

TENANT SELECTION PLAN FOR SECREST VILLAGE APARTMENTS

1. Project Eligibility Requirements

A. Project Specific Requirements

Secrest Village is designated for elderly or disabled persons.

Elderly families are as defined in Definition B (24 CFR 891.505):

Disabled families are as defined in Definition G (24 CFR 891.505):

Person with a disability (handicapped person) as defined in Definition H (24 CFR 891.505):

and Nonelderly disabled (handicapped) family as defined in definition I (24 CFR 891.505)

B. Citizenship/Immigration Status Requirements

In order to receive assistance, a family member must be an U.S. citizen or eligible immigrant. Individuals who are neither may elect not to contend their status. Eligible immigrants are persons who are in one of the six immigrant categories as specified by HUD.

Secrest Village will accept as proof of legal identity any of the following verifications:

Certificate of Birth, Naturalization Papers,
U.S. Military Discharge Papers (DD-214), or
U.S. Passport.

C. Social Security Number Requirements

Families are required to provide verification of Social Security Numbers for all family members prior to admission, if they have been issued a number by the Social Security Administration.

The SSN 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.

Acceptable documents as verification of SSN are:

Social Security Card issued by Social Security Administration office,
A valid drivers license with a Social Security Number,
Identification card issued by a Federal, State or Local Agency provided it is a
photo I. D., or
Social Security Number print-out issued by the Social Security Office.

2. Income Limits and Assets

In order for an applicant to be eligible for occupancy, the applicant family's annual income must not exceed the applicable income limit.

The income limits used to determine eligibility for Secrest Village are the very low-income limit, which is 50% of median income for Wayne County, and the extremely low-income limit for income targeting.

Determination of Family Income Using Other Means Tested Public Assistance, i.e., "Safe Harbor" at admission (24 CFR §§ 5.609(c)(3); 891.105; 891.410(b)-(c) and (g); and 891.610(b)- (c) and (g)

Owner/Management will accept a family's self-certification of net family assets equal to or less than \$50,000 at admission (only for new admissions effective on or after 1/1/2024) and/or at reexamination.

3. Procedures for Taking Applications and Selecting from the Waiting List

A. Taking Applications

Persons who wish to apply must complete a written application form. Applications will be made available in an accessible format upon request for a person with a disability.

Applications will be mailed to interested persons upon request.

The application process involves two phases:

1. The application will be dated, time-stamped, and referred to the offices of the Housing Authority where tenant selection and assignment is processed.

The purpose of the initial application is to permit the management agent to assess family eligibility and to determine placement on the waiting list. Initial applications will not require interviews. Information on the application will not be verified until the applicant has been selected for final eligibility determination.

2. When the family reaches the top of the waiting list management ensures that verification of all HUD eligibility factors is current in order to determine final

eligibility for an offer of a suitable unit.

B. Preferences

There are no preferences.

C. Income Targeting

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, the applicant will be returned to the waiting list. This applicant will be served when an applicant with income above the extremely low-income limit is needed.

A notation will be made on the waiting list indicating why this applicant has been returned to the list rather than housed or withdrawn. The first extremely low-income applicant on the list will then be contacted.

D. Applicant Screening Criteria

1. EIV Existing Tenant Search

All applicants will be checked through the EIV Existing Tenant Search 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.

Agency will 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.

Agency will 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.

Search results will be retained with the application along with any documentation obtained as a result of contacts with the applicant and PHA and/or O/A at the other location.

2. Ability to Comply with Essential Lease Provisions

All applicants must demonstrate through an assessment of current and past behavior the ability:

- a. to pay rent and other charges as required by the lease in a timely manner;

- b. to care for and avoid damaging the unit and common areas;
- c. to use facilities, appliances and equipment in a reasonable way;
- d. to create no health or safety hazards, and to report maintenance needs in a timely manner;
- e. not to interfere with the rights and peaceful enjoyment of others and to avoid damaging the property of others;
- f. not to engage in criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents or staff; and not to engage in drug-related criminal activity on or near the premises;
- g. to comply with necessary and reasonable rules and program requirements of HUD and Secret Village Management; and
- h. to comply with local health and safety codes.

3. Denial of Admission for Drug-Related and/or Other Criminal Activity

All federally assisted housing is intended to provide a place to live and raise families, not a place to commit crime, to use or sell drugs or terrorize neighbors.

To be determined eligible, the family must not engage in drug-related or other criminal activity including violent criminal activity by any family member. No member of the applicant's family may have engaged in drug-related or violent criminal activity within the past three years.

Management will check criminal history for all adult members to determine whether any member of the family has engaged in violent or drug-related criminal activity.

Verification of any past activity will be done prior to final eligibility and will include a check of conviction records.

a. Ineligibility if Evicted for Drug-Related Activity

Persons evicted from federally assisted housing for drug-related criminal activity are ineligible for admission for a three-year period beginning on the date of such eviction.

This requirement may be waived if:

The person demonstrates successful completion of a rehabilitation program, or

The circumstances leading to the eviction no longer exist.

b. Screening Out Illegal Drug Users and Alcohol Abusers

Admission will be prohibited to any person where it is determined that there is reasonable cause to believe that the person is illegally using a controlled substance, or abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. This includes

cases where there is a pattern of illegal use of a controlled substance or pattern of alcohol abuse.

The use of a controlled substance or alcohol is considered a pattern if there is more than one incident during the previous twelve months.

This policy may be waived if:

1. The person demonstrates they are no longer engaging in the illegal use of a controlled substance or abuse of alcohol, and
2. Has successfully completed a supervised drug or alcohol rehabilitation program;
3. Has otherwise been rehabilitated successfully; or
4. Is participating in a supervised drug or alcohol rehabilitation program.

c. Other Criminal Activity

Other criminal activity means a history of criminal activity involving crimes of actual or threatened violence to persons or property, or a history of other criminal acts, conducts or behavior which would adversely affect the health, safety, or welfare of other residents.

This is construed to mean that a member of the current family has been arrested or convicted of any criminal or drug-related criminal activity within the past 3 years.

No family member may have engaged in or threatened abusive or violent behavior toward the owner, employees, contractors, subcontractors, or agents of the owner.

4. Screening for Rental History

Examination of relevant information pertaining to past and current habits or practices will include, but not be limited to, an assessment of:

1. The applicant's past performance in meeting financial obligations, especially rent.

2. A record of disturbance of neighbors, destruction of property, or living or housekeeping habits at present or prior residences which may adversely affect the health, safety, or welfare of other tenants.
3. Any history of criminal activity on the part of any applicant family member involving crimes of physical violence to persons or property, and other criminal acts, including drug-related criminal activity.
4. A record of eviction from housing or involuntary termination from residential programs, taking into account date and circumstances.
5. An applicant's ability and willingness to comply with the terms of the lease.

The ability and willingness of an applicant to comply with the essential lease requirements will be verified and documented. The information to be considered in the screening process shall be reasonably related to assessing the conduct of the applicant and other family members listed on the application in present and prior housing.

A criminal background check will be completed on adult members of the household, or any member for which criminal records are available.

An applicant's intentional misrepresentation of any information related to eligibility, housing history, allowances, family composition or rent will result in denial of admission.

5. Permanent Denial of Assistance

Persons convicted of manufacturing or producing methamphetamine on the premises in violation of any federal or state law will be permanently denied assistance. "Premises" is defined as the building or complex in which the dwelling is located, including common areas and grounds.

6. Prohibition on Persons Subject to Lifetime Sex Offender Registration Requirement

No family member may be subject to a lifetime sex offender registration requirement. This provision will not be waived.

7. Violence Against Women Act

The violence Against Women Act protects housing assistance applicants and Residents who have been victimized by domestic violence, dating violence, and stalking. It affords the following legal protections:

- Applicants can't be denied rental assistance solely because they were previously evicted from an assisted site for being victims of domestic violence;
- Applicants can't be denied assistance solely for criminal activity that was directly related to domestic violence;
- Residents can't be evicted solely because they were victims of domestic violence, in that being a victim of domestic violence does not qualify as a "serious or repeated violation of the lease" or "other good cause" for eviction.

However,

- If a victim of domestic violence commits a criminal act unrelated to the domestic violence, or if the victim is an "actual or immediate threat to other tenants or those employed at or providing services to the site," eviction is warranted.
- Residents wishing to report an incident of domestic violence must submit specific documentation as requested by site management, and all such documentation will remain confidential, unless required by law;
- If after an incident or domestic violence, a resident allows the abuser to visit the site again as a guest and the violence reoccurs, the site may evict the resident.

E. Procedures for Rejecting Ineligible Applicants

Secret Village will not discriminate against an applicant based on race, color, religion, sex, national origin, familial status, or disability.

Applicants will be rejected if the applicants:

1. Are ineligible for occupancy in a particular unit;
2. Are unable to disclose and document SSNs of all household member who are at least 6 years old, or do not execute a certification stating that no SSNs have been assigned;
3. Do not sign and submit verification consent forms or the Authorization for Release of Information (forms HUD-9887 and HUD-9887-A);
4. Have household characteristics that are not appropriate for the specific type of unit available at the time, or have a family of a size not appropriate for the unit sizes that are available;
5. Include family members who did not declare citizenship or noncitizenship status, or sign a statement electing not to contend noncitizen status; or
6. Do not meet the owner's tenant screening criteria.

Secret Village will promptly notify the applicant in writing of the denial of admission or assistance. The notice will state the reason for the rejection and the applicant's right to

respond in writing or request a meeting within 14 days to dispute the rejection. The notice will also state that persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.

Any meeting with the applicant to discuss the applicant's rejection will be conducted by a member of the management agent's staff who was not involved in the initial decision to deny admission or assistance.

The management agent will advise the applicant in writing of the final decision on eligibility with 5 business days of the response or meeting.

4. Occupancy Standards

There must be at least one person per bedroom. The standards for determining unit size shall be applied in a manner consistent with Fair Housing guidelines.

Guidelines for determining unit size:

Unit Size	Persons in Household (Minimum #)	Persons in Household (Maximum #)
0 Bedroom	1	1
1 Bedroom	1	2

5. Unit Transfer Policies

Apartment transfers fall into four categories:

EMERGENCY TRANSFERS:

- If the owner determines that the resident's apartment is uninhabitable, the resident may be required to transfer to another appropriate size apartment within the community.
- Emergency transfers must have the written approval of the Executive Director. The resident and the Housing Agent will be notified in writing to schedule the completion of the transfer at the earliest time possible.
- Emergency Transfers are to be considered permanent and the resident should not expect to return to their original apartment.

- A new security deposit will not be required for those emergency transfers that are deemed out of the control of the resident.
- Owners will not require the collection of additional security deposit amounts from the original TTP calculation.
- Damages to the apartment (beyond normal wear and tear and beyond the circumstances supporting the transfer) will be charged to the resident.
- Typical emergency transfers may include the following:
 - Fire (not caused by resident, household member, or guest)
 - Flooding
 - Major plumbing leaks
 - Tornado/wind damage
 - Exterior damage that affects the interior of the apartment
 - Roofing leaks
 - Ruptured gas lines

REASONABLE ACCOMMODATION TRANSFERS:

- These transfers include medical reasons or to accommodate a person with a disability.
- Transfers that are needed as a reasonable accommodation should be made on a PRIORITY basis.
- A new security deposit will not be required for those reasonable accommodation transfers that are deemed out of control of the resident.
- Owners will not require the collection of additional security deposit amounts from the original TTP calculation.
- Damages to the apartment (beyond normal wear and tear and beyond the circumstances supporting the transfer) will be charged to the resident.
- Typical reasonable accommodation transfers may include the following:

A resident with a physical disability may need to transfer to an accessible apartment, or an apartment on the ground floor, or a larger apartment to accommodate a live-in aide.

If a tenant is transferred as a reasonable accommodation to a household member's disability, the owner must pay the costs associated with the transfer, unless doing so would be an undue financial and administrative burden

OWNER-INITIATED TRANSFERS:

- If the owner determines that a resident's current apartment is smaller or larger (under/over housed), than appropriate as a result of a change in a resident's family size or composition, the resident may be required to transfer to another apartment.
- Owners must not reduce or terminate the assistance payment associated with the original apartment until the family has been offered a transfer (in writing) to an apartment of appropriate size and has been given sufficient time (no less than 30 days) to move to the new apartment.
- If the owner becomes aware of (or the resident reports) a change in family composition, the owner must do the following:

Determine the appropriate apartment size using the Occupancy Standards established for the property.

Determine whether a transfer is required.

- a. Is there an apartment of the appropriate size in the property? If there is an available apartment, the transfer is required. If not available, the resident must be moved to the most appropriately sized apartment.
 - b. If the resident is occupying an apartment that is larger than needed and there is no demand for the larger apartment, the owner does not have to require the resident to move from the larger apartment until there is a demand for that size of apartment.
 - c. If the resident has given written notice to vacate, the owner is not required to transfer the resident.
- When an owner determines that a transfer is required, the resident may remain in the apartment and pay the HUD approved Market Rent or must move within 30-days after the owner notifies the family (in writing) that an apartment of the required size is available within the property.

- A new security deposit will be required of the resident for the new apartment.
- The existing security deposit will remain on the occupied apartment and any damage charges, (beyond normal wear and tear), rent balances, late fees, etc. must be deducted from that deposit.

RESIDENT-INITIATED TRANSFERS:

- Residents must request a transfer to another apartment in writing by completing the Apartment Transfer Request Form.
- Housing Agents are to immediately schedule an apartment inspection and check the resident ledger.
- Residents who have a damaged or unclean apartment, or who has a history of poor rent paying habits will not be considered for the transfer.
- Residents must not have any outstanding balances or unpaid service order bills and must be current with their rent.
- Residents must have a good residential history.
- A new security deposit will be required of the resident for the new apartment and must be based on the resident rent of the TTP that will be required for the new apartment.

6. Policies to Comply with Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Act Amendments of 1988.

It is the policy of Secrest Village Apartments to comply fully with all Federal, State, and local laws relating to Civil Rights, including Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title II of the Americans with Disabilities Act (to the extent that it applies, otherwise Section 504 and the Fair Housing Amendments govern), and any applicable State laws or local ordinances and any legislation protecting individual rights of tenants, applicants or staff that may subsequently be enacted.

Secrest Village shall not on account of race, color, sex, religion, familial status, disability, national origin, marital status or sexual orientation:

1. Deny to any family the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to lease housing suitable to its needs;
2. Provide housing, which is different from that provided to others;
3. Subject a person to segregation or disparate treatment;
4. Restrict a person's access to any benefit enjoyed by others in connection with the housing program;
5. Treat a person differently in determining eligibility or other requirements for admission; or
6. Deny a person access to the same level of services.

Accessibility for the hearing impaired is provided through INFOLINK, a local 24-hour a day information and referral service operated by the local United Way agency that has the TDD/TDY service.

7. Policy for Opening and Closing the Waiting List

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

1. Closing waiting lists.

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

2. Opening waiting lists.

- a. When Secrest Village agrees to accept applications again, the notice of this action must be announced in a publication likely to be read by potential applicants in the same manner (if possible, in the same publications) as the notification that the waiting list was closed.

- b. Advertisements should include where and when to apply and should conform to the advertising and outreach activities described in the Affirmative Fair Housing Marketing Plan.

8. Eligibility of Students

Eligibility of Students for Section 8 Assistance:

Secret Village will determine a student's eligibility for Section 8 assistance at move-in, annual recertification, initial certification (when an in-place tenant begins receiving Section 8), and at the time of an interim recertification if one of the family composition changes reported is that a household member is enrolled as a student.

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

- Is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential;
- Is under the age of 24;
- Is not married;
- Is not a veteran of the United States Military;
- Does not have a dependent child;
- Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E) and was not receiving Section 8 assistance as of November 30, 2005). (See definition E in Figure 3-6);
- Is not living with his or her parents who are receiving Section 8 assistance; and

- Is not individually eligible to receive Section 8 assistance and has parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance.

For a student to be eligible independent of his or her parents, the student must demonstrate the absence of, or his or her independence form, parents. While owners may use additional criteria for determining the student's independence from parents, owners must use, and the student must meet, at a minimum all of the following criteria to be eligible for Section 8 assistance.

The student must:

- Be of legal contract age under state law;

- Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, or
- Meet the U.S. Department of Education’s definition of an independent student.
- Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
- Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

Any financial assistance a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition is included in annual income, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving Section 8 assistance. If an eligible student is a member of an applicant household or an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated in accordance with the guidance in paragraph 8-6A.

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.

9. ANNUAL RECERTIFICATION

To ensure that assisted residents pay rents commensurate with their ability to pay, HUD requires a recertification of family income and composition at least annually. Tenant rents must be recomputed based on the information gathered. Tenants are required to supply information requested by management for use in the recertification process.

Owner/Management will accept a family’s self-certification of net family assets equal to or less than \$50,000 at admission (only for new admissions effective on or after 1/1/2024) and/or at reexamination. Every three years the net family assets will be fully verified.

The determination of family income using other means tested Public Assistance, i.e., “Safe Harbor” at recertification (24 CFR §§ 5.609(c)(3); 891.105; 891.410(b)-(c) and (g); and 891.610(b)- (c) and (g). IP is not required to use the EIV Income Report or New Hires Report at annual reexamination.

10. INTERIM RECERTIFICATION

Interim re-certifications are performed when a tenant experiences a change in income or family composition between annual re-certifications. Management must process an interim recertification if a tenant reports:

- a. A change in family composition;

- b. An increase in a family's cumulative income of more than 10 percent;
- c. An increase in allowances (medical expenses, disability assistance expense); or
- d. A decrease in a family's cumulative income of more than 10 percent.

11. Hardship Exemptions for Health/Medical Care Expenses & Reasonable Attendant Care & Auxiliary Apparatus Expenses

Owners must provide hardship relief to a family that demonstrates its eligible health and medical care expenses, or reasonable attendant care and auxiliary apparatus expenses exceed 5 percent of the family's annual income.

All families including newly admitted families who received a deduction for unreimbursed health and medical care and/or reasonable attendant care or auxiliary apparatus expenses based on their most recent income review prior to January 1, 2024, will begin receiving the 24-month phased-in relief at their next annual or interim reexamination, whichever occurs first on or after the date the MFH Owner complies with HOTMA.

Families who receive phased-in relief will have eligible expenses deducted as follows:

- 1st twelve months – in excess of 5% of annual income.
- 2nd twelve months – in excess of 7.5% of annual income.
- After 24 months – in excess of 10% threshold will phase in and remain in effect unless the family qualifies for General Relief.

Once a family chooses to obtain general relief, a family may no longer receive the phased-in relief.

Owners must obtain third-party verification of the hardship or must document in the file the reason that third-party verification was not available.

12. UNREPORTED OR UNDERREPORTED INCOME

If management determines the tenant unreported or underreported their income, management must go back to the time the unreported or underreporting of income started, not to exceed the five-year limitation that the tenant was receiving assistance as shown on the HUD-9887 and HUD 9887A. A calculation must be made to determine the difference between the amount of rent the tenant should have paid and the amount of rent the tenant was charged. Management will notify the tenant of any amount due and their obligation to reimburse management. A record of the calculation will be given to the tenant and a copy placed in the tenant file.

13. REPAYMENT OPTIONS/AGREEMENT

Tenants can repay amounts due in a lump sum payment, or by entering into a repayment agreement with management, or a combination of both. Tenants who do not agree to

repay amounts due will be in non-compliance with their lease and the lease may be terminated. The tenant and management must both agree on the terms of the repayment agreement..

14. DE MINIMIS ERRORS IN INCOME

Management must credit a family the amount that the family was overcharged tenant rent retroactive to the effective date of the action the error was made, regardless of the dollar amount associated with the error, because of the MFH Owner's de minimis error in income determination in calculating family income.

15. Revocation of Consent Form

Families have the right to revoke consent by notice to Owner/Management; however, revoking consent can result in termination or denial of assistance. Owner/Management may not process interim or annual reexaminations of income, including when a family's income decreases and the family requests an interim reexamination to decrease tenant rent, without the family's executed consent form(s). Owner/Management must explain to families the consequences