



WESTERN PARK APARTMENTS
1280 LAGUNA STREET, SAN FRANCISCO, CA 94115
TELEPHONE (415) 922-5436 TDD (800) 735-2929
WPA-MANAGEMENT@EAHHOUSING.ORG

RESIDENT SELECTION PLAN

Fair Housing Act and Title VI of the Civil Rights Act of 1964

Western Park Apartments is a 182 unit apartment community for elderly individuals and families age 62 and over, or persons with disabilities age 62 and over in San Francisco that provides housing for low, very low and extremely low income households, 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.

Western Park operates under the following financed programs:

- Tax Credit program (all units)
- HUD project-based Section 8 units (114 units)

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.

Western Park is an Equal Opportunity Housing Facility, admitting

people in accordance with Local, State and Federal Fair Housing laws, HUD 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. Western Park 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, Western Park 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).

Catina Wilson, Compliance Director
22 Pelican Way, San Rafael, CA 94901
Telephone 415-258-1800 ext. 8839
TDD 800-735-2929

NON-SMOKING POLICY

Western Park 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.

Western Park 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.

INCOME LIMITS

To qualify for a unit, the household's gross income may not exceed the maximum income limit per household size as published annually by the California Tax Credit Allocation Committee (CTCAC).

To qualify for **Section 8 assistance**, a 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. Foster members are included in the member count when determining if the household meets the income limit requirements.

The Income Limits set by the San Francisco Mayor Office of Housing (SFMOH) apply to this property and applicants must meet specific income restrictions to be eligible for housing.

The income limits are attached and will be posted in the Community's 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. Applicants must be 18 or over at the time the application is returned in order to be placed on the waiting list. 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.

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.

Persons displaced by government action or a presidentially declared disaster will be given a preference on the waitlist.

For accessible units and units not designated as accessible, the preference order is as follows:

- 1) Persons displaced by government action or a presidentially declared disaster.
- 2) Applicants who are in the extremely-low income limit category. (See Extremely Low Preference section below).
- 3) Applicants by earliest application date.

Extremely Low Preference

Forty percent (40%) of Western Park 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 the 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);

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

Transfers for accessibility or medical reasons will have priority over those for changes in household composition. Residents on the Unit Transfer List will have priority over the applicants on the Waiting List.

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 Western Park.

If the available unit has no in-house Section 8 subsidy, new applicants to WPA are selected from the LIHTC program “Initial” wait list. These units will count toward the extremely low-income targeting requirement. Those families that are in need of Section 8 assistance are placed on the “In-House” wait list. The In-House Section 8 Wait List is maintained in chronological order by move-in date, shows the gross annual income for each household, and states whether the income falls at or below the 30% of area median income (AMI). Tenants whose income is 30% or below area median income will be given preference over tenants whose income exceeds 30% of area median income in consideration of the 40% requirement for extremely low-income residents according to the following method:

When a Section 8 subsidy unit is available, award is made according to alternating first from the In-house Section 8 Wait List (to move the first two residents from LIHTC into subsidized units with Section 8 assistance) and the third Section 8 subsidy is awarded to the “applicant” at the top of the from the Initial Application Wait List. Tenants will receive Section 8 assistance according to their place on the In-House Section 8 Wait List and the Initial Application Wait List (alternating (2) In-House Section 8 Wait List to (1) Initial Application Wait List.)

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
0	1	1
1	1	2
2	2 or 1 (with Live-in-Aide)	4

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
6. Children whose custody is being obtained by an adult family member
7. Children in joint custody arrangements who are present in the household 50% or more of the time.

Note: Western Park may count children who are away at school (living in a dormitory that is closed during recesses) and who live at home during recesses. Western Park will not count children who are away at school who have established residency at another address or location as evidenced by a lease agreement. The new address or location is considered the student’s principle place of residency.



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, Western Park 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 applicant may become a resident, so long as the SSN documentation is provided to Western Park within 90 calendar days from the date of admission. Western Park 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 household.

If the applicant/resident 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.

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, Western Park will grant an extension of one additional 90-day period. **Also, the entire household WILL lose its tenancy or assistance if one member of the household does not comply with the SSN disclosure requirements.**

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
- 9) Is individually eligible to receive Section 8 assistance or has parents (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 individual's 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' parent 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 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 received section 8 assistance

GROUND FOR DENIAL

1. Total family income exceeds the applicable income limits published by CTCAC and HUD.
2. Household cannot pay the full security deposit at move-in.
3. Household refuses to accept the second offer of a unit.
4. Household fails to respond to interview letters or otherwise fails to cooperate with the certification process. Failure to sign consent forms.
5. ANY adult household member fails to attend eligibility interview.
6. 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).
7. Applicant failed to provide adequate verification of income or we are unable to adequately verify income and/or income sources.
8. Household is composed entirely of full-time students and does not meet the exception outlined in Section 42 of the IRC.
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

**** Applicants without a credit history will fail "Income to Debt Ratio" criteria and their application will be denied for housing (not applicable to residents who receive subsidy through a rent subsidized program).**



CRIMINAL

Please see attached criminal background criteria.

VIOLENCE AGAINST WOMEN ACT OF 2013

The Violence Against Women Act of 2013 (VAWA) applies to all federally funded units (Western Park) 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 Western Park, 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 Western Park 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, Western Park 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.

GRIEVANCE/APPEAL PROCESS

Failure to meet one or more of the foregoing screening criteria may be grounds for denial, 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

Any applicant who appears to qualify after WPA reviews the application, but before any information is formally verified, and for whom a unit is not currently available, will be placed on the Initial Application Wait List for a unit. All received applications are date and time-stamped, and are entered onto the Waiting List in the order

of receipt.

It is the applicant's responsibility to report changes to the application to WPA in a timely fashion and to contact WPA at least once every six months to confirm continued interest in obtaining a unit.

This contact must be done in the form of writing (e-mail is acceptable). NO PHONE CALLS. Or, contact may be initiated by WPA in the form of a routine letter/postcard, sent to all applicants on the Waiting List, requesting updated information, asking if they wish to remain on the Waiting List, and stating that if there is no response within fourteen (14) days, their name will be removed from the Waiting List without further notice.

Because there are two housing programs at Western Park Apartments – HUD Section 8 (subsidized) and LIHTC (non-subsidized) housing programs, two Wait Lists must be maintained – one designated as the “Initial Application Wait List or “Initial”” and the other designated as the “In-House Section 8 Wait List or “In-House”.”

A third wait list designated as “In-House Transfer Wait List” addresses transfer requests for 1) handicap accessible unit; 2) for unit change due to change in family composition; 3) for reasonable accommodation for medical reasons and 4) to accommodate transfer requests under VAWA.

PURGING THE WAITING LIST

The Waiting List will be purged annually. 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

Western Park will monitor the vacancies and waiting lists regularly to ensure that there are enough applicants to fill the vacancies. Furthermore, Western Park 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, Western Park will advise potential applicants that the waiting list is closed and refuse to take additional applications. Western Park 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 Elena Garden's refusal to accept additional applications.

When Western Park 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 Western Park.

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.

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). Western Park 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.

Western Park 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 Western Park 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, Western Park 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, Western Park 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 Western Park 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.

Unit Inspection Requirement

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

Annual unit inspections are performed by Western Park. 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, Western Park management may conduct the inspection alone.

LIMITED ENGLISH PROFICIENCY (LEP) SERVICES

Western Park 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.

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.

SECTION 8 UNIT ASSIGNMENT

Western Park has a HAP contract for 161 Section 8 units. Western Park maintains an internal waiting list to fill Section 8 vacancies. The property fills Section 8 vacancies first from the internal resident waiting list and, in the case, that no existing resident qualifies for or is interested in the Section 8 program, secondly, fills the Section 8 vacancies from the applicant waiting list. To be eligible for the waitlist, you must be an existing resident of Western Park. Residents of Western Park who are interested in the Section 8 program must write a request letter to the office and request placement on the waiting list. The internal resident section 8 waiting list will be operated on a first-request first-served basis.

Section 8 vacancies; whether from the internal or external waiting list will be filled in accordance with the preferences section of this plan. Residents on the internal waiting list must meet the eligibility criteria for the Section 8 program at the time of the initial interview to determine eligibility.



EQUAL HOUSING OPPORTUNITY

Western Park Apartments 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.

Western Park is an equal opportunity housing provider.



Western Park Violence, Dating Violence, Sexual Assault, or Stalking Emergency Transfers

Western Park 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), Western Park 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 Western Park 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 Western Park 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 Western Park 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 Western Park management office and submit a written request for a transfer to **Western Park, 1280 Laguna Street, San Francisco, CA 94115** 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. Western Park 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 Western Park 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 Western Park, a statement or other evidence provided by the resident.

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

Confidentiality

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

Western Park cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. Western Park 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. Western Park may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

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 Western Park, as external transfers. In most circumstances, Western Park is unable to give priority for such external transfers even if Western Park 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 Western Park has no safe and available units for which a tenant who needs an emergency is eligible, Western Park 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, Western Park 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.

