

Osawatomi Court Apartments, LLC
Tenant Selection Plan
Revisions Dated May 29, 2009

Osawatomi Court Apartments, LLC will serve elderly families as defined in Definition B of Figure 3-6 of the HUD Occupancy Handbook as stated below:

Definition B – Elderly Family. [24 CFR 891.505] Elderly families are:

Families of two or more persons, the head of which (or his or her spouse) is 62 years of age or older;

The surviving member or members of a family described in paragraph (1) living in a unit assisted under subpart E of this part (Section 202 loans) with the now deceased member of the family at the time of his or her death;

A single person who is 62 years of age or older; or

Two or more elderly persons living together or one or more such persons living with another person who is determined by HUD, based upon a licensed physician's certificate provided by the family, to be essential to their care or well-being.

Student Eligibility on page 4 shall be amended to add: Section 8 assistance shall not be provided to any individual who: is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437 a(b)(3)(E) and was not receiving Section 8 assistance as of November 30, 2005).

The Department of Education has expanded its definition of an independent student to include orphans, children in foster care, or who were wards of the court at anytime from age 13 on; Students who are or were emancipated or in legal guardianship immediately prior to turning 18; and Unaccompanied youths who are homeless or at risk of homelessness. (Revised 3/2021)

Item 2: Page 4. Is amended and revised to read: To meet the objective of renting not less than 40% of the units to households with incomes at or below 30% of median for their household size, any extremely low-income is less than 40% of all admissions in the fiscal year.

Osawatomet Court Apartments, LLC

Tenant Selection Plan

Revisions Dated January 1, 2011

This revision amends and replaces any and all provisions of previous Tenant Selection Plans that are in conflict therewith.

Citizenship Requirements: All Persons selected will comply with HUD'S restrictions on "alien status." Eligible persons will be either U.S. Citizens or non-citizens with "eligible immigrations status."

A mixed family – a family with one or more ineligible family members and one or more eligible family members – may receive prorated assistance, continued assistance, or a temporary deferral of termination of assistance.

(Revised 3/2021)

Social Security Numbers: Applicants must disclose and provide acceptable HUD verification of complete and accurate Social Security Numbers. This includes all members of a household with the following exceptions. 1). Individuals who do not contend eligible immigration status. 2). Individuals age 62 or older who as of January 31, 2010, had provided a Social Security Number previously for initial eligibility into section 8 housing. The timeframe for providing the SSN information for applicants is upon application or no later than 90 days from first offer of an available unit.

Screening Criteria: Osawatomet Court Apartments, LLC is required by HUD to complete and Existing Tenant Search through HUD'S (Enterprise Income Verification System) EIV system. This search will indicate if an applicant is already receiving a rent subsidy at another location. This report will assist the applicant and OCA in scheduling and appropriate move-in date (if the applicant is approved for occupancy). An individual is only allowed to receive HUD rental subsidy in one location/apartment at a time. Special consideration applies to some dependents where members of two household share 50% custody. It is always important to fully disclose rental history for 5 years for all individuals listed on the application. Misrepresentation may lead to the applicant being denied.

"All Applicants MUST disclose if they are currently receiving HUD housing assistance. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit.

HUD provides the owner/agent with information about an applicant's current status as a HUD housing assistance recipient. The owner/agent will use the Existing Tenant Report provided via HUD's Enterprise Income Verification System (EIV) to determine if the applicant or any member of the applicant household is currently receiving HUD assistance.

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

- 1) Minor children in joint custody arrangements*
- 2) Recipients of HUD assistance in another unit who are moving to establish a new household when other family/household members will remain in the original unit*

If the applicant or any member of the applicant household fails to fully and accurately disclose rental history, the application may be denied based on the applicant's "misrepresentation" of information.

This information will be reviewed periodically based on HUD's instruction and this owner/agent's EIV policy. If any household member receives or attempts to receive assistance in another HUD assisted unit while receiving assistance on this property, the household member will be required to reimburse HUD for assistance paid in error. This is considered a material lease violation and may result in penalties up to and including eviction and pursuit of fraud charges."

Disclosure of Social Security Numbers

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. 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, a 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 eligibility date is based on the initial effective date of the form HUD-50059 or form HUD-50058, whichever is applicable.
 - Documentation that verifies the applicant's exemption status must be obtained from the owner of the property where the initial determination of eligibility was determined prior to January 31, 2010. This documentation must be retained in the resident file. An owner/agent cannot accept a certification from the applicant stating they qualify for the exemption.
 - The exception status for these individuals is retained if the individual moves to a new assisted unit under any HUD assisted program or if there is a break in his or her participation in a HUD assisted program.

Secondary Verification of the Social Security Number (Optional)

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.

526 Main: P.O. Box 310
Osawatomie, KS 66064

Telephone (913) 755-4169
Fax# (913) 755-4911

Osawatomie Court Apartments
Administrative Offices

ADDENDUM TO TENANT SELECTION PLAN – 1/2013

Resident Unit Transfer Policy

We will transfer tenants to different units as a reasonable accommodation to a household member's disability. For example, a tenant with a physical disability might need a transfer to an accessible unit or a unit on the ground floor.

Unit transfers for a medical reason should be certified by a doctor (for example to the ground floor) and a doctor should also confirm the need for a unit transfer based on medical need for an accessible unit.

Transfers which are needed as a reasonable accommodation will be made on a medical priority basis where applicable and by date of request when there is no medical priority basis.

"VIOLENCE AGAINST WOMEN ACT" PROTECTION

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

We will 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 abuse.

We will provide tenants the option to complete the Certification of Domestic Violence, Dating Violence or Stalking, form HUD-91066. This certification form will be available to all eligible families at the time they make application, their admission, in the event of termination or at the start of eviction proceedings. This form should be completed, signed and returned within fourteen (14) business days.

Alternately, in lieu of this certification form or in addition to it: We will accept: (1) a federal, state, tribal, territorial or local police record or court record, or (2) documentation signed by an employee, agent, volunteer or a victim service provider, an attorney or medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence, or stalking or the effects of the abuse certified under penalty of law by the professional.

The identity of the victim and all information provided to us relating to the incidents will be retained in confidence and will not be entered into any shared database or provided to a related entity except to the extent that disclosure is: (1) requested or consented to by the individual in writing, (2) required for use in an eviction proceeding; or (3) otherwise required by applicable law.

We will retain all documentation relating to an individual's domestic violence, dating violence or stalking in a separate file that is kept in a separate secure location from other tenant files.

We will assist victims in making internal and/or external unit transfers when possible. The transfer will be to a safe unit as determined by the tenant. We adopt the Emergency Transfer Plan as outlined and directed in HUD-5381