

**Section 8  
Project Based Rental Assistance  
Multifamily Housing Program**

# **Tenant Selection Plan**

**Lake Superior Village**

**Marquette Housing Commission**

# Contents

**OVERVIEW** ..... 2

**SECTION I THE PURPOSE OF THE TENANT SELECTION PLAN** ..... 3

**SECTION II ACCESSIBILITY AND PLAIN LANGUAGE**..... 3

**SECTION III NONDISCRIMINATION POLICIES** ..... 4

**SECTION IV RULES OF CONDUCT** ..... 6

**SECTION V ASSISTANCE DEFINITION**..... 6

**SECTION VI ELIGIBILITY REQUIREMENTS** ..... 7

**SECTION VII PROCEDURES FOR TAKING APPLICATIONS** ..... 14

**SECTION VIII PREFERENCES** ..... 18

**SECTION IX WAITING LISTS** ..... 20

**SECTION X VERIFICATION**..... 22

**SECTION XI APPLICANT SCREENING**..... 23

**SECTION XII OFFERING AN APARTMENT** ..... 30

**SECTION XII UNIT TRANSFER POLICIES** ..... 33

**SECTION XIII SECURITY DEPOSITS, PET FEE & UNIT TRANSFERS**..... 35

**SECTION XIV CHANGES IN HOUSEHOLD COMPOSITION** ..... 35

**SECTION XV APARTMENT INSPECTIONS** ..... 36

**SECTION XVI RECERTIFICATION REQUIREMENTS** ..... 37

**SECTION XVII IMPLEMENTATION OF HOUSE RULES CHANGES**..... 39

**SECTION XVIII CHANGES TO THE TENANT SELECTION PLAN** ..... 39

# LAKE SUPERIOR VILLAGE LDHALP TENANT SELECTION PLAN

## OVERVIEW

Lake Superior Village (LSV) is located in north Marquette and is within walking distance of historical Presque Isle Park, the Iron Ore Heritage Trail, Northern Michigan University, UP Health Systems-Marquette and the beautiful beaches and views of Lake Superior. LSV offers one hundred-sixteen townhomes consisting of two (2), three (3), and four (4) bedroom apartments. All apartments are equipped with tenant-controlled heat and air conditioning, laundry hook up, locked storage shed and garbage shed. A majority of the apartments have a lower level living room and combined kitchen/dining area with second-floor bathroom and bedrooms. A Youth and Family center provides free after school and summer programs, a large playground with a basketball court, outdoor grills and a community center all contributing to an inviting, family atmosphere.

Lake Superior Village is an affordable housing community which combines Section 8 Project Based Rental Assistance (PBRA) program administered through the HUD Multifamily Housing Division and the Michigan State Housing Development Authority Low Income Housing Tax Credit (LIHTC) program. Tenant rent is based upon 30% of the adjusted gross income.

In 2020, the property was converted under the HUD Rental Assistance Demonstration (RAD) program to its current Section 8 PBRA/LIHTC status. The property has been designated as a family development without regard to race, color, religion, disability, familial status, national origin or gender. Lake Superior Village does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.

The project is contracted with the U.S. Dept. of Housing and Urban Development, Multifamily Housing Division with a HAP contract for Section 8 PBRA through which funds and unit subsidy is provided to sustain required operations.

The procedures contained in the Tenant Selection Plan have been established in accordance with compliance with the Department of Housing and Urban Development (HUD) Handbook 4350.3, REV-1, Change 4, as amended, and all other applicable federal statutes and regulations.

## **SECTION I THE PURPOSE OF THE TENANT SELECTION PLAN**

The Tenant selection plan helps to ensure that Tenants are selected for occupancy in accordance with HUD program and project eligibility requirements and established management screening policies.

### **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 persons with Limited English Proficiency (LEP) can have meaningful access to assisted housing opportunities. 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 apply for and/or qualify for housing assistance are provided meaningful access to HUD's housing assistance program.

- Please contact the management office if you need help understanding this document.
- Contacte por favor la oficina de gestión si usted necesita ayuda a comprender este documento. (Spanish)
- Por favor contate o escritório de gerência se deve ajudar entendimento este documento. (Portugese)
- Si vous avez besoin d'aide à la compréhension de ce document, veuillez communiquer avec le Bureau de gestion. (French)
- Souple kontakte Biwo jesyon a si w bezwen èd pou konprann dokiman sa a. (Haitian Creole)
- Xin liên lạc với văn phòng điều hành nếu bạn cần giúp đỡ sự hiểu biết tài liệu này. (Vietnamese)
- Пожалуйста свяжитесь с офисом управления, если Вам нужна помощь в понимании этого документа. (Russian)
- Bitte kontaktieren Sie das Leitungsbüro, wenn Sie helfen müssen, dieses Dokument zu verstehen. (German)
- 請聯絡管理辦公室，如果你需要幫助理解這份文件。(Chinese)
- もしこの文書を理解しているための助けを必要としていれば、経営オフィスと連絡を取ってください。(Japanese)

## **SECTION II ACCESSIBILITY AND PLAIN LANGUAGE**

- A.** Facilities and programs used by Tenants will be accessible to a person in a wheelchair. Application and management offices, hearing rooms, and community center, etc. (to the extent that Lake Superior Village has such facilities) will be usable by Tenants with a full range of disabilities. To the extent that Lake Superior Village offers such facilities, if none is already accessible, some will be made so, subject to the undue financial and administrative burden test. It is not required that all public and common areas be made accessible so long as persons with disabilities have full access to all the types of facilities and activities available to persons without disabilities. Thus, not all laundry facilities need to be accessible so long as there are sufficient accessible laundry facilities for use by persons with disabilities at each development that provides laundry facilities.
- B.** Documents used by applicants and Tenants will be accessible for those with vision or hearing impairments. Also, all documents will be written simply and clearly to enable applicants with learning or cognitive disabilities to understand as much as possible. Unless prohibited by local law, documents may be translated into languages other than English. (24 CFR § 5.505 requires that any notice or document relative to citizen or eligible immigration status, where feasible, be provided to an applicant or tenant in a language that is understood by the individual if the individual is not proficient in English. In general, documents will be translated when there are sufficient numbers of applicants or Tenants speaking a language to warrant the expense).
- C.** Lake Superior Village will present examples to help applicants and Tenants understand eligibility, rent computation, applicant screening, reasonable accommodations, and lease compliance. In writing materials for applicants and Tenants, property management staff will be prepared to explain rules and benefits verbally, as often as may be needed, because some disabilities may affect an applicant's ability to read or understand.

- D. When Lake Superior Village has initial contact with the applicant, property management staff will ask whether the applicant requires an alternate form of communication. Examples of alternative forms of communication might include, but are not limited to: a qualified sign language interpreter provided for and paid for by Lake Superior Village; having written materials explained orally by staff either in person or by telephone; provision of written materials in large/bold font; information on audio media; permitting applicants to file applications by mail; and, permitting alternative sites for the receipt of applications. In addition, Lake Superior Village's obligation to provide alternative forms of communication to persons with disabilities does not preclude an individual's right to have a friend, relative or advocate accompany him/her for purposes of conducting business with Lake Superior Village.
- E. Lake Superior Village acknowledges that some applicants may have limited ability to read and/or comprehend written documents. Therefore, intake staff must be prepared to read and explain anything that they would normally provide to an applicant to be read or filled out by these applicants. Lake Superior Village is required to take reasonable steps to ensure meaningful access to their programs and activities by limited English proficient (LEP) persons. Sources for several foreign language interpreters have been identified and can be made available. Applicants who have limited English speaking or interpretation skills may also furnish a foreign language interpreter (at their cost if applicable) who can interpret and explain what is going on. Applicants who are hearing impaired will have a sign language interpreter and/or braille documents provided.
- F. At a minimum, Superior Village will prepare information to be used by applicants and Tenants in plain-language accessible formats.

## **SECTION III                    NONDISCRIMINATION POLICIES**

### **A. Fair Housing**

The owner/agent will not discriminate in any of the following ways:

1. Deny to any household the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to lease housing suitable to its needs;
2. Provide housing which is different than 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 the housing program;
5. Treat a person differently in determining eligibility or other requirements for admission;
6. Deny a person access to the same level of services; or
7. Deny a person the opportunity to participate in a planning or advisory group which is an integral part of the housing program.

The Fair Housing Act prohibits discrimination in housing and housing related transactions based on race, color, national origin, religion, sex, familial status, and disability. In addition, the State of Michigan added the protected classes of age, height and weight to the Elliott-Larsen Civil Rights Act in 1977.

### **B. Title VI of The Civil Rights Act Of 1964**

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

### **C. Section 504 Of the Rehabilitation Act Of 1973**

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

1. Coordinating Efforts to Comply with Section 504 Requirements

The owner/agent has designated a person to address questions or requests regarding the specific needs of Tenants and applicants with disabilities. This person is referred to as the Section 504 Coordinator and can be contacted at:

Name of Section 504 Coordinator: Executive Director

Address: 316 Pine Street, Marquette, MI 49855

Phone Number: 906-226-7559

2. Requests for Reasonable Accommodation or Modification

In accordance with the Fair Housing Act and Section 504 of the Rehabilitation Act, the owner/agent will make reasonable accommodations or modifications for individuals with disabilities (applicants or Tenants) unless these modifications would change the fundamental nature of the housing program or result in undue financial and administrative burden. Please see Appendix A for additional information.

**D. 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/agent nor its agents shall disclose any personal information contained in its records to any person or agency, other than HUD, its Contract Administrators or other federal/state entity or investor auditing entities, unless the individual about whom information is requested gives written consent to such disclosure. Such consent may be provided in an equally effective manner, as a reasonable accommodation, when there is the presence of a disability. 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.

**E. The Violence Against Women Reauthorization Act Of 2019**

The owner/agent understands that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault or stalking, people who have been victims of violence have certain protections provided through the Violence Against Women Reauthorization Act (VAWA) of 2019. If any applicant wishes to exercise the protections provided in the VAWA 2019, he/she should contact the owner/agent immediately. The owner/agent will not assume that any act is a result of abuse covered under the VAWA 2019. In order to receive the protections outlined in the VAWA 2019, the applicant/applicant must specify that he/she wishes to exercise these protections. The owner/agent will provide an individual with a copy of the VAWA Policy upon request.

**F. The Equal Access Rule**

The owner/agent ensures that HUD's core housing programs are open to all eligible persons regardless of sexual orientation, gender identity or marital status in accordance with The Equal Access Rule.

**G. Reasonable Accommodation Request Policies**

1. Under Title II of the Americans with Disabilities Act, Lake Superior Village must provide a reasonable accommodation if requested by a disabled person. A reasonable accommodation is not a special treatment or undue advantage for a person with a disability, but rather an accommodation that allows a disabled person to access and take full advantage of the housing program.
2. Lake Superior Village will make every reasonable effort to provide reasonable accommodations for individuals with verifiable disabilities and disability related needs. However, reasonable accommodation requests must not:
  - (a) Be of such a nature as to fundamentally alter the housing program as a whole;
  - (b) Create an undue financial or administrative burden to Lake Superior Village; or
  - (c) Be unrelated to the general accessibility needs of the requesting individual.
3. Individuals wishing to receive a reasonable accommodation must follow the procedures outlined in the Reasonable Accommodation Policy and Reasonable Accommodation Procedures. The owner/agent will provide an individual with a copy of these documents upon request.

## **SECTION IV                    RULES OF CONDUCT**

The relationship between a landlord (owner/agent) and a Tenant or applicant is a business relationship. A courteous and businesslike attitude is required from both parties. The owner/agent reserves the right to refuse to conduct business with anyone who is verbally abusive, swears, is disrespectful, makes threats, uses discriminatory language, appears to be intoxicated or under the influence of alcohol or drugs, is argumentative, or in general displays an attitude, at any time, which causes the owner/agent or the property staff to believe we would not have a positive business relationship.

If an applicant or any member of the applicant's family demonstrates unprofessional behavior in the presence of the management team or other Tenants/applicants, the applicant, the applicant's family and other members of the applicant's party (if applicable) will be required to leave the property and will be asked to reschedule their meeting with the management team for a time when they can demonstrate more professional behavior.

If the applicant or any member of the applicant's family exhibits threatening behavior, appears to be intoxicated or under the influence of alcohol or illegal drugs, or attempts to intimidate the staff, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the application will be rejected.

To ensure privacy in any of Lake Superior Village management offices, staff, housing Tenants and applicants are asked to refrain from the use of cell phones or other electronic devices, except those necessary to alleviate the symptoms of a disability, by Tenants or applicants.

Assistance Animals are always welcome in the management offices. Pets are also welcome and must always be fully under the owner's control and on a leash or in a crate.

No staff member of Lake Superior Village is permitted to accept any money, gifts, services or favors connected with the application process, criminal or credit checks, eligibility determination, apartment selection, or associated with any aspect of residency on this property. If property staff solicits any mandatory payment for any part of the application process, the applicant should notify the owner/agent at 301-724-6606 extension 108.

### **Smoke Free Housing**

Smoking is prohibited in any indoor area, both private and common and includes leased Tenant units.

Smoking is also prohibited within 25 feet of any common area, community building, administrative office, playground, or courtyard areas.

This policy applies to all owner/agents, property staff, applicants, Tenants, guests, and service persons. "Smoking" shall include the inhaling, exhaling, or carrying of any lighted cigarette, cigar, pipe, hookah, other tobacco products, marijuana including medical marijuana, herbal smoking products "Legal Weed" or products known as "bath salts" or other legal or illegal substances.

## **SECTION V                    ASSISTANCE DEFINITION**

The property is operating under the guidelines established for two layered housing programs - the HUD Project Based Rental Assistance (PBRA) program and the Low-Income Housing Tax Credit (LIHTC) program. Of the 77 tax credit units at this property, 77 are also layered with PBRA subsidy. Because this plan covers the eligibility and tenant selection requirements for both programs, there are some areas of the plan that will only be applicable to one program. Those areas are identified throughout the plan. A person must be capable of fulfilling the lease requirements, with or without assistance.

### **A. Subsidy**

Tenants at this property are offered subsidized rent. This means the rent that a household pays is based upon the household income. The family will pay 30% of their adjusted household income, 10% of their gross household income or \$25 – whichever is higher. The balance of the contract rent is subsidized by the Federal Government. The rent amounts paid by Tenants may vary.

## B. Tenant-Based Vouchers

The owner/agent may not admit an applicant with a voucher to a unit with Project Based Rental Assistance unless the applicant agrees to give up the voucher prior to occupancy. This will be verified with the former housing provider.

Please note that housing assistance provided through HUD's multi-family housing program is not the same as the housing assistance provided through the voucher program. If any family member moves out, the housing subsidy will not move with the family as it does with a voucher.

## C. Assisted Living

This is not an assisted living property. The owner/agent and property staff do not provide, nor have the authority to provide, any personal care or personal supervision services. All care and supervision services must be provided by the Tenant or aides supervised by the Tenant or the Tenant's representative(s). The owner/agent and property staff do not provide assistance with personal activities or daily living.

# SECTION VI ELIGIBILITY REQUIREMENTS

## A. Property Eligibility Definition

### 1. Household/Tenant Type

This multi-family PBRA / LIHTC property is designed to provide housing to families who meet the eligibility and screening requirements. A family includes, but is not limited to:

- (a) A family with or without children (the temporary absence of a child from the home due to placement in foster care is still considered part of the family when determining family composition and family size (provided that the family is able to provide paperwork verifying that their child's foster status is temporary);
- (b) An elderly family (over the age of 62);
- (c) A near elderly family (50 -62 years of age);
- (d) A disabled family;
- (e) A displaced family;
- (f) The remaining member of a tenant family; or
- (g) A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

### 2. Income Limits

Income limits vary by program type (PBRA or LIHTC) and are based on family size and the annual income the family receives. Income limits are updated and published by HUD annually. 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 sites. <http://www.huduser.org/datasets/il.html> or [www.mqthc.org](http://www.mqthc.org)

HUD requires that property managers incorporate the most recently published income limits when determining eligibility. The IRS "hold harmless" rule states that if the income limits go down, the property can maintain the highest level of income limits in effect after the property was placed in service with tax credits.

This property is a layered property with all units required to meet both the PBRA and LIHTC income limit requirements. Both income limits are based off a percentage of the median family income for **Marquette County, MI**. If the LIHTC income limit is lower, by default it becomes the effective income limit for the property.

### 3. Occupancy Standards

Occupancy standards serve to prevent the over-utilization or under-utilization of units that can result in an inefficient use of housing funding. Occupancy standards also ensure that Tenants are treated fairly and consistently and receive adequate housing space. Below, please find this property's occupancy standards description:



Number of Bedrooms	Minimum Persons Per Unit	Maximum Persons Per Unit
0 (Efficiency)	1	1
1	1	2
2	2	4
3	3	6
4	4	8

- (a) Generally, there is a maximum of two people per bedroom. The owner/agent does not determine who shares a bedroom;
- (b) The family is given the choice of which bedroom size is appropriate for their family, as long as the number of family members is within the range listed in the chart above;
- (c) Once the family has selected an eligible bedroom size, they will be placed on the waiting list for that bedroom size. Changes to the bedroom size cannot be made unless a qualifying event occurs. Qualifying events include:
- 1) Changes in the family composition (removing or adding household members) which result in the family no longer being eligible for the chosen bedroom size;
  - 2) Changes in the ages of the children, resulting in two children of the opposite sex, with one at least seven (7) years of age. These children will not be required to share a bedroom;
  - 3) Changes in family composition adding persons of different generations (grandparent, grandchild, parent, etc.). These family members will not be required to share a bedroom; or
  - 4) Need for a different bedroom size as a reasonable accommodation for a disability.
- (d) Authorized live-in aides will be allocated a separate bedroom. No additional bedrooms will be provided for the live-in aide's family;
- 1) Live-in aides: A person who resides with one or more elderly persons or persons with disabilities, and who: is determined to be essential to the care and well-being of the person(s); is not obligated for the support of the person(s); and would not be living in the unit except to provide the necessary supportive services; and
  - 2) The live-in aide qualifies for occupancy only as long as the individual needing supportive services requires the aide's services and remains a tenant, and **MAY NOT** qualify for continued occupancy as remaining family member. Management will use the HUD approved Lease Addendum to deny/evict from occupancy, any person(s) who are no longer eligible to reside in the unit.
- (e) Anticipated children will be included. Anticipated children include:
- 1) Children expected to be born to a pregnant woman;
  - 2) Children in process of being adopted by an adult family member;
  - 3) Children whose custody is being obtained by an adult family member;
  - 4) Foster children who will reside in the unit;
  - 5) Children who are temporarily in a foster home who will return to the family; and
  - 6) Children in joint custody arrangements who are present in the household 50% or more of the time.
- (f) The following principles govern the size of unit for which a family will qualify. Generally, two people are expected to share each bedroom, except that units will be so assigned that:
- 1) It will not be necessary for persons of different generations or opposite sex, other than husband and wife, to occupy the same bedroom, although they may do so at the request of the family;
  - 2) Exceptions to the largest permissible unit size may be made in case of reasonable accommodations for a person with disabilities;
  - 3) Two children of the opposite sex will not be required to share a bedroom, although they may do so at the request of the family;

- 4) An unborn child will be counted as a person in determining unit size. This is a different standard than that used for Public Housing. A single pregnant woman shall not be required to share a bedroom with her child once it is born, although she may request to do so;
  - 5) In determining unit size, management will count a child who is temporarily away from the home because the child has been placed in foster care, kinship care, or is away at school;
  - 6) A single head of household parent shall not be required to share a bedroom with his/her child, although they may do so at the request of the family;
  - 7) A live-in aide may be assigned a bedroom. Single elderly or disabled Tenants with live-in attendants will be assigned one- or two-bedroom units; and
  - 8) Efficiency apartments will be occupied first by persons who prefer efficiencies to 1 BR units. Once applicants who prefer efficiencies have been housed, single individuals who wish to live in 1 Bedroom units will be offered an efficiency.
- (g) The largest unit size that a family may be offered would provide no more than one bedroom per family member, considering family size and composition;
  - (h) When a family applies for housing and when the waiting list is updated, some families will qualify for more than one-unit size. These applicants will choose the waiting sub-list where they wish to receive a unit offer. Based on the family's choice, they will be placed on the appropriate waiting sub-list by unit size;
  - (i) If a family opts for a smaller unit size than would normally be assigned under the largest unit size standard (because, for example, the list is moving faster), the family will be required to sign a statement agreeing to occupy the unit assigned at their request until their family size or circumstances change;
  - (j) When a family is actually offered a unit, if they no longer qualify for the unit size where they were sub-listed, they will be moved to the appropriate sub-list, retaining their preferences and date and time of application. This may mean that they may have to wait longer for a unit offer;
  - (k) While the family is on the waiting list, management shall change the family's sub-list at any time at the family's request;
  - (l) If there are no families on the waiting list for a larger size, smaller families may be housed if they sign a release form stating they will transfer (at the family's own expense) to the appropriate size unit when an eligible family needing the larger unit applies. The family transferring will be given a 30-day notice before being required to move and a period of five days to complete the move;
  - (m) Larger units may be offered in order to improve the marketing of a development suffering a high vacancy rate;
  - (n) A household that contains a family member (not the head of household or spouse) who is enrolled as a full-time student at an institution of higher learning and who is on the lease will be counted for the purposes of establishing occupancy standards for the unit size if:
    - 1) the family member is enrolled and actively attending a two-year or four-year college or university; and
    - 2) the family member resides in the public housing unit during school breaks and holidays.
  - (o) Any household placed in a unit size different from that defined in these Occupancy Standards shall agree to transfer to an appropriate size unit at the same property when one becomes available. Once an appropriate size unit is offered to the family, they have 30 days to complete the transfer or lose their subsidy.
4. Verifying the Need for an Accessible Unit

When an applicant requests an accessible unit or a unit preference, such as a first-floor unit, the owner/agent will conduct inquiries to:

- (a) Verify that the applicant is qualified for the unit, which is only available to persons with a disability or to persons with a particular type of disability;
- (b) Verify that the applicant needs the features of the unit as an accommodation to his or her disability; and
- (c) Verify that the applicant is qualified to receive a priority on the waiting list available to persons with a disability or to persons with a particular type of disability.
- (d) If the disability it is not apparent, Lake Superior Village will send documentation to be completed by the applicant's physician, psychiatrist, social worker, or other mental health professional that the individual has a verified disability and that the requested accommodation is needed due to the disability.

**B. Program Eligibility**

1. Eligibility Standards

Based on federal regulations, the owner/agent may admit only eligible applicants. In the selection of applicants for admission, eligibility criteria have been established in accordance with HUD guidelines. The following eligibility standards will be applied in accordance with HUD requirements:

- (a) The household's annual income must not exceed program income limits at move-in;
- (b) The Head-of-Household (HOH), co-Head-of-Household and the spouse (regardless of age) and all adults (18 years of age and over) in each household must sign an Authorization for Release of Information (HUD Forms 9887 and 9887A) and owner/agent created verification documents prior to receiving assistance and annually thereafter;
- (c) The unit for which the household is applying must be the household's only residence;
- (d) An applicant must agree to pay the rent required by the program under which the applicant will receive assistance;
- (e) Only U.S. citizens or eligible non-citizens may receive assistance;
- (f) Applicants who claim eligible status must disclose Social Security Numbers for all household members and provide proof of the numbers reported (*See additional information below*);
- (g) The household size must be appropriate for the available apartments (*See Occupancy Standards*); and
- (h) All information reported by the household is subject to verification.

2. Disclosure and Verification of Social Security Numbers

All household members receiving HUD housing assistance or applying to receive HUD housing assistance are required to provide a Social Security Number and adequate documentation necessary to verify that number. This rule applies to all household members including live-in aides, foster children and foster adults. Adequate documentation includes a Social Security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN such as:

- |   |                               |
|---|-------------------------------|
| (a) Original Social Security card   | (e) Bank statement            |
| (b) Driver's license with SSN   | (f) Form 1099                 |
| (c) Identification card issued by a federal, State, or local agency, a medical insurance provider, or an employer or trade union. | (g) Benefit award letter      |
|   | (h) Retirement benefit letter |
| (d) Earnings statements on payroll stubs  | (i) Life insurance policy     |
|   | (j) Court records             |

3. Exceptions to Disclosure of Social Security Number

The Social Security Number requirements do not apply to:

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

- (b) Individuals who do not contend eligible immigration status. When applicants and Tenants are required to declare their citizenship status, the existing regulations pertaining to proration of assistance or screening for mixed families must continue to be followed.
- (c) If a child under the age of 6 years is added to the applicant household within the 6-month period prior to the household's date of admission, the assistance applicant may become a participant, so long as the documentation required in this section is provided to the processing entity within 90 calendar days from the date of admission into the program. The owner/agent will grant an extension of one additional 90-day period if the owner/agent determines that, in its discretion, the applicant's failure to comply was due to circumstances that could not reasonably have been foreseen and were outside the control of the applicant. If the applicant family fails to produce the documentation required in this section within the required time period, the owner/agent may terminate assistance or tenancy of the entire family.

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

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

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

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

#### 4. Citizenship and Immigration Requirements

By law, only U.S. citizens and eligible noncitizens (a non-citizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 1436a(a)) may benefit from federal rental assistance. 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 during the initial eligibility determination and prior to move-in:

- (a) Family Composition List (lists all household members who will reside in the assisted unit);
- (b) Citizenship Declaration - Each household member listed on the Family Composition List must complete a declaration of citizen or non-citizen status; and
- (c) Forms and/or evidence of citizen/immigration status as required by HUD.

If any applicant has questions or experiences difficulty providing the described information or determining the type of documentation required, the applicant should contact the management office. If any applicant is unable to provide the required documentation in the timeframe indicated in Appendix A, the applicant must contact the management office to request an extension. If any applicant fails to provide this information in the timeframes described, the owner/agent cannot provide assistance and the application will be rejected.

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:

- (a) 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;
- (b) Assistance/unit is available; and
- (c) The household is the next household to be selected from the waiting list.

As part of the annual or interim recertification process, the Property Manager must determine the citizenship/immigration status of tenants from whom the owner has not previously collected the proper documentation or whose documentation suggested that their status was likely to change. If the status of a family member in a mixed family changes from ineligible to eligible, the family may request an interim recertification.

Proof of declared citizenship status must be provided for all household members. Members who claim U.S. citizenship can provide any documents approved by HUD or the Department of Homeland Security (DHS) to prove citizenship. Applicants who claim eligible immigration status must provide documentation to support that status. See appendix A for more information.

Citizenship eligibility must be reviewed after move-in if eligibility status can change. If any household member is determined to be an ineligible non-citizen, either at application or after move-in, assistance and/or tenancy may be denied, terminated or prorated as appropriate.

5. Single Residence/Subsidy Criteria

A household is eligible for assistance only if the unit will be the household's only residence. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the HUD assisted unit.

Applicants must disclose if they are currently receiving HUD housing assistance. Tenants can only receive subsidy for one unit/residence at a time. This prohibition does not prevent a person who is currently receiving assistance from applying for an assisted unit in another property.

If, for any reason, an applicant moves in to this property before moving out of another subsidized unit, the new Tenant will be required to pay market rent until the move out from the previous property is complete and the Tenant is eligible to receive HUD subsidy for this property. Assistance in the new unit will begin, if the household is still eligible, the day after assistance ends for the previous unit.

There is an exception to this rule. Children in joint custody arrangements can receive HUD housing assistance in two units when both parent/guardian families receive HUD housing assistance. However, only one household may use the dependent deduction to determine adjusted income. In these cases, additional verification is required. The owner/agent will request:

- (a) Verification of the custody/guardianship/living arrangement;
- (b) Verification of the use of the deduction. The owner/agent will verify use of the dependent deduction with the other owner/agent if:
  - The child will live in the unit at least 50% of the time; and
  - The parent wishes to claim the deduction; and
  - Both families are receiving HUD housing assistance.
- (c) There is a second exception to this rule. If a member of an existing household leaves that household to establish their own unit, HUD allows for a temporary overlap of subsidy (not to exceed 60 days) to allow for the interim recertification to go into effect for the original household.

6. Eligibility of Students Enrolled at an Institute for Higher Education

Student eligibility is determined at move-in/initial certification and at each annual certification. Student eligibility may also be reviewed at interim certification if student status has changed since the last certification. All adult students are required to report any change in their student status. A student who is otherwise eligible and meets screening requirements is eligible for assistance if the student meets the criteria indicated below. Section 8 PBRA assistance shall not be provided to any individual who:

- (a) 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; and
- (b) Is under the age of 24; and
- (c) Is not married; and
- (d) Is not a veteran of the United States Military; and
- (e) Does not have a dependent child; and

- (f) 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; and
- (g) Is not living with his or her parents who are receiving Section 8 assistance; and
- (h) Is not individually eligible to receive Section 8 assistance or has parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance.

**NOTE:** *Unless the student can demonstrate his or her independence from parents, the student must be eligible to receive Section 8 assistance and the parents (individually or jointly) must be eligible (income eligible) to receive Section 8 assistance in order for the student to receive Section 8 assistance.*

For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate independence from parents. While owner/agents may use additional criteria for determining the student's independence from parents, owner/agents 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:

- (a) Be of legal contract age under state law;
- (b) 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;
- (c) Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations;
- (d) 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; and
- (e) If an ineligible student is a member of an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated.

**NOTE:** *An owner/agent 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.*

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 shall be considered income to that individual, except for:

- (a) A person 24 years of age or older with dependent children as defined by HUD; or
- The definition of tuition is consistent with the definition provided by the Department of Education and includes all tuition plus mandatory course-related fees associated with being enrolled at that institution of higher education. This does not include the cost of books.

7. Additional Tax Credit Eligibility Requirements for Students Enrolled at an Institute of Higher Education

Households composed entirely of full-time students are not eligible for tax credit program unless, they meet one of these 5 criteria:

- (a) Married and filing a joint tax return or eligible to file a joint tax return; or
- (b) Single parent, at least 1 child, neither of whom is a dependent on another person's tax return, except for the return of the other parent of the child; or
- (c) Receiving welfare or TANF; or
- (d) Participating in job-training program funded through Workforce Investment Act; or
- (e) Household member was a participant in the foster care program.

8. Prohibition of Assistance to Noncitizen Students

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

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

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

9. Verification of Income from Tips

LSV recognizes that many service trades supplement wage income with accepted tips. These tips and gratuities are counted towards annual income. When meeting with applicants for the initial intake interview, the property manager will ask the applicable household members if they receive tips/gratuities at their job. If yes, the property manager will inquire as to the average amount of tips received per shift/workday, per week, and per month.

The applicant(s) will be required to certify to the information given during the interview by filling out and signing a Tip/Gratuity Income Affidavit. LSV reserves the right to contact the employer and verify the accuracy of the responses given on the affidavit. If an employer cannot verify the income reported by the applicant, whether tips or otherwise, the application must be denied. All income must be verified. The burden of income verification lies with the applicant, not the housing authority.

If the applicant has stated that they do not receive tips at their job, and their job is one that commonly accepts tips, LSV reserves the right to contact the employer and verify whether tips are received for their employees.

All correspondence with employers must be documented and kept on file. Once tip amounts are verified, they will be used when calculating the applicant's projected annual income. Purposely choosing not to report a source of income in order to receive benefits is an act of fraud.

10. Verification of Income from Self Employment

LSV welcomes self-employed individuals/households to apply. Some common forms of self-employment include, but are not limited to Uber, Lyft, Grubhub, DoorDash, Postmates, Uber Eats, independent contractor, self-employed hairdresser/barber, Etsy, etc.

Self-employment income must be verified like any other form of income. Any individual who is self-employed and earning more than \$400 per year from self-employment must file taxes. Therefore, LSV requires 2 years of W2 tax returns to verify self-employment income for those who have been self-employed at least two years. For those who have not been self-employed for at least two years, other forms of income verification will be required. Accepted forms of verification include:

1. accountant's/bookkeeper's statement,
2. business receipts/check stubs,
3. business ledger, or
4. other official form on a case by case basis.

It is not LSV's responsibility to sort through disorganized income paperwork. The applicant must organize and compile their receipts/check stubs or other documents before bringing them to LSV for verification. If an applicant brings loose, disorganized receipts/stubs to their appointment, they will be asked to reschedule for another time when they can bring organized documentation. If a self-employed applicant has been employed for more than 2 years and cannot produce 2 years of W2s, they will be asked to explain extenuating circumstances that have exempted them from filing income taxes. All pursuit to verify these circumstances must be documented and kept on file. If, after reasonable pursuit, verification cannot be obtained regarding the non-filing of taxes, the application will be denied.

Self-employed applicants will be asked to fill out and sign a Self-Employment Affidavit to certify their estimated projected annual income.

## **SECTION VII PROCEDURES FOR TAKING APPLICATIONS**

It is the owner/agent's policy to accept and process applications in accordance with HUD guidance. The owner/agent will make a reasonable accommodation to assist in the application process if the applicant or any member of the applicant household is disabled.

One component that determines placement on the Waiting List is the date and time that the application was received. Applications submitted by mail, email, facsimile (fax) or in person will be immediately date/time stamped by the staff member receiving it. Application and documents submitted through the online portal are automatically date/time stamped.

#### **A. Initial Application Submission**

Applicants will first complete the “Personal Declaration and Application” to have their name placed on the waiting list for housing. Contact Lake Superior Village for assistance in locating free internet service or to use the desktop terminal in our office to complete the application. LSV will also accept the application in an equally effective format, as a reasonable accommodation, if there is the presence of a disability. Please contact LSV to request that accommodation.

1. Applications are available from:
  - (a) At our Main Office or any development site offices, Monday through Thursday from 10:00 a.m. to 4:00 p.m. (excluding holidays, training or staff meetings); or
  - (b) Can be downloaded from our web site [www.mqthc.org](http://www.mqthc.org).
2. Applications will not be mailed to interested families residing within a fifteen-mile radius of the above facilities. However, if an applicant does not have transportation, has no computer access, has health problems or requests a Reasonable Accommodation which preclude them from visiting our offices, then an application will be mailed.
3. Completed applications and supporting documents may be returned by the following methods:
  - (a) Presenting them in person during regular business hours at any office location;
  - (b) Mailing them to our office at 1901 Longyear Avenue, Marquette, MI 49855;
  - (c) Sending by facsimile (fax) to 906-225-0503; or
  - (d) Persons with disabilities who require a reasonable accommodation in completing or returning an application may call Lake Superior Village to make special arrangements.

4. Incomplete Applications:

If an application is incomplete, the owner/agent will contact the applicant and ask them to come in and provide the missing information.

Confirmation of successful submission will be provided by the online application portal if all requirements are met. Due to long waiting lists and depending on the preferences for which an applicant family may qualify, the time spent on the waiting list may be anywhere from several months to several years. Your number on the waiting list may vary due the number of preference points your application and other applications receive. While waiting on the waiting list, applicants may check the status of their application by calling 906-225-1900, however, your exact placement on the wait list or wait time will not be provided. It is the applicant’s responsibility to keep all contact information current and report changes to their application during the waiting period.

#### **B. Preliminary 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, IRS and property eligibility requirements. Upon receipt of the completed application, 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:

1. That the household’s preliminary income qualifies them as income eligible;
2. That the applicant household is qualified to receive the unit size indicated;
3. That sufficient information is present to screen Applicant’s prior landlord history;
4. That the applicant complies with the consent to management’s requirement to secure a criminal background history and must provide sufficient information to enable management to secure such reports;
5. That there are no obvious factors that would make the applicant ineligible. Obvious factors include, but are not limited to:



- (a) Owing a debt to Marquette Housing Commission (any property or program) that is still within the 4-year statute of limitations;
- (b) Having been evicted (or vacated in lieu of eviction) from any Marquette Housing Commission program within 5 years for drug related criminal activity;
- (c) Having been evicted (or vacated in lieu of eviction) from any Marquette Housing Commission program within 2 years for any reason other than drug related activity;
- (d) The head of household on the application is currently a head of household living at this property;
- (e) Having been denied admission to this program or the MHC public housing program within the past 12 months for any reason at any property owned and administered by the Marquette Housing Commission; and
- (f) Having rejected a housing offer for a unit of the same size at the same property within the last 12 months.

If an applicant is preliminarily ineligible, the owner/agent will send a notice to the applicant indicating that they are not eligible, including the reason(s) why they were determined ineligible and stating the family's rights to appeal the decision. This action will be completed in agreement with the owner/agent's Grievance and Appeals Policy which is available to the applicant upon request.

If a preliminary eligibility review indicates that a household is preliminarily 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 their name comes to the top of the waiting list. If an applicant is otherwise eligible but no appropriate unit exists in the property, the owner/agent will reject the pre-application. The owner/agent will notify the applicant family if their pre-application is rejected for any reason.

### C. Eligibility Interview

1. When the applicant family reaches the top of the waiting list, they will receive an invitation by mail or telephone call to come to an eligibility interview.
  - (a) Applicant families can receive up to 3 invitations to attend an eligibility interview.
  - (b) If a family does not attend the scheduled appointment, a notice will be sent to the family and their name will be withdrawn from the waiting list.
  - (c) If the family responds within fifteen (15) calendar days of the notice and requests to be rescheduled, they will be placed back on the waiting list with their same date and time.
  - (d) Once the family misses their third scheduled appointment, they are no longer eligible to be placed back on the waiting list. The family will be required to submit a new application and start the process from the beginning.
2. During the eligibility interview process, the applicant family will confirm that the application is complete and accurate. All adult applicants **must complete the required documents in full, signed and dated in order to be accepted**. Before completing or executing any forms, additional copies should be made for all adult household members and in some cases for minors who will live in the unit. At this interview, the applicant will be provided:
  - (a) HUD Fact Sheet "How Your Rent is Determined"; and
  - (b) EIV and You Brochure

The Tenant Selection Plan will be provided to any applicant upon request and will be available at the site leasing office and the main office of Lake Superior Village.

### D. Verification

The owner/agent will require applicants to provide several documents as verification and proof of eligibility for housing. These will include:

1. A government issued photo ID - used for verifying the identity of all applicants;
2. A birth certificate or other government issued document which includes the applicant's name and date of birth – used to verify the age of all applicant family members;

3. Proof of citizenship – which may include a US birth certificate, US passport or other government issued documents demonstrating citizenship;
4. Proof of immigration status (if applicable) - which may include a permanent Tenant card, employment authorization card, I-94 visa or other government issued document indicating valid immigration status;
5. A Social Security card or any other government issued document including the name and full SSN of all applicants;
6. Verification of all sources of income, including (but not limited to) check stubs for employment, SS / SSI award letters, VA Pension award letters, TANF award letter, proof of child support and verification of asset income;
7. All verified documents must be dated within 120 days of the date of receipt.

**E. Final Determination of Eligibility**

Once the applicant family completes the eligibility interview, all eligibility criteria will be reviewed before a final eligibility determination is made. Being eligible, however, does not guarantee that the application will be approved. All adult applicants (and, if appropriate, minors) will be subject to the certain screening based on landlord/rental history, credit history and criminal history. If the screening process determines that the family meets HUD’s and the owner/agent’s standards for admission, the family is found eligible.

**F. Live-In Aides**

A Live-in Aide must meet HUD’s definition of a Live-in Aide which states “A person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities (according to the HUD definition of handicapped or disabled), and who:

1. Is determined to be essential to the care and well-being of the person(s);
2. Is not obligated for the support of the person(s) (in other words, is not a child or family member who is still claimed as a dependent of the requesting person(s)); and
3. Would not be living in the unit except to provide the necessary supportive services.

Live-in Aides are entitled to their own bedroom, and must be counted for the purposes of determining appropriate unit size. However, if a unit with a separate bedroom for the Live-in Aide is not available, the Aide should not be denied occupancy as long as permitting such occupancy does not overcrowd the unit under state or local law. If a larger unit becomes available and the tenant requests a transfer to such unit, Lake Superior Village is obligated to permit the transfer as a reasonable accommodation.

The Live-in Aide is required to complete the application, verifications related to the Live-In Aide, and participate in the same screening criteria regarding criminal history that applies to applicants and tenants of the property. The Live-in Aide is obligated to abide by the terms of the Live-in Aide Agreement (Attachment No. 7), the tenant’s lease and the House Rules. Violation of the terms of these documents will result in the termination of the Live-in Aide Agreement (Attachment No. 7) and eviction from the property.

The live-in aide qualifies for occupancy only as long as the individual needing supportive services requires the aide’s services and remains a tenant. Only the Live-in Aide can live in the unit and no other members of the Live-in Aide’s household cannot reside in the unit.

The live-in aide has no rights to the unit as a remaining family member nor the right of residency or occupancy if the Tenant is absent or if the Tenant moves out for any reason including death. The live-in aide must agree to relinquish possession of the unit including removal of all possessions owned by the Live-in Aide if the Tenant is absent for longer than 14 days or if the Tenant vacates the unit for any reason. In such case, the Live-in Aide must vacate the unit within 14 days of the Tenant’s death or report of absence. The Live-in Aide is not considered a household member and under no circumstances can the Live-in Aide qualify for continued occupancy as remaining family member or converted to a household member.

Management will use the HUD approved Lease Addendum to deny/evict from occupancy, any person(s) who are no longer eligible to reside in the unit.

**SECTION VIII PREFERENCES**

Applicants with preferences are selected from the waiting list and receive an opportunity for an eligibility interview 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. Preferences affect only the order in which applicants are selected from the waiting list. They do not make anyone eligible who was not otherwise eligible. Preferences are not permitted if they, in any way, interfere with affirmative marketing efforts or fair housing requirements.

**A. Income-targeting Preference**

The owner/agent is required to comply with the HUD and the Michigan State Housing Development Authority Income Targeting Requirements for this property. Income Targeting requires that the owner/agent implement policies to ensure that, during the property fiscal year, all households that move in to the property or who begin receiving assistance fall within the following distribution of unit incomes:

1. Four (4) units at or below the 50% AMI (Consisting of one 2-Bedroom Units, two 3-Bedroom Units and one 4-Bedroom Unit.)
2. One hundred, twelve (112) units at or below the 60% AMI (Consisting of forty-one 2-Bedroom Units, fifty-eight 3-Bedroom Units and thirteen 4-Bedroom Units.)

The Managing Agent shall review the composition of admissions to confirm that the target will be met for any fiscal year. If this periodic review reveals that admissions of extremely low-income applicants are below the requirement, the Owner shall use the following Income Targeting procedures:

1. 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 with the above-extremely-low-income will be returned to the waiting list. When Lake Superior Village is ready to house an applicant with income above the extremely low-income limit, this applicant can be served. A notation will be made on the waiting list indicating why this applicant has been returned to the list rather than housed or withdrawn.
2. Lake Superior Village will then look for the first extremely low-income applicant on the list needing the appropriate bedroom size and qualifying for the top-ranked preference. This applicant will be offered the unit.
3. Once this target has been reached, admission of applicants will be performed in waiting list order.

**B. Preferences and Weights**

The owner/agent will apply different weights or points to each preference. The higher the points, the higher the applicant will move up on the waiting list. Applicant families are limited to one preference per household. If the family qualifies for more than one preference, the preference with the heaviest weight will be applied. The weights/points for each preference are as follows:

Preference Category	Preference Type	Weight/Points Assigned
Federal/State Targeting	Needed to Meet Income Targeting Percentages at development	15
Federal	Victims qualifying under the Violence Against Women Act	14
Federal	Emergency / Safety	13
Category 1 Administrative Transfer	Reasonable Accommodation Request or documented need for Accessible unit	12
Category 2 Administrative Transfer	Unit is Under Housed or Over Housed	11
Federal	Homeless or Disabled Veteran	9

Owner/Agent	A Household Adult who is Elderly defined as 62 years of age or older	8
Owner/Agent	Household is resident of the City of Marquette or working or attending school within the City of Marquette	7
Owner/Agent	Head of Household, Spouse or Co-Head is a person with disabilities	7
Owner/Agent	A Household Adult is employed more than 30 hours per week	6
Owner/Agent	A Household Adult is employed more than 10 hours per week or participating in a Job Training Course	5
Category 3 Administrative Transfer	Make an Accessible Unit Available, Accommodate Family Changes, Avoid Concentration, Peaceful Enjoyment of the Unit	4

**C. Unit Transfer Preferences**

Tenants who request to be transferred or are required to transfer must submit a Unit Transfer Request to the Property Management Office. If the Tenant is deemed eligible for the transfer, the Tenant will be placed on the Waiting List according to the order in which they requested and preference assigned.

**D. Verification of Preferences**

All preferences will be verified using the verification methodology described in this Tenant Selection Plan. This verification will be conducted at the time of the eligibility interview.

**E. 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 ten (10) business days. The notice will contain the reasons for the determination. The applicant has the right to appeal the decision. All requests for appeal must be received within fifteen (15) calendar days from the date of notification of denial. See the full appeals process located in this tenant selection plan.

**F. 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 is the responsibility of the applicant to contact the owner/agent to request a change in status so that the waiting list can be updated to reflect the preference as appropriate. 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 the date the application was received.

**G. Exceptions to the Preference Rule**

Management must give priority to current Tenants:

1. Residing in a unit that has been determined uninhabitable due to flood, fire or other natural disaster; or
2. When a unit is designated for rehabilitation or repair.

These situations represent extenuating circumstances and the normal selection order may be adjusted to address the needs of these Tenants.

## **SECTION IX                    WAITING LISTS**

To ensure that applicants are appropriately and fairly selected for the next available unit, it is essential for the owner/agent to maintain waiting lists.

### **A. Placement on the Waiting List**

The owner/agent will place the applicant household on the waiting list after preliminary eligibility determination is complete. If applicants are eligible for more than one size bedroom, the applicants will have the option of choosing which bedroom size is appropriate for their family. Applicants will make this specifying a desired unit size when completing the pre-application. The applicant will be placed on the waiting list for all indicated unit sizes/types as long as:

1. The applicant household meets the Occupancy Standards described in this plan; and
2. The waiting list for the unit size is open

Once applicants have selected a bedroom size, they will not be allowed to change that selection unless a qualifying event has occurred. Please see the list of qualifying events in the Occupancy Standards section of this plan.

The applicant Head-of-Household (HOH) will be contacted, based on the waiting list selection criteria, and offered housing for the first unit that becomes available based on the selection guidelines described in this plan.

### **H. 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 applicants who are no longer interested in or no longer qualify for the PBRA and/or LIHTC program.

On a regular basis, as determined by the owner/agent considering the length of the waiting list, the owner/agent will contact each applicant household by mail, using the address provided on the pre-application. Applicants are responsible for updating their application with any changes in address. The Head-of-Household (HOH) will be the only person contacted unless otherwise requested. If this letter is unable to be delivered by the United States Postal Service, the application will be rejected and the household will be removed from the waiting list. If the Head-of-Household (HOH) fails to respond to the owner/agent inquiries regarding the desire to remain on the waiting list, the application will be rejected and the household will be removed from the waiting list.

In addition, an adult member of the applicant household must contact the Property Management Services Department, in writing, if household information changes (i.e. number of household members, number of future household members, criminal history, income, etc.). If the household size or composition changes, the owner/agent will:

1. Update the waiting list information; and
2. Decide whether the household needs the same or a different size unit

If, as a result of the household composition change, it is determined that the household will be on the waiting list for a different unit than originally indicated, the household will maintain their place on the waiting list for the new unit. If the waiting list is currently closed for the appropriate unit size, the application will be rejected and the household will be removed from the waiting list. If there are no units of the appropriate size on the property, the household will be rejected and will be removed from the waiting list.

### **I. Removal of Applicants from The Waiting List**

1. The owner/agent will remove an applicant's name from the waiting list if/when any of the following apply:
  - (a) Applicant requests that the household name be removed;
  - (b) The unit that is needed – using household size as the basis – has changed, and no appropriate size/type unit exists in the property;
  - (c) The unit that is needed – using household size as the basis – has changed, and the waiting list is closed for that unit size/type;
  - (d) Applicant fails to meet eligibility requirements;
  - (e) Applicant fails to meet occupancy standards;

- (f) Applicant fails to meet screening requirements;
  - (g) Applicant is rejected for any reason described in this plan;
  - (h) Applicant cannot be contacted by US Mail (letters are returned or undeliverable);
  - (i) Applicant fails to keep application information up to date based on the requirements described in this plan;
  - (j) 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; or
  - (k) Applicant refused offer of a unit (See Right to Refusal Policy for additional information).
2. 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 place 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 and time of the new application.
  3. There are certain situations when the owner/agent may refuse to accept an application. The owner/agent will not accept pre-applications from individuals or families who:
    - (a) Were denied admission to this program within the past 12 months for any reason at any property owned and administered by Lake Superior Village;
    - (b) Owe a move-out balance or debt to Lake Superior Village for previous tenancy in any of their housing programs that is not barred by the statute of limitations;
    - (c) Has been evicted or moved out in lieu of eviction from another property managed or owned by the owner/agent, or from the Public Housing or Housing Choice Voucher programs within the past two years for any reason other than drug related;
    - (d) Has been evicted or moved out in lieu of eviction from an Marquette Housing Commission property or program for drug related reasons in the last five years;
    - (e) Are currently housed at this property; or
    - (f) Rejected a housing offer at the same property within the past year.
 In addition, if an applicant previously accepted a unit offered by the owner/agent and the applicant failed to take possession of the unit on the agreed upon date without notice to the owner/agent, the owner/agent reserves the right to refuse all future applications.

**J. Selecting Applicants from The Waiting List**

When an applicant family reaches the top of the waiting list, they will be invited in to Lake Superior Village Central Office to complete an eligibility interview. Once the family has been certified eligible, they will wait for the next unit to become available.

When an appropriate unit is available, the owner/agent will contact the next certified eligible household in chronological order at the top of the list based on the selection criteria described in this plan and make a housing offer to the family. No determination of final eligibility or decisions to offer the unit shall be made until all information required to be presented by the applicant has been verified and the final eligibility determination is complete. Former Tenants desiring to return to the property must re-apply; meet all HUD and Owner requirements, and be placed on the waiting list.

**K. Opening and Closing Waiting List**

In order to ensure that applicants on the waiting list are processed in a reasonable amount of time, the owner/agent may stop accepting applications and close waiting lists in whole or in part. Decisions about closing and opening the waiting list will be based on the number of applications available for a particular size and type of apartment and the ability of the owner/agent to house an applicant in an appropriate apartment within a reasonable period of time.

On a regular basis, the owner/agent will review the number of families on the waiting list to determine whether the waiting list may be closed. If the owner/agent has sufficient applications, the waiting list may be closed completely. Notices announcing that the waiting list is closed or open will be publicly announced in the following manner:

1. Local newspapers;

2. Publications described in the Affirmative Fair Housing Marketing Plan (AFHMP); and
3. Flyers distributed through Social Service agencies as described in the AFHMP.

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. 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.

## **SECTION X VERIFICATION**

The owner/agent shall obtain verifications in compliance with requirements set forth by the Department of Housing and Urban Development (See Appendix 3 pages 516-579 of the 4350.1 REV-1). After the preliminary eligibility determination, no decision to approve an application shall be made until information provided on the application form and during subsequent interviews has been collected and any necessary follow-up interviews have been performed.

### **A. Information to be Verified**

All information relative to the following items must be verified as described in these procedures. 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) Current HUD Assistance
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
4. Compliance with Tenant Screening Guidelines, such as
  - (a) Criminal History
  - (b) Credit History
  - (c) Rental/Residence History
5. The Need for an Accessible Unit

### **B. Credibility**

The owner/agent will be the final judge of the credibility of any verification submitted by an applicant. If the owner/agent questions the validity of a document or the validity of information provided, it will be reviewed by the Director of Property Management Services for a ruling regarding acceptability.

### **C. Consent and Verification Forms**

Regardless of age, the Head-of-Household (HOH), the co-Head-of-Household (HOH) the spouse of the Head-of-Household (HOH) and all adult members (18 years of age or older) in a household must sign HUD's consent forms so that the owner/agent can verify eligibility. When a minor living in the unit turns 18, he/she will have thirty (30) days to meet with the management staff and sign appropriate forms. Failure to do so will result in termination of subsidy for the entire household.

#### **D. Provisions for Refusal to Sign**

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

#### **E. Misrepresentation**

Any information, provided by the applicant that 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 the following false information about the following to be grounds for rejecting an applicant:

- Identity
- Social Security Numbers/Information
- Assets/Income from Assets
- Income
- Household Composition
- Disability
- Birth Date/Age
- Citizenship, Naturalization, And/or Eligible Non-citizen status
- Immigration Status
- Eviction History
- Criminal History
- Sexual Offender Status
- Eligibility for Preferences and Priorities
- Current/Previous Residence History
- Current Housing Assistance
- Status as A Student

## **SECTION XI            APPLICANT SCREENING**

All adult family members listed on the application shall be screened in accordance with the actions defined below. Applicant screening shall assess the conduct of the applicant and other family members listed on the application, in present and prior housing and will assess the applicant's ability and willingness to comply with the essential lease requirements. Screening is performed in a manner that is reasonable, consistent, and complies with fair housing laws.

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 moving 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. Certain exceptions apply to children/minors. The current screening guidelines in place at the time the new household member applies will be used to determine eligibility for admission.

**Note:** The Owner / Agent followed HUD guidelines for the Rental Assistance Demonstration (RAD) requiring owners to not re-screen families at the time of conversion. Therefore, families living at the property at the time of conversion from Public Housing to PBRA and LIHTC were not re-screened. However, they were screened for these criteria at the time of their original move-in to the Public Housing program and are still subject to the same annual certification guidelines as usual.

#### **A. Screening for Drug Abuse and Other Criminal Activity**

A Criminal History Screening will be conducted on all adult members applying for housing in accordance with the Criminal History Screening Procedures.

1. HUD has established standards that prohibit admission of:



- (a) Any household in which any member was evicted in the last three years from federally assisted housing for drug-related criminal activity;
- (b) Any household in which any member was engaged in the production of methamphetamine;
- (c) 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;
- (d) Any household member who is subject to any state lifetime sex offender registration requirement;
- (e) Any household member, if there is reasonable cause to believe that 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.

**Note:** "Currently engaged in" is defined as any use of illegal drugs during the previous six months.

2. 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 criminal activity as described in this document. The owner/agent will reject applications if any household member's criminal history includes any of the following:
  - (a) Sex Offender Registration: Applicant, or any member of the applicant family, is or ever has been subject to registration under a state sex offender registration program;
  - (b) Record of any conviction or adjudication, other than acquittal, of the following felonies by any household member, regardless of when it happened:
    - 1) Capital Murder
    - 2) Murder / Manslaughter
    - 3) Arson
    - 4) Kidnapping
    - 5) Child Molestation
    - 6) Treason
    - 7) Rape or Crimes of a Sexual Nature
    - 8) Incest
    - 9) Crimes involving explosives
    - 10) Crimes involving terrorism
    - 11) Gross Lewdness
  - (c) If any household member is currently engaged in, or has engaged in any of the following criminal activities, the family will be denied admission:
    - 1) Drug-related criminal activity, defined by HUD as the illegal manufacture, sale, distribution or use of a drug or the possession of a drug with intent to manufacture, sell, distribute or use the drug;
    - 2) Violent criminal activity, defined by HUD as any criminal activity that has as one of its elements the use, attempted use or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage;
    - 3) Criminal activity that may threaten the health, safety or welfare of other tenants;
    - 4) Illegal possession/discharge/display/carrying of firearm or illegal weapon/ deadly weapon;
    - 5) Assault, aggravated assault, assault by threat, stalking;
    - 6) Physical violence to persons or property, or criminal activity that has as one of its elements the use, attempted use or threatened use of physical force against the person or property of another.
    - 7) Criminal activity that may threaten the health or safety of Marquette Housing Commission staff, contractors, subcontractors or agents;
    - 8) Three or more incidences or convictions of alcohol-related criminal activity, including Driving under the Influence and Public Intoxication;

- 9) Burglary of a Habitation; or
- 10) If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past three years, the family will be denied admission:
  - A pattern of abuse of alcohol, including, but not limited to, public intoxication and driving while intoxicated;
  - A pattern of fraud committed against a governmental entity;
  - A pattern of theft or fraud;
  - A pattern of organized criminal activity; or
  - A pattern of prostitution.

A pattern (for the purposes listed above) consists of three or more incidences, with a minimum of one incident occurring within the past three years. The owner/agent will not use arrest records as the sole basis for denying admission to the program.

3. Arrest Records

The owner/agent will not deny an application solely on the basis of an arrest. If the owner/agent receives arrest information which may be for a disqualifying activity, the owner/agent may request additional information. Additional information that may be considered, if available, include the following:

- a) The police report associated with the arrest which provides the reported circumstances of the arrest;
- b) Any statements made by witnesses or the applicant, not included in the report;
- c) Whether criminal charges were filed;
- d) Whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal; or
- e) Any other evidence relevant to determining whether or not the applicant engaged in the disqualifying activity.

4. Evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety and/or property.

5. VAWA Protections

If a Tenant or applicant has requested VAWA protections and such protections have been justified based on owner/agent investigation, the abuser/perpetrator will not be approved to live on the property.

6. Inability to Conduct Criminal or Sexual Offender Screening

If the owner/agent is unable to complete required criminal or sexual offender screening, the application will be rejected. If the owner/agent determines that a sex offender is part of the household, the owner/agent will allow the household to remove the sex offender from the application. Removal must be documented using the change of address receipt from the Maryland or National Sex Offender Registration. The household will have five (5) business days to provide verification that the household member has alternative housing or that the household member has applied for alternative housing. Failure to provide such documentation will result in rejection of the application for all household members.

7. Household Composition After Move-In

The owner/agent reserves the right to monitor household composition after move-in. The owner/agent will conduct quarterly reviews matching Tenants against the registered sex offender database. If the owner/agent discovers that a sex offender has moved in to the unit, assistance will be terminated and the household will be evicted in accordance with HUD requirements. Any assistance paid-in-error must be returned to HUD.

8. Illegal Aliens

United States Code Title 8, subsection 1324(a)(1)(A) prohibits the harboring of illegal aliens. The provision of housing to illegal aliens is a fundamental component of harboring. All applicants will be required to provide proof of citizenship or legal immigration status.

9. Unacceptable Criminal History

If criminal screening indicates that the applicant has an unacceptable criminal history, (based on the criteria outlined above), the owner/agent will reject the applicant in accordance with HUD guidance and the owner/agent's standards for applicant rejection.

10. Consideration of Extenuating Circumstances

(a) In deciding whether to exercise discretion to admit an individual who has engaged in prohibited criminal activity, the owner/agent will consider all of the circumstances relevant to the particular admission decision, including but not limited to: the seriousness of the offending action; the effect that denial of the entire household would have on family members not involved in the criminal activity; and the extent to which the applicant has taken all reasonable steps to prevent or mitigate the criminal activity.

(b) Additionally, when specifically considering whether to deny admission for illegal drug use by household member who is no longer engaged in such activity, the owner/agent will consider whether the household member is participating in or has successfully completed a drug rehabilitation program, or has otherwise been rehabilitated successfully.

11. Criminal Screening Discoveries

If the criminal background investigation indicates that the applicant does not meet the criminal screening criteria, the owner/agent will reject the applicant in accordance with HUD guidance and the owner/agent's standards for applicant rejection. Before rejecting the household, the owner/agent will compare the information provided by the applicant with the criminal history report. If the information conflicts, the owner/agent will:

(a) Notify the household of the proposed action based on the information;

(b) Provide a copy of the criminal history report;

(c) Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency;

(d) Allow the household the opportunity to remove the household member.

In this situation, applicants will have seven (7) calendar days to resolve the discrepancy. If the applicant fails to contact the owner/agent or indicates that he/she cannot provide documentation to refute the criminal discovery, the owner/agent will reject the application and remove the household from the waiting list. The owner/agent will notify the applicant family of the rejection in writing. The family will have the opportunity to request an appeal of the denial according to the terms of the grievance policy which is available upon request.

If, after move-in, the owner/agent discovers that there was criminal history that would have resulted in rejection, the owner/agent will contact the Tenant to ascertain the accuracy of the criminal report. If the Tenant would have been rejected had the information been known at the time of the eligibility determination, the owner/agent will take appropriate action including notifying HUD's Office of the Inspector General of potential fraud and pursuing termination of tenancy (eviction).

**B. Screening for Credit History**

The owner/agent reviews each adult applicant's credit history. The owner/agent does not consider medical bills/expenses, credit score, or the lack of credit history, when reviewing credit history.

Credit history will be reviewed to determine the following:

1. If there is any debt owed to a prior landlord or HUD;

2. If there are any evictions that have not been reported;

3. If there are any other housing related judgments against the applicant.

Applicants will be rejected in the following situations:

1. The family owes a debt to a federally assisted housing program which has not been repaid and the family has not established a repayment agreement; and

2. The family has a pattern of debts owed to affordable housing programs within the past two (2) years.

If the applicant has no credit history, the credit screening will be considered "positive".

### **C. Screening for Rental History**

If any member of the applicant household has been evicted from any property owned or managed by Marquette Housing Commission for lease violations within the last two years, that applicant household will be rejected.

The owner/agent will review rental history with any landlord indicated in the past two (2) years. The owner/agent will also review information provided through automated databases including eviction databases. The application will be rejected for any of the following:

1. The family has been evicted from federally assisted housing within the past 2 years;
2. The family has a pattern of disturbance of neighbors, destruction of property or living or housekeeping habits at prior residences within the past two years which may adversely affect the health, safety or welfare of other tenants; or
3. The family has a pattern of eviction from housing or termination from housing programs within the past five years (considering relevant circumstances).

If the applicant fails to identify one or more residences where he/she lived in the last two (2) years, the applicant will be rejected and the household will be removed from the waiting list. An applicant who has been homeless can meet the requirement to identify their residence by self-certifying to their homeless status.

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. Compliance with certification reporting requirements;
3. Rental Payment Performance;
4. Compliance with requirements to fully and accurately disclose income information in a timely manner;
5. Requirement to Return Assistance Paid in Error due to under-reporting income or un-reported income;
6. Unit Maintenance/Damage;
7. Record of Disturbing Neighbors; and
8. Complaints.

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

1. A pattern of failure to comply with the lease;
2. A pattern of failure to comply with House Rules, Pet Rules or Assistance Animal Rules;
3. Failure to fully and accurately report income, new employment or changes in household composition in a timely manner (if required);
4. Providing false information;
5. Attempting to receive or receiving HUD assistance in multiple units/homes;
6. Slow or no response to requests to recertify;
7. Poor rental payment history (average more than two (2) late payments per year, record of bounced checks, any outstanding balance);
8. A pattern of poor unit maintenance or damage to the unit beyond normal wear-and-tear;
9. Complaints from neighbors regarding actions that directly affect the peace and quiet comfort of others living in the community;
10. Record of actions that interfered with or prevented the previous landlord from effectively managing the property; and
11. A pattern of outstanding balances owed by any household member to a prior landlord

If the applicant has no landlord history, the landlord screening will be considered "positive".

### **D. Screening for Receipt of HUD Assistance in Another Unit (PBRA Only)**

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

unit on this property. HUD provides the owner/agent with information about an applicant's current status as a HUD housing assistance recipient.

The owner/agent will use the Existing Tenant Report provided via HUD's Enterprise Income Verification System (EIV) to determine if the applicant or any member of the applicant household is currently receiving HUD housing assistance. This applies to all household members and to new members of an existing household, including minors, foster children/adults, and live-in aides.

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 two assisted families share 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 (*Split household/Swap household*)

If the owner/agent discovers a discrepancy between the information on the application and the information provided by EIV, the applicant will be notified and will have 5 business days to respond to the inquiry. If an applicant fails to fully and accurately disclose receipt of HUD assistance or rental history, the application will be rejected and the applicant and all members of the applicant household will be removed from the waiting list.

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

The owner/agent will use the Former Tenant Search provided via HUD's Enterprise Income Verification System (EIV) to identify any debts owed to any state/federally assisted housing program. If the search reveals a debt that is owed, it must be paid and proof provided from that program that it has been paid before the applicant can be processed further.

#### **E. Home Visits**

A home visit may be conducted on applicants that have successfully completed the above screenings and have incomplete or questionable landlord references to determine if the applicant's housekeeping would create health or sanitation problems. Staff completing the home visit will consider whether the conditions they observe are the result of the applicant's treatment of the unit or are caused by the unit's overall substandard condition. Criteria to be checked during the visit shall include, but not be limited to:

1. Conditions in living room, kitchen (food preparation and clean-up), bathroom, bedrooms, entrance-ways, halls, and yard (if applicable);
2. Cleanliness of each room;
3. General care of appliances, fixtures, windows, doors, walls, floors, cabinets, etc.;
4. Evidence of destruction of property;
5. Unauthorized occupants present;
6. Evidence of criminal activity; and
7. Conditions inconsistent with information provided on the application.

All applicants shall have at least two days' advance notice of Home Visits. If applicant lives out of the area, the home visit will be waived. Notification of home visit will be by telephone. If applicant is unable to be reached by telephone, a letter will be sent advising applicant of the date and time of the home visit.

#### **F. Rejecting Ineligible or Unqualified Applicants**

The owner/agent reserves the right to reject applicants for admission based on any of the following:

1. Any member of the household fails to respond to management inquiries for additional information during the application process;
2. The owner/agent is unable to contact the applicant via US Mail (letters undeliverable or returned) and/or by phone (number disconnected or changed);

3. Any member of the household has a record of eviction, for lease violations, from any property managed by the owner/agent;
4. Any member of the household has a pattern of eviction, for lease violations, from any property within the last two years;
5. There is a pattern of outstanding or overdue payments to a previous landlord;
6. There is record of outstanding or overdue payments to HUD;
7. The household is unable to establish utilities in the new unit;
8. The household is unable to pay the security deposit required;
9. The household is unable to take possession of the unit within the timeframes outlined in this plan;
10. The household is unable to pay the first month's rent (TTP); or
11. The household does not have a need for an accessible unit and refuses one previous unit offer.

The owner/agent shall keep the following materials on file for at least 3 years:

1. Application;
2. Initial rejection notice;
3. Any applicant replies;
4. Owner's final response; and
5. All interview and verified information on which the Owner based the rejection.

#### **G. Rejection Notices**

The owner/agent will promptly notify the household (Head-of-Household (HOH)), in writing using the Notice of Ineligibility for Housing (Form 110) informing them of the denial of admission or assistance. The form will be sent to the Head-of-Household via First Class Mail and will include the reason(s) for the rejection.

#### **H. Appealing the Decision to Reject**

Any applicant may make a request to appeal the denial in writing within fifteen (15) calendar days from the date of the rejection. Then owner/agent will accept the request in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability. Such requests are to be submitted to the Property Manager Lake Superior Village's central office building. If there is no appeal request within fifteen (15) calendar days, the rejection will be considered final. Reasons to appeal include:

1. The applicant believes that they have been discriminated against;
2. The applicant believes the decision has been made in error;
3. The applicant believes there are extenuating circumstances that should be considered;
4. The applicant or a member of the applicant's household is a victim of abuse covered by the Violence Against Women Act and the applicant feels the applicant's status as a victim contributes to the decision to deny;
5. The applicant or a member of the applicant's household is a person with a disability, and the applicant believes a reasonable accommodation would allow the owner/agent to continue processing the application; and
6. The applicant's household was rejected because the application includes someone who is a registered sex offender and the applicant wishes to remove that household member.

Any staff person engaged in the initial review will not be involved in the appeal. Lake Superior Village's designated hearing officer will conduct the informal review. Applicants may bring a representative to assist in the appeal meeting. Applicants and/or their representatives have the right to request a reasonable accommodation to:

1. Assist in facilitating their request for appeal;
2. To assist in their participation during the appeal meeting.

The hearing officer will provide written notification of a final decision within ten (10) business days of the informal review. For complete details about the appeals process, see the Grievance and Appeals Policy. This policy is available for public viewing in all leasing offices and a personal copy is available on request.

The grievance procedures afforded to families living in Conventional Public Housing before conversion through RAD to Project Based Rental Assistance (PBRA) must be continued after the conversion.

## **SECTION XII OFFERING AN APARTMENT**

- A. When a unit becomes available and eligibility is determined, available units will be offered using one or more of the following methods:
1. In writing, using the mailing address provided by the applicant family.
  2. Over the phone, using the contact phone numbers provided by the applicant family.
  3. By email, using the contact email address(es) provided by the applicant family.

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 in this plan.

Failure to respond to the owner/agent will be considered a refusal of the unit offer. (See Right to Refusal policies.) It is the applicant family's responsibility to keep all contact information current with the Property Management Services Department.

### **B. Offering Accessible Units**

Units that have been made accessible in accordance with the Universal Federal Accessibility Standards or the Americans with Disabilities Act Accessibility Guidelines will be offered to applicant households with disabled members first. In some cases, the owner/agent may implement marketing effort to ensure that disabled households occupy accessible units.

Units with communication accessible features will be offered to households with a verified need for communication accessible units first. Units with mobility accessible features will be offered to households with a verified need for mobility accessible units first.

After move-in, if the members of the household who required the special features of the accessible unit no longer reside in the unit, and where the lease permits, the owner/agent will require the remaining members of the household to move to a unit without accessibility features when such a unit of the appropriate size becomes available.

If there is no household on the waiting list that has requested an accessible unit, the unit will then be offered to the next household based on the selection order. Before the applicant can accept that accessible unit, all adult members of the applicant household must sign an agreement that includes a requirement to move, at the household's expense, to the first available non-accessible unit that meets the household's occupancy requirements as described in this plan. The Tenant household will not be required to move if:

1. No unit that meets the household's occupancy requirements is available; or
2. There is no applicant household on the waiting list requesting an accessible unit.

In either of the cases above, the household must take possession of the unit within the timeframes outlined in this plan. If the applicant fails to move in within the established timeframes, assistance will be terminated. This rule in no way affects the single residence criteria. The household can only accept assistance in one unit on any given day.

### **C. Offering Units to Disabled Applicants Requesting Accessibility Features**

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, in compliance with the Fair Housing Act and Section 504, whether a unit meets the needs of the disabled household member. The household may accept the unit and request some modification to the unit as a reasonable accommodation. See the owner/agent's Reasonable Accommodation Policy for information about requesting a reasonable modification. The policy is available upon request.

### **D. Offering Units to Applicants or Tenants with Preferences**

Applicants/Tenants 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.

#### **E. Applicant/Tenant Selection Order**

##### **1. Accessible Apartments** will be offered in the following order:

- (a) The next household on the transfer list who is requesting an accessible unit. Offers will be made in order according to the weighted transfer list preferences\*:
  - 1) Emergency / Safety (with need for an accessible unit)
  - 2) Reasonable Accommodation (with need for an accessible unit)
  - 3) Over Housed (with need for an accessible unit)
  - 4) Under Housed (with need for an accessible unit)
- (b) The next applicant on the waiting list who is requesting an accessible unit. Offers will be made in order according to the weighted waiting list preferences:
  - 1) Marquette Housing Commission Tenant with VAWA preference (with need for an accessible unit)
  - 2) Involuntarily Displaced preference (with need for an accessible unit)
  - 3) Disability preference (with need for an accessible unit)
- (c) When there is no one in need of the accessibility features for this unit, the offer will be given to the next household on the transfer list. Offers will be made in order according to the weighted transfer list preferences\*:
  - 1) Emergency / Safety
  - 2) Reasonable Accommodation
  - 3) Over Housed
  - 4) Under Housed
- (d) When there is no one in need of the accessibility features of this unit, the offer will be given to the next applicant on the waiting list. Offers will be made in order according to the weighted waiting list preferences:
  - 1) Marquette Housing Commission Tenant seeking VAWA protections
  - 2) Involuntarily Displaced
  - 3) Disability

##### **2. Standard Apartments** will be offered in the following order:

- (a) The next household on the transfer list, regardless of need for an accessible unit. Offers will be made in order according to the weighted transfer list preferences\*:
  - 1) Emergency / Safety
  - 2) Reasonable Accommodation
  - 3) Over Housed
  - 4) Under Housed
  - 5) Tenant has no need for accessible feature in current unit
- (b) The next applicant on the waiting list, regardless of need for an accessible unit. Offers will be made in order according to the weighted waiting list preferences:
  - 1) Marquette Housing Commission Tenant seeking VAWA protections
  - 2) Involuntarily Displaced
  - 3) Disability

#### **F. Right to Refusal**

The Right to Refusal Policy applies to applicants and existing Tenants who have submitted a Unit Transfer Request. Tenants requesting unit transfer and applicants will be offered available units based on the information included in this tenant selection plan.

Each household will only be offered the opportunity to accept an offered apartment one (1) time. If a Tenant/applicant does not wish to accept an offered apartment, they have the right to refuse the offer. Tenants/applicants must notify the owner/agent of their intent to refuse the unit offer by using one or more of the following methods:

1. In writing (delivered by fax, mail or other means)



2. By email
3. 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.*

When an applicant or Tenant refuses a unit, the unit will be offered to the next qualified household based on the selection order described above. When a Tenant refuses a transfer offer, the terms of the lease require that the assistance be terminated and the Tenant be required to pay the full contract rent.

When an applicant refuses an offered unit, the household will be removed from the waiting list and will have to wait one calendar year before applying for the same bedroom size again. However, if the family composition changes, the family can submit an application at an earlier date.

Right to refusal policies will be modified in two cases:

1. If a disabled applicant or Tenant is at the top of the waiting list, they will be offered units as they become available regardless of whether they include accessible features. A disabled household has the right to refuse an unlimited number of non-accessible units or units that do not meet the specific accessibility requirements for the family. This modification applies only when the offered unit is a non-accessible unit. The one refusal limit still applies when an accessible unit which meets the family's requirements is offered. Note: *Certain restrictions apply to non-elderly disabled households when HUD's program eligibility requires the need for an accessible unit.*
2. If an applicant or Tenant household with no disabled members is at the top of the waiting list, and there are no disabled households on the waiting list, that household may be offered an accessible unit. An applicant household with no disabled household members has the right to refuse an unlimited number of accessible units or units that do not meet their needs.

#### **G. Timeframe for Taking Possession of a Unit by An Applicant Family**

When a housing offer is made, the applicant family must meet the following timeframes for taking possession of the offered unit:

1. Within 2 business days from the date the offer is received, the applicant family must make contact with the property management staff. At that time, the property management staff will notify the family of the anticipated date that the unit will be available to be viewed;
2. Once the unit is ready to view, the property management will schedule an appointment to view the unit. Failure to attend the scheduled appointment is considered a rejection of the housing offer;
3. Within 3 calendar days of viewing the unit, the applicant family must accept or reject the unit. No response by close of business on the third day is considered a rejection of the housing offer;
4. Within 2 calendar days of accepting an offer, the applicant family must pay the security deposit and the prorated first month's rent. At that time, the family will receive the keys and are considered to have taken possession of the unit. Failure to take possession of the unit by close of business on the second day is considered a rejection of the unit.

If the applicant household does not complete appropriate paperwork and does not take possession of the unit within the timeframes outlined above, the applicant will be subsequently rejected and removed from the waiting list. Extenuating circumstances will be considered, including the following:

1. The family is dealing with a documented medical or other family emergency. In this case the owner/agent and family will negotiate an appropriate solution which may include offering the family the next unit; or
2. The family is required to give 30 days' notice to their current landlord which is part of another federally assisted housing program.

When the family rejects the unit or does not meet the outlined timeframes, the owner/agent reserves the right to refuse subsequent applications. The unit will be offered to the next eligible applicant/Tenant based on the selection order described in this plan.

## SECTION XII UNIT TRANSFER POLICIES

For the purposes of Low-Income Housing Tax Credit (LIHTC), Lake Superior Village is considered one (1) building. Transfers will be made without regard to race, color, national origin, sex, religion, familial status, marital status, sexual orientation, gender identity or disability. Tenants will not be transferred to a dwelling unit of equal size except to alleviate hardship of the Tenant or other undesirable conditions as determined by the Director of Property Management Services or designee. Tenants can be transferred to accommodate a disability.

Tenants will receive one offer of a transfer. Refusal of that offer without good cause will result in lease termination for mandatory transfers or the removal of the household from the transfer list for voluntary transfers.

Transfers will be sorted into their appropriate categories by the Director of Property Management Services. Within each category, transfer applications will be sorted by the date the completed file (including any verification needed) is received from the Property Manager. Admissions will be made in the following descending order:

### A. The owner/agent will accept requests for transfer in the following situations:

#### 1. Emergency or Safety

The household needs to move due to a life-threatening situation and the transfer will take priority over new admissions. Life-threatening situations include the following:

- (a) Due to no fault of the Tenant(s), the unit is uninhabitable and cannot be made habitable in a reasonable amount of time;
- (b) A household member has experienced a medical condition which makes the current unit uninhabitable or unsafe;
- (c) A household member is in danger of retaliation due to witnessing a crime;
- (d) A household member is a victim of domestic violence, hate crime or extreme harassment and qualifies for VAWA protections.

#### 2. Category 1 Administrative Transfers

A family member has a medical problem of a serious (but not life-threatening) nature and there is a verified need for a Reasonable Accommodation to be made for an accessible unit.

#### 3. Category 2 Administrative Transfers

Transfers in this category include:

- (a) Over Housed where the household is in a unit that is larger than they qualify for according to the owner/agent's occupancy standards.
- (b) Under Housed where the household is in a unit that is smaller than they qualify for according to the owner/agent's occupancy standards or the family has had a qualifying event (see occupancy standards for the list of qualifying events) and requests a bedroom size for which they are eligible.
- (c) Category 2 transfers will only be made if the family size is so small that it includes fewer persons than the number of bedrooms, or so large that the household members equal more than two persons per bedroom, taking into consideration family composition/makeup.
- (d) These transfers will take priority over new admissions and are mandatory for the Tenant.

#### 4. Category 3 Administrative Transfers

Transfers in this category include:

- (a) The family has an unneeded accessibility feature which the family does not require or no longer needs the accessibility features of a unit in which they are living. However, there is not another family that needs that accessibility feature;
- (b) If a family's size is between the smallest and largest size permissible for the unit, the family may request a transfer, e.g. to permit older children of opposite sexes to have separate bedrooms;
- (c) To avoid concentration of the most economically and socially deprived families;
- (d) To address situations that interfere with peaceful enjoyment of the premises;

- (e) These transfers will not take priority over new admissions. They will be processed at the rate of one transfer to four admissions.
- B.** Unit transfer requests that do not fall into one of these categories will not be approved. Families requesting to move for any other reason will be provided with information on how to apply for housing assistance at the other properties managed or owned and operated by Marquette Housing Commission.
- C.** 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 move. The owner/agent will accept the Unit Transfer Request in an equally effective format, as a reasonable accommodation, if there is the presence of a disability.
- D.** Special consideration is given when the unit transfer is requested because there is:
1. A verified medical need for a different unit;
  2. A verified need for an accessible unit;
  3. There is a need for a unit transfer of a household that does not require the accessibility features of a unit in which they are living to accommodate a disabled Tenant/applicant on the waiting list; or
  4. A change in household size that makes the current unit too large or too small for the family based on the owner/agent's occupancy standards.
- E.** With the exception of Emergencies and Reasonable Accommodations, unit transfers will be granted only if:
1. The household has not given notice to move;
  2. The Tenant is not being evicted;
  3. The Tenant is current for all outstanding charges; and
  4. The Tenant complies with lease provisions regarding decent safe and sanitary conditions of current unit.
- F.** A household living in an apartment too large for its needs will not be required to move if there are no applicants waiting for the bedroom size to be vacated by the transfer. An appropriately sized unit will be available before the Tenant household is required to move. At that time, the household will have thirty (30) days to complete the transfer.
- G.** Split-family transfers will be processed as Category 2 Administrative Transfers.
1. Families that split into 2 "new" households may be transferred to two different units or
  2. A portion of the "old" household may be transferred to a single unit depending on family circumstances and unit availability.
  3. Such transfers will be made in a manner that minimizes the impact on vacant units.
- H. Good Record Requirement for Transfers**
1. In general, and in all cases of all Tenant requested transfers, Tenants will be considered for transfers only if the head of household and any other family members for the past two years:
    - (a) have not engaged in criminal activity that threatens the health and safety of Tenants and staff;
    - (b) do not owe back rent or other charges, or evidence a pattern of late payment;
    - (c) meet reasonable housekeeping standards and have no housekeeping lease violations; and
    - (d) can get utilities turned on in the name of the head of household (applicable only to properties with tenant-paid utilities).
  2. Exceptions to the good record requirements may be made for emergency transfers or when it is to Lake Superior Village's advantage to make the transfer. (e.g. A single person is living alone in a three-bedroom unit and does not want to move). The exception to the good record requirement will be made by the Director of Property Management Services. Absent a determination of exception, the following policy applies to transfers:
    - (a) If back rent is owed, the Tenant will not be transferred until a payment plan is established or, if prior payment plans have failed; back rent is paid in full.

(b) A Tenant with housekeeping standards violations will not be transferred until he/she passes a follow up housekeeping inspection.

**J. Costs of Transfers**

Tenants shall bear the cost of transfers to correct occupancy standards. However, where there is a hardship due to health, disability, or other factors, the Property Manager may recommend that families be reimbursed for their out-of-pocket expenses for an occupancy standard transfer in an amount not to exceed a reasonable moving allowance established by Lake Superior Village.

Transfers requested or required by Lake Superior Village, including those for temporary relocation during, and all transfers for reasonable accommodations will be paid for or made by Lake Superior Village.

**SECTION XIII SECURITY DEPOSITS**

**A. Security Deposit Requirements**

The owner/agent must collect a security deposit at the time of the initial lease execution. The owner/agent will comply with any HUD rules and applicable state and local laws governing the security deposit. The security deposit amount is based on the Total Tenant Payment (TTP) calculated at move in. If the move-in certification requires correction, and the TTP is recalculated, the security deposit requirement will be recalculated as well and any variance in the amount originally collected will be collected from / returned to the tenant. Otherwise, the amount of the security deposit established at move-in does not change when a Tenant's rent changes.

The Tenant is expected to pay the security deposit from his/her own resources and/or other public or private sources. An applicant will be rejected if he/she does not have sufficient funds to pay the deposit.

*Note: Tenants in place at the time of the RAD conversion will retain their original security deposit paid at the time of their move-in. They will not incur an additional security deposit. All other rules pertaining to the security deposit described herein shall remain.*

**B. Security Deposit for Change in Household Size or Income**

When the Tenant experiences a change in household size or amount of income while remaining in the same unit, the owner/agent will not make any change to the original security deposit amount.

**C. Security Deposit with Unit Transfer**

When a Tenant is transferred to a new unit with all other household members as a result of an owner/agent required move due to rehabilitation of the unit, the owner/agent will not charge a new security deposit. The security deposit from the original unit will be transferred to the new unit.

When a Tenant is transferred to a new unit with all other household members for any other reason, the owner/agent will charge a new security deposit which is due at the time the lease is signed. A refund of the security deposit for the old unit less any outstanding amounts for rent, fees or damages will be refunded within 30 days after the keys to the original unit has been received by the Property Manager. If the move out expenses exceed the security deposit, the family will receive an itemized bill which must be paid within 30 days of receipt of the bill.

**SECTION XIV CHANGES IN HOUSEHOLD COMPOSITION**

**A. Adding Household Members After Initial Occupancy**

The owner/agent must approve any new adult household member before he/she moves in to the unit. Eligibility criteria, screening criteria and compliance with occupancy standards will be reviewed before the new household member is approved or denied. The request to add a new household member will not be considered if the Tenant has provided notice to vacate the unit. This helps prevent applicants from "jumping" ahead on the waiting list.

Any new adult household member will be considered an applicant and must participate in the eligibility determination and screening processes described in the tenant selection plan in place at the time of the eligibility determination.

This policy applies to live-in aides as well. 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.

Information about new household members who are minors must be provided to the owner/agent as quickly as possible but within no more than thirty (30) calendar days. If the new household member is under the age of six, special consideration regarding Social Security Number disclosure and verification of Social Security Numbers is given. The household will be given ninety (90) calendar days to provide the Social Security Number and adequate documentation to verify the Social Security Number provided. In some cases, an additional ninety (90) days may be provided.

If the household fails to provide the required Social Security Number information within the allotted timeframe, the household's tenancy will be terminated (eviction) in accordance with HUD requirements.

Failure to notify the owner/agent about changes in household composition as described above may result in retroactive rent charges and/or termination of subsidy/tenancy for the entire household.

Please contact the owner/agent or property management staff if you have questions about this policy.

**B. Removing Household Members After Initial Occupancy**

Tenants must notify the owner/agent if any household member listed on the lease, on HUD Form 50059 or on the LIHTC Tenant Income Certification (TIC) leaves the unit. This notification must occur as quickly as possible but within no more than ten (10) calendar days.

Failure to notify the owner/agent about changes in household composition may result in termination of subsidy and/or tenancy for the entire household. Please contact the owner/agent if you have questions about this policy.

**SECTION XV APARTMENT INSPECTIONS**

All apartments must undergo periodic inspection conducted by the on-site management team, HUD and/or HUD's representatives/agents. These inspections include not only interior but also exterior inspections. Tenants have the right to be present, and are, in fact encouraged, to be present during unit inspection.

**A. Move-in Inspection**

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. A Unit Inspection Form will be completed certifying the condition of the unit, and both the Tenant and Lake Superior Village will sign this statement. Any maintenance concerns noted on the statement will be addressed by Lake Superior Village at no charge to the tenant.

**B. Move-Out Inspection**

The move-out inspection is conducted after a household vacates a unit to assess the condition of the unit and determine responsibility for any needed repairs. The owner/agent will list the damages on the Unit Inspection Form and compare it with the Unit Inspection Form completed at move-in to determine if there is any damage or excessive wear-and-tear that will be charged to the tenant and be deducted from the tenant security deposit. This inspection becomes the basis for any claims that may be assessed against the security deposit.

**C. Annual Preventive Maintenance Inspection**

The owner/agent may 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.

**D. Monthly Extermination and Inspection**

Lake Superior Village, through a contracted Pest Control Company, may perform a monthly pest inspection of all units and common areas of the development with extermination procedures performed as needed. During these inspections, the Pest Control Company will enter the tenant's unit and will inspect all areas of the unit including furniture and bedding for evidence of pests. Since good housekeeping is directly linked to the presence of pests, the Pest Control Representatives will also perform a general housekeeping inspection and report any deficiency to management.

**E. Housekeeping inspection**

If Lake Superior Village has received reports from the Pest Control Company, the maintenance staff or other sources that there is a housekeeping problem, or has reason to believe that a tenant's home is not being maintained to the housekeeping standards expected as outlined in the lease documents, Lake Superior Village may perform a thorough housekeeping inspection. If such an inspection needs to take place, tenants will be notified in writing in advance, with instructions on how to prepare the unit for the inspection. Housekeeping inspections provide the owner/agent the opportunity to verify that the unit is being properly cared for and to verify the need for any necessary repairs.

**F. Department of Housing and Community Development and HUD Inspection**

The Michigan State Housing Development Authority and HUD, or its authorized contractor(s), have the right to inspect the units and the entire property to ensure that the property is being well maintained. These inspections assure HUD that owner/agents 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.

**G. Miscellaneous Inspection**

Miscellaneous inspections may be performed periodically in the Tenant units such as fire alarm, mechanical, and others to assure that the housing unit is maintained in a safe, secure, energy efficient and clean condition.

**H. Notification of Entry for Inspection**

Lake Superior Village will provide at least 24 hours written notice that they will be entering the unit to perform an inspection during normal business hours. Lake Superior Village may enter the Tenant's dwelling unit at any time without advance notification when there is reasonable cause to believe that an emergency exists. If the Tenants of the household are absent from the dwelling unit at the time of entry, Lake Superior Village shall leave in the dwelling unit a written statement specifying the date, time and purpose of entry prior to leaving the dwelling unit.

**I. Physical Entry**

If Lake Superior Village or other vendors, contractors or agencies listed above are unable to enter the unit to perform the scheduled inspection a warning letter will be issued and the second offense can result in termination of tenancy.

All pets are to be temporarily caged for the period of the physical inspection indicated. This is for the protection of those entering the unit as well as the safety of the pet. Failure of the pet(s) to be caged will be considered the inability to enter the rental unit and subject to the terms above.

J. Failure to cooperate with the terms of the inspection policies outlined by Lake Superior Village is considered a violation of the lease and could result in termination of tenancy.

## **SECTION XVI RECERTIFICATION REQUIREMENTS**

**A. Annual Recertification**

HUD requires the owner/agent to conduct a recertification of family income and composition at least annually to ensure that assisted Tenants pay rents in line with their ability to pay and are receiving the proper subsidy amount for their income amount and family make up based on the information gathered.

1. Annual recertifications take place on the same date every year.
2. Tenants will be notified in advance of the recertification.
3. Failure to comply with the terms of the annual recertification, including following deadlines and providing all required documentation and verification could result in termination of assistance.

## **B. Interim Recertifications**

To ensure that assisted tenants pay rents in line with their ability to pay, tenants must supply information requested by the owner/agent or HUD for use in an interim recertification of family income and composition in accordance with HUD requirements.

1. All tenants must notify the owner when:
  - (a) A family member moves out of the unit;
  - (b) The family proposes to move a new member into the unit;
  - (c) An adult member of the family who was reported as unemployed on the most recent certification or recertification obtains employment; or
  - (d) The family's income cumulatively increases by \$200 or more a month.
2. Tenants may request an interim recertification due to any changes occurring since the last recertification that may affect the Total Tenant Payment (TTP) or tenant rent and assistance payment for the tenant. Changes to a tenant report include the following:
  - (a) Decrease in income including, but not limited to, loss of employment, reduction in the number of hours worked by an employed family member, and loss or reduction of welfare income;
  - (b) Increases in allowances including, but not limited to, increased medical expenses, and higher child care costs; and
  - (c) Other changes affecting the calculation of a family's annual or adjusted income including, but not limited to, a family member turning 62 years old, becoming a full-time student, or becoming a person with a disability.
3. Tenants are not required to report when a family member turns 18 years of age between annual recertifications. However, when a tenant turns 18 years old, they must sign additional paperwork with the housing authority, or risk lease termination. Tenants must follow the requirements in their lease for reporting changes in the household income.
4. Owners 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 \$200 or more a month;
  - (c) An increase in allowances (e.g. number of dependents, a new disability assistance expense);
  - (d) Most decreases in income except in circumstances described in HUD Handbook 4350.3 REV-1, paragraph 7-11.D; or
  - (e) A change in citizenship or eligible immigration status of any family member.
5. If a tenant reports a change in income that does not increase the household's cumulative income by \$200 or more a month, the owner should not process an interim recertification to increase the tenant's rent. If a tenant reports any other change addressed above along with an increase in income that does not increase household income by \$200 or more a month, the owner should not include the increase in income in processing the interim recertification.
6. Upon receiving a tenant request for an interim recertification, owners must process a recertification of family income and composition within a reasonable time, which is only the amount of time needed to verify the information provided by the tenant. Generally, this should not exceed four weeks.
7. Owners should not recertify a tenant receiving welfare assistance in an as-paid welfare program when the Public Assistance Agency reduces the tenant's shelter and utility allowance because it is greater than the tenant's actual rent.
8. Owners may delay, but not refuse, to process an interim recertification if they have confirmation that a tenant's income will be partially or fully restored within two months. Processing may be delayed only until the new income is known.

9. Owners do not have to perform interim recertifications for individual tenants who are paying market rent.

## **SECTION XVII IMPLEMENTATION OF HOUSE RULES CHANGES**

- A. All tenants will receive the House Rules at their initial lease and/or at their annual recertification. Failures to comply with the terms of the House Rules are considered violations of the lease and could result in termination of tenancy.
- B. All tenants will be notified in writing of any changes to the House Rules.
  1. Tenants will be given 30 days' notice of any potential change to House Rules; and
  2. The proposed House Rules change will not take effect until the 30 days has expired.

## **SECTION XVIII CHANGES TO THE TENANT SELECTION PLAN**

Applicants will be notified in writing when the tenant selection plan undergoes significant change or when preferences are added or removed. At that time, applicants will be given an opportunity to review the new plan, notified of changes to preferences and 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 make a final decision to approve or reject the application.