

The Willows at Centreville

HUD SECTION 811-PRA TENANT SELECTION PLAN

Revision 3.27.19

I. TENANT SELECTION PLAN

A. Description of the Target Population

The priority/target populations for HUD Section 811-PRA program are individuals with specific. Eligible applicants for available units set aside for 811-PRA will be referred to the site by MDOD in coordination with the State Housing Finance Agency. It is expected that all eligible applicants referred to the site by MDOD have met the 811-PRA requirements for the intended target population. The general Tenant Selection Plan may be found at <http://dhcd.maryland.gov/HousingDevelopment/Documents/section811/AmendedTSPSection811DHCDApproved.pdf>.

B. Occupancy Standards

Unit size guidelines will be applied to all prospective tenant households in accordance with local fire codes and each must meet the following guideline:

A maximum of two people per bedroom

C. Screening Criteria and Resident Selection

The Rental Agent and/or Property Manager will be responsible for determining the eligibility of all applicants and for certifying and recertifying all residents. Applicants are required to complete the Ingerman Application signed by all household members 18 and over including Foster members, as well as fill out the HUD Form 9887/9887a. The EIV existing Tenant Search will be performed prior to approval of application for all household members including minors, live in aides and foster members.

The following screening criteria will be conducted for all adult applicants:

Criminal History including Nationwide Lifetime Sex Offender screening, and Income Eligibility.

All income will be verified via third party via mail or fax. Letters will be sent to rejected applicants notifying them why they were rejected and giving them fourteen (14) days to request a meeting to appeal the decision. MDOD will be

notified that the applicant referred to the site was rejected based on eligibility requirements. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.

Ingerman site staff must follow the steps below for screening 811 applicants:

Run the National Tenant Network (NTN) Credit and Criminal History Report/Nationwide Lifetime Sex Offender Screening via NTN's applicant screening website, www.ntnonline.com.

The **NTN Criminal History Report/Nationwide Lifetime Sex Offender Screening** is pre-configured with preferences for Ingerman Management. Only Ingerman Management Regional Property Managers may grant exceptions to the NTN criteria.

The following information is required when requesting reports:

Name

Social Security Number – applies to **all** members of applicants' household including live-in aides and Foster members.

Date of Birth

Current Address

Length of time at Current Address

Previous Address

The Rental Agent and/or Property Manager along with a representative from the compliance department, will be responsible for determining the eligibility of all applicants in accordance with IRS and HUD regulations as well as Ingerman's screening criteria. The following screening criteria will be conducted for all applicants:

- Credit — must score 60 or above on the NTN Decision Point Plus Report — Exceptions may apply. See below section on Exceptions/Special Circumstances.
 - Criminal — Must pass the criminal screening criteria which includes Nationwide sex offender registry search, nationwide criminal search and terrorist date base search, Exceptions may apply. See below Exceptions/Special Circumstances
 - Prior Eviction filings and records — Points will be deducted from the NTN Decision Point Plus Report for eviction filings and records. Exceptions may apply. See below on Exceptions/Special Circumstances.
- *owing a previous landlord and inability to have utilities in prospects name could affect the application status if an exception is not met.

The NTN Criminal History Decision Report evaluates the following as part of the rental recommendation. Either of these components can generate a rejection:

Applicant Criminal Conviction History

Nationwide Lifetime Sex Offender Screening

Other reasons for rejection are:

- Applicant submits false information about themselves or any household member.
- Household income exceeds the maximum limit which is dictated by the HUD Section 8 and LIHTC program for a family of their size. Family size includes foster members.
- Household fails to meet Section 8 Student Eligibility Rules.

Please note that the NTN Criminal Screening policy is also applied to all adult members 18 and over, in addition to Live-in Aides, and the to any adult household member added after initial occupancy. A Nationwide (which includes ALL states) Lifetime Sex Offender screening is included in the Criminal Screening performed by NTN.

D. Student Eligibility Rules:

For a student to be eligible for Section 8 assistance, one of the following 4 criteria must be met:

1. Over 23
2. Married
3. Have dependent child (as defined in the notice)
4. Be a veteran (as defined as defined in the notice)

If a student DOES meet ONE of the four criteria and is otherwise ELIGIBLE, then the student would be eligible. Non-tuition financial assistance would be counted unless the student is over 23 with a dependent child.

If a student does NOT meet ONE of the four criteria and is NOT otherwise ELIGIBLE, assistance is denied or terminated.

If a student does NOT meet ONE of the four criteria, is INDIVIDUALLY ELIGIBLE but the PARENTS are NOT income eligible, then assistance is denied or terminated.

If a student does NOT meet ONE of the four criteria and is otherwise ELIGIBLE and verification indicates that the PARENTS are income ELIGIBLE, then the student is eligible. Non-tuition financial assistance would be counted unless the student is over 23 with a dependent child.

If a student does NOT meet ONE of the four criteria is otherwise ELIGIBLE and the student can prove that he/she is INDEPENDENT from the parents, the student would be eligible. Non-tuition financial assistance would be counted unless the student is over 23 with a dependent child.

If a NON-ELIGIBLE student is currently receiving Section 8 assistance and is

deemed to be INELIGIBLE, then the entire household is ineligible for assistance.

E. Disclosure of Social Security Number

As per HUD Notice 10-08, and Final Rule issued March 8, 2016, all family members (applicants, live-in aides, and foster members) must disclose social security number (SSN) in order for the owner to make an eligibility determination. Households therefore must provide a Valid Social Security card issued by the Social Security Administration or other verification resources provided by HUD.

Exceptions to Disclosure of Social Security Number:

- Ineligible, non-citizen member – not contending eligible immigration status
- Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.
- Members under the age of 6 are eligible for a 90-day extension to provide their SSN, if added to the household within the last 6 months.

F. Use of EIV Existing Tenant Search for Applicants

HUD provides the owner/agent with information about an applicant's current status as a HUD housing assistance recipient. The owner/agent will use the Enterprise Income Verification System to determine if the applicant or any member of the applicant household is currently receiving HUD assistance. Nothing prohibits a HUD housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit any voucher before HUD assistance on this property will begin (please also see Single Residence Criteria). Special consideration applies to some dependents where members of two households share 50% custody.

The EIV Existing Tenant Search will be used and run for ALL household members including minors, live in aides and foster members. If the applicant or any member of the applicant household fails to fully and accurately disclose rental history, the application may be denied based on the applicant's "misrepresentation" of information."

G. Affirmative Marketing / Applicant Referrals

Section 811 eligible tenants referred by MDOD have preference for the 811-PRA program set aside units. The Owner will adhere to and utilize affirmative marketing practices and will strictly adhere to all Fair Housing laws, as well as apply equal housing opportunity for all applicants. The rental agent will offer aid to the applicant in completing the applications, when requested, and explain the tenant selection process. In accordance with Section 504 regulations, applicants with disabilities will be afforded alternate methods of submitting an application as a reasonable accommodation.

MDOD will be notified of any application that is rejected or deemed ineligible. MDOD will be notified if an eligible 811 applicant refuses an offered unit at which time MDOD will refer another eligible applicant to the site. All information pertaining to applicants, i.e., application form, screening criteria, verification of income, acceptance or rejection letters, security deposit policy and racial characterizations, will be kept in the files.

II. FAIR HOUSING/SECTION 504 REQUIRMENTS

A. Management Compliance

It is the policy of the Owner/Agent that all Federal, State and Municipal Fair Housing laws will be strictly adhered to. The Owner/Agent does not discriminate based on race, color, religion, sex, national origin, disability, familial status, sexual orientation, gender identity or marital status.

In conjunction with the marketing of the development, the following conditions will be observed:

1. All advertising brochures, leaflets and other printed material will include the Equal Housing Opportunity logo and all advertising depicting persons will depict persons of majority and minority groups.
2. The Equal Housing Opportunity slogan "Equal Housing Opportunity" utilized in newspaper classified advertisements will be at least eight-point boldface type. Display advertising will include the Equal Housing Opportunity logo and slogan. The Equal Housing Opportunity logo-type will be of a size equal to the size of the largest of any other logo-types used in the advertisement.
3. All signs, off-site and on-site, will prominently display the logo in a size that will not be smaller than the largest letters on the sign.
4. The logo and slogan and the HUD Equal Housing Opportunity Poster will be prominently displayed in the office where applications are being taken.

B. Special Considerations/Limited English Proficiency

This development will contain units specifically designed to meet ADA accessibility standards. The Management personnel will be equipped to address various special needs or consideration of handicapped or physically challenged residents. Special consideration would involve providing management services to ensure that all residents are able to enjoy the same quality of life.

The Management Staff at the complex will do its best to ensure an equal quality of life for all residents. This involves not only adhering to all local and Federal Fair Housing Law, but also giving special consideration when the circumstances warrant helping residents with unique needs, including but not limit to those with Limited English Proficiency. The agent will make every effort to accommodate these needs whether through utilizing HUD's translated documents or assisting in procuring translation or interpreting.

C. Section 504 Requirements

The Owner will comply with all Section 504 requirements including the following:

1. Making and paying for reasonable structural modifications to units and/or common areas that are needed by applicants and tenants with disabilities, unless these modifications would change the fundamental nature of the project or result in undue financial and administrative burdens.
2. Providing auxiliary aids and services necessary for effective communication with persons with disabilities, this includes offering alternative methods necessary for submitting an application.
3. Operating housing that is not segregated based upon disability or type of disability, unless authorized by federal statute or executive order.
4. Developing a transition plan to ensure that structural changes are properly implemented to meet program guidelines to meet program accessibility requirements
5. Perform regular self-evaluations of policies to ensure that they do not discriminate based on disability.
6. Operate programs in the most integrated setting appropriate to the needs of qualified individuals with disabilities.

The Section 504 Coordinator is the Regional Manager for the site. Contact number is (856) 662-1730.

III. RESIDENT HANDBOOK

A resident handbook will be formulated for this development. However, the Owner believes that a good resident/management relationship is mutually beneficial and exists when both parties treat each other with fairness, tact, understanding and respect. Management will attempt to convey project rules and regulations as clearly and simply as possible. When a tenant grievance cannot be resolved on a fair and equitable basis by the resident and staff, the matter will be directed to the Director of Property Management.

Management believes that tenant complaints will be extremely rare if management is diligent in its duties. All residents will be oriented to the building, their apartment and their surroundings upon move-in. The residents will be provided emergency call numbers for after normal business hours and weekends, as well as the local Fire and Police department numbers. Notices and other matters of general information and interest are posted on the bulletin boards located in the building's lobby area. When necessary, memos are sent to all residents.

Violence Against Women Act (VAWA) Policy

I. Purpose and Applicability

The purpose of this policy (herein called "Policy") is to implement the applicable provisions of the Violence Against Women and Department of Justice Reauthorization Act of 2013 (Pub. L. 109-162) and more generally to set forth the Ingerman Management Company policies and procedures regarding domestic violence, dating violence, and stalking, as hereinafter defined.

This Policy shall be applicable to the administration by the Ingerman Management Company (IMC) of all federally subsidized public housing, Section 8 rental assistance under the United States Housing Act of 1937 (42 U.S.C. §1437 et seq.), HOME funded, LIHTC, etc.

Notwithstanding its title, this policy is gender-neutral, and its protections are available to males who are victims of domestic violence, dating violence, or stalking as well as female victims of such violence.

II. Goals and Objectives

This Policy has the following principal goals and objectives:

- A. Maintaining compliance with all applicable legal requirements imposed by VAWA;
- B. Providing and maintaining housing opportunities for victims of domestic violence dating violence, or stalking;
- C. Creating and maintaining collaborative arrangements between the Ingerman Management Company, law enforcement authorities, victim service providers, and others to promote the safety and well-being of victims of actual and threatened domestic violence, dating violence and stalking, who are assisted by the Section 8 Program.
- D. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, or stalking, affecting individuals assisted by the Ingerman Management Company.

III. Other Ingerman Management Company Policies and Procedures

This Policy shall be attached to and shall be incorporated in and made a part of the Management Plan/Tenant Selection Plan for HUD Section 8 properties, S811, HOME, PennHOMES, Public Housing and Tax Credit financed sites.

To the extent any provision of this policy shall vary or contradict any previously adopted policy or procedure of the Ingerman Management Company, the provisions of this Policy shall prevail.

IV. Definitions

As used in this Policy:

- A. **Domestic Violence** – The term ‘domestic violence’ includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse 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.”
- B. **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:
 - i. The length of the relationship.
 - ii. The type of relationship.
 - iii. The frequency of interaction between the persons involved in the relationship.
- C. **Stalking** – means:
- a. to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (b) 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 harm to:
 - i. that person;
 - ii. a member of the immediate family of that person; or the spouse or intimate partner of that person;
- D. **Immediate Family Member** - means, with respect to a person:
- a. a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or
 - b. any other person living in the household of that person and related to that person by blood or marriage.
- E. **Perpetrator** – means person who commits an act of domestic violence, dating violence or stalking against a victim.

V. Admissions and Screening

- A. **Non-Denial of Assistance.** The Ingerman Management Company will not deny admission to any person under an affordable housing program, (Public Housing Section 8, LIHTC, HOME, etc.) because that person is or has been a victim of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.
- B. **Mitigation of Disqualifying Information.** When so requested in writing by an applicant for assistance whose history includes incidents in which the applicant was a victim of domestic violence, the Ingerman Management Company, may but shall not be obligated to, take such information into account in mitigation of potentially disqualifying information, such as poor credit history or previous damage to a dwelling. If requested by an applicant to take such mitigating information into account, the Ingerman Management Company shall be entitled to conduct such inquiries as are reasonably necessary to verify the claimed history of domestic violence and its probable relevance to the potentially disqualifying information. The Ingerman Management Company will not disregard or mitigate potentially disqualifying information if the applicant household includes a perpetrator of a previous incident or incidents of domestic violence.

VI. Termination of Tenancy or Assistance

- A. **VAWA Protections.** Under VAWA, public housing residents and persons assisted under the Section 8 rental assistance program, LIHTC, HOME, have the following specific protections, which will be observed by the Ingerman Management Company:
- a. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a “serious or repeated” violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of or assistance to the victim of that violence.
 - b. In addition to the foregoing, tenancy or assistance will not be terminated by the Ingerman Management Company as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant’s control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:
 - i. Nothing contained in this paragraph shall limit any otherwise available authority of the Ingerman Management Company’ or an owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant’s household. However, in taking any such action, neither the Ingerman Management Company nor a Section 8 manager or owner may apply a more demanding standard to the victim of domestic violence dating violence or stalking than that applied to other tenants.

- ii. Nothing contained in this paragraph shall be construed to limit the authority of the Ingerman Management Company or an owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or the Ingerman Management Company, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

B. Removal of Perpetrator. Further, notwithstanding anything in paragraph VI.A.2. or Federal, State or local law to the contrary, the Ingerman Management Company or a Section 8 owner or manager, as the case may be, may bifurcate a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by the Ingerman Management Company. At the option of owners or managers, leases for dwelling units occupied by families in the affordable housing program administered by the Ingerman Management Company, shall contain provisions setting forth the substance of this paragraph.

VII. Verification of Domestic Violence, Dating Violence or Stalking

A. Requirement for Verification. The law allows, but does not require, the Ingerman Management Company or an owner or manager to verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph VII. C., the Ingerman Management Company shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by the Ingerman Management Company. Owners or managers receiving rental assistance administered by the Ingerman Management Company may elect to require verification, or not to require it as permitted under applicable law.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

- a. **HUD-approved form** - by providing to the Ingerman Management Company or to the requesting owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.

- b. **Other documentation** - by providing to the Ingerman Management Company or to the requesting owner or manager documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.
 - c. **Police or court record** – by providing to the Ingerman Management Company or to the requesting owner or manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.
- B. Time allowed to provide verification/ failure to provide.** An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence or stalking, and who is requested by the Ingerman Management Company, or a Section 8 owner or manager to provide verification, must provide such verification within 14 business days (i.e., 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result in loss of protection under VAWA and this policy against a proposed adverse action.

VIII. Confidentiality

- A. Right of confidentiality.** All information (including the fact that an individual is a victim of domestic violence, dating violence or stalking) provided to the Ingerman Management Company or to an owner or manager in connection with a verification required under section VII of this policy shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:
- a. requested or consented to by the individual in writing, or
 - b. required for use in a public housing eviction proceeding or in connection with termination of Section 8 assistance, as permitted in VAWA, or
 - c. otherwise required by applicable law.
- B. Notification of rights.** All tenants of public housing and tenants participating in the affordable housing programs administered by the Ingerman Management Company shall be notified in writing concerning their right to confidentiality and the limits on such rights to confidentiality.

IX. Court Orders/Family Breakup

- A. Court orders.** It is the Ingerman Management Company's policy to honor orders entered by courts of competent jurisdiction affecting individuals assisted by the Ingerman Management Company and their property. This includes cooperating with law enforcement authorities to enforce civil protection orders issued for the protection

of victims and addressing the distribution of personal property among household members in cases where a family breaks up.

X. Relationships with Service Providers

It is the policy of the Ingerman Management Company to cooperate with organizations and entities, both private and governmental, which provide shelter and/or services to victims of domestic violence. If the Ingerman Management Company staff become aware that an individual in the affordable housing program is a victim of domestic violence, dating violence or stalking, the Ingerman Management Company will refer the victim to such providers of shelter or services as appropriate. Notwithstanding the foregoing, this Policy does not create any legal obligation requiring the Ingerman Management Company either to maintain a relationship with any particular provider of shelter or services to victims or domestic violence or to make a referral in any particular case.

Notification

The Ingerman Management Company shall provide written notification to applicants, tenants, and Section 8 owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and, termination of tenancy or assistance.

XI. Relationship with Other Applicable Laws

Neither VAWA nor this Policy implementing it shall preempt or supersede any provision of Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

XII. Amendment

This policy may be amended from time to time by the Ingerman Management Company.