**Tenant Selection Plan Section 811 Addendum**

**Development Name: Click or tap here to enter text. Effective Date: Select a date.**

The policies and procedures detailed below are applicable only to the HUD Section 811 Project Rental Assistance Program (811 Program). All other policies and procedures adopted by the Development will also apply to Eligible Applicants (applicants) and participating Eligible Tenants in the 811 Program unless they directly contradict with the following policies, which will supersede.

**Social Security Numbers**

The 811 Program contains specific requirements for disclosing and providing verification of Social Security numbers (SSN).

* Prior to admission, all household members claiming eligible immigration status and requesting assistance must disclose and document their SSN. Applicants who cannot provide SSNs for all household members requesting assistance may retain position on the waiting list. However, appropriate documentation of a SSN for all household members must be provided before the household can be admitted with the exceptions discussed below.
  + Applicant households may become participating eligible tenants in the 811 Program even if a child under 6 years of age is added to the household within the 6-month period prior to the household’s date of admission and that child has not yet been issued an SSN. The household has 90 days from the date of the move-in to provide the documentation of the SSN.
  + 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. Applicants may, at their discretion, retain their place on the waiting list during this 90 day period. If after the 90 day period the applicants are unable to disclose and/or verify the SSNs of all non-exempt household members, the applicant should be determined ineligible and removed from the waiting list.
* Exceptions to the SSN disclosure requirement:
  + Owners with applicants age 62 or older as of January 31, 2010, whose initial determination of eligibility for assistance was begun before January 31, 2010, will obtain documentation from the owner of the Development where the initial determination of eligibility was determined that verifies the applicant’s exemption status.
  + Applicant households with foster children or foster adults when:
    - The foster agency refuses to provide the SSN and/or documentation to verify the SSN; and
    - HUD approves such an exemption.

**Income Limits**

For the 811 Program, the annual gross income determined at the time of initial occupancy cannot exceed the extremely low income limit (ELI) of the area for the household size. The limit is determined annually by the U.S. Department of Housing and Urban Development (HUD) and will be provided by the Development to the applicant at the time of application. Applicants are not required to have income to be eligible for the 811 Program.

**Application Procedures**

Applications are accepted at Enter Development Name and Address during the hours of enter hours and days of week. If you require a reasonable accommodation to complete the application process, please contact Enter Name, Phone # and Email Address.

**Screening**

The following criteria will result in an automatic rejection:

* Any household containing a member(s) who was evicted in the last three years from federally assisted housing for drug-related criminal activity. The Development may, but is not required to, consider the two exceptions to the this provision:
  + The evicted household member has successfully completed an approved, supervised drug rehabilitation program; or
  + The circumstances leading to the eviction no longer exist (e.g. the household member no longer resides with the applicant household).
* 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 Development by other residents.
* Any household member who is subject to a State sex offender lifetime registration requirement.
* If there is reasonable cause to believe that any household member’s behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents.

The Development will utilize HUD’s Enterprise Income Verification (EIV) Existing Tenant Search to determine if any participating eligible tenants are currently residing and/or receiving assistance through another Multifamily Housing or Public and Indian Housing (PIH) location.

Any applicant determined as “high-risk” by the Development per the Development’s screening criteria, if applicable, will not be charged an additional deposit. All verification of income and assets identified during the screening process will be obtained through HUD’s EIV System, third-party verification or family self-certification.

**Security Deposits**

A security deposit will be collected at the time of lease execution. The security deposit will be equal to the Total Tenant Payment (TTP) or $50, whichever is greater not to exceed the maximum security deposit charged by the Development for the unit size.

**Occupancy Standards**

The following chart includes the minimum and maximum number of household members per bedroom.

(Adjust to fit Development specifications)

|  |  |  |  |
| --- | --- | --- | --- |
|  | One Bedroom | Two Bedrooms | Three Bedrooms |
| Minimum number of occupants | Click or tap here to enter number. | Click or tap here to enter number. | Click or tap here to enter number. |
| Maximum number of occupants | Click or tap here to enter number. | Click or tap here to enter number. | Click or tap here to enter number. |

At initial occupancy, the Development may not place a lower number of tenants in a unit than allowed for occupancy by HUD Handbook 4350.3 Chapter 3-23 or another reasonable standard established by the Texas Department of Housing and Community Affairs (TDHCA). A single person must not be permitted to occupy a unit with two or more bedrooms, except for the following persons:

* A person with a disability who needs the larger unit as a reasonable accommodation.
* If an appropriate-size accessible unit is not available, owners may house an applicant needing an accessible unit in a larger accessible unit in order to maximize the use of the accessible features.
* A displaced person when no appropriately sized unit is available.
* An elderly person who has a verifiable need for a larger unit.
* A remaining family member of a tenant family when no appropriately sized unit is available.
* An appropriately sized unit must be available and offered to the Section 811 PRA household before the household can move. If the next household on the waiting list is not appropriate for the unit size available, the unit will be offered to the next available household that fits the unit size.

**Unit Transfer Policies**

The Development will maintain a property-wide waiting list that will include residents needing to transfer to another unit. The list below, not all inclusive, details acceptable reasons for a unit transfer:

* A unit transfer due to family size
* A new unit because of changes in family composition
* A unit transfer for a medical reason certified by an appropriate source of information, including but not limited to a physician, psychologist, clinical social worker, other licensed health care, or the Veterans Administration.; or
* A unit transfer based on the need or an accessible unit.

**Fair Housing Requirements**

The Development will comply with Section 504 of the Rehabilitation Act of 1973, The Fair Housing Act Amendments of 1988 and Title VI of the Civil Rights Act of 1964, Titles II and III of the American Disabilities Act, and as applicable, Section 109 of the Housing and Community and Development Act of 1974.

* Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance from HUD.
* The Fair Housing Act prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability and familial status.
* Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in any program or activity receiving federal financial assistance from HUD.
* Title II of the American Disabilities Act prohibits discrimination on the basis of disability in all service, programs and activities provided to the public by State and local governments, except public transportation services.
* Title III of the American Disabilities Act prohibits discrimination on the basis of disability in the activities of places of public accommodations.
* Section 109 of the Housing and Community Development Act of 1974 prohibits discrimination on the basis of race, color, national origin, sex or religion in programs and activities receiving financial assistance from HUD’s Community Development and Block Grant Program.

The Development will ensure to make reasonable accommodations for applicants and participating eligible tenants with disabilities. These accommodations include, but are not limited to, alterations in the application process or in the processes in which the Owner administers policies. Additionally, the Owner will make structural modifications to the housing and non-housing areas of the Development to ensure full access to those persons with limitations due to a handicap or disability. The owner will perform such modifications per Section 504 requirements.

**Opening and closing of wait lists**

TDHCA maintains the 811 Program waitlist and TDHCA is responsible for opening and closing the waitlist as described in the TDHCA Tenant Selection Plan.

**Student Eligibility**

Student eligibility must be determined at move-in, annual recertification, initial certification (when an in-place tenant begins receiving Section 811), and interim certification if the family composition changes due to a household member becoming enrolled as a student.

* Noncitizen students and their noncitizen families may not receive assistance. Noncitizen students are not eligible for continuation of assistance, prorated assistance, or temporary deferral of termination of assistance.
* The student must meet all of the following criteria to be eligible. The student must:
  + Be of legal contract age under state law;
  + 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. Department of Education’s definition of an independent student.
  + Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
  + 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.

Participating eligible tenants must also adhere to any additional student restrictions applicable to the other affordable housing programs the Development may be layered with. These restrictions are detailed in the Development’s additional written policies and procedures.

**Violence Against Women Act (VAWA)**

VAWA provisions are addressed in the development’s additional written policies and procedures.

**Rejections and Appeals**

In addition to those items disclosed in the Development’s policies and procedures HUD rules require applicants must be rejected when:

* The family's annual income exceeds program income limits.
* The Head of Household, the spouse or co-head, and all other adults (age 18 and older) in each applicant family do not sign an Authorization for Release of Information (HUD Form 9887 and 9887/A) prior to being accepted.
* The unit for which the family is applying for will not be the only residence.
* Applicant does not agree to pay rent required by the program under which the family will be receiving assistance.

All applicants have the right to appeal. The applicant must respond to the Owner in writing or request a meeting within 14 days to dispute the denial. Once the Owner has responded or requested a meeting to discuss the denial, the Owner must within five (5) days advise the applicant in writing of the final decision of eligibility.

**Additional Deposits**

**Pet Deposits**

A pet deposit is allowed to be collected only for households with cats or dogs. The total deposit may not exceed $300 and the initial deposit cannot exceed $50 at the time the pet is brought to the premises. The remaining amount of the deposit may be collected in monthly increments not to exceed $10.