



Property: Winter Hill Apartments  
 330 B South Virginia Ave  
 Falls Church VA 22046  
 Phone: (703)237-0341  
 Fax: (703)237-6985

Management Agent: NDC Real Estate Management  
 2901 Connecticut Ave. N.W.  
 Washington, D.C. 20008  
 Phone: (202)986-4584  
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## TENANT SELECTION AND SCREENING CRITERIA

**This document is available to each applicant at the time of application. Every applicant is advised to read this document. You may read the Member Plan and Screening Criteria at our office or you can request a copy from the manager to take with you.**

We do business in Accordance with the Federal Fair Housing Law. We will not discriminate against any person because of race, color, religion, sex, handicap, familial status or national origin, (The Fair Housing Amendment Act of 1988). In compliance with Section 504 regulations, we do not discriminate on the basis of handicapped status in the admission or access to, or treatment, or employment in, our programs and activities. Management will consider requests from individuals with disabling conditions or mobility impairments for reasonable accommodations in policies, practices or facilities, so long as such requests do not present an undue administrative or financial burden to management, or alter the fundamental nature of the program or property.

Winter Hill operates in accordance with the requirements of the Section 8 under the National Housing Act. Tenant's rights are subject to the eligibility requirements under these programs. Tenant must cooperate with management in certifying their eligibility for all applicable programs. Continued occupancy is also subject to this eligibility.

Applications will be accepted at the Community Rental Office during normal office hours unless another place of acceptance is designated. The acceptance of applications for individual unit sizes may be closed when the expected wait for a unit exceeds one year. All applications will be stamped with the date and time they are received.

Once an Applicant is admitted to a specific unit, no transfer will be approved unless there is good cause such as to provide reasonable accommodation for persons who can no longer climb stairs or needs the features of a wheelchair adapted unit or in cases where the family size has increased above the maximum occupancy standards for the property listed in this document. A household must be recertified and income eligible at the time of the transfer when transferring to different buildings within the community.

For the purposes of application for housing, Applicant will be defined as: the Applicant, Co-applicant and all adult family members or any adult requesting to be added to the household of a current resident. With the exception of birth, adoption, or custody agreement changes, no one will be added to the household during the initial, one year lease term.

Applications will not be accepted if:

1. The application is not completed to the extent that allows prescreening to determine if they meet the requirements of the program under which the property operates
2. The Applicant does not meet the legal capacity to enter into a lease agreement.
3. The family size is not appropriate to the housing in the community.

### I. EQUAL HOUSING REQUIREMENTS

Winter Hill Apartments does not discriminate based on race, color, creed, religion, sex, national origin, handicap or familial status. All federally assisted housing communities must adhere to the following standards:

- A. There will be no priorities or application criteria, (e.g. variations in applications, variations in charges or deposits) based upon race, creed, color, religion, national origin, handicap or familial status.
- B. There will be no assigning of minorities to designated units or sections of the building.
- C. There will be no discrimination because of disproportionate mixture of sexes.
- D. There is no priority based on sponsoring organizations.
- E. No inquiries will be made to determine whether an applicant has a disability or the nature or severity of such disability except to determine if there is a need for a unit with accessibility features.

- F. Marketing of vacancies will be done in accordance with the most currently approved Affirmative Fair Housing Marketing Plan (AFHMP)

Winter Hill Apartments, its owner, agents and affiliates, are pledged to the letter and spirit of the federal law and policy for the achievement of equal housing opportunity. Winter Hill Apartments and its affiliates comply with all applicable federal, state and local laws which prohibit discrimination against persons because of race, color, religion, age, familial status, sexual orientation, handicap or disability, use of a guide or support animal because of a handicap or disability. Selection of residents from among program eligible applicants will be in a nondiscriminatory manner consistent with the housing program for Winter Hill Apartments.

## **V. INCOME TARGETING**

Under the provisions of 24 CFR 5.653, Admission and Occupancy Provisions of the Quality Housing and Work Responsibility Act (QHWRA) of 1998 for Multifamily Housing Programs, Winter Hill Apartments, must make at least 40 percent (40%) of the assisted units that become available in each year available for leasing to the families whose income does not exceed 30 percent of the area median income (extremely low-income) at the time of admission. Extremely low income (ELI) means families with incomes at 30% or below median income.

Applicants from the property's waiting list will be selected based on alternating move-ins beginning the first of each year with an ELI Family.

If the waiting list does not include eligible applicants with annual incomes at or below 30% of the area median, management will market and outreach to achieve the desired mix. If after actively marketing for at least 30 days, management is unable to fill vacant units with ELI families, management may lease to other eligible families. Documentation of marketing efforts will be maintained on file by management.

Management will track the number of ELI applicants accepted for occupancy on the "Income Targeting Tracking Log" worksheet.

## **VI. PREFERENCES**

There are not any preferences for occupancy at this site.

## **VII. APPLICATION PROCESSING PROCEDURES**

Applications will be accepted on Mondays, Wednesdays and Fridays from 9:00 a.m. – 5:00 p.m. in the rental office. Persons requiring special accommodations should contact the Management Office. Applications will be mailed upon request.

Applications will be screened in accordance with program eligibility requirement and the criteria set forth in this Tenant Selection Plan.

Management will not prescreen applicants verbally or in person until they have been contacted by mail to arrange an eligibility interview. No person may be refused the right to apply for housing unless the development's waiting list is closed for a particular unit size or type, and notice of the closed waiting list is posted in a prominent common area accessible to tenants and applicants.

Upon completion of the application, Management will place the application on the appropriate waiting list. Incomplete applications will be rejected, returned to the applicant and will not be evaluated until all of the required information has been provided. All household members must be listed on the application form.

Once you are notified by mail to contact the office to arrange an eligibility interview, you will be given (14) calendar days to respond. Failure to respond within the (14) days will result in your application being removed from the waiting list. Winter Hill Apartments may make exceptions to the procedures described herein to take into account circumstances beyond the applicant's control, including medical problems or extreme weather conditions.

Applicants will be required to provide proof of identity. Management will review the eligibility requirements and tenant selection criteria with the applicant. Winter Hill Apartments will explain the tenant selection process, and explain the verification process.

At the "initial eligibility screening" all areas of income, rental history, credit history, criminal and/or drug history will be verified. If no waiting list exists at the initial screen, Management will begin processing the application for occupancy.

Note: Eligibility or placement on the waiting list does not constitute acceptance and further screening is required to determine an applicant's ability to maintain a successful tenancy.

Should the applicant fail to meet income restrictions or mandatory screening (24CFR 5.584 – 5.587), management will provide a denial letter in accordance with HUD regulations stating the reason for the denial. (See section XIV, Denial of Assistance)

## VIII. APPLICANT SELECTION

Subject to the "extremely low-income" preference addressed in Section V, all applicants who meet the program eligibility requirements (Section XIII), and this tenant selection criteria plan, will be offered housing on a first-come first-served basis. An applicant will be notified by mail or phone when he/she is next on the waiting list and offered housing.

## IX. APPLICANTS WITH ACCESSIBILITY OR SPECIAL NEEDS

Applicants, whose household includes "a person with a disability", may request a current list of accessible units. Winter Hill Apartments shall not be held responsible for certifying the unit as accessible. Such determination is the responsibility of the family.

Verification of a disability from an applicable professional may be required when the applicant requests a modification to a unit, eligibility for a preference based on disability status, or a reasonable accommodation. Inquiries concerning a person's disability or disabilities in this regard will be limited to verification of the disability and the need for an accommodation or the qualification for a program. Winter Hill Apartments will ask questions about the nature or severities of a disability only as they relate to the specifics of an accommodation request. Winter Hill Apartments will not make inquiries regarding an applicant's ability to comply with the terms of the lease, including caring for the unit, unless past tenancy history or other evidence suggests that applicant is unable to satisfy some term of the lease.

The applicant must notify Winter Hill Apartments of their requirement for a unit with accessibility features. Approval for such a unit is at the discretion of management. The applicant will remain on the waiting list until an appropriate unit becomes available.

An approved applicant may, at their option, accept a unit without accessibility features and be placed on an internal transfer list for an accessible unit. Placement on the transfer list does not guarantee that an accessible unit will be available.

Reasonable accommodation or modification may be made to the unit by management in accordance with the Section 504 requirements

Applicants eligible for handicapped accessible units may choose to be on lists for accessible and standard units.

The person named below has been designated to coordinate compliance with the non-discrimination requirements contained in the Department of Housing & Urban Development's regulations implementing Section 504 (24 CFP Part 8 dated June 2, 1988).

George Spreitzer	Phone No.	202-986-4584
NDC Real Estate Management, Inc.	TTD:	800-654-5984 (Hearing Impaired Only)
2901 Connecticut Ave. N.W.	Fax:	202-986-0293
Washington DC 20008		
gspreitzer@ndcrealestate.com		

## X. WAITING LIST PROCEDURES

Assignment to a position on the waiting list will be based on this preliminary determination and will be formally verified as the applicant's name advances on the waiting list. The applicant will be placed on the waiting list by date of receipt of application.

- Waiting lists will be organized by a master list in chronological order by date and time. Also a separate list is required for each type of unit in the same order, (subsidy, physically adapted unit, etc).
- Each applicant must be placed on the appropriate waiting list(s) chronologically according to the date and time of receipt of the completed application and will be selected based on that order.

Households that are eligible for more than one size of unit (by bedroom size) may choose to be placed on multiple waiting lists as appropriate and the Agent will respect the bedroom size option chosen by the applicant unless such choice violates the local zoning code, other applicable laws, or Winter Hill Apartments Occupancy Policy.

All records, including the application, must be retained for a period of three (3) years.

If the applicant is eligible and offered a unit and refuses the unit, the application is returned to the waiting list, annotated as to the date of declination, to be selected again.

No penalty is associated with the first refusal, but up upon a second refusal, the applicant is placed at the bottom of the waiting list, using the second (2<sup>nd</sup>) declination date and time as the new application date and time. Should management contact the applicant a third time and receive no response or a declination, the application will be removed from the waiting list.

In carrying out the above plan, the applicant will be notified in writing by first class mail and given (7) days to accept or decline the unit offered.

## **XI. UPDATING OF WAITING LIST**

Annually, applicants on the eligible waiting list are contacted to determine continued interest in remaining on the waiting list at Winter Hill Apartments. A letter is sent to the applicant's last known address, allowing the applicant (14) days to contact management. If contact by the applicant is not made, or if the letter is returned, the applicant is removed from the waiting list.

A waiting list will be closed when the number of current applications exceeds five years of projected vacancies and opened when it drops below two years of projected vacancies.

When a waiting list will be closed / re-opened, it shall be advertised publicly in the Washington Post with information regarding unit size and where and when to apply.

## **XII. CHANGES TO THE APPLICATIONS WHILE ON THE WAITING LIST**

It is the responsibility of the applicant to inform the Management office of any changes of mailing address, family composition, and household income or phone numbers.

Changes to the family composition after an application has been submitted is restricted to addition of family members born to, adopted or otherwise granted custody to the family by operation of law. Immediate family members include spouses, sons, daughters, brothers, sisters, parents, and grandchildren. All other additions to the family shall be considered only on a case-by-case basis and must be documented at the time such changes occur. Additions may be made for humanitarian reasons, including reasonable accommodation for family member. The final decision shall be at the discretion of the Owner.

## **XIII. PROGRAM ELIGIBILITY CRITERIA**

**Applicant eligibility will be determined using the following criteria;**

- Household income must fall within the Program Income Limits established by the U. S. Department of Housing and Urban development published annually in the Code of Federal Regulations. Current income limits can be found in the management office. All sources of income in the household must be reported and verified by third party verification by Management.
- The Rent the applicant would be required to pay using the applicable HUD rent formula must be less than the gross rent for the unit or the market rent for Section 236 properties.
- The Head of Household must be 18 years of age or older.
- Students: Applicants and or tenants who are the Head or Co-Head of the household are also a student (part-time or full-time) do not qualify for Section 8 assistance unless they are also:
  - a. At least 24 years of age or,
  - b. a veteran or,
  - c. married or,
  - d. have a dependent child or,
  - e. Both the individual and the individual's parents must meet the applicable income limits that would establish that all parties would qualify for Section 8 assistance or,
  - f. If the individual can demonstrate his or her independence from their parents. Criteria for determining independence from parents:
  - g. The student must be of legal contract age under the law.
  - h. 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 must meet the U.S. Department of Education's definition of an independent student.
  - i. The individual must not be claimed as a dependent by parents or legal guardian pursuant to IRS regulations.
  - j. The individual must obtain a certification of the amount of financial assistance that will be provided by parent, signed by the individual providing the support.
  - k. All students who are disabled and were receiving section 8 assistance as of 11/30/05 are exempt from the above student requirements.

For the purposes of application for housing, Applicant will be defined as: the Applicant, Co-Applicant and all adult members (18 years of age or older) or any adult requesting to be added to the lease of a current tenant.

A more detailed explanation of Winter Hill Apartments Citizen of Eligible Immigrant Policy can be found as Attachment 1 to this Tenant Selection Plan.

- Management will review all credit references without charge to the applicant. Lack of credit history shall not be grounds for rejection, but a poor credit history may be. The following items shall be considered examples of unfavorable credit and will be taken as an indication of the applicant's inability or unwillingness to pay rent on time, and shall serve as the basis for rejection.
  - i. Any one (single account) credit obligation, which is 3 months or more delinquent.

- ii. Any court imposed fine unsettled.
  - iii. Any one suit not remedied or a suit pending.
  - iv. Any Judgment, bankruptcy or liens appearing on the credit report.
  - v. Derogative Medical Bills are exempt and not included
1. All credit shown in the report issued by the credit bureau will reflect on both spouses in the absence of divorce and/or legal documentation which clearly separates the parties credit responsibilities. In the case of unfavorable credit references, the responsibility of management is limited to informing the applicant that the application has been rejected based on confidential information received from the credit bureau. If the applicant believes the credit report is in error, management is agreeable to re-appraising a credit report forwarded to management by the credit bureau on behalf of the applicant which identifies corrections or additions made as a result of action taken by the applicant directly with the credit bureau. The applicant is, however, considered rejected until such updated information is received. The position on the waiting list will be suspended pending receipt of corrected information; however, the suspension will be allowed for a maximum of sixty days, after which time, the rejection will become final.
- Rental History. Each applicant must provide the most recent five years verifiable rental history, or the last three consecutive places of residence, whichever is greater. The rental history of each adult household member will be reviewed using the following minimum requirements:
    - i. Any one history indicating the applicant "skipped", or owes a balance for rent or damages to a current or previous Landlord.
    - ii. Any one eviction for cause. In cases of eviction for non-payment of rent, consideration shall be given to the financial ability of the resident to pay the required rent;
    - iii. Any two late payments of rent during any six (6) month period;
    - iv. Any rental history indicating that the applicant, household member or visitor was destructive to the apartment, or surrounding area, or was responsible for disturbing the safety, security or right to peaceful enjoyment of other residents;
    - v. Any unauthorized alteration to the apartment which would create an insurance risk or fire hazard;
    - vi. Unsanitary living due to lack of housekeeping;
  - Criminal History. A criminal background check shall be completed on all applicants at the time of verification of eligibility to receive program benefits for all household members 18 or over. Any derogative information on your report may be considered unacceptable according to the Tenant Selection Plan posted in the Management Office.
  - Verification of Information. Verification of information used in determining approval for residence, verifying eligibility, and calculating the tenant's portion of rent will be sought in writing after receiving written authorization from applicant using the required HUD approved release of information authorization form (HUD 9887 and HUD 9887A). Other types of verification forms may be used in conjunction with Winter Hill Apartments.

As determined by this document, HUD policies, or owner policies, every appropriate verification form must be completed and signed by the head of the household and household members 18 years and older, including any personal care attendant (Live-in aide). Verification of credit and income information for a personal care attendant is not necessary because their income is not included in the household income calculation. (Personal care attendant is defined as a person who resides with one or more elderly persons, near elderly persons, or persons with a disability and (a) provides necessary assistance for the care and well being of the person;(b) is not obligated for the support of the household member; and (c) would not be living in the unit except to provide such necessary assistance to the household member.)

It is the policy of Winter Hill Apartments to guard the privacy of individuals in accordance with the Federal Privacy Act of 1974 and to ensure the protection of records maintained by the property concerning the applicants or tenants.

Winter Hill Apartments shall not disclose any personal information contained in its records to any persons or agencies other than HUD or the HUD contract administrator, or other authorized government agency unless the individual about whom information is requested has given written consent to such disclosure, or unless disclosure is otherwise in accordance with provisions in the state or federal privacy acts.

This privacy policy in no way limits the property's ability to collect such information as it may need to determine eligibility, compute rent, or determine an applicant's suitability for tenancy or to gather information to process reasonable accommodations requests under Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the Fair Housing Act.

The above policies in no way limit the right or duty of the Agent to make abuse, neglect, or other protective service or emergency reports. Additionally, such policies do not forbid management from sharing information in the public domain with relevant service or government agencies.

#### **XIV. APPLICATION DENIAL, REJECTIONS OR DETERMINED INELIGIBLE**

An application may be denied, rejected or determined ineligible for any of the following reasons:

- An applicant or member on the application does not meet the guidelines of the Program Eligibility Section XIII of this Tenant Selection Plan.
- The Household income exceeds the Income Limits established by HUD.
- The applicant has not been evicted from federally assisted Housing within the last three years for drug-related criminal activity. (24 CFR 5.854)
- The applicant is not eligible if it is determined that any household member is currently engaging in:
  - i. Illegal use of a drug; or
  - ii. We determine or have reasonable cause to believe that a household member's illegal use of a drug may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. (24 CFR 5.854)
- The applicant is not eligible if we determine that any household member is currently engaging in, or has engaged in within five years before the admission decision:
  - i. Drug-related criminal activity;
  - ii. Violent criminal activity
  - iii. Other criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents; or
  - iv. Other criminal activity that may threaten the health or safety of Winter Hill Apartments Management or owner or any employee, contractor, subcontractor or agent of Winter Hill Apartments management or owner who is involved in the housing operations. (24 CFR 5.855)
- The applicant is not eligible if the applicant or applicant household member is a sex offender, as registered on the Virginia State website ([www.virginia.gov](http://www.virginia.gov)) keyword "sex offender", or **sex-offender.vsp.virginia.gov/sor/html/search.htm** (24 CFR 5.856)
- The applicant is not eligible if we determine or have reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. (24CFR 5.85)
- The applicant is not eligible if they fail to provide accurate social security numbers for each member of the proposed household composition aged 6 or older or executes a certification where no number has been assigned. This requirement also applies to persons joining the family after admission to the program. Failure to furnish verification of social security numbers is grounds for denial of admission or termination of tenancy.
- The applicant is not eligible if they fail to sign all relevant verification forms determined applicable by management (failure to do so not due to extenuating circumstances), or required by HUD (HUD Forms 9887 and 9887A), or submits verification of information where third party does not exist or cannot be reached through a known address or phone number.
- Applicants with behavioral patterns or habits and practices that may be reasonably expected to have a detrimental effect on the residents of the project environment will not be selected for occupancy. Examples of such include, but are not limited to, history of domestic violence, poor housekeeping history, history of quarreling with neighbors, disturbing neighbors, damage or destruction of property at prior residences, etc.
- Also, applicants must demonstrate past performance in meeting financial obligations, especially rent; have no unsatisfactory reports/referrals and no evictions for non-payment within the continuous rental history.
- The applicant has failed to provide information reasonably necessary for the housing provider to process the applicant's application.
- The applicant has misrepresented or falsified any information required to be submitted as part of the applicant's application or a prior application submitted within the last three years, and the applicant fails to establish that the misrepresentation or falsification was unintentional.
- The applicant, or a household member, has directed abusive or threatening behavior that was unreasonable and unwarranted towards a management agent's employee during the application or any prior application within the last three years.
- The applicant does not intend to occupy housing, if offered, as his/her primary residence.
- Applicant has a pet that does not conform to the pet rules and the applicant refuses to give up the pet to attain residency.
- In such cases where a member of an applicant family has been evicted or otherwise terminated from an assisted housing program due to drug related criminal activity, such family shall not be eligible for housing in the property within three years of the eviction. In such case where the offending member is no longer a member of the family and would not be on the lease or residing in the Section 8 unit, it is within the property's discretion to determine whether the family is eligible for housing. Such determinations shall be made on an individual basis.
- Regarding criminal history of proposed tenant family members 18 years and older this check will consider information of any criminal history for denial of your application for housing. The following are minimum requirements:
  - i. No misdemeanor or felony convictions for possession or use of drugs or drug paraphernalia.
  - ii. No misdemeanor or felony convictions for manufacture or distribution of illegal substances.
  - iii. No misdemeanor or felony convictions for serious misdemeanors or greater offenses of a crime against a person or property including, but not limited to, a history of or conviction as a sexual predator requiring the applicant to register as a sex offender in the locality of their residence.

- iv. No felony convictions

The household composition does not meet the appropriate size units for this property.

## **XV. APPLICATION APPEAL OF DENIAL OF ASSISTANCE**

- Rejected applicants shall receive written notice of the reason(s) for their rejection, and be advised of their right to respond in writing or to request a meeting to discuss the rejection within 14 days.
- Any meeting with the applicant or review of the applicant's written response shall be conducted by a member of the staff other than the initial decision-maker for the rejection decision. The applicant may bring additional data to support their appeal.
- The owner may deny admission to an applicant using his/her standard for admission screening if the criminal background check indicates the applicant provided false information. If the determination is made by owner to deny admission to the applicant, the entity making the determination must:
  - a) Notify the applicant of the proposed denial of admission.
  - b) Provide the subject of the record and the applicant with a copy of the information the action is based upon.
  - c) Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency.
- After the applicant appeals the rejection, the owner must give the applicant a written final decision within 5 days of the response or meeting, either by an Acceptance Letter or a Denial Letter.
- If through this appeal process, the applicant is found to be eligible, the applicant will be placed back on the waiting list in his or her original place based on date and time of application filing.
- For all rejected applicants, the following documentation shall be maintained for at least three years: application, initial rejection notice, any applicant reply, owner's final response and all interview and verified information on which the rejection was based.
- This plan provides for the consideration of mitigating factors that include but not limited to:
  - i. The severity of the potentially disqualifying conduct or condition;
  - ii. The amount of time that has elapsed since the occurrence of such conduct or condition;
  - iii. The degree of danger, if any, to the health, safety and security of others or to the security of the property of others or to the physical condition of the property and its common areas if the conduct has recurred;
  - iv. The disruption, inconvenience, or financial impact that recurrence would cause the housing provider; and
  - v. The likelihood that the applicant's behavior in the future will be substantially improved, or the condition no longer exists.

In general, the greater degree of danger, if any, to the health, safety and security of others or to the security of property of others or the physical condition of the housing, the greater must be the strength of showing that a recurrence of behavior (which led to an initial determination that the applicant would not be able to meet the essential requirements of tenancy) will not occur in the future.

Appeals concerning conduct or conditions must provide documentation that refutes the criteria on which the original denial of housing was based. Mitigation circumstances will be verified and the individual performing the verification must corroborate the reason given by the applicant for unacceptable tenancy-related behavior and indicate that the prospect for lease compliance in the future is good because the reason for the unacceptable behavior is either no longer in effect or otherwise controlled.

The management agent shall have the right to request information reasonably needed to verify the mitigating circumstances, even if such information is of a confidential nature (e.g. doctor's reports). If the applicant refuses to provide or give access to such further information, the management agent may choose not to give further consideration to the mitigating circumstance.

## **XVI. NEW TENANTS**

New residents will be given an orientation of the policies, the lease agreement, rules and regulations, housekeeping and maintenance procedures, resident's rights and responsibilities. Each new resident will receive a copy of:

Lease	House rules
Resident Rights and Responsibilities Brochure	Signed move in inspection form
HUD fact sheet "How your rent is determined"	Tenant/Owner Certification (50059 data requirements)
Live-in aide addendum	Signed consent forms – forms HUD 9887 and 9887A
Any additional addendum's to the lease	

## **XVII. IDENTIFICATION**

All applicants and household members must provide a copy of Birth Certificates and Social Security Cards. Photo identification is also required for all adult household members.

**XVIII. DETERMINING UNIT SIZE**

Selecting the appropriate size unit will be done in accordance with the Owner's General Occupancy Guidelines.

The following are factors determining selection for an apartment and unit size:

- All full-time members of the household
- Children away at school, but live with the family at least 50 percent of the year.
- Children who are subject to a joint custody agreement, but live in the unit at least 50 percent of the time.
- An unborn child
- Foster children who will reside in the unit.
- Live-in attendants
- Children who are temporarily in foster care and are expected to return to the family.
- A maximum of two persons per bedroom.
- Single persons will only be housed in an efficiency (zero bedroom) or one bedroom unit. A single person who is not an elderly or displaced person, a person with disabilities or the remaining member of a resident family may not be provided a housing unit with two or more bedrooms.

**Occupancy Standards**

To be eligible for occupancy, the family size must meet the following guidelines:

Number of Bedrooms:		Efficiency	1BR	2BR	3BR
Number of Persons:	Minimum	1	1	2	3
	Maximum	2	3	4	6

**XIX. CHANGES IN HOUSEHOLD COMPOSITION/UNIT TRANSFERS**

The household may request a transfer to a different unit if eligible. Transfers shall be recorded based on date and time required or requested for transfer and tracked on a manual transfer waiting list. When a vacancy occurs, the Agent shall determine if a transfer is warranted before proceeding to the applicant waiting list to select an applicant for the vacant unit. Any change in household composition must be reported immediately to management.

Determining factors for transfers can be;

- A change in the number of occupants in the household that would exceed the current occupancy standards for the unit; or
- A change in the number of occupants in the household that would be below the current occupancy standards for the unit or
- A certified Medical reason received from a doctor; or
- The need for a accessible unit or reasonable accommodations; or
- The need for a different subsidy program covered by another unit.
- Rent and all other charges must be current and there can be no outstanding lease violations.

Definitions of household members or other exceptions to be included when determining household composition/household size:

- All minor Children age 17 and under. Must be a dependent or have legal guardianship, adoption or custody 50% or more of the time.
- Foster Children. To be included as a household member in determining unit size with proper program documentation.
- Temporary placement of family members. A person listed on the HUD 50059 as a household member who is temporarily away from home, will be included as a family member.
- Live in Aides. Shall be included only to determine unit size. Otherwise, the aide has no other legal or financial obligations to that unit. Shall be 18 years of age and older and meet eligibility background criteria. Is essential for the care and well-being of the resident and would not be living in the unit except to provide the necessary supportive service.
- Medical Equipment. A household member or applicant may be allowed a larger unit in order to accommodate medical equipment, i.e. hospital bed, oxygen tanks, etc., provided the request is verified by a medical doctor.
- Other Adult Household members. Other adult household members must meet program eligibility and screening criteria. Other adult household members must sign the dwelling lease and form HUD 50059.
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**XX. HOUSEHOLD ABSENTEE**

This will be the primary place of residency for all persons listed on the HUD 50059. You shall not have any other primary place of residency. If it is verified that you have vacated or are presumed absent from the unit for more than 60 days without getting prior written approval from Management, your assistance may be terminated.

**XXI. FAMILY BREAK UP**

If an assisted family separates with members of the household leaving the leased unit, Winter Hill Apartments will determine who continues to be assisted under the program. No additional housing unit will be leased to the departing family member(s). Departing household members must apply for housing in accordance with application process.

**XXII. VISITOR POLICY**

All visitors are considered "guests". Visitors are not permitted to stay in the unit for more than seven (7) days unless written permission is received from management. If a guest remains in the unit for more than seven (7) days within the term of the Lease Agreement (12 months), the guest will be required to furnish proof of residency. Failure to comply with the visitor policy is a lease violation.

All households are responsible for the actions of their guest's. If the guest's fail to comply with community rules, policies and the Lease Agreement, the resident household may be evicted in accordance with the terms of the lease and house rules.

**XXIII. OCCUPANCY POLICIES AND PROCEDURES**

To be eligible for occupancy an applicant/resident must:

1. Be current on all rent or other financial obligations;
2. Qualify for the type of housing in which this site is; family, elderly, etc.
3. Be eligible according to occupancy standards and unit sizes;
4. Meet all requirements of the Community Policies and Lease Agreement and Selection Criteria;
5. Report all factors in determining your rent; household composition, income, assets, expenses, allowances and any other required HUD regulations and procedures.

**Modification of this Tenant Selection Plan/Criteria** – This policy may be amended to meet HUD changes and requirements as needed. In the event of any changes, upon reasonable notice, of at least 30 days, we may at our discretion, satisfy such changes.

**Conclusion:** Winter Hill Apartments acknowledges that this plan may not address every activity relating to resident selection. Questions concerning this plan and any of its applications may be directed to the management staff.

The following attachments are included in the plan:

Attachment 1 –Citizenship and Immigration Status, Verification Procedures

## Tenant Selection Plan Attachment 1:

### Citizen & Immigration Status, Verification Procedures

#### Citizen and Immigration Status

##### Part I. Submission of Documents and Verification

HUD requires all members of a Section 8 participant family receiving assistance on June 19, 1995 or after November 29, 1996 to provide written documentation of legal immigration status. Any new family members or unverified existing family members at the time of annual re-certification or interim certification shall provide written proof of immigration status for verification by Winter Hill Apartments. All family members must submit proof as follows:

**Citizens** -Signed declaration of U.S. citizenship. Winter Hill Apartments requires verification of citizenship through U.S. passport, voter registration card, birth certificate, or naturalization papers for any family member asserting U.S. citizenship.

**Non-citizens** 62 years of age and older as of June 19, 1995 - Signed declaration of eligible Immigration status and proof of age.

**All other non-citizens** -Signed declaration of eligible immigration status and specified acceptable U.S. Immigration and Naturalization Service (INS) documents of eligible immigration status.

The family upon declaration of each family member's citizenship or eligible non-citizen status shall provide required documentation. Winter Hill Apartments may extend the submission period not to exceed 30 days. The family is required to submit evidence of eligible status only one time while being continuously assisted under the Section 8 program. Winter Hill Apartments shall verify with INS through primary, and if necessary, secondary verifications of documentary evidence submitted by the family to determine the eligibility of each family member.

Once the applicant or participant has submitted the documents of eligibility, Winter Hill Apartments may not deny, delay or terminate assistance solely on the basis that the primary or secondary verification of the immigration documents has not been completed.

##### Part II. Provision of Notice

In circumstances where INS has not verified eligibility, the family will be provided with a written notice that shall include:

- a. that the family has a right to request an appeal to INS of the results of the verification of immigration status;
- b. that the family has the right to request an informal hearing with Winter Hill Apartments upon completion of the INS appeal. Such hearing shall be in accordance with hearing procedures in HUD Handbook 4350.3
- c. that Section 8 assistance may not be denied or terminated until the conclusion of the INS or Winter Hill Apartments appeal process; and
- d. Notification of the type of assistance for which the family may be eligible (continued assistance, temporary deferral of assistance or pro-ration of assistance).