EAH HOUSING
A roof is just the beginning

RODEO GATEWAY
710 WILLOW AVENUE, RODEO, CA 94572
TELEPHONE (510) 245-2004 TDD (800) 735-2929
RG-MANAGEMENT@EAHHOUSING.ORG

RESIDENT SELECTION PLAN

Rodeo Gateway is a 50 unit non-profit housing organization that provides housing for very low income seniors that has at least one member 62 years of age or older 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. Rodeo Gateway operates under HUD's Section 202 PRAC program for the elderly.

Rodeo Gateway is an Equal Opportunity Housing Facility, admitting people in accordance with Local, State and Federal Fair Housing laws, HUD Section 202 PRAC Program Regulations and the Affirmative Fair Housing and Marketing Plan (AFHMP) HUD Form 935.2.

NON-SMOKING POLICY

Rodeo Gateway is designated as a Non-Smoking property. Smoking is prohibited in all areas of the property including the interior of apartments, all indoor and outdoor common areas on the property.

It is the residents' responsibility to inform their guests of the Non-Smoking Policy. Any violation of the Non-Smoking Policy will be deemed a material breach of the Rental Agreement and grounds for immediate termination of the Lease/Rental Agreement.

Rodeo Gateway's adoption of a Non-Smoking Policy does not make the Owner the guarantor of the resident's health or that the property will be free of smoke but management shall take reasonable steps to enforce this policy.

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.

Rodeo Gateway is an Equal Opportunity Housing Facility, admitting people in accordance with Local, State and Federal Fair Housing laws, HUD Section 202 PRAC and Section 8 Program Regulations 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. Rodeo Gateway 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, Rodeo Gateway 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
Section 504 Coordinator
18801 Ventura Blvd., Suite 300, Tarzana CA 91356
Telephone 213-468-8261 x8119
TDD 800-735-2929

PRIVACY POLICY

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

Therefore, neither Rodeo Gateway 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 Rodeo Gateway'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.

AGE REQUIREMENT

At least one household member must be age 62 or older at the time of application.

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. The income limits are attached and will be posted in the Rodeo Gateway 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. 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 Rodeo Gateway'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.

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);

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

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

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. Live-in attendants.
3. Foster children
4. Unborn children
5. Children in the process of being adopted

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 was 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.

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, Rodeo Gateway will grant an extension of one additional 90-day period.

If a child under the age of 6 years is added to the household within the 6-month period prior to the household's date of move in, the assistance applicant may become a resident, so long as the SSN documentation is provided to Rodeo Gateway within 90 calendar days from the date of admission. Rodeo Gateway will grant an

extension of one additional 90-day period if it is determined that failure to comply was due to circumstances that could not reasonably have been foreseen and were outside the control of the assistance applicant. If the applicant family fails to produce the SSN documentation within the required time period, **the entire household WILL lose its tenancy or assistance even if only 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 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 Part-Time or Full-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. Being of legal contract age under state law;
   b. Having lived separately from parents or legal guardians for at least one year *or* meeting the U.S. Department of Education's definition of an independent student;
   c. Certification that parents or legal guardians did not claim the student as a dependent pursuant to IRS regulations, *and* certification of the financial assistance provided by parents and signed by the individual providing the support, even if no assistance is provided.
7. Disabled and was receiving Section 8 assistance as of November 30, 2005
8. Having parents who are income eligible for the Section 8 program
9. Is individually eligible to receive Section 8 assistance or has parent (individually or jointly) who are income eligible to receive Section 8 assistance.

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.

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 student's independence from his or her parents. To determine that the students parents income is not relevant in determining the students 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 student's 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 receive section 8 assistance.

GROUNDS FOR DENIAL

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

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

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

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

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

6. ANY adult household members fail to attend eligibility interview.

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

9. Providing or submitting false or untrue information on your application or failure to cooperate in any way with the verification process.

10. 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.**

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

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

LANDLORD REFERENCE

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

14. Evictions reported in the last 5 years.

15. 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.

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

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

CREDIT

Please see attached credit criteria.

CRIMINAL

Please see attached criminal background criteria.

VIOLENCE AGAINST WOMEN ACT OF 2013

The Violence Against Women Act of 2013 (VAWA) applies to project-based Section 8 units (Rodeo Gateway) and offers the **following protections against eviction or denial of housing based on domestic violence, dating violence, sexual assault and stalking:**

1. An applicant's or program participant's status as a victim of domestic violence, dating violence, sexual assault and 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. This must support or assist victims of domestic violence, dating violence, sexual assault and stalking. It must protect victims, as well as members of their family, from being denied housing or from losing their HUD assisted housing.

3. An incident or incidents of actual or threatened domestic violence, dating violence, sexual assault and 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.

4. Criminal activity directly related to domestic violence, dating violence, sexual assault and stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of assistance, tenancy, or occupancy rights of the victim of the criminal acts.

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 and stalking engaged in by a member of the household, may not be construed to limit

Rodeo Gateway, 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 Rodeo Gateway 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, Rodeo Gateway 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, sexual assault and stalking. The laws offering greater protection are applied in instances of domestic violence, dating violence, sexual assault and 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.

GRIEVANCE/APPEAL PROCESS

Failure to meet one or more of the foregoing screening criteria may be grounds for rejection, however, each application is considered as a whole and the above-factors are considered as part of a weighted formula. Should the applicants fail to meet the screening criteria, they will receive a notice in writing indicating that they have the right to appeal the decision. This notice must indicate that the applicant has 14 days to dispute the decision.

An appeal meeting with the Property Supervisor will be held within 10 business days of receipt of the applicant's request.

Within five days of the appeal meeting, the property will advise the applicant in writing of the final decision regarding eligibility. Apartments will not be held for those applicants in the appeal process.

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

The methods of advertising used to announce opening and closing of the Waiting List is contained in our Affirmative Fair Housing Marketing Plan (AFHMP). A copy of this plan is available by request from the site manager.

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 is revised or updated, applicants will receive a copy of the updated plan and current residents will receive a copy of the updated House Rules.

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). Rodeo Gateway utilizes EIV during the certification process for applicants and residents. All adult applicants and residents must give consent to the release of this information by signing HUD Forms 9887 and 9887A.

Rodeo Gateway 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. EIV gives Rodeo Gateway 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.

If the applicant or a member of the applicant's household is residing at another location, Rodeo Gateway 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, Rodeo Gateway 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 Rodeo Gateway 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.

LIMITED ENGLISH PROFICIENCY (LEP) SERVICES

Rodeo Gateway 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.

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.

UNIT INSPECTION REQUIREMENT

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

Annual unit inspections are performed by Rodeo Gateway. Agencies providing funding have the right to inspect the unit to ensure the property is 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, Rodeo Gateway management may conduct the inspection alone.

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). Please refer to the EAH Animal Policy for the latest pet guidelines and security deposit information. 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.

EQUAL HOUSING OPPORTUNITY

Rodeo Gateway 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.
Rodeo Gateway is an equal opportunity housing provider.

Rodeo Gateway
Violence, Dating Violence, Sexual Assault, or Stalking
Emergency Transfers

Rodeo Gateway 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), Rodeo Gateway 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 Rodeo Gateway 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 Rodeo Gateway 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 Rodeo Gateway'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 Rodeo Gateway's management office and submit a written request for a transfer to **Rodeo Gateway, 710 Willow Avenue, Rodeo, CA 94572** 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. Rodeo Gateway 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 Rodeo Gateway'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. § 5.2003;
3. A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
4. At the discretion of Rodeo Gateway, a statement or other evidence provided by the resident.

If Rodeo Gateway 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), Rodeo Gateway 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, Rodeo Gateway does not have to provide you with the protections in this notice.

Confidentiality

Rodeo Gateway will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives Rodeo Gateway 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 Rodeo Gateway'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.

Rodeo Gateway cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. Rodeo Gateway 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. Rodeo Gateway 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 Rodeo Gateway, as external transfers. In most circumstances, Rodeo Gateway is unable to give priority for such external transfers even if Rodeo Gateway 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 Rodeo Gateway has no safe and available units for which a tenant who needs an emergency is eligible, Rodeo Gateway 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, Rodeo Gateway 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.

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

Rodeo Gateway

Resources:
For help addressing domestic violence, dating violence, sexual assault and stalking, please refer to the following agencies:

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
Stand Against Domestic Violence	(925) 676-2845	http://www.standffov.org/
Richmond Police Department – Domestic & Sexual Violence Unit	(510) 620-6668	http://www.ci.richmond.ca.us/1015/Domestic-Sexual-Violence