FELLOWSHIP PLAZA

14520 FRUITVALE AVENUE, SARATOGA, CA 95070
TELEPHONE (408) 867-1105 TDD (800) 735-2929
FSP-MANAGEMENT@EAHHOUSING.ORG

RESIDENT SELECTION PLAN

Fellowship Plaza is a 150 unit housing community owned by California Odd Fellows Foundation, a California non-profit housing corporation. Fellowship Plaza provides housing for very low income seniors at least 62 years of age and over 18 years with a qualifying mobility, hearing or vision impairment *(only 10% of the units are designated for persons under 62 with mobility impairment)*, without regard to race, color, sex, creed, religion, national origin, physical or mental disability status, familial status, age, ancestry, marital status, source of income, actual or perceived sexual orientation, gender identity or any other arbitrary personal characteristics.

SECTION 504 AND FAIR HOUSING ACT COMPLIANCE

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.

Fellowship Plaza operates under HUD's Section 202 program for the elderly in conjunction with the Section 8 Project Based Housing Assistance Payment Program. Fellowship Plaza is an Equal Opportunity Housing Facility, admitting people in accordance with Local, State and Federal Fair Housing laws, HUD Section 202/8 Program Regulations, Low Income Housing Tax Credit Program (LIHTC) and the Affirmative Fair Housing and Marketing Plan (AFHMP) HUD Form 935.2. All marketing, tenant selection and residential management policies and procedures shall be conducted in accordance with these laws.

Management staff operates and administers the property to enable persons with disabilities to have equal access to participate in the program. Fellowship Plaza will ensure effective communications with applicants, residents, and the public to ensure that policies regarding how the property is operated do not adversely affect applicants, residents and the public.

When a family member requires an accessible feature(s), policy modification, or other reasonable accommodation to accommodate a disability, Fellowship Plaza will provide the requested accommodation unless doing so would result in a fundamental alteration in the nature of the program or an undue financial and administrative burden.

A reasonable accommodation is a change, exception, or adjustment to a program, service, building or dwelling unit that will allow a qualified person with a disability to:

1. Participate fully in a program;
2. Take advantage of a service; or
3. Live in a dwelling.

To show that a requested accommodation may be necessary, there must be an identifiable relationship, or nexus, between the requested accommodation and the individual's disability.

The requirement to provide a reasonable accommodation is present at all times throughout the tenancy of a person with disabilities, including during lease enforcement. Reasonable Accommodation Request forms are available upon request from management.

The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development's regulations

implementing Section 504 (24 CFR, part 8 dated June 2, 1988).

Richard Kennemer, Compliance Program Analyst
EAH Housing, Section 504 Coordinator
250 E. Olive Ave., Suite 420
Burbank, CA 91502
Richard.Kennemer@eahhousing.org
(213) 468-8261 TDD 800-735-2929

AGE/ DISABILITY REQUIREMENT

At least one applicant/household member MUST be 62 years old or older or, if under 62, MUST have qualifying mobility, hearing or vision impairment. Only 10% of the units are designated for persons under 62 years of age with a mobility, hearing or vision impairment.

PRIVACY POLICY

It is the policy of Fellowship Plaza to guard the privacy of individuals conferred by the Federal Privacy Act of 1974, and ensure the protection of such individuals' records maintained by Fellowship Plaza.

Therefore, neither Fellowship Plaza nor its agents shall disclose any personal information contained in its records to any person or agency unless the individual about whom information is requested shall give written consent to such disclosure.

This privacy policy in no way limits Fellowship Plaza's ability to collect such information as it may need to determine eligibility, compute rent, or determine an applicant's suitability of tenancy.

Consistent with the intent of Section 504 of the Rehabilitation Act of 1973, any information obtained on disability will be treated in a confidential manner.

INCOME LIMITS

To qualify for a unit, household's gross income may not exceed the maximum income limit per household size for the Very Low Income limit (50% AMI) as published annually by HUD and may not exceed the maximum income limit per household size as published annually by the California Tax Credit Allocation Committee (CTCAC). Foster members are included in the member count when determining if the household meets the income limit requirements. The income limits are attached and will be posted in the Fellowship Plaza Office.

APPLICATION PROCEDURES

Applications will only be distributed when the Waiting List is open. Applications will not be distributed when the Waiting List is closed.

Applications will be available in the office during normal business hours or by requesting an application by telephone. Each applicant must complete an application and be willing to submit to a credit history, rental history, and criminal background inquiry, as well as income and asset verifications.

All application entries are to be made in ink or typed. Corrections or changes are to be made by lining through the original entry and entering the correct data. Such changes must be dated and initialed by the person making the change.

Signed and dated applications will be processed on a first-come, first-served basis. The application must be completed and signed by the head of household and all household members over 18 before an applicant can be placed on the waiting list. Applicants must list all household members who will reside in the unit and must provide proof of identity. If an application is not completely answered, the date of it being fully completed will be the date that the application is considered accepted for rental purposes.

When a completed application is received, the application will then be logged by date and time received and placed on the waiting list. When a vacancy at the property exists, or is expected within the next one hundred and twenty (120) days, the verification-selection process will

begin immediately for the next applicant on the waiting list in regard to income, assets, and eligible program allowances for certification and Fellowship Plaza's references for selection or rejection.
Notices will be mailed to the first three (3) to five (5) applicants on the list for the particular size unit to be available advising them that if they are still interested in a unit, they should contact the manager within fourteen (14) days from the date of the letter. For those contacted who respond on time, the manager shall arrange a meeting for the interested applicant highest on the waiting list to begin the selection and verification process. If they do not respond to telephone calls and/or letters in that fourteen (14) day period, their name shall be removed from the waiting list.

PREFERENCES

It is the policy of the Property that a preference does not guarantee admission. Every applicant must still meet the Property's Resident Selection Plan standards for acceptance as a resident.

For units accessible to or adaptable for persons with mobility, visual or hearing impairments, households containing at least one person with such impairment will have first priority. These units will be offered first to current residents, and then to applicants, who have noted the need for such features on their application, based upon their chronological order on the waiting list.

In all instances, apartments designed specifically for a person with disabilities should be rented to a household with a member needing that type of apartment. Outreach will be done to community agencies and organizations to accomplish this.

In the unlikely event that no resident or applicant/household on the waiting list requires that apartment type, the next applicant on the waiting list can be housed there (temporarily) only after signing a lease addendum that they will move at their own expense within 30 days of written notification by management that there is a need for their particular apartment and an appropriately sized apartment is available.

Forty percent (40%) of Fellowship Plaza's Section 8 subsidized vacancies each year must be set-aside for households whose income does not exceed 30% of the area median income ("extremely low-income") as published by HUD. Therefore, persons lower on the waiting list could be offered an apartment first to satisfy this 40% regulation. Extremely low-income is defined as very low income families whose income does not exceed higher of 30 percent of the area median income or the federal poverty level.

To implement this preference we will select the first extremely low-income applicant on the waiting list (which may mean "skipping over" some applicants with higher incomes) for the available unit, and then select the next eligible applicant currently at the top of the waiting list (regardless of income level) for the next available unit. As subsequent units become available, Resident selection continues to alternate between the next extremely low-income applicant and the eligible applicant at the top of the waiting list until the 40% target is reached.

Where preferences apply, applicants with a verified preference will be moved to the top of the waiting list above persons without a preference.

UNIT TRANSFER POLICY

A Unit Transfer List is maintained and processed in the following priority order for those residents who have been approved for transfer to another unit:

- A victim of domestic violence, dating violence, sexual assault, or stalking;
- To accommodate a disability (a medical reason certified by a third party professional or need for an accessible unit).
- To address over-or-under-utilization of a unit (a change in household size or household composition);
- a deeper subsidy (Section 8);

Fellowship Plaza cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request.

Fellowship Plaza will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. Transfers for these reasons will take priority over all other transfer requests including those made to accommodate a disability and to address over- or under- utilization of a unit.

Residents occupying units modified for accessibility for persons with disabilities that do not meet the definition of a disabled household will be transferred to a vacant, non-modified unit if a household with members meeting the definition of a disabled household and requiring the features of the accessible unit apply for housing and meet the eligibility criteria for Fellowship Plaza.

Section 8 ONLY: *If a determination is made by management that a transfer is required, the resident will be given the option to remain in the unit and pay the HUD-approved market rent; or must move within 30 days after written notification that a unit of the required size is available within the property. Depending upon the circumstances of the transfer, a resident may be obligated to pay all costs associated with the move. However, if a resident is transferred as a reasonable accommodation to a household's disability, then management must pay the costs associated with the transfer, unless doing so would be an undue financial and administrative burden.*

OCCUPANCY STANDARDS

Occupancy standards are the criterion established for matching a household with the most appropriate size and type of apartment. "Two plus one" occupancy guidelines will be followed to avoid under or over utilization of the units as follows:

Bedroom	Household Minimum	Household Maximum
1	1	3
2*	2	5

* Two (2) bedroom units are reserved for in-house residents that require a live-in attendant.

To determine the proper bedroom size for which a household may qualify, the following household members are to be included:

1. All full-time members of the household, and
2. Foster children; Unborn children; Children in the process of being adopted; Children whose custody is being obtained by an adult family member; Children in joint custody arrangements who are present in the household 50% or more of the time.
3. Live-in attendants.

NOTE: Live-in attendants are subject to the criminal and landlord provisions of this plan with the exception of criteria that determines ability to pay rent.

Exceptions to these Occupancy Standards may be made when required as a reasonable accommodation for a disabled household member.

DISCLOSURE OF SOCIAL SECURITY NUMBERS

All applicants for assistance and program participants must disclose the social security numbers (SSNs) assigned to themselves and all members of their household (including live-in aides and foster members). Exemptions are provided for:

- Non-citizens who do not contend eligible immigration status. Assistance to these household members will be prorated.
- Current participants who are 62 years of age or older as of January 31, 2010, whose initial determination of eligibility begun before January 31, 2010.
    - Qualifying seniors are exempt from the SSN disclosure mandate for all future examinations, even if the senior moves to a new HUD-assisted property.

Documents required in order to verify the SSNs include:

- A valid SSN card issued by the Social Security Administration;
- An original document issued by a federal or state government agency, which contains the name, SSN, and other identifying information of the individual; or,
- Other acceptable documents that are listed in Appendix 3 of the HUD handbook 4350.3.

Applicant households who have not disclosed and/or provided verification of their SSNs at the time an apartment becomes available will be given 90 days from the date an apartment is first offered to disclose and/or verify the SSNs. During this time, the applicant may retain their place on the waiting list, but the available apartment will be offered to the next applicant on the waiting list. After 90 days, if the applicant is unable to disclose and/or verify the SSNs of all non-exempt household members, the applicant household will be determined ineligible and removed from the waiting list.

New household members under the age of 6 who already have a SSN are subject to the same disclosure and verification requirements as new household members who are at least 6 years of age. For new members who have not been assigned a SSN, a 90 day period for verification is allowed. If the household does not provide the SSN and verification within 90 days due to unforeseen circumstances outside the resident's control, Fellowship Plaza will grant an extension of one additional 90-day period.

Members under the age of 6 years of age that **are** eligible for a 90-day extension to provide their SSN, if added to the household within the last 6 months. **Also, the entire household WILL lose it's tenancy or assistance if one member of the household does not comply with the SSN disclosure requirements.**

The owner/agent must deny and/or terminate HUD assistance, in accordance with the provisions governing the program, if the assistance applicant does not meet the applicable SSN disclosure, documentation, and verification requirements.

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.

RESTRICTION ON ASSISTANCE TO NON-CITIZENS

By law, only US citizens and eligible non-citizens are eligible for rental assistance. All family members, including foster members regardless of age, must declare their citizenship or immigration status. The following documents are required:

1. Family Summary Sheet and Owner Summary Sheet (lists all household members who will reside in the assisted unit)
2. Citizenship Declaration (Each household member listed including foster members must complete. Parents will complete and sign for household members under 18)
3. Forms and/or evidence of citizenship/immigration status.

Applicants that are U.S. Citizens must sign a declaration of citizenship and provide acceptable documents such as birth certificate, U.S. passport, certificate of citizenship or naturalization certificate.

Applicants that are Non-citizens claiming eligible status must sign a declaration of eligible immigration status, consent form and provide a DHS-approved document. Acceptable documents as proof of eligible immigration status include Form I-551 - Permanent Resident Card, Form I-94 – Arrival – Departure Record, a receipt issued by the INS indicating that an application for issuance of a replacement in one of the above-listed categories has been made and the applicant's entitlement to the document has been verified or other acceptable evidence if the documents are determined by the DHS to constitute

acceptable evidence of eligible immigration status (announced by notice published in the Federal Register).

Non-citizens not claiming eligible immigration status must sign a declaration that they are not claiming eligible immigration status.

The manager is required to verify the validity of documents submitted by the applicant with the Department of Homeland Security (DHS) through their automated verification system. An applicant that provides documentation but is later determined by the DHS to be invalid documentation will have the assistance removed for that household member. Non-citizens age 62 and older must provide proof of age and sign a declaration that they have eligible immigration status.

Mixed families, a family that contains both eligible and non-eligible members may receive prorated assistance. Applicants who hold non-citizen student visas and non-citizens living with the student are considered ineligible for assistance.

Applicants who cannot provide documentation of eligible immigration status at the time of the applicant interview will be given a 14 day period to provide this documentation, if they provide a certification that the documentation is temporarily unavailable. Provided that at least one family member has provided documentation, the family may move in with prorated assistance provided they are otherwise eligible. Families that are found to be ineligible have the right to appeal the decision. The notice of ineligibility will describe the applicants' options.

RESTRICTION ON ASSISTANCE TO STUDENTS (Section 8 only)

Student's eligibility for Section 8 assistance will be determined at move-in, annual recertification, initial certification (when in-place residents begins receiving Section 8), and at the time of an interim recertification if one of the family composition changes reported is that a household member is enrolled as a student.

A student enrolled full-time or part-time in an Institute of Higher Education as defined by the Higher Education Act of 1965-Amended 1998 will be deemed eligible for assistance if the student meets all other eligibility requirements, passes screening criteria and is:

1) Living with parents/guardians or
2) 24 years of age or older or
3) A veteran of the United States armed services or
4) Married or
5) Has a dependent child or
6) Can prove independence of parents including
    a. Providing certification that parents did not claim the student on the most recent tax return
    b. The student has lived separate of the parents for at least one year or the student meets the Department of Education's definition of an independent student.
7) Is disabled and was receiving Section 8 assistance as of November 30, 2005
8) Has parents who are income eligible for the Section 8 program

Any financial assistance a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education **that is in excess of amounts received for tuition is included in annual income**, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving Section 8 assistance.

If an ineligible student is a member of an applicant household or an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated.

Applicant/Households applying for other HUD housing assistance other than Section 8 that contain any student(s) enrolled in an Institute of Higher Education as defined by the Higher Education Act of 1965-Amended 1998 will be deemed eligible if they meet all other eligibility requirements, pass screening criteria and:

- Are 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.

DEFINITION OF AN INDEPENDENT STUDENT:

Owners must use, and the student must meet, the following criteria to be eligible for Section 8 assistance as an independent student. The student must:

1. be 24 years of age or older by December 31 of the award year;
2. 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;
3. is or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individuals State of legal residence;
4. is a veteran of the Armed Forces of the United States or is currently service on active duty in the Armed Forces for other than training purposes;
5. is a graduate or professional student;
6. is a married individual;
7. has legal dependents other than a spouse;
8. 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 or as unaccompanied, at risk of homelessness and self-supporting;
9. is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.

Owners must verify the students' independence from his or her parents. To determine that the students' parents' income is not relevant in determining the student's eligibility for assistance by doing all of the following:

1. Review and verify previous address information to determine evidence of a separate household verifying the student meets the U.S. Department of Education's definition of independent student;
2. Review a students' prior year income tax returns to verify the student is independent or verifying the student meets the Department of Education's definition of independent student;
3. Verify income provided by parent by requiring written certification from an individual providing the support. Financial assistance that is provided by persons not living in the unit is part of the annual income.
4. Certification is also required if the parent is providing NO support to the student.

The rule does not apply to students residing with their parents in a section 8 assisted unit or who reside with parents who are applying to received section 8 assistance

GROUNDS FOR DENIAL

1. The household does not meet the age or disability requirements of the property as outlined above in the age/ disability requirement section of this plan.

2. Total family income exceeds the applicable income limits published by HUD.

3. No member of the applicant household is a citizen or national of the United States, or an eligible non-citizen as defined by HUD and the applicant is applying for an apartment subsidized by HUD.

4. Household cannot pay the full security deposit at move-in.

5. Household refuses to accept the second offer of a unit.

6. Household fails to respond to interview letters or otherwise fails to cooperate with the certification process. Failure to sign consent forms.

7. Blatant disrespect or disruptive behavior toward management, the property or other residents exhibited by an applicant or family member any time prior to move-in (or a demonstrable history of such behavior).

8. ANY adult household member fails to schedule and/or attend two eligibility interviews and does not have a valid medical reason.

9. Applicant failed to provide adequate verification of income or we are unable to adequately verify income and/or income sources.

10. Providing or submitting false or untrue information on your application or failure to cooperate in any way with the verification process including failure to provide requested information within 30 days.

11. The household size is not appropriate for any apartment size in this community.

12. By HUD formula, the applicant/household cannot show a need for the subsidy assistance.

13. Unit assignment will NOT be the family's sole place of residency. **Qualification for a unit includes occupying the unit on a continuous basis and as a primary residence. Residents may not be absent from the unit for more than 60 consecutive days, or for longer than 180 continuous days for medical reasons.**

14. Family members failed to provide proof of a social security number. See "Disclosure of SSN" section of this plan.

15. Household does not meet the "Restriction on assistance to students" section of this plan.

LANDLORD REFERENCE

16. Negative landlord references* that indicate lease violation, disturbing the peace, harassment, poor housekeeping, improper conduct or other negative references against the household.

17. Evictions reported in the last 5 years.

18. History of late payment of rent that demonstrates more than 2 late payments of rent in a six-month period for the past two years. More than 1 NSF in a one-year period.

19. Any evidence of illegal activity including drugs, gang, etc.

20. Inappropriate household size for the unit available (see Occupancy Standards).

**The absence of previous rental history by itself will not be reason to reject an applicant.*

It is the intent of this Resident Selection Plan to use various forms of verification of previous history and behavior to show evidence that an applicant can demonstrate responsibility as a resident. In cases where no verification of relevant previous history or behavior (landlord references, credit history, etc.) can be confirmed, the owner is not obligated to rent a unit to the applicant.

CREDIT

Please see attached credit criteria.

CRIMINAL

Please see attached criminal background criteria.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

The Violence Against Women Reauthorization Act of 2013 (VAWA) applies to all federally funded units (Fellowship Plaza) and offers the **following protections against eviction or denial of housing based on domestic violence, dating violence, sexual assault or stalking:**

1. An applicant's or program participant's status as a victim of domestic violence, dating violence, sexual assault or stalking is not a basis for denial of rental assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.

2. An incident or incidents of actual or threatened domestic violence, dating violence, sexual assault or stalking will not be construed as serious or repeated violations of the lease or other "good cause" for terminating the assistance, tenancy, or occupancy rights of a victim of abuse.

3. Criminal activity directly related to domestic violence, dating violence, sexual assault or stalking, engaged in by a member of a tenant's household or any guest or an **affiliated individual** of yours, shall not be cause for termination of assistance, tenancy, or occupancy rights of the victim of the criminal acts.

4. **Affiliated individual** means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control; or any individual, resident, or lawful occupant living in your household.

5. Assistance may be terminated or a lease "bifurcated" in order to remove an offending household member from the home. Whether or not the individual is a signatory to the lease and lawful tenant, if he/she engages in a criminal act of physical violence against family members or others, he/she stands to be evicted, removed, or have his/her occupancy rights terminated. This action is taken while allowing the victim, who is a tenant or a lawful occupant, to remain.

6. The provisions protecting victims of domestic violence, dating violence, sexual assault or stalking engaged in by a member of the household, may not be construed to limit Fellowship Plaza when notified, from honoring various court orders issued to either protect the victim or address the distribution of property in case a family breaks up.

7. The authority to evict or terminate assistance is not limited with respect to a victim that commits unrelated criminal activity. Furthermore, if Fellowship Plaza can show an actual and imminent threat to other tenants or those employed at or providing service to the property if an unlawful tenant's residency is not terminated, then evicting a victim is an option, the VAWA notwithstanding. Ultimately, Fellowship Plaza will not subject victims to more demanding standards than other tenants.

The VAWA protections shall not supersede any provision of any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence or stalking. The laws offering greater protection are applied in instances of domestic violence, dating violence or stalking.

Attached to this Resident Selection Plan is the VAWA Notice of Occupancy Rights and Certification form for review. The Notice of Occupancy Rights and Certification form will be provided to applicants when assistance is being denied or at the time of move-in.

This notice explains your rights under VAWA. A HUD-approved certification form is attached to the notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.

An Emergency Transfer Plan is included in this Resident Selection Plan and defines policies and eligibility for an internal emergency transfer for tenants who are victims of domestic violence, dating violence, sexual assault, or stalking.

VERIFICATION

All of this information will be verified in accordance with HUD Regulations and Requirements, as stated in HUD Handbook 4350.3REV-1. Applicants will be required to sign appropriate forms authorizing management to verify any and all factors that affect the applicant's eligibility, the rent that the applicant will pay, or the subsidy that they would receive.

INTERVIEWS

When the applicant completes their original application, they will be preliminarily interviewed for application completeness, and legibility, and to determine that they meet the basic requirements to qualify for this housing program. If it appears that the applicant meets the basic requirements, the applicant will be added to the waiting list. This in no way means that an applicant qualifies for an apartment.

As an applicant's name approaches the top of the Waiting List, an interview will be scheduled. All members of the applicant's household must attend this interview. Two failures to schedule and/or attend an agreed-upon time for an interview will be grounds for denial. For applicants with limited English proficiency, language assistance is available.

During the interview, all items on the application will be discussed and confirmed, and verification forms will be signed by the applicant(s) authorizing Management to verify all of these issues/items. Until all items are verified, eligibility cannot be determined, nor any housing offered. Management must make an attempt to verify all factors by "third party" verification, per HUD Regulations and Procedures. Third party verification includes sending verification forms directly to the source, but also includes the use of HUD's Enterprise Income Verification System which pulls data directly from the Department of Health and Human Services (HHS), the Department of Housing and Urban Development (HUD), the Social Security Administration (SSA), and Medicare/Medicaid for applicants requesting HUD subsidy.

Eligibility for housing can be confirmed only after all items of income, assets, household composition, etc., which may have any bearing on the rent that they may pay or subsidy they may receive, are verified.

GRIEVANCE/APPEAL PROCESS

When Fellowship Plaza denies an application, the applicant will be notified of this decision in writing. This written statement, which will be sent in a timely fashion, will include the reason(s) for the denial, and state that the applicant has the opportunity to request a meeting with the Property Supervisor to discuss the denial and present any extenuating circumstances they would like to have considered. In addition, if the applicant is an individual with disabilities, and the reason their application is being denied is related to their disability, the applicant may request a meeting to discuss whether a reasonable accommodation would make their application acceptable.

If the applicant would like to request a meeting, the applicant's written request must be sent to Fellowship Plaza within fourteen (14) days of the applicant's receipt of the denial notice. The requested meeting will be held in person or by phone by management within a reasonable period of time (usually fourteen (14) days), and is to be held by a

"disinterested" third party (someone who was not a party to the decision to deny).

After the meeting, the applicant must be notified, in writing with five (5) calendar days whether or not the original decision has been changed. All of this material (original application, denial letter, applicant's request for a meeting, summary of the meeting and final determination) must be kept for three (3) years, confidentially, in the files.

ADMINISTRATION OF WAITING LIST

The property is required to maintain a Waiting List of all eligible applicants. Applicants must be placed on the Waiting List and selected from the Waiting List even in situations where there are vacancies and the application is processed upon receipt. This procedure is necessary to assure the complete and accurate processing of all documentation for all applicants.

The property has one Waiting List that is established and maintained in chronological order based on the date and time of receipt of the Preliminary Application. The Waiting List contains the following information for each applicant:

1. Applicant Name
2. Address and/or Contact Information
3. Phone Number(s)
4. Unit Type/Size
5. Household Composition
6. Preference/Accessibility requirements
7. Income level
8. Date/ Time of Application

Applicants must report changes in writing to any of the information immediately.

Applicants will have the opportunity to decline the first apartment offered and retain their place on the waiting list. Should the applicant decline the offer of the next available unit, they will be removed from the waiting list.

PURGING THE WAITING LIST

The Waiting List will be purged **annually** to ensure that applicant information is current and that any names that should no longer be on the list are removed. Each applicant will receive a letter from the property, which will request updated information and ask about their continued interest. This letter must be returned within the specified time or their application will be removed from the Waiting List. It is the responsibility of the applicant to maintain a current address with the office in order to receive waitlist correspondence. Any correspondence returned undeliverable will result in application being removed from the waitlist.

OPENING/ CLOSING OF WAITING LIST

Fellowship Plaza will monitor the vacancies and waiting lists regularly to ensure that there are enough applicants to fill the vacancies. Furthermore, Fellowship Plaza will monitor the waiting list to make sure that they do not become so long that the wait for a unit becomes excessive.

The waiting list may be closed for one or more unit sizes when the average wait is excessive. When the waiting list is closed, Fellowship Plaza will advise potential applicants that the waiting list is closed and refuse to take additional applications. Fellowship Plaza will publish a notice stating that the waiting list is closed in a publication likely to be read by potential applicants. The notice will state the reasons for Fellowship Plaza's refusal to accept additional applications.

When Fellowship Plaza agrees to accept applications again, the notice of this action will be announced in a publication likely to be read by potential applicants in the same manner as the notification that the waiting list was closed.

Advertisements will include where and when to apply and will conform to the advertising and outreach activities described in the Affirmative Fair Housing Marketing Plan for Fellowship Plaza.

AVAILABILITY OF RESIDENT SELECTION PLAN

The Resident Selection Plan shall be posted in a conspicuous and public area at the site. Changes to the Plan will be sent via U.S. mail to all persons on the active Waiting List. When the Waiting List opens, the Resident Selection Plan will be distributed with applications and are available by request from management.

If the Resident Selection Plan or House Rules are revised or updated, applicants will receive a copy of the updated plan and current residents will receive a copy of the updated House Rules.

ANNUAL/INTERIM RECERTIFICATION REQUIREMENTS

All residents must be re-certified annually. Residents are also required to report all interim changes to management that occur between annually scheduled re-certifications.

Enterprise Income Verification (EIV)

In an effort to ensure the right assistance is provided to the right people, The Department of Housing and Urban Development (HUD) has provided property managers with access to a verification database called the Enterprise Income Verification System (EIV). Fellowship Plaza utilizes EIV during the certification process for applicants and residents. All adult applicants, co-heads (even those under 18 years of age) and residents must give consent to the release of this information by signing HUD Forms 9887 and 9887A.

Fellowship Plaza will utilize the EIV **Existing Tenant Search** at the time applications are processed to determine if household members are currently residing at another Multifamily Housing or Public and Indian Housing (PIH) location. The EIV Existing Tenant Search is used and is required for all household members including minors, live-in aides, and foster members. EIV gives Fellowship Plaza the option to query both the TRACS and Public and Indian Housing's (PIH's) Information Center (PIC) databases.

Nothing prohibits a housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit any project-based Section 8 voucher assistance before HUD assistance on this property will begin. Special consideration applies to:

1) Minor children where both parents share 50% custody.
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 a member of the applicant's household is residing at another location, Fellowship Plaza will discuss this with the applicant, giving the applicant the opportunity to explain any circumstances relative to the applicant being assisted at another location.

Depending on the outcome of the discussion, Fellowship Plaza may need to follow-up with the respective PHA or O/A to confirm the individual's program participation status before admission. The **Existing Tenant Search** report gives Fellowship Plaza the ability to coordinate move-out and move-in dates with the PHA or O/A of the property at the other location.

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 on an annual basis, at each annual certification. If any household member receives assistance in another HUD assisted unit while receiving assistance at this community, 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.

PETS

Residents are permitted to keep common household pets in the dwelling unit (subject to the provisions in 24 CFR Part 243 and the pet policy promulgated under 24 CFR Section 243.20). SERVICE or ASSISTANCE animals are not considered pets and are not required to comply with the provisions of the Pet Policy. Service or Assistance animals are those animals specifically required to assist individuals with documented disabilities. Please notify Management if you require a Service or Assistance animal.

LIMITED ENGLISH PROFICIENCY (LEP) SERVICES

Fellowship Plaza will determine, as part of its obligation to take reasonable steps to ensure meaningful access to the Development and its programs by persons with Limited English Proficiency (LEP), those Oral Language Services (i.e. Interpretation) and HUD provided written translated documents (i.e. Translation) that may be required in connection with the implementation of this Plan.

UNIT INSPECTION REQUIREMENT

Before signing the lease, Fellowship Plaza and the resident must jointly inspect the unit. The resident has five days to report any additional deficiencies to Fellowship Plaza to be noted on the move-in inspection form.

Annual unit inspections are performed by Fellowship Plaza. Agencies providing funding have the right to inspect the unit to ensure the property is being physically well maintained and that the residents are provided with decent, safe and sanitary housing.

Residents will receive prior written notification for all unit inspections.

When a resident moves out, a final inspection will be completed. Residents are encouraged to attend the move-out inspection. However, if the resident does not wish to participate in the final inspection, Fellowship Plaza management may conduct the inspection alone.

EQUAL HOUSING OPPORTUNITY

Fellowship Plaza does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.

EAH HOUSING
A NON-PROFIT HOUSING
CORPORATION

Expanding the range of opportunities for all by developing, managing and promoting quality affordable housing and diverse communities since 1968.

Fellowship Plaza is an equal opportunity housing provider.

Fellowship Plaza
Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking
Emergency Transfers

Fellowship Plaza is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking.

In accordance with the Violence Against Women Act (VAWA), Fellowship Plaza allows residents who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.[1] The ability of Fellowship Plaza to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether Fellowship Plaza has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees Fellowship Plaza's subsidy programs to ensure they are in compliance with VAWA.

Eligibility for Emergency Transfers
A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L is eligible for an emergency transfer, if:

1. The tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit.
2. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

Emergency Transfer Request Documentation
To request an emergency transfer, the tenant shall notify Fellowship Plaza's management office and submit a written request for a transfer to **Fellowship Plaza, 14520 Fruitvale Avenue, Saratoga, CA 95070** and include documentation of the occurrence of domestic violence, dating violence, sexual assault or stalking if tenant has not previously provided such documentation of the occurrence. Fellowship Plaza will provide reasonable accommodations to this policy for individuals with disabilities.

The tenant's written request for an emergency transfer should include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under Fellowship Plaza's program; or
2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

Acceptable documentation of the occurrence of domestic violence, dating violence, sexual assault or stalking must be provided if tenant has not provided such documentation. Acceptable documentation includes any one of the following forms of verification:

1. A complete HUD-approved certification Form 5-382;
2. A document:
   a. Signed by the resident and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, "professional") from whom the victim has sought assistance relating to

domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse;

b. That specifies, under penalty of perjury, that the professional believes in the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under this subpart, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking under 24 C.F.R. § 5.2015;

3. A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
4. At the discretion of Fellowship Plaza, a statement or other evidence provided by the resident.

If Fellowship Plaza receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), Fellowship Plaza has the right to request that you provide third-party documentation within thirty (30) calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, Fellowship Plaza does not have to provide you with the protections in this notice.

Confidentiality

Fellowship Plaza will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives Fellowship Plaza written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the Notice of Occupancy Rights under the Violence Against Women Act For All Tenants for more information about Fellowship Plaza's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

Internal Emergency Transfer Timing and Availability

Internal emergency transfers refer to an emergency relocation of a resident to another unit where the resident would not be categorized as a new applicant. The resident may reside in the new unit without having to undergo an application process. Internal emergency transfers generally are only available within the community in which the tenant is residing.

Fellowship Plaza cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. Fellowship Plaza will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. Transfers for these reasons will take priority over all other transfer requests including those made to accommodate a disability and to address over- or under- utilization of a unit.

If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. Fellowship Plaza may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If an internal safe unit is not immediately available, a tenant is allowed to seek an internal and external emergency transfer concurrently.

External Emergency Transfers

External emergency transfers refer to an emergency relocation of a resident to another unit where the tenant would be categorized as a new applicant. The tenant must undergo an application process in order to reside in the new unit.

While EAH Housing may manage other communities within the area, each are (1) owned by different entities which are the actual housing providers at those communities for whom EAH Housing is acting as agent, (2) has its own wait lists and (3) is subject to its own regulatory agreements. As such, except in rare circumstances where the Owner also owns another community, EAH Housing must process transfers to other communities, even those managed by Fellowship Plaza, as external transfers. In most circumstances, Fellowship Plaza is unable to give priority for such external transfers even if Fellowship Plaza manages the property or EAH Housing

manages the property for the other Owner. As such, external transfers generally will require the transferring tenant to go on any pending waitlist in the same position as any other new applicant at the other property.

Additional Assistance

If Fellowship Plaza has no safe and available units for which a tenant who needs an emergency is eligible, Fellowship Plaza will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move.

At the tenant's request, Fellowship Plaza will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

Safety and Security of Tenants

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 800-656-HOPE, or visit the online hotline at https://ohl.rainn.org/online.

Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at https://www.victimsofcrime.org/our-programs/stalking-resource-center.

Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking

The National Domestic Violence Hotline	800-799-7233 (SAFE)	www.ndvh.org
National Dating Abuse Helpline	866-331-9474	www.loveisrespect.org
Americans Overseas Domestic Violence Crisis Center	866-USWOMEN (879-6636)	www.866uswomen.org
National Child Abuse Hotline/Childhelp	800-4-A-CHILD 800-422-4453	www.childhelp.org
National Sexual Assault Hotline	800-656-4673 (HOPE)	www.rainn.org
San Jose Police Department Family Violence Center	408-277-3700	www.sjpd.org/BOI/fvc
San Jose Police Department – General Information	408-277-8900	www.sjpd.org
Next Door – Solutions to Domestic Violence	408-279-2962	www.nextdoor.org
Sexual Assault Response Team – Santa Clara Valley Medical Center	408-885-6466	www.scvmc.org/services/hospitaldepts/emergency
YWCA 24-Hour Sexual Assault and Domestic Violence Crisis Line	408-287-3000	