

Resident Selection Plan

Culpepper Garden II

RESIDENT SELECTION PLAN

August 2021



PROPERTY INFORMATION

Property Name	Culpepper Garden II
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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) requirements and established management policies. Please call the Rental Office if you need help understanding this document.

Culpepper Garden II is funded under Section 223f, and the admissions policy for the project is in accordance with the Department of Housing and Urban Development (HUD) policy with regard to application eligibility and admissions (**4350.3 Rev. 1, Change 4**).

ELIGIBLE POPULATION

Culpepper Garden II was designed to meet the needs of the elderly, age 62 or older, including some units specially constructed to be accessible to people with physical handicaps. In order to be eligible for housing at this property, head of household or spouse must be 62 years of age or older or be applying for a unit specially constructed to be accessible to people with physical handicaps (i.e., wheelchair turning radius, and wheelchair accessible bathroom and kitchen). Verification of age, citizenship status, and/or physician certification of disability is required to determine eligibility.

An applicant can be rejected for any one (1) of the following:

- Applicant does not meet the Department of Housing and Urban Development's 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," and is not applying for a unit specially constructed to be accessible to people with physical handicaps.
- Physician's certification reports an applicant is: (1) not handicapped or disabled pursuant to HUD definition as outlined in HUD 4350.3 Rev. 1, Change 4 or (2) does not require a unit specially constructed to be accessible for persons with physical handicaps.



APPLYING FOR HOUSING

Applications may be received by mail or in person in the rental office 9:00am-3:00pm Monday through Friday. Culpepper Garden II shall accommodate persons with disabilities who, as a result of their disabilities, cannot mail nor deliver their application in person. Culpepper Garden II evaluates all applications to determine eligibility for residency.

Based on federal regulations, the owner/agent may not admit ineligible applicants. In the selection of applicants for admission, Eligibility Criteria has been established in accordance with HUD 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 the U.S. Department of Housing & Urban Development, or by applicable federal and state laws and any rules, regulations, and requirements promulgated there under. This includes verification of income for purposes of determining eligibility for the applicable subsidy program.

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/agent must deny assistance and 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/agent 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. 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, Culpepper Garden II 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

The Owner and Management complies with Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act of 1988, Title VI of the Civil Rights Act of 1964 and other federal and state laws and do not discriminate on the basis of race, color, religion, national origin, sex, elderliness, familial status, disability, source of funds, sexual orientation, gender identity, and veteran status. Residents are expected to do likewise in their dealings with other residents, staff, and visitors. Residents also agree not to behave in any manner that creates a hostile, intimidating, or offensive environment for other residents, staff, and visitors. Residents agree to treat other residents, staff, and visitors with civility and courtesy.

Management will not:

- Refuse to rent or negotiate for rental of a dwelling on the basis of race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, elderliness, marital status, or national origin.
- 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, marital status, 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 Culpepper Garden II to provide decent, safe, and sanitary housing to all residents. In order to provide said housing, occupancy standards have been established. Two (2) persons per bedroom are allowed in the apartment unless State and/or local building codes and/or occupancy guidelines provide otherwise, or unless certain structural housing limitations exist (for example, the capacity of septic, sewer, or other such building systems dictate a limitation on the number of occupants), or 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>
1 Bedroom	1 person	2 persons

PROGRAM ELIGIBILITY REQUIREMENTS

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

Area Income Limits

Income limits must be used, as this is a federal requirement for the subsidy supplied to residents of Culpepper Garden II through the Department of Housing & Urban Development. The family income at admission must not exceed the following limit set by HUD per family size upon admission:

Very Low-Income Limit

Eligibility Income must not exceed the “Low Income” limit after move-in or full market rent must be paid.

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 U.S. Citizenship and Immigration Services (USCIS). 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.



Income Verification, EIV, Dual Subsidy

The Enterprise Income Verification (EIV) System provides information about HUD assistance recipients. This system verifies certain types of reported income with records maintained in the Social Security Administration databases and the Department of Health and Human Service (HHS) National Database of new hires. SS and SSI provide entitlement income information. HHS provides information about current and past employment and unemployment insurance information.

After an applicant family becomes a resident family of the apartment community, HUD is required to compare family-reported income with family income reported by other federal agencies. Differences in income will be noted in a letter to the family from HUD. The family must promptly meet with management to discuss the report differences and correct existing and future recertification of family income as necessary.

The **Existing Tenant Search** report will be run from the EIV system for every applicant and applicant household member prior to initial move in to determine if the applicant or any applicant household members are currently receiving subsidy at another location. **Applicants with a voucher will not be accepted unless the applicant agrees to give up the voucher prior to occupancy.**

The **“Multiple Subsidy Report”** will be run quarterly to ensure no residents are being assisted at another location.

At move-in and each annual certification, all adult household members will give consent to the release of this information by signing HUD forms 9887 and 9887A. Refusal to sign the forms means that the family will be denied participation in the assistance program. Each adult household member 18 and over must sign the forms regardless of whether or not he/she has income. When a member of the household turns 18, he/she is required to notify management within 30 days of the birthday and sign the 9887 and 9887A at that time.

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 is the regulation at 24 CFR 5.216 permitting 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, and 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

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 its 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 provides 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) history of having “skipped” from previous housing.
- Any one (1) eviction from previous housing.
- Any four (4) repeated late payments of rent 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 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) foreclosure of real estate.
- Any one (1) repossession of material or personal property.
- Any one (1) debt collection

An application can be rejected if a pattern of delinquency exists, meaning, an applicant has three (3) current obligations (single account credit) which is three (3) months or more delinquent and not satisfied. 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.

The absence of a credit file shall not adversely affect the applicant. 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 current delinquent obligations, 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:

- Classification by a court of competent jurisdiction as a sex offender. Or, 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, may interfere with the health, safety, and right to peaceful enjoyment by other residents, the applicant or application may be rejected. The screening standards must be based on behavior, not the condition substance abuse.
- Record of any conviction, which involved injury to a person or property:
 - Misdemeanor – See Figure 1
 - Felony – See Figure 1
- Record of any conviction regarding substantial physical damage to the property of others – See Figure 1.
- Record of any conviction regarding the interference with the peaceful and quiet enjoyment of the premises – See Figure 1.
- Record of any conviction, which involved harm to a child – See Figure 1.
- Record of any conviction, which involved harm to an animal – See Figure 1.

An applicant reporting a current substance abuse related problem for which treatment is not being may have his/her application rejected.

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, will be grounds for rejection of an application – See Figure 1. All applicant household members will be screened for criminal histories and National sexual offender lists.

Any applicant with any record of eviction in the last three (3) years from federally assisted housing for drug-related criminal activity will be rejected in accordance with federal regulations.

Figure 1

Offenses	Felony (Years)	Misdemeanor (Years)
1.) Arson	40	10
2.) Assault and/or Battery	10	5
3.) Burglary	40	10
4.) Crimes Against Animals	15	5
5.) Crimes Against Children	40	10
6.) Destruction/Damage/Vandalism of Property	7	3
7.) Disturbance to Peace and Order	5	2
8.) Domestic Crimes	10	5
9.) Drug Possession	10	5
10.) Harassment	20	5
11.) Homicide	40	40
12.) Kidnapping	40	40
13.) Robbery (Armed)	40	10
14.) Theft/Larceny/Forgery	10	5
15.) Weapons	10	5

Repeated violations of any offense will result in the time period (either felony or misdemeanor) being multiplied by the number of convictions.

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 notification, our grievance procedure requires that the applicant may, within fourteen (14) calendar days of the mailing date, request a conference or the applicant may respond in writing. At the conference with the Regional Director, or in such writing, the applicant shall have the opportunity to explain or to demonstrate why the application should be approved. Before 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 writing, 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 to that effect 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

Once eligibility has been established, applicants are placed on a waiting list in order of application date, time, and income level. In order to be in compliance with HUD regulations, which state "the owner must lease not less than 40% of the dwelling units that become available for occupancy in any project fiscal year to extremely low income families," apartments will be filled on the following alternating basis. An applicant who falls within the "Extremely Low Income" level will be offered an apartment first. The next available apartment will be offered to an applicant who falls within the "Very Low Income" level. As subsequent apartments are available, selection continues to alternate.

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 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 verified.

It is the policy of the owner/agent to administer its waiting list as required by HUD handbooks and regulations. 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 Partner) ---  Dial 7-1-1
- 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

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 Culpepper Garden II office to schedule an appointment to fill out a new application. Culpepper Garden II 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

Culpepper Garden II 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.

OCCUPANCY POLICIES

House Rules

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

Smoking

- Residents, their family members, invitees, guests, are **NOT ALLOWED** to smoke in their apartment or anywhere in or on the property, except in the outside designated smoking area approved by Management.
- Smoking is not permitted where oxygen is in use or where oxygen is stored.
- Smoking or use of any tobacco product is prohibited in all common areas of the building, including but not limited to hallways, stairways, foyers, common rooms, decks, patios, entrance ways, roof top, storage areas, parking lot.
- 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.

Annual and Interim Recertifications

To ensure that assisted tenants pay rents commensurate with their ability to pay, HUD requires that owners/agents conduct a recertification of family income and composition at least annually. Owners/agents must then re-compute the tenants' rents and assistance payments, if applicable, based on the information gathered. Tenants must supply information requested by the owner or HUD for use in a regularly scheduled recertification of family income and composition in accordance with HUD requirements. The property will use Streamlining to conduct all Annual Recertifications and Interim Recertifications. The HUD Streamlining Final Rule provides for a streamlined income determination (verification) for any fixed source of income and fixed income families. In Year one traditional verification will be required. In Years two and three, streamlined verification is completed per HUD guidelines on streamlined verification of assets and income. At the annual recertification, a state lifetime sex offender registration using the Dru Sjodin National Sex Offender Database will be performed on each member of the household 18 years of age or older.

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 and/or the Contract Administrator 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 accessibility. 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. VAWA Emergency Transfer requests are placed at the top of the waiting list, in chronological order as received.

Once a household is placed in the unit size requested, applicant will not be approved to move to another size 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 request to move one or more adult members from one unit to establish a separate household in another unit, or

The resident is obligated to pay all costs associated with the unit transfer unless the resident is transferred as a reasonable accommodation due 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.

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.

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

The owner/agent must collect a security deposit at the time of the initial lease execution. 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 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 of 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 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; 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 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 based on 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
- 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

Notification of significant changes to our 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 plan.

Copies of the new Resident Selection 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. Section 504 covers properties subsidized by HUD under the following programs: Section 236, Section 221(d)(3), BMIR, Project Based Section 8, Section 202, Section 8 New Construction, Substantial Rehabilitation, State Agency Set-Aside, Rent Supplement, Rental Assistance Program, Rural Development Set-Aside, Moderate Rehabilitation, Loan Management Set-Aside, and Property Disposition Set-Aside.

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. This dual-party relay service is an equally effective communication alternative to the TDD.



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 to 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 the conference, 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. Pursuant to Section 8.53 and 8.54 of Section 504 Rehabilitation Act of 1973, management designates the facility manager as the responsible employee to coordinate management's compliance with this law.

The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in HUD regulations implementing Section 504 (24CFR, parts dated June 2, 1998):

Property:	Culpepper Garden II
CONTACT:	Paul Timpane, Director of Property Operations
ADDRESS:	4435 N. Pershing Drive, Arlington, VA 22203
PHONE:	703-528-0162
FAX:	703/524-3671
e-mail:	ptimpane@culpeppergarden.org



ELIGIBILITY OF STUDENTS ENROLLED IN AN INSTITUTE OF HIGHER EDUCATION APPLYING FOR ASSISTANCE UNDER THE SECTION 8 PROGRAM

A student who is enrolled as either a part time or full time student at an institute of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential will be eligible for assistance if the student meets all other eligibility requirements, meets screening criteria requirements and:

- Is living with his or her parents/guardian or;
- Is at least 24 years old or;
- Is married or;
- Is a veteran of the Armed Forces of the United States or is currently serving on active duty in the Armed Forces for other than training purposes or;
- Has legal dependents other than a spouse or;
- Is a person with disabilities who was receiving Section 8 assistance as of November 20, 2005 or;
- Is a graduate or professional student or;
- Is an independent student, defined as:
 - a) The individual is 24 years of age or older by December 31 of the award year;
 - b) The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care or a ward of the court at any time when the individual was 13 years of age or older;
 - c) The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's state of legal residence.
- Or, is classified as a Vulnerable Youth. A student meets HUD's definition of vulnerable youth when:
 - i) The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in Section 725 of the McKinney-Vento Homeless Assistance Act), or as unaccompanied, at risk of homelessness and self-supporting, by;
 - ii) A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act;
 - iii) The director of a program funded under the Runaway and Homeless Youth Act or designee of the director;
 - iv) The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act or a designee of the director or
 - v) A financial aid administrator.
- Or, the individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances or;
- Has parents who are income eligible for the Section 8 program.



Any financial assistance a student receives under the Higher Education Act of 1965, from private sources, or from an institution of higher education that is in excess of amounts received for tuition and other fees is included in annual income, except:

1. If the student is over the age of 23 with dependent children or
2. If the student is living with his or her parents who are receiving Section 8 assistance

Financial assistance that is provided by persons not living in the unit is not part of annual income if the student meets the Department of Education's definition of "vulnerable youth"

COMPLIANCE WITH REQUIREMENTS OUTLINED IN THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA)

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.

1. The Landlord may not consider incidents of domestic violence, dating violence, stalking, or sexual assault 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.
2. 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.
3. 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-5382, 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 other supporting documentation within the specified timeframe may result in eviction.
4. VAWA 2013 provides that existing residents in HUD covered programs receive HUD's Notice of Occupancy Rights and accompanying certification form no later than one year after this rule takes effect.
5. Owners/ agents must provide the Notification of Occupancy Rights and Certification to: Applicants when assistance is being denied; any notification of eviction or termination of assistance; or at the time the new household moves into the property.



6. Victims of sexual assault may qualify for an emergency transfer if they either reasonably believe there is a threat of imminent harm from further violence if they remain in their dwelling unit, or the sexual assault occurred on the premises during the 90-calendar day period preceding the date of the request for transfer.

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.

