RESIDENT SELECTION PLAN- Rural Development

EQUAL HOUSING OPPORTUNITY

PROPERTY SPECIFIC INFORMATION:

Property Name: LEMMON PRAIRIE PINES APTS. Total Units: 12

Property type (Section of the 1937 Housing Act, as amended): RD-515

Designated Housing Type: Family Total Subsidized Units: 9

Unit Types:	1 Bdrm.	2 Bdrm.	3 Bdrm.			
Total By Unit Type:	12					

Income Limits: VERY LOW

LOW

MODERATE

Current Income Limits Also Posted On-Site

"THIS INSTITUTION IS AN EQUAL OPPORTUNITY PROVIDER"

Integrity Management Company, (hereinafter referred to as IMC) on behalf of the owner and above named property, has endeavored to provide each applicant with a clear and comprehensive Resident Selection Plan as required by USDA/Rural Development. The following sections provide you with a general overview of critical laws, specifics to better understand how each regulation, policy and procedure apply to the intake and processing of your application to occupancy and beyond. Should, at any time during your review of this Plan you have questions or concerns, please feel free to contact the Property Manager for assistance.

INTRODUCTION APPLICABLE LAWS-

In executing our duties and responsibilities as the management agent, IMC executives and all personnel are committed to complete compliance with the following key regulatory and statutory citations of applicable laws:

24 CFR, part 1 Title VI of the Civil Rights Act of 1964; 24 CFR, part 8 Section 504 of the Rehabilitation Act of 1973; 24 CFR, part 100 et seq Fair Housing Act; 24 CFR, part 146 Age Discrimination Act of 1975; 24 CFR 200.600 Affirmative Fair Marketing Regulations; 24 CFR 800.612a, 881.601, 883.701, 884.223a, 886.329a (Allows for occupancy by elderly families in certain Section 8 developments); 42 U.S.C. 13641 Title VI, Subtitle D of Housing and Community Development Act of 1992 (Sets forth criteria under which certain HUD-subsidized multifamily properties can choose to serve elderly only, or set-aside a portion of the property for elderly only); and the Uniform Federal Accessibility Standards (UFAS), effective July 11, 1988.

The general provisions of the federal civil rights laws address fair housing which prohibits discrimination against applicants or tenants based on one or more of the following classifications: Race; Color; National Origin; Sex; Age; Disability; Religion; and Familial Status (refers to families living with children under the age of 18, regardless of age or number of children).

Further, the Fair Housing Act, Title VIII of the Civil Rights Act of 1968 prohibits discrimination in most housing and housing-related transactions with respect to the following bases: Race; Color; Religion; Sex; Disability; Familial Status; or National Origin. This Act prohibits actions based on these bases to 1. deny anyone the opportunity to apply to rent housing, or deny any qualified applicant the opportunity to lease housing suitable to his or her needs; 2. provide anyone housing that is different from that provided to others; 3. subject anyone to segregation, even if by floor or wing; 4. restrict anyone's access to any benefit enjoyed by others in connection with the housing program; 5. treat anyone differently in determining eligibility or other requirements for admission, in use of the housing amenities, facilities or programs, or in the terms and conditions of a lease; 6. deny anyone access to the same level of services; 7. deny anyone the opportunity to participate in a planning or advisory group that is an integral part of the housing program; 8. publish or cause to be published an advertisement or notice indicating the availability of housing that prefers or excludes persons; 9. discriminate in the provision of brokerage services or in residential real estate transactions; 10. discriminate against someone because of that person's relation to or association with another individual; or 11. retaliate against, threaten, or act in any manner to intimidate someone because he or she has exercised rights under the Fair Housing Act.

Additional provisions for Persons with Disabilities requires a housing provider to treat persons with disabilities differently to enable them to have equal access to, or enjoyment of, housing and other housing-related programs. Specifically, the Fair Housing Act requires housing providers to provide "reasonable accommodations" to persons with disabilities. This means the owner may have to modify rules, policies, practices, procedures and/or services to afford a person with a disability an equal opportunity to use and enjoy the housing. In addition, the Fair Housing Act contains specific accessibility requirements that apply to the design and construction of new multifamily housing built for first occupancy after March 13, 1991.

IMC (et al) has an obligation to affirmatively further fair housing through the development, implementation and update (when the property's circumstances change) of a Fair Housing Marketing Plan (if required of the property by regulation or statute) to engage in affirmative marketing to groups least likely to apply for the owner's housing even if this group is different from the religious or ethnic group generally served by the owner organization. Finally, owner's of RD multifamily housing must also display the Fair Housing poster.

Title VI of the Civil rights Act of 1964 prohibits all recipients of federal financial assistance from discriminating based on race, color, or national origin and it provides greater investigative authority in complaints related to violations of the Title VI regulations and the authority to impose different types of remedies than it does in cases involving violations of the Fair Housing Act. The regulations require that recipients have an affirmative obligation to take reasonable steps to remove or overcome any discriminatory practice or usage that subjects individuals to discrimination based on race, color, or national origin. Even in the absence of prior discrimination, recipients should take affirmative steps to overcome the effects of conditions that results in limiting participation by persons of a particular race, color, or national origin. Finally, the owner must maintain racial and ethnic data showing the extent to which members of minority groups are beneficiaries of federal financial assistance.

The Age Discrimination Act of 1975 prohibits discrimination based upon age in federally assisted and funded programs or activities, except in limited circumstances. It is not a violation of the Act to use age as a screening criteria in a particular program if age distinctions are permitted by statute for that program or if age distinctions are a factor necessary for the normal operation of the program or the achievement of a statutory objective of the program or activity.

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based upon disability in all programs or activities operated by recipients of federal financial assistance. Section 504 differs from the Fair Housing Act in that it imposes broader affirmative obligations on owners to make their programs as a whole, accessible to persons with disabilities. These obligations include the following (but are not limited to): 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. operating housing that is not segregated based upon disability or type of disability, unless authorized by federal statute or executive order; 3. providing auxiliary aids and services necessary for effective communication with person with disabilities; 4. developing a transition plan to ensure that structural changes are properly implemented to meet program accessibility requirements; 5. performing a self-evaluation of the owner's program and policies to ensure that they do not discriminate based on disability; and 6. operating their programs in the most integrated setting appropriate to the needs of qualified individuals with disabilities.

RD-subsidized multifamily housing properties are subject to Civil Rights Related Program Requirements including, but not limited to, the following: 1. occupancy guidelines to include application, waiting list and tenant selection requirements; 2. use of residency preferences in a manner that does not have a disparate impact on members of any class of individuals protected by federal civil rights laws; 3. consistent maintenance requirements; 4. consistent policies across properties owned by the same owner to ensure against steering, segregation, or other discriminatory practices. Additionally, owners must improve "Access for Persons with Limited English Proficiency (LEP)" which may include, but is not limited to, interpreter services and/or written materials translated into other languages.

Effective March 3, 1012, federal regulations were approved to ensure equal access to housing for all Americans regardless of sexual orientation, gender identity or marital status. The regulations include the following provisions:

1. Requires owners and operators of RD-assisted housing, or housing whose financing is insured by USDA/RD, to make housing available without regard to sexual orientation or gender identity of an applicant for, or occupant of, the dwelling, whether renter or owner-occupied. RD will institute this policy in all its programs.

2. Prohibits lenders from using sexual orientation or gender identity as a basis to determine a borrower's eligibility for FHA-insured mortgage financing.

3. Clarifies that all otherwise eligible families regardless of marital status, sexual orientation or gender identity, will have the opportunity to participate in RD programs.

4. Prohibits owners and operators of RD-assisted housing or housing insured by RD from asking about an applicant or occupant's sexual orientation and gender identity for the purpose of determining eligibility. However, this provision does not prohibit voluntary and anonymous reporting of sexual orientation or gender identity pursuant to state, local or federal data collection requirements.

This general overview does not intend to include or describe additional procedures such as data and record-keeping requirements, principles for addressing overlapping federal, state and local requirements, unlawful refusal to rent or negotiate for rental and other prohibited rental activities, discrimination in the representation of available dwellings, discrimination in terms, conditions, privileges, services, and facilities, discrimination in marketing, statements and notices, and retaliatory occupancy practices, coercion, intimidation and interference, additional nondiscrimination and accessibility requirements for persons with disabilities, reasonable accommodations including assistance animals, etc.; all intended to be addressed in the policies, procedures and actions of IMC (et al) to fully comply and in keeping with the spirit and intent of the laws.

Compliance with Requirements Outlined in the Violence Against Women Act (VAWA)

In accordance with the Violence Against Women Act (VAWA), the owner/agent will not penalize victims of domestic violence, dating violence, sexual assault or stalking (herein identified as VAWA crimes). The Violence Against Women Act was promoted to make the lives of victims of abuse easier and to prevent homelessness. VAWA protections are not only available to women, but they are available equally to all individuals regardless of sex, gender identity, or sexual orientation.

We must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA, however, this does not limit our duty to honor court orders or court proceedings about eviction, access to or control of the property.

Victims must certify their status as victims and that the incident in question was a bona fide incident of domestic violence by presenting appropriate documentation to the owner/agent if this information is requested in writing by the owner/agent.

Tenants can be evicted or their assistance can be terminated for serious or repeated lease violations that are not related to a VAWA crime committed against them. However, we cannot hold tenants who have been victims of a VAWA crime to a more demanding set of rules than it applies to tenants who have not been victims of VAWA crimes.

Protections for Applicants

If you otherwise qualify for assistance under the Section 8 program**,** you cannot be denied admission or denied assistance because you are or have been a victim of a VAWA crime.

Protections for In-Place Tenants

If you are currently receiving assistance under the Section 8 program**,** you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of a VAWA crime.

Also, if you or an affiliated individual of yours is or has been the victim of a VAWA crime by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under the Section 8 program solely on the basis of criminal activity directly relating to that VAWA crime.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

Some key points provided in the Act include:

* An applicant who certifies they were the victim of a VAWA crime may be allowed to be admitted even with poor credit and poor landlord evaluations if he/she can show these negative factors were caused by domestic violence.

* It assures that victims of VAWA crimes can have access to the criminal justice system without facing eviction.

* Where someone is abusive to other members of the household, the abuser may be evicted while allowing the rest of the household to remain in the unit (lease bifurcation).

* Tenants in Section 8 assisted housing facing violence may be allowed early lease termination for a matter of safety.

* A tenant who is a victim of a VAWA crime may request an emergency transfer when further violence or harm is imminent, or if the tenant was a victim of a sexual assault occurring on the property within 90 days prior to the transfer request. Our Emergency Transfer Plan is available to anyone requesting to see it.

* All rejected applicants will receive the VAWA Notice of Occupancy Rights.

* All newly admitted tenants will receive the VAWA Notice of Occupancy Rights upon move-in.

* All in-place tenants will receive the VAWA Notice of Occupancy Rights no later than their 2017 annual recertification.

Nonretaliation-

The owner/agent will not discriminate against any person because that person has opposed any act or practice made unlawful by the Violence Against Women Act or because that person testified, assisted, or participated in any matter related to the Violence Against Women Act or a VAWA crime.

Noncoercion-

The owner/agent shall not coerce, intimidate, threaten, or interfere with, or retaliate against, any person in the exercise or enjoyment of, on account of the person having exercised or enjoyed, or on account of the person having aided or encouraged any other person in the exercise or enjoyment of, any rights or protections under the Violence Against Women Act including:

1. Intimidating or threatening any person because that person is assisting or encouraging a person entitled to claim the rights or protections under the Violence Against Women Act.

2. Retaliating against any person because that person has participated in any investigation or action to enforce the Violence Against Women Act.

Protection to Report Crimes from Home

Owner/agents, residents, occupants, service providers, guests and applicants:

1. Shall have the right to seek law enforcement or emergency assistance on their own behalf or on behalf of another person in need of assistance; and

1. Shall not be penalized based on their requests for assistance or based on criminal activity of which they are a victim or otherwise not at fault under statutes, ordinances, regulations, or policies adopted or enforced by covered governmental entities. Prohibited penalties include:

a. Actual or threatened assessment of monetary or criminal penalties, fines, or fees.

b. Actual or threatened eviction.

c. Actual or threatened refusal to rent or renew tenancy.

d. Actual or threatened refusal to issue occupancy permit or landlord permit.

e. Actual or threatened closure of the property, or designation of the property as a nuisance or a similarly negative designation.

The Resident Selection Plan will be divided into the following sections and will address in detail, the requirements each applicant must comply with:

Section I- Program Eligibility & Procedural Requirements

Section II- Property Specific Eligibility & Procedural Requirements

Section III- Owner Policies & Procedures for Accepting & Processing Applications

Section IV- Owner Established Applicant Screening Criteria

Section V- Owner Established Applicant Pre-Screening

Section VI- Owner Established Applicant Screening for Occupancy

Section VII Owner Established Unit Transfer & Filling Vacant Units Policy

Section VIII- Owner Established Opening & Closing of the Waiting List Policy

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SECTION I PROGRAM ELIGIBILITY & PROCEDURAL REQUIREMENTS-

Applicants and tenants must meet the following requirements to be eligible for occupancy and housing assistance:

A. The family's annual income must not exceed the most current program income limits.

B. Applicants (and tenants) must disclose social security numbers for all family members and provide proof of the numbers provided. Please refer to Section II, paragraph E, for specific requirements regarding disclosure and proof.

C. All adults in each applicant family must sign the Authorization for Release of Information at the time application is made and thereafter not less than annually in order to be approved for and maintain occupancy and qualify for assistance.

D. The unit for which the family is applying must be the family's only residence.

E. An applicant must agree to pay the rent required by the program under which the applicants will receive assistance.

F. Only U.S. citizens or eligible noncitizens may receive assistance. This applies to families making application to the property, families on the waiting list and tenants. The following describes the key requirements:

1. Assistance in subsidized housing is restricted to the following: a. U. S. citizens or nationals; and b. Noncitizens who have eligible immigration status.

2. All applicants, regardless of age, for assistance must be given notice of the requirement to submit evidence of citizenship or eligible immigration status at the time of application. The entity responsible for receiving the documentation, where possible, must arrange to provide the notice in a language that is understood by the individual if the person is not proficient in English.

3. All family members, regardless of age, must declare their citizenship or immigration status.

4. Noncitizens (except those age 62 and older) 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. Noncitizens age 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. Owners may establish a policy of requiring additional proof of citizenship for those declaring to be U.S. citizens or nationals.

5. Applicants must submit required documentation of citizenship/immigration status no later than the date the owner initiates verification of other eligibility factors. IMC requires this documentation submission to occur at the time application is made and pre-screened to qualify for placement on the property waiting list. If the applicant is unable to supply the documentation at the time of application, IMC will permit the applicant family an additional 14 days to supply the documentation. If the applicant fails to supply the documentation within the 14-day period, and certifies that the documentation is temporarily unavailable and additional time is needed to collect and submit the required documentation, IMC will grant no more than an additional 30-day extension in writing and with the new deadline date but only when the applicant family has responded on or before the 14-day initial extension period has expired. Should IMC receive no contact from the applicant family at the end of the initial 14-day extension, IMC will issue an Application Status letter informing the applicant family the application has been denied due to incomplete information/documentation.

G. All information reported by the family is subject to verification.

H. Various subsidy or insurance programs may impose additional eligibility/occupancy restrictions.

SECTION II PROPERTY SPECIFIC ELIGIBILITY & PROCEDURAL REQUIREMENTS-

In addition to the Section I Program Requirements, to be eligible for tenancy an applicant must meet the following property specific requirements:

A. Consist of a family that includes but is not limited to:

1. A family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size);

2. An elderly family;

3. A near-elderly family;

4. A disabled family;

5. A displaced family;

6. The remaining member of a tenant family; and

7. A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

When determining family size for establishing income eligibility, the owner (IMC) must include all persons living in the unit except the following:

a. Live-in aides: A person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities, and who; (1) is determined to be essential to the care and well-being of the person(s); (2) is not obligated for the support of the person(s); and (3) would not be living in the unit except to provide necessary supportive services.

b. Foster children or foster adults.

c. Guests.

Note: a glossary of definitions is found in RD Handbook 3560 (et al) and is available to assist should a family not understand or seek clarification on the various terms found within this resident selection plan.

When determining family size for income limits, the owner (IMC) must include the following individuals who are not living in the unit:

a. Children temporarily absent due to placement in a foster home.

b. Children in joint custody arrangements who are present in the household 50% or more of the time.

c. Children who are away at school but who live with the family during school recesses.

d. Unborn children of pregnant women.

e. Children who are in the process of being adopted.

f. Temporarily absent family members who are still considered family members. An example might be a family member who is working in another state on assignment.

g. Family members in the hospital or rehabilitation facility for periods of limited or fixed duration.

h. Persons permanently confined to a hospital or nursing home. The family will decide if such persons are included when determining family size for income limits. If such persons are included, they must not be listed as the head, co-head, or spouse on the lease or in the data transmitted to MINC but may be listed as other adult family member. This is true even when the confined person is the spouse of the person who is or will become the head. If the family chooses to include the permanently confined person as a member of the household, the owner (IMC) must include income received by these persons in calculating family income.

When determining income eligibility, the owner (IMC) must count the income of family members only.

B. Meet family composition occupancy limits as established by the owner (IMC), as follows and according to the unit types identified for each specific property and found on page 1 of this resident selection plan, as follows:

1. Eff/0 Bdrm- occupancy limit of no more than three (3) occupants
2. 1 Bdrm- occupancy limit of no more than three (3) occupants
3. 2 Bdrm- occupancy limit of no more than five (5) occupants
4. 3 Bdrm- occupancy limit of no more than seven (7) occupants
5. 4 Bdrm- occupancy limit of no more than nine (9) occupants
6. 5 Bdrm- occupancy limit of no more than eleven (11) occupants

On behalf of the owner IMC has established these general occupancy limits. They are subject to federal, state and local fair housing and civil rights laws, tenant-landlord laws, zoning restrictions, and Equal Opportunity and Non-discrimination requirements under administrative procedures. Further, IMC may assign a unit of a smaller or larger size than established by the general occupancy guidelines, should a applicant request such consideration. These standards are applied before assigning the family to a unit. IMC must consider the number of persons in the family, the age, sex and relationship of family members, the family's need for a larger unit as a reasonable accommodation, and balancing the need to avoid overcrowding with the need to avoid under-utilization of the space and unnecessary subsidy. If the family, based on the number of members, would qualify for more than one unit type, the owner (IMC) must allow the family to choose which unit size they prefer. For the purposes of determining the appropriate unit type (size) the owner (IMC) will consider all household members including all full-time household members, all anticipated children (children expected to be born to a pregnant woman, children

full-time household members, all anticipated children (children expected to be born to a pregnant woman, children in the process of being adopted by an adult family member, children whose custody is being obtained by an adult family member, foster children who will reside in the unit, children who are temporarily in a foster home who will return to the family, and children in joint custody arrangements who are present in the household 50% or more of the time. The owner (IMC) may count children who are away at school and who live at home during recesses (who have not established residency at another address or location as evidenced by a lease agreement). The owner (IMC) must count live-in aides and foster adults living in the unit. The owner (IMC) will review the circumstances for counting dependent (non-adult family members) who are temporarily in a correctional facility if they are expected to return to the family within six months from a detention facility. IMC will NOT count adult members who are incarcerated at the time of application and/or screening for occupancy and establishing the appropriate unit type (size) for the family. Please refer to the screening criteria for specific information and guidelines as defined in criminal history qualifications.

In instances where a unit size is assigned that is either larger or smaller than the general occupancy guidelines state, and if such assignment is not based on a "reasonable accommodation", IMC will permit such occupancy so long as doing so will not create serious overcrowding (assigning smaller unit conflicts with local codes) or long-term under-utilization (a larger or appropriate unit size is not expected to be available within 60 days and underutilization is not expected to last more than one year). The family must agree in writing to move at its own expense to a unit of appropriate size when one becomes available in order to continue to receive assistance or the family may refuse to move and pay the contract or market rate, the choice remains with the family.

Current regulations prohibit a single person from occupying a unit with two or more bedrooms unless; a single person with a disability needs a larger unit as a reasonable accommodation, a single displaced person when an appropriate sized unit is not available, an single elderly person who has a verifiable need for a larger unit, or a remaining family member of a resident family when no appropriately sized unit is available.

NOTE: Please refer to Section VII regarding additional policies and procedures involving unit transfers.

C. Meet the current income limits based on the number of household members as disclosed on the Application for Housing. Published and implemented annually, the Income Limits provides a chart of income percentage (%) levels and maximum income amounts by household (number of persons in the household). Please note the current income limits are available in the property on-site office for public review during posted normal business hours.

D. Must provide a U.S. government issued identification (acceptable documents to verify age are; current driver's license, birth certificate, baptismal certificate, military discharge papers, valid passport, census document showing age, naturalization certificate, social security administration benefits printout) at time of application or within 14 days of application in order for the application to be considered complete for pre-screening (Please refer to Section V for pre-screening policies and procedures).

E. Must provide U.S. government issued original social security card for all adult household member. The applicant household must supply an 1. original social security card or, in the alternative, one of the following documents; 2. driver's license with SSAN depicted, 3. identification card issued by federal, state, or local agency, a medical provider, or an insurance provider, or an employer or trade union, 4. earnings statement on payroll stubs, 5. bank statements, 6. Form 1099, 7. benefit award letter, 8. retirement benefit letter, 9. life insurance policy, 10. court records. When alternate documents are supplied the applicant must certify that the document(s) presented and complete and accurate. Individuals who have applied for legalization under the Immigration Reform and Control Act of 1986 will be able to disclose their social security numbers but unable to supply cards for documentation. Social security numbers are assigned to these persons when they apply for amnesty. the cards go to DHS until the persons are granted temporary lawful resident status. Until that time, their acceptable documentation is a letter from the DHS indicating that social security numbers have been assigned.

F. Must have only one residence and receive assistance only in that unit. A family is eligible for assistance only if the unit will be the family's only residence. The owner (IMC) must not provide assistance to applicants who will maintain residence in addition to the RD-assisted unit.

G. Must comply with the requirement to sign all Consent and Verification Forms which applies to the head of household (regardless of age), the spouse or co-head of household (regardless of age), or any other family member who is 18 years old or older (and where Emancipation state law applies). If the applicant or tenant, or any other adult member of the applicant's or tenant's family, does not sign and submit the consent form as required, the following actions apply; the owner (IMC) must deny assistance and admission to the applicant, or the owner (IMC) must terminate assistance to the tenant.

J. Must fully disclose and cooperate in determining the eligibility of a family member who is 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. a. The individual is 24 years of age or older by December 31 of the award year;
b. 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 of older;
c. 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;
d. The individual is a veteran of the Armed Forces of the United States (as defined in subsection (c)(1) of HEA) or is currently serving on active duty in the Armed Forces for other than training purposes;
e. The individual is a graduate or professional student;
f. The individual is a married individual;
g. The individual has legal dependents other than a spouse;
h. 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 section 722(g)(1)(J)(ii) of 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
i. The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.[2]

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 is included as annual income.

NOTE: Owners (IMC) must determine a student's eligibility for rental assistance and all applicant/tenant households must disclose their student status at application/move-in certification, annual recertification, initial certification (when in-place starts receiving rental assistance) and at any time a household member is enrolled as a student.

SECTION III- OWNER POLICIES & PROCEDURES FOR ACCEPTING & PROCESSING APPLICATIONS

While not a preference, under Section 504 regulations, should an applicant disclose a disability or a need for a "reasonable accommodation", management will process the application following the established pre-screening criteria and when the applicant is placed on the waiting list a notation will be made regarding the accommodation need(s). The owner (IMC) will not skip over a family that has reached the top of the list and has indicated a need for a certain unit accommodations because of a disability. All applicants shall be maintained on a single waiting list and each applicant will be given the option of the next available unit if they come to the top of the list. The family will be given the opportunity to benefit from the program and decide for itself, in compliance with Section 504, whether a unit meets the needs of the family, based on size (type), location and facilities. This means the

owner (IMC) must notify the household whenever any unit becomes available, without regard to unit accessibility. The applicant may decide to accept a standard unit, particularly when units meeting the household's needs are in short supply. The family may accept the unit and request some modification to the unit as a reasonable accommodation. The owner (IMC) will review all such requests and to the extent required and feasible, will make such physical alterations (so long as such alteration would not result in undue financial or administrative burden), and reasonable adjustments to rules, policies, practices, and procedures to provide for such opportunity to use and enjoy the unit, common areas or to participate in or have access to other activities conducted or sponsored by the owner (IMC). Families who have a member who needs the accessibility feature of the unit take priority to occupy "accessible units" over families with no disabled family members.

AN APPLICATION FOR HOUSING is available to anyone who wishes to be admitted to an assisted property or placed on a property's waiting list. In addition to the preferred method of providing applicants the opportunity to complete applications at the property site, owners (IMC) will send out and receive applications by mail as a means to accommodate persons with disabilities who, as a result of their disabilities, cannot utilize the owner's (IMC) preferred application process. A application cover letter, a copy of this Resident Selection Plan and the will accompany each application. IMC is committed to improving access to services for persons with Limited English Proficiency (LEP) and will take reasonable steps to ensure meaningful access to the information and services provided. Management may address such needs through interpreter services (should an applicant not provide their own) and/or written materials translated into other languages, for example. The goal of IMC is to insure the applicant comprehends and fully understands the application process.

The following reminder instructions are provided to avoid any processing delays once we receive your application(s):

- In the event your household is married the application information must detail the information requested for the entire household (Head of household, spouse and all minor children) and both adults must sign and date the application.
- Should your applicant household be comprised of single adult household members (co-applicants, roommates, related and unrelated adults, with or without dependent children, etc.), each adult (defined as anyone 18 years of age and older or emancipated (not yet 18 years of age and in accordance with applicable state law), must complete a "separate" application for housing and sign and date the application before returning it to the property.
- It is extremely important that you answer every item of information requested. Thoroughly review each section and where items do not apply, you may simply write in "N/A" but do not leave lines blank. Please write or print clearly so the information can be easily understood. Should you encounter items you do not know how to answer, please contact the applicable Property Manager; the phone number has been provided as part of the application cover letter.
- Please be accurate and complete with your responses; provide answers that most closely represents what you are currently experiencing.
- Please read the disclosures found on the signature page carefully as you are executing a legal documents and certifying to the accuracy of the information provided.
- Should you return your application(s) in person please know you will need to present a picture form of identification so a copy can be made. In addition, for each household member you will be required to provide documentation to verify the each household member's age and citizenship. A complete and detailed description of these requirements is found in the Resident Selection Plan, Section II, to assist you.
- Consent for the Release of Information permit the owner (IMC) to obtain specific information through third-party verification. These forms are provided with the application package to provide you an opportunity to review their content and purpose in detail. Should you return your application package in person to the property, management will review all documents

your application package in person to the property, management will review all documents with you. Please note, the Consent for the Release of Information must be signed by the Head of Household, Spouse (if applicable) and all other adult household members. Should you opt to return the application package via first class mail management recommends that you secure all signatures prior to returning the documents. As well, if unrelated adult household members, a separate Consent form is required to be signed by each adult household member. Therefore, at the time an application is requested it is important that the interested party disclose the anticipated number of adult household members to insure the application package is complete when mailed.

- When the application is received by the owner (IMC) and demmed complete, the date and time received will be recorded on the face of the application. Please note that should the application be found incomplete the date and time received will be entered when the application is presented complete. As you will recall, the date and time received determines the order the pre-screened approved application is placed on the waiting list.

SECTION IV- OWNER ESTABLISHED APPLICANT SCREENING CRITERIA

The owner (IMC) has established the following criteria for screening, applied uniformly, to determine whether applicants are suitable, eligible and qualified for tenancy:

1. Submit an **"Application for Housing"** free of false, incomplete or misleading information.
2. Management will review the application for completeness. If the application is found incomplete and the applicant is present, the applicant will be afforded the opportunity to complete the application so pre-screening can be completed. If the application has been received via first class mail, the applicant will be notified in writing of the deficiencies, the requirements to correct and the timeline for supplying the information, using the Application Status Letter.
3. Applicants must provide a rental/residence history including all places the applicant household has lived during the past five (5) years including places where your name may not have appeared on the lease and places where you used a different name. For co-head of household, co-applicant and adult household members, each applicant must provide their individual five (5) year rental/residence history following the same guidelines. All gaps in rental/residence history must be explained in writing at the time of application (please feel free to use a separate piece of paper to provide this detail). The household rental/residence history must demonstrate a continuous history of timely payment, no history of evictions or a record of disturbing neighbors, damage or destruction of property, living habits or housekeeping practices that adversely affect the health, safety, or welfare of their tenancy or other residents and a history free of alcohol use that adversely impacts prior or current rental/residence history and the health, safety, or right to peaceful enjoyment of the premises by other residents.

    a. The acceptability of rental/residence history will be based on verified third-party information obtained directly from prior landlords and information contained in a background report secured from a third-party agency specializing in this service.

3. Applicants must demonstrate a credit history free of judgments as a result of negative landlord history within the past five (5) years and a history free of unpaid utility bills which will directly impact the applicant's ability to secure utilities in their name (if applicable) for all tenant paid utilities.
4. Applicants must demonstrate a history free of felony criminal history.
5. Applicants must demonstrate a history free of felonies, misdemeanors, or a pattern of behavior involving drug-related activities, drug possession, use and/or sale. This includes a household who is currently engaged in illegal use of drugs or there is reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may cause interference and/or there is a reasonable cause of behavior, from abuse or pattern of abuse of alcohol, that may cause interference with health, safety, right to peaceful enjoyment by other residents.

6. Applicants must demonstrate a history free of any member with a sexual predator record or who is subject to a state sex offender lifetime registration requirement.

7. Applicants must demonstrate a history free of eviction in the last three (3) years from federally assisted housing for drug-related criminal activity.

Note: The lack of rental and/or credit history will not be used as a basis for denial.

SECTION V- OWNER ESTABLISHED APPLICANT PRE-SCREENING STEPS

It is the policy of the owner (IMC) to conduct a "pre-screening" of each applicant to determine whether the applicant household is eligible and will qualify to be placed on the property waiting list, using the following procedural steps:

Pre-screening is used as an early step to help insure that families admitted to a property will abide by the terms of the lease, pay rent on time, take care of the property and unit, and allow all residents to peacefully enjoy their homes. Information collected or reviewed through the pre-screening process enables owners (IMC) to make informed and objective decisions to admit applicants who are most likely to comply with the terms of the lease. All pre-screening criteria will assure fair, consistent, and equal treatment of applicants, applied in a non-discriminatory fashion and in accordance with applicable fair housing and civil rights laws.

a. Management will post the date and time, when the application is presented or received & deemed complete, on the face of the application in the designated area "For Office Use Only".

b Management will review the applicant household composition for the purpose of determining whether the property has the appropriate unit type (size) and in accordance with the general occupancy guidelines (please refer to Section II, Item B).

c. Management will review the estimated gross annual household income to determine whether the applicant household meets specific income restrictions (please refer to Property Specific Information). Please note the current income limits are posted and available at the on-site property office.

    1. For those applicants seeking housing where direct assistance is not available, income restrictions may still apply. In addition, the applicant household must have a verifiable source of gross annual income at or below the maximum income level for the applicant household size.

d. Management will review the application to determine whether the applicant household has self-disclosed criminal history (including but not limited to; felonies, drug offenses, sex offender, etc.) which would be a basis for disqualifying the applicant household.

In all cases where the applicant household meets the above described "pre-screening" steps, the applicant will be approved and placed on the property waiting list for the particular unit type (size) determine appropriate or requested by the applicant household. Placement on the waiting list does not mean the applicant household has been approved for or will be offered housing. At the time management contacts the applicant household that their name is next in waiting list order, continued processing will determine eligibility and qualifications for occupancy (see Section VI).

Management will advise the waiting list applicant that should changes occur in the information presented in the application, the applicant is responsible for notifying and updating management of those changes. Changes could include a change in income, number of household members, student status, etc. Not less than annually management will notify each active waiting list applicant to verify that the information contained on the original application remains current and that the applicant household remains interested in remaining on the waiting list.

Conversely, in all cases where the applicant household fails to meet the above described "pre-screening" steps, the applicant household will be denied in writing, advised of the specific reason(s) for denial, and permitted fourteen (14) days to appeal this determination, either in writing or by requesting a meeting to dispute the denial. (Note: Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.) Any meeting with the applicant household will be conducted with a staff member not involved with the initial decision to deny admission. The applicant household will be notified in writing within five (5) business days of the meeting of the final decision on eligibility, and if approved, placed on the active waiting list according to the original date and time the application was received.

according to the original date and time the application was received.

In all instances where an applicant household is denied, whether during pre-screening or screening for approved occupancy, the affected applicant household has the continued right to appeal the decision within fourteen (14) days and to re-apply should they believe the issues identified as the basis for denial, no longer exist or have been resolved.

SECTION VI- OWNER ESTABLISHED APPLICANT SCREENING FOR OCCUPANCY

In accordance with regulatory and RD preferences (please refer to Section III for details), and the next available unit type, management will refer to the active waiting list and contact the appropriate applicant to begin the process of qualifying the household for occupancy.

In further accordance with RD Handbook 3560 (and all revisions) Occupancy Handbook, management will set an appointment to meet with the applicant household to complete a "Certification Interview Questionnaire" for a thorough review of the application information to insure the household remains eligible and qualifies for occupancy. Using the disclosed information, management will begin the formal third-party verification process and request signature of each individual verification form applicable to the household.

Note: Screening is used to help insure that families admitted to a property will abide by the terms of the lease, pay rent on time, take care of the property and unit, and allow all residents to peacefully enjoy their homes. Information collected through the screening process enables owners (IMC) to make informed and objective decisions to admit applicants who are most likely to comply with the terms of the lease. All screening criteria will assure fair, consistent, and equal treatment of applicants, applied in a non-discriminatory fashion and in accordance with applicable fair housing and civil rights laws.

At the interview, the owner (IMC) must:

1. Confirm and update all information provided on the application,
    a. All Applicants must disclose if they are currently receiving RD housing assistance. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the assisted unit or who attempt to receive assistance in two separate residences.

    b. Nothing prohibits a RD housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit before any assistance on this property will begin.

This information will be reviewed on an annual basis, at each annual recertification. If an household member receives or attempts to receive assistance in another RD assisted unit while receiving assistance on this property, the household member will be required to reimburse RD for assistance paid in error. This is considered a material lease violation and may result in penalties up to and including eviction and pursuit of fraud charges.

1. Explain program requirements, verification procedures, and penalties for false information. The penalties include eviction, loss of assistance, fines up to $10,000, and imprisonment up to five years,

2. Obtain family income and composition information and other data needed to verify eligibility and compute the tenant's share of the rent,
3. Review and confirm in writing the financial information on the application as detailed in the Certification Interview Questionnaire,
4. Ask the head of household, spouse, or co-head, and all household members age 18 and over to sign the release of information consent portion of the Authorization for Release of Information and any other necessary verification requests,
5. Obtain declaration of citizenship consent forms for verification form all household members as appropriate,
6. Inform the applicant of the screening requirements used by the owner (IMC),
7. Confirm with the applicant household the application disclosure of the disposal of any assets for less than fair market value during the two years preceding the effective date of the certification,
8. Require all adult household members to disclose and document all SSNs

9. Advise the family that RD will compare the information supplied with information federal, state, or local agencies have on the family's income and household composition,
10. Inform the family that a final decision on eligibility cannot be made until all verifications are complete,
11. Provide each tenant with a copy of the appropriate rent calculation worksheet, which describes how the tenant rent is calculated,
12. Inform the family that federal laws prohibit the owner (IMC) from discriminating against individuals with disabilities and that the owner (IMC) have responsibilities for making reasonable accommodations in policies, providing auxiliary aids, making units and facilities accessible, and permitting disabled persons to use assistance animals when they may provide the tenant with equal housing opportunities,
13. Inform all applicants of housing for the elderly or disabled about the rules on owning pets (applies to exclusively elderly or disabled housing).

The following conditions, but not limited to, may require the owner (IMC) to reject applicants:

1. The applicant household is no longer eligible or qualifies for occupancy,
2. The applicant household is unable to disclose and document SSNs for all adult household members.
3. The applicant household does not sign and submit verification consent forms or the Authorization for Release of Information,
4. The applicant household has household characteristics that are not appropriate for the specific type of unit available at the time, or has a family of a size not appropriate for the unit sizes that are available (this action may permit the applicant to remain on the active waiting list (please refer to Section II, B),
5. The applicant household does not meet the owner's (IMC) resident selection criteria described in Section IV.
6. If an applicant or any member of the applicant household fails to fully and accurately disclose rental
7. history, the application may be denied based on the applicant's "misrepresentation" of information.

SECTION VII- OWNER ESTABLISHED UNIT TRANSFER & FILLING VACANT UNITS POLICY

On behalf of the owner, IMC has established the following policies and procedures related to the transfer of an existing household to another unit within the property.

IMC will consider all transfer requests that meet over or under-utilization of the currently occupied unit and all reasonable accommodation requests for transfer. Management reserves the right to consider a transfer where conflict has occurred between tenants not resulting in one or more parties being subject to eviction for lease violations and where the transfer provides the greatest opportunity to reach sustained and continued mutual resolution to the conflict. This exception will be applied on a case-by-case basis.

A transferring household must be current on all provisions of the lease, and specifically no delinquencies involving rent and other charges (unless the tenant has made satisfactory payment arrangements for the delinquency and the household is delinquent as a result of occupying a unit without assistance and the transfer will address the tenant's ability to pay) , as well as having no issues of material non-compliance unresolved, at the time of transfer.

Security deposits held in trust for the currently occupied unit will first be applied to any damages or other charges noted as a result of vacating the unit. The original move-in inspection form will be used to make a comparison of unit conditions at the time of transfer. In the event of charges, the remaining security deposit funds will be applied to the new unit and the tenant will be required to pay any difference in the security deposit amount such that the security deposit is paid in full. Should the transfer move-out inspection result in no charges, the entire security deposit will be transferred and applied to the new unit. Should the transfer result in a difference (increase) in the security deposit required for the new unit, the tenant will pay the amount such to fully fund the security deposit held in trust.

The owner (IMC) will monitor the active waiting list which contains both applicants awaiting occupancy consideration and tenants who have been placed on the waiting list due to under or over-utilization of the unit currently occupied, the need for deeper subsidy, and/or a request for a reasonable accommodation. The transfer requests will be maintained on the active waiting list in the date and time received order and clearly identified as a transfer request. Transfer order will be subject to the reason for a transfer and by what unit type becomes available, always complying with the specifics described in Section 2, B. of this Resident Selection Plan and additionally, considering the following key requirements;

A. 1. If IMC determines that a tenant's current dwelling unit is smaller or larger than appropriate as a result of the existing family size or a change in family composition (or the existing household was permitted to occupy an accessible unit- please refer to Accessible Unit Waiver- Ineligible Resident document on file), IMC will require the tenant to transfer to another unit (please note that if a family elected to over or under-occupy a unit, the resident file will have been documented with this understanding together with the requirement to transfer at such time the owner (IMC) determines an appropriate unit type (size) is available) and at the tenant's own expense;

2. The tenant household will be provided a written 30-day notice of the requirement to transfer to an appropriate unit type.

3. In all instances where the basis for transfer is a reasonable accommodation for medical reasons or for a need of an accessible unit, the transfer will take priority over utilization transfers and the need for deeper subsidy, except when such utilization transfer will make available a unit type that will address the reasonable accommodation. In these instances, the utilization transfer will occur at the same time the reasonable accommodation transfer is scheduled;

4. In all cases of a unit transfer, both the change in rent and change in the assistance payment are effective on the day the tenant actually occupies the new unit (the day following the day the tenant household vacated the prior unit);

5. The costs associated with transfers made on the basis of a reasonable accommodation to a member's disability must be borne by the property unless doing so would be an undue financial and administrative burden.

B. On behalf of the owner, IMC has incorporated procedures to address filling vacant units in conjunction with transfers and the waiting list. These procedures are as follows:

1. Except in instances where a unit transfer is being made as a reasonable accommodation, the order in which management will fill vacant units is by alternating between providing housing to the next available waiting list applicant followed by completing a mandatory unit transfer.

2. Management reserve the right to suspend transfers if at any time the property experiences a vacancy rate creating a cash flow issue. At such time the property occupancy increases and cash flowe returns management will return to the procedure described.

SECTION VIII- OWNER ESTABLISHED OPENING & CLOSING THE WAITING LIST POLICY

It is the policy of IMC, on behalf of the owner, that the waiting list shall remain open at all times and for all unit types. This policy assures equal and unlimited access to all interested parties wishing to secure and submit an application for housing. Management will provide a reasonable estimate of the waiting time involved based on the number of applicants on the active waiting list, preferences and income targeting and whether the applicant household qualifies for priority processing.