

TENANT SELECTION PLAN AND RENTAL POLICIES FOR GENEVA TOWER, CEDAR RAPIDS, IOWA

The Owner, Affordable Housing Network, Inc., have developed and hereby make public the Tenant Selection Plan and Rental Policies for review by residents, applicants, potential applicants, government agencies and all other interested parties. This resident selection criterion helps to ensure that residents are selected for occupancy in accordance with HUD requirements, established management policies and in compliance with all Federal, State and local fair housing and civil rights laws. Affordable Housing Network, Inc. also known as Geneva Tower, does not discriminate against applicants or residents on the basis of race, color, national origin, religion, sex, disability, marital status or familial status. State and local laws include additional protections in housing including sexual orientation, creed, and age. The Iowa Civil Rights Act (Iowa Code 216) also prohibits housing discrimination based on gender identity. Geneva Tower 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.

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Project Eligibility Requirements

Residency at Geneva Tower is limited to Elderly or Disabled persons/family.

A. Definition of Elderly Person/Family.

An elderly person or family is defined as a household where the head or spouse is age 62 or older.

B. Definition of Person with a Disability (Handicapped Person) {24 CFR 891.505 and 891.305}.

A person with disabilities means:

1. Any adult having a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration, substantially impedes his or her ability to live independently, and is of a nature that such ability could be improved by more suitable housing conditions.
2. A person with a developmental disability, as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(8)), i.e., a person with a severe chronic disability that:
 - a) *Is attributable to a mental or physical impairment or combination of mental and physical impairments;*
 - b) *Is manifested before the person attains age 22;*
 - c) *Is likely to continue indefinitely;*
 - d) *Results in substantial functional limitation in three or more of the following areas of major life activity:*
 - (1) Self-care,
 - (2) Receptive and expressive language,
 - (3) Learning,
 - (4) Mobility,
 - (5) Self-direction
 - (6) Capacity for independent living, and
 - (7) Economic self-sufficiency; and
 - e) *Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated.*
3. A person with a chronic mental illness, i.e., a person who has a severe and persistent mental or emotional impairment that seriously limits his or her ability to live independently, and whose impairment could be improved by more suitable housing conditions.

NOTE: A person whose sole impairment is alcoholism or drug addiction (i.e., who does not have a developmental disability, chronic mental illness, or physical disability that is the disabling condition required for eligibility in a particular project) will not be considered to be disabled.

C. Definition of Disabled (Handicapped) Family. {24 CFR 891.505}.

Disabled (handicapped) family means:

1. Families of two or more persons the head of which (or his or her spouse) is a person with disabilities (handicapped);
2. The surviving member or members of any family described in paragraph (1) of this definition living in a unit with the deceased member of the family at the time of his or her death;
3. A single person with disabilities (handicapped) person over the age of 18; or
4. Two or more persons with disabilities (handicapped persons) are living together, or one or more such persons living with another person who is determined by HUD, based upon a licensed physician's certificate provided by the family, to be essential to their care or well-being.

D. Definition of Non-elderly Disabled (Handicapped) Family. {24 CFR 891.505}.

A non-elderly disabled (handicapped) family means a disabled family in which the head of the family (and spouse, if any) is less than 62 years of age at the time of the family's initial occupancy of a project.

Citizenship requirements

By law, only U.S. citizens and eligible non-citizens may benefit from federal rental assistance. These requirements apply to persons making application, persons on the waiting list and tenants.

At the time of application, applicants are notified of the requirement to submit evidence of citizenship or eligible immigration status or to choose not to claim eligible status.

Verification requirements consist of the following:

All family members, regardless of age, must declare their citizenship or immigration status by completing a Declaration Format form.

Non-citizens (under the age of 62) must sign a Verification Consent Form and submit documentation of their status or sign a declaration that they do not claim to have eligible status. The owner will verify the immigration status with DHS (Department of Homeland Security). Non-citizens 62 and older must sign a declaration of eligible immigration status and provide a proof of age document. U.S. citizens must sign a declaration of citizenship.

1. If an applicant cannot supply the documentation within fourteen (14) days of receipt of the completed application form, Geneva Tower may grant a written 30-day extension only if the applicant certifies that the documentation is temporarily unavailable and additional time is needed to collect and submit the required documentation.
2. If an apartment becomes available, and the family is next in line to be offered an apartment and at least one member of the family has submitted the required citizenship documentation, the family members will be offered the unit and provided prorated assistance for those family members who have provided citizenship documentation.
3. A mixed family (a family with one or more ineligible family members and one or more eligible family members) may receive only prorated assistance.
4. Applicants who hold a non-citizen student visa are ineligible for assistance, as are any non-citizen family members living with the student.
5. Upon return of these forms, management will complete an Owner's Summary of Family form. If household members declare they are U.S. citizens, no additional documentation is required. Household members who do not contend to have eligible status or refuse to sign the declaration also have nothing to submit. However, if household members declare they are eligible non-citizens, additional documents must be completed and verified.

Social Security Number Requirements

The regulation at 24CFR 5.216 now requires that assistance applicants and tenants, excluding tenants age 62 and older as of January 31, 2010, whose initial determination of eligibility was begun prior to January 31, 2010, and those individuals' who do not contend eligible immigration status, to disclose and provide verification of the complete and accurate SSN assigned to them. The requirement to disclose and provide verification of a SSN is no longer limited to those assistance applicants and tenants six years of age and older. In addition, the process of having an applicant household certify they have a SSN for each household member six years of age and older, and continuing with the recertification process until the time of their move-in certification is no longer applicable.

The O/A shall verify and document each disclosed SSN by obtaining the document listed below from each member of the applicant's or residents household.

- Original document issued by federal or state government agency which contains the name, SSN, and other identifying information of the individual
- Drivers license with Social Security Number
- Earning statement on payroll stubs
- Bank Statement
- Form 1099
- SSA Benefit Award Letter
- Retirement benefit letter
- Life Insurance Policy
- Court Records

Exceptions to the disclosure of SSN

The SSN requirements do not apply to:

- Individuals who do not contend eligible immigration status.

- **Mixed Families:** For projects where the restriction on assistance to non-citizens applies and where individuals' 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. 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.

NOTE: Geneva Tower may **not** deny assistance to mixed families due to nondisclosure of SSN by an individual who does not contend eligible immigration status.

For section 221 (d) (3) BMIR, Section 202 PAC, Section 202 PRAC and section 811 PRAC properties, the restriction of assistance to noncitizens does not apply. Individuals' living at one of these properties who do not contend eligible immigration status must sign a certification, containing the penalty of perjury clause, certifying to that effect. The certification will support the individual not being subject to the requirements to disclose or provide verification of a SSN. The certifications must be retained in their tenant file.

(See handbook 4350.3 REV-1, Paragraphs 3-12 N, O and P for more information on mixed families and proration of assistance.)

NOTE: HUD regulations do not prohibit an individual (head of household with other eligible household members) with ineligible immigration status from executing a lease or other legally binding contract. However, if your state law prohibits this, the family must **not** be admitted into the program.

Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010. The eligibility determination is based on participation in either a Public and Indian Housing or multifamily HUD assisted program. The eligibility date is based on the initial effective date of the form HUD-50059 or form HUD-50058, whichever is applicable.

- The exception status for these individuals is retained if the individual moves to a new assisted unit under any HUD assisted program or there is a break in his or her participation in a HUD assisted program
- When determining the eligibility of an individual who meets the exception requirements for SSN disclosure and verification, documentation must be obtained from the owner of the property where the initial determination of eligibility was determined prior to January 31, 2010, that verifies the applicant's exemption status. This documentation must be retained in the tenant file. Geneva Tower must not accept a certification from the applicant stating they qualify for the exemption.

Existing tenants as of January 31, 2010, who have previously disclosed their SSN and HUD has determined their SSN to be valid. Geneva Tower may confirm HUD's validation of the tenant's SSN by viewing the household's Summary Report or the Identity Verification Report in the EIV system.

Timeframe for providing Social Security Numbers

1. Applicants
 - Applicants currently on or applying to waiting list
 - Applicants do not need to disclose or provide verification of a SSN for all non-exempt household members at the time of application and for placement on the waiting list. However, applicants must disclose and provide verification of a SSN for all non-exempt household members before they can be housed.
2. Housing applicants from the waiting list
 - If all non-exempt household members have not disclosed and/or provided verification of SSNs at the time a unit becomes available, the next eligible applicant must be offered the available unit.
3. Existing Residents adding Household Members
 - Adding any person over the age of 6, SSN numbers are required at the time of request or at the time of the recertification that includes the new member are processed.
 - Adding any person under the age of 6, SSN number is required within 90 days from the date child is added, an additional 90 day extension can be requested if necessary.
4. Housing Minors under the age 6
 - There is a 90 day exemption for applicant family member who are under the age of 6, who do not yet have a Social Security Number (SSN) assigned to him/her, and was added to the household 6 months or less from the move-in date.

The applicant who has not disclosed and/or provided verification of SSNs for all non-exempt household members has 90 days from the date they are first offered an available unit to disclose and/or verify the SSNs. During the 30 day period, the applicant may, at its discretion, retain its place on the waiting list. After 90 days, if the applicant is unable to disclose and/or verify the SSNs of all non-exempt household members, the applicant should be determined ineligible and removed from the waiting list.

Residence Criteria

Residents must have only one residency and receive assistance only in that unit. This rule is meant to ensure that the government pays assistance on only one unit for a family and provides assistance to as many eligible families as possible with available funding.

Consent and Verification Forms

Adult members of a family must sign consent forms and, as necessary, verification documents, so that Geneva Tower can verify sources of family income and family size. Geneva Tower must consider a family ineligible if the adult members refuse to sign applicable consent and verification forms.

- All members of an applicant or tenant family who are at least 18 years of age and each family head and spouse regardless of age must sign the HUD-required consent forms (form HUD-9887, *Notice and Consent for the Release of Information to HUD* and form HUD-9887-A, *Applicant's/Tenant's Consent to the Release of Information Verification by Owners of Information Supplied by Individuals Who Apply for Housing Assistance*). All adults regardless of whether they report income must sign these forms.
- All adult members of an applicant or tenant family must sign individual verification forms authorizing the owner to verify family income and other applicable eligibility factors (e.g. disability status).

Income Limits

Must have an annual income at or below Section 8 program income limits.

Income Limit

Very low-income limit

Median Income for the Area

30% of median income

Income Targeting

Effective 04/28/2000 HUD adopted policies for income targeting for admission to properties receiving project-based rental assistance. Forty percent (40%) of annual admission must be made available to applicants with incomes that do not exceed thirty percent (30%) of the county median income (defined as an "extremely low income family"). Admission is determined by date and time the application was filled out. If the current vacant unit will make the property fall below the 40% requirement for Income Targeting, preference will be given to next applicant on the waiting list that meets the 30% - extremely low income requirement. Those applicants whose income are over 30% of the county median and were bypassed as a result of Income Targeting requirement will hold their position on the waiting list and will be processed, based on original date and time of application, when the Income Targeting requirement has been met and a unit becomes available.

Housing Preferences

Geneva Tower will grant a Housing Preferences to qualified applicants that meet the following conditions: Applicant's displaced by government action and Applicant's displaced by a Presidentially declared disaster. If the applicant feels that they qualify for this preference they are requested to provide verification of residency at the address affected as well as any documentation that will support the claim or government action or Presidentially declared disaster (if not local). Once preference is verified, the applicants name will be placed at the top of the waiting list based on date of time that preference is verified.

Procedures for applications and selecting from the waiting list:

Names are placed on the waiting list based on date and time they applied using a Wait List Registration Form or Full Application.

Wait List Registration Forms

Geneva Tower will use the *Geneva Tower Wait List Registration* form when it is anticipated that the applicant will be on the waiting list for more than 3 months due to current length of waiting list for that unit size. Name will be placed on the waiting based on the Date and Time that Waitlist List Registration completed with verification of Elderly or Disabled status. Waitlist Registrations received without qualifying documents will be considered ineligible and denied until documents received. For purposes of determining threshold eligibility, the waitlist application may be accepted as a self-certifying statement but must contain enough information to enable Geneva Tower to tentatively determine the household's eligibility.

Full Application

The Full Application will be used when it is anticipated that that occupancy could occur within the next 3-4 months. Names will be placed on the waitlist based on date and time the full application is received with verification of Elderly or Disabled status.

Anyone who wishes to be admitted to Geneva Tower must provide a completed written full application and relevant consent forms. The application must be completed and signed by the head of household and every adult member 18 years and older. The application will request the following information:

1. Family size and composition, (including names of all persons who will be residing in the unit, dates of birth, and relationship to head of household).
2. Household characteristics, such as disabled (only if disability is relevant to eligibility). Anticipated annual income.
3. Assets now owned and assets disposed of for less than fair market value within the past two years.
4. Citizenship declaration and consent forms.
5. Marketing information to learn how applicant heard about the property.
6. Adequate information for screening purposes (current and prior landlords, authorization for credit, criminal and sexual background checks).
7. Determine the appropriate applicant's unit size based on Geneva Tower occupancy guidelines and HUD criteria.
8. Determine if all members of the applicant's household are U.S. citizens or nationals, or non-citizens eligible for housing assistance.
9. Screen applicant by checking with all previous landlords from the past three years, and / or obtaining a credit history report, obtaining a criminal background report, and obtaining a sex offender registration report.
10. Assess the effectiveness of the marketing strategy outlined in the Affirmative Fair Housing Marketing Plan (note how the applicant learned about the property).

Applicant screening criteria

Please note that these are our current rental criteria; nothing contained in these requirements shall constitute a guarantee or representation that all residents and occupants currently residing at this community have met these requirements. There may be residents and occupants that have resided at this community prior to these requirements going into effect; additionally, our ability to verify whether these requirements have been met is limited to the information we receive from various resident credit reporting services used.

Prior Geneva Tower/Affordable Housing Network, Inc. Resident

Any applicant that has resided at Geneva Tower/Affordable Housing Network, Inc., (AHNI) in the past and left under one or more of the following circumstances will not be eligible to live at Geneva Tower/AHNI again:

1. Was Evicted;
2. Was asked to move out by Management in lieu of eviction proceedings;
3. Failed to pay rent and/or security deposit and/or pet deposit on a timely basis;
4. Moved out owing rent and/or security deposit and/or pet deposit;
5. Moved out with damages beyond normal wear or tear;
6. Owes outstanding balance;
7. Failed to provide full 30-day Notice to Vacate;
8. Violated terms of Lease and/or House Rules and/or subsidy program rules;
9. Engaged in any illegal behavior while residing at Geneva Tower/AHNI;
10. Demonstrated lack of respect for the health, safety, and welfare of other tenants, staff, neighbors and/or vendors, including but not limited to:
 - a) Excessive noise complaints
 - b) Frequent police calls for disorderly conduct
 - c) Drug-related activity
 - d) Alcohol-related activity
 - e) Criminal activity
 - f) Physical violence or threats of physical violence

Landlord References

Current and previous landlords (for the past three year period) will be contacted and questioned as to the applicants:

1. Rental history. Must have demonstrated ability to pay rent and utilities on a timely basis.
2. Housekeeping habits, up keep, and maintenance of residences must have been satisfactory during residency. Any landlord references to poor housekeeping and maintenance of the previous residence including, but not limited to, excessive damages, excessive accumulation of trash and waste on the premises, excessive offensive

odors, health department complaints or investigations, or other health and safety concerns will adversely affect the acceptance of the applicant(s).

3. Condition of the unit at end of tenancy minus normal wear and tear must have been satisfactory. Cleaning and/or damage charges must have been reimbursed to the previous landlord in their entirety or a repayment arrangement in place.
4. Demonstrated ability to abide by the terms of the lease, house rules, and subsidy program rules. This includes not allowing unauthorized live-ins to reside in their unit and/or not having a record of eviction from Federally-assisted or any other housing for drug related criminal activity.
5. Demonstrated respect for the health, safety, and welfare of other residents, including but not limited to: no disruptive behavior by the household including excessive noise complaints, frequent police calls for disorderly conduct of household members or visitors, drug-related and/or criminal activity, physical violence or threats of physical violence against neighbors, owner or neighbors in the vicinity of the premises.
6. Persons who do not have a traditional rental history in the most recent three year period (due to having lived in a shelter, nursing home, community residence, halfway house or other non regular, public or privately owned housing) will be asked to provide references at that housing. Those references will be asked to complete a Non-traditional Housing Reference form. Lack of rental history will not be a negative factor.

Criminal & Sex Offender Checks

All applicants must pass criminal and sex offender background checks.

Criminal Background- Automatic Denial

- Murder
- Attempted Murder
- Manslaughter
- Weapons Charges
- Conspiracy to Commit Murder
- Rape, Sexual Abuse, and other sex offenses
- Lifetime Registration Requirement under a State Sex offender Registration
- Conviction of manufacture of or production of methamphetamine on the premises of a federally assisted housing property.
- Federal, State, or Local laws or regulations which prevent the individual from lawfully residing at the property location.
- An applicant or occupant will automatically be denied should the applicant appear on the list of known terrorists and wanted fugitives as provided by the Office of Foreign Asset Control (OFAC), federal agencies to include the FBI or other state and local law enforcement agencies.

Criminal Background – 3 Year Denial

Applicant will be denied if in the past 3 years has any:

- Drug or Drug-related charges including but not limited to possession, disorderly house and possession of drug paraphernalia.
- Any felony conviction or three or more Serious Misdemeanors.
- Any other criminal activity in the past three years that would threaten the health, safety or right to peaceful enjoyment of the premises by other residents or people who live in the immediate vicinity of the site or the health and safety of the owner, employees, contractors, subcontractors or agents of the owners. These charges can include Disorderly Conduct, Trespassing, fraud, assault, prostitution, harassment/stalking, noise disturbance/disturbing the peace.

Or three or more alcohol related charges within the past 2 years.

If an applicant is under investigation for any disqualifying charge, they will be denied, No exceptions. If an applicant is denied for open charges, which are later dismissed or for which they are acquitted, the applicant must then be eligible for reconsideration.

NOTE: Live-in caregivers will be required to meet criminal background and sex offender registration requirements applied to all applicants as listed above.

Other Screening Considerations

Geneva Tower will work with Social Service Agencies to provide quality, affordable housing to clients in their programs. If their client does not meet all eligibility criteria and would otherwise be denied, the service provider must provide documentation on how participation in their program will provide ongoing assistance as well as long term improvement in deficient area(s)

Management reserves the right to require criminal background checks at any time during residency if in receipt and verifiable information.

Geneva Tower will support or assist victims of domestic violence, dating violence or stalking and protect victims, as well as members of their family, from being denied housing or from losing their HUD assisted housing as a consequence of domestic violence, dating violence or stalking. This includes working with Victim Service Providers, taking into consideration that past rental history may be negatively effected or request that prior landlord not contacted as a consequence or a direct result of being a survivor of domestic violence, dating violence or stalking.

Existing Tenant Search

The Existing Tenant Search in the Enterprise Income Verification (EIV) System shall be included as part of the screening criteria for all new tenants, it will be completed between 24 hours to 30 days prior to move in. If more than 30 days has lapsed, the Existing Tenant Search will be re-run to ensure that that still accurate. Such reports will be used to determine if the applicant or any applicant household members are currently being assisted at another location. If an applicant or member of the applicants' household is identified as residing at another assisted location, the applicant will be asked to provide and explain the circumstances. Geneva Tower will follow up with respective PHA or O/A to verify and coordinate relocation dates. A record of the search results will be retained with the application as well as the results of any contact with other PHA and/or O/A at another location.

VAWA Protections

It is a policy of Geneva Tower to support or assist victims of domestic violence, dating violence or stalking and protect victims, as well as members of their family, from being denied housing or from losing their HUD assisted housing as a consequence of domestic violence, dating violence or stalking.

The VAWA Notice of Occupancy Rights (*form HUD-5380*), along with the Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternative Documentation (*form HUD-5382*), will be provided to existing household, applicants, and new move-ins/initial certifications no later than each of the following times:

1. For Applicants:
 - a. At the time the house is provided assistance or admission (i.e., move in (MI) or initial certification (IC)), and
 - b. At the time the applicant is denied assistance or admission
2. For Existing households:
 - a. Through December 15, 2017, at each household's annual certification (AR), and
 - b. With any notification of eviction or termination of assistance, (but not with subsequent eviction or termination notices sent for the same infraction).

A note or documentation must be made in those tenant files indicating when the forms were provided to the household.

The certification may be enclosed with the appropriate notice, directing the family to complete, sign and return the form within fourteen (14) business days. Geneva Tower may extend this time period at their discretion.

Alternately, in lieu of the certification form or in addition to it, Geneva Tower may accept:

- A federal, state, tribal, territorial, or local police record or court record, or
- Documentation signed by an employee, agent, volunteer of a victim service provider, an attorney, or medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence, or stalking or, the effects of the abuse in which the professional attests under penalty of perjury under 28 U.S.C 1746 to the professional's belief that the incident or incidents are bona fide incidents of abuse, and the victim of domestic violence, dating violence or stalking has signed or attested to the documentation.

Geneva Tower is not required to demand that an individual produce official documentation or physical proof of an individual's status as a victim of domestic violence, dating violence or stalking in order to receive the protections of the VAWA. Geneva Tower, at their discretion, may provide assistance to an individual based solely upon the individual's statement or other corroborating evidence. Geneva Tower will carefully evaluate abuse claims as to avoid conducting an eviction based on false or unsubstantiated accusations.

Geneva Tower will be mindful that the delivery of the certification form to the tenant via mail may place the victim at risk, e.g., the abuser may monitor the mail. Therefore, in order to mitigate risks, Geneva Tower will work with the tenant in making acceptable delivery arrangements, such as inviting them into the office to pick up the certification form or making other discreet arrangements.

Confidentiality of Information.

The identity of the victim and all information provided to Geneva Tower relating to the incident(s) of domestic violence, dating violence or stalking must be retained in confidence by Geneva Tower and must not be entered into any shared database or provided to a related entity, except to the extent that the disclosure is:

- Requested or consented to by the individual in writing;
- Required for use in an eviction proceeding; or
- Otherwise required by applicable law.

The HUD-approved certification form provides notice to the tenant of the confidentiality of the form and the limits thereof.

Retention of Information.

Geneva Tower will retain all documentation relating to an individual's domestic violence, dating violence or stalking in a separate file that is kept in a separate secure location from other tenant files.

Assigning Units

When offered a unit, applicants have five (5) days to accept or refuse the offer. If an applicant cannot be contacted within five (5) days, the offer will be cancelled and the unit will be offered to the next applicant on the waiting list. In the event, the first applicant will be sent a letter requesting confirmation of their interest in remaining on the waiting list. If the applicant replies affirmatively, the application will retain its position on the waiting list. If the reply is negative, or if no reply is received within five (5) days, the application will be withdrawn.

If it is determined that the applicant was taken off of the waitlist because of an error, such as incorrect address was used in sending mail to the applicant, or the applicant did not respond to information or updates because of a disability. The applicant will be reinstated at the original place on the waiting list.

If an applicant rejects an offer twice, the applicant is removed from the waiting list.

When applications are pulled in batches to fill multiple vacancies: units will be assigned based on when the full application is approved and applicant responds to the offer of a unit, how soon the approved applicant can move in, or if there is a specific need to meet a reasonable accommodation. Therefore it is possible that applicants with an earlier waitlist application date may move in after someone with a later waitlist application date.

Procedures for rejecting ineligible applicants

If an applicant is not placed on the waiting list or immediately processed for admission, management will:

- Notify applicant in writing of the reason for the rejection
- Applicant will be advised that they have fourteen (14) days to respond in writing or request a meeting to discuss the rejection, and
- Applicant will be advised of the right to file a complaint if they believe the action was due to discrimination based upon race, color, creed, religion, sex, age, sexual orientation, national origin, handicap, gender identity or familial status
- Management will follow the grievance process in compliance with requirements set forth in HUD Handbook 4350.3. Any meeting or correspondence with the applicant to review the rejection will be conducted/ reviewed by a member of the management staff who was not involved in making the initial decision to reject the applicant. Applicant will be advised in writing of the final decision.

Updating the Waiting List

Applicants will be contacted periodically in writing to confirm their continued interest in occupancy at Geneva Tower. If an applicant fails to respond as required in the correspondence to confirm continued interest or if the letter is returned for no forwarding address or expiration of forwarding address, the applicant will be notified in writing that their name will be removed from the waiting, with one last attempt to confirm continued interest. After that time their application will be given no further consideration and they will need to reapply at a future date. IT IS THE APPLICANT'S RESPONSIBILITY TO NOTIFY THE GENEVA TOWER OFFICE IN WRITING IN ANY CHANGES IN THEIR MAILING OR EMAIL ADDRESS.

Notifying applicants and potential applicants of changes in the tenant selection plan

Current Tenant Selection Plan and Rental Policies plan can be found at www.affordablehousingnetwork.org. Should changes be made to the Resident Selection Criteria and Rental Policies, a revised plan will be posted in the on-site management office and updated on AHNI website. Applicants on the waiting list will be notified of the changes.

Policy for opening and closing the waiting list

Owner has the right to close the wait list when the owner determines the wait list is over a year long. Owner agrees to follow HUD guidelines when doing so.

Closing Wait List; Owner will publish notice in a publication likely to be read by potential applicants, notice placed on the Affordable Housing Network website and local social services agencies notified. The notice must state the reasons for owner's refusal to accept additional applications.

Opening Wait List; When the owner agrees to accept applications again, a notice will be published in a publication likely to be read by potential applicants (if possible the same publication that the closing notice was published in), notice placed on the Affordable Housing network website and local Social Services Agencies notified. The notice should be extensive, listing rules for applying and the order in which applications will be processed should be stated.

Occupancy Standards

No more than two occupants per unit.

Security Deposit Requirements

A security deposit is equivalent to the total tenant monthly payment and must be paid at the time of the initial lease execution.

Unit Transfer Policies

Unit transfers will not be permitted solely for the convenience of the tenant or to move from one size unit to same size unit. Existing residents must complete a Unit Transfer request. The Unit Transfer Request must be completed and signed by the head of household and all adult household members who wish to transfer. Units will be assigned based on date of the written request for Unit Transfer and with the follow priorities.

1. VAWA Emergency Relocation Request
2. There is a verified medical need certified by a doctor;
3. There is a verified need for an accessible unit;
4. Availability of Deeper Subsidy (for example, a 236 resident qualifies for Section 8 assistance and such assistance becomes available);
5. Transfer from an efficiency to 1 bedroom unit.

Factors concerning approval of transfers are as follows:

1. A household whose unit meets the owner/agents occupancy standards and who does not require the unit transfer as a reasonable accommodation/medical need must have been a resident in good standing for at least one year. A resident in good standing must meet the following criteria:
 - a. No current outstanding balances owed.
 - b. No confirmed complaints against the resident for disturbing the peace and quiet comfort of other neighbors and/or their guests
 - c. Last unit inspection resulted in no findings of damage or undue wear and tear and no findings of unsafe or unsanitary conditions
 - d. No major lease violations within the last year
2. Geneva Tower reserves the right to bypass the waiting list and reassign units to address specific tenant or maintenance circumstances as they may arise.

- Existing tenants will be given priority over the waiting list unless there are more than five (5) vacant units or Geneva Tower management determines that such a transfer will aggravate extended vacancies or otherwise interfere with management practices.

Unit Inspections

- A move in inspection will be conducted with management and the resident present before the household moves into the unit.
- A move out inspection will be conducted at move out, after the resident's possessions have been removed from the unit. Residents are encouraged to participate in this move-out inspection. Move out inspections are compared to move in inspections and any damages noted will be charged to the resident minus normal wear and tear.
- A unit inspection of the occupied unit will be conducted at least annually by Geneva Tower representatives. Other unit inspections will be made periodically by HUD and / or the Contract Administrator, mortgage company representatives, insurance carrier's, etc.

Annual & Interim Recertification's

- HUD regulations require an annual recertification of income and expenses for rent determination. Interim recertification depends upon certain resident changes such as adding another person to the household, change in income, increase or decrease. This policy will be discussed during the initial certification and move in process.
- As part of the Annual Recertification process we will conduct criminal background checks. If a tenant has been charged with something that would have originally denied them at time of Move-In (See Section B, Criminal/Sex Offender Background Checks), we withhold the option of lease renewal. If the charge is drug related it will be an automatic termination of lease. If the charge is other than drug related we will wait to see if the tenant is found innocent or guilty. If the tenant is found guilty we will at that time proceed with a 30 day notice of termination of lease.

Implementation of House Rule Changes

House Rules are a separate document outlining the House Rules for Geneva Tower. Residents will be given 30 day written notices of changes in the House Rules and will receive a current copy of the House Rules at their Annual Recertification. Current House Rules are available in the office at any time.

Eligibility of Students

Student Eligibility will be determined at MI, IC, AR and IR (if it is one of the changes reported by the family).

No assistance shall be provided under section 8 of the 1937 Act to any individual who:

- Is enrolled as a student at an institution of higher education, as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002);
- Is under 24 years of age;
- Is not a veteran of the United States military;
- Is not a person with disabilities, as such term is defined in section 3 (b)(3)(F) of the United States Housing Act of 1937 (42 U.S.C. 1437 a (b) (3) (E)) and was not receiving assistance under section 8 as of 11/30/05;
- Is unmarried;
- Does not have a dependent child, and
- Is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible on the basis of income to receive assistance under section 8 of the 1937 Act

For a student under the age of 24 who is not a veteran, is unmarried, does not have a dependent child and who is seeking section 8 assistance, section 327(a) of the Act sets up a two-part income eligibility review. Both parts of the review must be affirmatively met. That is, both the student and the student's parents (the parents individually or jointly) must be income eligible for the student to receive section 8 assistance. If it is determined that the parents are not income eligible the student is ineligible to receive section 8 assistance.

Non-citizen students with a citizen spouse and children are considered a mixed family. Spouses and children who are citizens may receive assistance.

As noted earlier in this guidance, based on program practices and criteria already in place, a student under the age of 24 who meets the additional criteria of section 327 of the Act may be income eligible for assistance in circumstances where an examination of the income of the student's parents may not be relevant or where the student can demonstrate the absence of, or

his or her independence from, parents. These practices and criteria include but are not limited to consideration of all of the following:

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

When management determines an individual is a "vulnerable youth," such determination is all that is necessary to determine a person is an "independent student". The tax return requirement only applies to providing student's tax return and not of the student's parents, and a written certification is not required by the student's parents.

The new law and HUD's rule do not affect students residing in a section 8 assisted units with his or her parents or who reside with parents who are applying to receive section 8 assistance.

Student status will be verified with Full-Time Student Verification through the institution that the applicant is attending.

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 and fees is included in annual income, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving Section 8 assistance.

If an ineligible student is a member of an applicant household or an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated in accordance with the guidance in paragraph 8-6A.

Vulnerable Youth

A student who is otherwise eligible and meets screening requirements is eligible for assistance if the student meets the criteria indicated below. Section 8 assistance shall be provided to any individual who is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential; when the student:

- 1) Is classified as Vulnerable Youth; A student meets HUD's definition of a vulnerable youth when:
 - a) The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
 - b) The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;
 - c) The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by
 - i) A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act;
 - ii) The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
 - iii) The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
 - iv) A financial aid administrator; or
- 2) The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.

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 and other required fees/charges is included in annual income, except:

1. If the student is over the age of 23 with dependent children or
2. 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".

Section 504 of Rehabilitation Act of 1973 & Fair Housing Act -Reasonable Accommodations

It is the policy of Geneva Tower pursuant to Section 504 of the Rehabilitation Act and the Federal Fair Housing Act to provide reasonable accommodations and modifications upon written request to all applicants and residents. A reasonable accommodation is a change in rules, policies or practices that may be necessary to allow persons with disabilities an equal opportunity to use and enjoy the housing. In reaching a reasonable accommodation with, or performing structural modification for otherwise a qualified individual with disabilities, Geneva Tower is not required to:

- Make structural alterations that require the removal or altering of a load bearing structure
- Provide support services that are not already part of its housing programs
- Take any action that would result in a fundamental alteration in the nature of the program or service
- Take any action that would result in an undue financial and / or administrative burden on the property

Geneva Tower 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.