



**MDP MANAGEMENT**  
**RESIDENT SELECTION CRITERIA**  
**INDEPENDENCE OAKS APARTMENTS**

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MDP Management, and Independence Oaks Apartments, follows Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Amendments Act of 1988, prohibiting discrimination in housing based on race, color, religion, sex, national origin, handicap, or familial status. The following qualification standards will be required from every prospective resident.

**PROGRAM SPECIFICS:** Independence Oaks Apartments is a multi-family apartment community. The head of household must be at least eighteen years of age, or a legally emancipated minor for the household to qualify. Note: Upon approval and move-in, Independence Oaks Apartments must be the only place of residence for the household.

**CITIZENSHIP:** Assistance in subsidized housing is restricted to the following:

- U.S. Citizens or nationals; and
- Non-citizens who have eligible immigration status as determined by HUD

All family members, regardless of age, must declare their citizenship or immigration status. Applicants must submit required documentation of citizenship/immigration status no later than the date the owner initiates verification of other eligibility factors. If the applicant cannot supply the documentation within management's timeframe, management may grant a 30-day extension depending on the reason for the delay and provided the applicant certifies, in writing, that the documentation is temporarily unavailable and that additional time is needed to collect and submit the required documentation. Management will inform the applicant in writing if the request for an extension is granted or denied. If the request is granted, management will inform the applicant, in writing, the new deadline for documentation. However, the extension will be no more than 30 additional days after management approves the extension in writing. When a unit becomes available and when applicants are at the top of the waiting list, management will offer a unit, (if at least one of the applicants has met all the other selection criteria), and pro-rate the household's assistance based on the applicant(s) that submitted all selection criteria in a timely fashion. Non-citizens, (except those age 62 or older), must sign a Verification Consent Form and submit documentation of their status or sign a declaration that they do not claim to have eligible status. Non-citizens age 62 or older must sign a declaration of eligible immigration status and provide proof of age document. U.S. citizens must sign a declaration of citizenship. We will not delay assistance if it is determined that an applicant(s) has submitted all required documentation in a timely manner but DHS, (Department of Homeland Security), verification or appeals process has not been completed. If it is determined

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that the family/household does not qualify to receive assistance, the family/household may request temporary deferral of termination of assistance. This is to allow the family/household time to find other suitable housing. The initial deferral period is for 6 months and may be extended for an additional 6 months, not to exceed 18 months. The family/household is eligible for temporary deferral of assistance if the following circumstances apply:

- The family/household has no eligible members; or
- Mixed family/household qualifies for prorated assistance and does not qualify for continued assistance and chooses not to accept the partial assistance

### **SOCIAL SECURITY NUMBERS:**

- Effective January 31, 2010 all members of an applicant household must provide documentation of their SSN prior to admission to the program. This includes all household members including live-in aides, foster children, and foster adults.
- Applicants who cannot provide SSNs for all family members may retain their position on the waiting list. However, appropriate documentation of a SSN for all family members claiming eligible citizenship status must be provided before the household can be admitted.
- There are three exceptions to this rule: 1.) applicants age 62 or older as of January 31, 2010, whose initial determination of eligibility for assistance was begun before January 31, 2010. For these applicants, documentation must be obtained from the owner of the property where the initial determination of eligibility was determined that verifies the applicant's exemption status; 2.) Individuals who do not claim eligible immigration status; and 3.) A child under the age of 6 years old added to the applicant household within the 6-month period prior to the household's date of admission. When adding a new household member who is under the age of 6 to an existing household, the tenant must disclose and provide verification of the SSN of the individual to be added within 90 days of adding the new member. An additional 90-day extension must be granted if delays are due to circumstances beyond the family's control. If the household does not provide the SSN and adequate documentation to verify the number within the prescribed timeframe, HUD requires that the owner/agent terminate tenancy.
- Applicants who have 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.
- If after 90 days the applicant has been unable to obtain the required Social Security documentation, we will consider the applicant ineligible and remove their name from the waiting list.

**INCOME LIMITS:** Applicants must be at or below the applicable income limits to qualify. The income limits to qualify for admission are as follows: very low (50%), and extremely low (30%).

**INCOME TARGETING:** 40% of applicants admitted from the waiting list must be at or below the

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30% income limit (ELI). In order to achieve this, we will move-in 2 of every 5 applicants selected from the waiting list that are at or below the 30% income limit. Then, the three that were skipped will be the next ones selected. This order of selection will be maintained, as long as there are applicants on the waiting list that are over the 30% (ELI) income limit. If all the applicants are at or below the 30% (ELI) limit, then no applicants will be skipped.

**SUBMITTING APPLICATIONS:** Anyone who wishes to be admitted or placed on the waiting list must complete a pre-application. The pre-application must include a signature from the applicant certifying the accuracy and completeness of the information provided. When a unit becomes available, a full application must be completed to determine the applicant's eligibility completely.

Every application must be completed, signed and dated by the head of the household, co-head, spouse and every adult household member 18 years of age and older and by all legally emancipated minors. Pre-applications and/or full applications can be picked up at the leasing office during the office hours that are posted. Applications will be mailed as a Reasonable Accommodation upon request.

#### **APPLICANT SCREENING CRITERIA:**

- **CRIMINAL HISTORY/GROUNDS FOR DENIAL OF ADMISSION:** Convictions for felony crimes, including crimes against persons, such as murder, rape, child molestation, and crimes involving drug manufacturing and distribution, burglary, identity theft, harboring a fugitive, and acts of terrorism, will be grounds for automatic denial.
- Additionally, felony crimes against property, such as, arson, theft, theft by check, and theft of services or materials, which have occurred within the last five (5) years, will be grounds for automatic denial.
- Crimes involving prostitution and drug abuse, which have occurred within the last five (5) years, will also be grounds for automatic denial.
- Misdemeanor crimes will be evaluated on a case-by-case basis.
- In accordance with federal law, Owner/agent has an established standard that prohibits admission to sex offenders subject to a registration requirement under a state sex offender registration program.
- During the applications process applicants must provide a complete list of all states in which any household member has lived.
- The applicant will be denied if: the applicant and/or household member has been evicted from federally assisted housing for drug related criminal activity within the last three (3) years. If the evicted applicant an/or household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program or circumstances leading to the eviction no longer exist, the Owner may, but is not required to, admit the applicant.

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Applicants will be denied for the following:

- If the applicant, and/or household member, is currently engaging in illegal drug use
- If the Owner determines that there is reasonable cause to believe that the applicant, and/or household member's illegal use, or a pattern of illegal use of a drug, may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. (Examples of evidence of illegal activities may include a conviction record, former landlord references, etc.)
- If the applicant, and/or any of the household members, are subject to a registration requirement under a state sex offender-registration program.
- Failure to provide accurate information to management is grounds to deny the application.
- If management determines that there is reasonable cause to believe that the applicant's abuse, or pattern of abuse of alcohol, interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. This screening standard will be based upon behavior, not the condition of alcoholism or alcohol abuse.
- If the Owner/Agent discovers that a tenant was admitted in error (she/he was admitted after June 25, 2001 and was subject to a state's lifetime registration requirement) eviction/termination of that individual or family must be pursued immediately.

**INCOME:** Applicants must demonstrate the ability to pay rent and utilities. Applicants will be rejected if:

- Their credit history shows that they have two or more accounts rated 120 days past due within the last year
- They have 2 or more outstanding collections for rent within the past year
- They are outstanding in the payment of any utilities
- They have one or more outstanding civil judgments or civil suits within the past year.
- They have filed bankruptcy in the past (2) two years. Exceptions may be granted if restitution has been made and can be verified
- Applicants with foreclosures, evictions or broken leases within the past (2) two years, is cause for rejection. Exceptions may be granted if restitution has been made and can be verified

**EIV (ENTERPRISE INCOME VERIFICATION):** HUD has mandated the owner/agent to fully utilize EIV effective January 31, 2010 as a third-party source used to verify tenant employment and

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income information during mandatory recertification of family composition and income and to reduce administrative and subsidy payment errors. EIV is an invaluable tool in identifying and preventing dual subsidy payments and dual occupancy in PIC and MFH programs. EIV will verify tenant's identity and supply users with information on deceased tenants which will assist in identifying and preventing identity theft. To streamline the owner/agent verification process, EIV will provide owner/agents with income, benefit and new hire information. It will identify specific information such as whose income information reported in TRACS differs more than \$200 per month when matched with the SSA & HHS data thus helping to eliminate improper subsidy payments and ensure the correct amount of subsidy is provided to the correct people.

**CREDIT:** A credit report will be generated on each applicant. Seventy five percent (75%) of all credit lines must be current and in good standing. Anything less than seventy five percent (75%) current and good standing credit may affect approval of the application. The last two, (2) years, will be considered. Bankruptcy, judgments and unsatisfied tax liens within the last two, (2) years, may cause the application to be denied. Unpaid rental related debt within the past twenty-four, (24) months, will result in automatic rejection of the application. Those applicants who have an unsatisfactory credit rating, as indicated above, or who have been late in rent payments on two or more occasions within the past year, will not be considered ineligible if:

- The reason for such rental delinquency or unfavorable credit is due to the fact that the applicant family is paying in excess of 50% of their income for rent. In such instances, those families shall be afforded like treatment with consideration given to other screening criteria. Qualified applicants who have no prior leasing experience of their own and no credit or stable employment history will be given all due consideration

**CHECK WRITING:** After the first check is returned for non-sufficient funds, payments will be required in a guaranteed form, such as money order, or cashier's check.

**REJECTION OF APPLICANTS:** Applicants will be rejected for the following:

- Exceeding the applicable income limit(s) for the property
- For not meeting property screening criteria
- Application is incomplete
- Family composition does not conform to units available on property
- Household income exceeds HUD income limits for the programs available on the property
- Applicant or any household member is subject to a lifetime sex offender registration in any state
- Not agreeing to pay the applicable rent (resident's portion) as required by the program
- Applicant provided false information necessary in the determination of eligibility
- Applicant does not provide Social Security numbers for all occupants regardless of age.
- Applicant does not sign and submit verification consent forms or the Authorization of Release of Information, (forms HUD-9887 and HUD-9887-A). (This applies to all applicants age 18 and above, and all emancipated minors in the household).

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- Applicant does not sign management’s verification forms as needed to verify household income and other applicable eligibility factors. (This applies to all applicants age 18 and above, and all emancipated minors in the household).
- Not contacting management every (6) six months that the applicant wants to remain on the waiting list. (Note: Applicant should report any information that may have changed from the last time that applicant contacted management).
- The rejection of applicants will be submitted from management in writing and will specifically state the reason for rejection. The applicant may request a meeting, within 14 days of receiving the rejection notice. The applicant must meet with a member of management, other than the member of the staff that initially made the decision to reject the applicant. Within 5 business days after the meeting, management will send a follow-up letter stating the final decision on eligibility.
- Is ineligible for occupancy in a particular unit or property.

**OCCUPANTS:** \*Minimum/Maximum occupancy will be limited to the following guidelines:

- 1 Bedroom – One (1) to Two (2) persons      2 Bedroom – Two (2) to Four (4) persons  
3 Bedroom – Three (3) to Six (6) persons      4 Bedroom – Four (4) to Eight (8) persons

Applicants may request an alternative standard to allow a greater number of bedrooms.  
Applicants may request an additional bedroom for a live-in aide. This request must be placed in writing as a request for a Reasonable Accommodation.

\*One additional occupant per unit can be permitted over the maximum when a “habitable sleeping area” provides at least 50 square feet per person. A “habitable sleeping area” is defined as space that does not include the kitchen, bathroom(s), hallways, or designated bedrooms. Bedroom space will not be provided for children on active military duty, permanently institutionalized family members or guests.

The following will be counted as members of a household:

- Full time household members
- Unborn Children
- Live-in Aides
- Foster Adults
- Children in joint custody arrangement where a household member has custody a least 50% of the year
- Children in the process of being adopted
- Children whose custody is being determined
- Children temporarily residing in a foster home
- Foster Children
- Children away at school but home for breaks and recess

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Households will be required to provide proof of guardianship in order to be considered for a particular unit size.

Occupancy Standards will be considered when the applicant indicates and can verify the need for Reasonable Accommodation.

**LIVE-IN AIDES:** Established screening criteria will also be applied to live-in aides, except for income and the criterion regarding the ability to pay rent on time because live-in aides are not responsible for rental payments. Both live-in aides and new additions to the resident household must be screened for drug abuse and other criminal activity.

**RESIDENT TRANSFER POLICY:** Residents will be considered eligible for a unit transfer for the following reasons and prioritized as follows:

- The need for an accessible unit (Reasonable Accommodation)
- For a medical reason certified by a doctor (Reasonable Accommodation)
- Changes in family composition

Transferring residents to accommodate an approved resident's request for a Reasonable Accommodation has preference over new move-ins from the waiting list. Residents, that meet the criteria above, will be placed on a transfer waiting list, per bedroom size, for that purpose. Transfers, for other than an approved Request for Reasonable Accommodation, will be accommodated in the ratio of: four new move-ins to the particular size unit for every transfer.

From time to time there will be residents who desire to transfer to another unit for any number of reasons. If the residents' rental record is good and the unit desired is vacant, after being offered to the first two applicants on the waiting list, we should give the transfer request consideration. Unit transfers are contingent upon the condition of the current unit and the tenant is financially responsible for all cleaning and repair, beyond normal wear and tear, to the unit they are vacating.

**REASONABLE ACCOMMODATIONS:** Reasonable Accommodations are available under The Americans with Disabilities Act of 1990 and or Section 504 of the Rehabilitation Act of 1973. The property will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504, MPM will make such physical or procedural changes as will reasonably accommodate people with disabilities. Assistance for people with mobility, vision, and hearing impairments in performing any of the aspects of the application process is available upon request.

A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for the development and use of housing or housing-related facilities that would provide a person with a disability with equal opportunity to housing of their choice. A modification is any physical change to a dwelling unit or the public or common use areas of a building necessary to afford that person full enjoyment of the premises or the dwelling.

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The obligations of the owner agent to make reasonable modifications and accommodations apply only to people who are disabled. The requirement to make reasonable accommodations and reasonable modifications does not apply to the other protected classes.

A person with a disability is a person who can provide proof that he/she:

- 1) has a physical or mental impairment that limits or substantially limits one or more major life activities
- 2) is regarded as having such impairment
- 3) has a record of such impairment

A request for reasonable accommodation or modification may be made by any person with a disability, or by an entity acting on behalf of a person or persons with disabilities to provide or secure equal access to housing, when the application of a zoning law or other land use regulation, policy or practice acts as a barrier to fair housing opportunities.

The Resident/applicant with a disability must show that the accommodation or modification they are seeking will improve their life enough to justify the cost to the owner/agent. There must be some connection between the disability and the requested accommodation.

The owner/agent will require proof that the Resident is disabled. In addition, the owner/agent may require verification that the requested accommodation would improve the disabled person's quality of life by reducing the effects of the disability enough to justify the cost to the property owner/agent. Owners are not required to take any actions that the owner can demonstrate would result in a fundamental alteration in the property or program or in an undue financial and/or administrative burden.

In reaching a reasonable accommodation with, or performing structural modification for otherwise qualified individuals with disabilities, the owner/agent are not required to:

- Make structural alterations that require the removal or altering of a load-bearing structure,
- Provide support services that are not already part of its housing programs,
- Take any action that would result in a fundamental alteration in the nature of the program or service or,
- Take any action that would result in an undue financial and administrative burden on the Property, including structural impracticality and defined in the Uniform Federal Accessibility Standards (UFAS).

**POLICY FOR REQUEST FOR REASONABLE ACCOMMODATION OR MODIFICATION:** Requests for reasonable accommodation or modification shall be made in the manner prescribed below:

Request for reasonable accommodation or modification shall be submitted by the applicant in

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the form of a letter to the owner/agent, and shall contain the following information:

- 1) The applicant's name, address and telephone number.
- 2) The name and street address of the property for which the request is being made.
- 3) The basis for the claim that the individual (or group of individual, if application is made by an entity action on behalf of a person or persons with disabilities) is considered disabled under the Acts.
- 4) A description of the requested accommodation and modification.

Requests for reasonable accommodation shall be reviewed by the owner/agent, or his/her designee, if no approval is sought other than the reasonable accommodation or modification request. The owner/agent or his/her designee shall make a written determination within 15 days and either grant, grant with modifications, or deny a request for reasonable accommodation or modification. The written decision to grant, grant with modifications, or deny a request or reasonable accommodation will be consistent with the Acts and shall be based on consideration of the following:

- 1) Whether the housing, which is the subject of the request, will be used by an individual or a group of individuals considered disabled under the Acts, and that the accommodation or modification requested is necessary to make specific housing available to an individual or group of individuals with (a) disability(ies) under the Acts.
- 2) Whether there are alternative reasonable accommodations available that would provide an equivalent level of benefit, or if alternative accommodations would be suitable based on the circumstances of this particular case.
- 3) Whether the requested reasonable accommodation would impose an undue financial burden on the owner/agent
- 4) Whether the requested reasonable accommodation substantially affects the physical attributes or the intended use of the property

In granting a request for reasonable accommodation or modification, the Owner/Agent may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation or modification would comply with the findings required.

A determination by the reviewing authority to grant, grant with modifications, or deny a request for reasonable accommodation may be appealed by the requestor within 30 days.

Information needed to determine applicant eligibility shall be obtained, verified, and the determination of applicant eligibility performed, in accordance with HUD and the property eligibility requirements.

**WAITING LIST MANAGEMENT:** The management, at their discretion, may restrict application intake, suspend application intake, and close waiting lists in whole or in part. Management will also update the waiting list by removing the names of those that are no longer interested or no longer qualify for housing or cannot be reached by telephone or mail.

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If management has sufficient pre-applications on the waiting list to fill anticipated vacancies for the coming 12 months, management will close the waiting list until the number of applicants is sufficient to fill anticipated vacancies for the next 10 months and then the waiting list will be re-opened.

Decisions about closing the waiting list will be based on the number of pre-applications available for a particular size and type of unit and the ability of management to house an applicant in an appropriate unit within the time frame referenced above. Closing the waiting lists, restricting intake, or opening the waiting lists will be publicly announced in a publication most likely to be read by applicants.

If there any changes to the Resident Selection Criteria, applicants on the waiting list will be notified at the address listed on their pre-application. Changes will also be posted in a publication applicants are most likely to read.

Applicants must contact management every (6) months in order to remain on the waiting list. Applicants will be placed on the waiting list by date and time of pre-application. Applicants will be selected from the waiting list in chronological order except when management is selecting applicants to comply with the Income Targeting Requirement, (see section of this Resident Selection Criteria on Income Targeting) and to comply with the Preferences, as applicable, (see section of this Resident Selection Criteria on Preferences).

**PREFERENCES:** Applicants at properties under Section/8 221 D3, Section/8 221 D4 and Section 236 that have been displaced due to government action, or presidentially declared disaster, must meet all qualifications for admission to the property. Upon approval, those applicants that have been displaced due to government action, or presidentially declared disaster, will be moved to the top of the waiting list.

**SECURITY DEPOSITS:** The Security deposit must be paid for the unit at the time that the lease is signed. The amount of the security deposit is an amount equal to the total tenant payment (at move-in).

**ANNUAL RE-CERTIFICATIONS:** Every year annual re-certifications will be requested. This process will begin 120 days before the anniversary date of move-in. Management will notify the resident to start this process. Residents must report income and composition of the resident's household and supply any other information required by HUD for the purposes of determining the resident's rent and assistant payment, if any. Failure to provide this information will result in:

- The resident paying the higher, HUD approved market rent.
- Implementation of an increase of rent resulting from the re-certification processing without providing the 30-day notice otherwise required to be given by management.

**INTERIM ADJUSTMENTS:** If any of the following changes occur, the resident agrees to advise management immediately:

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- Any household member moves out of the unit
- An adult member of the household who was reported as unemployed on the most recent certification or re-certification obtains employment
- The household's income cumulatively increases by \$200 more per month.

**RESIDENCE:** The unit for which applicant(s) are applying must be the household's only residence.

**COMMUNITY POLICIES:** The Community Policies or House Rules are an attachment to the lease. Inspections will be conducted by management:

- At the time of move-in, at each annual re-certification and at the time of move-out.
- Periodic inspections may be performed once proper notice has been given.

**PETS AND ASSISTIVE ANIMALS:** Pets are allowed but require a security deposit. Assistive Animals are also allowed but do not require a security deposit. Assistive animals are not pets. Assistive animals are allowed as a Reasonable Accommodation. There is also a verification process that must be completed and an Assistive Animal Policy that must be signed for all Assistive Animals that move onto the property. You may ask management for a copy of the Assistive Animal Policy.

**ELIGIBILITY OF STUDENTS TO RECEIVE SECTION-8 ASSISTANCE:**

A student who is otherwise eligible and meets screening requirements is eligible for assistance if the student meets the criteria indicated below. Section 8 assistance shall be provided to any individual who 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; when the student:

1. Is living with his or her parents who are receiving Section 8 assistance
2. Is individually eligible to receive Section 8 assistance or has parents who are income eligible to receive Section 8 assistance.
3. Is a veteran of the United States military;
4. Is married;
5. Has a dependent other than a spouse (e.g. dependent child);
6. Is at least 24 years of age;
7. Is a person with disabilities, as such term is defined in section 3(b)(3)(E) of the 1937 Act and was receiving assistance under section 8 of the 1937 Act as of November 30, 2005;
8. Is classified as Vulnerable Youth; A student meets HUD's definition of a vulnerable youth when:
  - a. 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;
  - b. 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

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- competent jurisdiction in the individual’s State of legal residence;
- c. 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) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by
- i. A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act;
- ii. The director of a program funded under the Runaway and Homeless Youth Act  
or  
a designee of the director;
- iii. The director of a program funded under subtitle B of title IV of the McKinney Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
- iv. A financial aid administrator; or
9. The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances
- If a student does not meet the eligibility criteria above, but can prove independence from parents under HUD rules, then the student would meet HUD’s student eligibility criteria.
  - If an ineligible student applies for or is a member of an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated.

*NOTE: An owner cannot evict or require an ineligible student to move from a unit as long as the student is in compliance with the terms of the lease.*

**AUTHORIZATION FOR RELEASE OF INFORMATION (HUD Form 9887/9887A):** The Head of Household, the spouse or co-head, and all other adults (age 18 and older) in each applicant family must sign an Authorization for Release of Information (HUD Form 9837/9837A) prior to being accepted and every year thereafter.

**FACTORS TO CONSIDER WHEN TERMINATING TENANCY FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY:** As part of their eviction standards, owners may consider all of the circumstances relevant to a particular eviction case, such as:

- The seriousness of the offending action;
- The effect on the community of terminating or not terminating tenancy;
- The extent of the tenant’s participation in the offending action;
- The effect of termination of tenancy on household members not involved in the offending action;

*Independence Oaks Apartments does not discriminate against persons with disabilities or on the basis of disabled status in the admission or access to, or treatment of employment in, its federally assisted programs and activities. The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in HUD's regulations implementing Section 504 (24 CFR, part 8 dated June 2, 1988). Name: Steve Colella, 6800 Park Ten Blvd., Suite 184-W, San Antonio, TX 78213 Telephone - Voice: (210) 220-1908 TTY: (800) 735-2989*



- The demand for assisted housing by families who will adhere to lease responsibilities;
- The extent to which the tenant has shown personal responsibility and taken all reasonable steps to prevent or mitigate the offending action; and
- The effect of the owner’s action on the integrity of the program.
- In determining whether to terminate tenancy for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, an owner may consider and may require evidence of whether the member:
  - Is participating in or has successfully completed a supervised drug or alcohol rehabilitation program; or
  - Has otherwise been rehabilitated successfully.
- A tenant may be required to exclude a household member in order to continue to reside in the unit when that household member has participated in, or is responsible for, an action or a failure to act that warrants termination.

**VIOLENCE AGAINST WOMEN ACT:** The Violence Against Women Act (VAWA) protects housing assistance applicants and residents who have been victimized by domestic violence, dating violence, and stalking. It affords the following legal protections:

- Applicants can’t be denied rental assistance solely because they were previously evicted from an assisted site for being victims of domestic violence;
- Applicants can’t be denied assistance solely for criminal activity that was directly related to domestic violence;
- Residents can’t be evicted solely because they were victims of domestic violence, in that being a victim of domestic violence does not qualify as a “serious or repeated violation of the lease” or “other good cause” for eviction. For example, if a resident/wife has filed in court for a restraining order and the domestic violence reoccurs, the site may evict the resident/husband, but not the wife.

However,

- If a victim of domestic violence commits a criminal act unrelated to the domestic violence, or if the victim is an “actual or immediate threat to other tenants or those employed at or providing services to the site,” eviction is warranted;
- Residents wishing to report an incident of domestic violence must submit specific documentation as requested by site management, and all such documentation will remain confidential , unless required by law;

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- If after an incident of domestic violence, a resident allows the abuser to visit the site again as a guest and the violence reoccurs, the site may evict the resident.

**Note: TDD SERVICES (TELEPHONE DEVICE FOR THE DEAF) ARE AVAILABLE THROUGH SOUTHWESTERN BELL'S RELAY TEXAS. THIS SERVICE IS FREE-OF-CHARGE. THE TOLL-FREE TELEPHONE NUMBER IS: 1-800-735-2989 (1-800-RELAY-TX).**

I, the head of household, and all applicants/occupants 18 years of age and older acknowledge that we have read and understand all of the information above and understand the requirements of Independence Oaks Apartments. Each of us has signed below acknowledging the above.

\_\_\_\_\_  
Applicant/Resident Signature

\_\_\_\_\_  
Date

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Applicant/Resident Signature

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Date

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Applicant/Resident Signature

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Date

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