

# The Towers of Jacksonville

## Tenant Selection Plan

*March 2011*



# Tenant Selection Plan -Towers of Jacksonville

## ***Property Information***

Property Name	The Towers of Jacksonville
Contact	Cathy Fausto
Address	1400 Le Baron Avenue
City, State, Zip	Jacksonville, FL 32207
Phone	904-398-3406 x102
Fax	904-398-8080
TTY/TDD/Audio Relay	Florida Voice Relay - 711

## ***Smoking Policy***

Effective November 1, 2006 The Towers of Jacksonville became a non-smoking facility. Tenants who were party to a lease prior to November 1, 2006 were “grandfathered” in under the previous smoking policy. As of July 1, 2011 The Towers of Jacksonville will be totally Smoke Free.

Non-Smoking means that any tenant entering in to a lease as of November 1, 2006 does so with the understanding and agreement that there is to be no smoking in any apartment. The Tenant is responsible for making sure that all guests and/or service providers are aware of this policy.

## ***The Purpose of the Tenant Selection Plan***

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

## ***Assistance Definition***

The property is operating under the guidelines established for the following contract types.

- HUD - Section 8 Loan Management Set Aside
- HUD - Section 236

## ***Subsidy***

Tenants at this property are offered subsidized rents. The rent paid by tenants may vary by tenant.

## ***Housing Choice Vouchers***

The owner/agent will accept applicants with the housing choice vouchers for units that do not already have Section 8 rental assistance. The household must meet all other eligibility and screening requirements. The owner/agent may not admit an applicant with a voucher to a unit with Section 8 assistance unless the applicant agrees to give up the voucher prior to occupancy.



**Policies to Comply With Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Act Amendments of 1988 and Title VI of the Civil Rights Act of 1964**

**Fair Housing**

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

**Title VI of the Civil Rights Act of 1964**

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

**Section 504 of the Rehabilitation Act of 1973**

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based upon disability in all programs or activities operated by recipients of federal financial assistance. Although Section 504 often overlaps with the disability discrimination prohibitions included in the Fair Housing Act, it differs in that it also imposes broader affirmative obligations on the owner/agent to make their programs as a whole, accessible to persons with disabilities.

**Coordinating Efforts to Comply with Section 504 Requirements**

The owner/agent has designated a specific person to address questions or requests regarding the specific needs of our disabled tenants and applicants. This person is referred to as the Section 504 Coordinator.

Name of Section 504 Coordinator:	Grace Voyles
Address:	1400 Le Baron Avenue Jacksonville, FL 32207
Phone Number:	904-398-3406
TDD/TTY Number:	Florida Voice Relay - 711

**Requests for Reasonable Accommodation or Modification**

The owner/agent will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504, the owner/agent will make reasonable accommodations or modifications for individuals with handicaps or disabilities (applicants or tenants) unless these modifications would change the fundamental nature of the property or result in undue financial and/or administrative burden. Please see Appendix A for additional information.



### **Compliance with Requirements Outlined in the Violence Against Women Act**

In accordance with the Violence Against Women Act (VAWA), the owner/agent will not penalize victims of domestic violence, stalking, dating violence or rape. The Violence Against Women Act was promoted to make the lives of victims of abuse easier and to prevent homelessness.

Some key points provided in the Act include:

- 1) A potential tenant 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 these negative factors were caused by domestic violence.
- 2) It is 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.
- 4) Tenants in assisted housing facing violence may be allowed early lease termination for a matter of safety.

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 owner/agent. Nothing prevents a victim who has committed a crime or violated a lease from being denied, evicted or terminated.

### **Availability of Assistance for Persons with Limited English Proficiency**

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)" requires the owner/agent to develop and implement a system to provide housing assistance so LEP persons can have meaningful access.

The owner/agent will provide for such meaningful access consistent with, and without unduly burdening, the fundamental mission of the property. The owner/agent will work to ensure that people who need housing assistance are provided meaningful access to the housing assistance program.

### ***Eligibility Requirements***

#### **Program Eligibility**

Based on Federal Regulations, the owner/agent may not admit ineligible applicants. In the selection of applicants for admission, Eligibility Criteria has been established in accordance with HUD guidelines. **All information reported by the household is subject to verification.**



## Tenant Selection Plan -Towers of Jacksonville

The following eligibility standards will be applied in accordance with HUD requirements:

- 1) The household's annual income must not exceed program income limits
- 2) Applicants must disclose social security numbers for all household members at least 6 years of age and older and provide proof of the numbers reported
- 3) All adults in each applicant household must sign an Authorization for Release of Information prior to receiving assistance and annually thereafter
- 4) The unit for which the household is applying must be the household's only residence
- 5) An applicant must agree to pay the rent required by the program under which the applicant will receive assistance
- 6) Only U.S. citizens or eligible non-citizens may receive assistance under Section 8, Section 236, Rent Supplement, Rental Assistance Payment (RAP), and Section 202/8 programs
- 7) The household size must be appropriate for the available apartments
- 8) All information reported by the household is subject to verification

### **Disclosure and Certification of Social Security Number**

Applicants and tenants are required to disclose and provide verification of the complete and accurate Social Security Number assigned to them.

### **Exceptions to Disclosure of Social Security Number**

The Social Security Number requirements do not apply to:(a) Individuals who do not contend eligible immigration status.

(b) Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.

(c) Existing residents as of January 31, 2010, who have previously disclosed their Social Security Number and HUD has determined their Social Security Number to be valid.

### **Timeframe for Providing Social Security Numbers**

(a) Applicants currently on or applying to waiting list do not need to disclose or provide verification of a Social Security Number for all non-exempt household members at the time application and for placement on the waiting list. However, applicants must disclose and provide verification of a Social Security Number for all non-exempt household members before they can be housed.

(b) If all non-exempt household members have not disclosed and/or provided verification of their Social Security Numbers at the time a unit becomes available, the next eligible applicant must be offered the available unit. The applicant who has not disclosed and/or provided verification of Social Security Numbers for all non-exempt household members has 90 days from the date they are first offered an available unit to disclose and/or verify the Social Security Numbers. During this 90-day period, the applicant may, at its discretion, retain its place on the waiting list. After 90 days, if the applicant is unable to disclose and/or verify the Social Security Numbers of all non-exempt household members, the applicant will be determined ineligible and removed from the waiting list.



### 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) to ensure that the Social Security Number, birth date and last name match. If EIV returns an error that cannot be explained or resolved, assistance and/or tenancy may be terminated and any assistance paid in error must be returned to HUD. If the applicant/resident deliberately provides an inaccurate Social Security Number, the owner/agent and/or HUD may pursue additional penalties due to attempted fraud.

### Citizenship/Immigration Status Requirements

Applicants are required to declare U.S. Citizenship or submit evidence of eligible immigration status for each household member seeking housing assistance.

The owner/agent is required to obtain the following:

- 1) Household Summary Sheet (lists all household members who will reside in the assisted unit)
- 2) Citizenship Declaration (Each household member listed on the Household Summary Sheet must complete a declaration of citizenship or noncitizen status)
- 3) Forms and/or evidence of citizen/immigration status

Additional information regarding submission and verification of proof of citizenship status or eligible non-citizen status can be found in Appendix B.

If you have any questions or difficulty in providing the described information or determining the type of documentation required, please contact the management office. If you are unable to provide the required documentation in the time frame indicated in Appendix B, you must contact the management office and request an extension. If you fail to provide this information in the timeframes described, the owner/agent cannot provide assistance.

The owner/agent will offer the household assistance, providing subsidy to those eligible household members whose documents were received on time when the following criteria is met:

- 1) Assistance/unit is available;
- 2) The household has come to the top of the waiting list;
- 3) At least one member of the household has submitted the required documentation in a timely manner and has been determined to be eligible based on all of the criteria in this tenant selection plan

If any household member is determined to be an ineligible non-citizen, either at application or after move-in, assistance may be prorated or terminated.



## ***Single Residence/Subsidy Criteria***

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

HUD provides The Towers of Jacksonville with information about an applicant's current status as a HUD housing assistance recipient. The Towers of Jacksonville 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 any 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.

## ***Eligibility of Students***

### **Eligibility of Students Enrolled at an Institute for Higher Education for Assisted Housing under Section 8 of the US Housing Act of 1937**

A student who is otherwise eligible and meets screening requirements is eligible for assistance if the student:

- 1) Is residing with his/her parents/guardians receiving Section 8 assistance or
- 2) Is 24 years of age or older or
- 3) Is a veteran or
- 4) Is married or
- 5) Has a dependent child or
- 6) Is disabled and was receiving Section 8 assistance as of November 30, 2005 or



## Tenant Selection Plan -Towers of Jacksonville

- 7) Has parents who, individually or jointly, are eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (parent meets the low-income limit where the parent lives)
- 8) Is living independent of his/her parents/guardians
  - a) The individual must be of legal contract age under state law and
  - b) The individual must not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations and
  - c) The individual must have established a household separate from parents or legal guardians for at least one year prior to application for occupancy **or** The individual meets the U. S. Department of Education's definition of an independent student.
    - (i) Be at least 24 years old by December 31 of the award year for which aid is sought
    - (ii) Be an orphan or a ward of the court through the age of 18
    - (iii) Be a veteran of the U.S. Armed Forces
    - (iv) Have legal dependents other than a spouse (for example, dependent children or an elderly dependent parent)
    - (v) Be a graduate or professional student or
    - (vi) Be married

For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937, any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher Education Act of 1965 from private sources or an institution of higher education (as defined under the Higher Education Act of 1965) shall be considered income to that individual, except for:

- 1) A person 24 or older with dependent children as defined by HUD or
- 2) A person living with his/her parents

### **Eligibility of Students for the 236 Program**

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

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

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



## Independent Student

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

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

## ***Property Eligibility Definition***

### **Household/Tenant Type**

This property has been set aside to serve the elderly population. This means that, to be eligible, the household must meet all other eligibility and screening criteria and the head, co-head or spouse must be 62 or older.

### **Income Limits**

Income limits vary by household size. The owner/agent will provide applicants a copy of the income limits for the property area upon request. In addition, applicants can review the income limits by accessing the following web site.

<http://www.huduser.org/datasets/il.html>

HUD requires that property managers incorporate the most recently published income limits when determining eligibility. Income limits are updated annually (usually around February). For this property, qualified applicant households must meet the following income limit requirements:

<b>Subsidy</b>	<b>Type of Income Limit</b>
Section 8 (pre-1981)	Low, very low, and extremely low-income limit
Section 236	Low-income limit

## ***Occupancy Standards***

Occupancy standards serve to prevent the over or underutilization of units that can result in an inefficient use of housing assistance. Occupancy standards also ensure that tenants are treated fairly and consistently and receive adequate housing space.



## Tenant Selection Plan -Towers of Jacksonville

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

Number of Bedrooms	Number of Bathrooms	Min. # in Household	Max. # in Household
0	1	1	1
1	1	1	2
1	2	1	3
2	2	2	4

### ***Procedures for Taking Applications & Opening and Closing the Waiting List***

It is the owner/agent's policy to accept and process applications in accordance with HUD handbooks and regulations when applicable.

All applications can be submitted on site at the property or via U.S. Mail. Applications must be completed in full and signed in order to be accepted. Incomplete applications will be returned to the applicant without consideration.

The owner/agent will use the following communications methods when requesting or providing information to the household members:

- First Class Mail
- Phone
- Email
- In person
- Fax

### **Opening and Closing Waiting Lists**

In order to maintain a balanced application pool, the owner/agent may, at its discretion, restrict application taking, suspend application taking, and open or close waiting lists in whole or in part. The owner/agent will use a 12-month waiting period to determine whether the waiting list may be open or closed. If the owner/agent has sufficient applications, they may elect to close the waiting list completely

Decisions about closing and opening the waiting list will be based on the number of applications available for a particular size and type of unit and the ability of the owner/agent to house an applicant in an appropriate unit within a reasonable period of time.

Notices announcing that the waiting list is open or closed will be publicly announced. Announcements will be provided to the public in the following manner:

- 1) Local newspapers
- 2) Publications described in the current Affirmative Fair Housing Marketing Plan



## Tenant Selection Plan -Towers of Jacksonville

Notices will include:

- 1) The period that the owner/agent will accept applications
- 2) The location where interested households may submit applications

Interested parties who insist on submitting applications when the waiting list is closed will not be considered. The application **will not be reviewed** and will be returned to the head of household indicated on the application via first class mail.

During the period when the waiting list is closed, the owner/agent will not maintain a list of individuals who wish to be notified when the waiting list is reopened

### ***Privacy Policy***

It is the policy of the owner/agent to guard the privacy of individuals conferred by the Federal Privacy Act of 1974 and to ensure the protection of such individuals' records maintained by the owner/agent. Neither the property owner nor its agents shall disclose any personal information contained in its records to any person or agency unless the individual about whom information is requested gives written consent to such disclosure. This Privacy Policy in no way limits the owner/agent's ability to collect such information to determine eligibility, compute rent, or determine an applicant's suitability for tenancy.

### ***Verification***

The owner/agent shall obtain verifications in compliance with requirements set forth in the HUD Handbook 4350.3. After the preliminary eligibility determination, no decision to accept or reject an application shall be made until information provided on the application form and during subsequent interviews has been collected and any necessary follow-up interviews have been performed. All information relative to the following items must be verified as described in these procedures.

**Information to be Verified** - Information to be verified includes, but is not limited to:

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



## Tenant Selection Plan -Towers of Jacksonville

- 2) Allowances, such as
  - a) Age
  - b) Disability
  - c) Full Time Student Status
  - d) Child Care Expenses
  - e) Disability Assistance Expenses
  - f) Medical Expenses (For Elderly/Disabled Households Only)
- 3) Preferences, such as
  - a) Government Displacement
  - b) Eligibility for Deeper Subsidy
- 4) Compliance with Tenant Screening Guidelines
- 5) The Need for an Accessible Unit

**Methods of Verification** - Verifications will be attempted in the following order:

- 1) Third-party (as appropriate)
- 2) Review of applicable documents
- 3) In the absence of any of the above, notarized affidavits from the household member

Each file will be documented, when appropriate, to show that staff attempted to obtain third-party verification before relying on some less acceptable form of information.

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

- 1) Any member of the applicant household
- 2) Present and former housing providers/landlords
- 3) Present and former employers
- 4) Banks
- 5) Insurance Companies
- 6) Any Asset Manager
- 7) Family members
- 8) Any person or organization providing gifts/regular contributions to the household
- 9) Criminal Screening providers
- 10) Social workers/Parole Officers
- 11) Court records
- 12) Health Providers
- 13) Physicians
- 14) Clergy
- 15) Schools/Institutes of Higher Education
- 16) Department of Homeland Security (DHS)
- 17) The Internal Revenue Service (IRS)
- 18) The Department of Health and Human Services (HHS)
- 19) The Social Security Administration (SSA)
- 20) Medicare/Medicaid
- 21) Any federal/local benefit providers



- 22) Pharmacies
- 23) Local and non-local law enforcement
- 24) Automated criminal databases
- 25) Sexual Offenders registries when available
- 26) The world wide web (internet)

The owner/agent will be the final judge of the credibility of any verification submitted by an applicant. If the owner/agent considers documentation doubtful, it will be reviewed by management staff that will make a ruling about its acceptability. The owner/agent will continue to pursue credible documentation until it is obtained or the applicant is rejected for failing to produce it.

### **Period for Verification**

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

### **Consent and Verification**

All adult members of a household must sign consent forms and, as necessary, verification documents, so that the owner/agent can verify eligibility and screening criteria. Consent and verification forms protect the rights and privacy of tenants and applicants by allowing them to have control over any information collected about them.

Each household member age 18 and older and each household head and spouse regardless of age must sign the following forms regardless of whether they report income:

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

All adult members of an applicant or tenant household must also sign individual verification forms authorizing the owner/agent to verify household income and other applicable eligibility factors (e.g., disability status).

### **Provisions for Refusal to Sign**

If the applicant or any adult member of the applicant's household, does not sign and submit the consent forms as required in 24 CFR 5.230, the owner/agent must deny assistance and tenancy.

### **Misrepresentation**

Any information provided by the applicant that verification proves to be untrue may be used to disqualify the applicant because of misrepresentation or attempted fraud.



The owner/agent will not take any action to reduce or deny assistance based on inconsistent information received during the verification process until the owner/agent has independently investigated the information. The owner/agent considers false information about the following to be grounds for rejecting an applicant:

- 1) Identity
- 2) Social Security Numbers/Information
- 3) Income
- 4) Assets/Income From Assets
- 5) Household Composition
- 6) Disability
- 7) Birth Date/Age
- 8) Citizenship, Naturalization, And/Or Eligible Immigration Status
- 9) Eviction History
- 10) Criminal History
- 11) Sexual Offender Status
- 12) Eligibility For Preferences and Priorities
- 13) Allowances
- 14) Current/Previous Residence History
- 15) Current Housing Assistance
- 16) Status As A Student

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

### ***Determination of Applicant Eligibility***

Information needed to determine applicant eligibility shall be obtained, verified, and the determination of applicant eligibility performed, in accordance with HUD and property eligibility requirements. If any household member has declared him/herself an eligible non-citizen, verification of non-citizen eligibility will begin within a reasonable timeframe after the owner/agent accepts the application.

### **Preliminary Determination of Eligibility**

The owner/agent will make a preliminary eligibility determination before adding a household to the waiting list or initiating final eligibility tasks. The owner/agent will review the application to ensure that there are no obvious factors that would make the applicant ineligible. If information on the application indicates that the applicant household does not meet the eligibility and/or screening requirements the household will be rejected.

If preliminary eligibility determination indicates that a household is eligible for tenancy, but units of appropriate size are not available, the owner/agent will place the household on the waiting list for the property and notify the household when a suitable unit becomes available.



If an applicant is otherwise eligible but no appropriate size unit exists in the property, the owner/agent will reject the application.

### **Final Determination of Eligibility**

When a unit becomes available, all eligibility criteria, including the criteria described above, will be reviewed before a final eligibility determination is made.

Being eligible, however, is not an entitlement to housing. Every applicant must meet Tenant Screening Guidelines. The Applicant Screening criteria must be met in order for the owner/agent to offer a unit to the household.

### **Duval County Sheriff's Crime Free Housing Program**

The Towers of Jacksonville participates in the Sheriff's Crime Free Housing Program. All applicants must sign an addendum to their lease that they are aware of program requirements and agree to abide by the terms of the addendum.

### ***Applicant Screening Criteria***

Screening is used to help ensure that households admitted to a property will abide by the terms of the lease, pay rent on time, take care of the property and unit, and allow all tenants to peacefully enjoy their homes. **Anyone who wishes to live on the property must be screened prior to move in.** This includes, but is not limited to, live-in aides, security/police officers or additional household members wishing to move-in after the initial move-in. The current screening guidelines in place at the time the new household member applies will be used to determine eligibility for admission. Screening is performed in a manner that is reasonable, consistent, and complies with Fair Housing laws.

### **Screening For Drug Abuse and Other Criminal Activity**

HUD has established standards that prohibit admission of:

- 1) Any household containing a member(s) who was evicted in the last three years from federally assisted housing for drug-related criminal activity.
- 2) A household in which any member is currently engaged in illegal use of drugs or for which the owner/agent has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other tenants.
- 3) Any household member who is subject to any state sex offender registration requirement or has been subject to lifetime inclusion on any state sex offender registration.
- 4) Any household member if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other tenants. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.



## Tenant Selection Plan -Towers of Jacksonville

In addition to HUD requirements, the owner/agent has established a policy to reject all applications where the applicant or any household member has engaged in any of the described criminal activity. **Sexual Offender Background Search**

The Towers of Jacksonville utilizes The Dru Sjodin National Sex Offender Public Website (NSOPW), coordinated by the U.S. Department of Justice, at time of application and each year at the time of recertification. This Website is a search tool allowing The Towers of Jacksonville to submit a single national query to obtain information about sex offenders through a number of search options.

The criteria for searching are limited to what each individual Jurisdiction may provide. Also, because information is hosted by each Jurisdiction and not by the federal government, search results are verified by The Towers in the Jurisdiction where the information is posted. The owner/agent will reject applicants who have record of any felony conviction. In addition, record of any of the following acts will be grounds for denial:

1. Any misdemeanor conviction or adjudication, other than acquittal, which involved injury to a person or property within the last 5 years
2. Any misdemeanor conviction or adjudication other than acquittal for the sale, distribution or manufacture of any controlled or illegal substance within the last 5 years
3. Any misdemeanor conviction or adjudication other than acquittal involving illegal use or possession of any controlled or illegal substance within the last 5 years
4. Any conviction or adjudication other than acquittal, for any sexual offense
5. Any conviction or adjudication other than acquittal, which involved harm to a child
6. Any conviction or adjudication other than acquittal, which involved harm to an animal
7. Any charge or conviction of crimes classified as domestic violence (abuse, stalking, rape, date rape, etc.)
8. Any current illegal use of or addiction to a controlled or illegal substance
9. Any act constituting a threat to the health or safety of other individuals
10. Any act resulting in substantial physical damage to the property of others
11. Any act that interferes or may interfere with the peaceful and quiet enjoyment of the premises
12. Any household member is subject to registration under any state sex offender registration

In all cases where there is evidence of criminal history, as described above, no applicant will be deemed qualified within 5 years of release from incarceration from any state, federal or local prison.

### **Criminal Screening Discoveries**

If the criminal background investigation results indicate that the applicant does not meet the criminal screening criteria, the owner/agent will reject the applicant in accordance with HUD



## Tenant Selection Plan -Towers of Jacksonville

guidance and the owner/agent's standards for applicant rejection. If the applicant provided conflicting information on the application, before rejecting the household, the owner/agent will:

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

In this situation, applicants will have fourteen (14) calendar days to resolve the discrepancy before the owner/agent moves to the next household on the waiting list.

### Screening for Rental History

The owner/agent reviews rental history with any property owners/agents indicated for the last five (5) years.

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

- 1) Adherence to the Lease & Community Policies
- 2) Rental Payment Performance
- 3) Unit Maintenance
- 4) Record of Disturbing Neighbors
- 5) Rent owed

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

- 1) Failure to comply with the lease
- 2) Poor rental payment history
- 3) Record of poor unit maintenance or extensive damage to the unit
- 4) Complaints from neighbors regarding actions that directly impact the peace and quiet comfort of others living in the community and/or record of actions that interfered with or prevented the previous landlord from effectively managing the property.
- 5) A current outstanding balance owed by any household member to a prior landlord

If no rental history is available, the owner/agent will accept 2 character references. The owner/agent prefers that these references are from licensed business owners, accredited professionals or an employee of an accredited education facility. Character references from family members will not be accepted.

If any member of the applicant household has been evicted, for lease violations, from the Towers of Jacksonville, that applicant household will be rejected.



If any member of the applicant household has been evicted, for lease violations, from any property within the last three years, the applicant household will be rejected.

### ***Rejecting Ineligible or Unqualified Applicants***

The owner/agent complies with applicant rejection requirements set forth in the HUD Handbook 4350.3. The owner/agent reserves the right to reject applicants for admission if it is determined that the applicant or any member of the household falls within any one or more of the following categories:

- 1) Failure to meet the HUD indicated eligibility requirements for the assistance program/property
- 2) No unit of the appropriate size exists on the property
- 3) Failure to provide social security information as described
- 4) Failure to provide proof of citizenship or eligible non-citizen status as described
- 5) Refusal to sign appropriate verification documents
- 6) Misrepresentation
- 7) Failure to meet the applicant screening requirements
- 8) Fraud
- 9) Failure to respond to management inquiries for additional information during the application process
- 10) Failure to respond to management inquiries while on the waiting list
- 11) Inability to contact the applicant via US Mail (letters undeliverable or returned) and/or by phone (number disconnected or changed)
- 12) Record of eviction, for lease violations, from The Towers of Jacksonville
- 13) Record of eviction, for lease violations, from any property within the last three years
- 14) Past non-compliance with rental agreement
- 15) Owing prior landlords
- 16) Inability to pay the first month's rent (TTP)

### **Rejection Notices**

The owner/agent will promptly notify the applicant, in writing, of the denial of admission or assistance. The result of the eligibility determination will be sent to the head of household, as indicated on the application, via First Class mail.

The rejection notice will include:

- 1) The specifically stated reason(s) for the rejection
- 2) The applicant's right to respond to the owner/agent in writing or request a meeting within (14) fourteen calendar days to dispute the rejection
- 3) That persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process

Information about the results of the eligibility determination will NOT be provided over the phone or via email.



## **Meetings with Applicants to Discuss Rejection Notices**

A member of the owner/agent's staff who was not involved in the initial decision to deny admission or assistance will conduct any meeting with the applicant to discuss the applicant's rejection. Within five (5) business days of the owner/agent response or meeting, the owner/agent will advise the applicant in writing of the final decision on eligibility.

## **Consideration of Extenuating Circumstances in the Screening Process**

The owner/agent may consider extenuating circumstances during the meeting to discuss rejection notices. If an applicant is clearly eligible and passes the screening guidelines, admission shall be authorized. Likewise, if the applicant is ineligible, rejection shall be authorized. Management will follow the grievance process in compliance with requirements set forth in the HUD Handbook 4350.3.

## ***Waiting Lists***

To ensure that applicants are appropriately and fairly selected for the next available unit (when a unit of the appropriate size or type was not available at the time of application), it is essential for the owner/agent to maintain waiting lists with appropriate information taken from the application.

The owner/agent will place the applicant household on the waiting list after determination of preliminary eligibility is complete.

Applicants that qualify for more than one unit size must choose which unit size they prefer when added to the waiting list if no units are available. The applicant will be contacted, based on the waiting list selection criteria, only for the units that match the unit size requested. Once a household is placed in the unit size requested, an applicant will not be approved to move to another sized unit unless there is:

- 1) A change in household size and/or composition that deems the current unit size too small or too large for the household based on the Occupancy Standards
- 2) A need for a different unit because of a verified medical condition or
- 3) Availability of Deeper Subsidy (Section 236 to Section 8)
- 4) A request to move one or more adult household members from one unit to establish a separate household in another unit

Please review the unit transfer policies for additional information.



## **Maintaining Waiting Lists**

It is the policy of the owner/agent to administer its waiting list as required by HUD handbooks and regulations. The owner/agent will update the waiting list by removing the names of those who are no longer interested in or no longer qualify for housing.

The owner/agent will contact applicants on the waiting list semi-annually by First Class Mail to determine the applicant's desire to remain on the waiting list. The applicant will have (14) fourteen calendar days to respond to this inquiry.

If the applicant fails to respond to the owner/agent inquiries regarding the applicants desire to remain on the waiting list the applicant household will be rejected and removed from the waiting list. If this letter unable to be delivered by the United States Postal Service, the applicant will be deemed ineligible and removed from the waiting list.

## ***Income Targeting***

Based on the HUD Section 8 LMSA contract for this property, the owner/agent is required to comply with the Income Targeting Requirement. Income Targeting requires that the owner/agent set up policies to ensure that during the property fiscal year, 40% of all households that move in to Section 8 units or who begin receiving Section 8 assistance fall within the Extremely Low Income Limits for the area where the property is located.

The following method will be used to comply with Income Targeting requirements:

Admit only extremely low-income households until the 40% target is met. In chronological order, owner/agents select eligible applicants from the waiting list whose incomes 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.

When an extremely low-income applicant is needed to achieve targeting requirements, and the next applicant on the waiting list has income above the extremely low-income limit, that applicant must be returned to the waiting list. When the owner/agent is ready to house an applicant with income above the extremely low-income limit, this applicant can be served.

## ***Preferences***

Applicants with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference. Assigning preferences to applicants who meet certain criteria is a method intended to provide housing opportunities to applicants based upon household circumstances.

**HUD Regulatory Preference:** HUD regulations require that owner/agents of Section 236 properties give preference to applicants who have been displaced by government action or a presidentially declared disaster.



**Existing Tenant Preference:** Existing tenants who have submitted a Unit Transfer Request and who are deemed eligible for the transfer are given preference on the waiting list

**236 Tenants who Qualify for Section 8:** If a current tenant receives Section 236 assistance but that tenant qualifies for Section 8 assistance, the current Section 236 tenant will receive preference over non-tenants applying for Section 8 assistance.

## **Selection Priority**

HUD requires that the owner/agent establish “weighted” rating to preferences. Units will be offered as follows:

- The next tenant who qualifies for unit transfer because of
  - A verified medical need for a different unit; then
  - A change in household size/composition making the current unit too large or too small; then
  - The availability of deeper subsidy (236 to Section 8); then
  - The desire to create two separate households from one existing household
- The next qualified applicant on the waiting list\* who
  - Has been displaced by a government action; then
  - Is at the top of the waiting list

*\*If an extremely-low income household is required to comply with Income Targeting Requirements, then the next extremely-low income household will be placed.*

## **Verification of Preferences**

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

## **When a Request for Preference is Denied**

If it is determined that an applicant does not meet the criteria for receiving a preference, the applicant will receive written notice of this determination within (14) fourteen calendar days. The notice will contain the reasons for the determination. The applicant has the right to meet with the owner/agent representative to review or appeal the decision. The applicant must request consideration within (14) fourteen calendar days.

## **Change in Preference Status While on the Waiting List**

Occasionally households on the waiting list who did not qualify for a Preference when they applied will experience a change in circumstances that qualifies them for a Preference. In such cases, it will be the household's duty to contact the owner/agent so that their change in status may be verified and the waiting list can be updated to reflect the Preference.



To the extent the verification determines the household does now qualify for a Preference, they will be selected from the Waiting list in accordance with the preference and their date of application.

### **Exceptions to the Preference Rule**

Management must give priority to current households:

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

### ***Selecting Applicants from the Waiting List***

When a unit becomes available, the owner/agent will contact the next one or two households on the waiting list and those households will be required to respond within 24 hours and indicate if they wish to participate in the final eligibility determination for that unit. The interview shall be conducted in accordance with the HUD Handbook 4350.3. No decisions to offer the unit shall be made until all information presented by the applicant on the application has been verified and a final eligibility determination has been made.

### **Offering Units to Applicants with Disabled Household Members**

The owner/agent will not skip over a household that has reached the top of the waiting list and has indicated a need for certain unit features because of a disability. The household will be given the opportunity to benefit from the program and decide for itself, in compliance with Section 504, whether a unit meets the needs of the disabled household member, based on size, location, or facilities.

The applicant may decide to accept a standard unit, particularly when units meeting the household's needs are in short supply. The household may accept the unit and request some modification to the unit as a reasonable accommodation.

### **Offering Units to Displaced Applicants**

Applicants who have been displaced due to a presidentially declared disaster may receive preference over other applicants.

### **Offering Units to Applicants with Preferences**

Applicants with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference.

### **Offering an Apartment**

When a unit becomes available and eligibility is determined, available units will be offered:



## Tenant Selection Plan -Towers of Jacksonville

- In writing
- Over the phone

If the owner/agent is unable to contact the household within five (5) business days from the date of the letter, the offer will be cancelled and the apartment will be offered to the next applicant based on the selection criteria described above.

In that event, the head of household, as indicated on the application will be sent a letter requesting confirmation of interest in remaining on the waiting list. If the applicant household replies affirmatively, they will retain the current position on the waiting list. Failure to accept the unit will be considered a refusal of the unit offer. (See Right to Refusal policies below.)

### Right to Refusal

Applicant households will be offered available units based on the information included in this tenant selection plan. Each applicant household will be offered the opportunity to accept an offered apartment three (3) times. If a tenant does not wish to accept an offered apartment, they have the right to refuse the offer.

Applicants must notify the owner/agent of their intent to refuse the unit offer by using one or more of the following methods:

- In writing
- By facsimile
- Over the phone

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

The first time an applicant refuses a unit, the unit will be offered to the next qualified household based on the criteria described above. The applicant household will retain the same place on the waiting list. The second time an applicant household refuses an offered unit, the household will be moved to the bottom of the waiting list. The third time an applicant household refuses an offered unit, the household will be rejected and removed from the waiting list.

*Note : Any applicant on a property set aside for the elderly and/or disabled may reject an available unit if this unit is close to another unit with an animal. This action will not negatively affect the household's application for occupancy or position on the waiting list to be eligible for the next available unit. The owner/agent is not obligated at the time the applicant rejects a unit to provide an alternate unit.*

The Right to Refusal policy applies to applicant households and existing tenants who have submitted a Unit Transfer Application.



## Removal of Applicants from the Waiting List

The owner/agent will remove an applicant's name from the Waiting list when:

- 1) Applicant requests that the household name be removed
- 2) The unit that is needed – using household size as the basis – has changed, and no appropriate size unit exists in the property
- 3) Applicant fails to meet eligibility requirements
- 4) Applicant fails to meet screening requirements
- 5) Applicant is rejected for any reason described in this plan
- 6) Applicant cannot be contacted by US Mail (letters are returned or undeliverable)
- 7) Applicant cannot be contacted by phone (number disconnected or changed)
- 8) Applicant was clearly advised, in writing, of the requirement to tell owner/agent of his/her continued interest in housing by a particular time and failed to do so
- 9) Applicant refused third offer of a unit (See Right to Refusal)
- 10) The owner/agent has notified the applicant, in writing, of its intention to remove the applicant's name, because the applicant no longer qualifies for assisted housing at this property

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

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

## Security Deposit Requirements

The owner/agent must collect a security deposit at the time of the initial lease execution. The amount of the security deposit established at move-in does not change when a tenant's rent changes. The amount of the security deposit to be collected is dependent upon:

- 1) The type of housing program
- 2) The date the AHAP or HAP contract for the unit was signed; and
- 3) The amount of the total tenant payment or tenant rent

The owner/agent will comply with any applicable state and local laws governing the security deposit. The tenant is expected to pay the security deposit from his/her own resources, and/or other public or private sources. An applicant may be rejected if he/she does not have sufficient funds to pay the deposit.



### **Pet Deposits**

The pet rules require tenants who own dogs or cats (pets) or keep dogs or cats (pets) in their units to pay a refundable pet deposit. This deposit is in addition to any other financial obligation generally imposed on tenants of the property.

The owner/agent will use the pet deposit only to pay reasonable expenses directly attributable to the presence of the pet on the property. Such expenses would include, but not be limited to, the cost of repairs and replacement to the unit, fumigation of the unit, and the cost of animal care facilities.

The owner/agent will return the unused portion of a pet deposit to the tenant within a reasonable time after the tenant moves from the property or no longer owns or keeps a household pet in the unit.

The pet deposit will not exceed \$300. A \$50.00 initial pet deposit is required at the time the pet is brought on to the premises. The tenant will be required to pay the remaining balance in increments of \$10.00 per month until the required pet deposit is reached. Tenants are allowed to pay the entire pet deposit in increments greater than those described above if he/she chooses to do so.

Assistance animals that assist persons with disabilities are considered auxiliary aids and are exempt from the pet policy and from the refundable pet deposit. However, disabled tenants who require assistance/companion animals will be required to comply with the Assistance/Companion Animal Policies.

### ***Apartment Inspections***

All apartments must undergo a move-in and move-out inspection by the on-site management team. These inspections include not only interior but also exterior inspections.

**The move-in inspection** is an opportunity to familiarize the new tenant with the property and the unit, as well as to document its current condition. By performing move-in inspections, the owner/agent and tenants are assured that the unit is in livable condition and is free of damages. A move-in inspection gives the owner/agent an opportunity to familiarize tenants with the operation of appliances and equipment in the unit.

Upon move-out, the owner/agent will conduct a **move-out inspection** to ensure there are no damages to the unit. The owner/agent will list the damages on the move-out form and compare it with the move-in form to determine if the damage is reasonable wear and tear or excessive damage. The tenant will be given prior notice of the move-out inspection and be allowed to accompany the owner/agent if the tenant chooses.



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

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

### ***Unit Transfer Policies***

The owner/agent will accept applications for transfer based on the following:

- 1) There is a need for a unit transfer because of a change in household size and/or composition
- 2) There is a verified medical need for a different unit.
- 3) Availability of Deeper Subsidy
- 4) If two or more adult household members reside in one unit and one or more adults choose to apply for a separate unit, they will be required to submit an application. The application will be reviewed for eligibility as described above and if approved, that applicant will receive preference over other non-tenants

Existing tenants must complete a Unit Transfer Request. The Unit Transfer Request must be completed and signed by the head of household and all adult household members who wish to transfer. The request may be submitted in an equally effective format, as a reasonable accommodation, if there is the presence of a disability.

Factors concerning approval of transfers are as follows:

- 1) A household that has given notice to move need not be transferred
- 2) A household whose household size/composition has not changed and the household currently meets the unit size standards for their current apartment will not be transferred unless there is:
  - a) A verified medical need for a different unit
  - b) A verified need for an accessible unit
  - c) Availability of Deeper Subsidy

### **Security Deposits & Unit Transfers**

When a tenant transfers to a new unit, the owner/agent will charge a new deposit and refund the deposit for the old unit less any outstanding amounts for rent, fees or damages.



### ***Adding Household Members after Initial Occupancy***

Management must approve any new household member **before** he/she moves in to the unit. The proposed new household member will be considered an applicant and must participate in the eligibility determination and screening processes described above. In addition, the rent payment will be re-calculated to reflect any income or allowances for the new household member.

Screening criteria will also be applied to live-in aides, **except for the criterion regarding credit performance or the ability to pay rent on time** because live-in aides are not responsible for rental payments. However, live in aides must meet other screening criteria established by the owner/agent. Income and/or allowances received by live-in aides will not be considered.

### ***Changes to the Tenant Selection Plan***

Applicants will be notified in writing when the tenant selection plan undergoes significant change. At that time, applicants will be:

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

If the applicant household does not respond, that household will be deemed ineligible and removed from the waiting list. The current Tenant Selection Plan, in place at the time of final eligibility determination, will be used to determine eligibility.

### ***Appendix A – Request for Reasonable Accommodation or Modification***

The owner/agent is committed to ensuring that its policies and practices do not deny individuals with disabilities the opportunity to participate in, or benefit from, nor otherwise discriminate against individuals with disabilities in connection with the operation of housing services or programs solely on the basis of such disabilities. Therefore, if an individual with a disability requests an accommodation or modification, the owner/agent will fulfill these requests, unless doing so would result in a fundamental alteration in the nature of the program or an undue financial and administrative burden. In such a case, the owner/agent will offer an alternative solution that would not result in a financial or administrative burden.

- (1) The owner/agent is responsible for informing all tenants that a request may be submitted for reasonable accommodations for an individual with a disability.
- (2) At the time of application, all applicants will be provided with the Request for Reasonable Accommodation Policy or, upon the applicant's request, the Policy will be provided in an equally effective format.
- (3) All applicants/tenants will be provided the Request Form when requesting a reasonable accommodation or, upon the applicant/tenant's request, the Request Form will be provided in an



## Tenant Selection Plan -Towers of Jacksonville

equally effective format. A tenant or applicant may submit the request in writing, orally, or use another equally effective means of communication to request an accommodation or modification.

- (4) Tenants and applicants may contact the management office located within their property for information about requests.
- (5) Upon receiving the request, the owner/agent will respond to the request within twenty (20) business days. At this time, the owner/agent may request additional information or verification.
- (6) The owner/agent will consent to or deny the request as quickly as possible, but within thirty (30) business days after receiving all necessary information and documentation from the tenant. All decisions to grant or deny reasonable accommodations will be communicated in writing or if required, in an alternative format in order to communicate the decision to the applicant/tenant. Exceptions to the 30 business day period for notification of the owner/agent's decision on the request will be provided to the tenant setting forth the reasons for the delay.
- (7) If the request for reasonable accommodation or modification is denied, the requestor has the right to appeal the decision within 10 business days of the date of the written notification of denial. The appeal meeting will be conducted by staff who was not originally involved in the original denial.



## Appendix B – Citizenship Eligibility

### Required Documentation

The owner/agent must obtain the following documentation for each household member regardless of age:

- From U.S. citizens, a signed declaration of citizenship. The owner/agents may require verification of the declaration by requiring presentation of a U.S. birth certificate or U.S. passport
- From non-citizens 62 years and older, a signed declaration of eligible non-citizen status and proof of age
- From non-citizens under the age of 62 claiming eligible status:
  - o A signed declaration of eligible immigration status
  - o A signed consent form **and**
  - o One of the DHS-approved documents

Non-citizens not claiming eligible immigration status may elect to sign a statement that they acknowledge their ineligibility for assistance.

### Timeframes for Submitting Evidence of Citizenship/Immigration Status to the owner/agent

Applicants must submit required documentation of citizenship/immigration status no later than the date the owner/agent initiates verification of other eligibility factors (pre application or application). Citizen or non-citizen eligibility verification will be done first. Owner/agents determine the applicant's citizenship or immigration status during the initial eligibility determination, prior to adding that household to the waiting list or prior to move-in.

If the applicant cannot supply the documentation within the owner/agent's specified timeframe, the owner/agent **may** grant the applicant an extension of not more than 30 days, **but only if** the applicant certifies that the documentation is temporarily unavailable and additional time is needed to collect and submit the required documentation. (Although the extension period may not exceed 30 days, the owner/agent may establish a shorter extension period based on the circumstances of the individual case.)

The owner/agent will inform the applicant in writing if an extension request is granted or denied. If the request is granted, the owner/agent will include the new deadline for submitting the documentation. If the request is denied, the owner/agent will state the reasons for the denial in the written response. When granting or rejecting extensions, the owner/agent/agent will treat applicants consistently.

### Reviewing and Verification of a Household's Citizenship/Immigration Status

Owner/agents will conduct primary verification through the (Systematic Alien Verification for Entitlements) SAVE ASVI database - the Department of Homeland Security (DHS) automated system.

After accessing the ASIV database, the owner/agent enters the required data fields. The system will display one of the following messages for immigration status confirmation on the screen.

- Lawful Permanent Resident
- Temporary Resident
- Conditional Resident
- Asylee
- Refugee
- Cuban\Haitian Entrant
- Conditional Entrant



## Tenant Selection Plan -Towers of Jacksonville

**Secondary verification.** If the message “institute secondary verification” is displayed on the screen, the manual verification process must be used.

Within 10 days of receiving an “Institute Secondary Verification” response, the owner/agent will prepare DHS Form G-845S, *Document Verification Request*. The owner/agent will send DHS Form G-845S and photocopies of the DHS documents submitted by the applicant to the DHS office serving the property’s jurisdiction.

The DHS will return to the owner/agent a copy of DHS Form G-845S indicating the results of the automated and manual search.

### **Notification to Applicants**

Owner/agents will notify households in writing that they are:

- Eligible for assistance
- Eligible for partial assistance, as a mixed household

The owner/agent/agent will notify households in writing if they are found to be ineligible based upon citizenship/immigration status.

### **Mixed Households**

A mixed household—a household with one or more ineligible household members and one or more eligible household members—may receive:

- Prorated assistance
- Continued assistance

### **Appealing Determinations of Ineligibility**

The owner/agent will notify the household in writing as soon as possible if the secondary verification process returns a negative result.

The household has 30 days from receipt of the notice to choose which option to follow.

The household may appeal the owner/agent’s decision directly to the DHS. The household must send a copy of the appeal directly to the owner/agent. The DHS should respond to the appeal within 30 days.

If the DHS decision results in a positive determination of eligibility, the owner/agent can provide the household with housing assistance. If the DHS decision results in a negative determination of eligibility, the household has **30 days** to request a hearing with the owner/agent.

### **Prohibition Against Delay of Assistance**

Owner/agents may not delay the household’s assistance if the household submitted its immigration information in a timely manner but the DHS verification or appeals process has not been completed.

If a unit is available, the household has come to the top of the Waiting list, and at least one member of the household has submitted the required documentation in a timely manner and has been determined to be eligible, the owner/agent will offer the household a unit and provide full assistance to those household members whose documents were received on time. Owner/agent will continue to provide full assistance to such households until information establishing the immigration status of any remaining non-citizen household members has been received and verified.

