



**EFFECTIVE: May 1, 2020**

The community in which you are applying is an Affordable Housing Community currently managed by Mayfair Management Group and is designated to attract applicants for occupancy from all potentially eligible groups of people in the housing area regardless of race, color, religion, sex, national origin, disability, familial status, marital status, source of income, age, ancestry, medical condition, sexual orientation or any other arbitrary basis. The goal of this Tenant Selection Criteria is to establish a guideline for the selection of our residents in accordance with all governing agencies.

This Tenant Selection Criteria will be readily accessible within the leasing office and any/all additional places where applications are accepted. Copies of this Tenant Selection Criteria will be provided upon request to the applicant(s)/Tenant(s) or their representatives. All applicants 18 and older will be required to sign an acknowledgement form stating they have read and understand all criteria.

Mayfair Management Group will review this Tenant Selection Criteria at least once annually or when there is a change in regulations to ensure that it reflects current operating practices, program priorities, and program requirements. Should the criteria need to be revised, the modifications will not be applied to current tenants, current applicants whom applied prior to the changes or applicants on the waiting list whom are already in good standing under the lease or wait list. For this reason, the Tenant Selection Criteria will always contain an effective date.

Mayfair Management Group has created additional policies & procedures in conjunction to this plan. These policies are also available for review within the leasing office and any/all additional places where applications are accepted.

Additional policies include: Waiting List Policy, VAWA Policy, Termination Policy & Reasonable Accommodation Policy

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If you are disabled or have difficulty understanding English, please request our assistance and we will ensure that you are provided with meaningful access based on your individual needs

Mayfair Management Group does not discriminate on the basis of disability status in the admission or access to, treatment or employment in, its federally assisted programs and activities. 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, Par 8 dated June 2, 1988)

Tamra Ryals  
7920 Belt Line Road, Suite 800 | Dallas, TX 75254  
Office – 214-265-7227 | TTY 800-735-2989

### PRIVACY POLICY

It is the policy of this community to guard the privacy of individual's conferred by the Federal Privacy Act of 1974 and to ensure the protection of such individuals' records maintained by the community. Unless required by Federal or State Law, neither the community 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. The community and its agents will also not make files, forms or documents available to any investigating officer unless a court order for such action is provided. This privacy policy in no way limits the community and its agents from collecting information needed to determine the eligibility and income to determine an applicant(s) suitability for tenancy.

### FAIR HOUSING & EQUAL OPPORTUNITY REQUIREMENTS

It is the policy of this community to comply fully with Title VI of the Civil Rights Act of 1964, Title VIII and Section 3 of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the VAWA Reauthorization Act of 2013 and any legislation protecting the individual rights of residents, applicants or staff which may subsequently be enacted. Screening criteria will be applied in a manner consistent with all applicable laws, including the Texas and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act, program guidelines and the Departments Rules. This Community shall not automatically deny admission to a particular group or category of otherwise eligible applicants.

The following factors will not be considered when making a decision to admit or reject an application:

- Race, Color, Religion, Ancestry, National Origin, VAWA, Age, Sex, Marital Status, Familial Status, Sexual Orientation, Medical Condition, Place of employment, Handicap or disability including mental or psychological illness or Gender Identity.

In addition, this Community will not:

- ✓ Deny to any applicant the opportunity to apply for housing nor deny any eligible applicant the opportunity to lease housing suitable to his/her needs;
- ✓ Provide housing which is different from that provided others
- ✓ Subject a person to segregation or disparate treatment
- ✓ Restrict a person's access to any benefit enjoyed by others in connection with the housing program
- ✓ Treat a person differently in determining eligibility or other requirements for admission
- ✓ Deny a person access to the same level of services; or
- ✓ Deny a person the opportunity to participate in a planning or advisory group that is an integral part of the housing program
- ✓ Exclude an individual or family from admission to the Community solely because the household participates in the HOME Tenant Based Rental Assistance Program, the housing choice voucher program under Section 8, United States Housing Act of 1937, or other federal, state or local government rental assistance program
- ✓ Deny admission on the basis that the applicant has been a victim of domestic violence, dating violence, sexual assault or stalking

**PROJECT ELIGIBILITY REQUIREMENTS**

This Community will review all of the following criteria to establish household project eligibility. The screening criteria will be applied uniformly and, in a manner, consistent with all applicable laws, including the state and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act, program guidelines and the Departments Rules. Certain key questions relating to the applicant’s eligibility and resident history will be asked, including Social Security numbers or other sort of identification, the names, addresses and telephone numbers of current and former landlords. Failure to provide this information will result in cessation of application processing. Community staff will assist applicants, as needed in understanding the application process and forms. Applicants will be instructed on what aspects of their background will be checked. An applicant has the right to voluntarily withdraw from the application process at any time. Live in Aids will be subject to the same general screening criteria as household members, except that Live-in Aids will not be screened for their ability to pay rent.

**Occupancy Standards**

Occupancy Standards is the maximum number of occupants that can reside in a unit. Units are assigned according to household size and composition. This Community has adopted a bedroom size standard of 2 persons over the age of 6 years per bedroom. This standard serves to avoid overcrowding and ensure consistency. If the appropriate unit size is not available at the time of application, the applicant will be put on the Waiting List for the appropriate unitsize.

<b>Bedroom</b>	<b>Maximum</b>
Studio/Efficiency	2
Loft	2
1 Bedroom	2
2 Bedrooms	4
3 Bedrooms	6
4 Bedrooms	8
5 Bedrooms	10

This Community will rely on the applicant’s disclosure of all member’s expected to reside in the unit for the next 12 months when determining household size and the appropriate unit size. Household members also include but are not limited to the following:

- ✓ Child(ren) expected to be born to a pregnant woman
- ✓ Minor(s) in the process of being adopted by an adult household member
- ✓ Minor(s) whose custody is being obtained by an adult household member
- ✓ Individuals who are temporarily in a foster home who will return to the household
- ✓ Minor(s) in joint custody arrangements who are present in the household 50% or more of the time
- ✓ Any Individual who is away at school and who live at home during recesses
- ✓ Any Individual temporarily in a correctional facility / detention center who will return to the household
- ✓ Household members permanently confined to a Hospital / Nursing Home as requested by Applicant
- ✓ Household member of Military Personnel deployed to active duty

**Rental History**

Past performance for meeting financial rent and current lease obligations will be checked by contacting the current landlord and at least one prior landlord, if needed. Applicant(s) must have at least 6 months’ worth of verifiable and positive residency history. Verification must be completed/provided by Apartment community or organization. Verification cannot be made by an individual unless proof of timely payment history can be provided.

First time renters whom meet all other criteria will receive a conditional approval and be required to pay an additional security deposit. A mortgage must be verifiable via credit report or formal written documentation of home ownership provided.

Community staff will check county court records for evidence of evictions or judgments against the applicant. The purpose of these checks is to obtain information on the applicant's past history of meeting financial rent obligations, future ability to make timely rent payments and to determine whether the applicant has ever been evicted from a rental unit. If the applicants current living arrangements are with a household member, then two previous landlords may be contacted.

➤ Rental Debt:

Applicant(s) will be denied for the following:

- Unresolved tax liens
- Unpaid rental housing debt within the past 36 months
- Eviction within the past 36 months
- Prior landlord reference shows that the landlord would not lease to the household again due to lease violations
- Unpaid rental housing debt owed to a Community that is currently managed by Mayfair Management

➤ Disturbance(s): Community staff will check with the current landlord and at least one former landlord for potential problems regarding documented disturbance of neighbors or destruction of property that would pose a threat to the health and safety of other residents and/or property. An applicant's behavior toward property staff will be considered in relation to future behavior toward neighbors. Physical or verbal abuse or threats by an applicant toward staff will be noted in the file and may be grounds for denial of residency

➤ Housekeeping Habits: All landlords contacted for rental history will also be questioned regarding the applicant's housekeeping habits, to determine the maintenance of the present home in regard to sanitary conditions and fire and safety standards. This includes but is not limited to causing or permitting infestation, foul odors or other issues injurious to other persons' health, welfare or enjoyment of the premises; depositing garbage improperly; failing to use in a reasonable and proper manner all utilities, facilities, services, appliances and equipment within the dwelling unit, or failing to maintain them in good clean condition; or any other conduct or neglect which could result in health or safety problems or in damage to the premises

**Drug Abuse & other Criminal Activity**

This Community will deny admission to any member of the household that is subject to a lifetime registration requirement under a state sex offender registration program. In accordance with Federal Law, this Community is establishing this standard to prohibit admission to this federally assisted property to sex offenders subject to a lifetime registration requirement under a state sex offender registration program. During the admission screening process, the community staff will perform the necessary criminal history background checks in the state where the housing is located and in other states where the household members are known to have resided.

This property will reject a household in which any member is currently engaged in illegal use of drugs or which shows a pattern of illegal drug use that may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents.

The property will reject a household in which any member shows a pattern of alcohol abuse that may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.

Despite any changes to state laws, the use of "medical marijuana" is illegal under federal law. HUD requires that owners deny admission to any household with a member who the owner determines is, at the time of application for admission, illegally using marijuana.

When reviewing the criminal history of a household member, this Community will take into consideration the severity, number of occurrences and date of all reported offenses.

This Community will deny admission to a household in the event that any of the items listed below are discovered during the screening process.

### Felony Conviction(s)

- A household member has a Felony conviction(s) for Homicide, Manslaughter, Kidnapping, Hostage, Robbery, Attempted Murder, Assault, Attempted Assault, False Imprisonment, Battery, Vehicular Manslaughter, Burglary, Larceny, Sexual Assault, Rape, Seduction, Molestation, Indecent Exposure, Sexual Exploitation of child, Sodomy, Prostitution, Pimping, Obscenity, Abandonment, Neglect of Children, Spousal Abuse, Domestic Violence, Child Abuse, Child abduction, Bigamy, Incest, Trafficking in Children
- A household member has a Felony conviction(s) within the last 15 years for offenses involving firearms and/or illegal drugs
- A household member has a Felony conviction(s) within the last 10 years for offenses involving fraud, offenses against government, offenses against public peace, offenses involving organized crime, offenses involving alcohol, offenses against property
- A household member has a Felony conviction(s) within the last 7 years for offenses involving gambling and or/ other victimless offenses
- A household member has a Felony Conviction(s) within the last 5 years for offenses involving computers and/or offenses against animals

### Misdemeanor Conviction(s)

- A household member has a Misdemeanor conviction(s) within the last 10 years for offenses against person(s)
- A household member has a Misdemeanor conviction(s) within the last 7 years for offenses involving sex
- A household member has a Misdemeanor conviction(s) within the last 5 years for offenses involving family relations, offenses involving firearms, offenses involving illegal drugs
- A household member has a Misdemeanor conviction(s) within the last year for offenses involving fraud, offenses against property, offenses against animals

### Felony Charge(s)

- A household member has a Felony charge(s) within the last 3 years for offenses against property, offenses against animals, offenses against person, offenses involving fraud, offenses involving computers, offenses involving family relations, offenses against government, offenses against public peace, offenses involving gambling, offenses involving firearms, offenses involving organized crime, offenses involving illegal drugs, offenses involving sex, offenses involving alcohol, other victimless offenses

**NOTE:** A charge is a formal allegation of an offense made. A conviction is when an individual has been proven or declared guilty of an offense

This Community shall not consider an arrest for a disqualifying offense as proof that the applicant or tenant engaged in disqualifying criminal activity. The arrest may, however trigger an investigation to determine whether the applicant or tenant actually engaged in disqualifying criminal activity. As part of our investigation, we may obtain the police report associated with the arrest and consider the reported circumstances of the arrest. The Community may also consider any statements made by witnesses or the applicant or tenant not included in the police report; whether criminal charges were filed; whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal; and any other evidence relevant to determining whether or not the applicant or tenant engaged in disqualifying activity.

**NOTE:** Please refer to Exhibit B of this document for the Credit Score criteria.

## PROGRAM ELIGIBILITY REQUIREMENTS

This Community is a Low Income Housing Tax Credit (LIHTC) Community that is administered by Section 42 of the IRS Code. All households will be screened for eligibility in accordance with the rules and regulations set forth in Section 42 of the IRS Code. To be eligible, a household must meet all of the following:

### **Income Limits**

HUD establishes income limits and revises them annually. Based off the limits released by HUD, the state agency responsible for monitoring compliance for the LIHTC program, will release income limits or provide direction to the LIHTC Community on how to acquire these applicable rent and income limits. Income limits are based on household size and the set aside that the household is applying. To qualify, a household's gross annual income must be less than the current applicable income limit. Please refer to Exhibit A for the current income limits effective for this community.

### **Student Eligibility**

On 11/30/2005, Congress enacted Public Law 109-115, which included in Title III, Section 327, appropriations for HUD regarding eligibility of students for assisted housing under Section 8. Owners of LIHTC communities are required to determine a student's eligibility at move-in and annual recertification. This Community will use the following HUD guidelines as indicated in Chapter 3 of HUD's Occupancy Handbook, HUD Handbook 4350.3 REV 1, CHG-4 and Section 42 of the IRS guidelines. This Community strictly adheres to these guidelines on student eligibility.

Units comprised of full-time students do not qualify as an LIHTC unit unless one of the following exceptions apply:

- ✓ A student receiving assistance under Title IV of the Social Security Act,
- ✓ A student who was previously under the care and placement responsibility of the State agency responsible for administering a plan under part B or part E of title IV of the Social Security Act,2 or
- ✓ A student enrolled in a job training program receiving assistance under the Job Training Partnership Act or under other similar Federal, State or local laws.
- ✓ single parents and their children and such parents are not dependents (as defined in IRC §152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) of another individual and such children are not dependents (as so defined) of another individual other than a parent of such children, or
- ✓ married and file a joint return

Any financial assistance, for households receiving Section 8 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. (See the Glossary of HUD Handbook 4350.3 REV 1, CHG-4 for an expanded definition of Student Financial Assistance)

## **APPLICATION INTAKE & PROCESSING**

Application packets can be picked up during normal office hours at the community's leasing office only when the waiting list is open. Application packets are permitted to be submitted via in person, mail, fax or email. *Please see Exhibit A for a full list of the Community's contact information.*

### **Application Fee**

At the time of unit availability, a onetime application fee of \$19 will be required for each applicant over the age of 18. Consideration of the application will be deferred pending receipt of the application fee. The community will make exceptions to these procedures to take into account circumstances beyond the applicant's control, such as medical emergencies or extreme weather conditions. This fee is for the processing of a credit & criminal background check and is non-refundable. Failure to respond to letters or phone messages may result in withdrawal of an application from further processing

### **Application Packet**

Every applicant over the age of 18 is required to complete an application. The information requested in the application packet includes:

- ✓ Household characteristics such as name, sex, age, disability status (only where necessary to establish eligibility), need for an accessible unit;
- ✓ General household contact information such as address, phone number, etc.;
- ✓ Sources and estimates of the household's anticipated annual income and assets;
- ✓ Social Security Number(s);

- ✓ Certification of Student Status Eligibility
- ✓ Identification of preferences for which the household qualifies
- ✓ Screening information, which may include prior landlord, credit, and drug/criminal history;
- ✓ Marketing information regarding how the applicant heard about the community; and
- ✓ Certification from the applicant stating the accuracy and completeness of information provided, and an acknowledgement that the applicant has read the Privacy Act and understands the disclosure requirements.
- ✓ Authorization by the applicant that allows the community to verify all information provided on the rental application.

Every applicant whom completes an application for tenancy must also complete a Tenant Release and Consent form. The consent allows owners to request and receive information from third-party sources about the applicant. An application cannot be processed without this form.

Staff will be prepared to assist any applicants who might have trouble completing the application packet. This assistance might take the form of answering questions about the application form. This assistance may include literacy, vision or language barriers and, in general, making it possible for interested parties to apply for assisted housing. If, due to a disability, an applicant is unable to complete an application, a third party can assist in the completion of the form. Only fully completed applications will be accepted.

### **Certifications and Verifications**

In accordance with the HUD 4350.3 and Section 42 of the IRS Code, this community will require certifications and/or verifications be completed or obtained for the following items:

- ❖ **Annual Income:** Is defined as the gross income (with no adjustments or deductions) the household anticipates it will receive in the 12-month period following the effective date of the household anticipated move in. Income includes, but is not limited to, earned income of adult members, unearned income from all household members and income from assets. All sources of income must be verified. The following methods are the preferred methods when verifying household income:
  - Written verification sent & received directly from a 3<sup>rd</sup> party source
  - Documentation provided by household such as benefit letters, tax returns or pay stubs
  - Approved Mayfair Management Certifications used to further document information not obtainable by methods listed above
- ❖ **Assets:** All household assets must be disclosed including the cash value, interest rate and bank name. When applicable, the community will require a verification be obtained for disclosed assets.
- ❖ **Student Status / Eligibility:** A certification of Student Eligibility must be completed for each household and executed by every adult member. If applicable, a student verification for every adult member will also be obtained. If the household is comprised of all FT students, Mayfair will require the household to provide supporting documentation of a student exception to prove student eligibility.

Please note that verification requirements may vary in different states due to the regulations of different state finance agencies. No decision to accept or reject an application will be made until all verifications have been collected.

### **Calculating Annual Income**

Projections of Annual Income will include estimates for each disclosed income and will be based on the information obtained and/or provided during the verification process. Community staff will consider the current income rate(s), frequency, any potential rate increase, bonuses, commissions, tips and possibility of overtime. Income will be calculated by two methods, the current circumstances based on information and the year-to-date income. The income of irregular workers will be estimated on the basis of the best information available, considering earning ability and work history. The total household income will be based on the highest calculated income.



### **Attempted Fraud**

Any information provided by the applicant that verification proves to be untrue may be used to disqualify the applicant for admission on the basis of attempted fraud. The property considers false information about the following to be grounds for rejecting an applicant:

- ✓ Income or assets
- ✓ Expenses (HUD units only)
- ✓ Household composition
- ✓ Social Security Numbers
- ✓ Preferences and priorities
- ✓ Eligibility for allowances (HUD units only)
- ✓ Previous residence history or criminal history
- ✓ Citizenship, naturalization, and/or eligible immigration status

If, during the course of processing an application, it becomes evident that an applicant has falsified or otherwise willfully misrepresented any facts about his/her current situation, criminal history, or behavior in a manner that would affect eligibility, priorities, application selection criteria qualification, allowances or rent, the application will be rejected.

During the course of processing an application, there may be errors in name spellings, dates of birth and other such data, resulting in inaccurate criminal, credit, or other screening. In these cases, screening may be re-done. If these checks result in documentation of circumstances that would have caused an applicant to be rejected, the application will be rejected. If the applicant has already moved in, this evidence may be the cause of eviction proceedings. Unintentional errors will not be used as a basis to reject applicants.

### **Compliance Second Review**

Once the preceding processes have been completed, Community staff will submit the completed application, certifications & verifications to the Mayfair Management Compliance Department for a second review. The file transmissions are through a secure data base that only Mayfair Management personnel has access to. The second review process is critical to ensuring eligibility of an applicant and/or household prior to tenancy. Once the second review has been completed, the Compliance Department will either notify the community of an approval, denial or request additional documentation / clarification that may be necessary to meet program requirements.

## **APPROVAL & MOVE IN**

Once the community has received notification of approval, a community agent will immediately contact the applicant to schedule a move in date. At that time the applicant will need to schedule all applicable utilities to be switched into the applicant's name.

On the day of lease execution, the applicant should be prepared for the following:

- ✓ To provide account numbers and Agency name for all tenant responsible utilities
- ✓ To pay the required security deposit by cashier's check or money order
- ✓ To pay full or pro-rated rent by cashier's check or money order
- ✓ To pay additional deposits if applicable by cashier's check or money order

### **Unit Inspection**

Before executing the Lease, a community representative and the resident(s) will jointly inspect the unit. The move-in inspection form will be used to indicate the condition of the unit. The condition of the unit must be decent, safe, sanitary and in good repair. If cleaning or repair is required, the community agent will specify on the form the date by which the work will be completed, which will be no later than 30 days after the effective date of the lease. After the move-in inspection, the resident has five (5) days to report any additional deficiencies in the unit to management. The complete move-in inspection will be attached to the lease. The inspection form must be signed and dated by both community agent and the Resident.

### **Security Deposit**

A security deposit will be required for every household and is due at the time of lease execution. Please note that the forfeiture of a Security Deposit will apply if/when: The Tenant fails to move in or take possession of the unit after signing the Lease Contract, the Tenant fails to provide notice of intent to vacate within the required time frame or failure to fulfill the Lease Terms as identified within the Lease Contract. *Please see Exhibit A for Security Deposit amounts.*

### **Assistance Animals**

This Community will allow assistance animals, which are defined as animal that work, provide assistance, perform tasks for the benefit of a person with disability, or provide emotional support to alleviate identified symptoms or effects of a person's disability. These animals, often referred to as assistive, service, support or therapy animals perform many disability-related services, including but not limited to guiding individuals who are blind, alerting individuals who are deaf, providing minimal protection or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures or providing emotional support to persons with disabilities who have a disability-related need for such support. No pet deposit or pet fee is required for assistive animals. Specific animal, breed, number, weight restrictions, and pet deposits will not apply to households who have a qualified service/assistance animal(s). If an accommodation for assistive animals causes a financial and/or administrative burden to the Community or becomes a danger to the safety of the other residents or staff, it will be asked that the assistive animal be removed by the Resident.

### **Lease Documents**

All adult household members will be required to execute the finalized Tenant Income Certification, 12-month lease, Affordable Housing Addendum, House Rules, No Cash Policy, Charge List Detail and any other required addenda specific to our community. After execution, the household will receive a copy of all signed documents.

### **Annual Review**

The community in which you are applying is required to Annually Certify or Annually Recertify each household within 120 days of the anniversary date of initial move in to ensure continued eligibility. To comply with this requirement, community staff will notify each household via letter at 120, 90, 60 and 30 days prior to the due date of the annual review. Should a household's income decrease after initial move in, and the community offers lower designated units, than the household can request to be re-designated to a lower designated unit at the time of annual review.

For information on the type of annual review required for your Community, please refer to Exhibit C.

### **Transfers**

Transfers within a community are only authorized if the transfer reason is an approved reason listed below. Residents transferring due to an approved reason for transfer will be selected before applicants on the waiting list that do not have preferences. Transfers requested due to a non-approved reason must be approved by the Regional Manager. A request for transfer can be made via mail, email, fax or verbally during normal business hours.

This community follows the following when conducting a tenant transfer:

- ❖ Building to building transfer: Housing is required to initially qualify for the new unit
- ❖ Same Building transfer: Household is not required to initially qualify for the new unit

## **REJECTION OF INELIGIBLE APPLICANTS**

Applicants who do not pass the eligibility requirements listed within this Tenant Selection Criteria will immediately be sent a letter of rejection (*within 7 days*). The written rejection notice will specifically state the reason for rejection and will inform the applicant of his/her right to respond to the community in writing or to request a meeting within 14 days to dispute the rejection. The Community agent will record all specific dates on the denial log. If rejection is a result of a 3<sup>rd</sup> party report, the Community will disclose contact information for the applicable 3<sup>rd</sup> party source. A copy of the criteria for which the applicant was screened and denied will be kept with the applicant file and such file will be maintained for the program applicable time frame.

**EXHIBIT A – Community Information**

Community Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_  
 Fax Number: \_\_\_\_\_  
 TTY: \_\_\_\_\_  
 Email: [harmonseniorvillas@mayfairmgt.com](mailto:harmonseniorvillas@mayfairmgt.com)

**Community Availability**

The community in which you are applying is comprised of the following:

Total Affordable Units: \_\_\_\_\_  
 Bedroom Sizes: \_\_\_ Efficiency \_\_\_ 1 Bedroom \_\_\_ 2 Bedroom \_\_\_ 3 Bedroom \_\_\_ 4 Bedroom \_\_\_ 5 Bedrooms  
 Set Asides: \_\_\_ 30% \_\_\_ 40% \_\_\_ 50% \_\_\_ 60%

**Income & Rent Limits - Effective 5/1/2020**

The following are the most current income & rent limits for the community in which you are applying. Please note that limits are only listed for the set asides applicable to this community.

		Household Size							
		1 Person	2 Persons	3 Persons	4 Person	5 Persons	6 Persons	7 Persons	8 Persons
Set Aside	30%								
	40%								
	50%								
	60%								

		Unit Size				
		1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom
Set Aside	30%					
	40%					
	50%					
	60%					

**Preferences**

This community has the following preference(s):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Security Deposits**

The security deposits for this community are as follows:

Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom

**Pet Policy**

This community \_\_\_ is / \_\_\_ is not a pet permitted community. For information regarding restrictions, fees and deposits, please see the Mayfair Management Group pet policy.



### **EXHIBIT B – Project Eligibility Criteria**

The criteria listed below is an extension of the Project Eligibility requirements as listed earlier in this document. The community agent(s) will review all of the following criteria to establish household project eligibility. These criteria's will be applied uniformly and, in a manner, consistent with all applicable law, including the state and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act, program guidelines and Department Rules.

#### **Credit Ratings**

- ❖ Applicant(s) will be denied should the credit score as reported by the 3 national credit bureaus be less than \_\_\_\_\_
- ❖ Applicant(s) will receive a conditional approval and be required to pay an additional Security Deposit for the following:
  - Credit Score as reported by the 3 national credit bureau's is within the range of \_\_\_\_ - \_\_\_\_
  - Utility debt within the past 12 months
  - Discharged Bankruptcies within the past 36 months. Applicant(s) must supply list of debtors
  - Foreclosure history within the past 24 months and applicant(s) have had clean rental history since filing date

Please note that the credit score criteria do not apply to household with a Public Housing Voucher.

#### **Minimum Financial Standards**

To ensure financial suitability, this Community has established minimum financial standards that will be applied to all households applying for tenancy.

- ❖ Portable Section 8 Voucher: Households gross annual income must be \_\_\_\_ times the Tenant's monthly rent portion OR at least \$2,500 per year when the households rent portion is equal to or lesser than \$50 per month
- ❖ No rental assistance: Households gross annual income must be \_\_\_\_ times the monthly rent amount

### EXHIBIT C – Annual Recertification

The Community in which you are apply is required to complete a full Annual Recertification where the Annual Income is evaluated for every household within 120 days of the anniversary date of the Tenant’s original move in date.

#### Annual Income increases

Should the annual income of the household increase, the household will retain the original income designation established at move in unless the Annual Income increases above 140% of the communities minimum set aside and said unit is in a building that contains a market unit. If this should occur, the following will apply:

- Household will retain the original income designation and continue to be rent restricted until a unit within the same building of equal or smaller size comes available. At that time, the unit that exceeds 140% will become a market unit and the vacant unit will take the designation of the over income unit.

The community in which you are applying \_\_\_ does / \_\_\_ does not offer lower designated units.

#### Annual Income decreases *(only applicable to communities that offer lower designated units)*

If at the time of Annual Recertification, it appears that the Households income has decreased and that the household would qualify for a lower designated unit, than at the household’s request, onsite personnel will submit the Annual Recertification to the Community’s Compliance Department for review.

Should the Compliance Department confirm a household eligible for the new set aside, the household will be placed on the lower designated waiting list.

#### Lower Designation Availability

Should a lower designated unit come available, the tenant(s) will be contacted. Tenant(s) will be permitted 1 business day to respond to an offer.

- ✓ Onsite personnel’s first attempt to contact a tenant will be via telephone. Onsite personnel will leave a message should the tenant(s) be unavailable.
- ✓ Onsite personnel’s second attempt will be made the same day as the first attempt and will be via email.

If the tenant(s) do not respond within 24 hours of the telephone call and email, the Community will remove this tenant from the waiting list.

#### Designation Qualification

Once the Tenant responds with acceptance of the offer, the onsite personnel will schedule an appointment with the household within 1 week to conclude the designation change.

- ❖ Units offered within 120 days of Annual Recertification: Household will execute a new income certification as of the present date and effective for the 1<sup>st</sup> day of the following month. The household’s monthly rent will be appropriately adjusted for rent due the 1<sup>st</sup> month after execution of the income certification. *The household will continue to complete a Full Annual Recertification within 120 days of the initial move in date*
- ❖ Unit offered *after* 120 days of Annual Recertification: Household will be required to complete an interim recertification process where all annual income is re-verified and evaluated to re-confirm eligibility. Upon completion, all documentation will be submitted to the Community’s Compliance Department for review of eligibility.

Should the Compliance Department confirm a household ineligible for the new set aside at any time during this process, a written notice of rejection will be provided to the tenant within 7 days of discovery. The written rejection notice will specifically state the reason for rejection and will inform the tenant of his/her right to respond to the Community in writing or to request a meeting within 14 days to dispute the rejection. The onsite personnel will record all specific dates on the denial log. *Once a household is deemed ineligible, the household must wait at least 30 days before re-applying for a lower designated unit*

**APPLICANT ACKNOWLEDGEMENT**

By signing below, the applicant(s) acknowledges receipt of the Tenant Selection Criteria and all applicable exhibit(s). The applicant(s) further acknowledges that the information and criteria provided herein has been explained and is understood.

Al firmar a continuación, el (los) solicitante (s) acusa recibo de los Criterios de Selección del Inquilino y de todos los documentos de prueba aplicables. El solicitante (s) reconoce además que la información y los criterios proporcionados en este documento se han explicado y se han entendido.

Applicant Printed Name	Applicant Signature	Date
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Applicant Printed Name	Applicant Signature	Date
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Applicant Printed Name	Applicant Signature	Date
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Management Printed Name	Management Signature	Date
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**PENALTIES FOR MISUSING THIS CONSENT:** Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government. HUD and any owner (or any employee of HUD or the owner) may be subject to penalties for unauthorized disclosures or improper uses of information collected based on the consent form. Use of the information collected based on this verification form is restricted to the purposes cited above. Any person who knowingly or willingly requests, obtains, or discloses any information under false pretenses concerning an applicant or participant may be subject to a misdemeanor and fined not more than \$5,000. Any applicant or participant affected by negligent disclosure of information may bring civil action for damages and seek other relief, as may be appropriate, against the officer or employee of HUD or the owner responsible for the unauthorized disclosure or improper use. Penalty provisions for misusing the social security number are contained in the Social Security Act at 42 USC 208 a(6)(7) and (8). Violations of these provisions are cited as violations of 42 USC 408 a (6)(7) and (8).



**TENANT RELEASE AND CONSENT FORM**

<b>Community Name:</b>	
<b>Household Name:</b>	

I/We the undersigned hereby authorize the person(s) or company(s) listed above to release information regarding credit, criminal, employment, income and/or assets for purposes of verifying information on my/our application for participation in the applicable Affordable Housing program. I/we authorize release of information without liability to the Community listed above.

**INFORMATION COVERED**

I/We understand that previous or current information regarding me/us may be needed. Verifications and inquiries that may be requested include, but are not limited to: personal identity, student status, employment, income, assets and medical or child care allowances. I/We understand that this authorization cannot be used to obtain information about me/us that is not pertinent to my eligibility for and continued participated in an affordable housing program.

**GROUPS OR INDIVIDUALS THAT MAY BE ASKED**

The groups or individuals that may be asked to release the above information include, but are not limited to:


Past / Present Employers Support / Alimony Providers Educational Institutions Financial Institutions Public Housing Agencies	Welfare Agencies State Unemployment Agencies Social Security Administration Utility Providers Appraisal Districts	Veteran Administrations Retirement Systems / Agencies Medical / Child Care Providers Current / Previous Landlords
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I/We agree that a photocopy of this authorization may be used for purposes stated above. The original of this authorization is on file and **will stay in effect for a year and one month** from the date signed. I/We understand that I/we have a right to review this file and correct any information that is incorrect.

Applicant Printed Name	Applicant Signature	Date
Applicant Printed Name	Applicant Signature	Date
Applicant Printed Name	Applicant Signature	Date
Applicant Printed Name	Applicant Signature	Date


If you are disabled or have difficulty understanding English, please request our assistance and we will ensure that you are provided with meaningful access based on your individual needs

Mayfair Management Group does not discriminate on the basis of disability status in the admission or access to, treatment or employment in, its federally assisted programs and activities. 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, Par 8 dated June 2, 1988)



EQUAL HOUSING OPPORTUNITY

Tamra Ryals  
 7920 Belt Line Road, Suite 800 | Dallas, TX 75254  
 Office – 214-265-7227 | TTY 800-735-2989



## **Notice of Occupancy Rights under the Violence Against Women Act<sup>1</sup>**

### **To all Tenants and Applicants**

The Violence Against Women Act (VAWA) provides protections for persons that have been subject to domestic violence, dating violence, sexual assault, or stalking.<sup>2</sup> VAWA protections are available equally to all individuals regardless of sex, gender identity, or sexual orientation.<sup>3</sup>

The Texas Department of Housing and Community Affairs is the State agency that oversees (please circle the covered program) **the Housing Tax Credit, HOME Multifamily, HOME Tenant Based Rental Assistance, Tax Credit Assistance Program-Repayment Funds, National Housing Trust Fund, Emergency Solutions Grant, Section 811 Project Rental Assistance Program, and the Housing Choice Voucher Program “covered program”**. This notice explains your rights under VAWA. A U.S. Department of Housing (“HUD”) approved certification form is attached to this notice. You can fill out this form to show that you are or have been subject to domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.

### **Protections for Applicants**

If you otherwise qualify for assistance under **a covered program listed above**, you cannot be denied admission or denied assistance because you are or have been subject to domestic violence, dating violence, sexual assault, or stalking.

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<sup>1</sup> Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

<sup>2</sup> The VAWA statute uses the term victims to describe those with VAWA protections, but the Department herein refers to this class of persons as subject to protections under VAWA.

<sup>3</sup> Housing providers in the covered programs cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.



## **Protections for Tenants**

If you are receiving assistance under **the covered program**, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been subject to domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been subject to of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under **the covered program** solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

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, tenant, or lawful occupant living in your household.

## **Removing the Abuser or Perpetrator from the Household**

The Housing Provider (“HP”) may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If HP chooses to remove the abuser or perpetrator, HP may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, HP must allow the tenant who is or has VAWA protections and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.

In removing the abuser or perpetrator from the household, HP must follow Federal, State, and local eviction procedures. In order to divide a lease, HP may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking (such as HUD's self-certification form 5382).

### **Moving to another Unit**

Upon your request, HP may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, HP may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

- (1) You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your housing provider does not already have documentation that you have been subject to domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in the documentation section below.
- (2) You expressly request the emergency transfer.** Your housing provider may choose to require that you submit a form, or may accept another written or oral request.
- (3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

**OR**

**You have been subject to sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you have been subject to sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

HP will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and work to ensure the confidentiality of the location of any move by such victims and their families.

HP's emergency transfer plan provides further information on emergency transfers, and HP must make a copy of its emergency transfer plan available to you if you ask to see it.

**Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

HP can, but is not required to, ask you to provide documentation to “certify” that you are or have been subject to domestic violence, dating violence, sexual assault, or stalking. Such request from HP must be in writing, and HP must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to provide the documentation. HP may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to HP as documentation. It is your choice which of the following to submit if HP asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A complete HUD-approved certification form (HUD form 5382) given to you by HP with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, “professional”) from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.
- Any other statement or evidence that HP has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, HP does not have to provide you with the protections contained in this notice.

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

### **Confidentiality**

HP must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

HP must not allow any individual administering assistance or other services on behalf of HP (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

HP must not enter your information into any shared database or disclose your information to any other entity or individual. HP, however, may disclose the information provided if:

- You give written permission to HP to release the information on a time limited basis.
- HP needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.

- A law requires HP or your landlord to release the information.

VAWA does not limit HP's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

### **Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated**

You can be evicted and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, HP cannot hold tenants who have been subject to domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been subject to domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if HP can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

- 1) Would occur within an immediate time frame, and
- 2) Could result in death or serious bodily harm to other tenants or those who work on the property.

If HP can demonstrate the above, HP should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

### **Other Laws**

VAWA does not replace any Federal, State, or local law that provides greater protection for persons subject to domestic violence, dating violence, sexual assault, or stalking. You may be

entitled to additional housing protections for persons subject to domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

**Non-Compliance with the Requirements of This Notice**

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with TDHCA at

<https://www.tdhca.state.tx.us/complaint.htm> or 800-525-0657 or 817-978-5600 the HUD Fort Worth regional office, (800) -669-9777, (TTY 817-978-5595).

**For Additional Information**

You may view a copy of HUD's final VAWA rule at:

<https://www.federalregister.gov/documents/2016/11/16/2016-25888/violence-against-women-reauthorization-act-of-2013-implementation-in-hud-housing-programs>.

Additionally, HP must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For questions regarding VAWA, and/or if you need to move due to domestic violence, dating violence, sexual assault, or stalking please contact the Texas Department of Housing and Community Affairs at 512-475-3800 or 800-475-3800 (Relay Texas 800-735-2989) for assistance in locating other available housing (note, this is not a domestic violence hotline).

Depending on your location, the Department may also have a listing of local service providers and advocates who can help you move to a safe and available unit. For more information regarding housing and other laws that may protect or provide additional options for survivors, call the Texas Council on Family Violence Policy Team at: 1-800-525-1978.

## **Domestic Violence, Sexual Assault and Stalking Resources**

To speak with an advocate and receive confidential support, information and referrals regarding domestic violence 24 hours a day, every day, contact the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also visit the Texas Council on Family Violence website for a listing of local domestic violence services providers: [http://tcfv.org/service-directory/?wpbdp\\_view=all\\_listings](http://tcfv.org/service-directory/?wpbdp_view=all_listings).

For confidential support services and referral to a local sexual assault crisis center 24 hours a day, every day, contact RAINN: Rape, Abuse, & Incest National Network: Hotline: 1-800-656-HOPE. You may also visit the Texas Association Against Sexual Assault to find local crisis centers: <http://taasa.org/crisis-center-locator/>.

For information regarding stalking visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

Victims of a variety of crimes may find referrals by contacting the Victim Connect Resource Center, a project of the NCVC, through calling Victim Connect Helpline: 855-4-VICTIM (855-484-2846) or searching for local providers at <http://victimconnect.org/get-help/connect-directory/>.

### Legal Resources

**TexasLawHelp.org**  
[www.texaslawhelp.org](http://www.texaslawhelp.org)

TexasLawHelp.org is a website that provides free, reliable legal information on a variety of topics such as; family law, consumer protection and debt relief, health and benefits, employment law, housing, wills and life planning, and immigration. The website offers interactive and downloadable legal forms, self-help tools and videos on legal issues, and can assist in locating local free legal services.



Texas Advocacy Project, A VOICE

**1.888. 343.4414**

Advocates for Victims of Crime (A VOICE), a project of Texas Legal Services Center, provides free direct legal representation and referrals to victims of violent crime, and providing education about crime victim's rights and assistance with Crime Victims Compensation applications. Note: callers will most likely leave a message and their call will be returned by an attorney.

Legal Aid for Survivors of Sexual Assault (LASSA)

**1-844-303-SAFE (7233)**

The LASSA Hotline is answered by attorneys seven days a week. The Hotline attorneys provide sexual assault survivors with legal information and advice about legal issues that may arise following a sexual assault including crime victim's rights, housing, and safety planning.

Family Violence Legal Line

**800-374-HOPE**

Texas Advocacy Project. Offers the HOPE Line, Monday -Friday 9am-5pm, staffed by attorneys can help you with a variety of legal concerns related to domestic violence, sexual assault, and stalking.

**Attachment:** Certification form HUD-5382.

**CERTIFICATION OF  
DOMESTIC VIOLENCE,  
DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING,  
AND ALTERNATE DOCUMENTATION**

**U.S. Department of Housing  
and Urban Development**

OMB Approval No. 2577-0286  
Exp. 06/30/2017

**Purpose of Form:** The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

**Use of This Optional Form:** If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you 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 you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

**Submission of Documentation:** The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE,  
DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

1. Date the written request is received by victim: \_\_\_\_\_

2. Name of victim: \_\_\_\_\_

3. Your name (if different from victim's): \_\_\_\_\_

4. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_

\_\_\_\_\_

5. Residence of victim: \_\_\_\_\_

6. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_

\_\_\_\_\_

7. Relationship of the accused perpetrator to the victim: \_\_\_\_\_

8. Date(s) and times(s) of incident(s) (if known): \_\_\_\_\_

\_\_\_\_\_

10. Location of incident(s): \_\_\_\_\_

In your own words, briefly describe the incident(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

**Public Reporting Burden:** The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

EMERGENCY TRANSFER PLAN FOR VICTIMS  
OF DOMESTIC VIOLENCE, DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING

**Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual**

**Assault, or Stalking – Covered Programs and Effective Dates:**

<b>TDHCA Program</b>	<b>Activity</b>	<b>Effective Date</b>
HOME	Tenant Based Rental Assistance (“TBRA”), Contracts	Contracts entered into after 12/16/16
HOME	TBRA, Reservation System Participants	Leases executed after 12/16/16
HOME	Multifamily Developments	Contracts executed after 12/16/16
Tax Credit Assistance Program-Repayment Funds “TCAP-RF”	Multifamily Developments (if used as HOME match)	Contracts executed after 12/16/16
National Housing Trust Fund “NHTF”	Multifamily Developments	Contracts executed after 12/16/16
Project Based Section 8	Multifamily Developments	All developments are subject to VAWA
Section 811 Project Rental Assistance Program	Section 811 Units	811 Units

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## **Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking**

### **Emergency Transfers**

\_\_\_\_\_ is concerned about the safety of its tenants, and such concern extends to tenants who have experienced domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA),<sup>1</sup> This community allows tenants who have experienced 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.<sup>2</sup> The ability of this community to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has experienced domestic violence, dating violence, sexual assault, or stalking, and on whether this community 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

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<sup>1</sup> Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

<sup>2</sup> Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

(HUD), the Federal agency that oversees that \_\_\_\_\_ is in compliance with VAWA.

### **Eligibility for Emergency Transfers**

A tenant who has experienced 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: the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant has experienced 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 this community's management office and submit a written request for a transfer. This community 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 this community'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.

Within three calendar days, this community will notify TDHCA via the email address: VAWA Transfer@tdhca.state.tx.us that a transfer request has been made. This email address alerts TDHCA's Chief of Compliance, the Director of Multifamily Compliance, Director of Sub recipient Monitoring, and the Manager of Compliance Monitoring.

### **Confidentiality**

This community will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives this community 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 this community's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

### **Emergency Transfer Timing and Availability**

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

If this community has no safe and available units for which a tenant who needs an emergency is eligible, THIS COMMUNITY 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, this community 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.

For questions regarding VAWA, and/or if you need to move due to domestic violence, dating violence, sexual assault, or stalking please contact the Texas Department of Housing and Community Affairs at 512-475-3800 or 800-475-3800 (Relay Texas 800-735-2989) for assistance in locating other available housing (note, this is not a domestic violence hotline. Depending on your location, the Department may also have a listing of local service providers and advocates who can help you move to a safe and available unit. For more information regarding housing and other laws that may protect or provide additional options for survivors, call the Texas Council on Family Violence Policy Team at: 1-800-525-1978.

### **Domestic Violence, Sexual Assault and Stalking Resources**

To speak with an advocate and receive confidential support, information and referrals regarding domestic violence 24 hours a day, every day, contact the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also visit the Texas Council on Family Violence website for a listing of local domestic violence services providers: [http://tcfv.org/service-directory/?wpbdp\\_view=all\\_listings](http://tcfv.org/service-directory/?wpbdp_view=all_listings).

For confidential support services and referral to a local sexual assault crisis center 24 hours a day, every day, contact RAINN: Rape, Abuse, & Incest National Network: Hotline: 1-800-656-HOPE. You may also visit the Texas Association Against Sexual Assault to find local crisis centers: <http://taasa.org/crisis-center-locator/>.

For information regarding stalking visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

Victims of a variety of crimes may find referrals by contacting the Victim Connect Resource Center, a project of the NCVC, through calling Victim Connect Helpline: 855-4-VICTIM (855-484-2846) or searching for local providers at <http://victimconnect.org/get-help/connect-directory/>.

### Legal Resources

**TexasLawHelp.org**  
[www.texaslawhelp.org](http://www.texaslawhelp.org)

TexasLawHelp.org is a website that provides free, reliable legal information on a variety of topics such as; family law, consumer protection and debt relief, health and benefits, employment law, housing, wills and life planning, and immigration. The website offers interactive and downloadable legal forms, self-help tools and videos on legal issues, and can assist in locating local free legal services.

Texas Advocacy Project, A VOICE  
**1.888. 343.4414**

Advocates for Victims of Crime (A VOICE), a project of Texas Legal Services Center, provides free direct legal representation and referrals to victims of violent crime, and providing education about crime victim's rights and assistance with Crime Victims Compensation applications. Note: callers will most likely leave a message and their call will be returned by an attorney.

Legal Aid for Survivors of Sexual Assault (LASSA)

**1-844-303-SAFE (7233)**

The LASSA Hotline is answered by attorneys seven days a week. The Hotline attorneys provide sexual assault survivors with legal information and advice about legal issues that may arise following a sexual assault including crime victim's rights, housing, and safety planning.

## Family Violence Legal Line

### **800-374-HOPE**

Texas Advocacy Project. Offers the HOPE Line, Monday -Friday 9am-5pm, staffed by attorneys can help you with a variety of legal concerns related to domestic violence, sexual assault, and stalking.

**ACKNOWLEDGEMENT OF RECEIPT**

By signing below, the applicant(s) acknowledge receipt of all listed documents. The applicant(s) further acknowledge that the information provided within these documents has been explained and is understood.

Al firmar a continuación, el solicitante (s) acusa recibo de todos los documentos enumerados. El solicitante (s) reconoce además que la información proporcionada en estos documentos ha sido explicada y entendida.

**Provided Documents**

- ❖ VAWA Emergency Transfer Plan
- ❖ HUD Form 5380 (Notice of Occupancy Rights under the Violence Against Women Act)
- ❖ HUD Form 5382 (Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking)

*NOTE: For Communities in Texas, each applicant is provided the TDHCA version of the above forms*

Applicant Printed Name	Applicant Signature	Date
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Applicant Printed Name	Applicant Signature	Date
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Applicant Printed Name	Applicant Signature	Date
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Management Printed Name	Management Signature	Date
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If you are disabled or have difficulty understanding English, please request our assistance and we will ensure that you are provided with meaningful access based on your individual needs

Mayfair Management Group does not discriminate on the basis of disability status in the admission or access to, treatment or employment in, its federally assisted programs and activities. 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, Par 8 dated June 2, 1988)



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