



Longmont Housing Authority

Tenant Selection Plan

HUD Approved 12/17/2020

Approved: 8/19/2025

Signed: S/Signature on File
Harold Dominguez, Interim Executive Director

Table of Contents

1.	Introduction	4
	4General Eligibility Criteria	4
	4Criminal Background Check	4
3.2.	Credit Check	4
3.3.	Rental History	4
3.4.	Student Eligibility.....	5
4.	Site Specific Eligibility Criteria	5
4.1.	Hearthstone at Hover Crossing & Lodge at Hover Crossing	5
4.2.	Aspen Meadows Apartments & Village on Main Apartments.....	6
4.3.	Spring Creek Apartments & Fall River Apartments.....	6
4.4.	Briarwood Apartments	6
4.5.	Reserved.	6
4.6	Aspen Meadows Neighborhood.....	6
5.	Current Income Limits	6
5.1.	Income and Asset Reporting Requirement.....	6
5.2.	Student Status Reporting Requirement.....	7
5.3.	Social Security Number Requirement at Hearthstone/Lodge	7
5.4.	Social Security Number at LIHTC Properties.....	7
6.	Enterprise Income Verification System (EIV)	7
6.1.	Existing Resident Search	7
6.2.	EIV Use at Recertification	8
6.3.	HUD 9887 and 9887A Privacy Act.....	8
6.4.	No Income Report.....	8
6.5.	New Hires Report.....	8
6.6.	Multiple Subsidy Report	9
6.7.	Identity Verification Report	9
6.8.	Failed EIV Pre-Screening Report	9
6.9.	PRAC 20-s - Exempt from SSN disclosure and verification requirements	10
6.10.	Failed Verification Report (Failed the SSA Identity Test)	10
6.11.	Deceased Residents Report	10
7.	Income Limits and Eligibility	11
8.	Occupancy Standards.....	11
9.	Limited English Proficiency	12
10.	Policies to Comply with Section 504 of Rehabilitation Act of 1973	12

11. Common Types of Accommodations	12
<u>11.1 Extra Bedroom/Live-In Aide</u>	12
<u>11.2 Payment Standard Variances</u>	13
<u>11.3 Unit Transfer</u>	14
12. <u>Application Requirements</u>	14
13. <u>Notification of Changes to Tenant Selection Plan</u>	14
14. <u>Changes in Information for Applicants</u>	15
15. <u>Prioritization for Existing Residents</u>	15
16. <u>Processing Steps</u>	15
17. <u>Rejecting Applicants Checklist</u>	17
18. <u>Determining Security Deposit Amounts</u>	18
19. <u>Opening and Closing Waitlist</u>	18
20. <u>Violence Against Women Act</u>	18
20.1 Background	18
20.2 Notices of Occupancy Rights and Responsibilities under VAWA.....	18
20.3 Certification of Domestic Violence, Sexual Assault or Stalking and Alternate Doc.	18
20.4 Confidentiality of Information	19
20.5 All Adults Must Sign the Addendum	19
20.6 Emergency Transfer Plan	19

1. Introduction

This policy is to be used for the selection of residents in Longmont Housing Authority (LHA) owned and/or managed communities. Note this Tenant Selection Plan does not apply to permanent supportive housing properties; those properties have separate tenant selection plans. The procedures used for selection of residents shall be implemented in compliance with applicable laws.

2. Non-Discrimination

The Longmont Housing Authority shall comply with all federal, state and local fair housing and civil rights laws and with all equal opportunity requirements as required by law. Federal laws forbid discrimination based on race, color, creed, religion, sex, sexual orientation, age, disability, familial status, or national origin. Discrimination against a particular social or economic class is also prohibited (for example: public assistance recipients; single parent households, etc.). These requirements apply to all aspects of resident relations including without limitation: accepting and processing applications, selecting residents from among eligible applicants on the waiting list, assigning units, transferring units, certifying and re-certifying eligibility for assistance, granting reasonable accommodations and/or terminating tenancies.

3. General Eligibility Criteria

Applicants at all LHA owned and/or managed properties must pass a criminal, credit and rental history screening based on the following criteria to be approved for residency:

3.1 Criminal Background Check

Applicants may be denied residency if their criminal background includes felonies, violent or drug related misdemeanors, or a pattern of criminal behavior within five years. Persons registering as a lifetime sex offender under any State registration requirement and individuals convicted for the production or manufacturing of methamphetamine in any location, not just in federally assisted housing, are ineligible for residency.

- A pattern of criminal behavior shall be defined as a conviction of three or more non-violent, or non-drug related misdemeanors within a one-year period of the five-year screening window.

3.2 Credit Check

Applicants may be denied residency if on their credit history there are severe and/or recent defaults with previous landlords including LHA owned and/or managed properties.

- If an applicant is denied residency based on past due debt they may bring proof of payment to the LHA to establish that the debt has been cleared and the denial may be overturned.

3.3 Rental History

Applicants may be denied residency if:

- There is a history of eviction listed in their rental history within the past seven years.
- There is a history of disruptive behavior, disturbing neighbors or destroying property unless the applicant can verify the disruptive behavior was due to domestic violence and the applicant was the victim. There is a history of using illegal drugs or history of abusing alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of others.

3.4 Student Eligibility

For Low Income Housing Tax Credit (LIHTC) Housing Units – LHA will consider a student “independent” from his/her parents and the parents’ income will not be considered when determining the student’s eligibility if the following criteria are all met:

- The individual is a legal contract age under state law
- The individual has established a household separate from his/her parents for at least one year prior to application for occupancy, or the individual meets the US Department of Education’s definition of an independent student
- The individual was not claimed as a dependent by his/her parents pursuant to IRS regulations, as demonstrated on the parents’ most recent tax forms
- The individual provides a certification of the amount of financial assistance that will be provided by his/her parents. The certification must be signed by the individual providing the support and must be submitted even if no assistance is being provided.

For Federally Assisted Housing Units – Developments with Federally Assisted Housing units are restricted from providing assistance to students enrolled in institutions of higher education, either full or part time, in some instances. No assistance should be provided to any individual who is enrolled as a student at an institution of higher education and who:

- Is under 24 years of age;
- Is not a veteran of the U.S. Military;
- Is unmarried;
- Does not have a dependent child;
- Is not a person with disabilities and was not receiving Section 8 assistance as of November 30, 2005;
- Is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible on the basis of income to receive Section 8 assistance.

[Financial assistance received by a student living with their parents in assisted housing and receiving Section 8 assistance is not included in annual income.](#)

If the LHA determines that an individual meets the definition of a vulnerable youth such a determination is all that is necessary to determine that the person is an independent student for the purposes of using only the student’s income for determining eligibility for assistance.

Providing false information on an application will result in an automatic denial of residency. The process by which an applicant may appeal a denial is explained in the LHA’s Grievance Policy, which will be provided to all individuals who are denied residency.

4. Site Specific Eligibility Criteria

4.1 Hearthstone at Hover Crossing & Lodge at Hover Crossing

These two communities are Section 202/PRAC Elderly Supportive Housing properties. Applicants seeking occupancy in these subsidized rental communities must meet the following additional eligibility factors:

- Elderly households of no more than two persons with at least one person who is 62 years of age or older at the time of initial occupancy
- A single individual who is 62 years of age or older

- Household annual income may not exceed 50% of the area median income
- Must be the household's only residence

4.2 Aspen Meadows Senior Apartments, Fall River Apartments & Village on Main Apartments

These three communities are LIHTC properties. Village on Main has Project Based Voucher units. Applicants seeking occupancy in these affordable housing communities must meet the following additional eligibility factors:

- Elderly households of no more than two persons with at least one person who is 62 years of age or older at the time of initial occupancy
- A single individual who is 62 years of age or older
- Must be the household's only residence
 - ❖ **Aspen Meadows:** Household annual income may not exceed 50% of the area median income.
 - ❖ **Village on Main:** Household annual income may not exceed 30%, 50% and 60% of the area median income.
 - ❖ **Fall River:** Household income may not exceed 30%, 40% and 50% of the area median income.

4.3 Spring Creek Apartments

This community is a LIHTC property and received flood recovery funding (CDBG-DR). Applicants seeking occupancy in this affordable housing community must meet the following additional eligibility factors:

- Elderly households of no more than two persons with at least one person who is 55 years of age or older at the time of initial occupancy
- A single individual who is 55 years of age or older
- Must be the household's only residence
 - ❖ **Spring Creek:** Household annual income may not exceed 30% and 40% area median income.

4.4 Briarwood Apartments

This community has HOME units and Project-Based Voucher units. Annual household incomes may not exceed 30% and 50% of the area median income.

4.5 Ascent at Hover Crossing

This community is a LIHTC property with Project Based Voucher units. Annual household incomes may not exceed 80% of the area median income.

4.6 Aspen Meadows Neighborhood

This community is a LIHTC property with Project-Based Voucher units. Annual household incomes may not exceed 50% of the area median income.

5. Current Income Limits

The household's annual income may not exceed the applicable Income Limit for the community, for which they are applying. The Applicant agrees to pay the portion of rent required by program under which the Applicant will be admitted. The unit must be the Household's only residence. At the time of admission, the Applicant may not be receiving assistance on another housing unit.

5.1 Income and Asset Reporting Requirement

Each household member must provide consent for verification of all sources of income or other information relative to occupancy in the community.

5.2 Student Status Reporting Requirement

Each household member must provide verifiable information regarding their status as a student.

5.3 Social Security Number Requirement at the Hearthstone and Lodge properties

Each member of the household must provide a valid social security card, a copy of a valid social security card, or evidence of application for the card. Applicants 62 years of age or older on January 31, 2010 and previous participants of HUD assisted housing on or before January 31, 2010, are exempt from disclosure of a social security card as described above. If the applicant meets the exception requirements for SSN disclosure and verification, documentation will be requested from the property where the initial determination of eligibility was determined. This information will be retained in the applicant's file.

5.4 Social Security Number Requirement at Aspen Meadows Senior Apartments, Aspen Meadows Neighborhood, Briarwood Apartments, Fall River, Spring Creek, and Village on Main, and Ascent at Hover Crossing.

Applicants must disclose Social Security numbers (SSNs) for all household members. Documentation must be provided, such as the Social Security card. If no SSN has been assigned, the applicant must complete a certification that no SSN has been assigned. Note: If it has been determined that the applicant is otherwise eligible for admission into the property, and the only outstanding verification is that of the SSN, the applicant may retain his or her place on the waiting list for a period of 90-days during which the applicant is trying to obtain documentation of SSN. Applicants should be aware that available units will be offered to the other eligible households during this period of time; units will not be "held" for applicants while they await their documentation. After 90-days, if the applicant is unable to disclose the SSNs of all non-exempt household members, the applicant will be determined ineligible and removed from the waiting list. The PHA can also obtain other documentation to verify the number. (24 C.F.R., 5.216).

6. Enterprise Income Verification System (EIV) for Hearthstone and Lodge Properties only.

In January 2010, HUD made the use of the Enterprise Income Verification (EIV) mandatory for all HUD-assisted housing programs. This platform is a web-based system used to compare the personal identification and income information provided by residents to information which exists in several databases (including the National Directory of New Hires and the Social Security Administration). EIV information will be used to determine if there are any instances of fraud, misreported or under-reported income. Applicants and residents will be given a copy of HUD's **EIV and You Brochure** at each recertification, which will provide further detail on the purpose and use of the EIV system.

6.1 Existing Resident Search

EIV will be accessed at admissions to determine if an applicant is currently receiving assistance at another HUD project. This process in the Enterprise Income Verification System is done by using an "Existing Resident Search" in the EIV system. If an applicant or any member of the applicant's household is receiving assistance at a Multifamily Housing or Public and Indian Housing location, it will be discussed with the applicant, giving them the opportunity to explain the circumstances. The applicant is permitted to apply but is prohibited from receiving subsidy from two locations. LHA would then follow up with the PHA or LHA to confirm the applicant's program participation, if necessary, depending on the outcome of the discussion with

the applicant.

6.2 EIV Use at Recertification

EIV Use at Recertification - EIV will be accessed at annual recertification for all residents to determine if the income reported matches the information stored in the EIV system. If there are discrepancies in EIV compared to the information reported by the resident, LHA will independently verify the information to determine if there is an error in reporting, including under- reported or non-reported income. If it is found that the resident misreported income or under-reported income, the resident may be asked to repay the difference in rent that occurred due to the misrepresentation or under- reporting.

6.3 HUD 9887 and 9887A Privacy Act

Residents of HUD assisted housing must sign form HUD 9887, Notice and Consent for Release of Information and 9887-A, Applicant's/Resident's Consent to the release of information. All residents will consent to LHA obtaining information to verify employment and/or income for determining eligibility. LHA accesses the Enterprise Income Verification system (EIV). EIV is a web-based computer system containing employment and income information on individuals participating in HUD's rental assistance programs.

6.4 No Income Report

This report is a tool for LHA to identify households who have passed the identity test (e.g. the household's SSN and DOB matched other records in the SSA NDHA databases), but no employment or SSA/SSDI records were received against the information from NDHA and SSA. Whenever available, this report will be reviewed by LHA to determine if further actions are required.

6.5 New Hires Report

This report identifies households who have started new jobs within the last six months; the information on these reports is updated monthly. LHA will run this report quarterly to determine if any residents have started new employment in the last quarter and did not report the change to LHA. Because residents participating in one of Multifamily Housing's rental assistance programs are required to report changes in income when the household's income cumulatively increases by \$200 or more per month, LHA will reach out to residents to report the income changes so that rent adjustments can be made in a timely manner, thus eliminating/reducing the amount of retroactive rent repayments. (See Handbook 4350.3 REV-1, Chapter 7, Paragraph 7-12.B.)

The following steps will be taken to verify new employment of any household identified in the New Hires report:

- Contact the resident regarding his/her new employment.
- Confirm with the resident that they have a new job and that the employment information in EIV is correct. If the resident agrees that the employment information in EIV is correct, request the resident provide documents, e.g., four current, consecutive pay stubs, employment confirmation letter specifying date of hire, rate of pay, number of hours worked each week, pay frequency, for use in determining the resident's income or, if necessary, request third party verification from the employer.
- If the resident disputes the employment information in EIV, LHA will obtain third party verification from the employer.
- LHA will process a recertification in accordance with program

requirements that includes the employment income.

- Retain the New Hires Summary Report in a master “New Hires Report” files along with notations as to the outcome of the contact with the resident. A copy of the New Hires Detail Report for the resident along with any correspondence with the resident, third party verifications, etc. must be retained in the resident file.

6.6 Multiple Subsidy Report

This report identifies individuals who may be receiving multiple rental subsidies. LHA will perform the following:

- Use the Multiple Subsidy Report at least quarterly to identify any residents who are being assisted at another location. LHA will follow up with residents identified on the report where the discrepancy was not identified and resolved at the time of recertification.
- Perform both of the search options shown below to determine if possible multiple subsidies exist:
 - Search within MF.
 - Search within PIH.
- Discuss with the resident if the results of either of the searches shows that a resident is being assisted at another location. The resident must be given the opportunity to explain any circumstances relative to his/her being assisted at another location.
- LHA will follow up with the respective Housing Authority or Owner/Agent, if necessary, to confirm that the resident is being assisted at the other location. Depending on the results of this investigation, LHA may need to take action to terminate the resident’s assistance or tenancy.
- LHA will print out and retain a copy of the Multiple Subsidy Summary Report in a master “Multiple Subsidy Report” files along with notations as to the outcome of contacts with the resident and/or PHA or owner. A copy of the Multiple Subsidy Detail Report for the resident plus any documentation supporting any contacts made or information obtained to determine if a household and/or household member is receiving multiple subsidies as well as documentation to support any action taken if a household and/or a household member is receiving multiple subsidies must be retained in the resident file.

6.7 Identity Verification Report

There are two reports that can be accessed from the Identity Verification Report link. LHA will use both of these reports monthly to clear up any invalid, discrepant or missing information in the TRACS database that was not identified and corrected at the time of recertification. There will not be any employment or income information in EIV for residents who fail either the EIV pre-screening or SSA identity test so it is essential that any discrepancies are corrected within 30 days from the date of the reports. O/As must conduct third party verifications to obtain employment and income data for these residents.

6.8 Failed EIV Pre-Screening Report

This report identifies residents who fail the EIV pre-screening test because of invalid or missing personal identifiers (SSN, last name or DOB). The residents on this list will not be sent to SSA from EIV for the SSA identity match until the personal identifier information is corrected in TRACS. O/As must:

- Use this report monthly to identify residents that did not pass the pre- screening test and the reason(s) they did not pass so that the errors can be corrected. O/As must follow up with residents identified on the report where discrepant personal

identifiers were not corrected at the time of recertification.

- Before contacting the resident, confirm accuracy of data entry in TRACS, the HUD electronic system used to store resident data.
- Confirm with the affected resident their SSN, DOB and/or last name.
- Obtain documentation from the resident to verify any discrepant personal identifiers.
- Correct any discrepant information in the TRACS system.
- Print and retain a copy of the report in a master "Failed EIV Pre-screening Report" files. The report must be documented with action taken to resolve invalid or discrepant personal identifiers.

6.9 PRAC 202s - Exempt from SSN disclosure and verification requirements:

- Residents who were 62 years of age or older as January 31, 2010, and whose initial determination of eligibility was begun before January 31, 2010; and
- Individuals who do not contend eligible immigration status.
- These individuals will continue to have a TRACS generated identification number in the SSN field. No employment or income information will be provided in EIV for these individuals.

6.10 Failed Verification Report (Failed the SSA Identity Test)

This report identifies household members who failed the SSA identity test because their personal identifiers (SSN, last name or DOB) do not match SSA's records as well as identifies deceased household members. LHA will:

- LHA will use this report monthly to identify those residents that did not pass the SSA identity verification test and the reason(s) they did not pass so that the errors can be corrected. O/As must follow up with residents identified on the report where discrepant personal identifiers were not corrected at the time of recertification.
- Before contacting the resident, confirm accuracy of data entry in TRACS.
- Confirm with the affected resident their SSN, DOB and/or last name.
- Obtain documentation from the resident to verify any discrepant personal identifiers.
- Correct any discrepant information in the TRACS system so that the resident will be included in the match against SSA and NDNH data.
- Encourage the resident to contact the SSA to correct any inaccurate data in their databases if the personal identifiers on the form HUD-50059 and in TRACS are accurate. The resident can request SSA to correct his/her record by completing and submitting form SS-5, *Application for a Social Security Card*, to the local SSA office. Also, see Section VI.G for instructions on contacting the SSA.
- Print and retain a copy of the report in a master "Failed the SSA Identity Test" file. The report must be documented with action taken to resolve invalid or discrepant personal identifiers.

6.11 Deceased Residents Report

This report identifies residents who are participating in one of Multifamily Housing's rental assistance programs who are reported by SSA as being deceased. LHA will:

- Use this report at least quarterly to identify those residents reported by SSA as being deceased.
- Confirm, in writing, with the head-of-household, next of kin or emergency contact person or entity provided by the resident whether or not the person is deceased.
- If the person is deceased:
 - Update the household composition, and income and allowances, if

applicable, on the form HUD-50059. The effective date of the form HUD-50059 should in accordance with Chapter 7, Paragraph 7-13.D of Handbook 4350.3 REV-1.

- In the case of a deceased single member of a household, process a Move-out using form HUD-50059-A. The effective date of the form HUD-50059-A will be retroactive to the earlier of 14 days after the resident's death or the date the unit was vacated (see Chapter 9, Paragraph 9-12.E of Handbook 4350.3 REV-1).
- Any overpayment of subsidy that was paid on behalf of the deceased resident must be repaid to HUD.
- Discrepant information must be corrected in the TRACS system within 30 days from the date of the report.
- Encourage the resident to contact the SSA to correct any inaccurate data in their databases if the person shown as being deceased in the SSA database is not deceased. See Section VI.G for instructions on contacting the SSA.
- Print and retain a copy of the report in a master "Deceased Residents Report" file. The report must be documented with action taken to resolve any discrepancies. All correspondence or action taken for a particular resident must be retained in the resident file.

7. Income Limits and Eligibility

Household annual income must be under the HUD established income limits for the property into which the applicant is seeking admission. Each year, HUD sets income limits for each county or metropolitan statistical area (MSA) by household size and sets rent limits for properties financed by state housing finance agencies. In unsubsidized LIHTC properties, applicants will be required to establish proof that they have at least 2 times the rent in monthly (gross) income. If an applicant is receiving a subsidy, i.e., a housing choice voucher (HCV), they will be required to establish proof that they have at least 2 times the applicant's portion of the rent (Tenant Rent) in monthly (gross) income.

An applicant is considered income ineligible if:

- The household's annual income is greater than the applicable income limit
- The amount the household would be required to pay using the HUD rent formula equals or exceeds the gross rent for the unit in subsidized properties
- The applicant will continue to receive assistance on another unit at the time of admission

8. Occupancy Standards

Unless a live-in aide resides with a family, the family unit size for any family consisting of a single person must be either a zero (studio) or one bedroom unit. LHA will assign one bedroom for each two persons within the household, except in the following circumstances:

- Persons of the opposite sex (other than spouses or children under age 5) will be allocated separate bedrooms
- Live-in-aides will be allocated a separate bedroom
- Single person families will be allocated one bedroom (or a studio)

The following chart will be referenced in determine the appropriate size unit for a household:

Unit Size	Persons in Household (Minimum/Maximum)
Studio	1
1 Bedroom	1-2
2 Bedroom	2-4

3 Bedroom	3 – 6
4 Bedroom	4 - 8

If a household qualifies for more than one unit size, their information will be placed on the waitlist under each unit size for which they qualify. The first unit that becomes available will be offered to the household and they can choose to accept it or wait for the other size unit for which they qualify.

9. Limited English Proficiency

On August 11, 2000, the President signed Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency.” The Executive Order requires all owners and agents to identify any need for housing assistance to those with limited English proficiency (LEP), and develop and implement a system to provide housing assistance so LEP persons can have meaningful access.

LHA will provide for such meaningful access consistent with, and without duly burdening, the fundamental mission of the property. We will work to ensure that people who need housing assistance are provided meaningful access to the program. Interpretation services are available upon request.

10. Policies to Comply with Section 504 of Rehabilitation Act of 1973

Section 504 prohibits discrimination based upon disability in all programs or activities operated by recipients of federal financial assistance. Please reference the LHA’s Reasonable Accommodation Policy

11. Common Types of Reasonable Accommodations *(Refer to LHA’s Reasonable Accommodations Policy for more specific Information)*

11.1 Extra Bedroom/ Live-In Aide

The most common reasons why tenants request an additional bedroom is if they have a verified and necessary 24-hour live-in aide as a part of their household. Occasional, intermittent, multiple or rotating caregivers typically do not reside in the unit and would not qualify as live-in aides. Therefore, an additional bedroom should not be approved for a live- in aide under these circumstances.

Another common reason for a request for an extra bedroom is to be able to store medically- approved equipment. In these cases, the requestor must provide a letter from a medical provider supporting their need for the equipment.

There are situations in which a person with a disability may require live-in assistance and has a family member who is income-eligible to live in the unit and can fulfill the need. If applicable, the individual with the disability should make a Reasonable Accommodation request to add the individual as a family member to the lease because as a resident, the necessary care could be provided at sporadic times as needed or for longer times than a non-family member would provide, etc.

A family that consists of one or more elderly, near-elderly or disabled persons may request that the PHA (public housing authority) approve a live-in aide to reside in the unit and provide necessary support services for a family member who is a person with disabilities.

The PHA must approve a live-in aide if needed as a Reasonable Accommodation to make the program accessible to and usable by a family member with a disability.

While a live-in aide is an entitlement, the issue for determining approval is reliant upon the tenant to document the need for a live-in aide.

The federal definition of a live-in aide is a person who resides with one or more elderly persons, near elderly persons or persons with disabilities and who is: (1) determined to be essential to the care and wellbeing of the persons; (2) is not obligated for the support of the persons; and (3) would not be living in the unit except to provide the necessary supportive services. It should be noted that the definition applies to a specific person. In accordance with this definition, a live-in aide is not a member of the assisted family and is not entitled to the voucher as the remaining member of the tenant family.

LHA may disapprove such a person if s/he has: (1) committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program; (2) committed drug- related criminal activity or violent criminal activity; or (3) currently owes rent or other amounts to the PHA or to another PHA. Consequently, PHAs may not approve an unidentified live-in aide, nor a larger unit than the family qualifies for under the PHA's subsidy standards for an unidentified live-in aide.

11.2 Payment Standard Variances

If a program participant with a disability has difficulty in finding a unit that meets their payment standard, HUD regulations requires that a housing authority increase the payment standard for a voucher-holder as a Reasonable Accommodation, if necessary. A housing authority may grant a request to increase the payment standard up to 110% of the Fair Market Rent without first requesting HUD approval, and for increases above 120%, the organization must request a waiver from their HUD Public and Indian Housing (PIH) representative.

A tenant may request a waiver to the payment standard only after the household has located a unit. This may prove to be a problem for situations in which the landlord will not hold a unit until the higher payment standard is approved, and the tenant cannot afford rent without assistance. Also, once HUD approves an exception payment standard, it will remain in effect until a still-higher exception payment standard is necessary and approved. In the past, HUD has sometimes only allowed the waiver to last for a year, or in other cases, families have had to re-verify the need each year.

In order to receive a HUD waiver on payment standards, the PHA should include:

- A statement from a health care provider regarding the nature of the person's disability/ies and the features of the unit (which may include its location) which meet that person's needs;
- The contract rent and utility allowance for the unit;
- A statement from the PHA that it has determined the rent for the unit is reasonable, and that the unit has the feature/s required to meet the needs of the person with disabilities as noted in the statement from the health care provider;
- The household's monthly adjusted income;
- The Fair Market Rent for the unit size for which the family is eligible; and
- The proposed effective date of the new lease or actual effective date of the lease renewal.

11.3 Unit Transfer (*Refer to LHA's Transfer Policy for more specific information*)

In order to comply with Section 8.27 of Section 504 of the Rehabilitation Act of 1973, the LHA property manager may lease units designed for persons with disabilities (i.e. hearing, sight, or mobility impaired) to occupants requiring the accessibility features of the unit. However, if a household is offered a unit designed for accessibility by a person with a disability and the household does not have disabilities requiring such features; the household must agree to move to a comparable non accessible unit upon the request of the LHA at their own expense. Comparable means similar unit size and number of bedrooms. Such request will be made in writing 30 days prior to the effective date of a required move to a comparable non-accessible unit. Transfers will also be granted to households that are over or under housed, households who are granted transfer rights as an approved reasonable accommodation, and households who are experiencing an evidenced financial hardship.

A transfer request **will not** occur for the following (**Note:** this policy does not apply to a transfer made as part of a reasonable accommodation):

- Any transfer requests prior to the first anniversary of move in, e.g. there will be no transfer requests entertained during the first year;
- New unit features (unless related an approved reasonable accommodation request);
- New location for scenery or view
- Perceived convenience.

When the transfer results from a reasonable accommodation request, LHA will pay for all moving costs associated with the transfer of the disabled resident to an accessible unit from a non-accessible unit unless doing so in an individual instance will constitute an undue financial and administrative burden for LHA.

12. Application Requirements

Anyone who wishes to secure housing must fully complete an application form provided by the LHA. Reasonable Accommodations for assistance with application completion will be provided upon request. Interpretation services are available and will be provided upon request. The information provided by the applicant must contain enough information to make an initial determination of the income eligibility of the household; the size of unit desired or needed and sufficient information to screen applicant's prior rental history. Applicants must consent to LHA's requirement to secure a credit and criminal background history and must provide sufficient information to enable LHA to secure such reports. In addition to the application, applicants are offered the opportunity to complete a **SUPPLEMENT TO APPLICATION FOR FEDERALLY ASSISTED HOUSING HUD-92006** and/or an **LHA Emergency Contact Form**. These forms give applicants the option to identify an individual or organization that may be contacted and the reason(s) the individual or organization may be contacted. The applicants, if they choose to provide the additional contact information, must sign and date the form.

13. Notification of Changes to Tenant Selection Plan

When updates or revisions are made to the Tenant Selection Plan, the following actions will be taken to notify both residents and applicants of the changes to the resident selection plan.

- The updated Tenant Selection Plan will be available for review in person at the LHA main office located at 350 Kimbark Street, Longmont, CO 80501 and posted on the LHA website for review.
- For applicants on the waitlist, a letter will be mailed to the address on file notifying them of the change to the Tenant Selection Plan and informing them where they can review the revised Tenant Selection Plan.
- For current residents, a notice will be posted at the property notifying them where they can

review the revised Tenant Selection Plan.

- If applicants and residents have provided LHA with an email address, notification of changes to the Tenant Selection Plan may be emailed in lieu of posting notice or mailing letters.

14. Changes in Information for Applicants

Income Changes: If an Applicant's income changes to an amount which is no longer eligible under the limitations of the applicable housing program by the time the application reaches the top of the waiting list, written notice will be given advising the Applicant that:

- They are not presently eligible for assistance
- The applicant could become eligible if the household income decreases, the number of household members changes, the Income Limit changes, or HUD grants an exception to the Income Limits
- Asks whether or not the applicant wishes to remain on the waitinglist.

Preference Eligibility: Occasionally households on the waitlist who did not qualify for a preference when they applied will experience a change in circumstances that makes them eligible for a preference after the initial date of their application. In such cases, it is the responsibility of the applicant to inform LHA so that their change in status may be verified and the waitlist can be updated accordingly. To the extent that the verification process determines that the household does now qualify for a preference, the waitlist will be updated to reflect this.

15. Prioritization for Existing Residents

LHA will observe preferences listed below, prioritized in the order of the list:

- **Accommodation for Existing Disabled Residents:** Requests for accommodation from existing residents requiring unit transfers will take priority over all waiting list Applicants. Accommodation results when a third-party-verified disability requires a change or repairs, which make it easier for the existing resident to reside in the community.
- **Units Designed for Use by Disabled Residents:** Disabled applicants requesting units with specifically designed features for disabled individuals will be provided preference for units that have been set-aside for this use.
- **Transfers for Existing Non-disabled Residents:** Households who have obtained an approved transfer from the LHA shall be granted preference over other households on the waitlist. These households shall be required to accept a transfer within the same building in the development when a unit of the required bedroom size becomes available. Optional accommodations for the required bedroom size shall be offered to such residents in buildings other than their current residence (buildings still included in the Community) when and if units of the required bedroom size become available, but the LHA will not make such transfers mandatory due to the undue burden that could be associated with moving to another location. All transfers shall be granted preference over new applicants.

16. Processing Steps

The development shall be rented and occupancy maintained on a first-come, first-served basis with preferences taken into consideration. All persons wishing to be admitted to the development or placed on the waiting list must complete an application. Prospective residents submitting incomplete applications will not be considered for occupancy. The initial complete application shall be timed and dated when received, and the Community Manager shall maintain at the rental office a chronological list of all applicants. Preference households and existing residents requiring unit transfers because of accommodation will move ahead of

chronological status applicants. Applicants shall be offered housing (after meeting all selection criteria requirements including the verification process), placed on the waiting list, or declined. Potentially eligible applicants who have met resident selection criteria and for whom the appropriate unit is not available will be placed on the waiting list and informed in writing that they will be contacted when an appropriate unit becomes available. Applicants who fail to provide acceptable landlord references, credit history or who have a criminal background will be notified that they have been removed from the waiting list.

When an appropriate unit is available, the waiting list shall be reviewed to identify the applicant who meets preference criteria or whose name is chronologically at the top of the list. The resident manager shall interview the applicant; confirm and update all information provided on the application; update credit reports older than one year; obtain current information on income, expense and household composition as applicable and necessary to certify eligibility and compute the resident's share of the rent. LHA will not exclude an applicant with a voucher under the Section 8 Tenant-Based Assistance Program or Housing Choice Voucher program (24 CFR part 982) or an applicant participating in a HOME tenant-based rental assistance program (24 CFR part 92) because of the status of the prospective tenant as a holder of such voucher or comparable HOME tenant-based assistance document. Applicants shall be informed that a final decision on eligibility cannot be made until all verifications are complete and current income has been verified.

Applicants, whose position on the waiting list enables application processing, will receive only two consecutive notices of housing availability. If the applicant is unable or decides not to complete the application process, the applicant shall be removed from the waiting list upon receiving the second notice and must reapply for eligibility. The waiting list shall be updated annually and may be closed for one or more unit size when the average wait for admission is more than a year.

When an appropriate unit becomes available, the LHA will conduct an interview and orientation with the applicant regarding procedures and to obtain current information about the household's circumstances. At the orientation the LHA will:

- Confirm and update all information provided on the application. If the applicant is determined ineligible, the LHA must comply with proper procedures for rejection.
- Explain the program requirements, verification procedures, and penalties for false information. The penalties include eviction, loss of assistance, fines up to \$10,000 and imprisonment for up to five years
- Obtain other household income and compensation information needed to certify eligibility and compute the resident's share of the rent
- Review the financial information on the application and specifically ask the applicant whether any member of the household receives the types of income or assets as listed on the application.
- Ask the head of household, spouse, and household members age 18 and over to sign the release of information consent portion of any verification request used for them.
- Require the head of household to give a written verification as to whether any household member did/did not dispose of any assets for less than fair market value during the two years preceding the effective date of the verification.
- Advise the household that, for a sample of cases, HUD will compare the information with Federal, State, or Local agencies.
- Tell the household that a final decision on eligibility cannot be made until all verifications are complete.
- Require that the head of household, and all household members disclose and

document Social Security numbers, or execute a certification when a Social Security number has not been assigned.]

- Inform the household that Federal Law prohibits the LHA from discriminating against individuals with disabilities.
- Inform applicants of any applicable rules regarding pet ownership.
- At time of orientation provide information regarding security deposit requirements and other facility or services available and what fees are involved.

17. Rejecting Applicants Checklist

Applicants may be declined if any one of the following categories apply:

- Applicant does not meet the age restriction for the community to which they are applying
- Applicant requests that their name be removed from the waitlist
- Applicant was clearly advised in writing of the requirement to inform LHA of his/her continued interest by a stated, specific time, but failed to do so
- Failure to meet one or more of the screening criteria
- Information required by the application and income verification process is not provided within the written time requirements.
- Failure to respond to written requests for information
- Declaration by applicant that they are no longer interested in housing
- Unacceptable credit history
- Income exceeds the appropriate income limit as dictated by Federal programmatic requirements
- Inability to appropriately maintain housing in a decent safe and sanitary condition
- Household size is too large for available units, and serious overcrowding would result if provided a smaller unit
- History of unjustified and chronic non-payment of rent and financial obligations
- History of disturbing the quiet enjoyment of others and/or a pattern of disruptive behavior
- A risk of intentional damage or destruction to the unit or surrounding premises by the applicant or those under the applicant's control
- History of violence and harassment of others
- History of violations of the terms of previous rental agreements such as destruction of a unit or failure to maintain a unit in a decent, safe, and sanitary condition
- Applicant or a member of the household is on the Lifetime Registered Sex Offender under any state sex offender registration program
- Applicant or a member of the household was convicted for the manufacturing and/or distribution of methamphetamines.
- Applicant or a household member has engaged in or threatened abusive or violent behavior towards any staff member of LHA or another resident
- Applicant or a member of household was evicted from housing within past five years
- Application is incomplete, or is found to contain false information
- Household has members whose status as students do not meet the criteria set forth in the HUD 4350.3 handbook, Rev-1, para3-13B.

The following factors MUST NOT be used when screening an applicant:

- **Physical examinations:** LHA may not require physical examinations as a condition of admission
- **Meals and other services:** LHA may not require residents to participate in a meals program or establish other mandatory charges for services without the prior consent of HUD.
- **Donations or contributions:** owners must not require a donation, contribution, or

membership fee as a condition of admission.

- **Disabled status:** LHA is prohibited from inquiring as to the nature or severity of a disability of an applicant or any persons associated with the applicant.

If an applicant is declined, the community manager shall promptly notify the applicant in writing and explain in the notice the reasons for the decline. The applicant will be notified that they have 10 days to respond in writing, or to request a meeting to discuss the decline. Applicants who are denied admissions are entitled to a hearing and will be provided a copy of the LHA's Grievance Policy upon denial.

18. Determining Security Deposit Amounts

The amount of the security deposit for households receiving assistance must be part of the community's project rental assistance contract. The amount of the security deposit for the household shall be calculated to be either the amount of the Total Resident Payment, which is the amount of the resident rent plus the amount of any utility allowance, or \$50.00, whichever amount is greater. The security deposit amount cannot be changed at any point during the tenancy and transfers between units shall not result in the charging of a new security deposit.

19. Opening and Closing Waitlist

If a property maintains a waiting list it will be updated annually by the LHA staff within the community. If there are a sufficient number of applicants per unit type to fill the average number of vacancies in a year, the waiting list will be closed. When applications on hand are insufficient to fill the annual vacancies the waiting list is re-opened.

The reopening of the waiting list will be announced by notification of all personnel who may be involved with inquiries regarding housing, through communication with social service agencies and other sources of applicant referrals. Advertising (if needed) will indicate the opening of the waiting list, and finally, the Community Managers will notify the residents of the particular community. Applicants are placed on the waiting list by date and time the application was received. LHA maintains the right to keep an interest list in lieu of a waitlist for the LIHTC properties.

20. Violence Against Women Act

20.1 Background.

The Violence Against Women Reauthorization Act of 2013 (VAWA) protects applicants and residents who are victims of domestic violence, dating violence, stalking or sexual assault from being denied housing, evicted or terminated from housing assistance when the Adverse Factors leading to such denial, eviction or termination are the direct result of the domestic violence, dating violence, stalking, or sexual assault they have suffered.

20.2 Notices of Occupancy Rights and Responsibilities Under VAWA:

LHA provides the Notice of Occupancy Rights under VAWA to Section 8 tenants, which outlines their rights and obligations under VAWA, at the following points in time:

- When an individual is denied residency.
- When an individual is admitted to a dwelling unit.
- With any notification of eviction (not including Notices to Pay or Quit) or termination of assistance.

20.3. Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation (form HUD-5382)

An applicant who certifies they are eligible for VAWA status by completing form HUD-5382, Certification of Domestic Violence, may be admitted if they can demonstrate that

the Adverse Factors that might otherwise prevent their admission are a direct result of the circumstances that led to their VAWA status. Adverse Factors include poor rental history, poor credit history, negative criminal background and nonpayment of rent. It is the applicant's responsibility to adequately document that their Adverse Factors are the direct result of their VAWA circumstances. Typical documentation includes, but is not limited to, police records, medical records, and communications with creditors or landlords. The documentation must be relevant to the time frame(s) in question.

Alternate Documentation. Alternately, in lieu of the certification form or in addition to it, LHA will accept:

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

20.4 Confidentiality of Information

The identity of the applicant and all information provided to owners relating to the incident(s) of domestic violence, dating violence, sexual assault, or stalking must be retained in confidence in a separate file secured in a secured location by LHA and will not be entered into any shared database or provided to a related entity, except to the extent that the disclosure is:

- Requested or consented to by the individual in writing.
- Required for use in an eviction proceeding; or LONGMONT HOUSING AUTHORITY TDD # 800-659-2656.
- Otherwise required by applicable law.

20.5 All Adults Must Sign the Addendum

All family members, 18 and over, must sign the VAWA lease addendum. The HUD-approved certification form provides notice to the applicant of the confidentiality of the form and the limits thereof.

20.6 Emergency Transfer Plan

Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking. An "Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking" has been drafted for the Property. This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees that the LHA is in compliance with VAWA. It is available in the LHA Management office with a list of available referral agencies.