

Tenant Selection Plan

Cedar Lane Senior Living Community

2017

Preface:

Cedar Lane Senior Living Community is owned and operated by Cedar Lane Senior Living Community I, II, and III as three not-for-profit corporations. The corporations share a common Board of Directors and are managed by an Administrator and the necessary support staff. The sponsorship came from an equal mix of representation from the community at large, the Catholic Church, and the Episcopal Church. The composition of the Board is representative of this mix. The first facility (The Church Building) was constructed in 1977, the second (The Burch Building) in 1982, and the third (The Colton Weinberg) in 2001.

The purpose and mission is to help residents age in place with maximum dignity, independence and quality of life. Cedar Lane Senior Living Community's purpose is to provide safe, clean, affordable and supportive housing for the elderly and qualifying non-elderly persons with disabilities. Our goal is to provide residential settings for persons who have no need for supportive services, as well as those who need limited supported services as provided through congregate housing and a Residential Services Agreement. It is intended that this be done in an environment that will support the overall wellness of the residents. The facilities and services are available to eligible persons without regard to race, color, religion, sex, familial status, national origin or disability. The final rule as published by HUD ensures that HUD's core housing programs are open to all eligible persons regardless of sexual orientation, gender identity or marital status.

Reasonable Accommodation:

It is the intention of Cedar Lane Senior Living Community to make 'reasonable accommodations' both in the application process and residency in accordance with HUD Handbook 4350.3 and especially with regards to Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Act and other relevant civil rights laws and statutes. This also includes taking reasonable steps to ensure meaningful access to information and services we provide for persons with LEP (Limited English Proficiency).

General Information:

In order to be a resident of Cedar Lane Senior Living Community, an eligible person must be able to provide proof of citizenship/immigration, pass a credit and criminal background check, be able to fulfill the lease requirements including the ability to pay rent in a timely fashion and any additional fees as incurred by the resident, and adhere to the house rules as outlined in the Resident Handbook. Additionally, the applicant must be able to successfully live at Cedar Lane Senior Living Community with or without supportive services. No care is promised to applicants as a condition of tenancy at Cedar Lane Senior Living Community with the exception of those entering an agreement for supportive services.

As of January 1, 2009, Cedar Lane Senior Living Community is a smoke-free campus and residents are prohibited from smoking in their apartment or anywhere on campus including in their vehicles while parked on Cedar Lane property. This rule will be strictly enforced and violations will include verbal and written warnings leading to eviction after a second offense. This tobacco-free policy applies to all residents, guests, vendors, visitors and service personnel at Cedar Lane Senior Living Community. For the purposes of this policy, the term "smoking" means inhaling, exhaling, breathing, or carrying any lighted cigar, cigarette, e-cigarette, pipe and medical herbal smoking products or other legal or illegal substances or other tobacco product.

Although Cedar Lane Senior Living Community intends to strictly enforce this non-smoking policy, it cannot and does not warrant or promise that any apartment or common areas of the buildings will be

smoke-free, and makes no warranty or guarantee as to the health of any resident or other person. Residents with respiratory ailments, allergies, or any other physical or mental condition relating to smoke are hereby put on notice that Cedar Lane Senior Living Community does not assume any higher duty of care to enforce this policy than any other landlord obligation under the terms of the resident's lease.

Income Limits:

Those applying to Cedar Lane Senior Living Building I must meet the low-income requirements as prescribed by HUD Sections 236, which includes Section 8. Applicants applying for Building II must meet the very-low income requirements as prescribed by HUD section 202. Housing Authority Vouchers will also be accepted for Building I. Those applying to Building III have the same income limit as Building 1 to qualify for reduced rent, however housing authority vouchers will not be considered.

Application Process:

Anyone interested in applying for housing at Cedar Lane Senior Living Community may receive an application by any of the following methods: pick up in person at 22680 Cedar Lane Ct. Leonardtown, MD 20650, via US Mail, via email, download from our website or via fax. Applications may be returned in person, via US Mail, via email or by fax provided that the original signed application is also submitted. Allowances will be made for those who live out of state or need reasonable accommodation.

Applications will be marked with the date and time they are received and applicants will be processed for an apartment if one is available or they will be added to the wait list in chronological order. Incomplete or unsigned applications will be returned to the applicant.

All information will be verified in accordance with HUD regulations and requirements as outlined in HUD Handbook 4350.3. Additionally, applicants will be required to sign all appropriate and necessary forms authorizing Cedar Lane Senior Living Community to verify any and all factors that affect the applicant's eligibility or determine the rent the applicant will pay. All of this information may be released by HUD to other Federal, State and Local Agencies.

In the event the applicant is personally unable to complete the forms, the applicant must have someone who has power of attorney complete the forms or be present to provide the information to someone assisting in completing the forms. The person assisting the applicant must sign and date the application, indicating that it was completed at the direction of the named applicant, and must provide identification to management. Allowances will be made for those who live out of state or have mobility or other impairments.

- Applicant(s) must complete the application in full including signature and date.
- Applicant(s) must meet certain credit/criminal report standards. Cedar Lane Senior Living Community requires a credit/criminal report on all applicants, family members and/or live-in aides who may occupy the unit as well as the sex offender report.
- Applicants must demonstrate the ability to meet financial obligations in a satisfactory manner, including timely payment of rent.
- Applicants must have a qualified co-signer if deemed necessary as a result of the credit check. Co-signer will assume financial responsibility for any outstanding monies due Cedar Lane Senior Living Community.
- Applicants must show that the ability to fulfill all the lease requirements (with or without support services) where applicable.

- Applicants must agree to live according to the house rules as outlined in the Resident Handbook as a condition of their lease.
- Applicants must demonstrate satisfactory housekeeping habits that will not jeopardize the health, security or welfare of themselves or other residents.
- Applicants must disclose social security numbers for all family members under the age of 62 and provide proof of the numbers reported. Applicants must provide adequate documentation to verify the complete and accurate social security numbers assigned to all household members. Adequate documentation means a social security card issued by the Social Security Administration (SSA), an original document issued by a federal or state government agency, which contains the name and SSN of the individual along with identifying information of the individual, or other acceptable evidence of the SSN listed in Appendix 3. An applicant may be not admitted until SSN's for all household members have been disclosed and verification provided. Acceptable forms of proof include: Original Social Security Card, driver's license with SSN, ID card issued by a federal, state or local agency, a medical insurance provider, or an employer or trade union, earnings statements on payroll stubs, bank statement, form 1099, benefit award letter, retirement benefit letter, life insurance policy, or court records.
- Only U.S. citizens or eligible non-citizens may receive assistance under Section 8, Section 236, Rent Supplement, Rental Assistance Payment (RAP), and Section 202/8 programs. Applicants must sign a declaration certifying U.S. Citizenship.

Eligibility of Independent Students to receive Section 8 Assistance:

To be eligible for Section 8 Assistance, any adult who attends an institute of higher learning (full or part-time) must be one of the following:

1. A dependent of the household.
2. Over age 23
3. A Veteran
4. Married
5. A parent with dependent child(ren)
6. A disabled individual who was receiving assistance prior to November 30, 2005
7. Independent from parents* OR have parents who are income eligible for Section 8 assistance.

*To prove that a person age 18-23 is "Independent" an owner must verify (and document that the student):

Are of legal contract age under state law, AND

Have established a separate household from parents for at least a year OR meet the U.S. Dept. of Education definition of an independent student **, AND

Are not claimed on parents tax return, AND

Get (or do not get) financial help from parents.

** U.S. Department Definition of "independent student" is one who:

1. Is age 24+ old by December 31 of year
2. Is an orphan or ward of state through age 18
3. Is a Veteran
4. Has a legal dependent – (example: child or parent)
5. Is a graduate or professional student
6. Is married

If the student is NOT “independent,” then the parents must be income-eligible for Section 8. The parents may sign a declaration and certification of income. They must be below the HUD income limit. The income limit that will be used:

If parents live in the U.S. – income limit for the country that the parents live in.

If parents live outside the U.S. – limit where the property is located.

An owner may verify further (tax returns, etc.) if the parents certification is questionable. The student is not eligible if the parents refuse to provide a:

1. Declaration of their income, AND
2. Statement of whether they provide student financial assistance or not.

Waitlist:

Upon receipt of a completed and signed application, it will be marked with the date and time it was received and the applicant’s name will be added to the waitlist and kept in chronological order.

Preference will be given to those who are 62 and older. Next preference will go to near-elderly disabled and then non-elderly disabled. Applicants may need to provide verified proof of disability in accordance with HUD Handbook 4350.3. Elderly will get preference unless there is a specific unit available that provides reasonable accommodation to a near or non-elderly disabled applicant.

Cedar Lane Senior Living Community will also apply income-targeting preferences in order to meet income targeting requirements as prescribed by HUD Handbook 4350.3.

Applicants may indicate on the application, a first and second choice (if applicable) for the type of desired apartment. Provided the applicant meets the income requirements for the project, they may be placed on multiple waitlists. Applicant information will be kept succinctly on each list until an apartment is offered and accepted at which point only that waitlist will be kept up to date until the applicant has moved-in. For example, Joe Smith is on the waitlist for Bldg 1 with a first choice of a 1BR and second choice a studio apt. He is also on the list for Bldg II, 1 BR. His name comes to the top of the list for Bldg II and he accepts the offered apt. All information from the point of acceptance will be entered under the Bldg II, 1BR waitlist. If Joe Smith wishes to remain on the waitlist for Bldg 1, he must submit his application for transfer. A move would be possible after the one year lease in Building II has been satisfied. A transfer fee as determined by management will be assessed. The current transfer fee is \$500.00 and is subject to change.

Upon adding an applicants name to the waitlist, it become the applicant’s responsibility to keep Cedar Lane up to date with any changes to their application including, change of address, phone number or family composition. Failure to do so could result in being removed from the waitlist.

Other reasons for removal include:

- Failure to respond to written notice for updates regarding the waitlist
- Mail sent to the applicant’s address is returned as undeliverable
- The applicant rejects an offered unit two times. (See procedures for filling vacancies for a detailed description of this process.
- The applicant no longer meets the eligibility requirements for the property or program.
- The applicant fails to respond to telephone messages in a reasonable amount of time (generally 48 hours). Exception will be made to those who have good cause such as family emergency, illness or disability related reasons.
- The applicant voluntarily asks to be removed from the waitlist.

In the event it is determined an applicant was erroneously removed from the waitlist, the applicant will be reinstated to their original place on the waitlist.

The waitlist may be closed when the average wait for a specific type of unit becomes excessive (one year or more). When the owner closes the list, the owner must advise potential applicants that the waiting list is closed and refuse to take additional applications. Should Cedar Lane Senior Living Community decide to close a waitlist, notification along with the reason will be published in the local newspapers, on the website and be given out from the appropriate outlets that would normally distribute applications. Upon reopening the waitlist, the same procedures will be used to notify the public that the waitlist has reopened and how and where they may apply.

Screening Criteria:

Each applicant at the time an apartment is offered will be subject to a credit and criminal background check. They will also be interviewed for eligibility and appropriateness of the unit being offered. Even though an apartment is offered to the applicant and the applicant accepts, final decision on eligibility cannot be made until all verifications are complete.

Applicants may be rejected for the following reasons:

- Misdemeanor or Felony charges, determined case by case basis.
- Poor credit
- Any household containing a member(s) including the head of household, that has been evicted from federally assisted housing for drug-related criminal activity, unless that person has successfully completed an approved, supervised drug rehabilitation program or the circumstances leading to the eviction no longer exist (household member has moved out).
- A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents.
- Any household member who is subject to a state sex offender lifetime registration requirement. As a reminder, in order to implement this federal screening requirement, management must request the head of household to list all states in which they have lived. The applicant/tenant file must contain written proof that this screening has been completed.
- Any household member, if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents.
- Prior evictions from non-subsidized housing
- Failure to show positive history in being able to meet the terms of the lease including the ability to pay rent in a timely fashion.
- Resident needs assistance beyond the scope that can be provided at Cedar Lane Senior Living Community.
- Is ineligible for occupancy in a particular unit or property.
- Is unable to disclose and document Social Security numbers of all household members who are at least 6 years old up to age 62 or does not execute a certification stating that no SSN's have been assigned.
- Does not sign and submit verification consent forms or the Authorization for Release of Information (forms HUD-9887 and HUD-9887-A).
- Includes family members who did not declare citizenship or non-citizenship status, or sign a statement electing not to contend non-citizen status.
- Does not meet owner's tenant screening criteria

- Negative feedback during rental history screening.

Any applicant that is rejected will be notified by written letter and have the option to appeal the decision in writing and request a meeting with the President and/or Chairman of the Board of Cedar Lane Senior Living Community within 14 days of the date of the letter.

Occupancy Standards:

Single persons applying for subsidized housing at Cedar Lane Senior Living Community will be eligible for studio or one-bedroom apartments. Couples are eligible for a studio, one-bedroom or two-bedroom and families (including children or grandchildren) or a single person who has a live-in aide are eligible for a two-bedroom apartment. Should family composition change or the resident no longer has aide living with them, the resident will be asked to move to the appropriate sized apartment when one becomes available. Couples or any two persons who wish to share a studio must have prior approval by the President. Single applicants of Building III may apply for either one or two-bedroom units however no more than 2 people can live in a 1-bedroom and no more than 3 people can live in a 2-bedroom unit. Should an applicant's occupancy requirements change while they are on the waitlist it is the applicant's responsibility to notify Cedar Lane Senior Living Community in writing. A new application needs to be submitted as additional household members must be processed in accordance to HUD standards.

Unit Transfer Policies:

Residents who wish to transfer to a different unit must complete a "Waitlist Application for Tenants Seeking Apartment Transfer." Their name will be added to the waitlist for the type of apartment they are seeking. In order to transfer, residents must have completed a one-year lease in their current apartment prior to requesting a transfer within the community and must be in good standing in the Cedar Lane Community. For example, if an applicant has received a letter regarding issues such as cleanliness of apartment, behavior with the community or violation of any rules which warranted a written letter in the applicant's file, the resident may not be eligible for transfer. Resident's current apartment must be clean, free of trash, garbage, waste and alterations. In addition to the above-mentioned eligibility, there is a \$500 non-refundable transfer fee. If a resident is seeking to transfer to a larger or smaller unit or for reasons other than reasonable accommodation, they will be placed on the waitlist and will receive priority for the next available unit following any transfer requests due to reasonable accommodation.

Transfer for Reasonable Accommodation:

Residents who seek a transfer as reasonable accommodation for a disability will be transferred at the owners' expense provided that it is not an undue financial or administrative burden and provided that the transfer is an accommodation to a verified disability or medical reason. The resident must provide written documentation from a licensed physician, psychologist, clinical social worker or other licensed health care professional stating that such an accommodation is necessary for the resident's verified disability or medical reason. In this case, the \$500 transfer fee will be waived. Transfer for reasonable accommodation *does not* include factors of view, noise, or apartment location when these factors are not related to the disability. Those seeking transfer for reasonable accommodation will take precedence on the waitlist. All other requests will occur in chronological order by the date the request was received.

Procedures for filling vacancies:

When a unit becomes vacant, Cedar Lane will select the next qualified applicant on the waitlist designating preference for that type of apartment in that particular building. This will include qualifying the applicant based on income to ensure that Cedar Lane Senior Living Community is in compliance with

HUD's requirement to lease not less than forty percent (40%) of the dwelling units (assisted under the HUD contract) to low-income applicants. In the event Cedar Lane Senior Living Community falls below the 40% target, applicants will be selected based on income until the target is met. Once the target is met, applicants will be admitted in waiting list order.

The applicant will have 48 hours to respond to the offer and accept or decline. If the applicant declines an apartment that was marked as a second choice that preference will be removed from the application. If the apartment is marked as a first choice, the rejection will be marked on their record and their name will go to the bottom of the list. If it is a second rejection for their first choice selection, their name will be removed from that waiting list and the applicant will need to reapply. Removal from one building's waiting list does not impact the application on another building. Should the applicant accept the apartment, an appointment will be scheduled to conduct an interview to verify the applicant's eligibility. When an applicant selects an apartment in one building, they are automatically removed from the waiting lists of the other buildings on campus. If an applicant desires to remain on the waiting lists in the other building a NEW apartment transfer request form must be completed and filed with the marketing office.

In Buildings I and II, ten percent (10%) of Cedar Lane Senior Living Community's occupancy is dedicated to those who are under 62 and disabled. When that 10% cap is reached, it is at discretion of the Board of Cedar Lane Senior Living Community to exceed that cap if there is a need in the community. Otherwise, applicants over 62 will receive precedence in filling vacancies. When there are vacancies but no eligible applicants over 62 on the waitlist, selection will move to the first near-elderly disabled applicant, followed by non-elderly disabled applicants.

Applicants who specifically request accessible units may be offered non-accessible units as their names come to the top of the list if the unit can be assigned with or without reasonable accommodation. If an accessible unit is available and the next applicant does not require such unit, and there is no other person on the waitlist requiring such a unit, the unit will be offered with the additional terms of the lease to state that the resident will transfer to a non-accessible unit when one becomes available and there is a need for their accessible unit.

Occupancy Requirements:

At the time of occupancy, applicants must pay a security deposit that is put into a separate account and earn appreciation at the current established rate. Upon signing the lease, the applicant is agreeing to abide by the rules of the lease as well as the House Rules as established in the Resident Handbook. They also agree to the rules and regulations associated with receiving assistance from HUD. Resident leases are for one year. Four months prior to lease expiration, tenants will be notified of their obligation to recertify with the Occupancy Specialist. Failure to do so will result in the loss of subsidy causing the resident to pay full market rate on the apartment. An annual apartment inspection will be part of the recertification process. Failure at this inspection could result in termination of subsidy and/or eviction.

Residents who receive a subsidy and are absent from their apartment for more than 6 months (180 days) due to medical reasons will go to market rate rent on the 7th month from the date the resident was initially admitted to a medical facility. Residents may appeal the change in rent by writing the CEO/President who may grant an exception. Exceptions will be granted on a case-by-case basis.

EIV (Enterprise Income Verification) is used at Cedar Lane Senior Living Community by the Certified Occupancy Specialist. This person has been specifically trained and is an authorized user of this system which authenticates applicant and resident incomes through Social Security. Additionally, EIV searches and verifies if an applicant is already receiving a federal housing subsidy. If the applicant is receiving assistance at another location, the Occupancy Specialist will discuss with the applicant, the circumstances

relative to being assisted at another Multifamily or PIH property and will follow up with the respective PHA or O/A to confirm the individual's status before admission. The Occupancy Specialist will work with the other PHA or O/A to coordinate move in/out dates to ensure the applicant is not receiving more than one subsidy. During re-certifications and possibly during an interim recertification EIV is used to verify income. Owners must use the Income Report at other times as indicated – monthly or quarterly review to ensure that discrepancies are verified. HUD Notice H 2010-10.

Violence Against Women Act: pertains to The Violence Against Women Act of 2005 (VAWA) which prohibits project-based Section 8 owners from denying admission to any person simply because she/he has been a victim of domestic violence, stalking or sexual assault. Domestic violence, dating violence, stalking or sexual assault is not good cause for evicting the victim of that violence. Under VAWA an owner can only evict an individual based on the domestic violence against his/her if it can prove there is an “actual and eminent threat” to other tenants or staff if s/he is not evicted.

The Violence Against Women and Justice Department Reauthorization Act of 2005 protects tenants and family members of tenants who are victims of domestic violence, dating violence, stalking or sexual assault from being evicted or terminated from housing assistance based on acts of such violence against them. These provisions apply both to public housing agencies administering public housing and Section 8 programs and to owners renting to families under Section 8 rental assistance programs.

In general, the law provides in part that criminal activity directly relating to domestic violence, dating violence, stalking or sexual assault, 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 if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse. The law also provides that an incident or incidents of actual or threatened domestic violence, dating violence, stalking or sexual assault will not be construed as serious or repeated violations of the lease by the victim or threatened victim of that violence and will not be “good cause” for termination of the assistance, tenancy, or occupancy rights of a victim of such violence.

Live-In Aid - The definition of a live-in aide is a person who resides with one or more elderly persons, near-elderly persons or persons with disabilities and who is: (1) determined to be essential to the care and well-being of the persons; (2) is not obligated for the support of the persons; and (3) would not be living in the unit except to provide the necessary supportive services. It should be noted that the definition applies to a specific person. In accordance with this definition, a live-in aide is not a member of the assisted family unless they are an adult child and is needed for essential care of the family member. They are not entitled to occupancy as the remaining member of the tenant family.

Live-in aides are recommended but not required to be certified as a caregiver. Live-in aides will be subject to credit and criminal background checks at the resident's initial certification and annual recertification.

Changes in the Tenant Selection Plan:

It is the responsibility of Cedar Lane Senior Living Community to review its TSP on an annual basis to ensure it is in compliance with the plan and HUD regulations. In the event changes are made to the Tenant Selection Plan, applicants will be notified in an annual letter that is sent out to update the waitlist and applicants will be informed of their right to request a copy of the TSP.