

**WILLOWOOD MANOR
FAIRVIEW PARK SENIOR HOUSING**

RESIDENT TENANT SELECTION PLAN

PREFACE

Willowood Manor is sponsored by St. Angela Mercè Catholic Church, Fairview Grace United Methodist Church, Messiah Lutheran Church and Fairview Community Church, was approved by the U.S. Department of Housing and Urban Development (HUD) to provide rent subsidy to elderly persons, aged 62 and older.

Willowood Manor was not nether selected for nor does it possess the resources required to meet the special needs of other Section 202 constituencies such as the developmentally disabled or chronically mentally ill. Willowood Manor specifically follows the policies and regulation set forth by HUD and does not deviate from the purpose for which it was approved. Willowood Manor has a policy of non- discrimination. All services and accommodations of the facility are available to persons without regard to race, color, creed, national origin, religion, sex, familial status or handicap.

Ten percent (10%) 7 of the 70 units have been architecturally altered for accessibility. This need may be verified with a professional who is qualified to determine this need.

Income limits are established by HUD and change from year to year. An applicant may obtain the current HUD limits for Willowood Manor through the site manager. Preference is given to Extremely-Low income families, as required through Income Targeting.

All potentially eligible, qualified applicants will be considered in accordance with the HUD approved Affirmative Fair Housing Marketing Plan (HUD Form 935.0). We use as guidance the criteria specified by the United States Department of Housing and Urban Development (HUD) in the most current version of the HUD Handbook 4350.3 including all changes but recognize that it does not have the full force and effect of the law. It is our policy to comply with all applicable legislation protecting the individual rights of applicants and tenants.

Willowood Manor is an Equal Opportunity Employer and Housing Provider. We do not discriminate based on race, color, creed, religion, sex, national origin, familial status, handicap or socio-economic status in the employment of staff, accepting and processing of applications, selection of tenants, assigning of units and all other aspects of continued residency.

Income Targeting

The Department of Housing and Urban Development (HUD) has established income Targeting requirements. These requirements apply to projects receiving Section 8 funding through the Housing Assistance Payments (HAP) contract.

The Income Targeting requirements stipulate that 40% of the units that become available each year must be rented to the Extremely Low-Income (ELI) households earning 30% or less of the median income. Once the requirement is met and in chronological order, management is permitted to go to the other applicants on the Waiting List. Due to this requirement, management is permitted and required by HUD to skip over higher-income applicants.

Applications submitted indicating that their household is earning 30% or less of the median income, will be placed on a Waiting List in chronological order based on the date the application was received by management. The applicant's name, phone number and location preference (if indicated by applicant) will be placed on the Waiting List. To comply with Income Targeting, management will place the symbol ELI (Extremely Low-Income) next to the applicant's name as a code, which is to be used to distinguish the Extremely Low-Income applicants from the other applicants on the Waiting List.

It is the intent of management to put forth a reasonable effort into marketing to households earning 30% or less median income. After a reasonable marketing period, if management is unable to fill all the units with families meeting the Extremely Low-Income requirement, management is permitted to rent to other eligible families.

Declaration of Citizenship

Section 214 of the Housing and Community Development Act of 1980, as amended, prohibits the Secretary of HUD from making financial assistance available to persons other than United States citizens, nationals, or certain categories of eligible non-citizens

Anyone receiving assistance is required to declare U.S. Citizenship or submit evidence of eligible immigration status for each family member living in the household. Management will provide "Declaration" forms for the household members to complete. Failure to complete the required forms or providing false information may result in the rejection of the application or termination of the HUD subsidy.

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RESIDENT SELECTION PLAN & SCREENING CRITERIA

Throughout the tenant selection procedures (detailed on the following pages), a handicapped applicant is entitled to reasonable accommodations in rules, policies, practices or services and/or reasonable modifications of existing premises to afford equal opportunity to use and enjoy a dwelling. This entitlement continues once a handicapped applicant becomes a resident. Requested accommodations and modifications to premises are not reasonable if they would result in an undue administrative and financial burden or result in the fundamental alteration in the nature of a program.

If an application is submitted to management or an applicant is on a Waiting List in no way means that the applicant qualifies for housing. This can only be confirmed after the screening and verification process has been completed.

Eligibility Requirements

- Applicants must be 62 years of age or older.
- Income must be less than or equal to the HUD established income limit effective at the time of the interview, and
- Applicant must be able to demonstrate his/her ability to comply with the terms of the lease.
- Family size and composition must meet HUD requirements and local zoning regulations. Families of more than two people cannot be accommodated at Willowood Manor
- **Disclosure of Social Security Numbers**

Applicants must disclose social security numbers (SSNs) for the owner to make an eligibility determination. This paragraph explains the requirements and responsibilities of applicants or residents to supply owners with this information, the responsibility of owners to obtain this information and the consequences for failure by either party.

A. Key Requirements

- The head of household/spouse/co-head must disclose SSNs for all family members.
- If no SSN has been assigned to a particular family member, the applicant must sign a certification stating that no SSN has been assigned.

B. Required Documentation

- Applicants must provide documentation of SSNs. Adequate documentation means a social security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN.

Provisions for Accepting Applicants without Documentation of Social Security Numbers

- When an applicant has an SSN but does not have the required documentation, the applicant may submit the SSN and certify that the number is accurate, but that acceptable documentation could not be provided.
- Owners must accept the certification and continue to process
- However, an applicant may not become a participant in the program unless the applicant submits the required SSN documentation to the owner. An applicant must provide SSN documentation to the owner within 90 days from the date on which the applicant certified that the documentation was not available.
- If the owner has determined that the applicant is otherwise eligible for admission into the property, and the only outstanding verification is that of the SSN, the applicant may retain his or her place on the waiting list for the 60-day period during which the applicant is trying to obtain
- documentation.
- After 90 days, if the applicant has been unable to supply the required SSN documentation, the applicant should be determined ineligible and
- removed from the waiting list (see paragraph 4-20 A).
- An owner may extend the time for an additional 90 days if the applicant is at least 62 years old and unable to submit the required documentation within the first 90-day period.

Determining Eligibility of Students for Assistance

1. Eligibility of Students for Section 8 Assistance

a. Owner must determine a student's eligibility for Section 8 assistance 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.

b. Section 8 assistance shall not be provided to any individual who:

- Is enrolled as either a part-time or full time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential;
- Is under the age of 24;

- Is not married;
- Is not a veteran of the United States Military;
- Does not have a dependent child;
- Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving Section 8 assistance as of November 30, 2006);
- Is not living with his or her parents who are receiving Section 8 assistance;
- Is not individually eligible to receive Section 8 assistance **and** has parents (parents individually or jointly) who are not income eligible to receive Section 8 assistance

a. For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate the absence of, or his or her independence from, parents. While owners may use additional criteria for determining the student's independence from parents, owners must use, and the student must meet, at a minimum **all** of the following criteria to be eligible for Section 8 assistance. The student must:

1. Be of legal contract age under state law;
2. Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy,
or
Meet the U.S. Department of Education's definition of an independent student (See Glossary for definition of Independent Student);
3. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
4. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

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 more than amounts received for tuition is included in annual income, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving Section 8 assistance.

c. If an ineligible student is a member of an applicant household or an existing household receiving Section 8 assistance, that assistance for the household will not be prorated but will be terminated in accordance with the HUD guidelines.

Enterprise Income Verification System

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 or who attempt to receive HUD assistance in to separate residences.

HUD provides the owner/agent with information about an applicant's status as a HUD housing assistance recipient. The owner/agent will use the Enterprise Income Verification System (EIV) to determine if the applicant or any member of the applicant household is currently receiving HUD assistance at another Multifamily or PIH location through the **Existing Tenant Search Report. This will be completed at the time of processing an applicant for admission.**

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.

This information will be reviewed on an annual basis, at each annual certification. 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 an including eviction and pursuit of fraud charges.

Filing Vacancies from a Waiting List

- Applicants will be selected for residency on a "first-come, first-serve" basis. Eligible applicants will be placed on a Waiting List. Completed and signed applications will be added to the chronological list in accordance with the time and date the application is received by management. When an apartment becomes available, management will notify the next available person on the Waiting List and management will proceed with screening of the applicants.
- Applicants are responsible for notifying management of a change of address and/or telephone number.

Opening and Closing the Waiting List

Willowood Manor should monitor the vacancies in their properties and their waiting lists regularly to ensure that there are enough applicants to fill the vacancies. Furthermore, owners should monitor their waiting list to make sure that they do not become so long that the wait for a unit becomes excessive.

1. Closing waiting lists.

- a. The waiting list may be closed for one or more-unit sizes when the average wait is excessive (e.g., one year or more).
- b. When Willowood Manor closes the list, Willowood Manor must advise potential applicants that the waiting list is closed and refuse to take additional applications.
- c. When Willowood Manor decides to no longer accept applications, Willowood Manor must also publish a notice to that effect in a publication likely to be read by potential applicants. The notice must state the reasons for Willowood Manor **refusal** to accept additional applications.

2. Opening waiting lists.

- a. When Willowood Manor agrees to accept applications again, the notice of this action must be announced in a publication likely to be read by potential applicants in the same manner (if possible, in the same publications) as the notification that the waiting list was closed. The notifications should be extensive, and the rules for applying and the order in which applications will be processed should be stated.
- b. Advertisements should include where and when to apply and should conform to the advertising and outreach activities described in the Affirmative Fair Housing Marketing Plan.

Screening of Applicants

All applicants for tenancy who satisfy the federal statutory requirements for eligibility and who meet the facility's legitimate and uniformly applied requirements of tenancy are admissible into the housing community. The facility's legitimate requirements of tenancy include an ability to pay rent on time, meet HUD requirements and other legitimate terms and conditions of the facility's lease.

1. Eligibility Forms: All applicants for tenancy must satisfy federal requirements through the process of eligibility forms. The eligibility forms, referred to as the "paperwork", must be signed by the applicant. There will be several forms requiring the applicant's signature and completion by a third-parties provider. Management will send the "paperwork" to the appropriate third parties for verification of the applicant's income, assets, allowable expenses, etc.

All eligibility forms must be returned in a reasonable time, which is usually considered to be a period of two weeks or less. Special circumstances may exist which prevent the return of all necessary forms in the anticipated two-week time frame. When this happens communication between the applicant and management is of the utmost importance. If the required "paperwork" is not returned in a "reasonable time" and the applicant fails to communicate continued interest, management may offer the apartment to the next person on the waiting list.

2. Need for Accessible Unit: All current residents and applicants requesting a handicap suite must demonstrate the need for a handicap accessible unit. Current residents who demonstrate the need for a change in housing will be given preference for a handicap accessible unit before offering units to an applicant on the Waiting List.

Should the applicant(s) request a unit with special features to accommodate their handicap, management may make inquiries to determine whether the applicant(s) is qualified for a dwelling unit that is available only to persons with handicaps or to persons with a handicap. Management will modify the application process as a reasonable accommodation to persons with handicaps. However, all screening factors apply to all applicants.

In the unlikely event that no current resident or applicant can be found that requires a handicap accessible unit, a non-handicapped applicant or family may be housed there. However, that tenant's lease will include a provision requiring the tenant to vacate the unit within 30 days of notification to an appropriate sized vacant unit within the project, if one is available, when an eligible resident or applicant with disabilities requires a handicap accessible unit.

3. Supportive Services: The management and owner do not provide any kind of supportive living services that require licensing. The resident and/or their family may make private arrangements to accomplish this need.

Procedures for Applying for Housing

All persons/families interested in applying for housing at Willowood Manor must comply with the following requirements to be considered for housing:

- Complete the application, sign and return it to the Willowood Manor office.
- Meet HUD requirements of age and income.
- Applicant must list all family members who will reside in the unit.
- Show ability to meet financial obligations in a satisfactory manner and on time.
- Show that the applicant has the ability to fulfill all the lease requirements (with or without care assistance) where applicable.
- Satisfactory housekeeping habits that will not jeopardize the health, security or welfare of other residents. "Home visits" are valuable if applicant has no prior landlord.
- Provide good/acceptable references from all landlords, both current and previous, listed on the application and in credit bureau files.

Rejection of an Application

Management may reject an otherwise qualified applicant whose background indicates that he or she will not satisfy the legitimate and uniformly applied requirements of tenancy. A unit need not be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

In reviewing the information received and determining whether an applicant(s) is able to meet the legitimate requirements of tenancy, the facility management shall consider mitigating or extenuating circumstances of all applicants or tenants.

Rejection of an application may occur if the following background information is received:

1. Landlord Checks:

Unacceptable information received from current and former landlords regarding an applicant's ability to meet legitimate requirements of tenancy, i.e.: nonpayment of rent, violations of house rules, violations of lease, history of disruptive behavior, housekeeping habits, termination of assistance for fraud, and evictions.

2. Applicant Criminal Background Screening Criteria:

Willowood Manor will prohibit admission for the following regardless of when it occurred

- Any person who was evicted from any type housing for drug-related criminal activity or criminal activity including the manufacture and/or sale of illegal or dangerous drugs.
- Any person who is currently engaged in illegal use of drugs or for which Landlord has reasonable cause to believe that a person's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents;
- Any person who is subject to a national, state or local sex offender lifetime registration requirement;
- Any person who, at the time of application, is subject, for a specified length of time, to a national, state or local sex offender registration requirement.
- Any person, if there is a reasonable cause to believe that such person's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents. The screening standards are based on behavior, not the condition of alcoholism.

- Any person who engages in other criminal activity that threatens the health, safety, and right to peaceful enjoyment of the property by other residents or the health and safety of Willowood Manor, its employees, contractors, subcontractors, or agents.

- (1) Violent felonies involving injury to or death of another and destruction of property;
- (2) Arson
- (3) Sexual offenses

Willowood Manor will prohibit admission for the following if it has occurred in the past (7) years. (seven-year look-back period begins from date of conviction or release from detention or incarceration whichever is more recent to the date of screening):

- Any drug or alcohol offenses including OVI offenses
- Any theft offense
- More than three (3) minor offenses (other than minor traffic offenses)

When applying screening criteria to a specific case, Willowood Manor may consider all of the circumstances relevant to a particular applicant or occupant's case before making a final decision. Willowood Manor may take into consideration the seriousness of the offense, the degree of participation in the offending activity, and the effect denying housing would have on non-offending occupants.

3. Project Management May Reject an Applicant Who Fails To:

- Meet federal eligibility standards such as Income Requirements and Age Requirements (where applicable).
- Provide Social Security numbers for all family members or execute a certification when Social Security numbers have not been assigned.
- Sign the required HUD "Notice and Consent for the Release of Information" and "Applicant's/Tenant's Consent to the Release of Information".
- Sign "Eligibility Forms" for verification of household income, assets, medical, and any other required verification for eligibility.
- Provide current address and/or telephone number

4. Misrepresentation:

An applicant's or households' intentional misrepresentation of information relevant to a determination of eligibility, including financial capacity or ability to satisfy the legitimate and uniformly applied requirements of tenancy.

5. Three Strikes, You're Out:

Management will notify the applicant when a suitable apartment may become available. The applicant may refuse an available apartment two times without jeopardizing his/her position on the Waiting List. However, if an available apartment is offered and refused a third time or if management is unable to reach the applicant at the address/telephone number provided, the application will be canceled, and the person's name removed from the Waiting List. The applicant must then reapply to get back on the Waiting List.

6. Notification of Rejection:

An applicant who is denied admission will be notified in writing of the reason(s) for the rejection. If the applicant wants to request a meeting with the management company to discuss the rejection notice, the applicant has fourteen (14) days to submit a request in writing to **20665 Lorain Rd. Fairview Park OH 44126**. The requested meeting will be held by a 'disinterested' third party (someone who was not a party to the decision to reject). If an applicant has disabilities, they may inform Management of this fact and request "reasonable accommodations" (changes in the site's nonessential policies and practices), which would give the applicant(s) an equal opportunity to pursue the application process. After the meeting the applicant must be notified, in writing, within 5 calendar days whether the original decision has been changed. Project management will follow the guidelines, as directed in the U.S. Department of Housing and Urban Development (HUD) Handbook 4350.3 for the rejection appeal process.

General Information

Transfers:

Unit transfer policy include procedures for selecting between applicants on the waiting list and current tenants who need:

- A unit transfer because of family size;
- A new unit because of changes in family composition;
- A deeper subsidy (Rent Supplement, RAP, or Section 8 assistance);
- A unit transfer for a medical reason certified by a doctor; or
- A unit transfer based on the need for an accessible unit.

Units will be assigned first to in-place residents who have demonstrated a need for a change in housing before offering units to applicants on the Waiting List. This will be done in chronological order based on the date of the notification that was received by management from the resident.

Occupancy Standards:

State and local laws regarding occupancy standards will prevail.

Efficacy:

Minimum Number of Occupants= 1

Maximum Number of Occupants = 2

One Bedroom Apartment:

Minimum Number of Occupants = 1

Maximum Number of Occupants = 2

Household Pets:

Pets are permitted at our facility. Pets are defined as domesticated small animals, such as dogs and cats, traditionally kept in the home for pleasure. A pet deposit of \$200 is required for dogs and cats and a deposit of \$100 for birds along with required documentation as described in the "Pet Policy". Should an applicant be moving a pet with them to WILLOWOOD MANOR, they should request from management a copy of the complete Pet Policy for their review prior to moving.

Service Animals:

Applicants with handicaps may use a service animal. No deposit will be required for a service animal. However, management may require the applicant(s) to provide justification that the animal may be needed for the individual to have equal opportunity to use and enjoy the housing. This information must be in writing and verified through a professional person and/or institution. Also, additional documentation relating to the service animal will be required.

Bed Bug Policy:

Vacant units are inspected prior to Move-in and re-inspected two weeks later after move-in. Additionally, extermination is completed each month for common areas and any reported areas treated when service request is generated. Every three months each unit is inspected thoroughly for bedbugs. Residents are notified of all inspections and prior to treatment. Annual education regarding bed bug prevention, recognizing and reporting is distributed. All residents & applicants are required to sign and date.

Implementation of the Violence Against Women and Justice Department Reauthorization Act of 2005 for Multifamily Project- Based Section 8 Housing Assistance Payments Program.

1. The purpose of this Notice is to provide guidance to owners and management agents (O/As) administering one of Multifamily Housing's project-based Section 8 programs on the implementation of the Violence Against Women Act and Department of Justice Reauthorization Act of 2005, Public Law 109-162, hereafter referred to as VAWA. In summary, the VAWA provides legal protections to victims of domestic violence, dating violence or stalking. These protections prohibit O/As from evicting or terminating assistance from individuals being assisted under a project-based Section 8 program if the asserted grounds for such action is an instance of domestic violence, dating violence or stalking.

2. On January 5, 2006, President Bush signed into law the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) and on August 12, 2006, signed into law technical corrections to the VAWA (Public Law 109-271). The VAWA protections apply to families applying for or receiving rental assistance payments under the project-based Section 8 program. The law 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 that is reported and confirmed. The VAWA also provides that an incident of actual or threatened domestic violence, dating violence or stalking does not qualify as a serious or repeated violation of the lease nor does it constitute good cause for terminating the assistance, tenancy or occupancy rights of the victim. Furthermore, criminal activity directly relating to domestic violence, dating violence or stalking is not grounds for terminating the victim's tenancy. O/As may bifurcate a lease in order to evict, remove, or terminate the assistance of the offender while allowing the victim, who is a tenant or lawful occupant, to remain in the unit.
 - The law offers the following protections against eviction or denial of housing based on domestic violence, dating violence or stalking:

 - An applicant's or program participant's status as a victim of domestic violence, 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.

 - An incident or incidents of actual or threatened domestic violence, 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.

- 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.
- Assistance may be terminated, or a lease “bifurcated” in order to remove an offending household member from the home. Whether or not the individual is a signatory to the lease and lawful tenant, if he/she engages in a criminal act of physical violence against family members or others, he/she stands to be evicted, removed, or have his/her occupancy rights terminated. This action is taken while allowing the victim, who is a tenant or a lawful occupant, to remain.
- The provisions protecting victims of domestic violence, dating violence or stalking engaged in by a member of the household, may not be construed to limit the O/A, when notified, from honoring various court orders issued to either protect the victim or address the distribution of property in case a family breaks up.
- The authority to evict or terminate assistance is not limited with respect to a victim that commits unrelated criminal activity. Furthermore, if an O/A can show an actual and imminent threat to other tenants or those employed at or providing service to the property if an unlawful tenant’s residency is not terminated, then evicting a victim is an option, the VAWA notwithstanding. Ultimately, O/As may not subject victims to more demanding standards than other tenants.
- The VAWA protections shall not supersede any provision of any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence or stalking. The laws offering greater protection are applied in instances of domestic violence, dating violence or stalking.
- The Tenant has 14 days from the incident to report it and complete the correct paperwork.

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 24CFR 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 THE EMERGENCY TRANSFER PLAN.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in THE EMERGENCY TRANSFER PLAN.

Fair Housing and Equal Opportunity Requirements

Non-Discrimination

It is the policy of this property to comply fully with Title VI of the Civil Rights Act of 1964, Title VIII and Section 3 of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and any legislation protecting the individual rights of residents, applicants or staff which may subsequently be enacted.

The property will not discriminate on the basis of race, color, sex, religion, age, handicap, disability, or national origin in the leasing, rental, or use or occupancy thereof. In addition, the property will not:

- Deny to any applicant the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to lease housing suitable to its needs;
- Provide housing which is different from that provided others;
- Subject a person to segregation or disparate treatment;
- Restrict a person's access to any benefit enjoyed by others in connection with the housing program;
- Treat a person differently in determining eligibility or other requirements for admission;
- Deny a person access to the same level of services; or
- Deny a person the opportunity to participate in a planning or advisory group that is an integral part of the program.

The property shall not automatically deny admission to a particular group or category of otherwise eligible applicants. Each applicant in a particular group or category will be treated on an individual basis in the normal processing routine.

Equal Access to Housing Regardless of Sexual Orientation, Gender Identity or Marital Status (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, which ensures that properties across HUD programs are open to all eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status. The rule includes the following provisions, which will be upheld by the property at all times:

- A determination of eligibility for this property will be made in accordance with the eligibility requirements provided by HUD and will be made available without regard to actual or perceived sexual orientation, gender identity, or marital status.
- This property will not inquire about the sexual orientation or gender identity of an applicant or tenant for purposes of determining eligibility or otherwise making housing available. However, it is possible that the property may need to make inquiries into sex for temporary, emergency shelter with shared sleeping areas or bathrooms, or to determine the number of bedrooms to which a household may be entitled.

Definitions for the Equal Access Rule

The property will use the following definitions that are applicable to the Equal Access

- The term *family* includes, but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:
 - A single person, who may be an elderly person, displaced person, disabled person, near-elderly person or any other single person; or
 - A group of persons residing together, and such group includes but is not limited to (i) a family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family); (ii) an elderly family; (iii) a near-elderly family; (iv) a disabled family; (v) a displaced family; and (vi) the remaining member of a tenant family.
- The term *gender identity* means actual or perceived gender-related characteristics.
- The term *sexual orientation* means homosexuality, heterosexuality or bisexuality.

Section 504 of the Rehabilitation Act of 1973

It is the policy of this property to assure that qualified individuals with handicaps or disabilities are not discriminated against based on their handicap or disability. The property also assures that these individuals will have equal opportunity to receive and enjoy the benefits of living at the property.

Reasonable Accommodations

The property 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 Rehab Act of 1973, the property 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 property is not required to:

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

Information Regarding Handicaps

The property ensures that any questions related to handicapped information on the application 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 property will make reasonable adjustments to rules, policies, practices, and procedures 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 management.

Auxiliary Aids to Ensure Effective Communication

The property will seek to effectively communicate with applicants, resident, and members of the public who is a individual with a handicap or disability. The use of auxiliary aides will be implemented when necessary. The property requests 7 days' notice to make any service, meeting, interview, appointment, or a business accessible. Requests for auxiliary aids may include visual alarms, tactical signs, visual doorbells, reader, interpreters, large print, or Braille applications, leases and other information, communications, recording of such information, and a community room television that provides closed-caption service.

Assistance Animals

The property will allow assistive animals which are defined as animals that are used to assist, support, or provide service to persons with disabilities. Assistance animals – often referred to as “service animals”, “assistive animals”, “support animals”, or “therapy animals” – perform many disability-related functions including but not limited to guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, 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.

Accessible Route

For mobility-impaired persons, this property 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 decide to examine any documents.

Reasonable Modifications

The property will permit residents with handicaps or disabilities to make reasonable modifications to their individual units or common areas at the residents own expense. When the resident vacates the unit, s/he must agree to restore the premises to the condition that existed before the modification, if requested by the property. The property will not require this restoration if the modification benefits the property or is needed by another resident.

Mitigating Circumstances and Equal Access

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 property immediately to schedule a meeting. Management will provide assistance 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.

Civil Rights Act of 1964

Title VI, 42 U.S.C. § 2000d et seq., was enacted as part of the landmark **Civil Rights Act** of 1964. It prohibits discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance.

Civil Rights Related Program Requirements

Limited English Proficiency (LEP)

Executive Order 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. Management has taken steps to ensure meaningful access to the information and services that we provide for persons with limited English proficiency, by providing interpreter services and/or written materials translated into other languages. HUD's required leases, notices, and the Consent for Release of Information Packet (9887 and 9887-A) are all available upon request in Amharic, Korean, Arabic, Portuguese, Armenian, Russian, Chinese, Spanish, Farsi, Tagalog, French, Vietnamese, and Khmer (Cambodian).

Revised: 07/2018 HL