# Tenant Selection Plans (TSP)

Presented by



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#### Rules of Webinar:

- 1. Feel free to ask questions as we go, or wait until the "Questions?" slides.
- 2. Never implement changes to policies or procedures without running the changes through your corporate ladder.
- 3. Your PBCA may have specific requirements for each topic. Be sure to incorporate those requirements.
- 4. Your Tax Credit Monitoring agency may have topics you must include in your TSP NOT covered by HUD. Be sure to include those

# Disclaimer

Always Consult your attorney to ensure your TSP (and changes made to your tsp) meets your Local/state/federal/fair housing law, etc.

I am not an attorney. I will not stand next to you in court. I will not post your bail. I will not call your family to post your bail. I will not pay your fines/penalties/restitution.

Tenant Selection Plans – TSP	
These topics are required for Properties covered by the Regulations of HUD handbook 4350.3 REV-1, CHG	
4: Project-based Section 8	
236	
202 PAC	
202/811 PRAC	
221(d)(3)BMIR	
*For full list, see page 1-2, Figure 1-1	
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Tenant Selection Plans – TSP	
These topics provide great ideas for	
RD	-
номе	
LIHTC	-
TCAP	
Credit Exchange	-
Required Elements	
Project Eligibility Requirements	
• Income Limits	
Procedures for Accepting Applications and Selecting from the Waiting List	
Occupancy Standards	
Unit Transfer Policies	
<ul> <li>Policies to Comply with Section 504, Fair Housing Act, and Civil Rights Laws</li> </ul>	
Policies for Opening and Closing the Waiting List	
• Eligibility of Students	
Violence Against Women Act	
HUD Handbook 4350.3 Paragraph 4-4 Figure 4-2	

Project Eligibility Requirements	
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Project Eligibility Requirements	
<ul> <li>Project Specific requirements:</li> <li>If the property is designed for a special population.</li> </ul>	
<ul> <li>Citizenship/immigration Status requirements:</li> <li>How the requirements are implemented, and verification policies</li> </ul>	
<ul> <li>Social Security Number Requirements:</li> <li>Provisions for supplying the information</li> </ul>	
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Project Eligibility Requirements	
<ul><li>Project Specific requirements:</li><li>If the property is designed for a special</li></ul>	
population.  The plan should state if the property is	
designated as: Elderly Elderly/Disabled	
Disabled Disabled Specific	
Family	

- Project Specific requirements:
  - The plan should define what the term means:

Figure 3 – 5 on page 3-46 (4350.3)

Elderly

Elderly/Disabled\*

Disabled\*

Disabled Specific\*

Glossary

Family\*

\*Should also state the applicants must be at least legal age to sign a contract (18 yrs old).

# Project Eligibility Requirements

- Project Specific requirements:
  - If the property receives an age waiver from HUD, the property must update the TSP.
    - The plan should state the age the Head, co-head, or spouse must be in order to qualify under the waiver.

HUD Handbook 4350.3 Paragraph 3-18 B. 5 Pg. 3-61

#### **Project Eligibility Requirements**

- Project Specific requirements:
  - For 202/8 Elderly/Disabled Properties:
    - The plan should state the non-elderly applicants must be disabled (and meet the definition of disabled for the property.)
    - The non-elderly disabled applicants are only eligible to reside in units with accessible features.
    - The plan should state that non-elderly disabled persons must need the features of the accessible unit.

HUD Handbook 4350.3 Paragraph 3-20 B Pg. 3-63

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- Citizenship/immigration Status requirements:
  - The plan should state that "Assistance in subsidized housing is restricted to the following:
    - a. U.S. citizens or nationals; and
    - b. Noncitizens who have eligible immigration status."

HUD Handbook 4350.3 Paragraph 3-12 Pg. 3-27 details applicability

#### **Project Eligibility Requirements**

- Citizenship/immigration Status requirements:
  - The plan should state that U.S. Citizens must sign a Declaration of Citizenship form.
    - Owners may require submission of a U.S. Passport or birth certificate.
  - The plan should state that noncitizens 62 years and older must sign a declaration of eligible noncitizen status and provide proof of age.

HUD Handbook 4350.3 Paragraph 3-12, I

# Project Eligibility Requirements

- Citizenship/immigration Status requirements:
  - The plan should state that noncitizens under the age of 62 claiming eligible status must
    - Sign a declaration of eligible immigration status;
    - Sign a consent form; and
    - Provide one of the DHS-Approved documents in Figure 3 4 (4350.3) page 3-29

HUD Handbook 4350.3 Paragraph 3-12, I

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Project Eligibility Requirements	
<ul> <li>Citizenship/immigration Status requirements:</li> <li>At least 1 (one) household member must have established eligibility before the household can move</li> </ul>	
in.	
<ul> <li>Assistance will be prorated based on eligible members/those who have submitted the required eligibility forms.</li> </ul>	
Describe extended time to provide required	
documents (cannot exceed 30 days).	
HUD Handbook 4350.3 Paragraph 3-12, K	
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Project Eligibility Requirements	
Project Liigibility Nequilements	
<ul> <li>Citizenship/immigration Status requirements:</li> <li>Verification process</li> </ul>	
Appealing the determination of ineligibility	
HUD Handbook 4350.3 Paragraph 3-12, L & M	
	]
Project Eligibility Requirements	
<ul><li>Social Security Requirements:</li><li>The plan should state</li></ul>	
<ul> <li>Assistance Applicants and Tenants are required to disclose and provide verification of the complete and</li> </ul>	
accurate SSN assigned to them.	

HUD Handbook 4350.3, Paragraph 3-9

- Social Security Requirements:
  - •The plan should state
    - There are two (2) exceptions to the rule:
      - •1. Those individuals who do not contend eligible immigration status.
      - 2. Tenants age 62 and older as of January 31, 2010, whose initial determination of eligibility was begun prior to January 31, 2010

HUD Handbook 4350.3, Paragraph 3-9

#### **Project Eligibility Requirements**

# •Social Security Requirements:

- •The plan should state
  - Applicants currently on or applying to the waiting list do not need to disclose or provide verification of a SSN for all non-exempt household members at the time of application and for placement on the waiting list.
  - However, the applicants must disclose and provide verification of a SSN for all non-exempt household members <u>before</u> they can be housed.

HUD Handbook 4350.3, Paragraph 3-9

# Project Eligibility Requirements

# •Social Security Requirements:

- •The plan should state:
  - If all non-exempt household members have not disclosed and/or provided verification of their SSNs at the time a unit becomes available, the next eligible applicant must be offered the available unit.
    - Skipped on the waiting list.

HUD Handbook 4350.3, Paragraph 3-9

# •Social Security Requirements:

- The applicant who has not disclosed and/or provided verification of SSNs for all non-exempt household members has 90 days from the date they are first offered an available unit to disclose and/or verify the SSNs.
- During this 90-day period, the applicant may, at its discretion, retain its place on the waiting list.
- After 90 days, if the applicant is unable to disclose and/or verify the SSNs of all non-exempt members, the applicant should be determined ineligible and removed from the waiting list.

HUD Handbook 4350.3, Paragraph 3-9

# Project Eligibility Requirements

# •Social Security Requirements:

- List acceptable documents for proving SSN.
- Adding Household members
  - 6 and older
    - At the time of request or
    - At the time the recertification that includes the new member is processed
  - Under 6
    - 90 days from the date the child is added
    - May grant an additional 90 days

HUD Handbook 4350.3, Paragraph 3-9

#### Income Limits



Income Limit
income Limit

- •Pre-1981 Universe:
  - Properties with Section 8 contracts effective prior to October 1, 1981 may admit applicants up to the LOW-INCOME limit.
    - Owners do not need to request an exception to admit low-income families.
- •Post-1981 Universe:
  - Properties with Section 8 contracts effective on or after October 1, 1981 may only admit families at or below the VERY LOW-INCOME limit.

HUD Handbook 4350.3 Paragraph 3-6

#### Income Limits

- •The income limit schedule for the property must be identified in the TSP
- Owners may just state "Low" or "Very Low"
  - •"Only applicants whose cumulative gross income is at or below the very low income limit, based on the number of household members, are eligible for residency."
- •The specific dollar amount does not need to be listed

  HUD Handbook 4350.3 Paragraph 4-4 C.

# Income Limits

- Owners should state that applicants not only must meet the Federal Income Limits, but that the family must also need the assistance.
  - •"Income-eligible families must also need the assistance. The amount the family would be required to pay using the applicable HUD rent formula must be less than the gross rent for the unit or market rent for Section 236 projects."

HUD Handbook 4350.3 paragraph 3-6 F

Income Limits  •For Section 8/Rent Sup/RAP/202 PAC/ 202-811 PRAC/RD property with subsidy •A household does not need to have income to be eligible for assisted housing.	
Income Limits  •For NON assisted units  •If there is a minimum income amount, it should be listed.  •Remember – Tenant based voucher/housing choice voucher. Assistance will pay the rent.	
Income Limits  • "Applicant households not receiving rental assistance through a Housing Choice Voucher/Tenant Choice Voucher must have income that is at least 3 times the monthly rent."	

Procedures for Taking Applications and Selecting from the Waiting List	
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Procedures for Taking Applications and	
Selecting from the Waiting List	
Taking Applications	
Preferences/Income-targeting	
Applicant Screening Criteria	
Procedures for Rejecting Ineligible Applicants	
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Procedures for Taking Applications and	
Selecting from the Waiting List	
•Taking Applications:	
<ul> <li>The plan should provide information on when and where the application can be picked up, filled out, and submitted (generally the property office.)</li> </ul>	
• Does the owner use a pre-app?	
•The plan should provide information regarding	
reasonable alternatives to the general policy (mailed, faxed, etc.)	
HUD Handbook 4350.3 Paragraph 4-14	

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Procedures for Taking Applications and	
Selecting from the Waiting List	
<ul> <li>Preferences:</li> <li>The plan must define each preference adopted</li> </ul>	-
for use in the property and any rating, ranking or combining of the preferences that effect the	
order an applicant will be selected from the waiting list.	
•The plan must describe the acceptable sources of	
information to verify the qualification for preferences.	
HUD Handbook 4350.3 Paragraph 4 4 C. 3 b.	
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Procedures for Taking Applications and	
Selecting from the Waiting List	
<ul><li>Preferences:</li><li>HUD Regulatory Preferences:</li></ul>	
<ul> <li>Owners of Section 221(d)(3), 221(d)(4), and 236 properties must give a preference to applicants who</li> </ul>	
have been displaced by a government action or presidentially declared natural disaster.	
• Owners of these properties must state this in their	
plan, and the verification sources.	
Procedures for Taking Applications and	
Selecting from the Waiting List	
•Preferences:	
•State and Local preferences:	
<ul><li>These must be approved by HUD</li><li>Check with your PBCA or attorney if your state</li></ul>	
has a preference.	

• Some states require owners to give preference to military veterans.

HUD Handbook 4350.3 Paragraph 4-6

l	Procedures for Taking Applications and	
	Selecting from the Waiting List	
	•Preferences:	
l	Owner-Adopted Preferences:     Paridanny	
l	<ul><li>Residency:</li><li>Gives preference to applicants living in a specific</li></ul>	
l	geographic area at the time of application over non- residents of that area.	
l	Working Families:	
l	<ul> <li>Gives preference to families in which the head or</li> </ul>	
l	spouse is employed.  HUD Handbook 4350.3 Paragraph 4-6, C	
Į		
l	Procedures for Taking Applications and	
l	Selecting from the Waiting List	
l	•Preferences:	
l	Owner-Adopted Preferences:	
l	• Disability:	
l	<ul> <li>Gives preference to families that include a person with disabilities.</li> <li>Cannot be disability specific unless the controlling documents of</li> </ul>	
l	the property allow it.	
l	<ul> <li>Victims of Domestic Violence:</li> <li>Gives a preference for families that include a victim(s) of domestic</li> </ul>	
l	violence.	
	HUD Handbook 4350.3 Paragraph 4-6, C	
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ſ	Procedures for Taking Applications and Selecting	7
l	from the Waiting List	
l	Preferences:	
l	Owner-Adopted Preferences:	
l	<ul> <li>Specific Groups of Single People:</li> <li>Displaced</li> </ul>	
l	Homeless     Disabled	
l	• Elderly	
	<ul> <li>This preference would give the above elected singles preference over other single persons</li> </ul>	
	<ul> <li>The Disabled, and Elderly preferences should not be confused with project eligibility requirements.</li> </ul>	
	NOTE: Some owner adopted preferences require HUD approval.	
	HUD Handbook 4350.3 Paragraph 4-6, C	
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Procedures for Taking Applications a	no
Selecting from the Waiting List	

#### •Income Targeting:

 NOTE: Income targeting does not apply to the Section 202 PAC, Section 202 PRAC, Section 811 PRAC, RAP, Rent Supplement, Section 221(d)(3) BMIR or Section 236 properties.

HUD Handbook 4350.3 Paragraph 4-5

- The TSP must describe the procedures management will use to meet the 40% ELI income targeting requirement.
- Must describe how applicants may be "skipped" to meet the income targeting goal.

HUD Handbook 4350.3 Paragraph 4-5 A.

Procedures for Taking Applications and Selecting from the Waiting List

#### •Income Targeting:

#### Methods

- 1. Admit only Extremely Low-Income (ELI) families until 40% target is
- 2. Alternate between the first ELI applicant on the waiting list and the family at the top of the waiting list.
- 3. Alternate between the first ELI applicant on the waiting list and the applicant at the top of the waiting list in groups of 10.
- 4. Other method selected by the owner.

HUD Handbook 4350.3 Paragraph 4-5

Procedures for Taking Applications and Selecting from the Waiting List

# •Income Targeting:

 REMINDER: The 40% ELI income targeting includes Initial Certifications. The plan should state whether current tenant or applicants get priority for Section 8 subsidy on layered properties.

Procedures for Taking Applications and Selecting from the Waiting List
<ul> <li>Applicant Screening:</li> <li>Owners <u>must</u> establish screening standards that prohibit admission of:</li> </ul>
<ul> <li>1. Any household containing a member(s) who was evicted in the last 3 years from federally assisted</li> </ul>

- housing for drug-related criminal activity.
   The owner may consider two exceptions
  - Successful completion of a drug rehab program; or
  - The circumstances leading to the eviction no longer exist.

HUD Handbook 4350.3 Paragraph 4-7 C

Procedures for Taking Applications and Selecting from the Waiting List

#### Applicant Screening:

- •Owners <u>must</u> establish screening standards that prohibit admission of:
  - 2. A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents.

HUD Handbook 4350.3 Paragraph 4-7 C

Procedures for Taking Applications and Selecting from the Waiting List

#### •Applicant Screening:

- Owners <u>must</u> establish screening standards that prohibit admission of:
  - 3. Any household member if there is reasonable cause to believe that 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 screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.

HUD Handbook 4350.3 Paragraph 4-7 C

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Procedures for Taking Applications	and
Selecting from the Waiting List	

#### Applicant Screening:

- Owners <u>must</u> establish screening standards that prohibit admission of:
- 4. Any household member who is subject to a state sex offender lifetime registration requirement.
  - The owner will screen for State lifetime sex offender registration in all states where the applicant, or members of the applicant's household have resided by using a database such as the Dru Sjodin National Sex Offender Database.

HUD Handbook 4350.3 Paragraph 4-7 C

Procedures for Taking Applications and Selecting from the Waiting List

# •Existing Tenant Search

- •The plan must state that this search will be conducted to identify household members who may be receiving assistance at the time of application.
  - Owner's cannot deny someone for appearing on this report, but must follow-up with the information and coordinate the move-out and move-in dates.

HUD Handbook 4350.3 Paragraph 4-7 D

Procedures for Taking Applications and Selecting from the Waiting List

#### Other Screening Criteria

- Owners may establish additional criteria.
  - Drug-related criminal activity
  - Violent criminal activity
  - Other criminal activity
  - Exclusion of culpable household members
  - Drug or alcohol rehab.
- Length of mandatory prohibition (reasonable time)
- All screening must be "reasonable".

HUD Handbook 4350.3 Paragraph 4-7 E

Procedures for Taking Applications	and
Selecting from the Waiting List	

- The owner's plan must describe how the waiting list is maintained.
  - Will applicants be contacted every ## months to ensure they are still interested?
  - Reasons applicants may be removed.
  - Reasons applicants may be reinstated.
  - How preferences play into selecting applicants for occupancy.
  - Inclusion on multiple lists (unit size, deeper subsidy).
  - Etc

HUD Handbook 4350.3 Paragraph 4-16

# Procedures for Taking Applications and Selecting from the Waiting List

- The owner's plan must include a written policy that describes when applicant names will be removed from the waiting list. Examples of applicant removal policies an owner may adopt are:
  - The applicant no longer meets the eligibility requirements for the property or program;
  - The applicant fails to respond to a written notice for an eligibility interview;

HUD Handbook 4350.3 Paragraph 4-20

# Procedures for Taking Applications and Selecting from the Waiting List

- The applicant is offered and rejects two units in the property (or any number of unit offers as specified in the owner's written policies);
- Family fails to provide SSN for all household members;
- Mail sent to the applicant's address is returned as undeliverable; or
- The unit that is needed using family size as the basis changes and no appropriate size unit exists in the property.

HUD Handbook 4350.3 Paragraph 4-20

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Procedures for Taking Applications a	nd
Selecting from the Waiting List	

- •Policies for Rejecting an Applicant:
  - The plan must state the reasons an applicant will be rejected.
    - Is unable to disclose social security numbers for all non-exempt household members\*
    - Has committed a felony in the last ## years
  - Owes a previous landlord money
  - Has a bad rental reference
  - Fail to sign the forms HUD 9887/9887A
  - etc.

HUD Handbook 4350.3 Paragraph 4-9 B

# Procedures for Taking Applications and Selecting from the Waiting List

#### • Policies for Rejecting an Applicant:

- The plan should be as specific as possible.
- The reasons for rejecting an applicant should be tied to the screening criteria.
- The plan must state applicants will be denied if they don't meet the 4 HUD required screening elements.
  - Sex offender Eviction

  - Drug use

Alcohol

Occupancy Standards



#### Occupancy Standards

- •The plan should state the number of people that may occupy each type of unit on the property.
  - •1 2 people per bedroom;
  - •1 2 people per bedroom + 1 more occupant; or
  - 1 person for each 500 sq ft, + 1person for each additional 50 sq. ft.; or
  - Other

HUD Handbook 4350.3 Paragraph 3-23

#### Occupancy Standards

- The plan should state that single member households may not occupy a unit with two or more bedrooms unless one of the following exceptions exists.
  - 1. A person with disabilities who needs the larger unit as a reasonable accommodation.
  - 2. A displaced person when no appropriate sized unit is available.
  - 3. An elderly person who has a verifiable need for the larger unit
  - 4. A remaining family member of a resident family when no appropriately sized unit is available.

HUD Handbook 4350.3 Paragraph 3-2

# Unit Transfer Policy



#### **Unit Transfer Policy**

- The plan should state the owner's policy regarding when unit transfers are allowed
  - How a transfer waiting list will be maintained
  - Acceptable Reasons for a transfer
  - Procedures for filling vacancies; and
  - Whether current tenants or applicants get priority for a vacant unit

HUD Handbook 4350.3 Paragraph 7-16 C

#### **Unit Transfer Policy**

- •Current Tenants vs. Applicants
  - The plan should state who gets priority in the following circumstances:
    - Transfer due to family size\*
    - Transfer due to family composition\*
    - A deeper subsidy (236 to Section 8)\*
    - Transfer for a medical reason certified by a Dr.
    - Transfer for a reasonable accommodation

\* May not apply to all properties

HUD Handbook 4350.3 Paragraph 7-16 C

#### Unit Transfer Policy

- •Current Tenants vs. Applicants
  - Handicap Accessible Units
    - Owner must first offer the unit to the current tenant with disabilities, living in a non-accessible unit, who needs the accessible features of the unit.
    - If no current tenants require the features of the accessible unit, the owner must then offer the unit to the next qualified applicant on the waiting list who requires the features of the accessible unit.
    - If no current tenant or applicant require the unit, then the owner may offer it to either a current tenant or applicant, based on the priority given for unit transfers.

HUD Handbook 4350.3 Paragraph 7-15

Fair	Hou	ısing,	/504
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Policies to Comply with Section 504 of the Rehab Act of 1973, Fair Housing Act Amendments of 1988, and Civil Rights Act of 1964.

- •The plan should state the owner will comply with Section 504 of the Rehab. Act of 1973.
- The plan should state the owner will comply with the Civil Rights Act of 1964
- The plan should state the owner will comply with the Fair Housing Act Amendments of 1988.

HUD Handbook 4350.3, Paragraph 4-4, C. 6.

Policies to Comply with Section 504 of the Rehab Act of 1973, Fair Housing Act Amendments of 1988, and Civil Rights Act of 1964.

- The plan should state management will not discriminate against applicants based on race, color, religion, sex, national origin, disability, and familial status.
- If the local city/county/jurisdiction have other protected classes, they should be named.
- The plan should describe management's policies regarding reasonable accommodations.

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Opening and Closing the Waiting List	
Opening and closing the waiting list	
Opening and Closing the	
Waiting List	
<ul> <li>The owner must describe the reasons the list may be closed.</li> </ul>	
<ul><li>Extremely long wait for unit.</li></ul>	
•Close list by one or more unit size	
HUD Handbook 4350.3 Paragraph 4-16 B	
	<u> </u>
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Opening and Closing the	
Waiting List	
•The owner must describe the methods of advertising used to announce opening or	
closing the wait list. • Newspapers • TV ad	
•Internet •Etc.	
HUD Handbook 4350.3 Paragraph 4-16 B	
нии наповоох 4354.3 Paragraph 4-16 В	

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# Eligibility of Students

- •The plan must state:
  - •Section 8 assistance shall not be provided to any individual who:
    - A. is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential;

HUD Handbook 4350.3 Paragraph 3-13

# Eligibility of Students

- B. is under the age of 24; and
- $\bullet$  C. is not married; and
- $\bullet$  D. is not a veteran of the U.S. Military; and
- $\bullet$  E. Does not have a dependent child; and
- F. Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the U.S. Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving section 8 assistance as of November 30, 2005; and
- G. Is not living with his or her parents who are receiving section 8 assistance; and

HUD Handbook 4350.3 Paragraph 3-13

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Eligibility of Students	
<ul> <li>H. Is not individually eligible to receive Section 8     assistance or has parents (the parents individually or     jointly) who are not income eligible to receive Section</li> </ul>	
8 assistance.	
HUD Handbook 4350.3 Paragraph 3-13	
	<u> </u>
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Eligibility of Students	
•For a student to be eligible independent of his	
or her parents, the plan must state:  • the student must demonstrate the absence of, or his	
or her independence from, parents. The student must meet all of the following criteria to be eligible	
for Section 8 assistance:	
HUD Handbook 4350.3 Paragraph 3-13	
Eligibility of Students	
<ul> <li>For a student to be eligible independent of his or her parents, the plan must state:</li> </ul>	
•A. Be of legal contract age under state law;	
B. Have established a household separate from parents or legal guardians for at least one year prior	
to application for occupancy, <b>or,</b> meet the U.S. Dept. of Education's definition of independent student.	
HUD Handbook 4350.3 Paragraph 3-13	

# Eligibility of Students

- C. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
- •D. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

HUD Handbook 4350.3 Paragraph 3-13

#### Eligibility of Students

- For Rent Sup/RAP/221(d)(3)BMIR/236/202PAC/202 or 811PRAC
  - A. Be of legal contract age under state law;
  - B. Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, or, meet the U.S. Dept. of Education's definition of independent student.

HUD Handbook 4350.3 Paragraph 3-13 B

# Eligibility of Students

- For Rent Sup/RAP/221(d)(3)BMIR/236/202PAC/202 or 811PRAC
  - C. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
  - D. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

HUD Handbook 4350.3 Paragraph 3-13 B

# •Tax Credit

- Households consisting entirely of Full-Time Students are not eligible to reside in a Tax Credit unit.
- Full-Time Student individual, who during each of 5 calendar months during the calendar year in which the taxable year of the taxpayer begins, is a full-time student at an education organization described in IRC 170(b)(1)(A)(ii).
  - Whether it be 1 day in a month, 5 days in a month, or all the days of the month, that month is considered as part of the 5 months.

#### Tax Credit

- •5 Exceptions
  - 1. At least one member of the household is married and eligible to file a joint tax return.
  - 2. At least one member of the household is a single parent and has minor children, and such parents are not dependent of another individual and such children are not dependents of another individual (other than a parent of such children).
  - 3. At least one member of the household receives assistance under Title IV of the Social Security Act
    - AFDC/TAF

# Eligibility of Students

#### •Tax Credit

- •5 Exceptions
  - 4. At least one member of the household is enrolled in a job-training program receiving assistance under the Job Training Partnership Act, or similar federal/state/local law
  - 5. At least one member of the household was previously in Foster Care.
    - Neither the length of time or dates in foster care are relevant.

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# Eligibility of Students

- •Tax Credit
  - May want to include:
  - If the tenant that qualifies the household under the student rules moves out and none of the remaining full-time students in the household meet an exception, then household is no longer qualified.
  - Management cannot renew the lease and the household must vacate the unit at the end of the current lease term.

#### Violence Against Women Act



# Violence Against Women Act

- The plan should state that the owner will not deny a victim, as well as members of their family, of domestic violence, dating violence, or stalking.
- The plan should also state the owners policies for action when an applicant claims they are a victim of domestic violence, dating violence, or stalking.
  - What documents will the owner require, if any.
- Should include policies on keeping the information confidential.

HUD Handbook 4350.3 Paragraph 4-4 C. 9

Recommended Topics	
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The owner may include additional items such as: Applicant notification and opportunity to supplement information already provided	
<ul> <li>Procedures for identifying applicant needs for the features of accessible units or reasonable accommodations</li> </ul>	
Updating the waiting list	
<ul> <li>Policy for notifying applicants and potential applicants of changes in the tenant selection plan</li> </ul>	
HUD Handbook 4350.3, page 4-5, figure 4-2	
Recommended Topics  • The owner may include additional items such as:	
Annual and Interim reporting requirements	
Security deposit requirements	
Unit inspections     Implementation of house rule changes	
Charges for facilities and services	
Extenuating Circumstances	
• Etc.	