



New England Family Housing Tenant Selection Plan



Overview

These tenant selection criteria shall be used for market, U.S. Department of Housing and Urban Development (HUD), Federal Low Income Housing Tax Credit (LIHTC) and HOME Program properties within New England Family Housing portfolio under management by the Management Agent. This policy and all resident selection procedures shall comply with all state and federal laws and regulations, including any discrimination prohibited by the Fair Housing Act and other state and federal statutes and regulations that prohibit discrimination.

General Information

1. **Fair Housing:** Residency in the New England Family Housing portfolio is open to all qualified eligible persons in accordance with the Fair Housing Act which prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, age, marital status, sexual orientation, disability and familial status. All interested persons, applicants, tenants and the general public will be given information on LEP (Limited English Proficiency) and asked if they need any translation assistance.
2. **Reasonable Accommodation:** In keeping with Section 504 of the Rehabilitation Act of 1973, the New England Family Housing portfolio will make “reasonable accommodations” including reasonable modifications for individuals whose disabilities so require, in accordance with HUD regulations and management policies. This includes the application process and residency period. For more information on reasonable accommodations please refer to management’s Reasonable Accommodation Policy or the portfolio’s Section 504 Coordinator.
3. **Accessible Units:** Because some of the units in the New England Family Housing portfolio have been architecturally designed for accessibility (to various degrees), someone in the family must qualify as “needing” the architecturally designed features to apply for or receive a priority to live in these units. These units may have wider doorways, an elevated commode, extra grab bar(s) and may or may not have cabinets under sinks and kitchen work areas. An applicant requesting an accessible unit will be requested to verify his or her need with a medical practitioner or similar worker and will be in accordance with HUD Handbook 4350.3.
4. **Applicant/Tenant Responsibilities:** In order to be a tenant in the New England Family Housing portfolio, an applicant must be capable of fulfilling all lease requirements. This means that all applicants must be able to meet all of his/her personal needs and be able to fulfill all lease obligations with or without assistance. New England Family Housing does not provide, and does not have the authority to provide, any personal services, medical care or supervisory services. New England Family Housing does not provide any assistance with personal activities of daily living. Should such assistance be needed by a resident, management will provide an applicant or resident with a list of third-party “providers” who deliver assisted living services in the community.
5. **Eligibility:** All potentially eligible, qualified applicants will be considered in accordance with the marketing procedures of the property. All applicants must comply with any applicable admissions requirements.

6. **Income Limits:** The local HUD Fair Market, MTSP and HOME limits apply to the New England Family Housing portfolio and thus applicants must meet specific income restrictions to be eligible for tenancy at any this property. HUD updates income limits on an annual basis.
7. New England Family Housing reserves the right to alter the New England Family Housing Tenant Selection Plan at any time. In such an event, management will provide applicants and residents with ample notice, as well as a copy of the update Tenant Selection Plan.

Smoke-Free Facility

The New England Family Housing portfolio is smoke-free. The purpose of this rule is to protect the health and safety of our residents and property. It is a violation of the Handbook for any resident, guest, visitor, contractor and/or staff persons to smoke, carry, inhale or exhale lighted cigarettes, pipes, cigars or any other similar lighted product anywhere inside the building. The public designated area is located 25 feet from any of the common areas of the property. Violations of the smoke-free policy will result in eviction as a violation of the Handbook (which rules are incorporated by reference in the Lease). A violation of the Lease agreement allows for immediate termination of the Lease by the Landlord.

Preferences

New England Family Housing current has one (1) property which has further guidelines;

1. Three (3) one bedroom units at Newfound River Apartments have an occupancy preference for 811 PRA eligible residents (See 811 PRA).

General Admissions

1. **Application Process:** Applicants will be considered on a first-received, first-reviewed basis, based upon the date that the completed and signed application is received and date and time stamped by management. Admission is limited to those applicants whose income meets the Fair Market, MTSP and/or HOME Income Limits for this area. HUD publishes and releases income limits on an annual basis.
2. **Apartment Assignments:** New England Family Housing will first assign apartment(s) to in-place tenants, who are current on their rent, who have demonstrated need for a change in housing before offering units to an applicant on the Waiting List. This will be done in chronological order, based on the date and time of the written tenant notification to the management for the new "need." All current in place tenant whose needs have changed will be housed and/or transferred before anyone on the Waiting List is housed.
3. **Independent Students:** For all LIHTC units, pursuant to Section 42 of the Internal Revenue Code, if all the occupants of a household are full-time students none of which are eligible to file a joint income tax return, such household is not an eligible Low Income Housing Tax Credit tenant. Exceptions are made for students receiving assistance under Title IV of the Social Security Act, if any household members previously were under the care and placement of the foster care program under Title IV of the Social Security Act, if all adults are single parents and neither they nor any of their children are dependents of a third party, if all adults are married and eligible to file a joint tax return, or those enrolled in job training programs receiving assistance under the Job Training Partnership Act or under other similar federal, state or local laws.

For all HOME units, pursuant to the Final HOME Rule of 2013, if any occupants of a household are enrolled in a high education institution AND is under the age of 24, is not a veteran of the U.S. military, is not married, does not have a dependent child(ren), is not a person with disabilities and is not otherwise individually eligible, or have parents who, individually or jointly, are not eligible on the basis of income then the household is not an eligible HOME tenant.

Procedures for Applying for Housing

1. **Application Procedure:** All persons/families interested in applying for housing in the New England Family Housing portfolio must meet with the following requirements to be “considered for housing.” Applications may be picked up at the Management Office located at 105 Loudon Road, Unit 1, Concord, NH 03301 during normal business hours or downloaded from our website: www.alliancenh.com. Requests for applications to be sent through the mail may be made by writing to the above address or by calling (603) 223-0810. Applications should be returned during business hours in person or via first class mail. Allowances will be made for persons with disabilities or who live out-of-state. Applications will be date and time stamped and applications will enter the Waiting List in the chronological order of receipt.

The Applicant(s) must:

- List all family members who will reside in the unit
 - Meet certain criminal reports standards. A criminal/sex offender registration report will be run on the applicant(s) by the management. This criminal report will be run on all adult (18 years of age or older) household members applying to live in the New England Family Housing portfolio. Applicant(s) must not have a conviction for;
 - Drug related criminal activity unless the applicant has successfully completed a drug-rehabilitation program, or;
 - No family member can have a conviction or adjudication other than acquittal for any sexual offence or requirement to register as a sex offender in any state, or;
 - A conviction that is classified as a hate crime, or;
 - Repeated conviction of crimes against persons or property, or;
 - Other criminal convictions that signify a threat to the health, safety, security or right to peaceful enjoyment of the premises by other residents, owners, or the agent of the owner and his or her employees, contractors, subcontractors or any persons who are involved with the property.
 - Demonstrate ability to meet financial obligations in a satisfactory manner, and on time.
 - Provide good/acceptable references from all landlord, both current and previous, listed on the application and in credit bureau files.
 - Demonstration that the applicant has the ability to fulfill all the lease requirements (with or without care assistance) where applicable.
 - Maintain satisfactory housekeeping practices that will not jeopardize the health, security or welfare of other residents. This is determined through the landlord/rental verification.
2. **Verification:** All of the above information will be verified in accordance with HUD Regulations and Requirements, as stated in HUD Handbook 4350.3 (including all revisions). Applicants will be required to sign appropriate forms authorizing management to verify any and all factors that affect the applicant’s eligibility or the rent that the applicant will pay. If an applicant fails to supply all

necessary verification forms, information or meet the requests of the application process, or Management cannot obtain verification of specific required information due to illegible forms/application, the applicant will be rejected (please refer to Rejection Procedures for further information).

3. **Applicant Assistance:** In the event the applicant is personally unable to complete the form, the applicant must provide the information of someone assisting in completing the form. The person assisting the applicant must sign and date the application, indicating that it was completed at the direction of the named applicant. **If the applicant is a person with disabilities, management must consider extenuating circumstances where this would be required as a matter of reasonable accommodation.**

Interviews

1. **Initial Eligibility:** Upon receipt of the original application, the application is preliminarily reviewed. The initial review will be for application completeness, to make sure that the application is legible and to initially determine if the applicant appears to qualify. This in no way means that an applicant qualifies, or is eligible. Eligibility can be confirmed only after all items are verified: income, assets, family composition, etc. The applicant must be determined eligible to be offered housing. Failure to meet for an interview or failure to contact Management will cause the removal of the application from the Waiting List.
2. **Formal Interview:** After the application is submitted, if the applicant is determined to be eligible and a unit is available, the applicant household will be contacted. At the time the applicant is contacted, all items on the application will be discussed and confirmed. Until all items are verified, eligibility cannot be determined, nor any housing offered. Management must make an attempt to verify all factors with "third party" written verification.
3. **Alternate Verification:** In the absence of third-party verification within 14 days after attempting/requesting third party verification, and no response being received, management will use source documents to verify items/issues.

Waiting List

1. **Waiting List Placement:** Any applicant who appears to qualify after Management reviews the application, but before any information is formally verified, and for whom a unit is not currently available, will be placed on the Waiting List. All received applications are date and time stamped, entering the Waiting List in the chronological order of receipt. The applicant is informed of the approximate wait for a unit and/or placement position on the Waiting List. It is the applicant's responsibility to report changes on the application to Management in a timely fashion.
2. **Eligibility:** Applicants who are placed on the Waiting List are apparently eligible at the time of application, based on local applicable income limits as published annually in the Federal Register and information provided by the applicant. Verifications of income and other eligibility factors are only conducted at the time the applicant is contacted for an interview and prior to move-in. Being placed on the Waiting List does not guarantee that an applicant will be deemed qualified for an apartment, as that determination can only be made after all screening and verification has been completed.

3. **Incomplete Applications:** Any applicant who fails to complete his or her application form in its entirety will result in the disqualification of the application. The application will not be processed.
4. **Applicant Responsibilities for Information Updates:** All applicants on the Waiting List are required to contact Management in writing every twelve (12) months if the applicant decides to remain on the Waiting List. Failure to do so will result in the removal of the application from the Waiting List. Contact may be initiated by Management in the form of a routine letter/postcard, sent to all applicants on the Waiting List, requesting (1) updated information, (2) asking if they wish to remain on the Waiting List and (3) stating that if the letter is not responded to within fourteen (14) days, their name will be dropped from the Waiting List without further notice.
5. **Waiting List Status:** When the number of names/families on the Waiting List for any particular size exceeds the annual apartment turnover for that size unit, the Waiting List may be closed. Management will advise potential applicants of the closure of the Waiting List and refusal to take additional applications. A notice will be prominently posted in the Management Office or reception area and in a local newspaper, stating the reason the Waiting List is closed and the effective date of the closure. When the Waiting List is to be reopened, notice of this will be placed in the same local publication, as well as notifications sent to appropriate social service agencies stating when the Waiting List will be re-opened, as well as times and days that applications will be taken. This is done in accordance with the Affirmative Fair Housing Marketing Plan, if applicable.
6. **Waiting List Status Determinants:** The Waiting List may be closed again, to any further applicants, when the average wait for any apartment type exceeds one (1) year. This wait is calculated by taking the average number of apartments that turnover monthly x 12 months = annual apartment turnover. Management will advise potential applicants of the closure of the Waiting List and refusal to take addition applications. A notice will be prominently posted in the Management Office or reception area and in a local newspaper, stating the reason the Waiting List is closing and the effective date of the closure.
7. **Deferral of Processing an Application:** As an applicant's name approaches the top of the Waiting List, the applicant must proceed with the processing of the application within the required time frame. Any delay will result in the removal of their application from the Waiting List. An applicant can only defer the processing of his/her application for up to six (6) months on the basis of a verifiable medical reason. The applicant must contact management in writing during those six months if the medical condition persists. Failure to do so will indicate that the applicant is no longer interested in housing in the New England Family Housing portfolio and will result in the removal of his/her name from the Waiting List without further notice.
8. **Refusal of an Offered Apartment:** If an applicant on the Waiting List is offered an apartment and refuses the offered apartment (first offer), the application is removed from the Waiting List. The applicant may reapply in the future, at a time that new applications are being taken.
9. **In-Place Tenant Housing Needs:** When a unit becomes available, in-place tenants requiring a different apartment (see Transfer Policy) will be housed appropriately before we move in an applicant on the Waiting List. This allows management to treat current tenants having the greatest housing need prior to applicants on the Waiting List. In this manner, we are able to avoid displacing, through any action, current tenants whose housing needs have changed since admission. If a resident on the in-house transfer Waiting List is offered an apartment and refuses the offered

apartment, the resident is removed from the transfer Waiting List. The resident may request a transfer in the future.

10. **Removal of Names From the Waiting List:** Applicant names will be removed from the Waiting List for any of the following reasons:
- a. The applicant no longer meets the eligibility requirements for the property or program;
 - b. The applicant fails to contact Management in writing every twelve (12) months to indicate their interest in retaining his/her placement on the Waiting List;
 - c. The applicant fails to respond to a written notice within the required time frame;
 - d. The applicant does not comply to the verification requests in a timely manner;
 - e. The applicant does not provide the required documentation in a timely manner;
 - f. The applicant fails to sign any and all documents in a timely way, up to and including the lease;
 - g. The applicant is offered an apartment and rejects the offer the first time;
 - h. The applicant seeks deferral in the processing of the application for any other reason other than a verifiable medical reason
 - i. Mail sent to the applicant's address is returned as undeliverable, unclaimed or not forwarded;
 - j. The apartment that is needed - using family size as the basis – changes, and no appropriate size unit exists in the property;
 - k. The applicant requests removal from the Waiting List;
 - l. The applicant cancels their interest and decides not to proceed with the processing of the application.

Rejection Procedures

1. **Management Rejection of Applicant:** When management rejects an applicant, the applicant will be notified of this decision in writing. This written statement, which will be sent in a timely fashion, will include the reason(s) for the rejection, and will state that the applicant has the opportunity to request a meeting with management representatives to discuss the rejection. The applicant will be further instructed to request the meeting within fourteen (14) days of the date of the rejection letter.
2. **Request Procedure:** If the applicant wants to request a meeting, the applicant's verbal or written request must be sent to the Management at 19 Old Suncook Road #4-204, Concord, NH 03301 within fourteen (14) days of the date of the rejection notice. A staff member, who was not involved in the initial decision to deny admission or assistance to the applicant, will hold the requested meeting. Within five (5) business days of management's response or meeting, Management must advise the applicant, in writing, of the final decision regarding eligibility. All of this material (original application, rejection letter, applicant's request for a meeting, summary of the meeting and the final decision) must be kept for three (3) years in confidential files.

****Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.****

Unit Size Standards & Guidelines

1. **Occupancy Standards:**

Generally, in order to prevent overcrowding and conflicts with local building and occupancy codes, the following general occupancy standards shall apply for all sites.

- a. No more than two (2) persons shall be required to share a bedroom/sleeping area. Every room occupied for sleeping purposed by more than one (1) occupant should contain at least fifty (50) square feet of floor area for each occupant.
- b. Children of the opposite sex may share a bedroom/sleeping area at the discretion of the parents.
- c. Children of the same sex may share a bedroom/sleeping area.
- d. Unrelated adults and persons of the opposite sex (other than spouses) shall not be required to share a bedroom/sleeping area.
- e. A child may share a bedroom/sleeping area with a parent if the parent so wishes.
- f. For specifically designed (barrier-free) units, applicants needing those features will be given priority. Should no one apply who would benefit from special unit features, another applicant based on income level and occupancy policy should occupy this unit with a written lease agreement to transfer to a different unit when available and should an applicant now exist on the waiting list for the special unit.
- g. The resident may select a unit size he/she deems appropriate to his/her needs unless it constitutes overcrowding, there is a State or Local law restricting occupancy, or underutilization of the unit would occur.
- h. Owner/Management may change the occupancy standards during the lease term if changes in laws, ordinances or regulations make such change necessary. Owner/Management shall have the right to make reasonable accommodations for individuals with disabilities and may adjust occupancy standards to further the goal of reasonable accommodation.
- i. All households must provide positive identification of all persons who will be part of the entire household. Adoption or the custody in process must have written documentation. Pregnant women will not be required to undergo medical testing to determine whether she is pregnant in order to assign a unit with the appropriate number of bedrooms/sleeping areas.

2. **When Assigning Bedrooms:**

- a. Every full-time household member listed on the application is counted.
- b. An unborn child or children in the process of being adopted or secured by custody action may be counted for occupancy.
- c. Live-in attendants and foster children are counted when determining bedroom size.
- d. Children who live in the unit 50% of the time or more may be counted.
- e. Children away at school, who live with the family when school recesses, may be counted. Management will not count children who are away at school and who have established residency at another address or location as evidenced by a lease agreement or other proof.
- f. Visitors, permanently confined/institutionalized household members and children on active military duty are not counted when determining bedroom size.

3. **Apartment Change Request:** A larger apartment than needed may be assigned to an eligible family if the family can certify with third-party verification that there is a medical reason for the larger unit.

This certification must include a specific explanation as to how the medical condition will improve by the assignment of a larger apartment.

4. **Family Change Needs:** New England Family Housing will accommodate the changing needs of the in-house tenants because of the increases in the number of family members or changes in the family composition, before going to the Waiting List.

Accessible Units

1. **Accessible Units:** Because some of the units within the New England Family Housing portfolio have been architecturally altered for accessibility for persons with mobility impairment disabilities, to obtain a priority for these units someone in the family must qualify as “needing” the architecturally altered features to apply for or live in these units. This need may be verified with a medical practitioner. Units that have been altered in any way for a disabled person will be rented whenever possible to a family or individual needing that specific unit type, or the architectural features present in that unit. In all instances, “accessible” units shall be rented to a family or family with a member needing that type of unit.
2. In the unlikely event that no applicant or family can be found that have a need for that unit type or unit features, a non-disabled applicant or family can be housed there (temporarily), only after signing a statement, that will become a lease addendum, that states that they will move, within 30 days, when they are notified by Management, in writing, that a non-handicapped unit is available.

Transfer Policy

1. **In-House Transfers:** Management will approve in-house transfers, only in the following situations:
 - a. A verifiable medical reason requiring a different apartment or accessible unit, including the need for a 24-hour live-in care attendant (this will be verified with a medical practitioner using the Management form).
 - b. Change in family composition or size.
 - c. A household that is living in a mobility-impaired apartment and does not require the features of that apartment.
 - d. VAWA request.Management will house persons from the in-house transfer waiting list first before offering the unit to someone on the outside waiting list. If a resident declines an offer to transfer to a unit, the resident will then be moved to the bottom of the in-house transfer waiting list. Residents must be in good standing in order for the transfer to be processed. Transfers can only occur within the same Ownership.
2. **Reasonable Accommodation:** Requests for transfers that are based on a need for a reasonable accommodation will be provided priority over other requests. Transfers will be provided to persons who have a medical or other verified need, because of a disability, in the chronological order of requests received. All other transfers will be provided after requests for reasonable accommodations and will occur in chronological order by the date the request was received.

Live-In Care Attendant (Aide)

A person who resides with one or more elderly person(s), near-elderly person(s), or person(s) with disabilities, and who:

- a. Is determined to be essential to the care and well-being of the person(s);
- b. Is not obligated for the support of the person(s); and
- c. Would not be living in the unit except to provide the necessary supportive services.

While a relative may be considered to be a Live-In Attendant (Aide), they must meet the above requirements and sign a statement to that effect. Management will verify the need of the resident for a full time live-in aide with a physician or recognized health care professional. The sole purpose of a Live-In Aide is to provide the tenant with support services and will not qualify for continued occupancy in the event the tenant vacates the unit. Management may re-verify the need for a Live-In Aide when necessary.

The screening of Live-In Aides at initial occupancy and the screening of persons or Live-In Aides to be added to the tenant household after initial occupancy involve identical screening activities as applicants. Live-In Aides must be screened for drug abuse and other criminal activity, including lifetime registration as a sex offender, by applying the same criteria established for screening other applicants. Owner-established screening criteria must also be applied to Live-In Aides.

To qualify as a Live-In Aide:

- The Owner must verify the need for the Live-In Aide, Verification should state that the Live-In Aide is needed to provide the necessary supportive services essential to the care and well-being of the person and must be obtained from the person's physician, psychiatrist or other medical practitioner or health care provider. Management will approve a Live-In Aide if needed as a reasonable accommodation to make the program accessible to and usable by the disabled person.
- Qualifies for occupancy only as long as the individual needing supportive services requires the aide's services and remains a tenant. The Live-In Aide will not qualify for continued occupancy as a remaining family member. The Live-In Aide is denied occupancy of the unit after the tenant, for whatever reason, is no longer living in the unit.
- Income of a Live-In Aide is excluded from annual income.
- Must meet the screening criteria as set forth by the Owner.

Annual Income

Annual Income includes all amounts, monetary or not, which:

- Go to, or on behalf of, the family head, partner, or co-head (even if temporarily absent) or to any other family member; or
- Are anticipated to be received from a source outside the family during the 12-month period following admission or annual re-examination effective date; and
- Which are not specifically excluded (by regulation).

Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access (24 CFR 5.609).

Failure to report any income or assets at time of application or annual re-certification is considered tenant fraud and could affect residency.

The household's annual income may not exceed the applicable income limit as established by U.S. Department of Housing and Urban Development (HUD), Federal Low Income Housing Tax Credit (LIHTC) and HOME Program for the area in which the project is located. The applicant's gross annual income is compared to the income limits to determine eligibility. Please contact the Management to determine the limits applicable to the available units.

To qualify for a HOME unit at move-in;

- a. A household's gross income may not exceed the maximum income limit per household size of 60% AMI (High HOME rent) or 50% AMI (Low HOME rent) as published by HUD and;
- b. May not be lower than the income minimum* per gross unit rent.
- c. HOME units may also have Tax Credits and therefore the household's gross income may not exceed the LOWER of the HOME and LIHTC maximum income limit per household size.

To qualify for a Tax Credit (LIHTC) unit at move-in;

- a. A household's gross income may not exceed the maximum income limit per household size of 60% AMI or 50% AMI as published by HUD (MTSP limits based on Placed in Service date) and;
- b. May not be lower than the income minimum* per gross unit rent.

*Income minimum is determined by taking the household's gross income from the Tenant Income Certification (TIC) dividing it by 12 months and multiplying it by 40% to determine the Total Allowable Gross Rent. It is then compared against the unit desired by adding the proposed unit rent and applicable unit utility allowance to obtain the Total Unit Gross Rent. If the applicant's Total Allowable Gross Rent is equal to or less than the Total Unit Gross Rent the applicant will meet the minimum income requirement. If they do not this is grounds for application denial.

Victims of Domestic Violence

The Violence Against Women Reauthorization Act of 2013 (VAWA) protections apply to families (adults and children) applying for or receiving rental assistance payments and/or support through a number of HUD programs. The law protects victims of domestic violence, dating violence, sexual assault, or stalking, as well as their affiliated family members generally, from being evicted or being denied housing assistance if the eviction or denial is based upon an incident of violence that is reported and confirmed. The VAWA also provides that an incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking does not qualify as a serious or repeated violation of the lease nor does it constitute good cause for terminating the assistance, tenancy or occupancy rights of the victim. Furthermore, criminal activity directly relating to domestic violence, dating violence, sexual assault or stalking is not grounds for terminating the victim's tenancy. Owners and agents may bifurcate a lease in order to evict, remove or terminate the assistance of the offender while allowing the victim, who is a tenant or lawful occupancy, to remain in the unit.

Applicants and residents may certify their status as victims of domestic violence by using the optional HUD Form-91066, Certification of Domestic Violence. Furthermore, Management will have each household sign HUD Form-91067, VAWA Lease Addendum, at move-in and at recertification.

The 2013 VAWA Act required HUD to adopt a model emergency transfer plan to be used by owners and managers. The model plan must allow a victim (tenant) to transfer to another available and safe home under one of the HUD programs and must have reasonable confidentiality measures. If the tenant is unable to establish eligibility, Owner or Manager must provide the tenant with a reasonable amount of time to find new housing or establish eligibility under a different housing program. The plan must allow tenants who are victims of domestic violence, dating violence, sexual assault or stalking, to transfer to another available and safe dwelling under a covered housing program and must incorporate reasonable confidentiality measures. The tenant can be granted a transfer only if the tenant requests one and either reasonably believes he or she is threatened with imminent harm from further violence if he or she remains in the unit or, if the tenant is a victim of assault, the assault occurred on the premises during the 90-day period before the transfer request. Transfers are subject to the availability of other assisted housing and to all other HUD requirements being met.

Domestic Violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or partner, by a person similarly situated to a spouse or partner of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating Violence means violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim, and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.

Sexual Assault means any nonconsensual sexual act proscribed by Federal, tribal or State law, including when the victim lacks capacity of consent.

Stalking means (A) to follow, pursue or repeatedly commit acts with the intent to kill, injure, harass or intimidate; or to place under surveillance with the intent to kill, injure, harass or intimidate another person; and (B) in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional hard to that person; a member of the immediate family of that person; or the spouse or intimate partner of that person.

Affiliated Family Member means, with respect to a person: (A) a spouse, partner, parent, sibling, or child of the person, or an individual to whom that person stands in loco parentis (in place of a parent); or (B) any individual, tenant or lawful occupant living in the household of that individual.

Bifurcate means to divide a lease as a matter of law so that the abusive tenant can be evicted or removed while the remaining family members' lease and occupancy rights are allowed to remain intact.

Screening/Rejection Criteria

All applicants 18 years of age or older in a household will be screened for rental history and criminal history, and general program eligibility prior to residency. The screening of Live-In Aides at initial occupancy and the screening of persons or Live-In Aides to be added to the tenant household after

initial occupancy involve similar screening activities. An application may be rejected for any one of the following reasons;

- a) Submission of false, incomplete or inaccurate information on the application or failure to cooperate in the verification process;
- b) The applicant has a history of unacceptable or unsatisfactory credit to include any outstanding account with a housing related company, including previous landlord and/or property management company and/or mortgage lien holder, or outstanding account with any local utility company that is not showing as "paid" or in repayment status, or criminal history as reported by a credit agency or other organization. This includes registration as a Sexual Offender (Please see Credit & Criminal Screening Criteria for more information);
- c) Negative reference from current or previous landlord, including but not limited to late rent, non-sufficient funds (NSF) checks, lease violations, evictions, etc.;
- d) The household (including a Live-In Aide) size is not appropriate for a specific apartment (Please refer to Apartment Size Standards & Guidelines);
- e) Failure to sign designated or required forms;
- f) Failure to provide required documentation in a timely manner;
- g) The applicant cannot pay the appropriate security deposit at move-in;
- h) The applicant will be maintaining a separate second residence and/or legal address;
- i) The applicant has been offered a housing apartment and has refused to take the apartment offered;
- j) The applicant is not capable of fulfilling the lease agreement, with or without assistance;
- k) The applicant has a criminal history (as defined in Criminal or Drug-Related Activity);
- l) The household income exceeds the applicable limits;

Criminal or Drug-Related Activity

Upon move-in, tenants sign leases requiring them to accept responsibility for the actions of individual household members, their guests or other persons on the premises with their consent. No tenant or member of the tenant's family or household, guest or any other person visiting a tenant shall engage in criminal activity on or near the apartment complex. This criminal activity includes drug-related criminal activity, other criminal activity, or drug and alcohol abuse that threatens the health and safety of the tenants and staff or hinders the peaceful enjoyment of the housing premises. "Drug-related criminal activity" means the illegal manufacture, sale, distribution and/or use of a controlled substance (as defined in Section 102 of the Controlled Substance Act).

- a) No tenant, or member of the tenant's household or family, or any guest or other person shall engage in any act intended to facilitate criminal activity, drug-related activity on or near the apartment complex;
- b) No tenant, or member of the tenant's household or family, or any guest or other person shall permit the dwelling unit to be used for, or to facilitate, criminal activity including drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household, family or a guest;
- c) No tenant, or member of the tenant's household or family, or any guest or other person shall engage in the manufacture, sale or distribution of illegal drugs on or near the apartment complex or project site;
- d) No tenant, or member of the tenant's household or family, or any guest or other person shall engage in acts of violence, including but not limited to, the unlawful discharge of firearms and/or weapons on or near the apartment complex.

Violation of the above provisions shall be a material noncompliance violation of the lease and good cause for termination of the lease. A single violation of any of these provisions shall be deemed a serious violation and material noncompliance of the lease. It is understood and agreed that a single violation shall be good cause for termination of the lease. Unless otherwise provided by law, proof of violation shall not require criminal conviction, but shall be by a preponderance of the evidence.

Rental, Credit & Criminal Screening Criteria

1. Rental Approval:

An Applicant will be required to provide a minimum of three years of rental history. An Applicant can be rejected based on the following criteria;

- a. If a prior landlord reported the applicant(s) damaged property or had lease violations, the applicant can be denied. This includes lease violations, disturbing the peace, harassment, poor housekeeping habits, improper conduct or other negative reference against the household.
- b. Any eviction is automatically grounds for denial. This includes any household members who have been evicted from Federally-assisted housing for drug-related criminal activity. If the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program or circumstances leading to the eviction no longer exist, management will review on a case-by-case basis. Individuals whose applications are denied because of eviction may appeal the denial.
- c. Management may accept a rental history of no more than two (2) late payments of rent in a six (6) month period, with verification of all charges paid and no more than two (2) NSF checks in a one (1) year period. Anything beyond this specification can be grounds for denial.
- d. Any evidence of illegal activity including drugs, gangs, weaponry, etc. will be grounds for denial.
- e. Grossly unsanitary or hazardous housekeeping habits can be grounds for denial.
- f. Any debt balance owing to a prior management company or housing complex will need to be paid prior to move-in.
- g. Lack of rental history is not grounds for denial.

2. Credit Approval:

- a. A credit report shall be obtained for each applicant for admission.
- b. For applicants with a credit history, notwithstanding an applicant's credit score:
 - i. If the credit report shows that the applicant was delinquent in payment of rent during a prior occupancy, the applicant may be requested to explain the delinquency and to provide documentation as to payment. Failure to provide a satisfactory explanation or evidence of payment may be grounds for denial;
 - ii. If the credit report shows that the applicant was delinquent in payment of utility bills, the applicant may be requested to explain the delinquency and to provide documentation as to payment. Failure to provide a satisfactory explanation or evidence of payment may be grounds for denial;
 - iii. Any other item(s) that appear on the credit report, which reflects negatively on the applicant, will be reviewed and a decision will be made based on the date, source and nature of the action.
- c. Lack of credit history is not grounds for denial.

3. Criminal Background Check:

- a. Any conviction for illegal drug use, manufacture or distribution of a controlled illegal substance which would pose a direct threat to the health, safety and well-being of the property, staff and/or residents is grounds for denial.
- b. Any conviction for any crime of violence, fraud, theft or other crime which establishes that the applicant's tendency might constitute a direct threat to the health or safety of other individuals or result in the substantial physical damage to the property of others is grounds for denial.
- c. Any conviction for any activity concerning sexual abuse or assault is grounds for denial. This includes but is not limited to, any member of the household who is subject to a registration requirement under a nationwide sex offender registration program (Please refer to Screening for Sex Offender Registration).
- d. Any household member who is currently engaging in illegal drug use is grounds for denial. This can include a pattern of illegal drug use that may interfere with the health, safety or right to peaceful enjoyment of the premises by other tenants.
- e. Any household member who has a pattern of alcohol abuse that may interfere with the health, safety or right to peaceful enjoyment of the premises by other tenants is grounds for denial.

4. Screening for Sex Offender Registration:

- a. Management must perform criminal background checks during the application stage to determine if an applicant, or a member of an applicant's household, is subject to a lifetime registration requirement under any State sex offender registration program. Criminal background checks must be performed in the state in which the housing is located and for states where the applicant and member of the applicant's household may have resided in the last three (3) years. Failure to accurately respond to any question during the application process is cause to deny the family admission.
- b. If the processes described above reveal an applicant's household includes an individual subject to State lifetime sex offender registration, Management must offer the family the opportunity to remove the ineligible family member from the household. If the family is unwilling to remove that individual from the household, Management must deny admission to the family.
- c. If Management discovers that a household member was erroneously admitted (the household member was subject to a lifetime registration requirement at admission), Management must immediately pursue eviction or termination of assistance for the household member.

NOTE: All applicants in a household will be processed as one approval or denial for an apartment. If any one of the applicants has negative rental history, negative credit history or negative criminal history all applicants will be denied.

811 PRA

- 1. Preferences:** The following properties owned or managed by Alliance Asset Management, Inc. have a preference for Section 811 Project Rental Assistance (PRA) eligible residents. 811 PRA residents are referred to the property by the New Hampshire Division of Health and Human Services.

- a. Newfound River Apartments has 4 one bedroom units with an occupancy preference for 811 PRA eligible residents.

2. **HUD's Enterprise Income Verification Existing Tenant Search:** HUD provides Alliance Asset Management, Inc information about a Section 811 Project Rental Assistance applicant's current status as a recipient of rental assistance at another location. We use the Existing Tenant Search at the time we are processing your application to determine if any member of the applicant household is currently being assisted at another location. If the report identifies that the applicant or a member of the applicant's household is receiving assistance at another location, we will give the applicant the opportunity to explain any circumstances relative to being assisted at another location. This may be the case where the applicant wants to move from his/her present location or where two assisted families share custody of a minor child.

Alliance Asset Management will follow up with the respective assistance provided to confirm the individual's assistance participation status before admission and coordinate the move out of that location with the move into our location.

3. **Violence Against Woman Act (VAWA) Protections:** VAWA Protections apply to households applying for or receiving rental assistance payments under the Section 811 Project Rental Assistance Program.

Violence Against Woman Act Protections are not limited to women and covers victims of domestic violence, dating violence, sexual assault and stalking regardless of sex, gender identity or sexual orientation.

Alliance Asset Management, Inc. will not consider incidents of domestic violence, dating violence, sexual assault and stalking as serious or repeated violations of the lease or "other good cause" for termination of assistance, tenancy or occupancy rights of the victim of abuse.

If an applicant or resident or an affiliated individual of yours (your spouse, parent, brother, sister, child or a person for whom you stand in the place of parent or guardian. For example, the affiliated individual is in your care, custody or control) or any individual, resident or lawful occupant living in your household is or has been the victim of domestic violence, dating violence, sexual assault or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault or stalking.

Alliance Asset Management, Inc. may request in writing that the victim, or a family member on the victim's behalf, certify or provide documentation that the individual is a victim of domestic violence, dating violence, sexual assault or stalking. VAWA Protections do not have to be provided for failure or refusal to provide the certification or other documentation within 14 business days, or an agreed upon extension date.

Criminal activity directly related to domestic violence, dating violence, sexual assault or stalking, engaged in by a member of a resident's household or any guest or other person under the tenant's control, shall not be cause for termination of assistance, tenancy, or occupancy rights of the victim of the criminal acts.

Assistance may be terminated or a lease “bifurcated” in order to remove an offending household member from the home. Whether or not the individual is a signatory to the lease and lawful tenant, if he/she engages in a criminal act of physical violence against family members or others, he/she stands to be evicted, removed, or have his/her occupancy rights terminated. This action is taken while allowing the victim, who is a tenant or a lawful occupant, to remain.

- 4. HUD Social Security Number Requirements for Section 811 PRA Residents:** Applicants must disclose and provide verification of the complete and accurate SSN assigned to each household member. Failure to disclose and provide documentation and verification of SSNs will result in an applicant not being admitted or a tenant household’s tenancy being terminated.

Exceptions to disclosure of SSN:

- a. Individuals who do not contend eligible immigration status.
 - i. Mixed Families: For projects where the restriction on assistance to noncitizens applies and where individuals are required to declare their citizenship status, proration of assistance or screening for mixed families must continue to be followed. In these instances, the owner will have the tenant’s Citizenship Declaration on file whereby the individual did not contend eligible immigration status to support the individual not being subject to the requirements to disclose and provide verification of a SSN.
- b. Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.
 - i. The exception status for these individuals is retained even if there is a break in his or her participation in a HUD assisted program.
 - ii. When determining the eligibility of an individual who meets the exception requirements for SSN disclosure and verification, documentation must be obtained that verifies the applicant’s exemption status. A certification from the tenant is not acceptable verification of the exemption status. This documentation must be retained in the tenant file.

Provisions for Applicants Disclosure and/or Documentation of Social Security Numbers

An applicant may not be admitted until SSNs for all household members have been disclosed and verification provided.

1. If all household members have not disclosed and/or provided verification of their SSNs at the time a unit becomes available, the next eligible applicant must be offered the available unit.
2. The applicant who has not disclosed and provided verification of SSNs for all household members must disclose and provide verification of SSNs for all household members to the owner within 90 days from the date they are first offered an available unit.
3. If the owner has determined that the applicant is otherwise eligible for admission into the property, and the only outstanding verification is that of disclosing and providing verification of the SSN, the applicant may retain his or her place on the waiting list for the 90-day period during which the applicant is trying to obtain documentation.
4. After 90 days, if the applicant has been unable to supply the required SSN and verification documentation, the applicant should be determined ineligible and removed from the waiting list

The Social Security Number requirements do not apply to: A child under the age of 6 years old added to the applicant household within the 6-month period prior to the household's date of admission. The household will have a maximum of 90 days after the date of admission to

provide the Social Security Number and adequate documentation that the Social Security Number is valid. An additional 90 days may be granted under certain circumstances. If the household does not provide the Social Security Number and adequate documentation to verify the Social Security Number within the prescribed timeframe, HUD requires that the household's tenancy be terminated.

- 5. Student Eligibility for Section 811 PRA Assistance:** 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 students are required to report any change in their student status.

A student who is enrolled as either a part time or full time student at an institute of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential will be eligible for assistance if the student meets all other eligibility requirements, meets screening criteria requirements and:

- a. Is living with his or her parents/guardian or
- b. Is at least 24 years old or
- c. Is married or
- d. Is a veteran of the Armed Forces of the United States or is currently serving on active duty in the Armed Forces for other than training purposes or
- e. Has legal dependents other than a spouse or
- f. Is a person with disabilities who was receiving Section 8 assistance as of November 20, 2005 or
- g. Is a graduate or professional student or
- h. Is an independent student, defined as:
 - i. The individual is 24 years of age or older by December 31 of the award year;
 - ii. The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care or a ward of the court at any time when the individual was 13 years of age or older;
 - iii. The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's state of legal residence
- i. Or, is classified as a Vulnerable Youth. A student meets HUD's definition of vulnerable youth when:
 - i. The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in Section 725 of the McKinney-Vento Homeless Assistance Act), or as unaccompanied, at risk of homelessness and self-supporting, by
 - ii. A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act;
 - iii. The director of a program funded under the Runaway and Homeless Youth Act or designee of the director;
 - iv. The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act or a designee of the director or
 - v. A financial aid administrator.
- j. Or, the individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances or

- k. Has parents who are income eligible for the Section 8 program

Any financial assistance a student receives under the Higher Education Act of 1965, from private sources, or from an institution of higher education that is in excess of amounts received for tuition and other fees is included in annual income, except:

- a. If the student is over the age of 23 with dependent children or
- b. If the student is living with his or her parents who are receiving Section 8 assistance.

Financial assistance that is provided by persons not living in the unit is not part of annual income if the student meets the Department of Education's definition of "vulnerable youth".

Confidentiality

New England Family Housing will keep copies of all application materials in the Applicant' file. All information obtained by New England Family Housing will be confidential, except that;

- a. Information may be released to an Applicant or to his or her designated representative if he/she has filed a formal grievance with Management. In such cases, only information pertinent to the grievance will be released;
- b. Information will be released to third parties only under court order or subpoena or at the request of an authorized governmental agency. Upon written request from the Applicant, anything supplied to New England Family Housing or its Agent directly by the Applicant can be released (this does not include references). Information obtained regarding illegal activity on the part of the resident, their household member and/or guests, will be reported to the relevant authorities.
- c. The Board of Directors may determine that the information is necessary to defend claim against New England Family Housing.
- d. New England Family Housing or its Agent may disseminate demographic information from residents' files on a periodic basis. This information is limited to town of residency prior to moving in to the New England Family Housing portfolio, age, race, gender, gross income level, source of rent subsidy (if applicable), family composition (i.e. female headed household), employer name, as well as grade level of minors residing in the household.

The information will only be released in the aggregate and on a property-specific basis provided that the confidentiality of individual family information can be protected. New England Family Housing will not prohibit other authorized agencies, such as agencies administering the Section 8 program, from requesting such updates.