

HOUSING AUTHORITY OF MERRILL WISCONSIN

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JENNY TOWERS
PARK PLACE & WESTGATE LLC

Tenant Selection Plan



HOUSING AUTHORITY OF MERRILL WISCONSIN
City of Merrill * Lincoln County
www.merrillha.com

Effective: Pending Approval of HOTMA Policy



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STATEMENT OF PURPOSE:

The Housing Authority of Merrill Wisconsin was established for the purpose of owning and operating Jenny Towers and Park Place & Westgate LLC, a HUD-insured and/or HUD-assisted housing development and thereby providing safe and affordable housing. Jenny Towers operates under the Section 8 New Construction Elderly for elderly households age 62 and older and persons 18 years of age and older who are disabled and need the specific features of an accessible unit and incomes up to low-income limit. Park Place and Westgate LLC operates under the Section 8 Multifamily/PBRA for individuals age 18 years of age and older.

This Tenant Selection Plan describes application procedures, screening procedures, and equal opportunity and nondiscrimination requirements for Housing Authority properties. The Housing Authority accepts applications, admits applicants, and employs staff without regard to race, color, creed, national origin, disability status, familial status, religion, or sex. Applicants/Tenants will pay approximately 30% of their adjusted income, calculated in accordance with HUD regulations, for rent.

The Housing Authority properties are established to provide safe and affordable housing for individuals and families as defined in the eligibility criteria. Jenny Towers, ranch houses and duplexes are comprised of 1-bedroom, 2-bedroom and 3-bedroom units for a total of 110 subsidized units. Park Place, Stonebridge, and Westgate are comprised of 1-bedroom, 2-bedroom, 3-bedroom and 4-bedroom units for a total of 102

FAIR HOUSING AND EQUAL OPPORTUNITY REQUIREMENTS

The Housing Authority of Merrill Wisconsin complies with all federal, state, and local laws that prohibit discrimination against persons because of race, color, creed, religion, sex, national origin, disability status, familial status, sexual orientation, gender identity, or marital status.

INCOME TARGETING

The Housing Authority of Merrill Wisconsin must make at least 40 percent of the assisted units that become vacant each year available for leasing to families whose income does not exceed 30 percent of the area median income (extremely low-income) at the time of admission. Extremely low income (ELI) means families with incomes at 30% or below median income.

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

PREFERENCES

Preferences adopted or required under the specific housing program for use at are defined as follows:

- Section 8 New Construction for elderly households age 62 and older and persons 18 years of age and older who are disabled.
- Section 8 Multifamily/PBRA for general population age 18 and older.

APPLICATION PROCESS

Applications will be accepted during normal business hours, by mail, or other equally effective means of communication. Persons requiring special accommodations or persons with limited English proficiency should contact Housing Authority of Merrill Wisconsin for assistance. Applications will be mailed upon request.

Applications will be screened in accordance with program eligibility requirements and the criteria set forth in this Tenant Selection Plan. Housing Authority of Merrill Wisconsin will not prescreen applicants verbally or in person prior to the completion of an application. No person may be refused the right to apply for housing unless the development's waiting list is closed for a particular unit size or type, and notice of the closed waiting list is posted in a prominent common area accessible to tenants and applicants.

Incomplete applications will be returned to the applicant and will not be evaluated until all of the required information has been provided. All household members must be listed on the application form.

The Housing Authority of Merrill Wisconsin will notify applicant in writing if status of the application is rejected. Alternate formats for responding to an applicant with a disability will be provided upon applicant's request.

Placement on the waiting list does not constitute acceptance. Further screening is required to determine an applicant's ability to maintain a successful tenancy.

APPLICANTS WITH ACCESSIBILITY OR SPECIAL NEEDS

The applicant must notify Jenny Towers of their requirement for a unit with accessibility features. Applicants whose household includes a person with a disability, may request a current list of accessible units at the property.

Verification that the applicant is disabled may be required when the applicant requests a modification to a unit, a preference based on disability status, or a reasonable accommodation. Inquiries concerning a person's disability or disabilities in this regard will be limited to verification that the applicant is disabled and that there is need for an accommodation or the qualification for a program.

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

Reasonable accommodation or modification may be made to a unit by Housing Authority of Merrill Wisconsin in accordance with Section 504 of the Rehabilitation Act.

WAITING LIST PROCEDURE

The Housing Authority maintains a unit transfer waiting list for in-house tenants. These residents will be given preference for a vacant unit over applicants on the waiting list.

Waiting list placement - Once income eligibility requirements and household composition is determined the applicant will be placed on the appropriate waiting list(s) by date and time of receipt of the application. Applicants may choose to be on more than one waiting list. Assignment to the waiting list will be based on this preliminary determination and will be formally verified during the certification process. Waiting lists will be organized by type of unit, (1, 2 or 3 bedroom).

Applicants are chosen from the Waiting List based on the date and time of application, and appropriate unit size becomes available, subject to the preferences identified in Section III.

If the applicant refuses the unit, the application is returned to the waiting list, annotated as to the date of declination, to be selected again. No penalty is associated with the first refusal, but upon a second refusal, the applicant is placed at the bottom of the waiting list, using the second declination date and time as the new application date and time. Should Housing Authority of Merrill Wisconsin contact the applicant a third time and receive no response or a declination, the application will be removed from the waiting list.

In carrying out the above plan, the applicant will be notified in writing by first class mail and or by phone and given 7 calendar days to accept or decline the unit offered. If this is the first offer and no word is received within the seven-day period the applicant will be treated the same as a first refusal and remain on the waiting list unchanged. Should Housing Authority of Merrill Wisconsin contact the applicant a second time in less than twelve months and receive no response, the applicant will be removed from the waiting list.

Periodically, applicants on the waiting list are contacted to determine continued interest in remaining on the waiting list at (Housing Authority). A letter is sent to the applicant's last known address, allowing the applicant 10 calendar days to contact agent. If contact by the applicant is not made, or the letter is returned, the applicant is removed from the waiting list.

CHANGES IN FAMILY COMPOSITION

Applicant must notify the Housing Authority of any changes in family composition while on the waiting list. Choose whichever of the following sentences is appropriate based on O/A's policy and delete the other one: Changes in family composition will not affect the family's placement on the waiting list. Failure to notify the Housing Authority may jeopardize applicant's eligibility for housing based on unit size.

PROGRAM ELIGIBILITY CRITERIA

Applicant eligibility will be determined using the following criteria:

- The Head of Household must be 18 years of age or older
- The head of household must have the capacity under state and local law to enter into a legally binding lease agreement.
- Total family income must fall within the applicable program income limits established by HUD (see the 4350.3 REV-2 Program Income Limits at Paragraph 3-6D). Income limits are published annually in the Code of Federal Regulations and can be found in the Housing Authority office.
- The rent the applicant would be required to pay using the applicable HUD rent formula must be less than the market/gross rent for the unit.
- The applicant must be age 62 and older or persons 18 years of age and older who are disabled.
- The applicant is not eligible if the applicant has been evicted from federally assisted housing within the last three years for drug-related criminal activity. (24 CFR 5.854)
- The applicant is not eligible if it is determined that any household member is currently engaging in:
 - illegal use of a drug; or
 - we determine or have reasonable cause to believe that a household member's illegal use of a drug may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. (24 CFR 5.854)
- The applicant is not eligible if it is determined that any household member is currently engaged in, or has been engaged within 3 (three) years before the admission decision:
 - drug-related criminal activity;
 - violent criminal activity;
 - other criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents; or
 - other criminal activity that may threaten the health or safety of Housing Authority of Merrill Wisconsin or any employee, contractor, subcontractor, or agent of the Housing Authority who is involved in the housing operations. (24 CFR 5.855)
- The applicant is not eligible if the applicant or applicant family member is a lifetime sex offender on DRU SJODIN National Sec Offender Public Website at <https://www.nsopw.gov>. (24 CFR 5.856)
- The applicant is not eligible if it is determined or there is reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. (24CFR 5.85)
- The applicant is not eligible if they fail to provide accurate social security numbers for each member of the proposed household with the exception of applicants age 62 and older as of January 31, 2010, whose initial determination of eligibility was begun prior to January 31, 2010. This requirement also applies to persons joining the family after admission to the program. Failure to furnish verification of social security numbers is grounds for denial of admission or termination of tenancy
- To be eligible for Section 8 assistance, an applicant who is a student must be 24 years of age, unless they are a veteran, married, have a dependent child or are a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and were receiving Section 8 assistance as of November 30, 2005). Both the applicant and the applicant's parents must meet the applicable income limits, except as discussed in HUD's guidance on student eligibility defining independent student status or have established a household independent of parents/legal guardians for at least one year prior to application.

- The applicant is not eligible if they fail to sign all relevant verification forms determined applicable by the Housing Authority (and failure to do so is not due to extenuating circumstances) or required by HUD (HUD Forms 9887 and 9887A), or fail to submit verification of information where third party does not exist or cannot be reached through a known address or phone number.
- Assistance is restricted to U.S. citizens or nationals and noncitizens that have eligible immigration status. All family members, regardless of age, must declare their citizenship or immigration status. Noncitizens 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.
- For the Citizenship/Eligible Immigration Requirement, the status of each member of the family is considered individually before the family's status is defined.
- Mixed Families. A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called "mixed". Such applicant families will be given notice that their assistance will be pro-rated and that they may request a hearing if they contest this determination;
- No Eligible Members. Applicant families that include no eligible members will be ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.
- Non-citizen Students and their Non-citizen Families. Applicants who hold a noncitizen student visa are ineligible for assistance as are any noncitizen family members with the student.

REFUSAL TO SIGN CONSENT FORM

The HUD Form 9887/9887A will remain effective until the family is denied assistance, the assistance is terminated, or the family provides written notification to the Housing Authority to revoke consent.

Families have the right to revoke consent by written notice to the Housing Authority, however revoking consent can result in denial of placement, termination, or denial of assistance.

Participating families will be required to sign a new consent form by the next regularly scheduled reexamination or interim reexamination, whichever occurs first.

Existing participating families will continue to receive assistance after revoking their consent until the next interim or annual reexamination, whichever is sooner.

The Housing Authority will not be able to process an interim or annual reexaminations of income, including when a family's income decreases and the family requests an interim reexamination to decrease tenant rent, without the family's executed consent form(s).

The Housing Authority will notify their local HUD office when an applicant or participant family member revokes their consent.

APPLICANT SCREENING

Applicants will be screened to determine their demonstrated ability to pay rent on time and to meet the requirements of tenancy. A lack of history is not sufficient cause to reject an applicant. These determinations are based on the following:

Credit Reports: Run on each individual applicant age 18 and older. No credit shall be considered as good credit. Each credit report will be reviewed based on the following criteria as a basis for denial:

- An open judgment by a creditor,
- Any unpaid utility charges. Note: If the tenant pays utilities, applicant must provide proof they can secure utilities in their name.
- If the applicant reflects one or more of these negative histories, applicant will be denied based on credit, and given 14 days to meet with management to discuss the situation for possible reconsideration. The Executive Director must approve all exceptions in writing and further restrictions may apply.

Rental History: Each applicant must provide the most recent five years verifiable rental history, or the last three consecutive places of residence, whichever is greater. The rental history of each adult household member will be reviewed using the following minimum requirements:

- No evictions for non-payment of rent where a current balance remains owing to a previous landlord.
- No history of disturbances or behavior that interfered with the landlord or the rights of other residents/neighbors.
- If previously evicted for other than non-payment of rent, each situation will be reviewed on an individual basis to determine merit for possible denial.

Criminal History: A criminal background check will be completed on all applicants at the time of verification of eligibility to receive program benefits, as authorized by the current or updated application on file and the required release of information authorizations signed by each anticipated household member 18 or over. Sex offender screening will be conducted on all applicants 18 years and older in each state that they ever lived in.

Criminal Activity: The owner/agent will investigate and determine appropriate action based on the circumstances surrounding the and the tenant's knowledge or involvement in the crime.

The owner/agent may pursue termination of tenancy (eviction) if any household member participates in criminal activity that threatens the health or safety of staff, other tenants, tenants' guests, tenants' service providers, or persons residing in the immediate vicinity of the premises.

If a tenant, a tenant's guest, or a tenant's service provider commits a criminal act on or near the property, the tenant may be subject to termination of tenancy. The owner/agent will investigate evidence of criminal activity reported on or near the property.

Actions may warrant denial of application or termination of tenancy (eviction) include but are not limited to:

- Crimes or actions involving violence or potential violence
- Sex crimes
- Crimes or actions involving animal abuse
- Criminal acts covered under the Violence Against Women Reauthorization Act of 2013 (stalking, domestic violence, dating violence or sexual assault)
- Manufacture or distribution of an illegal or controlled substance
- Crimes that interfere with a tenant's safety
- Crimes that interfere with a tenant's right to peaceful enjoyment of the premises
- Crimes that interfere with the safety of the property staff
- Fraud
- Crimes that involve damage to property such as arson, malicious damage
- Crimes that involve illegal possession or use of weapons
- Crimes that involve human trafficking
- Terrorist activities
- Crimes that involve explosives
- Use of an illegal drug – on or near the property - when such use may interfere with the health, safety, and right to peaceful enjoyment of the property by other tenants
- Abuse or pattern of abuse of alcohol that interferes with the health, safety, and right to peaceful enjoyment by other tenants. Standards are based on behavior, not the condition of alcoholism
- Tenant, tenant's guest, or tenant's service provider is subject to any sex offender registration requirement based on a conviction. The owner/agent will investigate the charges. The tenant must participate in the owner/agent's investigation. If it is discovered that the tenant's guest or service provider is subject to a state lifetime sex offender registry or if the sex offender is considered a threat to public safety, and a qualified evaluator believes the offender is a predator or a sexually violent predator then the guest or service provider will be banned from the property. If the tenant invites or allows such a predator to visit or stay at the property, the owner/agent will initiate termination of tenancy.

- The property staff and/or the owner/agent will review certain criminal history for all adult household members at each annual certification.
- The owner/agent reserves the right to terminate assistance or tenancy if such review of criminal history uncovers any of the following:
- Any household in which any member was evicted in the last three (3) years from federally assisted housing for drug-related criminal activity
- A household in which any member is currently engaged in illegal use of drugs or for which the owner/agent has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other tenants (The owner/agent has implemented a policy to address the term "currently engaged". Current will be indicated and investigated if there is a record of arrest or conviction within the last twelve (12) months)
- Criminal activities resulting in felony conviction involving violence, potential violence, destruction of property, human trafficking, terrorist activities, illegal weapons charges or the illegal distribution or manufacture of a controlled substance will result in termination of tenancy.
- Other Criminal activities resulting in other felony convictions may result in termination of tenancy.
- A record of three (3) or more separate instances where the tenant is involved in criminal activities resulting in felony conviction will result in termination of tenancy.
- Criminal activities resulting in misdemeanor convictions involving violence, potential violence, destruction of property, human trafficking, terrorist activities, weapons charges or the illegal distribution or manufacture of a controlled substance will result in termination of tenancy
- Criminal activities resulting in other misdemeanor convictions may result in termination of tenancy
- A record of three (3) or more separate instances where the tenant is involved in criminal activities resulting in misdemeanor convictions within three (3) years will result in termination of tenancy
- United States Code Title 8, subsection 1324(a)(1)(A) prohibits the harboring of illegal aliens. The provision of housing to illegal aliens is a fundamental component of harboring. Tenants may be required to provide proof of citizenship or legal immigration status.
- Sex Offender Registration: Tenant is currently subject to registration under a state sex offender registration program. If the owner/agent determines that a registered sex offender is part of the household, the owner/agent will allow the household to remove the sex offender. Removal must be documented using a signed, notarized copy of the owner's form. The household will have ten (10) business days to provide verification that the household member has alternative housing or that the household member has applied for alternative housing. Failure to provide such documentation will result in termination of assistance and possible termination of tenancy for all household members. In this case, the owner/agent reserves the right to monitor household composition. If the owner/agent discovers that a sex offender has moved into the unit, assistance will be terminated, and the household will be evicted in accordance with HUD requirements. Any assistance paid-in-error must be returned to HUD. If a registered sex offender was removed from the household, the owner/agent reserves the right to monitor household composition. If the owner/agent discovers that a sex offender has moved into the unit, assistance will be terminated, and the household will be evicted in accordance with HUD requirements. Any assistance paid-in-error must be returned to HUD.

If the owner/agent discovers an unresolved criminal charge of any criminal activity as described above, the circumstances surrounding the arrest will be investigated.

If there is evidence that the tenant participated in such illegal activity, the owner/agent will meet with the tenant and the other adult household members to determine if the residency should be terminated or if the offending party should be removed from the unit including formal procedures required to remove the member from the household/lease.

Based on a preponderance of the evidence, if the owner/agent investigation indicates that a tenant participated in criminal activity as described above, the tenant may be subject to termination of tenancy (eviction).

CRIMINAL ACTIVITY DISCOVERED AFTER MOVE-IN

If the owner/agent discovers that a tenant misrepresented their criminal history at application, the owner/agent will require the household meet with property staff and discuss the information.

The owner/agent will comply with HUD's guidance and the owner/agent's criminal screening criteria when determining what action should be taken. Action may include termination of assistance and/or termination of tenancy depending on the severity of the crime and the willingness of the household to remove the offender.

CRIMINAL ACTIVITY DISCOVERY

The lease and these House Rules provide grounds for terminating the lease for criminal activity engaged in on or near the premises, by any tenant, household member, or guest. Before terminating any tenant based on involvement in criminal activity, the owner/agent will (as appropriate):

- Investigate whether the tenant committed a crime;
- Investigate whether the tenant's guest or service provider committed a crime;
- Investigate whether the tenant's guest or service provider committed a crime on or near the property;
- Notify the household of the proposed action based on the information;
- Provide the content of the criminal record and information about how to obtain a copy of the information if a criminal record was used in the investigation;
- Provide the tenant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency;
- Allow the household the opportunity to remove the household member involved in the indicated criminal activity.

SEX OFFENDER DISCOVERY

Note: These rules apply to any household member who was subject to a lifetime sex offender registration requirement at admission and was admitted after June 25, 2001. For admissions before June 25, 2001, there is currently no HUD statutory or regulatory basis to evict or terminate the assistance of the household solely on the basis of a household member's sex offender registration status.

HUD prohibits providing housing assistance to anyone who is subject to a state lifetime sex-offender registry. The owner/agent has opted to make that rule more restrictive by prohibiting any sex offender registrant from living on the property.

If an owner/agent and/or property staff discovers that a household member is a registered sex offender and was admitted in error, the owner/agent and/or property staff will immediately pursue termination of assistance and termination of tenancy. The owner/agent and/or property staff will first offer the family the opportunity to remove the ineligible (sex offender) family member from the household.

If the family is unwilling to remove that individual from the household, the owner/agent and/or property staff must pursue termination of assistance and termination of tenancy for the household in accordance with HUD instruction.

Sex offender screening is conducted at each annual and interim certification.

If any tenant is subject to registration on any state sex offender registry, the owner/agent and/or property staff and/or HUD will immediately notify the household that they have the option to remove the sex offender or the owner/agent and/or property staff will pursue termination of assistance and termination of tenancy.

If the owner/agent has good cause (i.e., notification from a state sex offender registry or law enforcement agency), all household members acknowledge that sex offender screening can be conducted by the owner/agent and/or property staff or by HUD or HUD's representatives.

DISTURBANCES OR INQUIRIES INVOLVING LAW ENFORCEMENT

Tenants are expected to contact law enforcement if they witness any illegal activity or if they feel they are in need of law enforcement intervention or protection.

If any law enforcement agency is called to the property because of any type of illegal disturbance and/or criminal violations caused by a tenant's illegal action, such incident shall be investigated by the owner/agent and/or property staff. If it is determined that a tenant was involved in criminal activity and/or other illegal behavior.

Law enforcement has the right to enter the property and the power to make arrests as needed within the law. At the local level, property is under the jurisdiction of the City of Merrill Police and Lincoln County Sheriff Department.

Disturbances and/or criminal violations where the tenant, a tenant's guest, or a tenant's service provider is involved in illegal activity is considered a lease violation.

If the tenant, the tenant's guest, or the tenant's service provider is the victim, the owner/agent will investigate the circumstances surrounding the specific situation and make a determination whether a lease violation occurred and if termination is appropriate.

The termination of the lease agreement will be conducted as allowed by the terms of the lease agreement and local, state, and federal law, including the provisions provided through the Violence Against Women Act (VAWA).

INCARCERATION

If the owner/agent or property staff discovers that a tenant has been incarcerated, the property staff will investigate the arrest/conviction. If the tenant has been convicted of any of the crimes that would constitute termination of tenancy, the owner/agent and/or property staff will immediately begin the process to terminate tenancy. This may include contacting the remaining household members, in accordance with HUD requirements, and beginning the process to remove the tenant from the household.

If an existing tenant is incarcerated, at least one other adult household member must be listed on the lease in order for other members to remain in the unit. If the remaining household members are minors, the owner/agent is compelled to comply with local law regarding child abandonment. This may include contacting child protective services.

If the incarcerated tenant is the sole household member, the owner/agent will initiate the process required when a unit is abandoned.

CONSIDERATION OF EXTENUATING CIRCUMSTANCES

In deciding whether to exercise discretion to terminate (evict) an individual or household that has engaged in prohibited criminal activity, the owner/agent will consider all of the circumstances relevant to the particular eviction decision, including but not limited to the seriousness of the offending action; the effect that eviction of the entire household would have on family members not involved in the criminal activity; and the extent to which the tenant has taken all reasonable steps to prevent or mitigate the criminal activity.

REJECTION OF APPLICANTS

Applicants with behavioral patterns or habits and practices that may be reasonably expected to have a detrimental effect on the tenants of the project environment will not be selected for occupancy. Examples of such include, but are not limited to, poor housekeeping history, history of quarreling with neighbors, disturbing neighbors, damage, or destruction of property at prior residences, etc.

Also, applicants must demonstrate past performance in meeting financial obligations, especially rent; have no unsatisfactory reports/referrals and no evictions for non-payment within the continuous rental history.

The applicant has failed to provide information reasonably necessary for the housing provider to process the applicant's application.

The applicant has misrepresented or falsified any information required to be submitted as part of the applicant's application or a prior application submitted within the last three years, and the applicant fails to establish that the misrepresentation or falsification was unintentional.

The applicant, or a household member, has directed abusive or threatening behavior that was unreasonable and unwarranted towards an O/A's employee during the application or any prior application within the last three years.

The applicant does not intend to occupy housing, if offered, as his/her primary residence.

Applicant has a pet that does not conform to the pet rules and the applicant refuses to give up the pet to attain residency.

In such cases where a member of an applicant family has been evicted or otherwise terminated from an assisted housing program due to drug related criminal activity, such family shall not be eligible for housing in the property within three years of the eviction. In such cases where the offending member is no longer a member of the household and would not be on the lease or residing in the unit, it is within the property's discretion to determine whether the family is eligible for housing. Such determinations shall be made on an individual basis.

The criminal history of proposed tenant family members 18 years and older or emancipated individuals will consider information of any criminal history for denial of your application for housing.

The following are minimum requirements:

- No misdemeanor or felony convictions for possession or use of drugs or drug paraphernalia in the last years.
- No misdemeanor or felony convictions for manufacture or distribution of illegal substances in the last 3 (three) years.
- No misdemeanor or felony convictions for serious misdemeanors or greater offenses of a crime against a person including, but not limited to, a history of or conviction as a sexual predator requiring the applicant to register as a sex offender in the locality of their residence.
- Criminal activities resulting in felony conviction involving violence, potential violence, destruction of property, human trafficking, terrorist activities, illegal weapons charges or the illegal distribution or manufacture of a controlled substance.
- Other Criminal activities resulting in other felony convictions may result in rejection of application.

APPLICANTS DETERMINED INELIGIBLE

Applicants may be rejected for any of the following reasons:

- They are ineligible based on HUD guidelines.
- The household characteristics are not appropriate for units at this property.
- The family size is not appropriate per the occupancy standards of the property.
- Applicant does not meet the student eligibility requirements as prescribed by HUD.
- Applicant does not meet the property screening criteria.
- The applicant fails to sign designated forms/documents upon request.
- Applicant is unable to disclose and document social security numbers for each member of the household.
- The applicant submits false or incomplete information and refuses to give the necessary data needed to determine eligibility.
- Applicant fails to accept an offered apartment and is removed from the waiting list in accordance with the Tenant Selection Plan.
- The applicant fails to notify O/A of interest to remain on the waiting list.
- Applicant does not need the subsidy. The rent amount the applicant would be required to pay using the applicable HUD rent formula is more than the gross rent for the unit or the market rent for Section 236 properties. (Does not apply to Section 202/811 PRACS and should be removed.)

APPLICATION APPEAL OF DENIAL OF ASSISTANCE:

Rejected applicants shall receive written notice of the reason(s) for their rejection, and be advised of their right to respond in writing or to request a meeting to discuss the rejection within 14 days. Persons with disabilities or persons with limited English proficiency have the right to request reasonable accommodations to participate in the informal hearing.

Any meeting with the applicant or review of the applicant's written response shall be conducted by a member of the staff other than the initial decision-maker for the rejection decision. The applicant may bring additional data to support their appeal.

After the applicant appeals the rejection, the O/A must give the applicant a written final decision within 5 days of the response or meeting, either by an Acceptance Letter or a Denial Letter.

If through this appeal process, the applicant is found to be eligible, the applicant will be placed back on the waiting list in his or her original place based on date and time of application filing.

This plan provides for the consideration of mitigating factors that include but are not limited to:
the severity of the potentially disqualifying conduct or condition;

- the amount of time that has elapsed since the occurrence of such conduct or condition;
- the degree of danger, if any, to the health, safety, and security of others or to the security of the property of others or to the physical conditions of the property and its common areas if the conduct has recurred;
- the disruption, inconvenience, or financial impact that recurrence would cause the housing provider; and
- the likelihood that the applicant's behavior in the future will be substantially improved or the condition no longer exists.

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

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

VAWA PROTECTIONS

The Landlord may not consider incidents of domestic violence, dating violence or stalking as serious or repeated violations of the lease or other "good cause" for termination of assistance, tenancy, or occupancy rights of the victim of abuse.

The Landlord may not consider criminal activity directly relating to abuse, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse.

The Landlord may request in writing that the victim, or a family member on the victim's behalf, certify that the individual is a victim of abuse and that the Certification of Domestic Violence, Dating Violence or Stalking, Form HUD-91066, or other documentation as noted on the certification form, be completed, and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or supporting documentation within the specified timeframe may result in eviction.

Housing Authority will support or assist victims of domestic violence, dating violence or stalking and protect victims, as well as members of their family, from being denied housing or from losing their HUD assisted housing as a consequence of domestic violence, dating violence or stalking.

Housing Authority will provide notice to tenants of their rights and obligations under VAWA. Certification of Domestic Violence, Dating Violence or Stalking.

Housing Authority will provide tenants the option to complete the Certification of Domestic Violence, Dating Violence or Stalking, form HUD-91066. The certification form may be made available to all eligible families at the time of admission or, in the event of a termination or start of an eviction for cause proceeding, the certification may be enclosed with the appropriate notice, directing the family to complete, sign and return the form within fourteen (14) business days. Housing Authority may extend this time period at their discretion.

Alternately, in lieu of the certification form or in addition to it, the Housing Authority may accept:

- A federal, state, tribal, territorial, or local police record or court record, or
- Documentation signed by an employee, agent, volunteer of a victim service provider, an attorney, or medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence, or stalking or, the effects of the abuse in which the professional attests under penalty of perjury under 28 U.S.C 1746 to the professional's belief that the incident or incidents are bona fide incidents of abuse, and the victim of domestic violence, dating violence or stalking has signed or attested to the documentation.
- The Housing Authority is not required to demand that an individual produce official documentation or physical proof of an individual's status as a victim of domestic violence, dating violence or stalking in order to receive the protections of the VAWA. Owner/Agent, at their discretion, may provide assistance to an individual based solely upon the individual's statement or other corroborating evidence. Housing Authority are encouraged to carefully evaluate abuse claims to avoid conducting an eviction based on false or unsubstantiated accusations.
- Housing Authority should be mindful that the delivery of the certification form to the tenant via mail may place the victim at risk, e.g., the abuser may monitor the mail. Therefore, in order to mitigate risks, owners are encouraged to work with the tenant in making acceptable delivery arrangements, such as inviting them into the office to pick up the certification form or making other discreet arrangements.
- Confidentiality of Information. The identity of the victim and all information provided to owners relating to the incident(s) of domestic violence, dating violence or stalking must be retained in confidence by the owner and must not be entered into any shared database or provided to a related entity, except to the extent that the disclosure is:
 - Requested or consented to by the individual in writing;
 - Required for use in an eviction proceeding; or
 - Otherwise required by applicable law. The HUD-approved certification form provides notice to the tenant of the confidentiality of the form and the limits thereof.
 - Retention of information.
- Housing Authority must retain all documentation relating to an individual's domestic violence, dating violence, or stalking in a separate file that is kept in a separate secure location from other tenant files.

Note: The Violence Against Women Act (VAWA) protects victims of domestic violence, dating violence or stalking, as well as their immediate family members, from being denied housing assistance if the incident of violence is reported and confirmed per the VAWA Policy and Procedures established by Management.

VAWA LEASE ADDENDUM

Housing Authority must have tenants sign the VAWA lease addendum, form HUD- 91067.

INCOME LIMITS. The Area Median Income (AMI) is determined each year by the U.S. Department of Housing and Urban Development (HUD). Income Limits are published by HUD annually and are subject to change without notice. Applicants can call the leasing office to inquire about current income limits.

HOUSEHOLD INCOME. All household income must be verified. Families currently employed will be required to provide 4 current paystubs. Zero Income tenants and family members over 18 without income will be recertified every 90 days. All family members 18 and over who claim zero income and are not full-time students, must be verified by a third-party.

DETERMINATION OF FAMILY INCOME. The Housing Authority will not accept income determinations made within the previous 12-month period for purposes of the following means-tested forms of Federal public assistance:

- Income for Section 8 programs allows testing from a variety of sources including the Special Supplemental Nutrition for Women, Infants and Children (“WIC”), SSI and other programs administered through HUD. Other means-tested forms of Federal public assistance for which HUD has established a memorandum of understanding. Other Federal benefit determinations made by other means-tested Federal programs that the HUD Secretary determines to have comparable reliability and announces through a Federal Register Notice.
- Safe Harbor verification must be obtained by a third-party verification and must state the family size, must be for the entire family (i.e., the family members listed in the documentation must match the family’s composition in the assisted unit, except for household members) and must state the amount of the family’s income.
- Safe Harbor verification will not be mixed and matched with other income verifications, including other Safe Harbor income determinations.
- Safe Harbor income determinations will be accepted at the time of admission from any form of Federal public assistance for which HUD has established a memorandum of understanding.
- The Housing Authority will only accept the most recent income determination at the time of admission.

ENTERPRISE INCOME VERIFICATION (EIV): Every member of the applicant’s household will be screened through the Enterprise Income Verification (EIV) System’s Existing Tenant Search. Both Multifamily Housing and Public Indian Housing will be queried to determine if any member is currently receiving rental assistance. If so, the Housing Authority will discuss this with the applicant, giving the applicant an opportunity to explain any circumstances relative to receipt of assistance at another location. The Housing Authority will also follow-up with the respective Public Housing Authority or Housing Authorities to confirm the individual’s program participation status before admission. If the applicant meets all required eligibility requirements, Housing Authority of Merrill Wisconsin will coordinate move-out and move-in dates with the Public Housing Authority or Housing Authority at the other assisted property.

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

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

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

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

Verification of income, expenses, assets, family characteristics, and circumstances that affect family eligibility, order of applicant selection, or level of assistance will be sought in accordance with acceptable methods to HUD, in order of acceptability: 1) upfront-income verification (UIV) with use of EIV being mandatory and use of non-EIV UIV being optional; 2) third-party verification from source (written), 3) third-party verification from source (oral), and 4) family certification. If third-party verification is not available, owners must document the tenant file to explain why third-party verification was not available.

ENTERPRISE INCOME VERIFICATION (EIV) USAGE.

- The Housing Authority will utilize HUD's EIV system in its entirety.
- The Housing Authority will update the EIV Policies and procedures to reflect their discretionary use of required EIV reports outside the prescribed frequency as defined by HUD (e.g., Income Report, zero Income Reports, New Hires Report).
- The Housing Authority will not be required to use EIV during interim reexaminations.
- The Housing Authority will adopt a policy to not include earned income increases in determining whether the 10 percent threshold is met for increases in adjusted income when the family previously had and interim reexamination performed for a decrease in annual adjusted income (earned, unearned, or combined) since the last annual reexaminations.
- The Housing Authority have a policy to consider earned income increases in calculating whether the ten percent threshold has been met for an interim reexamination are required to review the EIV New Hires report at least quarterly, for the remainder of the reexamination period after the interim reexamination to decrease rent occurs.
- The Housing Authority are not required to use the Income Report at annual reexamination if they use Safe Harbor verification to determine the family's income.
- The Housing Authority are not required to use EIV Income Discrepancy Report at Annual reexamination if they used Safe Harbor verification to determine the family's income at the last reexamination.

VERIFICATION OF INFORMATION. Verification of information used in determining approval for residence, verifying project eligibility, and calculating the tenant's portion of rent will be sought in writing after receiving written authorization from applicant using the required HUD approved release of information authorization form (HUD 9887 and HUD 9887A). Other forms may be used in conjunction with the required forms (Housing Authority of Merrill Wisconsin DBA Jenny Towers verification forms/inquiries, IRS forms, etc.).

DE MINIMIS ERRORS IN INCOME DETERMINATIONS. The Housing Authority must take corrective action to credit or repay a family if the family was overcharged tenant rent because of de minimis errors (no more than \$360.00 annually) in calculating family income. If a family is undercharged for rent due to an owner miscalculation of income, families may not be required to repay.

NET FAMILY ASSETS VERIFICATION. The Housing Authority will require an applicant to provide 3 months of bank statements to determine if the family's total net assets are equal to or less than \$50,000. Actual income earned from the assets will be determined. Cash on hand is considered an asset.

HARDSHIP EXEMPTIONS. GENERAL RELIEF

The Housing Authority must provide hardship relief to any family:

- That demonstrates its eligible health and medical care expenses, or disability-related expenses exceed 5% of the family's annual income
- That demonstrates an increase in medical or disability-related expenses constitutes a qualifying eligibility factor so long as it exceeds 5% of the family's annual income.
- To meet the requirements for a medical expense hardship exemption, the family's expenses must qualify as medical expenses under HUD regulation.
- To meet the requirements for a disability related exemption, the family's disability related expenses must meet the HUD definition of a disability related expense.

HARDSHIP EXEMPTIONS. PHASED-IN RELIEF

All families who received a deduction for medical or disability-related expenses based on their most recent income review prior to January 1, 2024, will begin receiving the 24-month phased-in relief at their next annual or interim reexamination, whichever occurs first on or after the date.

- Families who receive phased-in relief will have eligible expenses deducted as follows:
- First 12 months; in excess of 5% of annual income;
- Second 12 months; in excess of 7.5% of annual income and;
- After 24 months; in excess of 10% threshold will phase in and remain in effect unless the family qualifies for General Relief

- Once a family chooses to obtain general relief, a family may no longer receive the phased-in relief.
- The Housing Authority will continue the phased-in relief for new admission if they were receiving the phased-in relief at their prior assisted housing at the time the family was admitted to their current unit.

HARDSHIP EXEMPTION. CHILDCARE EXPENSE

- A family whose eligibility for the childcare expense deduction is ending may request a financial hardship exemption to continue the deduction.
- Eligibility: The family must demonstrate that they are unable to pay their rent because of loss of this deduction, and the childcare expense is still necessary even though the family member is no longer employed or furthering education.
- For Example, the parent who was working due to the childcare had to leave their job to care for a sick family member. In order to provide this unpaid care they continue to need childcare.
- Form and duration of Relief:
- Up to 90 days
- Third-party verification of the family's inability to pay rent or document the file the reason the third-party verification was not available.
- The Housing Authority will make attempts to obtain third-party verification prior to the end of the 90-day period.
- The exemption may be extended, at the Housing Authorities discretion, for additional 90-day periods based on family circumstances.
- The maximum number of 90-day extension periods will be three (3) or 270 days.
- The Housing Authority may terminate the hardship exemption if they determine that the family no longer needs it.

The owner/agent shall have the right to request information reasonably needed to verify the mitigating circumstances, even if such information is of a confidential nature. If the applicant refuses to provide or give access to such further information, the O/A may choose not to give further consideration to the mitigating circumstance.

NEW TENANTS

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

- Lease and any addendums to the lease
- House rules (if applicable)
- Resident Rights and Responsibilities Brochure
- HUD fact sheet "How your rent is determined"
- EIV & You Brochure
- Tenant/Owner Certification (50059 data requirements)
- Pet rules (if applicable)
- Live-in aide addendum (if applicable)
- Signed move in inspection form
- Signed consent forms – forms HUD 9887 and 9887A
- Lead based paint disclosure form (if applicable)
- Lead Paint Hazard Information Pamphlet (if applicable)

IDENTIFICATION

Applicants will not lose their place on the waiting list if the head of household has provided documentation of social security number. However the household will not be housed until all household members have submitted copy birth certificate, valid social security numbers and acceptable verification that the social security numbers are correct.

DETERMINING UNIT SIZE

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

The following are factors determining selection for an apartment:

- Household members who may be considered when determining bedroom size
- all full-time members of the household, children away at school, and who live at home during recesses and have not established residency at another location as evidenced by a lease,
- children who are subject to a joint custody agreement but live in the unit at least 50 percent of the time,
- an unborn child,
- foster children who will reside in the unit,
- live-in attendants,
- children who are temporarily in foster care and are expected to return to the family.
- General occupancy standards for determining number of bedrooms are:
- a maximum of two persons per bedroom and a child under the age of 2,
- single persons will not be eligible for a two-bedroom or larger unit, with the exception of a person with a disability who needs the larger unit as a reasonable accommodation, a displaced person when no appropriately sized unit is available, or an elderly person who has a verifiable need for the larger unit.
- Definitions of household members or other exceptions to be included when determining household composition/household size:
- All minor children age 17 and under. Child must be a dependent or applicant must have legal guardianship, adoption, or custody 50% or more of the time.
- Foster Children. Are included as a household member in determining unit size with proper program documentation.
- Temporary placement of family members. A person listed on the HUD 50059 as a household member who is temporarily away from home will be included as a family member.
- Live-in Aides. Shall be included only to determine unit size. Otherwise, the aide has no other legal or financial obligations to that unit. Shall be 18 years of age and older and meet applicable eligibility background criteria. Is essential for the care and well-being of the tenant and would not be living in the unit except to provide the necessary supportive service.
- Medical Equipment. A household member or applicant may be allowed a larger unit in order to accommodate medical equipment, i.e. hospital bed, oxygen tanks, etc., provided the request is verified by a health-care professional.

Other Adult Household members. Other adult household members must meet program eligibility and screening criteria. Other adult household members must sign the dwelling lease and form HUD 50059.

INTERIM REEXAMINATIONS – Decreases in Adjusted Income

- The Housing Authority is required to process interim reexaminations for all decreases in adjusted income when a family permanently moves out of a unit
- The Housing Authority may decline to conduct an interim reexamination of family income if the Housing Authority estimates the family's adjusted annual income will decrease by an amount that is less than ten percent of the family's annual adjusted income.
- The Housing Authority of Merrill will perform an interim reexamination if the annual income is reduced by 10%. If the decrease is 9.5% it will be rounded up to 10%.

INTERIM REEXAMINATIONS – Increase in Adjusted Income

- The Housing Authority will conduct an interim reexamination of family income when they become aware that the family's annual adjusted income has changed by an amount that would result in an estimated increase of ten percent or more in annual adjusted income.
- The Housing Authority will not conduct an interim reexamination if a family reports an increase in income within three months of their next annual reexamination effective date of January 1st.

INTERIM REEXAMINATIONS – Reporting Changes & Effective Date

Families must report household composition changes and changes to adjusted income as follows;

- The 1st of the month following the date of the actual decrease in income; or
- The 1st of the month following the most recent previous income examination

UNIT TRANSFER POLICY

The Housing Authority of Merrill Wisconsin maintains a unit transfer waiting list for in-house tenants and these tenants will be given preference for a vacant unit over applicants on the waiting list.

The household may request a transfer to a different unit, if eligible. Transfers shall be recorded based on date and time requested for transfer and tracked on a manual transfer waiting list.

When a vacancy occurs, the housing authority will select the next eligible applicant on the transfer list prior to proceeding to the applicant waiting list. Any change in household composition must be reported immediately to the leasing office.

Determining factors for transfers can be:

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

HOUSEHOLD ABSENTEE

This will be the primary place of residency for all persons listed on the HUD 50059. You shall not have any other primary place of residency. If it is verified that you have vacated or are presumed absent from the unit for more than 30 days (180 days for illness) without getting prior written approval from the housing authority, your assistance may be terminated.

DEPARTING FAMILY MEMBER

If any departing family member(s) would like to be considered for housing at the property, they will need to complete an application for housing and will be placed on the waiting list according to the date and time the application was received and will be subject to the screening criteria for the property.

VISITOR POLICY

All visitors are considered “guests”. Visitors are not permitted to stay in the unit for more than 14 consecutive days unless written permission is received from management. Visitors are not to exceed 30 random days within the term of the Lease Agreement. If a guest remains in the unit for more than 14 days within the term of the Lease Agreement, the guest will be required to furnish proof of residency. Failure to comply with the visitor policy is a lease violation.

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

If a tenant’s guest is found to be a registered sex offender, they are banned from the property.

REASONABLE ACCOMMODATION / MODIFICATION

The Housing Authority of Merrill Wisconsin is committed to ensuring that its policies and practices do not deny individuals with disabilities the opportunity to participate in, or benefit from, nor otherwise discriminate against individuals with disabilities in connection with the operation of housing services or programs solely on the basis of such disabilities.

Therefore, if an individual with a disability requests an accommodation or modification, the owner/agent will fulfill these requests, unless doing so would result in a fundamental alteration in the nature of the program or an undue financial and administrative burden. In such a case, the owner/agent will offer an alternative solution that would not result in a financial or administrative burden.

The Housing Authority is responsible for informing all residents that a request may be submitted for reasonable accommodations for an individual with a disability.

At the time of application, all applicants will be provided with the Request for Reasonable Accommodation Policy or upon the applicant's request, the Policy will be provided in an equally effective format.

All applicants/residents will be provided the Request Form when requesting a reasonable accommodation or, upon the applicant/resident's request, the Request Form will be provided in an equally effective format. A resident or applicant may submit the request in writing, orally, or use another equally effective means of communication to request an accommodation or modification.

Residents and applicants may contact the Housing Authority office located at 701 E 1st Street for information about requests.

Upon receiving the request, the Housing Authority will respond to the request within twenty (20) business days. At this time, the Housing Authority may request additional information or verification.

The Housing Authority will consent to or deny the request as quickly as possible, but within thirty (30) business days after receiving all necessary information and documentation from the resident. All decisions to grant or deny reasonable accommodations will be communicated in writing or if required, in an alternative format in order to communicate the decision to the applicant/resident. Exceptions to the 30-business day period for notification of the Housing Authorities decision on the request will be provided to the resident setting forth the reasons for the delay.

If the request for reasonable accommodation or modification is denied, the requestor has the right to appeal the decision within 10 business days of the date of the written notification of denial. The appeal meeting will be conducted by a staff Person who was not originally involved in the original denial. This policy may be amended to meet HUD changes and requirements as needed.

Citizen & Immigration Status, Verification Procedures

Part I. Submission of Documents and Verification

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

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

All other non-citizens - Signed declaration of eligible immigration status and specified acceptable Department of Homeland Security (DHS) documents of eligible immigration status.

The family, upon declaration of each family member's citizenship or eligible non-citizen status, shall provide required documentation. Housing Authority may extend the submission period not to exceed 30 days. The family is required to submit evidence of eligible status only one time while being continuously assisted under the Section 8 program. Housing Authority shall be verified with DHS through primary, and if necessary, secondary verifications of documentary evidence submitted by the family to determine the eligibility of each family member. Once the applicant or participant has submitted the documents of eligibility, Housing Authority may not deny, delay, or terminate assistance solely on the basis that the primary or secondary verification of the immigration documents has not been completed.

Part II. Provision of Notice

- In circumstances where DHS has not verified eligibility, the family will be provided with a written notice that shall include:
- that the family has a right to request an appeal to DHS of the results of the verification of immigration status;
- that the family has the right to request an informal hearing with Housing Authority upon completion of the DHS appeal; such hearing shall be in accordance with hearing procedures in HUD Handbook 4350.3;
- that Section 8 assistance may not be denied or terminated until the conclusion of the DHS or Housing Authority appeal process; and
- Notification of the type of assistance for which the family may be eligible (continued assistance, temporary deferral of assistance, or pro-ration of assistance).