

***CG1 Restoration LP***

***RESIDENT SELECTION PLAN***

***Tax Credit***

***August 2021***

## PROPERTY INFORMATION

Property Name	Culpepper Garden I
Property Contact Name	Paul Timpane, Director of Property Operations
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Phone	703-528-0162
Fax	703-524-3671
Email	<a href="mailto:ptimpane@culpeppergarden.org">ptimpane@culpeppergarden.org</a>
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## PURPOSE OF THE RESIDENT SELECTION PLAN

The resident selection plan helps to ensure that residents are selected for occupancy in accordance with the Department of Housing and Urban Development (HUD), Virginia Housing (VH) requirements and established management policies. Please contact the Rental Office if you need help understanding this document.

**CG1 Restoration LP** resident selection plan is in accordance with HUD policy with regard to application eligibility and admissions (**4350.3 Rev. 1), Change 4.**

## ELIGIBLE POPULATION

CG1 Restoration LP was designed to meet the needs of the elderly, age 62 or older. In order to be eligible for housing at this property, the head of household or spouse must be 62 years of age or older. An applicant must meet the low-income housing tax credit eligibility requirements.

An applicant can be rejected if Applicant does not meet the HUD definition of Elderly Family: "Families of two or more persons, the head of which (or his or her spouse) is 62 years of age or older."

## APPLYING FOR HOUSING

Applications are received by mail or in person in the rental office 9:00a-3:00p Monday through Friday. CG1 Restoration LP shall accommodate persons with disabilities who, as a result of their disabilities, cannot mail or deliver their application in person. CG1 Restoration LP evaluates all applications to determine eligibility for residency.

Based on federal regulations, the owner may not admit ineligible applicants. In the selection of applicants for admission, Eligibility Criteria has been established in accordance with HUD,



VH, and other applicable Federal, State, and County guidelines. All information reported by the household is subject to verification.

Any application, including applications from a spouse or any person(s) over the age of 18 planning to move in with an existing household, may be rejected for any failure to meet the eligibility requirements imposed by HUD, or by applicable federal and state laws and any rules, regulations, and requirements promulgated thereunder. This includes verification of income for purposes of determining eligibility for the applicable housing programs.

All adult members of a household must sign consent forms and, as necessary, verification documents, so that the owner/agent can verify sources of household income and household size. If the applicant or any adult member of the applicant's household does not sign and submit the consent forms as required in 24 CFR 5.230, the owner must deny tenancy.

The owner/agent shall obtain verifications in compliance with requirements set forth in the HUD Handbook 4350.3, Rev. 1, Change 4. If at any time during the verification process the information obtained does not meet eligibility standards, the applicant will be rejected.

This policy applies to live-in aides as well. Owner established screening criteria will also be applied to live-in aides, except for the criterion regarding credit performance or the ability to pay rent on time because live-in aides are not responsible for rental payments. However, live-in aides must meet other screening criteria established by the owner. Income and/or allowances received by live-in aides will not be considered.

## **BUSINESS RELATIONSHIP**

The relationship between the owner/agent and a resident or applicant is a business relationship. Professional, courteous behavior is expected from all parties (the resident/applicant, property staff, resident's family members or other visitors of the resident). The owner/agent reserves the right to refuse rental to anyone who is verbally abusive, swears, is disrespectful, makes threats, uses discriminatory language, appears intoxicated or under the influence of alcohol or drugs, is argumentative, or in general displays behavior, at any time, which causes the owner/agent or Management to believe a positive business relationship is unattainable.

Property staff is not permitted to accept money, gifts, services, or favors connected with the application process or associated with any aspect of residency on this property. If property staff solicits any mandatory payment, not associated with the lease, the resident or applicant should immediately report this to the owner/agent.



## PRIVACY POLICY

In accordance with the Federal Privacy Act of 1974, CG1 Restoration LP will guard the privacy of individual records maintained at the property. Resident's personal information will not be shared without obtaining prior consent in writing from the resident.

## EQUAL HOUSING OPPORTUNITY

CG1 Restoration LP does not discriminate on the basis of handicapped status in the admission or access to or treatment or employment in its federally assisted programs and activities. Occupancy at CG1 Restoration LP apartments is open to all persons meeting the criteria for eligibility, regardless of race, color, religion, sex, sexual orientation, gender identity, handicap, elderliness, familial status, or national origin. CG1 Restoration LP complies with Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act Amendments of 1988, and Title VI of the Civil Rights Act of 1964.

Management will not:

- Refuse to rent or negotiate for rental of a dwelling based on race, color, religion, sex, sexual orientation, gender identity, national origin, handicap, elderliness, or familial status.
- Engage in activities that steer potential residents away from or toward particular units by words or actions.
- Make housing units and related services unavailable to any potential residents.
- Purposely provide false information to applicants about the availability of units that limit the living options of prospective residents.
- Deny or limit services based on race, color, religion, sex, sexual orientation, gender identity, handicap, elderliness, national origin, or familial status.

Management will market available units in a non-discriminatory manner.

The owner/agent will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunities for all. In accordance with Section 504, the owner/agent will make reasonable accommodations or modifications for individuals with handicaps or disabilities (applicants or residents).

*The Final Rule - Equal Access to Housing in HUD programs Regardless of Sexual Orientation or Gender Identity is intended to ensure that housing across HUD programs is open to all eligible individuals and families regardless of actual or perceived sexual orientation, gender identity, or marital status.*



## OCCUPANCY STANDARDS

It is the goal and responsibility of CG1 Restoration LP to provide decent, safe, and sanitary housing to all residents. In order to provide said housing, occupancy standards have been established. During the application process, applicants may choose from available units and select the size, floor and type (standard or special design features of an accessible unit) of the unit they would prefer. A maximum of two (2) persons per bedroom has been applied at CG1 Restoration LP unless the configuration of or size of the bedrooms in the apartment, in the opinion of management, justifies a different occupancy limitation for a particular apartment. A single person may not be provided a housing unit with two bedrooms unless the person has a verifiable disability and needs a larger unit. The need for a live -in aide will be considered when counting family members.

<u>Unit Size</u>	<u>Minimum of</u>	<u>Maximum of</u>
Efficiency	1 person	1 persons
One Bedroom	1 person	2 persons
Two Bedroom	2 persons	3 persons

## RENTAL ASSISTANCE

Applicants may apply for rental assistance, unless the County has closed its waiting list, for this property through Arlington County (Rental Assistance Demonstration Voucher, Housing Grants, or Housing Choice Vouchers) or through Fairfax County (Tenant Protection Voucher). The rent paid by residents eligible for rental assistance (based on availability) is based upon household income. The resident will be required to provide information according to the County to recertify income, assets, and eligible medical expenses in order to continue to participate in the rental assistance program.

## CONTRACT RENT SCHEDULE

Rental Assistance Demonstration (RAD) Efficiency	\$1,500
Low Income Housing Tax Credit (LIHTC) Efficiency	\$1,354
LIHTC One Bedroom	\$1,451
LIHTC Two Bedroom	\$1,741
Tenant Protection Voucher (TPV) Efficiency	\$1,652
TPV One Bedroom	\$1,782
TPV Two Bedroom	\$2,130



# CERTIFICATIONS FOR LOW INCOME HOUSING TAX CREDIT PROGRAM (LIHTC)

CG1 Restoration LP residents are required to complete a certification at move-in and recertification of household income and composition at least annually. Residents are required to submit information requested by Management that is required in order to complete the recertification. Residents must sign consent forms related to income, assets, family composition, and other HUD or VH required consent forms. Management is required to obtain third party verification of reported household income, the value of household assets, and other factors that determine eligibility for the LIHTC program.

## PROGRAM ELIGIBILITY REQUIREMENTS

Applicants and residents must meet the following requirements to be eligible for occupancy and housing assistance.

1. The household's annual income must not exceed the Low Income Housing Tax Credit Program income limits. The applicable income limits are posted in the rental office. The household's income at admission must not exceed the following limit set by HUD:

**1 Person \$52,920, 2 Persons \$60,480, or 3 persons \$68,040 (as of April 1, 2020; subject to change in accordance with the income limits published by HUD annually).**

In order to qualify for rental assistance, the household's income must not exceed the income limit requirements of the applicable available rental assistance program.

2. All adults in each applicant family must sign HUD Forms 9887 and 9887A Authorization for Release of Information and other required consent and verification documents when applying for housing and annually thereafter.
3. The unit for which the family is applying must be the family's only residence.
4. Only US citizens or eligible non-citizens are eligible for housing.
5. An applicant must agree to pay the rent required by the program.
6. All information provided by the family is subject to verification.
7. The head of household must be 62 years of age or older.

### Citizenship

Applicants who are not U.S. citizens or eligible non-citizens are not eligible for subsidy. All members in the applicant's household must provide a declaration of U.S. citizenship or appropriate documentation of eligible non-citizen status through the Immigration and Naturalization Service. This documentation must be provided before the household will be allowed to occupy an apartment, unless this procedure has not been completed due to a delay caused by the property. Requests for temporary deferral will be handled according to guidelines set forth in the HUD Handbook 4350.3, Rev. 1, Change 4.



Verification of eligible non-citizenship status will be obtained through the SAVE-ASVI database, the Department of Homeland Security (DHS) automated system.

### **Social Security Number**

All household members receiving assistance or applying to receive assistance will be required to provide a Social Security Number and adequate documentation necessary to verify that number. This rule applies to all household members including live-in aides, foster children and foster adults. The only exception to this requirement is the rule in 24 CFR 5.216 permitting the owner/agent to accept applicant households that include an applicant family member who is under the age of 6, and who does not yet have a Social Security Number (SSN) assigned to him/her, and was added to the household 6 months or less from the move-in date. If an applicant household with the above composition is housed, the household will have 90 days from the effective date of the move-in certification to provide documentation of the SSN for the child. An additional 90-day period will be granted if the failure to provide documentation is due to circumstances outside the control of the household. An interim recertification must be processed once the household discloses and provides verification of the SSN.

Adequate documentation means a Social Security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN such as:

- Original Social Security card
- Driver's license with SSN
- Identification card issued by a federal, state, or local agency, medical insurance provider, or an employer or trade union
- Earnings statements on payroll stubs
- Bank statement
- Form 1099
- Benefit award letter
- Retirement benefit letter
- Life insurance policy
- Court records

Management will reject a document that is not an original document, is the original document but has been altered, mutilated, and not legible or does not appear to be authentic.

For eligibility purposes, applicants do not need to provide verification of a Social Security Number for household members to be placed on the waiting list. However, applicants must provide adequate documentation to verify each Social Security Number for all non-exempt household members before they (1) can be screened, (2) can participate in the eligibility interview, or (3) can be housed.

If all non-exempt household members have not provided verification of their Social Security Numbers at the time a unit becomes available, the next eligible applicant must be offered the available unit.

- The applicant who has not provided required Social Security Number information for all non-exempt household members has 90 days from the date they are first offered an available unit to disclose/verify the Social Security Numbers.
- During this 90-day period, the applicant may retain their place on the waiting list.
- After 90 days, if the applicant is unable to disclose/verify the Social Security Numbers of all non-exempt household members, the applicant should be determined ineligible and removed from the waiting list.

**Exceptions to Disclosure of Social Security Number:**

The Social Security Number requirements do not apply to:

1. Individuals who do not contend eligible immigration status.
2. Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.

The Social Security Number provided will be compared to the information recorded in the Social Security Administration database (through HUD’s Enterprise Income Verification System) to ensure that the Social Security Number, birth date and last name match. If EIV returns an error that cannot be explained or resolved, assistance and/or tenancy may be terminated and any assistance paid in error must be returned to HUD. If the applicant/resident deliberately provide an inaccurate Social Security Number, the owner/agent and/or HUD may pursue additional penalties due to attempted fraud.

**SCREENING/REJECTION CRITERIA**

**Rental History**

All applicants will be required to provide a rental history for the past 5 years. Applicants who have home ownership history will be required to prove they made their mortgage payments in a timely manner.

Any application can be rejected for any one (1) of the following:

- Any one (1) report of having “skipped” from previous housing.
- Any one (1) eviction from previous housing.
- Any four (4) repeated late payments of rent or mortgage payments within a twelve (12) month period from current or past housing.
- Any record of disturbances of neighbors, destruction of private or public property by the applicant and/or family.
- Any record of disruptive or dangerous behavior.
- Any unsanitary or hazardous housekeeping.
- Any record of failure to cooperate with applicable recertification procedures.
- Any record of Material Noncompliance breaches of the current or prior lease agreement and/or community rules and regulations.
- Any record of housing assistance terminations based on fraud.





## **Credit History**

Applicants must prove their ability to meet financial obligations. A credit report will be obtained and reviewed to determine the applicant's current address, credit sources included on the application and whether the applicant has an acceptable credit history.

Any application can be rejected for any two (2) of the following:

- Any one (1) judgment not satisfied.
- Any one (1) personal bankruptcy.
- Any one (1) current obligation (single account credit) which is three (3) months or more delinquent and not satisfied.
- Any one (1) foreclosure of real estate.
- Any one (1) repossession of material or personal property.
- Any one (1) suit not remedied or a suit pending regarding debt owed or credit unresolved.

The absence of a credit file shall not adversely affect the applicant. A consistent, severe or recent history of deficiencies in overall credit or in rent payment which indicates that the applicant and/or family would be unable or would otherwise fail to pay when due rent for the apartment and other expenses relative to occupancy of the apartment or the absence of any history of timely payment of rent and other obligations, unless the family can show good cause for such absence, may be grounds for rejection. Also, applicants shall not be rejected if the credit reporting agency reports adverse credit which is the total result of medical expenses.

If the application is rejected for credit, the applicant will have the opportunity to be accepted if the applicant brings his/her account(s) current or has a guarantor co-sign the lease, or enters into a contract with a professional third party payee company or agency to ensure payment of rental and service charges. The guarantor's credit history must meet the criteria established herein.

## **Criminal Record Check/Controlled Substance Abuse**

A criminal records check will be performed on all applicants (including applications from a spouse or any person(s) over the age of 18 planning to move in with an existing household) at initial occupancy or to be added after initial occupancy, including live-in aides. If it is determined that the applicant or any other member of the applicant's household has falsified their information related to criminal activity, the application will be denied. An applicant can be rejected for any one (1) of the following:

- If an applicant or any member of the applicant's household is subject to a lifetime sex offender registration in any state. If a family member or other member of the household not the head of household is subject to such registration, the applicant will be given the opportunity to remove the ineligible member from the household. If the applicant is unwilling to remove that individual, the application will be denied.
- Conviction by a court of competent jurisdiction of any act that constitutes a clear and present threat of substantial harm to others or the dwelling itself.



- Conviction by a court of competent jurisdiction of the illegal manufacturing or distribution of a controlled substance as defined in federal law.
- Conviction by a court of competent jurisdiction of an alcohol or drug-related activity which constitutes a clear and present danger to others or the dwelling itself. If there is reasonable cause to believe that a household member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents, the applicant or application will be rejected. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.
- Classification by a court of competent jurisdiction as a sex offender.
- Record of any conviction, which involved injury to a person or property:
  - Misdemeanor – See Figure 1, Page 11
  - Felony – See Figure 1, Page 11
- Record of any conviction regarding substantial physical damage to the property of others – See Figure 1, Page 11
- Record of any conviction regarding the interference with the peaceful and quiet enjoyment of the premises – See Figure 1, Page 11
- Record of any conviction, which involved harm to a child – See Figure 1, Page 11
- Record of any conviction, which involved harm to an animal – See Figure 1, Page 11

An applicant reporting a current substance abuse related problem for which treatment is not being sought or currently engaging in illegal drug use for which treatment is not being sought will have his/her application rejected.

Based on a record of prior conviction(s), if there is reasonable cause to believe that a household member's illegal use or pattern of illegal use of a drug will interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents, the application will be rejected.

Any record that the applicant and/or member of the household has been convicted of the illegal manufacture or distribution of a controlled substance will be grounds for rejection of an application. Also, any record of conviction related to alcohol abuse, which manifests conduct that poses clear and present threat to the health or safety of other tenants or to the dwelling unit, will be grounds for rejection of an application.

Any application, including applications from a spouse or any person(s) over the age of 18 planning to move in with an existing household, may be rejected for any conviction(s) that reflect acts of violence, sexual offenses, or any other conduct, which establishes a pattern that poses a direct threat to the health or safety of other tenants, the dwelling itself, management, or to the community at large – See Figure 1. All applicant household members will be screened for criminal histories and national sexual offender registrations.

Any applicant with any record of eviction in the last ten (10) years from federally assisted housing for drug-related criminal activity will be rejected in accordance with federal regulations.

**Figure 1**

<b>Offenses</b>	<b>Felony (Years)</b>	<b>Misdemeanor (Years)</b>
1.) Arson	40	40
2.) Assault and/or Battery	20	5
3.) Burglary	40	10
4.) Crimes Against Animals	40	10
5.) Crimes against Children	40	10
6.) Destruction/Damage/Vandalism of Property	10	3
7.) Disturbance to Peace and Order	10	3
8.) Domestic Crimes	20	5
9.) Drug Possession	20	5
10.) Harassment	20	5
11.) Homicide	40	40
12.) Kidnapping	40	40
13.) Robbery	40	10
14.) Theft/Larceny	20	5
15.) Weapons	40	10
16.) Any Offense Not Listed	20	5

## **DISAPPROVED APPLICATIONS**

In the event an application is disapproved the Manager or designee shall notify the applicant in writing. Such writing shall clearly state the reason(s) why the application was disapproved. If an applicant is not satisfied with the notification, the grievance procedure requires that the applicant may, within fourteen (14) calendar days of the mailing date of the written notification, request a conference or the applicant may respond in writing. At the conference with the Regional Director, or in the applicant's written response, the applicant shall have the opportunity to explain or to demonstrate why the application should be approved. Before a final determination is made relative to any application, favorable changes may be considered relative to the family's behavior pattern, time lapse since an offense, and other extenuating circumstances in evaluating the information obtained during the screening process to assist in determining the acceptability of an applicant for tenancy. After the conference or review of the applicant's written response, if the explanation is accepted as satisfactory, the application shall be processed further. However, if the explanation is not deemed satisfactory, the applicant shall be notified in writing within five (5) calendar days of the conference or receipt of the applicant's written response. Again, such notice shall clearly state the reason(s) why the application was disapproved. After the conference or after review of the written response referred to above, no person or family member shall be entitled to any further review of the determination with respect to any application for occupancy. However, the applicant and/or family may seek redress through various federal, state, and/or local agencies or courts. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.

## WAITING LIST POLICY AND PROCEDURE

Upon receipt of the completed application, the owner/agent will make a preliminary eligibility determination before adding the household to the waiting list or initiating final eligibility tasks. This includes reviewing the application to ensure there are no obvious factors that would make the applicant ineligible. If a preliminary review indicates that a household appears eligible for tenancy, but units of an appropriate size are not available, the owner/agent will place the household on the waiting list. Applicants are placed on a waiting list in order of application date and time, and the owner/agent will notify the household when an appropriate unit becomes available. At this time, all eligibility and screening criteria will be reviewed before a final eligibility determination is made.

Applicants will be informed of the process to be placed on the Arlington County and Fairfax County waiting lists for a project based rental subsidy through the RAD or TPV programs. The rental subsidy through Arlington County or Fairfax County may not be available to the applicant upon move-in as the start of the rental subsidy is based on the applicant's position on the Counties' waiting list. In the event that the rental subsidy does not begin at the time of move-in, the applicant is expected to pay the LIHTC rental rate. If the applicant is unable to pay the LIHTC rental rate, the applicant may decline the apartment and remain in the same position on the Culpepper Garden waiting list until their rental subsidy program voucher is approved to begin.

Except as noted above, an applicant who refuses an apartment on the first offer will be dropped to the end of the waiting list. An applicant who refuses an apartment when offered for a second time, without good cause, will be removed from the waiting list. Good cause is defined as inability to pay the LIHTC rent without a rental subsidy, an accident, illness, or any other verifiable circumstance beyond the control of the applicant. In order to be placed back on the waiting list, a new application would have to be submitted and eligibility re-verified.

Current residents of CG1 Restoration LP, CG1 Restoration LPI, or CG1 Restoration LPII who have submitted a unit transfer request and who are in good standing and deemed eligible for the transfer are given preference on the waiting list. Management must give priority to current resident of CG1 Restoration LP, II, or III residing in a unit that has been determined uninhabitable due to flood, fire or other natural disaster or when a unit is designated for rehabilitation or repair.

Applicants that have been approved by Arlington County or Fairfax County for RAD or TPV subsidy, respectively, and that have been referred to Culpepper Garden, will be given preference on the waiting list. Applicants referred will be processed in the order they are received from Arlington County and/or Fairfax County by Culpepper Garden.

At the time a unit becomes available, the Owner/Agent will offer the unit based on the following:

- 1) Current CG1 Restoration LP, II, or III residents



- 2) Applicants that have been approved by Arlington County or Fairfax County for RAD or TPV subsidy, respectively, and that have been referred to Culpepper Garden unless there are no remaining project-based RAD or TPV subsidies to be utilized.
- 3) Applicants from the CG1 Restoration LP waiting list

It is the policy of the owner/agent to administer its waiting list as required by HUD and VH requirements. The owner/agent will update the waiting list annually, removing the names of those who are no longer interested in or no longer qualify for housing.

Applicants on the waiting list must contact the property every six months to state the applicant's desire to remain on the waiting list by:

- Phone at 703/528-0162 (Virginia Relay 1-800-828-1120)
- First class mail at 4435 N. Pershing Drive, Arlington VA 22203
- In person at 4435 N. Pershing Drive, Arlington VA 22203
- Email at [bellison@culpeppergarden.org](mailto:bellison@culpeppergarden.org)

If the applicant fails to contact the management office to indicate the desire to remain on the waiting list, the head of household, as indicated on the application, will be contacted by telephone or letter at least annually inquiring if the household wishes to remain on the waiting list. If a letter is sent, applicants will have ten (10) days from the date of the letter to respond. If the applicant fails to respond in ten (10) days, the applicant will be deemed ineligible and removed from the waiting list.

If this letter is unable to be delivered by the United States Postal Service, the applicant will be deemed ineligible and removed from the waiting list.

Once removed, in order for an applicant to be placed back on the waiting list, the applicant must contact the CG1 Restoration LP office to schedule an appointment to fill out a new application. CG1 Restoration LP will re-verify the applicant's eligibility. Once eligibility is established, the applicant's name will be placed at the end of the waiting list.

In addition, the applicant household must contact the property, in writing, if any information on the application changes (i.e. number of household members, number of future household members, criminal history, income, etc.).

If the household composition changes, the owner/agent will:

- update the waiting list information,
- decide whether the household needs the same or a different unit size, and
- determine if the applicant qualifies to remain on the wait list.

If, as a result of the household composition change, it is determined that the household will be on the waiting list for a different size unit than originally indicated, the household will be added to the bottom of the waiting list for the new unit size.



If, through subsequent interviews, management determines that the applicant household failed to update information provided on the application that would affect household composition, eligibility, preference, or unit size, the applicant household will be rejected and removed from the waiting list.

When a unit becomes available, management will contact the next three (3) households on the waiting list, and those households will be required to meet with management for an eligibility interview. If there is no response within 72 hours, the next applicant will be contacted. The interview shall be conducted in accordance with the HUD Handbook 4350.3 Rev. 1, Chg. 4. After the preliminary eligibility determination, no decisions to accept or reject applications shall be made until information presented by the applicant on the application has been verified.

When eligibility is determined, available units may be offered over the phone. If the owner/agent is unable to contact the household within 72 hours, the offer will be cancelled and the apartment will be offered to the next applicant based on the selection criteria described above.

If a household fails to take possession of the apartment within 72 hours of the agreed date and time, the applicant household will be rejected and removed from the waiting list, and the apartment will be offered to the next household on the waiting list. This includes unit transfers.

### **Opening/Closing of the Waiting List**

CG1 Restoration LP may close the waiting list by publishing its intent in a publication likely to be read by potential applicants (e.g. the local newspaper and/or other distributed publications). When the waiting list has diminished to a level that the owner wishes to resume accepting applications, its intent to reopen is published following the same procedures as those for closing the waiting list. During the period the waiting list is closed, the owner/agent will not maintain, and is not required to maintain, a list of individuals who wish to be notified when the waiting list is reopened.

## **OCCUPANCY POLICIES**

The House Rules for CG1 Restoration LP contain occupancy and residency policies. House Rules are an attachment to the lease and may be changed by action of the Board of Directors/Owner in compliance with applicable rules and regulations. Owner/agents must give residents written notice 30 days prior to implementing new house rules. Several important occupancy policies are outlined below:

### **Smoke Free Housing**

- Smoking or use of lighted tobacco products is permitted in designated outdoor areas.
- Smoking or use of tobacco products is not permitted in individual apartments, patios, balconies, or any other indoor or outdoor area not designated.



- Smoking is not permitted where oxygen is in use or where oxygen is stored.
- Smoking shall include the inhaling, exhaling, or carrying of any lighted cigarette, e-cigarette, cigar, pipe, other tobacco products, marijuana including medical marijuana, herbal smoking products, or other legal or illegal substances.
- This policy applies to all applicants, residents, guests, staff, and servicepersons.

### **Unit Inspections**

All apartments must undergo a move-in and move-out inspection by Management. These inspections include interior inspections. There will also be semi-annual inspections, and from time to time, HUD, VH and/or the Contract Administrators will conduct an inspection.

Apartments must be decent, safe and sanitary. The following housing quality standards will be noted at inspection: evidence of insect infestation; excessive clutter; excessive trash; appearance of water or other clues that signal unsanitary or unsafe conditions; damages to the equipment or apartment other than normal wear and tear. Residents are expected to maintain clean apartments and appliances. Failure to maintain a decent, safe and sanitary apartment is a violation of the lease.

### **Apartment Transfers**

Current residents can be considered for a unit transfer when a change in family size or family composition occurs or the physician certifies a disability requiring a unit with special accessibility features. Once approved for a unit transfer, the resident is placed on the waiting list and will be given priority over non-resident applicants for the appropriate size/type unit on the waiting list.

Once a household is placed in the unit size/type requested, the applicant will not be approved to move to another size/type unit unless there is:

- a change in household size and/or composition that renders the current unit size too small or too large for the household based on the Occupancy Standards,
- a need for a different unit because of a verified medical condition,
- a need for a different unit because of a verified requirement for an accessible unit,
- a need to move to a non-accessible unit because the accessibility features in the current unit are no longer required by the household, or
- a need for the owner/agent to move a resident in an accessible unit who does not require the accessible unit features in order to accommodate a resident who requires the accessible features, or
- a request to move one or more adult members from one unit to establish a separate household in another unit.

The resident is obligated to pay all costs associated with the unit transfer unless the resident is transferred as a reasonable accommodation to a household member's disability or unless a move from an accessible unit to a non-accessible unit is required to accommodate a resident needing the accessibility features of an accessible unit. In these cases, the owner must pay the

costs associated with the transfer unless doing so would be an undue financial and administrative burden.

### **Live-in Aides**

If the resident plans to include a live-in aide, the resident must notify Management prior to moving the Live-in Aide into the unit. Children of Live-in Aides are not permitted to occupy the unit. Live-in aides must complete the Live-In Aide documentation and participate in screening and other verifications, as required.

### **Guest Policy**

Residents may house invited guests on a temporary basis. However, any one guest shall not be housed for a period exceeding fourteen (14) days in a 12 month period.

### **Late Charges**

Rent is due on the first day of the month, not to be paid after the fifth day of the month. If the rent is received by Management after the fifth day of the month, a late fee will be assessed. Postmarks will not be considered.

### **Form of Payment**

No cash is accepted. Residents may pay with a personal check or guaranteed funds (i.e. money order, cashier's check, bank check). If the resident's check is returned for insufficient funds, Management can require all future payments be made with guaranteed funds as described above. Management will charge a fee on the second occurrence of insufficient funds and each additional time thereafter. The fee will not exceed the actual charge imposed by Management's banking institution.

### **Security Deposits**

At the time of move-in, residents are required to pay a security deposit equal to one month's rent. The amount of the security deposit established at move-in does not change when a resident's rent changes.

An applicant will be rejected if he/she does not have sufficient funds to pay the deposit. Owner/agent requires security deposits to be paid in full, prior to move-in. If unable to pay in full, the owner/agent may accept payment of security deposits in three (3) monthly installments as agreed upon by the owner/agent and the applicant. Any default in such payments will result in termination of the application and/or lease agreement.

The pet rules may require residents to pay a refundable pet deposit but applies only to those residents who own or keep pets in their units. This deposit is in addition to any additional financial obligation generally imposed on residents of the property.

No pet deposit will be required for Service Animals. Written certification stating eligibility and the need for a Service Animal as stated in HUD Handbook 4350.3, Rev. 1, Chg. 4, is required.





All security deposit funds will be placed in a segregated interest-bearing account by Management. The interest rate may vary. Security deposits are refundable; however, there are circumstances which may prohibit a full or partial refund:

- The tenant must provide Management with a forwarding address
- Management may use the security deposit as payment for any unpaid rent or other amounts the resident may owe under the lease
- Within 30 days after the move-out date, Management will provide the resident with a detailed list of the total deposit on record with accrued interest; less (as applicable) any unpaid rent and other amounts owed under the lease and less damages to the unit above normal wear and tear. If the security deposit is insufficient to pay amounts owed in full, the resident is responsible for paying the outstanding balance.

If a disagreement with regards to the security deposit refund occurs, the resident has the right to discuss this with Management in an informal hearing. Persons with disabilities may request a reasonable accommodation in order to participate in the hearing.

## **FALSE INFORMATION**

False information given on the application is, in itself, grounds for refusal of the application or termination of tenancy.

Any application, including applications from a spouse or any person(s) over the age of 18 planning to move in with an existing household, may be rejected for any willful misrepresentation by the applicant in the application procedure for the apartment.

Any information provided by the applicant that verification proves to be false, inaccurate, misleading, incomplete, or in any way untrue may be used to disqualify the applicant for admission on the basis of alleged fraud and/or misrepresentation.

The owner/agent considers false information about the following to be grounds for rejecting an applicant:

- Income, assets, household composition
- Age
- Citizenship, naturalization and/or eligible immigration status
- Student Status
- Criminal History
- Sexual Offender Status
- Landlord History

Unintentional errors that do not cause preferential treatment will not be used as a basis to reject applicants.



## **CHANGES TO RESIDENT SELECTION PLAN**

VH prior consent is required to revise the Resident Selection Plan. Once VH approval is received, notification of significant changes to the Resident Selection Plan will be mailed to all applicants on the waiting list in the event it is necessary for changes to be made.

Accompanying this notice will be a copy of the new criteria. Copies of the new plan will be posted in the Rental Office for inspection by all interested parties.

## **SECTION 504 OF THE REHABILITATION ACT OF 1973 AS AMENDED FOR AFFORDABLE HOUSING**

As receivers of federal financial assistance, management must comply with the Section 504 requirements.

The owner/agent will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunities for all. In accordance with Section 504, the owner/agent will make reasonable accommodations or modifications for individuals with handicaps or disabilities (applicants or residents).

In order for management's housing programs to be accessible to persons with hearing and speech impairments, staff must post in the Rental Office and distribute the Virginia Relay Service telephone numbers.

If an applicant for, or a resident of, housing believes that he/she has been subjected to discrimination prohibited by the 504 Regulations, the Fair Housing Amendments Act of 1988, the Title VIII of the Civil Rights Acts of 1968, or the Virginia Fair Housing Law, he/she may file a complaint in accordance with the procedures of the Department of Housing & Urban Development and/or the Virginia Fair Housing Office (when applicable). Housing Discrimination Complaint Form, HUD Form 903.1, is to be available at the Rental Office, as well as Virginia Fair Housing complaint forms. In addition to the formal complaint resolution process available through the Virginia Fair Housing Office, management has adopted an informal grievance procedure as follows:

If an applicant or a current resident has the need for the features of an accessible unit, the applicant or resident must complete a consent form to obtain physician verification of the need for the features of the mobility impaired unit pursuant to HUD Handbook 4350.3, Rev. 1, Chg. 4, definition of disability.

Reasonable accommodations for current residents in rules, policies, practices, or services may be requested from the Manager.

In the event that a request for accessibility, adaptability, or alteration is denied, the individual



or family shall be notified in writing. Such notice shall clearly state the reasons why the application and/or request for accessibility, adaptability, or alteration were denied. If the individual or family is not satisfied with notification, within fourteen (14) calendar days of the mailing date, a conference may be requested. At the conference, the individual or family shall have the opportunity to explain or demonstrate why the application and/or request for accessibility, adaptability, or alteration should be approved. After the conference, the application and/or request for accessibility, adaptability, or alteration will be reconsidered. After reconsideration, the applicant or resident will be notified in writing of management's decision. Again, such notice shall clearly state the reason(s) why the application and/or request were denied. After the conference, no person or family member shall be entitled to any further review of the determination with respect to any application for occupancy and/or request for accessibility, adaptability, or alteration with management. The individual and/or family, however, may seek redress through various Federal, State, and local agencies or courts.

The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the HUD regulations implementing Section 504:

PROPERTY:	CG1 Restoration LP
CONTACT:	Becky Ellison
ADDRESS:	4435 N. Pershing Drive, Arlington VA 22203
PHONE:	703/528-0162 (Virginia Relay 1-800-828-1120)
FAX:	703/524-3671
E-mail:	bellison@culpeppergarden.org

## **ELIGIBILITY OF STUDENTS**

Management must determine a student's eligibility for the LIHTC program at move-in and annual recertification. Applicants will be required to provide proof of student status for any and all members of the household claiming to be a student. If all members of the household are verified as full-time students, the household will be ineligible unless one or more of the following exclusions apply:

- Students are married and entitled to file a joint tax return (marriage certificate and/or tax return must be attached)
- At least one student is receiving Temporary Assistance to Needy Families (TANF)
- At least one student is participating in a program receiving assistance under the Job Training Partnership Act, Workforce Investment Act, or under other similar federal, state, or local program.
- Household consists of at least one student who was previously under foster care.
- At least one student is a single parent with child(ren) and this parent is not a dependent on someone else and the child(ren) is/are not dependent(s) of someone other than parent.

Full-time student households that are income eligible and satisfy one or more of the above conditions are considered eligible. If any household is comprised of all full time students and



answered “no” to all of the above conditions or verification does not support the exception indicated, the household is considered ineligible and will not qualify for residency.

## **COMPLIANCE WITH REQUIREMENTS OUTLINED IN THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013**

The Owner/agent understands that, regardless of whether state or local laws protect victims of violence, dating violence, sexual assault, or stalking, people who have been victims of violence have certain protections provided through the Violence Against Women Reauthorization Act of 2013 (VAWA). If any applicant wishes to exercise the protections provided in VAWA, he/she must contact the owner/agent immediately and the applicant must specify that he/she wishes to exercise these protections. The owner/agent is committed to ensuring that the Privacy Act is enforced in this and all other situations.

### **Certification and Confidentiality**

When the owner/agent responds to a claim of protected status under VAWA, the owner/agent will request, in writing if appropriate, that the individual document the occurrence of domestic violence, dating violence, sexual assault, or stalking. The individual claiming rights under VAWA must certify their status as a victim and must provide information to verify his/her status as a victim using HUD Form 91066.

If the applicant received or attempted to receive assistance in addressing domestic violence, dating violence, sexual assault or stalking from a federal, state, tribal, territorial jurisdiction, local police or court, the applicant may submit written proof of this outreach in lieu of HUD form 91066. The applicant will have 14 days to submit the documentation.

The owner/agent will carefully evaluate abuse claims to avoid conducting an eviction based on false or unsubstantiated accusations.

The identity of the victim and all information provided to the owner/agent relating to the incident(s) of abuse covered under VAWA will be retained in confidence. Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is requested or consented to by the victim in writing, required for use in an eviction proceeding or termination of assistance, or otherwise required by applicable law. The owner/agent will retain all documentation relating to an individual’s domestic violence, rape, dating violence, sexual assault, or stalking in a separate secure location from other applicant/tenant files.

The owner/agent is required to attach the HUD-approved Lease Addendum, From HUD 91067, which includes the VAWA provisions, to each existing or new lease.

## LIMITED ENGLISH PROFICIENCY

Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP) requires the owner/agent to develop and implement a system to provide housing assistance so persons with LEP can have meaningful access to assisted housing opportunities. The owner/agent will provide for such meaningful access consistent with, and without unduly burdening the fundamental mission of the property.

