

CHARITIES HOUSING

Sierra Vista I Apartments  
1909 Hackett Ave.  
Mountain View, CA 94043



TDD # California Relay Service (711)  
Toll Free:  
English (800)855-7100  
Spanish (800) 855-7200

## TENANT SELECTION PLAN

### **HOTMA Requirement Effective Date**

This Tenant Selection Plan has been developed in anticipation of implementation of the Housing Opportunities Through Modernization Act. This policy becomes effective when HOTMA compliant software is available and implemented. This is expected to occur no later than July 1, 2025

### **Policy On Non-Discrimination**

Management Agent's Policy. With respect to the treatment of applicants, Charities Housing, ("the Management Agent") will not discriminate against any individual or family because of race, color, creed, national or ethnic origin or ancestry, religion, sex, sexual preference, gender identity, age, disability, military status, source of income, marital status or familial status, acquired immune deficiency syndrome (AIDS) or AIDS-related conditions (ARC), or any other arbitrary basis. No criteria will be applied, or information considered pertaining to attributes of behavior that may be imputed by some to a particular group or category. All criteria shall be applied equitably, and all information considered on an applicant shall be related solely to the attributes and behavior of individual members of the household as they may affect residency.

### **Program Description and Population Served**

San Tomas Gardens ("the Property") is a U.S. Department of Housing and Urban Development ("HUD") 236 property with Section 8 assistance operated under the Federal Housing and Urban Development serving eligible families to the program.

Program Guidelines and Income Limits. The Property is subject to HUD guidelines as published in HUD Handbook 4350.3 REV-1, CH-4 and income limits which are published annually by HUD and available to the public from the property office. An applicant household's combined gross annual income cannot exceed 50% of the published Area Median Income (AMI), as determined and published annually by HUD, thereby qualifying it by definition as a "very-low income" household. The "economic mix" is described in the subsection on "Income Targeting Requirements" under Section V., below.

### **Policy On Privacy and Non-Disclosure**

Federal Privacy Act. It is the policy of the Management Agent to guard the privacy of applicants as conferred by the Federal Privacy Act of 1974, and to ensure the protection of such applicants' records maintained by the Management Agent.

Non-Disclosure, Consent and Information Collection. Therefore, neither the Management Agent nor its agents or employees, shall disclose any personal information contained in its records to any person or agency unless the individual about whom information is requested shall give written consent to such disclosure. This Privacy policy in no way limits our ability to collect such information as it may be needed to determine eligibility, compute rent or determine an applicant's suitability for tenancy.

### **Waiting List Procedures**

Marketing Plan. A waiting list will be established for the Property. The opening of the waiting list will be announced in a manner in accordance with the Affirmative Fair Housing Marketing Plan (AFHMP) approved by HUD, and will include multilingual marketing materials such as print advertising and fliers targeted to agencies and groups in order to reach those least likely to apply.

Marketing Materials. The marketing materials will state the deadline to apply (if applicable), indicating the closing date for the waiting list. The waiting list will be updated on an annual basis.



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Application. Each application will be date and time stamped when received and then processed. Applications will be ranked for consideration and units will be offered according to the following order of priorities:

1. Date of completion of verification/certification process.
2. Date of availability for move-in.

Applicants and the Waiting List. All applicants will be placed on the Waiting List.

Closed Waiting List. If the existing Waiting List contains a high number of applicants that the average wait for a unit is a year or more, the Property may decline to accept applications. In this case, the Waiting List is "closed."

Types of Waiting Lists Maintained. For each size/type of unit there will be a Waiting List for each of the following, as applicable.

1. In-House: Transfer required - Current residents of the Property occupying inappropriate unit size/type will be housed first.
2. Outside: Section 8 - Applicants wishing to move into the Property who would receive Section 8 subsidy at time of move-in.
3. Outside: Non-Section 8 - Applicants wishing to move into the Property without Section 8 subsidy; only for projects where this is permitted, (for example, Section 236 and BMIR projects).

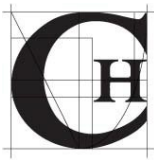
### Waiting List Processing and Selection Procedures

Order of Selection. When a unit becomes available, selection will be made based upon the following priority of processing in the following order:

1. Internal Transfer, "Emergency". As defined below;

Reasons for Transfers. Transfers (From one unit to another type of unit within the property) may take precedence over new move-ins and may be required by management for the following reasons:

- a. VAWA Transfer – See VAWA Section, page 6 of this document.
  - b. Emergency. For emergency temporary relocation. (If a unit becomes uninhabitable due to a catastrophe the resident family will be given any open unit for temporary living quarters until their own unit is repaired. An "open unit" is a unit for which the keys are in the possession of the management company.);
  - c. Medical Necessity. For verifiable medical necessity or to accommodate a person with a disability (i.e., wheelchair accessible unit or additional space for medical equipment). See also Section II.A.5, below;
  - d. Overcrowding. To alleviate overcrowding;
  - e. Under-housed. To avoid occupancy by too few people.
2. Internal Transfer, "Medical Necessity". As defined below;
  3. Internal Transfer, "Overcrowding" or "Under-housed". As applicable to the available unit and as defined below;
  4. Outside: Section 8 Waiting List. As defined above under "IV" and in accordance with the "Income Targeting Requirements"
  5. In-House Transfer List. As defined below.



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**Income Targeting.** In order to meet the requirement that we lease not less than 40% of the available assisted dwelling units during any project fiscal year to extremely low-income families, we will use Method #1 as defined in the HUD manual 4350.3, Rev-1, Chapter 4, Paragraph 4-5 B2b: Admit only extremely low-income families until the 40% target is met. In chronological order, management will select eligible applicants from the waiting list whose income are at or below the extremely low-income limit to fill the 40% of expected vacancies in the property. Once the target has been reached, admit applicants in waiting list order.

**In-House Transfer Procedure.** Should a resident require or request a transfer from one unit to another unit the following procedure is used:

3. **Resident Request.** Resident places a telephone call to the site office or makes a personal visit to request a transfer to another unit;
4. **Completed Form.** The resident is given a copy of the attached “Request for Transfer” form to be completed and returned to the Management Agent at the site office;
5. **In-House Transfer List.** Once the resident completes the “Request for Transfer” and submits the form to the Management Agent, the resident’s name is then placed on the In-House Transfer List along with the date and time the form was received.;
6. **Offer of a Unit When it Becomes Available.** When a unit becomes available according to the bedroom size(s) requested, the next name on the In-House Transfer List by date and time of request will be offered the unit. Families will be housed in accordance with the “Housing Criteria” stated below.
7. **Obligations for Moving Costs.** Depending on the circumstances of the transfer, a tenant may be obligated to pay all costs associated with the move. However, if a tenant is transferred as a reasonable accommodation due to a household member’s disability, then the owner must pay the costs associated with the transfer, unless doing so would be an undue financial and administrative burden.

### Unit Size and Occupancy Standards (Reference HUD Handbook # 4350.3 REV-1)

**Housing Criteria.** An appropriately sized unit must be available within the Property. Families will be housed in accordance with the following criteria:

| UNIT SIZE | MINIMUM | MAXIMUM |
|-----------|---------|---------|
| Studio    | 1       | 1       |
| 1-Bedroom | 1       | 3       |
| 2-Bedroom | 3       | 5       |
| 3-Bedroom | 4       | 7       |
| 4-Bedroom | 5       | 9       |

“Two Person Rule”. No more than two persons would be required to occupy a bedroom.

**Note:** Occupancy Standards may be adjusted as a result of a reasonable accommodation.

### Eligibility of Students Enrolled at an Institute for Higher Education (Section 8)

Student eligibility is determined at move-in/initial certification and at each Annual Recertification. Student eligibility may also be reviewed at Interim Recertification if student status has changed since the last certification.

A student who is otherwise eligible and meets screening requirements is eligible for assistance if the student meets the criteria indicated below. Section 8 assistance shall 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; when the student:

1. Is living with his or her parents who are receiving Section 8 assistance;
2. Is individually eligible to receive Section 8 assistance and has parents who are income eligible to receive Section 8 assistance;
3. Is a graduate or professional student;



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4. Is a veteran of the United States military or is an active member of the United States military;
5. Is married;
6. Has a dependent other than a spouse (e.g., dependent child);
7. Is at least 24 years of age (over 23);
8. Is a person with disabilities, as such term is defined in section 3(b)(3)(E) of the 1937 Act and was receiving assistance under section 8 of the 1937 Act as of November 30, 2005;
9. Is classified as Vulnerable Youth; A student meets HUD’s definition of a vulnerable youth when:
  - a. 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;
  - b. 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;
  - c. The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by
    - i. A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act;
    - ii. The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
    - iii. The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
    - iv. A financial aid administrator; or
10. The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances

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

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

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

**Student Financial Assistance**

When student financial assistance exceeds tuition and covered fees, student financial assistance that is not specifically excluded will be included as part of the family’s Annual Income unless the student is the HOH, co-HOH/spouse and is over 23 (24 or older) with a dependent child.

For Section 8 programs, any financial assistance that is provided through a qualified Coverdell Education Savings Account (ESA) or other qualified ESA, is excluded when determining Annual Income for the family.

Any financial assistance a student receives (1) from private sources, (2) from an institution of higher education, or (3) under the Higher Education Act of 1965, that is in excess of amounts received for tuition and other qualified fees, is included when determining Annual Income for the family, except if the student is the HOH, co-HOH or spouse and is over the age of 24 with a dependent child or children (as defined by HUD).

Student 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”.



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Covered fees include tuition, books, supplies (including supplies and equipment to support students with learning disabilities or other disabilities), room and board, and fees required and charged to a student by an institution of higher education (as defined under section 102 of the Higher Education Act of 1965). For a student who is not the Head-of-Household, Co-HOH/Spouse, actual covered costs also include the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit.

### Prohibition of Assistance to Noncitizen Students

Noncitizen students and their noncitizen families may not receive assistance. Noncitizen students are not eligible for continuation of assistance or temporary deferral of termination of assistance. A noncitizen student is defined as an individual who is as follows:

1. A resident of another country to which the individual intends to return;
2. A bona fide student pursuing a course of study in the United States; and
3. A person admitted to the United States solely for the purpose of pursuing a course of study as indicated on an F-1 or M-1 student visa.

**This prohibition applies to the noncitizen student's noncitizen spouse and noncitizen children. However, spouses and children who are U.S. citizens may receive assistance. For example, a family that includes a noncitizen student married to a U.S. citizen is a mixed family.**

### Fair Housing

**Compliance with Fair Housing Law. The Property will comply with all Federal, State, or local fair housing and civil rights laws and with all equal opportunity requirements set forth in HUD's administrative procedures. The Federal citations and their title (or topic) are listed below:**

1. 24 CFR, part 1 Title VI of the Civil Rights Act of 1964;
2. 24 CFR, part 8 Section 504 of the Rehabilitation Act of 1973;
3. 24 CFR, part 100 et seq Fair Housing Act;
4. 24 CFR, part 146 Age Discrimination Act of 1975;
5. 24 CFR 200.600 Affirmative Fair Marketing Regulations;
6. Uniform Federal Accessibility Standards (UFAS), effective July 11, 1988; individual copies are available from the Architectural and Transportation Barriers Compliance Board, 1331 F Street, NW, Suite 1000, Washington, D.C. 20004-1111, Telephone: 202-272-0080, TTY: 202-272- 0082, email address: info@access-board.gov. Orders of 25 or more copies will be referred to the publisher.

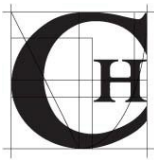
**Compliance with the Marketing Plan. The Property will comply with the Affirmative Fair Housing Marketing Plan (AFHMP).**

**Section 504 and Reasonable Accommodations. The Property will seek to identify and eliminate situations or procedures which create a barrier to equal housing opportunity for all. In accordance with Section 504 of The Rehabilitation Act of 1973, the Property will make reasonable accommodation for individuals with disabilities (applicants or residents). Such accommodations may include changes in the method of administering policies, procedures, or services. The Section 504 coordinator in this region is Lisa Caldwell.**

**Violence Against Women Act. Violence Against Women Act of 2013 (VAWA): It reflects the statutory changes made by the 2013 reauthorization and emphasizes the importance of providing housing protection and rights to victims of domestic violence, sexual assault and stalking. The definition of VAWA to include violence committed by intimate partners of victims, and by providing that tenants cannot be denied assistance because an affiliated individual of theirs is or was a victim of VAWA crimes. In service of the VAWA requirements, this property has:**

- Established an Emergency Transfer plan to provide emergency transfers when requested, under the plan.
- Where a victim of VAWA has requested a lease bifurcation, has established a reasonable time to





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- establish eligibility or to find new housing when the household has to be divided as a result of a VAWA crime.
- VAWA protections are extended to applicants. Applicants cannot be denied housing because they are a victim of a VAWA crime.
- Applicants and in place tenants are to be notified of their rights under VAWA.

Consideration of Extenuating Circumstances. The Property may consider extenuating circumstances in evaluating information obtained during the screening process to assist in determining the acceptability of an applicant for tenancy. If the applicant is a person with disabilities, the Property will consider extenuating circumstances where this would be required as a matter of reasonable accommodation.

### Eligibility for Assistance and Occupancy

Eligibility and Statutory Requirements. In accordance with HUD requirements and per 24 CFR 5.601 and 24 CFR 5.603:

Verifying Income - The owner/agent shall obtain verifications in compliance with requirements set forth by the Department of Housing and Urban Development. After the preliminary eligibility determination, no decision to approve an application shall be made until information provided on the application form and during subsequent interviews has been collected and any necessary follow-up interviews have been performed.

All information must be verified as required by HUD and described in these procedures.

### Methods of Verification

Verifications will be attempted as follows:

#### Means-tested Verification (also known as Safe Harbor).

The owner/agent will not accept Means-tested (Safe Harbor) Verification

#### Streamlined Determination of Fixed Income, Streamlined Verification of Assets & Streamlined Certification for Fixed Income Families - The owner/agent has implemented the following Streamlining processes.

**Streamlined Determination of Fixed Income** - The owner/agent will not adopt Streamlined Determination of Fixed Income except for January – April certifications. Once the SS COLA is announced, the SS COLA will be applied for any certifications, for the award year, that were not complete on the date of the announcement.

#### Streamlined Verification of Assets When the Net Cash Value of Assets Is At Or Below The Current Asset Threshold Established By HUD (\$50,000 in 2024 But Subject To Annual Adjustment by HUD)

The owner/agent will not adopt Streamlined Verification of Assets

The owner/agent will not accept Self-certification of Assets at move-in.

#### 1. Streamlined Certification for Fixed Income Families.

When 90% or more of the total annual income is derived from a fixed income source (e.g., Social Security, Pension, Annuity), at move-in and at least every three years, owner/agents will verify the cash value of assets that are not specifically excluded, any fixed income amounts and the amount of any income that is not fixed. In Year 2 and in Year 3, the owner/agent will apply Streamlined Determination of Fixed Income and Streamlined Verification of Assets. The owner/agent will also accept self-certification of amounts that are not fixed or the owner/agent will use the amount of income that is not fixed on the most recent 50059 in effect at the time of any certification interview.



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### Determination of Adjusted Income

When determining Adjusted Income, the owner/agent will use HUD methods to determine Annual Income for the entire family. After Annual Income is determined, the owner/agent will apply the following deductions as applicable:

- The Elderly/Disabled Family Deduction;
- The Dependent Deduction;
- The Childcare Deduction;
- The Health & Medical Expense Deduction (Medical Expenses in excess of 10% of Annual Income);
- The Attendant Care & Auxiliary Apparatus Deduction.

#### ELDERLY/DISABLED FAMILY DEDUCTION

*Note: The following change will not be in effect until the owner/agent implements new site software to comply with changing HUD requirements (no later than 1/1/2025)*

For each family where the HOH, co-HOH or spouse is 62 or older or is disabled, HUD provides an annual family allowance. With the implementation of HOTMA, the Elderly/Disabled Family Deduction is \$525. This amount may be adjusted by HUD annually.

#### THE DEPENDENT DEDUCTION

A family receives a Dependent Deduction (*\$480 subject to adjustment by HUD*) for each family member (except foster children and foster adults) who is:

1. Under 18 years of age;
2. A person with disabilities; or
3. A full-time student of any age.

It is not necessary for a member of the family to have legal custody of a dependent in order to receive the Dependent Deduction.

When more than one family shares custody of a child and both live in assisted housing, only one family at a time can claim the Dependent Deduction for that child.

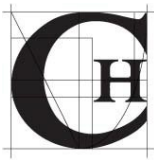
Some family members may never qualify as dependents regardless of age, disability, or student status.

- The HOH, co-HOH or spouse may never qualify as a dependent.
- A foster child, foster adult, an unborn child, a child who has not yet joined the family or a live-in aide may never be counted as a dependent.

#### THE CHILDCARE DEDUCTION

Anticipated expenses for the care of children under age 13 (including foster children) may be deducted from Annual Income if all of the following are true:

1. The care is necessary to enable a family member to work, seek employment, or further his/her education (academic or vocational).
2. The family has determined there is no adult family member capable of providing care during the hours care is needed.
3. The expenses are not paid to a family member living in the unit.
4. The amount deducted reflects reasonable charges for child care.
5. The expense is not reimbursed by an agency or individual outside the family.
6. Child care expenses incurred to permit a family member to work must not exceed the amount earned by the family member made available to work during the hours for which child care is paid.



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### CHILDCARE HARDSHIP EXEMPTION

Implementation of any Childcare Hardship Exemption Policy will not be in effect until the owner/agent implements new site software to comply with changing HUD requirements (no later than 1/1/2025)

A family may request a Childcare Hardship Exemption to continue the Childcare Deduction if:

1. The current Assistant Payment calculation includes a Childcare Deduction;
2. The family is no longer qualified for the Childcare Deduction because no member is working, seeking employment or furthering his or her education; **and**
3. The Childcare Deduction is still necessary.

The owner/agent will consider a request for a Childcare Hardship Exemption if:

1. The resident requests a Childcare Hardship Exemption; and
2. The resident is receiving a Childcare Deduction on the current certification in effect at the time of the request; and
3. The family indicates that they will be able to pay rent if the exemption is granted; and
4. The net Cash Value of Assets for the entire family is \$50,000 or less; and
5. The family's total Annual Income is at or below the current Extremely-low Income Limit; and
6. The resident participates in a review meeting; and
7. The resident provides required information and signatures within ten (10) business days including the information required to verify that the resident would not be able to pay rent if the owner/agent does not grant the Childcare Hardship Exemption; and
8. The resident has not provided Notice to Move; and
9. The resident is a resident in good standing and the owner/agent has not indicated intent to terminate assistance and/or terminate tenancy (eviction); and
10. The resident agrees to participate and participates in a review meeting at least every 90 days or upon request by the owner/agent.

If the Request for the Childcare Hardship Exemption is approved, the owner/agent will reduce Annual Income by the verified amount of Childcare.

The Childcare Hardship Exemption ends at the earliest of:

1. Ninety (90) calendar days from the Effective Date of the Certification implementing the exemption;
2. Such time the owner/agent determines the need for the Financial Hardship Exemption no longer exists and the family is able to pay their rent without the Financial Hardship Exemption;
3. Assistance is terminated;
4. The resident fails to meet with property staff or provide information/signatures, as required, at least every 90 days or upon request from the owner/agent.

The resident may request and the owner/agent may extend the Childcare Hardship Exemption, for increments of no more than 90 days, based on the parameters outlined in the owner/agent's Hardship Exemption Policy.

Owner/Agent allows a limit of 2 extensions for the Hardship Exemption.

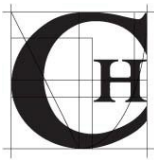
Please see the property Hardship Exemption Policy for a more detailed explanation. To request a Hardship Exemption please contact the property staff for a Hardship Exemption Request.

### THE HEALTH & MEDICAL EXPENSE DEDUCTION

The medical expense deduction is permitted only for families in which the head, spouse, or co-head is at least 62 years old or is a person with disabilities (elderly or disabled families).

If the family is eligible for a medical expense deduction, owners must include the unreimbursed medical expenses of all family members, including the expenses of non-elderly family members (adults or children) living in unit. The Health & Medical Expense Deduction is that portion of total unreimbursed medical expenses that exceed 10% of the family's Annual Income.





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When determining the Health & Medical Expense Deduction (*name of the deduction has changed*) the owner/agent includes all out-of-pocket medical expenses the family anticipates to incur during the 12 months following the certification effective date.

### THE ATTENDANT CARE & AUXILIARY APPARATUS EXPENSE DEDUCTION

Families are entitled to a deduction for unreimbursed, anticipated costs for attendant care and “auxiliary apparatus” for each family member who is a person with disabilities, to the extent these expenses are reasonable and necessary to enable any family member 18 years of age or older who may or may not be the member who is a person with disabilities to be employed.

The Attendant Care & Auxiliary Apparatus Expense Deduction is that portion of total unreimbursed medical expenses that exceed 10% of the family’s Annual Income.

When determining the Attendant Care & Auxiliary Apparatus Expense Deduction (*name of the deduction has changed*) the owner/agent includes all out-of-pocket expenses the family anticipates to incur during the 12 months following the certification effective date.

### HARDSHIP EXEMPTIONS – HEALTH & MEDICAL EXPENSE DEDUCTION AND THE ATTENDANT CARE & AUXILIARY APPARATUS DEDUCTION

HUD has provided two Hardship Exemptions related to the increase to the Health & Medical Expense Deduction (previously known as the Medical Expense Deduction) and the Attendant Care & Auxiliary Apparatus Deduction (previously known as the Disability Assistance Expense Deduction).

There are two types of Hardship Exemptions related to the Health & Medical Expense Deduction and the Attendant Care and Auxiliary Apparatus Expense Deduction.

1. The Phase-in Hardship Exemption (Relief); and
2. The Financial Hardship Exemption (General Relief).

### THE PHASE-IN HARDSHIP EXEMPTION (RELIEF)

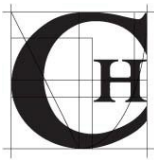
The Phase-in Exemption is available to those residents who were receiving HUD assistance (MFH or PIH) as of January 1, 2024 and who were receiving either the Medical Expense Deduction or the Disability Assistance Expense Deduction as part of the Assistance Payment calculation as of that date. In these cases, HUD allows owner/agents to “phase in” the Deduction Decrease:

- The deduction will be the amount that is over 5% of Annual Income for the first 12 months of Phase-in.
- The deduction will be the amount that is over 7.5% of Annual Income for the second 12 months of Phase-in.
- After the first 24 months, the deduction will be the amount that is over 10% of Annual Income.

If assistance is terminated (not suspended), the Phase-in Exemption ends.

If, in Year 2, the family requests and is granted a Financial Hardship Exemption, Phase-in ends and cannot be reinstated.

When an applicant requests and when the owner/agent can verify eligibility for the Phase-in Exemption, the owner/agent will allow the Phase-in Hardship Exemption to continue starting with the Move-in/Initial certification.



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### **THE FINANCIAL HARDSHIP EXEMPTION (GENERAL RELIEF)**

A family may request a Financial Hardship Exemption to establish the Health & Medical Expense Deduction and/or the Attendant Care & Auxiliary Apparatus Expense Deduction to the amount that expenses exceed 5% of Annual Income instead of the standard of the amount that expenses exceed 10% of Annual Income.

The owner/agent will consider a request for a Financial Hardship Exemption if:

1. The family requests a Financial Hardship Exemption; and
2. The family indicates that they will be able to pay rent if the exemption is granted; and
3. The net Cash Value of Assets for the entire family is equal to or less than the current Asset Threshold (\$51,600 in 2025 but subject to annual adjustment by HUD); and
4. The family's total Annual Income is at or below the current Extremely-low Income Limit; and
5. The family participates in a review meeting; and
6. No member of the family is required to return an improper payment to HUD because the resident failed to fully and accurately disclose income or other required information; and
7. The family provides required information and signatures within ten (10) business days including the information required to verify that the resident would not be able to pay rent if the owner/agent does not grant the Financial Hardship Exemption; and
8. The family has not provided Notice to Move; and
9. The family is a considered a "resident in good standing" and the owner/agent has not indicated intent to terminate assistance and/or terminate tenancy (eviction); and
10. The family agrees to participate and participates in a review meeting at least every 90 days or upon request by the owner/agent.

If the Request for the Financial Hardship Exemption (General Relief) is approved, the owner/agent will reduce Annual Income by the verified amount of qualified expenses that exceed 5% of the family's Annual Income instead of reducing Annual Income by the verified amount of qualified expenses that exceed 10% of the family's Annual Income.

The Financial Hardship Exemption ends at the earliest of:

- Ninety (90) calendar days from the Effective Date of the Certification implementing the exemption;
- Such time the owner/agent determines the need for the Financial Hardship Exemption no longer exists and the family is able to pay their rent without the Financial Hardship Exemption;
- Assistance is terminated;
- The resident fails to meet with property staff or provide information/signatures, as required, at least every 90 days or upon request from the owner/agent.

The resident may request and the owner/agent may extend the Financial Hardship Exemption (General Relief), for increments of no more than 90 days, based on the parameters outlined in the owner/agent's Hardship Exemption Policy. Owner/Agent allows a limit of 2 extensions for the Financial Hardship Exemption.

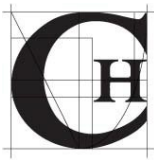
Please see the property Hardship Exemption Policy for a more detailed explanation. To request a Hardship Exemption please contact the property staff for a Hardship Exemption Request.

### **Section 8 Asset Restrictions (Limits) Section 8 Only including PBRA RAD & 202/8) – New required**

The following Section 8 Asset Restrictions are considered when determining eligibility of families applying for HUD's Section 8 Housing Assistance.

### **HOME OWNERSHIP - REAL PROPERTY RULE**

A dwelling unit may not be rented and assistance may not be provided to any family if any member has a present ownership interest in, legal right to reside in, and the effective legal authority to sell real property, in the jurisdiction in which the property is located, that is suitable for occupancy by the family as a residence. This includes, but is not limited to a home, condominium, townhome, duplex, mobile home, etc. A dwelling will be considered "suitable for occupancy" unless the family demonstrates that it:



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1. Does not meet the disability-related needs for all members of the family (*e.g.*, physical accessibility requirements, disability-related need for additional bedrooms, proximity to accessible transportation, etc.);
2. Is not sufficient for the size of the family;
3. Is geographically located so as to be a hardship for the family (*e.g.*, the distance or commuting time between the property and the family’s place of work or school would be a hardship to the family, as determined by the owner);
4. Is not safe to reside in because of the physical condition of the property (*e.g.*, property’s physical condition poses a risk to the family’s Health & safety and the condition of the property cannot be easily remedied); or
5. Is not a property that a family may reside in under the State or local laws of the jurisdiction where the property is located.

The Real Property Rule applies only when the family has the legal right to reside in the dwelling.

The applicant or resident is exempt from the Real Property Rule if:

1. Any property is jointly owned by a member of the family and at least one non-household member who does not live with the family, if the person resides in the jointly owned property;
2. The member is a survivor of a VAWA crime (domestic violence, dating violence, sexual assault, or stalking); or
3. The family is offering such property for sale;
4. The family is receiving assistance under 24 CFR 982.620; or under the Homeownership Option in 24 CFR part 982.

**FULL ENFORCEMENT OF THE REAL PROPERTY RULE AFTER MOVE-IN/INITIAL CERTIFICATION**

The owner/agent will review the family’s eligibility, based on the Real Property Rule, at each Interim and Annual Recertification. If the family is no longer eligible for HUD Section 8 housing assistance, the owner/agent will terminate assistance in accordance with HUD’s requirements. The owner/agent will initiate termination of assistance within six months of the effective date of the certification created when ineligibility was discovered.

**RESTRICTIONS BASED ON NET ASSETS - ASSET CAP**

A dwelling unit may not be rented, and assistance may not be provided, either initially or upon reexamination of family income, to any family if the Net Cash Value Of Included Assets exceeds the current Asset Cap established by HUD (certain assets are excluded). This “cap” may be adjusted annually in accordance with a commonly recognized inflationary index, as determined by HUD. (The Asset Cap established by HUD for 2025 is \$103,200).

Certain assets are excluded when determining the net cash value of assets. Excluded assets include, but are not limited to:

- ABLE Accounts;
- Amounts recovered in any civil action or settlement based on a claim of malpractice, negligence, or other breach of duty that resulted in a member of the family being disabled;
- Value of any Coverdell Education Savings Account or any qualified tuition program under Section 529;
- Family Self Sufficiency Escrow Accounts (FSS);
- Interest in Indian Trust land;
- Irrevocable Trust;
- Revocable Trusts when no one in the family controls the trust;
- Retirement Accounts as defined by the IRS;
- Real property when the family does not have legal authority to sell such property;
- Equity in property for which a family receives HCV homeownership assistance from a PHA;
- Equity in a manufactured home where the family receives Section 8 tenant-based assistance;
- Other assets as announced by HUD through Federal Register Notice.



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### ENFORCEMENT OF THE ASSET CAP AFTER MOVE-IN/INITIAL CERTIFICATION

The owner/agent will review the family's eligibility, based on the Asset Cap, at each Interim and Annual Recertification. If the family is no longer eligible for HUD Section 8 housing assistance, the owner/agent will terminate assistance in accordance with HUD's requirements. The owner/agent will initiate termination of assistance within six months of the effective date of the certification created when ineligibility was discovered.

- A. Live-In Aides and Screening Criteria. All applicants, any household members added at a later time and live-in-aides will be subject to the same screening criteria excluding, for live-in-aides, credit checks, income/asset and expenses. In accordance with HUD regulations & owner requirements:
- B. Credit and Criminal Screening. Credit and criminal reports will be obtained for each applicant 18 years of age and over. Applicants will be denied based on failure to meet the credit and criminal criteria as outlined in the "Qualification Criteria".
- C. Consideration of Income and Expenses. Net income and gross expenses will be used to determine an individual's actual ability to pay his/her monthly rent while meeting his/her other monthly obligations.
- D. Contacting Applicant Landlords. Both the current and previous landlords will be contacted for a reference concerning payment records as well as the history of complying with lease requirements and housekeeping habits.
- E. Visits to Current Residence. Visits to the applicant's current residence may be made to assess housekeeping habits.

### **Social Security Number Disclosure Requirements**

All household members receiving HUD housing assistance or applying to receive HUD housing assistance are required to provide a Social Security Number and adequate documentation necessary to verify that number.

This rule applies to all household members including live-in aides, foster children and foster adults. Adequate documentation includes a Social Security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN such as:

- Original Social Security card;
- Driver's license with SSN;
- Identification card issued by a federal, State, or local agency, a medical insurance provider, or an employer or trade union;
- Earnings statements on payroll stubs;
- Bank statement;
- Form 1099;
- Benefit award letter;
- Retirement benefit letter;
- Life insurance policy;
- Court records.

If the applicant cannot provide any of the above, the applicant will advise the owner/agent. The owner/agent may accept self-certification of SSN *and* at least one third-party document, such as a bank statement, utility or cell phone bill, benefit letter, etc., that contains the name of the individual. *When none of the other accepted methods is available and if verifying an individual's SSN using this method, the owner/agent must document why the other SSN documentation was not available. If the resident's SSN becomes verified in HUD's Enterprise Income Verification System (EIV), then no further verification is required. If the resident's SSN fails the SSA identity match, then the owner/agent must obtain a valid SSN card issued by the SSA or an original document issued by a federal or state government agency that contains the name of the individual and the SSN of the individual, along with other identifying information of the individual. The resident family's assistance must be terminated if any member fails to provide the required documentation (some exceptions apply).*



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### Exceptions to Disclosure of Social Security Number

The Social Security Number requirements do not apply to:

1. Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.
2. Individuals who do not contend eligible immigration status.
3. A child under the age of 6 years added to the applicant family within the 6-month period prior to the household's date of admission. The household will have a maximum of 90-days after the date of admission to provide the Social Security Number and adequate documentation that the Social Security Number is valid. An additional 90 days may be granted under certain circumstances. If the household does not provide the Social Security Number and adequate documentation to verify the Social Security Number within the prescribed timeframe, HUD requires that the owner/agent terminate tenancy.
4. A minor under the age of 6 years being added to the household after move-in. The household will have a maximum of 90-days after adding the child to provide the Social Security Number and adequate documentation that the Social Security Number is valid. An additional 90 days may be granted under certain circumstances. If the household does not provide the Social Security Number and adequate documentation to verify the Social Security Number within the prescribed timeframe, HUD requires that the owner/agent terminate tenancy.
5. Foster children or adults when:
  - The foster agency will not provide the SSN or adequate documentation to verify the SSN; and
  - HUD approves.

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

All non-exempt household members have ninety (90) days-from the date they are first notified that a unit is available-to provide documentation necessary to verify the Social Security Numbers. During this 90-day period, the household may retain its place on the waiting list but will not be considered again until the required documentation is provided.

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

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

### Secondary Verification of the Social Security Number

The Social Security Number provided will be compared to the information recorded in the Social Security Administration database through HUD's Enterprise Income Verification System (EIV) to ensure that the Social Security Number, birth date and last name match.

If EIV returns an error that cannot be explained or resolved, assistance and/or tenancy may be terminated and any improper payment must be returned to HUD.

If an applicant/resident deliberately provides an inaccurate Social Security Number, the owner/agent and/or HUD may pursue additional penalties due to attempted fraud.

Applications will be rated on a scoring system to qualify for housing. **Credit and Tenant performance** information will affect the applicant score. All applicants are expected have a passing score of 70 points out of 100 to be considered for housing. Applicants with no credit history will receive a maximum of 80 points to fairly outweigh positive and/or negative trades as would an applicant with established credit history.





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### Credit

**Credit Report.** A credit report will be obtained to evaluate financial responsibility. Credit will be rated on a scoring point system. An applicant will be disqualified if they receive a report of derogative credit. Derogative credit is defined as a credit rating score of less than 70 points. The following criteria will be rated:

#### Collections:

- a. Late accounts;
- b. Negative accounts;
- c. Public records and bankruptcy filed within the last 3 years;
- d. Total negative Tax Liens over \$500 will be denied.

NOTE: Applicant utility accounts must be current to qualify for a rental unit – NO EXEPTION.

Exception may be made for extraordinary unpaid medical expenses, student loans and paid collections. Exceptions may only be approved by the Regional Manager.

### Landlord History

A. **Tenant Performance.** An applicant’s score may be impacted by negative tenant performance information provided to the credit reporting agency.

B. **Rental History.** The purpose of verifying landlord references is to determine if the applicant has demonstrated an ability to pay rent on time and to meet the requirements of tenancy. Two years of rental history will be verified with all applicable landlords. **The landlord must have an “arm’s length” relationship with the applicant.** A negative landlord reference, by itself, is grounds for denial.

Household/Family members and/or personal friends are not an acceptable landlord reference. Two professional character reference may be used in lieu of rental history for applicants with no prior rental history.

C. **Unlawful Detainer Report.** An Unlawful Detainer Report (U.D.) will be processed through the U.D. Registry, Inc. Applicants will be disqualified if they have any evictions filing within the last seven (7) years.

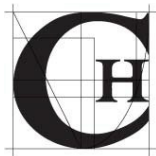
### Criminal Background Investigation

A criminal background investigation will be obtained on each applicant. Note that criminal background checks are processed county-by-county and will be run for all counties in which the applicant lived. Applicants may be disqualified for tenancy if they have been convicted of a felony or a misdemeanor. Background reports will include information on:

A criminal background investigation covering the previous seven (7) years will be performed on each applicant 18 years of age and over. The purpose of criminal background checks is to screen for behaviors potentially detrimental to the property, community, and or residents. In accordance with applicable California Law, we will not consider any:

- i. Information about an individual’s participation in a pre-trial or post-trial diversion (unless that information is presented by applicant as a mitigating factor.)
- ii. Arrests that did not result in conviction
- iii. An infraction
- iv. Convictions that have been sealed, expunged, dismissed, vacated, voided, pardoned, or otherwise rendered inoperative.
- v. Juvenile records (unless that information is presented by applicant as a mitigating factor.)





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b. Criminal background records are kept separate by each county; therefore, the On-Site Manager will search all counties which come up on the credit report, landlord references, and employment history.

H. Additional Reasons for Rejection. Additionally, applicants may be rejected due to:

1. Previous Eviction from Assisted Housing for Drug-Related Criminal Activity. Any household containing a member(s) that has been evicted from federally assisted housing for drug-related criminal activity, unless that person has successfully completed an approved, supervised drug rehabilitation program or the circumstances leading to the eviction no longer exist (household member has moved out).
2. Illegal Use of Drugs. A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents.
3. State Lifetime Sex Offender Registration Requirement. Any household member who is subject to a state sex offender lifetime registration requirement. In order to implement this federal screening requirement, management will request the head of household to list all states in which all family members have resided. The applicant/tenant file will contain written proof that this screening has been completed. Registered sex offenders will not be admitted.

If the processes described above reveal an applicant's household includes an individual subject to State lifetime sex offender registration, the Property will offer the family the opportunity to remove the ineligible family member from the household. If the family is unwilling to remove that individual from the household, the Property will deny admission to the family. Prior to denying admission, the applicant will be notified of the right to dispute the accuracy and relevance of the criminal background check information.

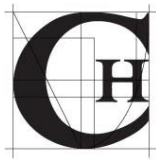
4. Dru Sjodin National Sex Offender Database: There is a new website that owners and management agents can use to search for registered sex offenders. Go to <http://www.nsopr.gov>.
5. Megan's Law Notice: Pursuant to Section 290.46 of the Penal Code, information about specified registered sex offenders is made available to the public via an Internet Web site maintained by the Department of Justice at [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov). Depending on an offender's criminal history, this information will include either the address at which the offender resides or the community of residence and ZIP Code in which he or she resides.
6. Reasonable Cause for Health and Safety Concern. Any household member, if there is reasonable cause to believe that a member'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.

### General Program Requirements

HUD specifies that applicants be made aware of program requirements, including (but not limited to) the following:

Interviews. All applicants will be interviewed by the property manager or other representative of management. At the time of the interview, all members of the family must be in attendance. If this is not possible, a second interview to accommodate missing members will be scheduled. Documents or identification to determine family members' relationships may be requested.

Agreement to Pay the Rent. The applicant must agree to pay the rent required by the formula used in the subsidy program under which the applicant will be admitted.



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### Rent Calculation

The Total Tenant Payment (TTP) will be calculated in compliance with HUD rules. This means that the family will pay the greater of:

1. 10% of Monthly Income;
2. 30% of Monthly Adjusted Income; or
3. Welfare rent (welfare recipients in as-paid localities only); or
4. The \$25 minimum rent (Section 8 only).

In some cases, HUD may provide a Utility Allowance as well. Utility Allowances are deducted from the Total Tenant Payment to determine the Tenant Rent paid each month.

When the rent calculation described above results in a Tenant Rent that is equal to or more than the unit Gross Rent, HUD housing assistance will be terminated for all Section 8 programs except Component 1 PH to PBRA RAD. When there is also funding layering provided through the IRS Section 42 Low Income Housing Tax Credit program (LIHTC), the resident will pay LIHTC Max Rent when LIHTC Max Rent is less than the HUD Contract Rent for the unit. The resident may be required to pay LIHTC Max Rent when the LIHTC Max Rent is higher than the HUD Contract Rent for the Unit.

### Section 8 Minimum Rent Hardship Exemption

The owner/agent, may, at the owner/agent's discretion, grant a Hardship Exemption waiving a family's requirement to pay Section 8 Minimum Rent.

The owner/agent will grant a Section 8 Minimum Hardship Exemption if:

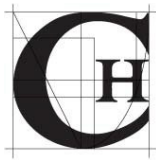
1. The resident or applicant requests a Minimum Rent Hardship Exemption; and
2. The net Cash Value Of Assets for the entire family is \$50,000 or less; **and**
3. The family's total Annual Income is at or below the current Extremely-low Income Limit, **and**
4. The resident participates in a review meeting; and
5. The resident provides required information and signatures within ten (10) business days; and
6. The resident has not provided Notice to Move; and
7. The resident is a resident in good standing and the owner/agent has not indicated intent to terminate assistance and/or terminate tenancy (eviction); and
8. The resident agrees to participate and participates in a review meeting at least every 90 days or upon request by the owner/agent.

The owner/agent must waive the Section 8 Minimum Rent for any family unable to pay due to a long-term Financial Hardship, including the following:

1. The family has lost federal, state, or local government assistance or is waiting for an eligibility determination.
2. The family would be evicted if the minimum rent requirement was imposed.
3. The family income has decreased due to a change in circumstances, including but not limited to loss of employment.
4. A death in the family has occurred.
5. Other applicable situations, as determined by HUD, have occurred.

When an applicant or resident requests a Section 8 Minimum Rent Hardship Exemption, the owner/agent must waive the minimum \$25 rent charge and implement the TTP calculated at the higher of:

- 30% of adjusted monthly income or
- 10% of gross monthly income (or the welfare rent).



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The Tenant Rent will not be reduced to zero unless those calculations all result in zero.

If the owner determines there is no hardship, as covered by the statute, the owner must immediately reinstate the Section 8 Minimum Rent requirements. The resident is responsible for paying any minimum rent that was not paid from the date minimum rent was suspended.

If the owner/agent determines that the hardship is temporary, the owner may not impose the Section 8 Minimum Rent requirement until 90 days after the effective date of the certification granting the S8 Minimum Rent Hardship Exemption. At the end of the 90-day period, the tenant is responsible for paying the Section 8 Minimum Rent, retroactive to the initial date of the suspension.

If the hardship is determined to be long term, the owner/agent will exempt the resident from the Section 8 Minimum Rent requirement starting with the effective date of the certification granting the S8 Minimum Rent Hardship Exemption. The Section 8 Minimum Rent Hardship Exemption may be effective until such time that the hardship no longer exists.

The owner/agent will meet with the resident every 90 days, while the suspension lasts, to verify that circumstances have not changed. The length of the Section 8 Minimum Rent Hardship Exemption may vary from one family to another depending on the circumstances of each family.

### **Errors Caused by a Member of the Resident Family**

If an owner suspects that a resident has inaccurately supplied or misrepresented information that affects the rent or a family's eligibility, the owner must investigate and document the resident file.

If the resident family meets with the owner to discuss the error, and the owner is convinced the submissions were correct, the owner will document the file accordingly and close the investigation.

If, after meeting with the resident family, the owner determines that the provision of inaccurate information was an unintentional program violation, the owner will correct the rent calculation, if applicable, and provide the tenant with notice of the change in rent. If the resident received an improper payment, the resident will be required to return that improper payments, in compliance with the HUD lease.

If the tenant is unable to repay the full amount, the owner and tenant may enter into a repayment agreement.

1. If, after the income adjustment, the family no longer qualifies for assistance, the family may remain in the property subject to making repayments and paying market rent.
2. The owner may terminate tenancy if the resident refuses to pay any new monthly rent or refuses to repay the previously overpaid subsidy (improper payment) pursuant to any Repayment Agreement.
3. The owner may terminate tenancy if the resident refuses to enter into Repayment Agreement if such an option is offered.
4. If necessary, civil action may be filed to recover the funds.

If the owner determines the resident knowingly provided inaccurate or incomplete information, and this can be substantiated through documentation, the owner will pursue the incident as fraud.

If any adult member of the family fails to meet with the owner/agent as requested, the owner/agent will initiate termination of tenancy (eviction) in compliance with HUD's guidance.

### **Errors Caused by The Owner/agent, a Service Bureau or Owner/agent Software**

If the owner/agent determines that an error was made and the family's income was over-reported, the owner must complete corrections to the prior certification(s) affected by the income change.



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Once the corrections have been made, the owner must determine the difference between the amount of rent paid and the rent that should have been paid.

- The owner/agent will request a meeting to discuss the error;
- The owner/agent will prepare corrections or new certifications that must be signed by all adult members;
- The owner/agent will provide the family with written notification, which includes:
  - A notice of the change in rent, effective retroactively to when the error occurred;
  - The new monthly rent the tenant is required to pay;
  - The amount of the overpayment of rent due; and
  - A form used by the family choosing whether to:
    - Receive a full refund; or
    - Apply the overpayment to future monthly rent payments.

Please note that any credit will be applied to any outstanding rent payment before calculating the amount due to the resident family.

If the determination of income should have resulted in a higher Annual Adjusted Income, the owner/agent will correct certifications or create new certifications as required. Families will not be required to repay the owner/agent in instances where the owner/agent has miscalculated income resulting in a family being undercharged for rent. The resident will not be required to pay a higher Tenant Rent until a 60-Day Notice of Rent Increase has been issued. The new Tenant Rent will be effective the first of the month after the 60 days.

#### **Interim Recertification – Reporting Changes Before Next Annual Recertification (AR)**

Resident family composition, income and expenses are reviewed at least Annually.

Residents are required to report changes, between Annual Recertification, based on requirements outlined in the HUD Model Lease and the House Rules. Changes that result in an income increase or removal of a member must be reported within 30 days. The addition of a new resident (except minors) must be approved before the new member moves in to the unit. Failure to notify the owner/agent before a new member is added is a material lease violation and may result in termination of tenancy. Addition of new minors must be reported as quickly as possible, but not later than the date the next rent payment, is due after the minor is added.

If the change reported results in a decrease to family income, the owner/agent will process an Interim Recertification (IR), adjusting rent, when that reduction results in a decrease of the family’s Annual Adjusted Income of 10% or more.

Based on the rules below, the owner/agent will submit an Interim Recertification, if the resident reports one or more changes resulting in a 10% increase to Annual Adjusted Income.

Changes to earned income will not be considered unless an Interim Recertification, reducing income, has been submitted since the last AR.

If the change is not related to earned income, and results in an increase of the family’s Annual Adjusted Income of 10% or more, the owner/agent will complete an Interim Recertification adjusting rent. This is true unless the resident reports a change in a reasonable amount of time, in compliance with the owner/agent’s policy, and the change is reported within 3 months of the next Annual Recertification Date.

The owner/agent will not consider any increases to earned income until the next AR. Residents are still required to report within 30 days as required by the lease and the owner/agent’s policies. If all adult family members comply with reporting requirements, rent changes will be implemented as follows:



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1. Rent increases. If the rent increases, the owner will give the tenant 30 days advance notice of the increase. The effective date of the increase will be the first of the month after the end of the 30-day period.
2. Rent decreases. If the rent will decrease, the change in rent is effective on the first day of the month after the date of action (e.g., first of the month after the date of loss of employment.) A 30-day notice is not required for rent decreases.

If all adult family members do not comply with the reporting requirements, and the owner discovers the tenant has failed to report changes as required, the owner will implement rent changes as follows:

1. Rent increases. Owners must implement any resulting rent increase retroactive to the first of the month following the date that the action occurred.
2. Rent decreases. Any resulting rent decrease must be implemented effective the first rent period following completion of the recertification.

The owner/agent will make rent decreases retroactive under certain circumstances. If extenuating circumstances exist (504, VAWA, LEP), the retroactive decrease is applied the later of :

- a. The first of the month following the date of the change that led to the decrease; or
- b. The first of the month following the effective date of the most recent full certification

Companion and Service Animals Policy. No animals will be allowed except animals required for physical or emotional assistance by a person who is disabled (e.g., a Seeing Eye dog or a dog for the deaf). Such an animal is not considered a pet, but will be subject to reasonable regulations.

In accordance with federal law and HUD regulations, residents of federally-funded housing for the elderly, disabled or families shall not be prohibited from owning and keeping common household pets. All properties have a NO PET policy except those required to accept pets by HUD.

The following are allowed:

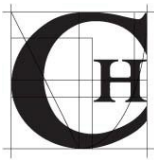
1. Companion Animals - The Fair Housing Amendments Act of 1988, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act protect the right of people with disabilities to keep emotional support animals, even when a landlord's policy explicitly prohibits pets. Because emotional support and service animals are not "pets," but rather are considered to be more like assistive aids such as wheelchairs, The Property will make an exception to its "no pet" policy so that a tenant with a disability can fully use and enjoy his or her dwelling. So long as the tenant has a letter or prescription from an appropriate professional, such as a therapist or physician, and meets the definition of a person with a disability, he or she is entitled to a reasonable accommodation that would allow an emotional support animal in the apartment.

2. Service Animals - Service Animals are animals required for physical or emotional assistance by a person who is disabled (e.g., a seeing-eye dog or a dog for the deaf) is not considered a pet, but will be subject to reasonable regulations

It is a reasonable accommodation for housing providers to allow tenants with disabilities to live with a service animal in order to meet their disability-related needs. A service animal usually is defined as "any animal that is individually trained to do work or perform tasks for the benefit of a person with a disability." Fair housing laws consider "companion" animals to be a type of service animal.

- (a) Dogs are the most common service animals, but other species are used (for example, cats or birds). Service animals may be any breed, size or weight.
- (b) There is no legal requirement for service animals to be visibly identified (no special collar or harness needed) or to have documentation (no license, certification or identification papers needed).
- (c) Service animals are not considered to be pets. A person with a disability uses a service animal as an auxiliary aid -- similar to the use of a cane, crutches or wheelchair. For this reason, fair housing laws require that housing providers permit the use of a service animal by an individual with a disability despite "no pet" rules.





CHARITIES HOUSING

Sierra Vista I Apartments  
1909 Hackett Ave.  
Mountain View, CA 94043



TDD # California Relay Service (711)  
Toll Free:  
English (800)855-7100  
Spanish (800) 855-7200

## TENANT SELECTION PLAN

- (d) Pet deposits or fees cannot be charged for service animals.
- (e) All households with pets are subject to the Companion and Service Animals Policy.

Obligation to Fulfill the Terms of the Lease. All applicants must fulfill the terms of the lease (with or without 3rd party assistance), particularly concerning:

1. Timely payment of rent and other charges;
2. Maintaining premises in safe and sanitary condition;
3. Not interfering with management or quiet enjoyment of the property by others.

### Rejected Applications

General Guidelines and Criteria. Applicants will be rejected for any of the following:

Failure to present all members of the family at the full family interview (or some other time acceptable to management) prior to completion of Initial Certification;

1. Blatant disrespect, disruptive or anti-social behavior toward management, the property or other residents exhibited by an applicant or family member any time prior to move-in (or a demonstrable history of such behavior);
2. A negative landlord or other reference, encompassing failure to comply with the lease, poor payment history, poor housekeeping habits, eviction for cause; or criminal activity outlined above;
3. A negative credit or criminal report (see attached "Grounds For Denial" and Sections IX and XII above);
4. Falsification of any information on the application;
5. Eligibility income exceeding the maximum allowed for the specific program;
6. Family composition not appropriate for available bedroom size (see Section VI above);
7. Failure to update application for the waiting list within specified time when notified.
8. Other good cause: including, but not limited to, failure to meet any of the selection criteria in this document.

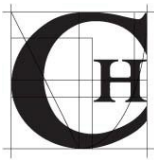
Offer of an Apartment. If an applicant declines an available apartment when notified, he/she will be offered a second unit when available. If an applicant declines an apartment a second time, his/her application will be removed from the waiting list. After receiving the notification of unit availability, applicants have five days to respond to management regarding the available apartment. If there is no response, the offer will have been declined by the applicant. If there are verifiable mitigating medical reasons that prevent you from moving at the time of offer, you will receive another unit offer.

Written Notice. If an applicant is rejected, management will promptly notify the applicant in writing explaining in the notice:

The total annual gross income for the applicant household must be within the appropriate Income Limits (see table below.)

- 1) The head of household or spouse is at least 18 years of age or an emancipated minor under California law
- 2) The applicant must furnish Social Security numbers for at least one household member.
- 3) The applicant must furnish Declaration of Citizenship or Eligible Immigrant Status and verification where required. At least one member of the applicant household must either be a U.S. citizen or have eligible immigration status
- 4) No household members have had a conviction for the manufacture or production of methamphetamine on the premises of an assisted housing project
- 5) No household members are subject to a lifetime registration requirement under a sex offender registration program
- 6) No household member has been subject to prior termination from a Federal housing program for program violations within the last three years of eligibility determination
- 7) No household member has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program in the last three years of eligibility determination
- 8) No household member has a history of violent criminal activities, including domestic violence within the last three years.





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- 9) No household member has a history of drug or alcohol related criminal activities within the last three years. Further assessment will be required and consideration may be given to families who have successfully completed a drug and alcohol rehabilitation program within the last three years
- 10) If an applicant feels they have been discriminated against based on a disability they may contact the local 504 Coordinator, Janet Acevedo-Ogu, at (408) 550-8300.

**Fourteen Day to Respond** – The three (3) applicants on the waiting list will be given fourteen (14) calendar days, from date of mailing, to respond. Those not responding within fourteen (14) calendar days from the date of mailing, will be removed from the waiting list. It is the applicants responsibility to furnish sufficient information within the deadlines set bhay management \*\*See Paragraph m) ‘Written Notice of Disqualification’ above.

### Violence Against Women Act

B. Background. The Violence Against Women and Justice Department Reauthorization Act of 2005 protects residents who are victims of domestic violence, dating violence, or stalking from being evicted or terminated from housing assistance based on acts of such violence against them. In accordance with the Violence Against Women Act (VAWA) Management will not penalize victims of domestic violence, stalking, dating violence, or rape.

C. Key Points. Some key points provided in the Act include:

- 1. A potential resident who certifies they were the victim of domestic violence may be allowed to be admitted even with poor credit and poor landlord evaluations if he/she can show those negative factors were caused by domestic violence.
- 2. It assured that victims of domestic violence, sexual assault, etc., can have access to the criminal justice system without facing eviction.
- 3. Where someone is abusive to other members of the household, only the abuser may be evicted. Furthermore, the standards for eviction due to imminent threat have been strengthened.
- 4. Residents in assisted housing who face violence may be allowed early lease termination for a matter of safety.
- 5. Victims must certify their status as victims and that the incident in question was a bona fide incident of domestic violence by presenting appropriate documentation to the Property Manager. Nothing prevents a victim who has committed a crime or violated a lease from being denied, evicted or terminated.

### Nonretaliation

The owner/agent will not discriminate against any person because that person has opposed any act or practice made unlawful by the Violence Against Women Act or because that person testified, assisted, or participated in any matter related to the Violence Against Women Act or a VAWA crime.

### Noncoercion

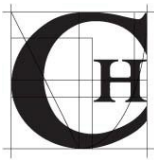
The owner/agent shall not coerce, intimidate, threaten, or interfere with, or retaliate against, any person in the exercise or enjoyment of, on account of the person having exercised or enjoyed, or on account of the person having aided or encouraged any other person in the exercise or enjoyment of, any rights or protections under the Violence Against Women Act including:

- 1. Intimidating or threatening any person because that person is assisting or encouraging a person entitled to claim the rights or protections under the Violence Against Women Act.
- 2. Retaliating against any person because that person has participated in any investigation or action to enforce the Violence Against Women Act.

### Protection to Report Crimes from Home

Owner/agents, residents, occupants, service providers, guests and applicants:

- 1. Shall have the right to seek law enforcement or emergency assistance on their own behalf or on behalf of another person in need of assistance; and



## TENANT SELECTION PLAN

### CHARITIES HOUSING

2. Shall not be penalized based on their requests for assistance or based on criminal activity of which they are a victim or otherwise not at fault under statutes, ordinances, regulations, or policies adopted or enforced by covered governmental entities. Prohibited penalties include:
  - a. Actual or threatened assessment of monetary or criminal penalties, fines, or fees.
  - b. Actual or threatened eviction.
  - c. Actual or threatened refusal to rent or renew tenancy.
  - d. Actual or threatened refusal to issue occupancy permit or landlord permit.
  - e. Actual or threatened closure of the property, or designation of the property as a nuisance or a similarly negative designation.

### HUD Enterprise Income Verification (“EIV”)

**Use of EIV 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 two separate residences. 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 Enterprise Income Verification System (EIV) to determine 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

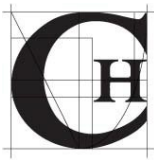
If the applicant or any member of the applicant household fails to fully and accurately disclose rental history, the application may be denied based on the applicant's “misrepresentation” of information. This information will be reviewed on an annual basis, at each annual certification. If any household 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 and including eviction and pursuit of fraud charges.

**Existing Tenant Search:** This report identifies applicants applying for assisted housing that may be receiving rental assistance at the time of application processing at another location.

O/As must:

Use this report at the time they are processing an applicant for admission to determine if the applicant or any applicant household members are currently being assisted at another Multifamily Housing or Public and Indian Housing (PIH) location.

- (1) Discuss with the applicant if the report identifies that the applicant or a member of the applicant’s household is residing at another location, giving the applicant the opportunity to explain any circumstances relative to his/her being assisted at another location. This may be a case where the applicant wants to move from his/her present location or where two assisted families share custody of a minor child.
- (2) Follow up with the respective PHA or O/A to confirm the individual’s program participation status before admission, if necessary, depending on the outcome of the discussion with the applicant. The report gives the O/A the ability to coordinate move-out and move-in dates with the PHA or O/A of the property at the other location.
- (3) Retain the search results with the application along with any documentation obtained as a result of contacts with the applicant and the PHA and/or O/A at the other location.



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**Income Targeting:** In order to meet the requirement that we lease not less than 40% of the available assisted dwelling units during any project fiscal year to extremely low income families, we will use Method #1 as defined in the HUD manual 4350.3, Rev-1, Chapter 4, Par 4-5 B2b: Admit only extremely low-income families until the 40% target is met. In chronological order, management will select eligible applicants from the waiting list whose income are at or below the extremely low-income limit to fill the first 40% of expected vacancies in the property. Once this target has been reached, admit applicants in waiting list order.

**Zero Income Households:** The Property will be using the EIV System at least once every three (3) months to verify the income of any member or members of a household in which one (1) or more members has claimed zero (\$ 0.00) or “nominal income” (defined as less than \$100.00 per month) New Hires Report and Monthly Reporting. The Property will be using the “New Hires Report” at least once every month. This and any additional reports will be accessed monthly in accordance with and as described by the “EIV Policies and Procedures” for the Property and as per XVI.C, above.

### Consent and Verification Forms (9887s)

Currently, all adult applicants must sign HUD’s 9887 and 9887A before being admitted to the housing program and at each Annual Recertification.

*Note: The following rules about consent forms require HUD to release an updated 9887.*

When HUD releases the HOTMA compliant 9887/9887A, the HOH, co-HOH/spouse (regardless of age) and all adult applicants must sign HUD’s consent forms no later than the final eligibility interview. Applications for assistance (MI/IC) will not be considered until an executed 9887/9887A has been received from all family members as indicated above. After an applicant or resident has signed and submitted these consent forms, they do not need to sign and submit subsequent consent forms except under the following circumstances:

- When a new member is added to the unit if:
  - The new member is 18 years of age or older, or
  - The new member is the HOH, co-HOH/spouse regardless of age;
- When a member of the family turns 18 years of age;
- If the family’s assistance is terminated and the family wishes to reinstate housing assistance; and
- As required by HUD in administrative instructions.

These consent forms contain provisions authorizing HUD and owner/agent to obtain necessary information for verification of an application or to maintain a family’s assistance, including income information and tax return information. The executed consent forms will remain effective until the family is denied assistance, or the assistance is terminated. If a family leaves a HUD program (moves-out), the family's assistance is considered to be terminated and the signed consent forms will no longer be in effect.

When a minor living in the unit turns 18, he/she will have thirty (60) days to meet with the management staff and sign appropriate forms. Failure to do so will result in termination of assistance for the entire household.

Any adult member of the family may provide written notification to the owner/agent to revoke consent. Upon receiving such notice, the owner/agent will notify HUD. Revoking consent makes the family ineligible and housing assistance will be terminated before the next Annual Recertification or Interim Recertification. The resident will be provided with a 60-Day Notice of Rent Increase as required.

If, subsequently, the family wishes to reapply for assistance, and when such assistance is available, the HOH, co-HOH/spouse and all adult members will be required to submit the signed 9887/9887A documents with any documentation required to determine eligibility. Failure to do so will result in denial of assistance under HUD’s program rules.

**NOTE: This document cannot be changed without the approval of the Director of Property Operations.**



# ***Sierra Vista Apartments***

***1909 Hackett Avenue  
Mountain View, CA 94043***

**OCCUPANCY STANDARDS:**

- 2 Bedroom 3 – 5 Persons
- 3 Bedroom 4 – 7 Persons
- 4 Bedroom 5 – 9 Persons

**2024 – MAX INCOME TABLE APPLIES TO ALL APPLICANTS:**

| Income Limits                      | 3 Person | 4 Person | 5 Person | 6 Person  | 7 Person  | 8 Person  | 9 Person  |
|------------------------------------|----------|----------|----------|-----------|-----------|-----------|-----------|
| 30% of Median Inc. (Extremely Low) | \$49,800 | \$55,300 | \$59,750 | \$64,150  | \$68,600  | \$73,000  | \$77,400  |
| 50% of Median Inc. (Maximum)       | \$82,950 | \$92,150 | \$99,550 | \$106,900 | \$114,300 | \$121,650 | \$129,000 |

*\*The above limits may be revised periodically by HUD/TCAC.*



Charities Housing

SIERRA VISTA I – RENTAL APPLICATION
PLEASE RETURN THIS APPLICATION IN PERSON OR MAIL TO:
1909 Hackett Ave., Mountain View, CA 94043
TUESDAY - THURSDAY 10:00 A.M. – 4:00 P.M.



Note: Use blue or black ink only. Do NOT use white-out. Cross out mistakes with one line, initial and write corrected information next to it.

I/ We understand that this property has a non-smoking policy but Charities Housing cannot guarantee a smoke free environment [ ] Yes [ ] No
What is your preferred size of unit? Choose only one: [ ] 2 bed (3-4 persons) [ ] 3 bed (4-7 persons) [ ] 4 bed (5-9 persons)

APPLICANT

APPLICANT HOUSEHOLD INFORMATION – List below all of the people you expect to live in your household at Move-in

Table with 8 columns: Full Name, Relationship to Head of Household (HOH), Gender, Citizenship, Date of Birth, Social Security Number, Student of Higher Education, Disabled. Includes a row for HOH.

Yes No Are you expecting any future additions to your family due to pregnancy adoption, foster child(ren), 50% custody of child(ren) or other family composition? If yes, explain:

Yes No Do you have a child away at school who will live at your residence during school recesses?

RENTAL HISTORY - List 2 years of residential history below.

State your current living situation: Own my Home Live with friend/family Renting Lacking nighttime Residence

Please list all states where you have resided:

Table for current address: Your Current Address, Landlord/Contact Name, Landlord's Phone #, From/To Dates, Reason for Leaving

Table for previous address: Your Previous Address, Landlord/Contact Name, Landlord's Phone #, From/To Dates, Reason for Leaving

Yes No Does every household member listed above currently live at the same address? If not, provide HH member's name & current address

Yes No Have you or any member of your household ever been evicted from rental housing? If Yes, describe:

Yes No Do you or any member of your household owe money to HUD, an apartment community, or previous landlord? If yes, list Name/Address/amount:

**TOTAL HOUSEHOLD INCOME**

List all money earned or received by each member of your household below (Gross amount).

| Family Member Name | Employment<br>(Monthly Income) | Public Assistance<br>(Monthly) | Child Support<br>(Monthly) | SS/SSI/Pension<br>(Monthly) | Unemployment<br>(Weekly) | Other |
|--------------------|--------------------------------|--------------------------------|----------------------------|-----------------------------|--------------------------|-------|
|                    | \$                             | \$                             | \$                         | \$                          | \$                       | \$    |
|                    | \$                             | \$                             | \$                         | \$                          | \$                       | \$    |
|                    | \$                             | \$                             | \$                         | \$                          | \$                       | \$    |
|                    | \$                             | \$                             | \$                         | \$                          | \$                       | \$    |
|                    | \$                             | \$                             | \$                         | \$                          | \$                       | \$    |
|                    | \$                             | \$                             | \$                         | \$                          | \$                       | \$    |
|                    | \$                             | \$                             | \$                         | \$                          | \$                       | \$    |

\_\_\_\_ Yes \_\_\_\_ No Does anyone regularly give you cash or help you financially in any way? If yes, explain \_\_\_\_\_

\_\_\_\_ Yes \_\_\_\_ No Does anyone regularly pay some of your bills such as utilities, rent, phone, electric/gas? If yes, explain \_\_\_\_\_

**ASSET INFORMATION**

Below list all assets for each household member. Assets such as Checking, Savings, CDs/Stocks/Bonds, Retirement Funds, Debit Card, Cash/Deposit box, 401K, Life Insurance, etc. Please provide information below.

| Family Member | Bank Name | Account Type | Account Number | Value |
|---------------|-----------|--------------|----------------|-------|
|               |           |              |                | \$    |
|               |           |              |                | \$    |
|               |           |              |                | \$    |
|               |           |              |                | \$    |
|               |           |              |                | \$    |
|               |           |              |                | \$    |
|               |           |              |                | \$    |
|               |           |              |                | \$    |
|               |           |              |                | \$    |

\_\_\_\_ Yes \_\_\_\_ No Do you or any household member own any real estate or mobile home? If yes, describe \_\_\_\_\_

\_\_\_\_ Yes \_\_\_\_ No Have you sold or disposed of any assets in the last two years? If yes, describe \_\_\_\_\_

\_\_\_\_ Yes \_\_\_\_ No Has any member of your household been convicted of a misdemeanor, felony, illegal manufacture or distribution of a controlled substance including marijuana? If yes, explain \_\_\_\_\_

\_\_\_\_ Yes \_\_\_\_ No Are you or any member of your household subject to a state lifetime sex offender registry? If yes, which family member and which state(s)? \_\_\_\_\_

**VEHICLES**

Make/Model \_\_\_\_\_ Year \_\_\_\_\_ Color \_\_\_\_\_ Tag # \_\_\_\_\_ State \_\_\_\_\_

Vehicle Registered to \_\_\_\_\_

Make/Model \_\_\_\_\_ Year \_\_\_\_\_ Color \_\_\_\_\_ Tag # \_\_\_\_\_ State \_\_\_\_\_

Vehicle Registered to \_\_\_\_\_



**ADDITIONAL CONTACT INFORMATION**, in case management is unable to reach you:

Person to Notify: \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_ Relationship \_\_\_\_\_  
Address \_\_\_\_\_

Person to Notify: \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_ Relationship \_\_\_\_\_  
Address \_\_\_\_\_

**FOR MARKETING PURPOSES**, Please let us know how you heard of us:

\_\_\_\_ Newspaper Ad \_\_\_\_ Drove by \_\_\_\_ Resident Referral \_\_\_\_ Word of Mouth \_\_\_\_ Website Other: \_\_\_\_\_

---

**Note: All household members 18 and older must sign this application.**

By signing this application, I certify the accuracy of the information contained herein. I authorize management to contact my present/prior landlords for information regarding my tenancy, and to access records pertaining to me which may be on file with credit bureau authorities. I authorize a criminal background check and check of the state/national sex offender for all adult family members. I understand that all information I have listed is subject to verification and that a final decision on eligibility cannot be made until all verification are complete. I understand that it is a crime to knowingly provide false information for the purpose of obtaining or maintaining occupancy in, and/or, for the purpose of securing a lower rent in, a subsidized housing unit, and that the penalty for knowingly providing false information is up to five years in prison and/or \$10,000 fine upon conviction.

I hereby do swear and attest that all of the information herein about me is true and correct.

Print Name \_\_\_\_\_ Sign \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Sign \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Sign \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Sign \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Sign \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Sign \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Sign \_\_\_\_\_ Date \_\_\_\_\_

**Applications are recorded according to the date/time of receipt. Incomplete applications will be rejected.**

Date/Time Application Received \_\_\_\_\_

Supplemental and Optional Contact Information for HUD-Assisted Housing Applicants

**SUPPLEMENT TO APPLICATION FOR FEDERALLY ASSISTED HOUSING**

This form is to be provided to each applicant for federally assisted housing

**Instructions: Optional Contact Person or Organization:** You have the right by law to include as part of your application for housing, the name, address, telephone number, and other relevant information of a family member, friend, or social, health, advocacy, or other organization. This contact information is for the purpose of identifying a person or organization that may be able to help in resolving any issues that may arise during your tenancy or to assist in providing any special care or services you may require. **You may update, remove, or change the information you provide on this form at any time.** You are not required to provide this contact information, but if you choose to do so, please include the relevant information on this form.

|  |  |
|--|--|
| <b>Applicant Name:</b>   |  |
| <b>Mailing Address:</b>  |  |
| <b>Telephone No:</b>   | <b>Cell Phone No:</b>  |
| <b>Name of Additional Contact Person or Organization:</b>  |  |
| <b>Address:</b>  |  |
| <b>Telephone No:</b>   | <b>Cell Phone No:</b>  |
| <b>E-Mail Address (if applicable):</b>   |  |
| <b>Relationship to Applicant:</b>  |  |
| <b>Reason for Contact:</b> (Check all that apply)  |  |
| <input type="checkbox"/> Emergency   | <input type="checkbox"/> Assist with Recertification Process |
| <input type="checkbox"/> Unable to contact you   | <input type="checkbox"/> Change in lease terms               |
| <input type="checkbox"/> Termination of rental assistance  | <input type="checkbox"/> Change in house rules               |
| <input type="checkbox"/> Eviction from unit  | <input type="checkbox"/> Other: _____                        |
| <input type="checkbox"/> Late payment of rent  |  |
| <b>Commitment of Housing Authority or Owner:</b> If you are approved for housing, this information will be kept as part of your tenant file. If issues arise during your tenancy or if you require any services or special care, we may contact the person or organization you listed to assist in resolving the issues or in providing any services or special care to you.   |  |
| <b>Confidentiality Statement:</b> The information provided on this form is confidential and will not be disclosed to anyone except as permitted by the applicant or applicable law.  |  |
| <b>Legal Notification:</b> Section 644 of the Housing and Community Development Act of 1992 (Public Law 102-550, approved October 28, 1992) requires each applicant for federally assisted housing to be offered the option of providing information regarding an additional contact person or organization. By accepting the applicant's application, the housing provider agrees to comply with the non-discrimination and equal opportunity requirements of 24 CFR section 5.105, including the prohibitions on discrimination in admission to or participation in federally assisted housing programs on the basis of race, color, religion, national origin, sex, disability, and familial status under the Fair Housing Act, and the prohibition on age discrimination under the Age Discrimination Act of 1975. |  |

Check this box if you choose not to provide the contact information.

|  |  |
|--|--|
|  |  |
|--|--|

**Signature of Applicant**

**Date**

The information collection requirements contained in this form were submitted to the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). The public reporting burden is estimated at 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Section 644 of the Housing and Community Development Act of 1992 (42 U.S.C. 13604) imposed on HUD the obligation to require housing providers participating in HUD's assisted housing programs to provide any individual or family applying for occupancy in HUD-assisted housing with the option to include in the application for occupancy the name, address, telephone number, and other relevant information of a family member, friend, or person associated with a social, health, advocacy, or similar organization. The objective of providing such information is to facilitate contact by the housing provider with the person or organization identified by the tenant to assist in providing any delivery of services or special care to the tenant and assist with resolving any tenancy issues arising during the tenancy of such tenant. This supplemental application information is to be maintained by the housing provider and maintained as confidential information. Providing the information is basic to the operations of the HUD Assisted-Housing Program and is voluntary. It supports statutory requirements and program and management controls that prevent fraud, waste and mismanagement. In accordance with the Paperwork Reduction Act, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless the collection displays a currently valid OMB control number.

**Privacy Statement:** Public Law 102-550, authorizes the Department of Housing and Urban Development (HUD) to collect all the information (except the Social Security Number (SSN)) which will be used by HUD to protect disbursement data from fraudulent actions.

**Race and Ethnic Data Reporting Form**

U.S. Department of Housing and Urban Development  
Office of Housing

OMB Approval No. 2502-0204  
(Exp. 06/30/2017)

**Name of Property** **Project No.** **Address of Property**

**Name of Owner/Managing Agent** **Type of Assistance or Program Title:**

**Name of Head of Household** **Name of Household Member**

Date (mm/dd/yyyy): \_\_\_\_\_

| Ethnic Categories*                        | Select One            |
|---|-----------------------|
| Hispanic or Latino                        |                       |
| Not-Hispanic or Latino                    |                       |
| Racial Categories*                        | Select All that Apply |
| American Indian or Alaska Native          |                       |
| Asian                                     |                       |
| Black or African American                 |                       |
| Native Hawaiian or Other Pacific Islander |                       |
| White                                     |                       |
| Other                                     |                       |

**\*Definitions of these categories may be found on the reverse side.**

**There is no penalty for persons who do not complete the form.**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

**Public reporting burden** for this collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits and voluntary. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is authorized by the U.S. Housing Act of 1937 as amended, the Housing and Urban Rural Recovery Act of 1983 and Housing and Community Development Technical Amendments of 1984. This information is needed to be in compliance with OMB-mandated changes to Ethnicity and Race categories for recording the 50059 Data Requirements to HUD. Owners/agents must offer the opportunity to the head and co-head of each household to "self certify" during the application interview or lease signing. In-place tenants must complete the format as part of their next interim or annual re-certification. This process will allow the owner/agent to collect the needed information on all members of the household. Completed documents should be stapled together for each household and placed in the household's file. Parents or guardians are to complete the self-certification for children under the age of 18. Once system development funds are provided and the appropriate system upgrades have been implemented, owners/agents will be required to report the race and ethnicity data electronically to the TRACS (Tenant Rental Assistance Certification System). This information is considered non-sensitive and does not require any special protection.

## Instructions for the Race and Ethnic Data Reporting (Form HUD-27061-H)

### A. General Instructions:

This form is to be completed by individuals wishing to be served (applicants) and those that are currently served (tenants) in housing assisted by the Department of Housing and Urban Development.

Owner and agents are required to offer the applicant/tenant the option to complete the form. The form is to be completed at initial application or at lease signing. In-place tenants must also be offered the opportunity to complete the form as part of the next interim or annual recertification. Once the form is completed it need not be completed again unless the head of household or household composition changes. There is no penalty for persons who do not complete the form. However, the owner or agent may place a note in the tenant file stating the applicant/tenant refused to complete the form. **Parents or guardians are to complete the form for children under the age of 18.**

The Office of Housing has been given permission to use this form for gathering race and ethnic data in assisted housing programs. Completed documents for the entire household should be stapled together and placed in the household's file.

1. The two ethnic categories you should choose from are defined below. You should check one of the two categories.

1. **Hispanic or Latino.** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term "Spanish origin" can be used in addition to "Hispanic" or "Latino."
2. **Not Hispanic or Latino.** A person not of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

2. The five racial categories to choose from are defined below: You should check as many as apply to you.

1. **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.
2. **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
3. **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."
4. **Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
5. **White.** A person having origins in any of the original peoples of Europe, the Middle East or North Africa.