

SITE SPECIFIC ADDENDUM TO RESIDENT SELECTION CRITERIA

AFG Miller Grove Center 16711 Burt Road, Detroit, MI

In order to insure the MSHDA Permanent Supportive Housing (PSH) requirements are followed, this Site Specific Addendum to Resident Selection Criteria supersedes Tenant Selection and Referral requirements as described in the Tenant Selection Plan or any other previous plans, to insure that the property is creating an inclusive, low-barrier environment.

Project Overview

AFG Miller Grove Center is a mixed-use development that will bring 45 affordable housing units including 23 units of Permanent Supportive Housing (PSH) designed to provide comprehensive supportive services. The development's PSH units will serve highly vulnerable supportive housing populations identified by the Detroit Continuum of Care (COC).

AFG Miller Grove Center provides low-barrier admission to housing and all services will be voluntary for residents. While all who meet MSHDA's homeless, and COC requirements are eligible, the most vulnerable from that group are given priority based upon assessment scores. Potential tenants will be assessed by the Coordinated Access Model (CAM) agency, Southwest Counseling Solutions, using the Service Prioritization Decision Assistance Tool (VI-SPDAT, TAY-SPDAT, and full SPDAT, as defined below) to assess their vulnerability and the immediacy of their needs.

The Supportive Service Project Team: Southwest Counseling Solutions (**Lead Provider**), Alternatives for Girls (**Local Provider**), Full Circle Communities, Inc. (**Owner**), Full Circle Management LLC (**Property Manager**), all recognize that The United States Interagency Council on Homelessness calls **Housing First**, “**a proven approach in which people experiencing homelessness are provided with permanent housing directly and with few to no treatment preconditions, behavioral contingencies, or barriers.**” As such, they are committed to applying the **Housing First** approach in the development which includes the following elements:

- Tenants have full rights, responsibilities, and legal protections under Federal, state, and local housing laws, tenants are educated about their lease terms, given access to legal assistance, and encouraged to exercise their full legal rights and responsibilities, and landlords and providers abide by their legally defined roles and obligations; and

- Admission/tenant screening and selection practices affirm that acceptance of applicants regardless of their sobriety, use of substances, completion of treatment, and participation in services; and
- 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”; and
- Management 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; and
- Supportive services emphasize engagement and problem-solving over therapeutic goals, service plans are tenant-driven without predetermined goals, and participation in services or program compliance are not a condition of tenancy (except as required by federal requirements); and
- Use of drugs or alcohol in and of itself is not considered a reason for eviction, unless a requirement under a federal program; and
- The Tenant Selection Plan includes a prioritization of eligible tenants based on high SPDAT score (or other similar coordinated assessment system); and
- 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 with financial management; and
- A harm reduction philosophy, where tenants are offered education regarding how to avoid risky behaviors and engage in safer practices, is in place; and
- Units may include special physical features that accommodate disabilities, reduce harm, and promote health among tenants; and
- Every effort is made to avoid eviction.

Occupancy Requirements

The community is comprised of 45 units, including 23 PSH Units. AFG Miller Grove Center will target the Highly Vulnerable Supportive Housing Populations, as defined by the Detroit COC CAM’s PSH Prioritization List. 100% of the PSH units will be dedicated for the Highly Vulnerable Supportive Housing population as defined below:

Highly Vulnerable Supportive Housing Population: An adult person/prospective tenant who is referred from the top 10% of the Detroit Continuum of Care’s Coordinated Assessment Model (CAM) list, as verified by the HARA, and who qualifies under one of the following definitions eligible for permanent supportive housing:

Homeless: A prospective tenant who qualifies under a minimum of one of the following categories:

- (1) HUD Category 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) HUD Category 4: 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.

Domestic Violence: In addition to HUD Category 4, "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.

Income Limit Requirements

Income limit requirements for occupancy should not exceed the tax credit income limits for Wayne County.

Income limit requirements will be based on the MSHDA established tax credit income limits for Wayne County in conjunction with the income limits published by MSHDA.

Updated income limits, as published periodically by HUD and MSHDA, will be distributed by the corporate office, to all properties required to use the income limit guidelines. The income limits will be posted on-site.

Waiting List Preference

In addition to the waiting list criteria referenced on Page 12 of the attached Resident Selection Criteria, preference will be given according to the prioritization list as follows:

1. Highly Vulnerable Supportive Housing Populations, as defined in this document
2. SPDAT Assessment by the Detroit CAM

Referral Process and Accepting Applications for PSH Units

Individuals will be assessed by the HARA, using the CAM. Intake into the CAM system begins at access points within the City of Detroit. At the access point clients can go through up to three procedures including diversion, a screening tool and referral to Emergency Shelter. Clients are first assessed using diversion tools to identify any other means of housing before shelter and/or housing assistance.

Potential tenants will be assessed using the Service Prioritization Decision Assistance Tool (SPDAT) to determine their vulnerability and the immediacy of their needs. The VI-SPDAT (Vulnerability Index - SPDAT) or Transition Age Youth (TAY)-SPDAT tool for youth will be used prior to moving on to a full SPDAT. After the VI-SPDAT or TAY-SPDAT is administered clients will be referred to emergency shelter or outreach team for a navigation appointment. With the outreach team (or at the emergency shelter), a navigation appointment will take place which includes a full SPDAT. The SPDAT acuity score is used to determine the prospective tenant's need for Permanent Supportive Housing. Those who score high enough for permanent support housing will work with the navigator to collect all the necessary documents and paperwork to submit an application. The navigator will submit the completed PSH packet to CAM back office staff and client will be placed on PSH prioritization waiting list.

Prior to review by the Manager and/or Leasing Consultant, applications for occupancy in the units set aside for PSH will be processed by the Lead Provider and Local Provider case managers, as detailed in the Supportive Services and Property Management Memorandum of Understanding. The case managers will verify that the required support documentation, verifying the admission criteria (as stated in Addendum III of the Low Income Tax Credit Housing application), is accurate and included with the application. In order to insure the PSH requirements are followed, this Site Specific Addendum to Resident Selection Criteria supersedes Tenant Selection and Referral requirements as described in the Tenant Selection Plan or any other previous plans.

Screening Applicants

Miller Grove Center's screening criteria is not more restrictive than the MSHDA Housing Choice Voucher criteria. Lead Provider and Local Provider will support applicants throughout the process, assisting applicants in navigating the steps, completing paperwork, assisting with appeals/reasonable accommodation requests, and advocating for applicant, etc. When the application is complete and an apartment is available for the applicant, Property Manager will screen the applicant in consideration of Housing First principles. Admission is based on the minimum criteria set by MSHDA project based vouchers rules.

If the background check determination is made to deny admission to the applicant based on MSHDA's voucher rules and regulations, the Property Manager must:

- a. Notify the applicant of the proposed denial of admission. If appropriate, Release of Information (ROI) is signed, inform Lead Provider and Local Provider staff of denial allowing them to assist with process.
- b. Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency.
- c. Outline steps to appeal and/or submit reason accommodation request.

Property Manager will promptly notify the applicant, and Lead Provider and Local Provider staff if ROI is in place, of the rejection of the application for residency in writing and provide the applicant with an explanation including:

1. The steps to be taken to inquire as to the nature of the rejection; and
2. That the applicant has 14 days to respond in writing to request a meeting to discuss the rejection.

Any meeting with the applicant to review the applicant's written response will be conducted by Lead Provider, Local Provider, and a member of the Property Manager's staff who did not make the initial decision to reject the applicant. In the event Property Manager recommends rejection and Lead Provider and Local Provider does not agree, the Owners will make the final decision and document the decision in writing directing management to accept the resident

If the applicant appeals the rejection, Property Management will give the applicant a written final decision within five (5) business days of the response or meeting.

The project will keep the following materials on file for at least three (3) years: application; initial rejection notice; any applicant reply; landlord's final response; and all interview and verified information on which the landlord based the rejection. The applicant's or resident's file will be available for review by the applicant or resident upon request by a third party who provides signed authorization for access from the applicant or resident.

Waiting List

Property Management will maintain separate lists for PSH and non-PSH units at the property. After initial lease-up, all applicants will be placed on the waiting list and applications can be processed for move-in if an apartment is available. If an apartment is not available, the applicant will remain on the waiting list. The Manager will inform the applicant that they will be notified when an apartment is available and re-verify their eligibility.

The application will be recorded on the waiting list and include the following information:

- Date and time application/pre-application was received.
- Preferences for which the applicant qualifies.
- Name and address of Head of Household.
- Identification of the need for an accessible apartment.
- Apartment size.
- SPDAT Prioritization, as defined above

Additional information may be recorded on the waiting list as required by specific programs.

EVICTION PREVENTION

Blended Management meetings will be held on at least a monthly basis between the Owner, Property Manager, Lead Provider, and Local Provider to help ensure that PSH residents who run into challenges that may lead to eviction can remain housed. In particular, when a PSH resident who is at-risk fails to comply with his or her lease and eviction prevention plan, Lead Provider and Local Provider will aggressively initiate a step-by-step process to prevent eviction in an Eviction Alternative Plan (EAP). The resident's progress will be monitored collaboratively by the Property Manager and Lead Provider and Local Provider case managers. The case managers will work with residents to address eviction risk. Residents with a pending eviction will be allowed to select a staff advocate to partner with them on the process. Lead Provider and Local Provider will proactively address issues such as late rent or noncompliance with other lease requirements upon referral from the property manager prior to actual eviction notices. Lead Provider and Local Provider will work with the resident to assist in identifying resources required for stabilization.

Fundamental Requirements
of
Resident Selection Criteria
(Michigan)

Resident Selection Criteria

Table of Contents

| | |
|--|---|
| SECTION I – RESIDENT SELECTION | 3 |
| 1.1. Accepting Applications | 3 |
| 1.2. Screening Applicants | 4 |
| 1.3. Rejecting Applicants..... | 10 |
| 1.4. Ineligible Applicants..... | 12 |
| 1.5. The Waiting List..... | 13 |
| 1.6. Assigning Apartments | 16 |
| 1.7. Statutory and HUD Preferences..... | 18 |
| 1.8. Income Targeting..... | 18 |
| SECTION II - FAIR HOUSING AND EQUAL OPPORTUNITY | 18 |
| 2.1 Federal Laws..... | 19 |
| 2.2 Michigan Law | 19 |
| 2.3 Violence Against Women and Justice Department Reauthorization Act (VAWA) | 19 |
| 2.4 Affirmative Fair Housing Marketing Plan..... | 20 |
| SECTION III - PRIORITIES CONCERNING APARTMENT TRANSFERS..... | 20 |
| SECTION IV - PRIORITIES CONCERNING ADMISSIONS | 21 |
| 4.1 Accessible Apartments | 21 |
| SECTION V - REASONABLE ACCOMMODATION AND MODIFICATION | 24 |
| 5.1 Reasonable Accommodation/Modification of Apartments and Common Areas | 24 |
| 5.2 Reasonable Accommodation/Modifications of Policies and Practices..... | 25 |
| Exhibit A | Definitions of Minority Groups, Federal Discrimination Poster (English and Spanish) Examples of Prohibited Discrimination Practices |
| Exhibit B | Michigan Law Prohibits Discrimination Poster |

SECTION I – RESIDENT SELECTION

This property is managed by Full Circle Management LLC, hereinafter referred to as “Management”.

We provide housing for individuals and families. We do not discriminate against any person(s) on the basis of race, color, religion, sex, age, national origin, familial status, disability, or handicap and provide housing to all families and individuals without regard to actual or perceived sexual orientation, gender identity or marital status. In addition, we are committed to providing "reasonable accommodations" to person(s) who have a disability. Reasonable accommodations may include structural and non-structural modifications. See Addendum to Resident Selection Criteria for Site Specific project eligibility requirements.

1.1. Accepting Applications

The rental office will be open at convenient times throughout the week to accept applications. The Manager and/or Leasing Consultant will interview the applicant and provide an explanation of the site-specific regulations, eligibility rules and policies associated with the development.

If applicable, the applicant will be made aware of the income limit schedule and economic mix (i.e. very low, low income, etc) specific to property. Updated income limit schedules will be distributed to the property by the corporate office, as published periodically by HUD and/or MSHDA.

Any person(s) who wishes to be admitted to a community, or placed on a community waiting list, must complete an application or complete a pre-application card. For properties with waiting lists that are expected to last longer than 120 days, a pre-application card will be used and the applicant will be invited back to complete an application when their name reaches the top of the waiting list. In addition to providing applicants the opportunity to complete an application/pre-application card on-site, applicants may also submit a completed application or pre-application card via regular mail. Persons with disabilities who, as a result of such disability, cannot complete an application or pre-application card for residency either on-site or via regular mail, may submit an application or pre-application card via these alternative methods:

- a. Email
- b. Scan
- c. Facsimile

The application will contain enough information to enable the Manager to:

1. Tentatively determine the households' eligibility (household size; estimated anticipated annual income and assets.)
2. Determine the apartment size and type requested
3. Screen applicants (obtain information concerning previous landlords, credit information, criminal history, convictions, etc.)
4. Determine if applicant meets the government eligibility requirements in regard to age, income, family size, etc. When determining family size for establishing income eligibility, the applicant must include all persons who will live in the apartment, except the following:

Live-In Aides. A person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities, and who:

- a. Is determined to be essential to the care and well-being of the person(s);

- b. Is not obligated for the support of the person(s); and
- c. Would not be living in the apartment except to provide necessary supportive services.

While a relative may be considered to be a live-in aide/attendant, they must meet the above requirements above. The live-in aide qualifies for occupancy only as long as the individual needing supportive services requires the aide's services and remains a tenant, and may not qualify for continued occupancy as a family member.

All applications/pre-applications will be dated, time stamped when received and placed on the waiting list. The application will be screened/processed for move-in when there is an available unit.

1.2. Screening Applicants

When the application is complete and an apartment is available for the applicant, the following criteria will be used to determine the applicant's eligibility in the following areas:

1. Applicant's ability and willingness to pay rent and utilities in a timely manner. This will be determined by contacting current and prior landlords within the past five (5) years.
2. Comments from former landlords. Endorsement from at least two non-related landlords will effectively assess the applicant's previous housing situations. Former landlord references will be based upon information obtained regarding rent payments, utility payments, compliance to rules and regulations of the lease, maintenance of the apartment in decent, safe and sanitary physical condition, non-interference of the enjoyment of the housing by other residents, and avoidance of criminal activity by the applicant and/or their guests.
3. Applicants will provide (3) personal references. Management may utilize these additional references named on the application. A negative reference obtained would imply that the applicant could not abide by the lease terms and may be grounds for denial of the application.
4. While talking with prospective renters, the Manager and/or Leasing Consultant may document any undesirable behavior such as, unruly conduct, noisiness or use of profanity. It is acceptable to attach such comments to the application - as long as comments are fair, impartial, and consistent.
5. Background checks will be completed for the applicant, and all anticipated household members, in the State where the housing is located, and in other States where the applicant(s) are known to have previously resided. The background check will consist of:
 - a. Credit history to include public records, NSF records, and any other information included in the applicants credit report..
 - b. Landlord / Tenant Eviction History
 - c. Criminal history
 - d. Dru Sjodin National Sex Offender website.

Applicant Score Rating: Each applicant will be assigned a computer generated Background History Score. The Applicant will be accepted or rejected based on a predetermined acceptable baseline. A lack of a credit history (as opposed to a poor credit history) is not sufficient justification to reject an applicant.

6. Criminal history background checks will be completed for the applicant, and all anticipated household members, in the State where the housing is located, and in other States where the applicant(s) are known to have previously resided.

Admission may be denied to an applicant if the criminal background check indicates the applicant provided false information. If the determination is made to deny admission to the applicant, the Manager must:

- a. Notify the applicant of the proposed denial of admission.
 - b. Provide the subject of the record and the applicant with a copy of the information the action is based upon.
 - c. Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency.
7. Applicants will be screened for any registration requirement under a State sex offender registration program.
8. Applicant's ability and willingness to abide by the lease. This information can be obtained through past landlord references. Criminal history checks of police records will be utilized to determine the applicant's and or applicants household member's history of conviction for crimes and/or current illegal use of a controlled substance.
9. Citizen / Immigration Status

a. Rural Development Properties

Citizenship declaration / immigration status is required for "all household members" for farm labor only. Non farm labor properties do not require documentation of U.S. Citizenship.

b. LIHTC Properties

Low income housing properties may not be occupied by households comprised entirely of illegal aliens.

Applicants will be required to declare citizenship. In some cases, further documentation may be required to prove that the entire household is not comprised of illegal aliens.

c. HUD Properties

All applicants/residents must sign a verification form declaring citizenship status. U.S Citizens are not required to provide proof of citizenship. If the applicant is not a citizen of the United States of America, the applicant must sign a verification form and submit documentation of their status, or sign a declaration that they do not claim to have eligible status. Non-citizens aged 62 years and older, must sign a declaration of eligible immigration status and provide documentation that shows proof of age. Management will verify such documentation for validity with the Department of Homeland Security. Verification will be made utilizing the Systematic Alien Verification for Entitlements system (SAVE), which is available at site level or at the corporate office. Section 8 assistance for the family will not be delayed if the family submitted its immigration documentation in a timely manner but the DHS verification or appeals process has not been completed. If a apartment is available and at least one member of the family has been determined to be eligible, the family will be offered the apartment. Assistance will be provided to the family member determined to be eligible and to those family members that submitted their immigration documents on time. If any family members did not provide the required immigration documentation, then the assistance for the family will be prorated.

10. Social Security Numbers

a. Rural Development Properties

All Rural Development applicants must provide a social security number or proof that a number is in the process of being assigned.

b. All other Properties including HUD

All applicants (including each member of the household), who are not exempt under Paragraph C below, must provide documentation of each disclosed social security number. Acceptable evidence of the social security number consists of:

- i. An original SSN card issued by SSA;
- ii. An original SSA-issued document, which contains the name and SSN of the individual; or
- iii. An original document issued by a federal, state, or local government agency, which contains the name and SSN of the individual.

An applicant may not be admitted until SSNs for all household members have been disclosed and verification provided as follows:

- i. If all household members have not disclosed and/or provided verification of their SSNs at the time a unit becomes available, the next eligible applicant must be offered the available unit.
- ii. The applicant who has not disclosed and provided verification of SSNs for all household members must disclose and provide verification of SSNs for all household members within 90 days from the date they are first offered an available unit.
- iii. If it is determined that the applicant is otherwise eligible for admission to the property, and the only outstanding verification is that of disclosing and providing verification of the SSN, the applicant may retain his or her place on the waiting list for the 90-day period during which the applicant is trying to obtain documentation.
- iv. After 90 days, if the applicant has been unable to supply the required SSN and verification documentation, the applicant will be determined ineligible and removed from the waiting list.

c. In accordance with 24 CFR 5.216, applicants and participants (including each member of the household) are required to disclose his/her assigned social security number, with the exception of the following individuals:

- i. Those individuals who do not contend to have eligible immigration status (individuals who may be unlawfully present in the United States). These individuals in most instances would not be eligible for a SSN.
 - 1. A family that consists of a single household member (including a pregnant individual) who does not have eligible immigration status is not eligible for housing assistance and cannot be housed.
 - 2. Mixed Families: For projects where the restriction on assistance to noncitizens applies and where individuals are required to declare their citizenship status, proration of assistance or screening for mixed familieies

must continue to be followed. In these instances, the tenant's Citizenship Declaration will be on file whereby the individual did not contend eligible immigration status to support the individual not being subject to the requirements to disclose and provide verification of a social security number.

3. For Section 221(d)(3) BMIR, Section 202 PAC, Section 202 PRAC and Section 811 PRAC communities, the restriction on providing assistance to noncitizens does not apply. At these properties, individuals who do not contend eligible immigration status must sign a certification, containing the penalty of perjury clause, certifying to that effect. The certification will support the individual not being subject to the requirements to disclose or provide verification of a social security number. The certification must be retained in the tenant file.
 - ii. Existing program participants as of January 31, 2010, who are 62 years of age or older, and had not previously disclosed a valid SSN. This exemption continues even if the individual moves to a new assisted unit.
 - iii. If a child under the age of 6 years is added to the applicants household within a six (6) month period prior to admission, documentation of the Social Security number must be provided to management within ninety (90) calendar days from the date of move-in. Management will grant an extension of one additional ninety (90) day period if it is determined that the applicants failure to comply was due to circumstances that could not reasonably have been foreseen and were outside the control of the applicant. If the applicant fails to produce the required documentation within the required time period, the applicant may face eviction.
 - iv. In the event of the addition of new household member who is under the age of 6 and has no assigned social security number, the participant shall be required to provide the complete and accurate social security number assigned to each new child and the documentation to verify the SSN for each new child within 90 calendar days of the child being added to the household. One 90-day period extension may be granted.

11. EIV (Enterprise Income Verification)

This section applies only to federally subsidized programs. EIV is a web based computer system containing employment and income information on individuals participating in HUD's subsidy programs. This information assists HUD in making sure "the right benefits go to the right persons". The EIV system provides the owner and/or manager of the property with the residents income information and employment history. This information is used to meet HUD's requirement to independently verify employment and/or income when the resident certifies or recertifies for subsidy.

Property owners and managers are able to use the EIV system to identify if the applicant or resident:

- Correctly reported income
- Used a false social security number
- Failed to report or under reported income of spouse or other household member
- Receives subsidy at a different property – existing tenant search.

All Applicants MUST disclose if they are currently receiving HUD housing assistance. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit.

HUD provides the owner/agent with information about an applicant's current status as a HUD housing assistance recipient. The owner/agent will use the existing tenant search to identify if the applicant or any member of the applicant household is currently receiving HUD 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. Special consideration applies to:

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

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

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

12. Determining the eligibility of Students who are Head or Co-head of a Household is as follows:

HUD Section 8 Developments

a. Section 8 assistance shall NOT be provided to any individual who:

- Is enrolled as a student at an institution of higher education;
- Is under the age of 24;
- Is not a veteran of the United States military;
- Is unmarried;
- Does not have a dependent child;
- Is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C.1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005;
- Is not living with his or her parents who are receiving Section 8 assistance; and
- Is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible on the basis of income to receive section 8 assistance.
- Is not classified as Vulnerable Youth; A student meets HUD's definition of a vulnerable youth when:
 - The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
 - The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;
 - The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless

Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by

- A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act;
 - The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
 - The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
 - A financial aid administrator; or
 - The individual is not a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances
- b. 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 or
 3. 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".
- c. In order to verify a student's independence from his or her parents to determine that the student's parents' income is not relevant for determining the student's eligibility for assistance by doing all of the following:
1. The individual must be of legal age to sign a contract.
 2. Reviewing and verifying previous address information to determine evidence of a separate household or verifying the student meets the U.S. Department of Education's definition of "independent student";
 3. Reviewing a student's prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education's definition of "independent student"; and
 4. Verifying income provided by a parent by requiring a written certification from the individual providing the support. Certification is also required if the parent is providing no support to the student.
- NOTE:** Verification of a Student's Independence is not required if the student meets the definition of vulnerable youth.
- d. Unless the student is determined independent from his or her parents, then the eligibility of a student seeking Section 8 assistance will be based on both the student and the parents being determined income eligible for Section 8 assistance. HUD's student guidelines are intended to help ensure that section 8 assistance is provided to those truly in need of and eligible for such assistance. Students who are living with his or her parents who are receiving Section 8 are eligible for assistance. Determination of eligibility and rent will be made in accordance with the student requirements for the Section 8 program as defined under Docket # FR-5036-N-02 of the Federal Register.

- e. A student's eligibility for Section 8 assistance will be determined at move-in, annual recertification, initial certification (when an in-place tenant begins receiving Section 8), and at the time of an interim recertification if one of the family composition changes reported is that a household member is enrolled as a student.
- f. If an ineligible student is a member of an applicant household or an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated.

TAX CREDIT PROGRAMS

A household that is comprised entirely of full-time students may still be eligible to reside in a LIHTC unit if the household satisfies the conditions of either (1) or (2) below:

- g. At least one household member is:
 - a. Receiving assistance under Title IV of the Social Security Act (welfare);
 - b. Enrolled in a job-training program receiving assistance under the Workforce Investment Act (formerly called the Job Training Partnership Act (JTPA)) or under other similar federal, state, or local laws; or
 - c. An individual who was previously under the care and placement responsibility of the State agency responsible for administering a plan under part B or part E of title IV of the Social Security Act [foster care].
- h. A unit occupied entirely by full-time students if such students are:
 - 13. A single parent receiving AFDC payments with dependent children who are also students;
 - 14. A single parent and his or her children and such parents are not dependents of another individual and such children are not dependents of another individual other than a parent of such children; or
 - 15. Married and filing a joint tax return.

ALL OTHER PROGRAMS

- a. The individual must be of legal contract age under state law.
 - b. 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.
 - c. The individual must not be claimed as a dependent by parents or legal guardians.
 - d. 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. This certification is required even if no assistance will be provided. The financial assistance provided by persons not living in the apartment is part of annual income that must be verified to determine eligibility and at annual recertification to determine rent.
16. The screening of live-in aides at initial occupancy, or added to the tenant household after initial occupancy are subject to all applicant screening listed in this section. However, as live-in aides are not responsible for rental payments, credit screening for the live-in aide is not required.

1.3. Rejecting Applicants

Applicants may be rejected if:

- 1. Applicant does not meet the community's project specific requirements.

2. Unacceptable background check as defined in Section 1.2(4).
3. Household characteristics are not appropriate for the type of apartment available (i.e. accessible apartment is available and a non-handicap/disabled household makes application). In order to assure that eligible persons with disability/handicaps benefit from the particular accessibility features of a specific apartment, a special priority approach to marketing will take place. When an "accessible apartment" becomes available, the apartment will be offered in the following order.
 - a. To current residents having disabilities who would benefit from the available apartment's accessibility features, but whose current apartment does not already offer such features.
 - b. To eligible and qualified households on the waiting list having disabilities, and who would benefit from the available apartment's accessibility features.
 - c. To other eligible and qualified households on the waiting list (i.e. without disabilities), in which case the landlord will require the household to sign a lease addendum agreeing to transfer to a non-accessible apartment at the landlord's request.

When an accessible apartment becomes available, households who necessarily require, but currently do not have the accessibility features, will assume a position at the top of the waiting list, ahead of households with earlier application dates.

4. Family size is not appropriate for the size of the apartment that is available (See Section 1.6). If the property offers apartments that would be appropriate for the family size, the applicant is placed on a waiting list as defined in Section 1.5.
5. The applicant may be rejected if the applicant or member of the household has a criminal conviction for:
 - a. Any offense related to the use, possession, sale or distribution of a controlled substance whether the conviction was a felony or misdemeanor;
 - b. All felony convictions, in accordance with HUD guidelines taking into consideration severity of the crime and when the crime committed.
 - c. Any misdemeanor, in accordance with HUD guidelines taking into consideration severity of the crime and when the crime committed and/or involving an assault or other violent act, drug related offense or criminal sexual conduct.
 - d. Any other criminal activity that threatens the health, safety and right to peaceful enjoyment by other residents, or the health and safety of the owner, employees, contractors, subcontractors or agents of the owner, shall be sufficient evidence for rejecting the applicant.

NOTE: Section 8 Developments Only.

The applicant may be eligible for residency at a Section 8 development if:

Criminal activity directly related to domestic violence, dating violence or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of assistance, tenancy, or occupancy rights of the victim of the criminal acts.

6. Applicant has a history of behavior, which if displayed by a resident would be a lease violation; the applicant may be denied housing, even if the behavior is a manifestation of a disability condition. However, if the behavior is a manifestation of a disability condition, the person will be given an opportunity to submit mitigating circumstances and to demonstrate that a reasonable accommodation by the housing provider would address the non-lease compliant behavior.
7. Applicants will be rejected if any member of the household is the subject to any reporting requirements of any State sex offender registration program.
8. Applicant will be rejected for providing false information on an application.
9. Applicant will be rejected if they are unable to provide valid proof of a social security number as more specifically explained in Section 1.2(9) of the Resident Selection Criteria.

The project must promptly notify the applicant of the rejection of the application for residency in writing and provide the applicant with an explanation including:

- a. The reasons for the rejection; and
- b. That the applicant has 14 days to respond in writing or to request a meeting to discuss the rejection.

Any meeting with the applicant to review the applicant's written response should be conducted by a member of the staff who did not make the initial decision to reject the applicant. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.

If the applicant appeals the rejection, the landlord must give the applicant a written final decision within five (5) business days of the response or meeting.

The project must keep the following materials on file for at least three (3) years: application; initial rejection notice; any applicant reply; landlord's final response; and all interview and verified information on which the landlord based the rejection. The applicant's or resident's file should be available for review by the applicant or resident upon request by a third party who provides signed authorization for access from the applicant or resident.

Disposal of Applicant or Resident Files

Applicant and resident files must be disposed of in a manner that will prevent any unauthorized access to personal information, eg. burn, pulverize, shred, etc.

1.4. Ineligible Applicants

Who is ineligible? An applicant is considered ineligible if:

1. The family size for which the size of apartment the community has is either too small or too large.
2. To be eligible to sign a lease, one of the following must apply:
 - a. Applicant must be 18 years of age or older
 - b. Must have joined the armed services
 - c. Must have a court order (emancipation)

4. Program requirements are not met (i.e.: elderly housing, income limits, tax credit income limits and rent limits, etc.)
5. The applicant does not meet the established household income requirements.
6. Illegal immigrants/aliens are not eligible. Properties financed by Rural Development do not have a U.S. citizenship requirement except for farm labor properties. Applicants to farm labor properties are required to provide proof of U.S. Citizenship. See Section 1.2 (9) for further details.
7. Any household member has been evicted from federally assisted housing for drug-related criminal activity, for three years from the date of eviction. If the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program, or circumstances leading to the eviction no longer exist, Management may, but is not required to, admit the household.
8. A household in which any member is currently engaging in illegal use of drugs or for which there is reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. Evidence of illegal activities may include a conviction record, former landlord references, etc.
9. Any household member, if there is reasonable cause to believe that member's behavior, from alcohol abuse or pattern 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.
10. Any member of the household is subject to any registration reporting requirements under any State sex offender registration program. In accordance with Federal law, standards shall be established that prohibit admission to any federally assisted property to sex offender registration program. During the admissions screening process, criminal history background checks in the State where the housing is located and in other States where the household members are known to have resided will be performed.

1.5. The Waiting List

All NEW applicants will be placed on the waiting list and applications can be processed for move-in if an apartment is available. If an apartment is not available, the applicant will remain on the waiting list. The property must inform the applicant that they will be notified when such an apartment is available. The project may require the applicant to contact the office every six (6) months to remain on the list.

The application will be recorded on the waiting list and include the following information:

- ✓ Date and time application/pre-application was received.
- ✓ Preferences for which the applicant qualifies.
- ✓ Name and address of Head of Household.
- ✓ Annual income level.
- ✓ Identification of the need for an accessible apartment.
- ✓ Apartment size.

Additional information may be recorded on the waiting list as required by specific programs.

When a vacancy occurs, Management will determine if apartment transfer requests have been received from current residents who would qualify to move to another apartment for reasons more specifically

described in Section 3. If an apartment transfer request has been made for the apartment type that is currently available, current residents requesting a transfer will be offered first refusal. If the residents refuse the transfer, the next applicant from the waiting list, based on apartment size available, preferences established for the property, income targeting policies and requirements and screening policies, will be selected. If a resident is offered a transfer because they are under utilizing a unit and they refuse the transfer, subsidy will be terminated and they are required to pay market rent.

When a transfer request is based on over-utilizing a unit or a deeper subsidy request, applicant and resident transfers will be alternated as vacancy occurs.

Once the new resident is selected for the available unit, a final determination of eligibility and suitability for occupancy will be completed. A family, who has reached the top of the waiting list and has indicated a need for certain apartment accommodations because of a disability, may not be skipped over because the available apartment may not be an accessible apartment. The applicant must be offered the apartment and decide for themselves whether the apartment meets the needs of the family.

Applicants on the waiting list will be permitted to refuse a unit one time and will remain at the top of the waiting list. After a second refusal of an available unit, the applicant will be withdrawn from the waiting list permanently. Applicants will be required to move into a unit within 10 days after the unit is offered to the household. Should an applicant not be available to move within 10 days, they will remain on the waiting list and this refusal will be counted as their first refusal. Anyone who is withdrawn from the waiting list is welcome to re-apply when/if the waiting list is open.

Applicants may qualify for more than one waiting list and will be placed on the waiting list they selected on the pre-application card/application, unless they do not meet the required occupancy standards for the unit type requested. Should the applicant indicate that they would like to be on more than one waiting list, they will be added to those waiting lists and contacted when they reach the top of those lists.

If an applicant was placed on more than one waiting list at their request and accept a unit and move-in to the community, they are no longer eligible to transfer to the alternate unit size selected on the preapplication/application after move-in except in a situation where they add household members and would be over-housed for the unit. If new household members are added and the household exceeds the maximum number of people for the unit type, they may be placed on an internal transfer list only if requested and if the property offers the larger unit type.

Updating the Waiting List

The property may send a letter to each applicant on the waiting list at least once annually to inquire as to whether or not the applicant wishes to remain on the waiting list. If an applicant fails to respond during the time period noted in the letter (HUD/MSHDA/RD have differing time periods), his/her application is removed from the waiting list. At a minimum, the removal of any names from the waiting list must be documented with the time and date of removal.

In the event that an applicant is removed from the waiting list in error, the applicant will be reinstated to the list. The applicant's place on the waiting list will be determined based on the date and time their original application was received.

Applicants will be informed to notify Management when the following changes occur:

- Address and/or phone number
- Household composition
- Preference status, if applicable.
-

If an applicant's household composition changes result in a need for a different apartment size, Management will place the applicant on the appropriate waiting list. The applicant will maintain their original application date on the new list.

Contacting Persons on the Waiting Lists

Applicants on the waiting list will be contacted as follows:

When a unit becomes or will become available, Management will select the next 5 applicants who meet applicable preference criteria or whose name is chronologically at the top of the appropriate Waiting list. Management will contact the selected applicants via telephone to begin the interview process.

Applicants who respond timely (within 24 hours) will be scheduled an interview. Applicants must be interviewed within 5 days of the initial contact to be eligible for the vacancy.

Should an applicant not respond within 24 hours, a letter will be sent to them giving the applicant 10 days to respond to us which will allow them to remain on the waiting list however, if others had previously responded on the waiting list and we are currently processing a different applicant for the upcoming vacancy, they will be allowed to remain on the waiting list in their current waitlist order but will not be processed for the current available unit. They will be contacted for the next available unit due to their delay.

If Management receives a timely response but the applicant rejects the first offered unit, the applicant will remain in their current position on the waiting list. When a second unit becomes available, Management will again attempt to contact the applicant and will explain that if the applicant does not respond within 24 hours or fails to accept the second unit, the applicant's name will be removed from the applicable Waiting list.

If, after the interview has been scheduled, the applicant fails to attend the scheduled interview or to contact Management to reschedule the interview, the applicant will be removed from the waiting list. Management will send a letter to the resident anytime an applicant is removed from the waiting list notifying them of such.

Closing the Waiting List

The waiting list will be monitored regularly to ensure there are enough applicants to fill vacancies. If it is deemed that the waiting list for the apartment community has become excessive, the waiting list will be closed. Potential applicants will be advised that the waiting list is closed, and no additional applications will be accepted. A notice will be published in a newspaper within the primary marketing area, and will specify the reason the waiting list is closed, and that no additional applications are being accepted at this time. A notice/advertisement will be published in a newspaper within the primary marketing area when the waiting list is reopened and will define the rules for application, and the order in which applications will be accepted.

Rural Development properties will not close their waiting list.

1.6. Assigning Apartments

1. Household Members. To determine how many bedrooms a household may have, the project will count: (Depending on the rental program, documentation may be required).
 - a. All full-time members of the household.
 - b. Children who are away at school but live with the family during school recesses.
 - c. Children who are subject to joint custody agreement but live in the apartment at least 50% of the time, or is in the process of securing legal custody of children under the age of 18, and provides documentation from court.

- d. An unborn child.
 - e. Foster children.
 - f. Live-in attendants (Rural Development will allow apparatuses related to the residents disability when counting number of bedrooms required).
 - g. Children who are temporarily absent due to placement in a foster home.
2. General Occupancy Standards
- a. The applicant may select any size apartment for which the household size qualifies. State or local ordinance may supercede this occupancy standard. Occupancy limits are based on International code and/or state or local ordinances.

HUD/MSHDA/SECTION 8/RURAL DEVELOPMENT PROPERTIES

| <u>Apartment Size</u> | <u>Min</u> |
|-----------------------|------------|
| Zero Bedroom/Studio | 1 |
| One Bedroom | 1 |
| Two Bedroom | 2 |
| Three Bedroom | 3 |
| Four Bedroom | 4 |

For HUD Properties: If the apartment becomes under-occupied or over-occupied during the lease term according to the occupancy minimums/maximms, management may require that the resident(s) move to an apartment of the appropriate size, if available. If the resident refuses to move, they may continue to reside in their current apartment, and pay the market rent for that apartment unless not permitted by a local ordinance. Some city municipality have occupancy requirements and management must adhere to those guidelines in order to pass city inspections. In those cases, residents will be lease violated when exceeding those standards and it may be necessary to take legal action if required by the municipality

Applicants are able to be placed on more than waiting list at their request prior to move-in however, should an applicant accept the smaller unit for a move-in, they are not eligible to transfer to a larger size unit unless their household size increases beyond the maximum limit for the unit occupied.

For Rural Development Properties: If the apartment becomes under-occupied or over-occupied during the lease term, management may require that the resident(s) move to an apartment of the appropriate size, if available. If the resident refuses to move or the property has no units that would appropriate size the resident must vacate within 30 days or at the end of their current lease term, whichever is longer.

TAX CREDIT/CONVENTIONAL AND/OR MARKET PROPERTIES
MSHDA PROGRAMS (I.E. TAXABLE BOND, 80/20, 60/40, ETC)

| <u>Apartment Size</u> | <u>Min</u> |
|-----------------------|------------|
| Zero Bedroom/Studio | 1 |

| | |
|---------------|---|
| One Bedroom | 1 |
| Two Bedroom | 1 |
| Three Bedroom | 1 |
| Four Bedroom | 1 |

1.7. Statutory and HUD Preferences

1. Properties managed under the 221(d)(4), 221(d)(3), 221(d)3BMIR and Section 236 programs must give preference to applicants who have been displaced by government action or a presidentially declared disaster. Persons displaced by government action or a presidential declaration disaster will be given a preference on the waitlist. Where preferences apply, applicants with a verified preference will be moved to the top of the waiting list above persons without a preference.

The eligibility for persons displaced by a presidentially declared disaster will be based upon FEMA’s eligibility determination. Those impacted by the disaster (i.e. owners and residents) must make an application with FEMA, receive an application number, and obtain a letter of eligibility, which specifically describes the type of eligibility. Those impacted by a disaster will not be afforded relief or assistance as a result of a Presidential Declared Disaster unless they have been certified by FEMA as being eligible.

2. Section 236 properties that also offer rental assistance through the RAP Program must rank applicants according to the following criteria:
 - a. Applicants eligible for RAP assistance
 - b. Applicants eligible to pay less than market rent under the 236 program.
 - c. Applicants with incomes sufficient to pay the market rent approved for the property.

Owner adopted preferences, if applicable, are addressed in the Site Specific Addendum to Resident Selection Criteria.

1.8 Income Targeting

All project based Section 8 properties must ensure that at least 40% of apartments assisted under the contract, serve extremely low-income families. The waiting list will be reviewed to determine if the composition of the current waiting list enables the property to meet the 40% income targeting requirement. If the current waiting list reflects a significant number of extremely low-income applicants, any available apartments will be offered to applicants, by following the waiting list guidelines as described in Section 1.5.

If the 40% income targeting requirement cannot be achieved by admitting applicants as they appear on the current waiting list, only applicants on the waiting list meeting the extremely low-income guidelines will be selected, in chronological order, to occupy vacant apartments until the 40% target has been achieved. Once the target has been reached, applicants will again be selected according to the waiting list guidelines more specifically described in Section 1.5.

SECTION II - FAIR HOUSING AND EQUAL OPPORTUNITY

Properties must comply with all Federal, State, local fair housing and civil rights laws and with all Equal Opportunity requirements in regard to rental of housing. These requirements apply to:

1. Accepting and processing applications;

2. Selecting Residents from among eligible applicants on the waiting list;
3. Assigning apartments; and
4. Certifying and recertifying eligibility for assistance.
5. Continued occupancy policies and rules during tenancy.

2.1 Federal Laws

Federal law forbids discrimination based on race, color, religion, sex, national origin, disability, and familial status. Administration procedures further prohibit discrimination based upon certain class memberships. See Exhibit A for definitions of minorities, and the federal poster.

Site staff must at all times comply with the following Federal Laws:

- a. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance from HUD.
- b. The Fair Housing Act Amendments of 1988 prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability and familial status. It applies to housing, regardless of the presence of federal financial assistance.
- c. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in any program or activity receiving federal financial assistance from HUD.

2.2 Michigan Law

Michigan Law prohibits discrimination based upon religion, race, color, national origin, sex, disability, age, marital status, height, weight, arrest record, genetic information and familial status. (See Exhibit B). Some local ordinances have additional protected classes.

2.3 Violence Against Women and Justice Department Reauthorization Act (VAWA)

VAWA 2013 maintains protections for public housing, Section 8 vouchers, and project based Section 8, and also expands the housing protections from VAWA 2005 to include the following programs which includes HUD's Homeless Assistance Programs:

- HOME Investment Partnerships program
- Section 202 supportive housing for the elderly
- Section 236 Rental Program
- Section 811 supportive housing for people with disabilities
- Section 221(d)(3) Below Market Interest Rate (BMIR) Program
- HOPWA housing program
- HUD's McKinney-Vento homeless programs
- Low-Income Housing Tax Credit properties
- USDA Rural Housing properties

At move-in, all residents are required to sign the VAWA lease addendum-HUD Form 5832, Certification of Domestic Violence, Sexual Assault, or Stalking, and Alternative Documentation, to advise residents of the protections available to them. The Violence Against Women and Justice Department Reauthorization Act offers the following protections against eviction or denial of housing based on domestic violence, sexual assault, dating violence or stalking:

1. An applicant's status as a victim of domestic violence, sexual assault, dating violence or stalking is not a basis for denial of rental assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.

2. An incident or incidents of actual or threatened domestic violence, sexual assault, dating violence or stalking will not be construed as serious or repeated violations of the lease or other “good cause” for terminating the assistance, tenancy, or occupancy rights of a victim of abuse.
3. Criminal activity directly related to domestic violence, sexual assault, dating violence or stalking, engaged in by a member of a tenant’s household or any guest or other person under the tenant’s control, shall not be cause for termination of assistance, tenancy, or occupancy rights of the victim of the criminal acts.

2.4 Affirmative Fair Housing Marketing Plan

The property must comply with its approved Affirmative Fair Housing Marketing Plan (AFHMP). This plan outlines the marketing strategies the property must utilize.

SECTION III - PRIORITIES CONCERNING APARTMENT TRANSFERS

An apartment transfer will be given to present residents requesting or requiring a transfer to a different apartment due to change in family composition, or size; medical reasons as certified by a doctor; the need for deeper subsidy (Rent Supplement, RAP or Section 8 assistance), or an accommodation for a disability. All properties will maintain a separate in-house transfer list. As vacancies occur, the internal waiting list will be checked for priority applicants before seeking new applicants from the waiting list for vacancies. Transfers for reasons 1-4 will take preference on the waiting list for the property and will occur before moving any new applicants into the property. Transfers for reasons 5-6 will take place by picking one internal transfer and then a new applicant (every other move-in will be pulled from the in-house waiting list).

All transfers will go through an approval process to include; rent is current and the resident is in good standing with the community and the current unit will be inspected for damages and cleanliness to determine if the transfer will be permitted. If the property deems that the resident is not qualified to transfer for the reasons listed above, the file will be documented and the resident will be skipped on the transfer list until the lease violations are cured. In addition, transfers are not permitted on HUD/LIHTC regulated sites unless program requirements are met and the transfer is due to one of the reasons listed below. Transfers will be made to current residents who meet the transfer criteria as stated above, and transfers will be prioritized in the following order:

1. Emergency Transfer request for Victims of Domestic Abuse in accordance with VAWA protections;
2. Transfer requested based on the need for an accessible apartment to accommodate a disability;
3. Transfer requested for medical reasons as certified by a doctor.
4. Transfer due to underoccupying a unit based on a decrease in family composition or size
5. Transfer due to change in family composition or size causing the unit to be over-occupied according to the maximum occupancy limits for the current unit size.;
6. Transfers requested due to the need for deeper subsidy (Rent Supplement, RAP or Section 8 Assistance)

Depending on the circumstances of the transfer, the resident may be obligated to pay all costs associated with the move (this provision does not apply to regulated households (i.e. HUD, MSHDA, RD). If a resident is transferred as a reasonable accommodation due to a household member’s disability see Section 5-A(1), 5-A(2) and 5-B for more information.

A transfer for a regulated household must be handled in accordance with the regulatory guidelines. (HUD, MSHDA or RD). A voluntary transfer for an unregulated household will include a charge to be applied to those residents transferring during the term of the lease. This charge will be an administrative fee plus the prorated rehabilitation costs.

In a non-regulated household, Residents making voluntary transfers will be required to pay a new security deposit in advance of the transfer; with settlement of the old security deposit to be made within 30 days of the date the old apartment is vacated.

SECTION IV - PRIORITIES CONCERNING ADMISSIONS

4.1 Accessible Apartments

In order to assure that eligible persons with disabilities/handicaps benefit from the particular accessibility feature of a specific apartment a special priority approach to marketing will take place. When accessible apartments become available, the apartment will be offered in the following order.

1. To current residents having disabilities who would benefit from the available apartment's accessibility features, but whose current apartment does not have such features.
2. To eligible and qualified households on the waiting list having disabilities that would benefit from the available apartment's accessibility features.
3. To other eligible and qualified households on the waiting list (i.e. without disabilities), in which case the landlord will require the household to agree, in writing to transfer to a non-accessible apartment at the landlords request.

When an accessible apartment becomes available, households which need (but currently do not have) the accessibility features assume a position at the top of the waiting list, ahead of households with earlier application dates.

Emergency Transfer Plan

Emergency Transfers

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

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

Eligibility for Emergency Transfers

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

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

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

Tenants may bifurcate their lease to enable victims of domestic violence to remain in their own unit, or in another HUD assisted unit, at their request.

Emergency Transfer Request Documentation

To request an emergency transfer, the tenant shall notify the Landlord and submit a written request for a transfer via fax, email or in person to the Landlord. **Landlord** will provide reasonable accommodations to this policy for individuals with disabilities. The tenant's written request for an emergency transfer should include either:

- A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under the Landlord's program; OR
- A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

Confidentiality

The Landlord will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives the Landlord written permission to release the information on a time limited basis, or unless disclosure of the information is required by law, or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the Notice of Occupancy Rights under the Violence Against Women Act For All Tenants for more information about the Landlord responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

Retention of Information

Any VAWA documents submitted by a resident CANNOT be placed in the resident file and should be kept in a separate binder from the files. **This binder should be kept securely away from the general public. The VAWA binder must include the VAWA log – Form #OP 339 and all documentation related to the requests.** Documents will be kept on file for 3 years following the date of request. After 3 years, documents should be shredded.

Emergency Transfer Timing and Availability

The Landlord cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. The Landlord will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. The Landlord may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If the Landlord has no safe and available units for which a tenant who needs an emergency is eligible, will assist the tenant in identifying other Owner / Agents who may have safe and available units to which the tenant could move. At the tenant's request, the Landlord will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

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

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

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

The Landlord will take the following steps to assist the tenant with an external emergency transfer.

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

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

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

In all cases of both Internal and External Emergency Transfer, the Landlord_____ will give the victim the names, addresses, and phone numbers of domestic advocacy organizations that stand ready to assist

VAWA victims on an emergency basis to help them.

Priority of VAWA Emergency Transfers over Other Categories of Emergency Transfer

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

- First priority will go to Internal Emergency Transfers, including VAWA Emergency Transfers. Priority among VAWA Emergency Transfers and other non-VAWA Emergency Transfers will be evaluated on a case-by-case basis if such conflicts arise.
- Second priority will go to other Internal Transfers that are not emergencies.
- Third priority will go to External VAWA Emergency Transfers.

Accessible Units

In order to meet the requirements of HUD Section 504 to maximize use of accessible units by those who need accessibility features, the Landlord_l will apply the following order of priority for Accessible Units only:

- First priority will go to a current occupant of the property who needs the accessibility features of the vacant unit.
- Second priority will be to an eligible qualified individual on the waiting list who needs accessible features.
- Third priority will go to individuals without disabilities who need an emergency transfer under VAWA.

Policies for Tenants with Tenant Based Assistance

The measures and priorities covered under this Emergency Transfer Plan apply to households with tenant-based housing assistance in the same manner that they apply to other households covered by this plan. Under 24 CRF 982.353 and 354, PHAs must issue the victim a voucher allowing the victim to search for another unit in its jurisdiction, or begin the portability process if the victim wishes to move outside of the PHA's jurisdiction.

The community will apply the same priorities for Emergency Transfer to place tenants with tenant-based vouchers as quickly as possible, and wherever possible, prior to the expiration of any deadlines for using the voucher that may be imposed by the PHA.

Safety and Security of Tenants

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

SECTION V - REASONABLE ACCOMMODATION AND MODIFICATION

5.1 Reasonable Accommodation/Modification of Apartments and Common Areas

1. Fair Housing Amendments Act of 1988
Reasonable accommodation of physical aspects of property. The Fair Housing Amendments Act of 1988 covers all properties with regard to the protection of families with children and persons with disabilities against discrimination. It mandates persons with disabilities be allowed to reasonably modify their apartment or project common area at their expense if it is necessary for the disabled person to fully enjoy it. It is advised to accept the applicant's or resident's own assessment of what is needed to allow accessibility. The Resident may be required to restore the interior of the apartment to the condition that existed before, if it will interfere with a future Resident's use of the premises (grab bars and widened door entrances are determined not to be an interference with a future Resident's use of premises). Additionally, requests for reasonable modification must be in writing and approval will be conditioned on assurances of the quality of workmanship.

2. Section 504 is a provision of the Rehabilitation Act of 1973 that covers all federally assisted properties with regard to discrimination against qualified persons with disabilities. It mandates that properties receiving federal assistance, if requested by an applicant or resident with disabilities, the housing provider must make a dwelling apartment (and common area) accessible, at the property's expense, unless to do so would result in a fundamental alteration or in an undue financial/administrative burden. Additionally, if a resident is being moved to a different apartment as reasonable accommodation to a household member's disability, then the property must pay for the move unless doing so would constitute an undue financial/administrative burden. If an accessibility modification is unreasonable, would result in a fundamental alteration or would result in an undue burden, Section 504 does not apply. However, the FHAA of 1988 provisions continue to be applicable specifically the housing provider must allow the modification to be made at the expense of the person with disabilities.

Rural Development Properties

If an accessibility modification is unreasonable, would result in fundamental alteration, or would result in an undue burden, Section 504 does not apply. Only the Secretary of Agriculture can make any decision regarding this.

5.2 Reasonable Accommodation/Modifications of Policies and Practices

The Fair Housing Amendment Act of 1988 makes it illegal, on all properties to refuse to make reasonable accommodations in rules, policies, practices, or services necessary to provide a disabled person equal opportunity to use and enjoy a dwelling. Reasonable accommodations might be, tactile signs, visual doorbells, oral presentation, and written material in large print or Braille. Housing providers are not required to provide at its expense, individually prescribed items. (i.e. hearing aids, etc.) or personal items (i.e. wheel chairs, etc.).

Definitions of Racial Groups

Minorities:

The five racial categories are defined below:

American Indian or Alaska Native.

A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.

Asian

A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Black or African American

A person having origins in any of the black racial groups of Africa. Terms such as “Haitian” or “Negro” can be used in addition to “Black” or “African American.”

Native Hawaiian or Other Pacific Islander

A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

White

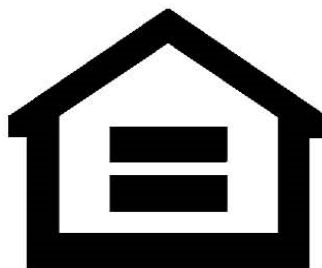
A person having origins in any of the original peoples of Europe, the Middle East or North Africa.

Examples of Prohibited Discrimination Practice

| <u>Class</u> | <u>Civil Rights Laws and Regulations</u> | <u>HUD Statutes, Regulations and Administrative Requirements</u> |
|--|---|--|
| <u>Religion, Race, Color, Creed, National Origin, Height or Weight</u> | No priorities or application criteria (e.g., variations in charges or deposits) based upon race, creed, color, religion, national origin, height or weight. No assigning of minorities to designated apartments or sections of a project. | |
| <u>Sex</u> | No renting apartments to single persons of one sex and not the other. * | In elderly housing, no discrimination against females/males because of disproportionate mixture of sexes. |
| <u>Age</u> | No minimum or maximum ages unless necessary to normal operation of the project (e.g., elderly project) or required by State or local law. | |
| <u>Children</u> | | In family housing, no discrimination against families with children. |
| <u>Class Membership</u> | | No discrimination against particular socio-economic classes (e.g., welfare recipients, single parent households, etc.) |
| <u>Membership in Sponsoring Organization</u> | | No priority to members of sponsoring organization. No discrimination against non-members. |
| <u>Disabled</u> | No discrimination solely because of handicap. | |

* However, housing may be limited to occupancy by one sex where it is determined by the HUD Field Office that due to the physical limitations or configurations of the facility considerations of personal privacy require that the facility (or parts thereof) be available to members of a single sex.

U. S. Department of Housing and Urban Development



**EQUAL HOUSING
OPPORTUNITY**

**We Do Business in Accordance With the Federal Fair
Housing Law**

(The Fair Housing Amendments Act of 1988)

**It is Illegal to Discriminate Against Any Person
Because of Race, Color, Religion, Sex,
Handicap, Familial Status, or National Origin**

In the sale or rental of housing or
residential lots

In the provision of real estate
brokerage services

In advertising the sale or rental
of housing

In the appraisal of housing

In the financing of housing

Blockbusting is also illegal

**Anyone who feels he or she has been
discriminated against may file a complaint of
housing discrimination:**

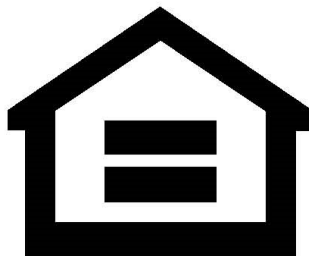
1-800-669-9777 (Toll Free)

1-800-927-9275 (TTY)

www.hud.gov/fairhousing

**U.S. Department of Housing and
Urban Development
Assistant Secretary for Fair Housing and
Equal Opportunity
Washington, D.C. 20410**

U. S. Department of Housing and Urban Development



IGUALDAD DE OPORTUNIDAD EN LA VIVIENDA

Conducimos nuestros negocios de acuerdo a la Ley Federal de Vivienda Justa

(Acta de enmiendas de 1988 de la Ley Federal de Vivienda Justa)

Es ilegal discriminar contra cualquier persona por razón de su raza, color, religion, sexo, incapacidad física o mental, la presencia de niños menores de 18 años o de mujer embarazada en su familia o su origen nacional

- En la venta o renta de vivienda y terrenos residenciales
- En los servicios de corretaje que prestan vendedores de vivienda
- En los anuncios de venta o renta de vivienda
- En la valoración de vivienda
- En la financiación de vivienda
- También es ilegal forzarle a vender o rentar su vivienda diciendole que gente de otra raza, religion o grupo étnico se están mudando en su vecindario
- Amenazar o interferir con la persona para que no registre su queja

Cualquier persona que sienta que fue discriminada debe de enviar su queja de discriminación:

1-800-669-9777 (llamada gratis)
1-800-927-9275 (TDD llamada gratis)

U.S. Department of Housing
and Urban Development
Assistant Secretary for Fair Housing and
Equal Opportunity
Washington, D.C. 20410

Previous editions are obsolete

form HUD-928.1A (2/2003)

Michigan Law

PROHIBITS DISCRIMINATION IN EMPLOYMENT, EDUCATION, HOUSING, PUBLIC ACCOMMODATION, LAW ENFORCEMENT OR PUBLIC SERVICE

Based on religion, race, color, national origin, sex, disability, age¹, marital status¹, height², weight², arrest record², genetic information², and familial status³

If you think you have been discriminated against, you may file a complaint with the Michigan Department of Civil Rights

Call 1/800.482.3604

TTY users please call 1/877.878.8464

Or visit www.michigan.gov/mdcr

¹ Under the education article, age and marital status are prohibited considerations for admissions only

² in employment only ³in housing only



Only Fair Is Fair.