishment of preferences and priorities, occupancy standards, rejection standards, reviews and appeals of rejection decisions, and notice requirements. The Plan may not include all of the policies and procedures affecting the selection of tenants. Property Manager is responsible for understanding and following all relevant requirements of the subsidy program applicable to the Development.

Selection of residents will be made on an equal opportunity basis without discrimination as to race, color, creed, sex, religion, national origin, handicap, familial status, disability, age, ancestry, marital status, sexual orientation, gender identity or unfavorable discharge from military service. Management does not discriminate on the basis of handicap in violation of Section 504 of the Rehabilitation Act of 1973. In addition, management will not unreasonably refuse to lease a dwelling unit to, or discriminate against, a prospective tenant because the tenant is the holder of a Certificate of Family Participation or a Voucher under Section 8 of the United States Housing Act of 1937 (42 USC Section 1437f).

A copy of these policies is available from the on-site office upon request. These policies are subject to change without notice to previous recipients.

The remaining paragraphs in this section provide brief descriptions of key federal civil rights laws regarding fair housing and accessibility. Owners and Management shall be familiar and comply with the regulations implementing these applicable federal civil rights laws and any state civil rights laws or local ordinance regarding fair housing and accessibility.

1. Determining Eligibility for Tenancy at the Development

- a) The Development is designated as housing for families.
- b) Units within the Development receiving federal or state housing subsidies may only be occupied by those individuals meeting the criteria of the subsidizing program.
- c) Household annual income must not exceed current income limits for the program to which application is made.
- d) Third party verification shall not be required until final screening for occupancy. Property Manager must verify the information needed to determine an applicant's eligibility.
- e) No person may be refused the right to apply for housing unless the Development's waiting list is closed for a particular unit size or type, and notice of the closed waiting list.
- f) In fulfilling its requirements to rent subsidized units within the Development to low income persons, Property Manager will accept referrals of tenants from the Public Housing Authority in the city or town in which the Development is located, and will not unreasonably refuse occupancy to any prospective tenants so referred who are otherwise determined to be eligible and suitable for tenancy under this Plan.
- g) The unit must be the applicant's sole residence in order for the applicant to be eligible for housing in the Development.
- h) It is the policy of the Owners and Property Manager to promote equal opportunity and non-discrimination in compliance with, but not limited to, the federal and state constitutions and legislative enactments addressing discrimination in housing. These enactments include: The Fair Housing Amendments Act of 1988, 42 U.S.C.A. §§3601-3620, as modified by the Housing for Older Americans Act of 1995, 42 U.S.C.A §3607(b)(2)(C), Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A §794 *et seq.*, The Americans with Disabilities Act of 1990, 42 U.S.C.A. §§12101-12213, Title VI of the Civil Rights Act of 1964, 42 U.S.C.A §2000d, the Age Discrimination Act of 1975, 42 U.S.C.A.
- i) Persons using a wheelchair or requiring similar accommodations may apply for a standard unit, as well as an accessible unit, in their discretion.
- j) In carrying out this Plan, Property Manager shall not discriminate on the basis of race, color, creed, religion, national or ethnic origin, citizenship, ancestry, class, sex, sexual orientation, familial status, disability, military/veteran status, source of income, age or other basis prohibited by local, state or federal law in any aspect of tenant selection or matters related to continued occupancy. Property Manager shall affirmatively market to minorities and persons with disabilities.
- k) Only applicants and tenants who are either United States citizens or eligible non-citizens may benefit from Federal rental assistance, per program regulations.

Income Requirements

Selinon Park offers subsidized rents. This means the rent that a tenant pays is based on the tenant’s household income. Therefore, the rent paid by tenants may vary among tenants, and from time to time, the individual tenant. The income targeting agreed to with the MSHDA Low-income Housing Tax Credit Application is described in the following rent structure table:

Units	Building Type	Income Restriction	Bedrooms	Subsidy Source	AMI%
7	Apartment	LIHTC	1		30%
1	Apartment	LIHTC	1		50%
1	Apartment	LIHTC	1		60%
10	Apartment	LIHTC	1	Sec. 811*	60%
4	Apartment	LIHTC	1	MSHDA PBV	60%
1	Apartment	Market	1		
5	Apartment	LIHTC	2		30%
2	Apartment	LIHTC	2		50%
6	Apartment	LIHTC	2		60%
2	Apartment	LIHTC	2	Sec. 811*	60%
3	Apartment	LIHTC	2	MSHDA PBV	60%
4	Apartment	Market	2		
1	Apartment	LIHTC	3		60%
1	Apartment	LIHTC	3	MSHDA PBV	60%
2	Townhome	LIHTC	3		30%
1	Townhome	LIHTC	3		50%
9	Townhome	LIHTC	3		60%
2	Townhome	LIHTC	3	MSHDA PBV	60%
2	Townhome	LIHTC	3		
1	Townhome	LIHTC	4		30%
2	Townhome	LIHTC	4		50%
5	Townhome	LIHTC	4		60%
1	Townhome	LIHTC	4	MSHDA PBV	60%
1	Townhome	Market	4		

Tenants in subsidized units may earn no more than 30% of AMI, per program regulation.

The Rent Structure submitted with LIHTC Application for Selinon Park is included as Exhibit A to this Plan. A Final Rent Structure table will be finalized during subsidy layering review with MSHDA.

The Development accepts Housing Choice Vouchers or certificates, except in units provides rental assistance through either of the special occupancy categories described in 2.A and 2.B for PRA and PBV assistance.

A two-bedroom employee unit is not included in the table above.

2. Special Occupancy Categories

A. Qualifying for Admission Under MSHDA Permanent Supportive Housing Program Tenant (“PSH Tenant”) Eligibility Requirements

Program Eligibility

Program eligibility determines whether applicants are eligible for referral to the Development as a PSH Tenant. The Development will not admit ineligible tenants. Tenants must satisfy the following program eligibility criteria defined by MSHDA.

Income Limits

HUD and MSHDA establish income limits and revise them annually to ensure that assistance is provided only to Permanent Supportive Housing Tenant households. Income limits are based on household size and the annual income the household receives. These limits are available for review at the site or management office. The Development will determine income eligibility prior to approving any applicant for tenancy. Applicants must have an income that is not greater than 30% of the Area Median Income (extremely low-income) as established by HUD, and as published annually as applicable to the Development.

Eligibility Criteria

Permanent Supportive Housing Tenant households must satisfy one of the following criteria:

- a) **Special Needs:** An adult person/prospective tenant with a physical (including profound deafness and legally blind), mental or emotional impairment that is of long-term duration, and, at the same time, the tenant must have a substantial and sustained need for supportive services in order to successfully live independently. In order to meet this definition, tenants must require assistance in at least two life-skill areas, such as: (i) ability to independently meet personal care needs; (ii) economic self-sufficiency (capacity for sustained and successful functioning in vocational, learning or employment contexts); (iii) use of language (ability to effectively understand, be understood and handle communication as needed on a daily and ongoing basis); (iv) instrumental living skills (managing money, getting around in the community, grocery shopping, complying with prescription requirements, meal planning and preparation, mobility, etc.); (v) self-direction (making decisions/choices about one’s day-to-day activities and regarding one’s future); or the person is a recipient of SSI/SSDI.
- b) **Homeless Categories:** An applicant that qualifies under a minimum of one of the following categories: **(1)** An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning: (i) an individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground; (ii) an individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); or (iii) an individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution; **(2)** An individual or family who will imminently lose their primary nighttime residence provided that: (i) the primary nighttime residence will be lost within 14 days of the date of application for homeless assistance; (ii) no subsequent

residence has been identified; and (iii) the individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing; **(3)** Any individual or family who: (i) is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; (ii) has no other residence; and (iii) lacks the resources or support networks, e.g., family, friends, and faith-based or other social networks, to obtain other permanent housing.

- c) **Chronic Homeless:** A homeless individual with a disability who lives either in a place not meant for human habitation, a safe haven, or in an emergency shelter, or in an institutional care facility if the individual has been living in the facility for fewer than 90 days and had been living in a place not meant for human habitation, a safe haven, or in an emergency shelter immediately before entering the institutional care facility. The individual also must have been living as described above continuously for at least 12 months, or on at least four separate occasions in the last 3 years, where the combined occasions total a length of time of at least 12 months. Each period separating the occasions must include at least 7 nights of living in a situation other than a place not meant for human habitation, in an emergency shelter, or in a safe haven. Chronically homeless families are families with adult heads of household who meet the definition of a chronically homeless individual. If there is no adult in the family, the family would still be considered chronically homeless if a minor head of household meets all the criteria of a chronically homeless individual. A chronically homeless family includes those whose composition has fluctuated while the head of household has been homeless.
- d) **Domestic Violence:** In addition to Category (4) of the Homeless definition above, “Domestic Violence” means the occurrence of any of the following acts by a person that is not an act of self-defense: (i) causing or attempting to cause physical or mental harm to an intimate partner; (ii) placing an intimate partner in fear of physical or mental harm; (iii) causing or attempting to cause an intimate partner to engage in involuntary sexual activity by force, threat of force, or duress; (iv) engaging in activity toward an intimate partner that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested.
- e) **Section 811 PRA Tenant:** Defined below.
- f) **Medicaid Super Utilizer:** Defined below.

B. Qualifying for Admission Under Section 811 PRA Program (“Section 811 PRA Tenant”) Eligibility Requirements and 811 PRA Addendum

Program Eligibility

Program Eligibility determines whether applicants are eligible for PRA rental assistance. The Development will not admit ineligible applicants. In addition to qualifying as a PRA-eligible tenant through a tenant-referral organization and Michigan Department of Health and Human Services (MDHHS) in order to be eligible a household must meet all of the following requirements:

Income Limits

HUD and MSHDA establish income limits and revise them annually to ensure that assistance is provided only to PRA-eligible households. Income limits are based on household size and the annual income the household receives. These limits are available for review at the site or management office. The Development will determine income eligibility prior to approving any applicant for tenancy. Applicants must have an income that is not greater than 30% of the Area Median Income (extremely low-income) as established by HUD, and as published annually as applicable to the Development.

Eligibility Criteria

PRA-eligible households must satisfy one of the following criteria:

- a) Are in a nursing facility who might transition out into the community using services that are provided under the MI Choice Waiver;
- b) Have a developmental disability and are being served by a Community Mental Health Service Provider;
- c) Are in a nursing facility and might transition out into the community through nursing facility transition services that are provided by a Center for Independent Living;
- d) May be forced to enter a nursing facility because an affordable home is not available for them in the community; or
- e) Their household consists of at least one adult with a disability, between the ages of 18 and 61, upon admission to the program, and are eligible for participation in a Medicaid home and community-based services program.

811 PRA Program Tenant Selection Plan (TSP) Addendum

The 811PRA TSP Addendum will be used as the priority screening tool for 811PRA Applicants. The 811PRA TSP Addendum has been included as Exhibit B. The 811PRA TSP Addendum includes roles and responsibilities for the Owners, along with program guidelines, eligibility criteria, and screening procedures to be used at the Development.

Pursuant to 42 U.S.C. § 8013(b)(3)(A), of the total number of dwelling units in the Development containing any unit for which project rental assistance under this paragraph is provided, the aggregate number that are provided such project rental assistance, that are used for supportive housing for persons with disabilities, or to which any occupancy preference for persons with disabilities applies, may **not** exceed twenty-five (25) percent of such total. Selinon Park does not have an occupancy preference for persons with disabilities, and does not set-aside or otherwise restrict more than 25% of units for persons with disabilities.

C. Qualifying for Admission Under Medicaid Super Utilizer Program Eligibility Requirements

Program Eligibility

Program eligibility determines whether applicants are eligible for referral to the project as Medicaid Super Utilizers. The Development will not admit ineligible tenants. Tenants must satisfy the following program eligibility criteria defined by MSHDA and the Michigan Department of Health and Human Services (MDHHS).

Income Limits

HUD and MSHDA establish income limits and revise them annually to ensure that assistance is provided only to eligible households. Income limits are based on household size and the annual income the household receives. These limits are available for review at the site or management office. The Development will determine income eligibility prior to approving any applicant for tenancy. Applicants must have an income that is not greater than 30% of the Area Median Income (extremely low-income) as established by HUD, and as published annually as applicable to the Development.

Eligibility Criteria

Medicaid Super Utilizer households must satisfy the following criteria:

- a) An adult person/prospective tenant with 20 or more emergency department visits over a 12 month

period, as confirmed by a data match between HMIS and Medicaid Systems.

Revision of Eligibility Criteria

It is acknowledged that the Medicaid Super Utilizer Program is a demonstration project between MSHDA and MDHHS. As such, definitions and processes for the program may change over time. This Plan will be modified to accommodate those changes in coordination with MSHDA and MDHHS. No amendment or change to this Plan will be made until MSHDA and MDHHS approve of the amendment or change.

3. Preferences

This section describes the preferences that shall be applied in the selection of residents. Preferences are not permitted if they in any way negate affirmative marketing efforts or fair housing obligations. Applicants with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference, and take precedence over date of submission of application. Preferences affect only the order of applicants on the waiting list. They do not make anyone eligible who was not otherwise eligible, and they do not change an Owners' right to adopt and enforce tenant screening criteria. State- or Federally-mandated preferences override this preference list, when prescribed.

Property Manager shall inform each applicant about available preferences, and provide an opportunity for each applicant to show that they qualify for available preferences.

If it is determined that an applicant does not meet the criteria for receiving a preference, the applicant will promptly receive a written notice of this determination from Property Manager, and/or Lead Provider. The notice will contain a brief statement of the reasons for the determination, and state that the applicant has the right to meet with Property Manager's agent and Lead Provider to review this decision. If the applicant requests a meeting, it will be conducted by a designated agent of Property Manager.

Denial of a preference does not prevent the applicant from exercising any legal rights the applicant may have against Property Manager, Owners, or service providers.

Priority of Preferences

The following preferences apply to vacancies at the Development. Placement on respective waiting lists is done on a **weighted-basis** based on the priority of the preference listed below.

1. First Priority: Existing PSH Tenants

When a vacancy occurs, first preference will be given to a PSH Tenant households already in occupancy that requires a transfer to a different unit size or type. These households will have a priority over other households on the waiting list for the unit that has become vacant, and will be provided an opportunity to transfer to the vacant unit in the following order of preference:

- 1) An existing PSH Tenant household requiring a unit transfer as a reasonable accommodation for a disability or other medical reason;
- 2) There is a need for a unit with special design features for a person with disabilities;
- 3) An existing PSH Tenant household requiring a unit transfer because of a change in household size or composition that results in the unit being over occupied or under occupied pursuant to the occupancy standards set for in this plan;

- 4) An existing PSH Tenant household requiring a deeper subsidy because of a change in the tenant's source of income;
- 5) An existing PSH Tenant household that requests a transfer to a different unit size for reasons other than those set forth above must submit a completed preliminary application and if, based on the household's existing household size and composition, they appear to be qualified for such a transfer, they will be added to all applicable open waiting list(s) according to unit size and type on a first-come first-serve basis as of the time and date the preliminary application was received by the management office. Management will inform the applicant in writing that his/her name has been added to the waiting list(s).

2. Second Priority: Existing Tenants that are not PSH Tenants

Second preference will be given to an existing household already in occupancy, though not in a unit reserved for PSH Tenants, that requires a transfer to a different unit size or type. These households will have a priority over other households on the waiting list for the unit that has become vacant, and will be provided an opportunity to transfer to the vacant unit in the following order of preference:

- 1) A unit transfer based on the need for an accessible unit, or other medical reason, or other reasonable accommodation;
- 2) A unit transfer of a non-handicapped individual living in a handicapped accessible unit to accommodate a handicapped applicant on the Waiting List (as defined below). A lease addendum will be entered into with non-handicapped tenant living in a handicapped accessible unit;
- 3) A unit transfer because of household size;
- 4) A unit transfer because tenant requires deeper subsidy because of a change in the tenant's source of income.

3. Third Priority: Eligible PSH Tenants with SPDAT Acuity Score

Property Management will accept tenants from Lead Provider through a Letter of Referral. PSH Tenants that are screened using the Service Prioritization Decision Assistance Tool (SPDAT) receive an acuity score. PSH Tenants with an acuity score, generated through the full SPDAT assessment during the screening process, will receive preference according to the relative score. A higher acuity score moves a prospective tenant above a lower acuity score on the waitlist for PBV or PRA units. A SPDAT acuity score is not a requirement for tenancy at the project, nor is participation in the SPDAT evaluation process a mandatory condition.

4. Fourth Priority: Veterans

Fourth preference will be for Veteran households, discharged from any branch of the United States Armed Forces.

Exceptions to Preferences

The Development will always give preference to current households when their units are designated for rehabilitation and/or current households are residing in a unit within that Development that has been designated as uninhabitable by Federal, state, local municipalities or Property Management due to fire, flood or other natural disaster.

In the event that there are no current residents of the Development to fill the vacant unit, Property Manager shall offer the vacant unit to the next qualified applicant for that unit type found on the waiting list. If there are no qualified applicants for the unit type on the waiting list, Property Manager shall advertise the unit for rent in accordance with the Development's Affirmative Fair Housing Marketing Plan.

4. Outreach

The Development will be a resource for eligible PSH Tenant households, tenants in need of supportive housing, and tenants in need of affordable housing. It is our goal to make sure that all referrals go through the established Kalamazoo Continuum of Care-supported housing needs assessment and coordination processes. The Housing Assessment Referral Agency (HARA), Housing Resources, Inc. is an essential part of this system and will perform Vulnerability Index SPDAT (VI-SPAT) screens, and full SPDAT evaluations as part of the referral and waiting list procedures for the Development. The Lead Provider, Zero Day, will organize and plan meetings with the assistance of local and neighborhood organizations to inform them of the services and units available at Selinon Park in cooperation with HRI, Kalamazoo Community Mental Health and Substance Abuse Services (KCMHSAS), and Bronson Community Health (Bronson). Service providers included in the Supportive Services Memorandum of Understanding (MOU) will be contacted no less than six (6) months prior to Development's placed in service date. Service Providers on the MOU will be notified of a vacancy at the property, and will have thirty (30) days to refer a tenant from the waiting list. If unable to fill the vacancies with the preference population, Lead Provider will contact other service providers that perform services and provide referrals for eligible population. The Development will accept referrals directly from shelters, street outreach, drop-in centers, and other segments of the crisis response system frequented by people experiencing or vulnerable to homelessness. Below is a partial list of community groups that the service providers and Full Circle Management LLC. have a history of working with and would provide additional potential residents to the program:

- Kalamazoo Community Mental Health and Substance Abuse Services (KCMHSAS)
- Senior Services, Inc.
- VAMC – Psychosocial Residential Rehabilitation Treatment Programs
- VAMC – VASH Vouchers and Homeless Outreach
- Housing Resources, Inc. – HARA for Kalamazoo County (HRI)
- YWCA Kalamazoo
- Open Doors Kalamazoo
- Kalamazoo Gospel Mission
- Portage Community Outreach Center
- Catholic Charities Diocese of Kalamazoo
- Community Healing Center - Kalamazoo
- Pine Rest Christian Mental Health Services
- Fair Housing Center of Southwest Michigan

Public Media Plan

Property Manager will advertise in community media according to the Affirmative Fair Housing Marketing Plan. Property Manager will affirmatively market to minorities and persons with disabilities, as indicated in that plan.

Media will also target a diverse cross section of cultural, race and ability populations as reflected in the community that is served. In addition, we provide information and orientation to Veterans residing in transitional programs throughout the region.

If marketing and outreach efforts do not generate a sufficient number of interested persons for the apartments, the Managing Agent will initiate additional marketing efforts by placing appropriate advertisements in the local newspapers and sending flyers to community groups as per the marketing plan. Such marketing shall include the name and telephone number of the rental office; the approximate date the units will be available; and the size of the units available. The advertisements will request that interested individuals contact the rental office.

5. Application and Selection Process

Applications

To be considered for selection, applicants must submit a completed application and relevant consent forms.

All persons interested in applying for residency will be mailed an application package by Property Manager or Leader Provider upon request or they can pick up an application package at the rental office or at agencies provided with them. All persons can request assistance from Property Manager or Lead Provider for assistance with the application package.

The lease application will consist of:

- (i) A form asking about current and previous living situations, income and assets, household size, address where applicant can be reached, and other pertinent information, and
- (ii) Verification forms for applicant to execute for references and release of verification information. Applicants will indicate if they require a wheelchair accessible unit, and/or barrier-free unit, and or unit which accommodates their unique needs, or if they qualify for any marketing preferences approved by the State. Applicants will also provide an address and phone number where they can be reached. In the case of a homeless individual, this may be the location of a shelter, a case worker, or the Service Providers.
- (iii) A form indicating any preference category claimed by the applicant

Applicants who need help completing the application will be provided assistance by Property Manager or by the Lead Provider, or other service providers if the service provider is the referral source.

Fees

No application fee will be charged.

Confidentiality of Applications

Property Manager will establish a confidential file for each applicant, in coordination with Lead Provider, if appropriate.

Processing Applications

Names will be selected from the waiting lists to fill vacancies according to the waitlist procedures below. All completed applications will be recorded with the date and time they are received at the rental office. The applicant head of household name, household size, desired unit size, estimated household income, preference category(ies), as well as the requirement for any reasonable accommodations will be recorded on the project waitlist.

Lead Provider will provide Property Manager with a Letter of Referral for applicants for PSH Tenant units, certifying program eligibility criteria, and an assessment of the applicant's ability to live independently at the development. Letters of Referral may be prepared and provided by other service providers, but the Lead Provider must approve the final Letter of Referral to Property Manager. The Letter of Referral will not contain confidential information, and the Lead Provider, or referring service provider may not share confidential information with Property Manager about the applicant, unless a written release authorizes exchange of that information.

In general, applications shall be processed in accordance with the following steps:

- a) Receiving and Recording – Upon receipt of an application to housing, Property Manager shall indicate on the application the date and time received, either by using a date and time stamp, or by writing and initialing the date and time received.
- b) Review for completeness - Applications shall first be reviewed for completeness. Incomplete applications shall be rejected and returned to the applicant. Applications shall not be evaluated until all of the required information has been provided. Applicants will be given appropriate support to complete their applications.
- c) Housing status of applicants will be verified by Property Manager as a process of admission to the facility, along with qualification for housing assistance programs.
- d) Preliminary determination of program ineligibility - Completed applications shall be reviewed for income eligibility and compliance with any categorical eligibility requirements for the program. Applications determined ineligible shall be rejected in accordance with procedures outlined herein.
- e) Waiting list placement - Once a fully completed application, and Letter of Referral, if applicable, is determined to meet income eligibility requirements and the individual composition is determined appropriate for a unit at the Development, the applicant shall be placed on the appropriate waiting list(s).
 - a. Assignment to a position on the waiting list shall be based on the preliminary determination of eligibility, and shall be formally verified as the applicant's name advances on the waiting list. However, if the anticipated duration on the waiting list is less than 90 days, formal verification shall be required immediately.
 - b. PSH Tenants will be referred to HRI the Housing Assessment Resource Agency (HARA) for Kalamazoo County for a VI-SPDAT evaluation and will be placed on a waiting list according to their acuity score. A full SPDAT score, also prepared by the HARA, will replace the VI-SPDAT acuity score following the screening interview by the Lead Provider or other referring service provider.
 - c. Placement on the waiting list is determined by preference category; first, existing tenant status, then SPDAT acuity score, then veteran status. Preference is then determined by date of receipt of the completed application within the waiting list.
 - d. Applicants eligible for handicapped accessible units must be placed on lists for both accessible and standard units.
 - e. Upon stability of the initial lease up of the Development, the waiting lists shall be maintained for new applications. Those active applicants remaining on the waiting list(s) shall be provided the

opportunity for housing at the Development in order of preference category and then acuity score and then date of receipt of the completed application.

- f) The applicant next on the waitlist will be contacted regarding the vacant unit. If the applicant is still interested in the unit and agrees to an interview, site staff will begin processing the application and the required move-in documents. Upon completion of the interview, the applicant will be asked to sign all required verification documents. Should the applicant fail to attend two (2) scheduled interviews or sign and/or provide required documents in a timely manner, Property Manager will contact the next applicants on the list regarding the vacant unit until an applicant complies with all requirements to process their application.

Contacting Persons on the Waiting List

If Property Manager and/or Lead Provider anticipates a unit becoming available and chooses to pre-qualify applicants, or when a unit actually becomes available, the first 10 people on the waiting list for that unit size and type will be contacted by telephone as well as first class mail to schedule an interview. Property Manager will complete the initial telephone calls and mailings to these individuals on the same day, in coordination with Lead Provider. If Property Manager anticipates a unit becoming available and is pre-qualifying applicants in advance, the household that is highest on the waiting list and completes the interview, has all third party verifications returned, otherwise has the application file completed at the time the unit becomes available, and meets all tenant selection criteria will be offered the unit. Those persons who respond as required and are not offered the unit, but still appear qualified at that time, will be notified that the unit has been rented and that he/she will retain his/her position on the waiting list. If a unit actually becomes available and Property Manager has not pre-qualified any applicants, the household that is highest on the waiting list and is first to complete the interview, have all third party verifications returned, otherwise have the application file completed, and meets all tenant selection criteria will be offered the unit. Those persons who respond as required and are not offered the unit, but still appear qualified at that time, will be notified that the unit has been rented and that he/she will retain his/her position on the waiting list.

Those applicants who were not offered the unit but were eligible to remain on the waiting list will be considered pre-approved if they have otherwise completed the entire application process and met all tenant selection criteria. When another unit of the same size and type is expected to become available or actually becomes available, the pre-approved applicant who is highest on the waiting list will be offered the unit. If more than ninety (90) days have passed since the date management received the pre-approved applicant's verifications, management will re-verify the necessary information, including the SPDAT, with assistance from the HARA. If the applicant is no longer qualified for the unit, management will inform the applicant of this fact. Management will then contact and process the next highest, pre-approved applicant on the waiting list.

Accommodations

Property Manager shall offer assistance to the applicant in completing the application, explain the tenant selection process, define preferences, and explain the verification process with respect to preferences. Property Manager shall, for example, arrange for sign language interpreters or other communication aides for interviews during the application process. Tenant selection and screening practices affirm that acceptance of applicants regardless of sobriety use of substances, completion of treatment, and/or participation in services.

Property Manager will also inform prospective tenants that units may include special physical features that accommodate disabilities, reduce harm, and promote health among tenants; or may be modified in order to accommodate those needs.

6. Notifications

Property Manager shall send a written response to the applicant advising the applicant of the status of the application. Alternate formats for responding to an applicant with a disability or special need, or other reason for accommodation shall be provided upon applicant's or referring service provider's request. If Property Manager has not made a determination to reject the applicant, the written response shall include the status of the application with respect to:

- result of the preliminary determination of eligibility;
- position on the waiting list;
- SSN disclosure and verification requirements;
- estimate of the time it may take before the applicant will be offered assistance;
- notice that the applicant is responsible for reporting changes in address, phone number, and preference status;
- where applicable, the applicant's qualification for a preference(s) for admission; and
- a statement that the applicant has the right to meet with the Agent to discuss the determination made with respect to the application

Interview

Property Manager will conduct an interview with all potential residents. The Lead Provider (or other referring service provider) may participate in the interview in order to orient the applicant to the available service program. The service provider may not provide information to Property Manager that would violate the confidentiality of the applicant or lead to discrimination on the basis of disability. However, the service provider can serve as a reference for the applicant if the applicant provides a written release.

The interview will be used for purposes of verifying and clarifying information in the application, to familiarize the applicant with the project, and to explore the ability and willingness of the applicant to meet financial commitments and to assume the other responsibilities of tenancy. At the interview, the following items will be reviewed:

- a) Eligibility requirements and reasons for rejection
- b) Information on application and verification forms
- c) Explain the time frame for the acceptance process
- d) Review the Lease Agreement
- e) Site Rule and Responsibilities
- f) Answer any questions the applicant may have

Applicant will be given an opportunity to explain negative credit history, history of rental non-payment, and any discrepancies between information they reported and the verified information.

When an interview is scheduled but the applicant fails to attend, Property Manager will attempt to contact the applicant by telephone. If there is no contact after three (3) attempts within 48 hours, the applicant's application will be placed in the inactive file. If the Managing Agent contacts the applicant, another appointment will be scheduled, if the applicant has good cause such as illness or accident for failure to keep the appointment. If the applicant again fails to attend the interview, the applicant's application will be placed in the inactive file.

7. Selection/Rejection of Applicant

Property Manager shall apply the screening criteria uniformly to all applicants to prevent discrimination and avoid fair housing violations. The costs of screening shall not be charged to the applicant, but shall be borne by the Development as an operating expense

In determining whether the applicant will be selected, Property Manager will consider the various criteria, along with any related explanation offered by the applicant, and/or referring service provider, concerning the facts involved, including changes in the circumstances and extenuating circumstances.

NOTE - Developments Receiving Project-Based Section 8 Rental Subsidies: Pursuant to the Violence Against Women Act (42 U.S.C. 1437f and 42 U.S.C. 1437d) and regulations promulgated in accordance therewith at 24 CFR Part 5, Subpart L, admission to the development shall not be denied on the basis that the applicant is or has been a victim of domestic violence, dating violence or stalking, as defined in the aforementioned regulations, if the applicant or household member otherwise qualifies for admission.

Screening Criteria

Applications are seldom rejected for poor credit, or financial history, poor or lack of rental history, minor criminal convictions, or behaviors that indicate a lack of housing readiness.

Credit Checks

The applicant's credit report will be run and reviewed, to include:

- a) Addresses will be verified with the Application for Residency
- b) Social Security numbers will be verified with the Application for Residency
- c) Applicants with evictions will be reviewed
- d) Credit history, unless something on it is a MSHDA disqualifying event, will not be used for denying residency.

Criminal Check

Criminal background checks will be conducted on each adult applicant. Criminal overrides can only be approved by the Senior Vice President of Full Circle Management LLC, or at the request of the Owners, Lead Provider, or other service providers.

The following criminal convictions that may threaten the safety or right to peaceful enjoyment of other residents, and are reviewed by Property Manager or Owners, who have the final say on acceptance or denial of applicant:

- a) Violent Crimes

- b) Selling, Distributing or Manufacturing Drugs
- c) Sex crimes

None of the aforementioned crimes are automatic grounds for denial. Lead Provider and other service providers will be available to assist tenants through the screening process, and in ongoing discussions with Property Manager during the screening process.

In the case that there is a strong disagreement in screening outcome between Lead Provider and Property Manager, the Owners will make the final determination.

Provisions for Screening Medicaid Super Utilizers

Property Manager, Lead Provider, KCMHSAS, and Bronson will work proactively with MSHDA to discuss screening outcomes for Medicaid Super Utilizers.

8. Appeal Process

All applicants deemed ineligible, for whatever reason(s), will be notified in writing before the final selection. The notice will state the reason(s) for rejection, will advise the applicant of their right to appeal within ten (10) days of rejection, and will advise that an appeal should be made immediately to assure their return to the applicant pool if they prevail. The letter shall also inform the applicant that responding to the notice does not preclude the applicant from other avenues available if he/she believes he/she is being discriminated against on the basis race, color, creed, sex, religion, national origin, handicap, familial status, disability, age, ancestry, marital status, sexual orientation, gender identity or unfavorable discharge from military service.

If the applicant appeals, Property Manager will choose an impartial hearing officer who will issue a written opinion within five (5) days of the hearing. All appeals will be heard within five (5) business days of the request.

If the hearing officer finds in favor of the applicant, the applicant will be placed in a suitable vacant unit if available. If no such unit is available, he/she will be placed in the next available unit.

Lead Provider will assist any applicant appeal, at the request of the applicant or other service provider.

9. Notification of Decision on Application

Property Manager will try to contact applicant at least three times by telephone to schedule the interview, and once by mail. The response shall be mailed not more than thirty days from the date of receipt of the application. Alternate formats for responding to an applicant with a disability shall be provided upon applicant's request. If the Agent has not made a determination to reject the applicant, the written response shall include the status of the application with respect to:

- a) result of the preliminary determination of eligibility;
- b) position on the waiting list;
- c) SSN disclosure and verification requirements;
- d) estimate of the time it may take before the applicant will be offered assistance;
- e) notice that the applicant is responsible for reporting changes in address, phone number, and preference status;
- f) where applicable, the applicant's qualification for a preference(s) for admission; and

- g) a statement that the applicant has the right to meet with the Agent to discuss the determination made with respect to the application

Provisions Relating to Rejection of an Application

If the applicant is not accepted, or is not placed on the waiting list for admission, Property Manager shall follow the procedures above, and shall include the following;

- a) The reason(s) for the rejection;
- b) Notice that the applicant or his or her representative, prior to or at the conference with Property Manager, has the right to inspect the documentation on the basis of which the rejection was made and any other documentation pertinent to the applicant's eligibility, suitability, qualification or entitlement to priority or preference status. Property Manager shall make reasonable arrangements for photocopying any such documentation as the applicant may specify with sufficient advance notice, except that in the case of a credit report, the applicant shall obtain the report from the credit reporting agency;
- c) Notice that the applicant has five (5) business days to request a conference with Property Manager to contest the rejection, and alternatively, in the case of Federally-Assisted Housing units, fourteen (14) days to respond in writing or request a meeting with Property Manager to dispute the rejection; and
- d) Notice that the applicant has the right to request a reasonable accommodation if the applicant believes that, with such an accommodation, the applicant would be suitable for admission and that the applicant was rejected for a reason arising from the applicant's disability.

If the applicant does not respond within five business days of the date the certified letter was mailed, the individual will be placed in the inactive file. Until the applicant responds, his/her application will be placed in the inactive file, and the applicant's position on the application list will drop behind those who can be processed in the interim.

13. Occupancy

Property Manager, in conjunction with Lead Provider, will conduct a residency training program for all selected residents prior to occupancy.

Apartment Assignment Process

Accepted applicants will be given the next available vacancy for which they qualify. A security deposit equal to one month's total tenant payment or tenant rent will be collected. Exceptions will be made for PSH Tenants. Property Manager may collect the security deposit on an installment basis, per HUD regulations. A move-in inspection will be conducted between the tenant and Property Manager, and Lead Provider or other service provider if requested.

Individualized Service Plan (ISP)

Lead Provider will conduct an initial supportive service planning meeting within seven (7) days of a PSH Tenant taking occupancy. Participation in this service planning meeting is entirely voluntary by the PSH tenant, unless otherwise required by Federal subsidy. Lead Provider will provide written documentation to the tenant at move-in which specifies that they;

- a) have full rights, responsibilities, and legal protections under Federal, State, and local housing laws;
- b) are provided clear lease terms, and are given access to education to understand those lease terms and/or given access to legal assistance, and encouraged to exercise their full legal rights and responsibilities;
- c) the Development's Owners, Property Manager and service providers shall abide by their legally defined roles and obligations;
- d) can attend the initial supportive planning meeting to discuss the above in-depth; and
- e) introduce the tenant to an individual assessment of service needs and life goals with the full participation of the tenant and others of their choosing.

If the PSH Tenant chooses to participate in the initial supportive service planning meeting, the Lead Provider will arrange a time and place to meet with the PSH Tenant in the supportive service offices at the Development, or at a mutually agreed upon location of the tenant's choosing. The primary goal of this meeting is to establish dialogue between the Lead Provider and the PSH Tenant in order to facilitate Service Coordination and plan development. The Lead Provider will determine if the PSH tenant will become part of their caseload, or will establish the appropriate referral for the PSH Tenant. If a PSH tenant requests another service provider, or is currently working with another service provider at the time of occupancy, the Lead Provider will work with that service provider, to the extent allowed through mutually-agreed up, and/or legally mandated Confidentiality procedures, to coordinate service access for the PSH tenant.

With the full and voluntary participation of the PSH Tenant, an Individualized Service Plan (ISP) will be developed that may include long and short-range goals. However, supportive services at the Development will emphasize engagement and problem solving over therapeutic goals. Furthermore service plans will be tenant-driven without predetermined goals as requirement of the planning process.

Lead Provider will include a harm reduction philosophy, where tenants are offered education regarding how to avoid risky behaviors and engage in safer practices.

Lead Provider will include KCMHSAS and Bronson at the initial ISP meeting for Medicaid Super Utilizer Tenants.

Tenant Eviction Alternatives

Property Manager shall consider the Development's Housing First model which includes the following guidance:

- a) The Development adopts a harm reduction philosophy, where PSH tenants are offered education regarding how to avoid risky behaviors and engage in safe practices;
- b) Permanent Supportive Housing tenants are given reasonable flexibility in paying their tenant share of rent on time and offered special payment arrangements for rent arrears and/or assistance in financial management.

Leasing violations for PSH Tenants also adopt the harm reduction philosophy described above. For example the use of drugs or alcohol is and of itself is not considered a reason for eviction, unless a requirement under a federal program. PSH Tenants will be given reasonable flexibility in paying tenant share of rent on time and offered special payment arrangement for rent arrears while working with supportive housing agency. Assistance with financial management and coaching practices shall be utilized to return the tenant to timely rental payments.

Every effort will be made to avoid eviction of the PSH tenant, and eviction will only be used as a last resort. Lead Provider, and other service providers, as necessary, shall reach out and employ techniques to engage with residents and encourage compliance with program rules for peaceful enjoyment of all residents. Participation in eviction alternative planning shall not be a condition of tenancy (except as required by federal requirement), nor is it a condition of maintaining tenancy, if the tenant satisfies the obligations of tenancy established in the Lease and House Rules.

The creation of Eviction Alternative Plans, is one method to avoid eviction. The structure will vary depending on the tenant, and reasons for its creation, but it will be developed in coordination with Property Manager, and will include steps to access benefits or services required to maintain tenancy, and steps to ameliorate leasing violations or other issues with tenancy.

Tenant Hardship Exceptions

The Development will waive the monthly rent requirement to any household unable to pay due to a long-term financial hardship. The financial hardship exemption constitutes the only statutory exemption, and includes the hardship situations listed below. **NOTE:** A household who is eligible for and receives a hardship exemption must be reviewed every 90 days.

- a) The household has lost Federal, State, or local government assistance or is waiting for eligibility determination (including legal immigrants);
- b) The household would be evicted if the minimum rent requirement was imposed;
- c) The household income has decreased due to a change in circumstances, including but not limited to, loss of employment;
- d) A death in the household has occurred;
- e) Other applicable situations, as determined by HUD, have occurred.

Rent Waiver

Property Manager may, at its option with MSHDA approval, waive the minimum tenant payment for up to three months in cases of financial hardship including, but not limited to, job loss, death of a family member, loss of benefits under state, local or federal assistance programs, or to avoid eviction. Waivers may be granted on an individual basis considering the circumstances of each particular individual. Extensions of time may also be granted considering the circumstances of each particular individual. The maximum extension period will be until the participant's next annual reexamination.

14. Annual Recertification Policy

In addition, applicants must understand and agree to HUD's requirement of an annual recertification of household income and circumstances per lease agreement and program description.

Interim Recertification Policy

Further, to ensure that assisted families pay rents based on their ability to pay, applicants must understand and agree to HUD's requirement that they are required to supply interim information to the property when the following occurs between annually scheduled recertifications:

- a) A household member moves in or out of the unit;
- b) An adult member of the household who was reported as unemployed on the most recent certification/recertification obtains employment; or
- c) The household's income cumulatively increases by \$200 or more per month.

The property will inform residents, through required written notices, about their responsibility annually to provide information about the household's income, which is necessary to properly complete a recertification.

15. Record-Keeping

Property Manager must retain current applications as long as their status on the waiting list is active.

Once the applicant is taken off the waiting list, Property Manager must retain the application, initial rejection notice, applicant reply, copy of Property Manager's final response, and all documentation supporting the reason for removal from the list for three years.

When an Applicant moves in, Property Manager must retain the application, supporting documentation (including Property Manager's verification efforts) for the duration of the tenancy and for three years after the tenant leaves the property.

Property Manager must maintain the applicant and tenant information in a way to ensure confidentiality. **The confidentiality of records containing criminal background checks and other personal information are regulated by state and federal law and carry penalties for negligent disclosure and improper use. The Owners should consult with counsel to ensure compliance with state and federal record retention and disclosure laws.**

16. Review and Modification of Tenant Selection Plan

Property Manager shall review periodically, but not less than once per calendar year, the Plan for compliance with current regulations and subsidy program requirements. Property Manager may modify the Plan and the policies related to the selection of tenants at any time, subject to prior approval by the Owners. Property Manager shall send notice of the modification and a description of the changes made to the Plan to applicants on the waiting list within thirty (30) calendar days of the effective date of the modification. Owners may also require that Property Manager, upon thirty (30) calendar days notice, amend the Plan. Any changes made in a Tenant Selection Plan shall be prospective unless otherwise applicable law. All service providers included on the MOU shall be notified of changes to the Plan, in writing, within thirty (30) calendar days of the effective date of modification. Service Providers and Owners will review the TSP with Property Manager periodically, as part of their review of supportive services offered at the Development and PSH tenant outcomes, as described in the MOU.

Modifications Related to Medicaid Super Utilizers

All parties acknowledge that the Medicaid Super Utilizer demonstration project may require periodic adjustments or modifications to referral, selection processes, and eligibility criteria. All parties agree to communicate with MSHDA and MDHHS as this program evolves, and to reflect changes or modifications in this plan, with the approval of MSHDA and MDHHS.

17. Key Regulations

1. Fair Housing Act Fair Housing Act Amendments of 1988 (“Fair Housing Act”) prohibits discrimination in housing on the basis of race, color, religion, sex, disability, familial status and national origin regardless of any federal financial assistance. Under the Fair Housing Act, Owners and Management shall not take any of the actions listed below based on race, color, religion, sex, disability, familial status and national origin:

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

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

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

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

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

4. Section 504 of the Rehabilitation Act of 1973 **Section 504 of the Rehabilitation Act of 1973** (“Section 504”) prohibits discrimination based upon disability in all programs or activities operated by recipients of federal financial assistance. Although Section 504 often overlaps with the disability discrimination prohibitions of the Fair Housing Act, it differs in that it also imposes broader affirmative obligations on the Owner to make their programs

as a whole, accessible to persons with disabilities. Section 504 obligations include the following:

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

Reasonable Accommodations:

The Development will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504 of the Rehabilitation Act of 1973, the Development will make reasonable accommodation for individuals with handicaps or disabilities (applicants or residents). Such accommodations may include changes in the method of administering policies, procedures, or services at this property where such modifications would be necessary to afford full access to the housing program for qualified individuals with handicaps.

In reaching a reasonable accommodation with, or performing structural modifications for otherwise qualified individuals with disabilities, the Development is not required to:

- a) Make structural alterations that require the removal or altering of a load-bearing structural member;
- b) Provide support services that are not already part of its housing programs;
- c) Take any action that would result in a fundamental alteration in the nature of the program or service;
- d) Take any action that would result in an undue financial and administrative burden on the Development, including structural impracticality as defined in the Uniform Federal Accessibility Standards (UFAS).

Information Regarding Handicaps:

The Development ensures that any questions related to handicap on the application for housing, have to do with program eligibility, and allowable medical or handicapped deductions for housing applicants who wish to take advantage of those deductions. It is not required that any information regarding a possible handicap be revealed other than for program eligibility requirements.

Neutral Policies:

The Development will make reasonable adjustments to rules, policies, practices, and procedures in order to

enable an applicant or resident with a disability to have an equal opportunity to use and enjoy the unit and the common areas of a dwelling, or to participate in or have access to other activities conducted or sponsored by the Owners.

Auxiliary Aids to Ensure Effective Communication:

The Development will seek to effectively communicate with applicants, residents, and members of the public who are individuals with handicaps or disabilities. The use of auxiliary aides will be implemented when necessary. The Development asks for seven (7) days' notice in order to make any service, meeting, interview, appointment, or any business accessible. Requests for auxiliary aids may include visual alarms, tactile signs, visual doorbells, and other communication auxiliary aids available to management.

Improving Access to Services for Persons with Limited English Proficiency (LEP):

Executive Order (E.O.) 13166 requires Federal agencies and grantees to take affirmative steps to communicate with persons who need services or information in a language other than English. Housing owners must take reasonable steps to ensure meaningful access to the information and services they provide for persons with LEP. This may include interpreter services and/or written materials translated into other languages.

Assistance Animals:

The Development will allow assistive animals, which are defined as animals that work, provide assistance, perform tasks for the benefit of a person with a disability or provide emotional support to alleviate identified symptoms or effects of a person's disability. These animals, often referred to as service animals, support animals, or therapy animals, perform many disability-related functions, including but not limited to guiding individuals who are blind, alerting individuals who are deaf, providing minimal protection or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support. No pet deposit is required for assistive animals. The Development requires a reasonable accommodation animal request and will provide assistance in completing the written request when necessary.

Accessible Route:

For mobility-impaired persons, this Development is an accessible facility on an accessible route. Documents that the resident would like to review may be examined during regular business hours. Please contact the management office to make arrangements to examine any documents.

Equal Access:

The Development will provide assistance in a confidential manner and setting to insure equal access to a resident's documents. An individual with disabilities is responsible for providing her/his own transportation to and from the location where all documents are kept.

Equal Access Rule:

On February 3, 2012, HUD published a final rule entitled Equal Access to Housing in HUD Programs Regardless of

Sexual Orientation or Gender Identity (77 FR 5662) (“Equal Access Rule” or Rule). The Rule is intended to ensure that housing across HUD programs is open to all eligible individuals and families regardless of actual or perceived sexual orientation, gender identity, or marital status.

Mitigating Circumstances:

Section 504 and Fair Housing regulations state that consideration for mitigating circumstances shall be given to all persons applying for occupancy. If an applicant feels there is a mitigating circumstance or reasonable accommodation to be considered for determining occupancy, they should contact the Development immediately to schedule a meeting.

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

5. Executive Order 13166 – Limited English Proficiency (for HUD programs only) Executive Order 13166 requires Owner/Management to take reasonable steps to ensure meaningful access to the information and services they provide for persons with limited English proficiency. This may include interpreter services and/or written materials translated into other languages, provided at the time of application, or at the request of the applicant.

6. Violence Against Women and Justice Department Reauthorization Act of 2005 (for Section 8 developments only) **Violence Against Women and Justice Department Reauthorization Act of 2005 (VAWA 2005)** protects victims of domestic violence, dating violence or stalking, as well as their immediate family members generally, from being evicted or being denied housing assistance if an incident of violence is reported and confirmed. Owner/Management responding to an incident of actual or threatened domestic violence, dating violence or stalking that could potentially have an impact on a tenant’s participation in the housing program may request in writing that an individual complete, sign and submit within 14 business day of the request, the HUD-approved certification form (HUD-91066). Alternatively, in lieu of the certification form or in addition to it, Owner/Management may accept (i) a federal, state, tribal, territorial, or local police record or court record or (ii) documentation signed and attested to by a professional (employee, agent or volunteer of a victim service provider, an attorney, medical personnel, etc.) from whom the victim has sought assistance. Owner/Management are encouraged to carefully evaluate abuse claims as to avoid conducting an eviction based on false or unsubstantiated accusations.

VAWA Emergency Transfer

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

1. The person making the request is a victim of a VAWA crime or is a person affiliated with a victim of a VAWA crime
2. There is a request for a VAWA Emergency Transfer; and
3. The resident reasonably believes that there is a threat of imminent harm if the resident remains within

the same unit; or

4. If the resident is a victim of sexual assault, the resident may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar day period preceding a request for an emergency transfer.

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

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

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

Management is required to attach the HUD-approved Lease Addendum, Form HUD-91067, which includes the VAWA provisions, to each existing or new lease.

7. Federal Privacy Act of 1974, protects individuals' records maintained by the Development. Unless required by Federal or State law, neither the Development nor its agents shall disclose any personal information contained in its records to any person or agency unless the individual about whom information is requested shall give written consent to such disclosure. This privacy policy in no way limits the Development's ability to collect such information as it may need to determine eligibility and income, compute rent, or determine an applicant's suitability for tenancy. Consistent with the intent of Section 504 of the Rehabilitation Act of 1973, any information obtained on handicap or disability will be treated in a confidential manner. This privacy policy is not intended to preclude the cooperation of the Development with local, State, or Federal investigations into fraud or criminal activity. With proper identification, the Development is permitted to advise the investigating officer of the following:

- a) Whether or not an individual is a resident;
- b) How long an individual has been a resident; and
- c) Any other appropriate answers to questions related to the investigation.

The Development will not make files, forms, or documents available to the investigating officer unless a court order for such action is provided.

8. Student Eligibility for Section 8 Assisted Units: If a member of an applicant's household is enrolled as a full or part time student at an institution of higher education, the applicant household shall not be eligible for Section 8 housing assistance unless the student meets any one of the following criteria:¹

- a) The student is 24 years of age or older as of the date of application;
- b) The student is a veteran of the U.S. Armed Forces;

¹This restriction does not apply to students who are currently residing in a Section 8 assisted unit with his or her parents or who reside with parents who are applying to receive Section 8 assistance.

- c) The student is married;
- d) The student has a legal dependent other than a spouse (for example, a dependent child or an elderly dependent parent);
- e) The student is disabled and was receiving Section 8 assistance as of November 30,2005;
- f) The student is individually income eligible for Section 8 assistance and his or her parents are also, individually or jointly, income eligible for Section 8 assistance; or
- g) The student is individually income eligible for Section 8 assistance and is determined independent from parents or guardians by meeting all of the following criteria:
 - 1) The student is at least 18 years of age;
 - 2) The student has established a household separate from parents or legal guardians for at least one year prior to application for occupancy or meets the U.S. Department of Education's definition of independent student. In order to meet this definition of an independent student, the applicant must:
 - a) be at least 24 years old by December 31 of the year in which he or she is applying;
 - b) be an orphan (parents deceased) or a ward of the court (or have been a ward of the court until the age of 18);
 - c) be a veteran of the U.S. Armed Forces;
 - d) have a legal dependent other than a spouse (for example, a dependent child or an elderly dependent parent);
 - e) be a graduate or professional student; or
 - f) be married;
 - 3) The student is not claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
 - 4) The student obtains a certification of the amount of financial assistance that will be provided by parents, guardians, or others signed by the individual providing the support. This certification is required even if no assistance will be provided.
- h) The student is classified as Vulnerable Youth; A student meets HUD's definition of a vulnerable youth when:
 - 1. The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
 - 2. The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;
 - 3. The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by
 - i. A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act;
 - ii. The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
 - iii. The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
 - iv. A financial aid administrator; or
- i) The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances

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

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

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

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

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

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

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

9. **Student Eligibility under the Low Income Housing Tax Credit Program:** An applicant household in which all members are all full-time students shall not be eligible for housing under the Low Income Housing Tax Credit Program unless at least one of the following exceptions applies:

- a) The full-time students are married and file a joint income tax return;
- b) An adult member is a single parent with a minor child in the unit, the adult is not a tax dependent of any third party, and the children are not claimed as a tax dependent by anyone other than one of their parents (even if the other parent is not in the unit);
- c) The household includes a member who receives welfare assistance in the form of Temporary Assistance to Needy Families (TANF);
- d) The household includes a member who formerly received foster care assistance (that means they were a foster child or adult);
- e) The household contains a member who gets assistance from the Job Training Partnership Act (JTPA) or similar programs. (NOTE: The "Workforce Investment Act" has replaced JTPA). If none of the above exceptions applies and all members of the household are fulltime students, the household is not eligible for housing. Full-time students include individuals who are or will be attending grades K-12 or a college, university, or institute of higher learning for 5 or more consecutive months in the next 12-month period and whose student status is defined as "full-time" by the applicable educational institution.

If a student does not meet the eligibility criteria above, but can prove independence from parents under HUD rules, then the student would meet HUD's student eligibility criteria. Please see property staff if you need additional information about proving independence from parents. If an ineligible student applies for or is a member of an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated.

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

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

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

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

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