METROPlains
CONSULTING • MANAGEMENT • INVESTMENT

RESIDENT SELECTION CRITERIA/PLAN

INTRODUCTION: Residents are to be impartially selected in accordance with applicable Federal, State and Local laws. METROPlains ("Management") reserves the right to reject anyone who may jeopardize the future stability of the property. To be eligible for occupancy, applicants must meet the following selection criteria:

The project known as Spruce Place is ☑ is not ☐ limited to specific family types, such as those who are elderly or disabled.

PROJECT AND PROGRAM ELIGIBILITY REQUIREMENTS - Assistance in subsidized housing is restricted to U.S. citizens or nationals and non-citizens who have eligible immigration status as determined by HUD. All family members, regardless of age, must declare their citizenship or immigration status. Non-citizen applicants will be required to submit evidence of eligible immigration status at the time of application. Applicants who hold a non-citizen student visa are ineligible for assistance, as are any non-citizen family members living with the student.

❖ Applicants must disclose and provide documentation of Social Security Numbers (SSN) for all non-exempt family members, regardless of age. All social security numbers for an applicant's household must be verified using appropriate documentation before the household can be admitted into the project.

Exception(s):

1. Individuals 62 or older as of January 31, 2010, whose initial determination of eligibility began before January 31, 2010.

2. Individuals who do not contend eligible immigration status. When applicants and residents are required to declare their citizenship status, the existing regulations pertaining to proration of assistance or screening for mixed families must continue to be followed.

3. If a family member under the age of 6 years old is added to the household within the 6 months prior to move-in and is unable to provide a SSN, the household will have a maximum of 90 days after the date of admission to provide the SSN and adequate documentation that the SSN is valid. An additional 90 days may be granted under certain circumstances. If the household does not provide the SSN and adequate documentation to verify the SSN within the prescribed timeframe, HUD requires that Management terminate residency.

ENTERPRISE INCOME VERIFICATION – EXISTING TENANT REPORT

❖ The apartment unit must be the family's sole residence and under no circumstance may any resident benefit from more than one subsidy. When processing the application MetroPlains Management will conduct an Existing Tenant Search through Enterprise Income Verification (EIV) System to verify that the applicants and/or other household members are not currently residing in subsidized housing. If on a voucher, the applicant must move out of the current property and/or forfeit any HUD voucher before HUD assistance on this property will begin.

EQUAL HOUSING OPPORTUNITY

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 **208 (a) (6), (7) and (8). ** Violations of these provisions are cited as violations of 42 USC **408 (a), (6), (7) and (8)

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- All family members who are 18 years of age or older will be required to sign consent and verification forms. All information reported by the family is subject to verification.
- Applicants must agree to pay the rent required by the program under which they will receive assistance.
- **Student Status** – Student eligibility requirements apply to applicants enrolled at an institution of higher education. Eligibility is determined at move-in/initial certification and at each annual certification and may be reviewed at interim certification if student status has changed since the last certification.

  A student who is otherwise eligible and meets screening requirements is eligible for assistance if the student meets the criteria indicated below. Section 8 assistance shall be provided to any individual who is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized credential:

  Applicants qualify if they are of legal, contract-age, are not claimed as a dependent on their parent(s) or guardian(s) latest tax-return, and they meet the criteria from at least one of the following questions:

  1. Is living with parent(s) who are receiving Section 8 assistance;
  2. Is individually eligible to receive Section 8 assistance if has parent(s) who are income eligible to receive Section 8 assistance;
  3. Is a veteran of the United States military;
  4. Is married;
  5. Has a dependent other than a spouse (e.g. dependent child);
  6. Is at least 24 years old;
  7. Is a person with disabilities, as defined in section 3(b) (3) (F) of the United States Housing Act of 1937, and is receiving Section 8 assistance as of November 30, 2005;
  8. If classified as **Vulnerable Youth**; A student meets HUD's definition of a vulnerable youth when:
     a. The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age of older;
     b. The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;
     c. The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by:
        i. A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act;
        ii. The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
        iii. The director of a program funded under subtitle B of title IV of the McKinney- Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director;
        iv. A financial aid administrator.
  9. The individual is a student for whom a financial aid administrator makes a documented determination of independence for reason of other unusual circumstances.

If a student does not meet the eligibility criteria above, but can prove independence from parent(s) under HUD rules, then the student would meet HUD's student eligibility criteria. Please see Management staff if you need additional information about proving independence from parent(s).

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

The definition of tuition, for the purposes of calculating income (below), is the amount of Student Financial

Assistance (scholarships, fellowships, grants, etc.) that a student receives, including required fees. Required fees include all fixed sum charges that are required of a large population of all students, such a slab fees, student center fee, and fees specific to the student's major or program. Expenses related to attending school must not be included, such as books, supplies, room and board, meal plans, transportation, parking, health insurance plans, and other non-fixed charges.

INCOME AND APPROPRIATE FAMILY SIZE - The family's household income and size must fall within the established income guidelines.

HUD establishes and publishes income limits annually based on family size for each county in the United States based on the median income of the geographic area. Extremely-Low Income families are defined as families whose income equals or is less than the federal poverty level, or 30 percent of the area median income. The income limits for this property are as follows:

Low-income limit	80% of median income
Very low-income limit	50% of median income
Extremely low-income limit	30% of median income

Owners must set aside at least 40 percent of the assisted units that become available each year (project's fiscal year) and lease to families whose income does not exceed 30 percent of the area median income (extremely low-income) at the time of admission If the owner actively marketed at least 40 percent of these units to extremely low-income families but was unable to fill all of the units with families meeting the requirement, the owner is permitted to rent to other eligible families after a reasonable marketing period has expired.

Units that receive both Project Based Section 8 Rental Assistance and Tax Credits must qualify under Section 8 eligibility regulations. Units not receiving Project Based Section 8 Rental Assistance must qualify under Tax Credit regulations.

UNIT SIZE	MINIMUM OCCUPANTS	MAXIMUM OCCUPANTS
1 Bedroom	1	2
2 Bedroom	2	4
3 Bedroom	3	6
4 Bedroom	4	8

A single person cannot occupy a unit with two or more bedrooms unless one of the following applies:

- A person with a disability who needs the larger unit as a reasonable accommodation.
- A displaced person when no appropriately sized unit is available.
- An elderly person who has a verifiable need for a larger unit.
- A remaining family member of a resident family when no appropriately sized unit is available.

A smaller unit size may be assigned upon request; only if occupancy of the smaller unit will not cause serious overcrowding and will not conflict with local codes.

A larger unit size may be assigned upon request if one of the following conditions exists:

- No eligible family in need of the larger unit is available to move into the unit within 60 days, the property has the proper size unit for the family but it is not currently available, and the family agrees in writing to move at its own expense when a proper size unit becomes available.
- The family needs a larger unit as a reasonable accommodation for a family member who is a person with a disability.

If a family, based on the number of members, would qualify for more than one unit size, the owner must allow the family to choose which unit size they prefer.

DENYING ADMISSIONS - All applicants ages 18 or older will be screened for suitability prior to residency. Screening criteria will be applied consistently to all applicants; consideration of extenuating circumstances will be considered in the screening process.

Applicants will be rejected if any of the following apply:
Note: The same criteria regarding criminal activity also applies to live-in aides.

- Evictions filed within 3 years from the date of application will be cause for denial of the rental application.
- Any member of the household is subject to a lifetime registration requirement under a state sex-offender registration program will result in denial.
- Conviction of crimes for the following offenses or conspiracy to commit the following offenses would result in denial if the felony conviction occurred within the 10-year lookback period.
    a) Assault or offenses relating to assault with intent to commit crimes or infliction of physical injury or bodily harm
    b) Arson or offenses relating to the willful or malicious burning or attempting to burn property
    c) Robbery or offenses relating to theft by use of force or violence
    d) Homicide-related offenses with malice
    e) Kidnapping or false imprisonment at any level
    f) Sex crimes against a person or child
    g) Felony possession use, or distribution of child pornography
    h) Offenses relating to the production or manufacture of methamphetamine
- A felony conviction relating to illegal drugs, or a controlled substance defined by Section 102 of the Controlled Substance Act. (U.S.C. 802) will result in denial if the conviction occurred within a 5-year lookback period.
- Misdemeanor convictions for violent criminal activity may result in denial. Offenses relating to arson, assault and battery, crimes against children, destruction of property, robbery, kidnapping or false imprisonment, and sex crimes of any kind within the 3-year lookback period from the date of application will result in a denial.
- Other misdemeanor convictions including alcohol-related offenses may result in denial if there are 2 or more within the 3-year lookback period from the date of application.
- Any criminal activity that would threaten the health, safety or right to peaceful enjoyment of the premises by other residents, the owner or any employee who is involved in the housing operations.
- Unlawfully obtaining government assistance.

RENTAL/HOUSING HISTORY -The lookback period is 3-years prior to the date of application. Applicant shall have good rental history or other positive record of housing payments. Good rental history includes, but is not limited to, no lease or rule violations, no record of disruptive behavior, no evictions, demonstration of ability to pay rent in a timely manner, no record of destruction of property, and satisfactory housekeeping habits. Lack of rental history is not grounds for rejection. If the applicant or any member of the applicant's household fails to fully and accurately disclose rental history, the application may be denied based on the applicant's "misrepresentation

of information".

CREDIT HISTORY – An applicant's past financial performance in the form of credit history will be used to determine their likelihood of rental success. Our criteria will be applied on an individual basis and within the 3-year period preceding the application and is not solely based on a 3-digit credit score. Collections, judgments, charge-offs, account balances, late payments, and rental/utility debt are evaluated to determine credit risk.

Each applicant for occupancy will be screened through the following consumer credit report agency:

RentGrow, Inc. dba Yardi Resident Screening
For a free copy of your report: www.rentgrow.com
Questions about your report: 1-800-736-8476 x2

NO DEMONSTRATION OF NEGATIVE BEHAVIOR - If applicant exhibits any of the following, it can be used as grounds for denial: display of uncooperative, abusive or belligerent attitude towards management and/or members of an interviewing committee during the application process and providing information on application or in an interview that is false, misrepresented, incomplete, or non-verifiable.

STATE AND FEDERAL LAWS - Applicants shall meet the eligibility requirements imposed by applicable State and Federal laws and any regulations or requirements promulgated there under.

VAWA PROTECTIONS

1. Management may not consider incidents of domestic violence, dating violence, sexual assault, or stalking as serious or repeated violations of the lease or other "good cause" for termination of assistance, residency, or occupancy rights of the victim who is protected from acts under the domestic or family violence laws of the jurisdiction.

2. If you, or an affiliated individual of yours, is or has been, the victim of VAWA crime by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under the Section 8 program solely on the basis of criminal activity directly relating to that VAWA crime. Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, resident, or lawful occupant living in your household.

3. Management may request in writing that the victim, or a family member on the victim's behalf, certifies that the individual is a victim of abuse and that the Certification of Domestic Violence, Dating Violence, or Stalking, Form HUD-5382, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.

4. Confidentiality requirements mandate that any information submitted to Management regarding a VAWA crime, including the fact that the individual is a victim of such abuse, be kept confidential and separate from the applicant/resident file. Information may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is requested or consented to by the individual in writing, required for use in an eviction proceeding, or otherwise required by applicable law. If management receives documentation that contains conflicting information, Management may require an applicant or resident to submit third-party documentation.

For further VAWA information, see Attachment A.

SECTION 504 OF THE REHABILITATON ACT OF 1973, THE FAIR HOUSING ACT AMENDMENTS OF 1988AND TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**AND HUD NOTICE 16-137 –** MetroPlains Management LLC complies with all Federal, State and local fair housing and the Civil Rights Act of 1964. Under no circumstances will applicants be discriminated against on the basis of race, color, creed, religion, sex, national origin, political or other affiliation, marital status, age, disability, sexual orientation, economic status, familial status, ancestry, status with regard to public assistance, or any other protected class that as defined under Federal, State or

local laws.

Under no circumstances will applicants be discriminated against on basis of disability in any program or activity receiving federal financial assistance from HUD. In compliance with Section 504 regulations, we will take reasonable, nondiscriminatory steps to maximize the use of accessible units by eligible individuals whose disability requires the accessibility features of a particular unit. We will consider extenuating circumstances in the screening process for applicants with disabilities, where required as a matter of reasonable accommodation.

MetroPalins Management LLC complies with Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance from HUD. MetroPlains Management LLC, 504 Coordinator is Tammy Burtness located at 3541 25th St S Ste.100 Fargo, ND 58104. Phone Number 701-232-1887.

VERIFICATION - All information for admission will be verified by third parties. Applicants must furnish written authorization for required verifications by a THIRD PARTY. Applications are not considered complete until all required verifications have been obtained.

UNIT TRANSFER PROCEDURE - Current residents requiring a unit transfer for the following reasons will be given preference over applicants and those on the waiting list.

- ✓ A required unit transfer due to family size or changes in family composition. When an owner determines that a transfer is required, the resident may remain in their current unit and pay the HUD- approved market rent or must move within 30 days after notification that a unit of the required size is available within the property.
- ✓ A unit transfer for a medical reason certified by a reliable third party for the need for an accessible unit.
- ✓ A deeper rent subsidy, if it applies to the property.

Current residents requesting a unit transfer for any other reason will be added to the waiting list of applicants provided there is no record of consistent late or unpaid rental obligations, no record of police activity, and an inspection of the resident's current unit must indicate there is no damage to the property or poor housekeeping habits resulting in health or safety hazards

REASONABLE ACCOMMODATION POLICY – If a request for a reasonable accommodation or reasonable modification is granted, the cost to perform the accommodation or modification will be the landlord's unless the request will:

1. impose an undue financial and administrative burden on the apartment community owner or MetroPlains Management LLC; or
2. fundamentally alter the nature of the services provided by the apartment community owner or MetroPlains Management LLC.

MINIMUM RENT - Households must pay a minimum Total Tenant Payment (TTP) of no less than $25.00 unless the household falls under the Hardship Exemptions.

APPLICATION and WAITING LIST PROCEDURE - Applications completed in full and properly signed will be accepted according to unit size and type in chronological order. Families that include persons with disabilities will be given preference for units with special accessibility features. If a unit that fits the applicant's needs is not available, their name will be placed on the waiting list (maintained in the same order) after preliminary eligibility determination. If an extremely low-income applicant is needed to achieve targeting requirements, and the next applicant has income above the extremely low-income limit, that applicant must be placed on the waiting list until the property is ready to house an applicant with income above the extremely low-income limit.

The waiting list will be updated every six months. Applicants and current residents are required to contact the property within six months if they wish to remain on the waiting list. Failure to do so will result in removal from the waiting list.

The waiting list will be closed for one or more unit sizes when the average wait is one year or more. Potential applicants will be advised if the waiting list is closed and additional applications will not be accepted. Notice of this action will

be published in the local newspaper.

When the waiting list is re-opened and applications will be accepted again, notice will be published in the local newspaper.

NOTIFICATION OF APPLICANT REJECTION - If an applicant is denied admission to the property, they will receive a written notice stating the reason(s) for the denial. The applicant has the right to respond in writing or request a meeting to dispute the rejection within 14 days of the notice. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process. If admission is denied because criminal background screening indicates the applicant provided false information, the entity making the determination must provide the subject of the record and the applicant a copy of the information the action is based upon. The subject of the record and the applicant have the opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency. All denials and appeals will be kept for a period of 90 days. After that time period, all documents will be destroyed by shredding.

ATTACHMENT A- NOTICE OF VAWA PROTECTIONS

Protections Provided Under VAWA

The Violence Against Women Act (VAWA) provides protections to women or men who are applicants to or residents of any "covered housing program" and who are the victims of domestic violence, dating violence, sexual assault and/or stalking – collectively referred to as VAWA crimes. The owner/agent understands that, regardless of whether state or local laws protect victims of VAWA crimes, people who have been victims of violence have certain rights under federal fair housing regulation.

This policy is intended to support or assist victims of VAWA crimes and protect victims, as well as affiliated persons, from being denied housing or from losing their HUD assisted housing as a consequence of their status as a victim of VAWA crimes.

VAWA protections are provided to affiliated persons which are defined as follows:

1) A spouse, parent, brother, sister, or child of the victim, or a person to whom the victim stands in the place of a parent or guardian (for example, the affiliated individual is a person in the care, custody, or control of the victim); or

2) Any individual, resident/applicant, or lawful occupant living in the household of that individual.

Other than what is described above, VAWA protections are not provided to guests, unauthorized residents or service providers (including live-in aides) hired by the resident. VAWA ensures that victims are not denied housing and housing assistance is not terminated solely because the person is a victim of a VAWA crime.

Certification

The person seeking VAWA protections may make a request for a VAWA accommodation in any reasonable manner. The resident/applicant may:

1. Complete a VAWA request form provided by the owner/agent
2. Submitted a written request *(including email but not texting)*
3. Make a personal (oral) request either in person or via phone/Facetime, etc.

Once a request is made, the owner/agent requires that the applicant certifies their status as a victim of a VAWA crime using one of the following methods. Applicants and residents decide which of the following methods is used to certify their status as a victim of a VAWA crime or as someone affiliated with the victim of the VAWA crime.

Option 1: When the owner/agent responds to a request to exercise protections provided under the VAWA The owner/agent will request that an individual provide the HUD approved Form - *Certification as a Victim of Domestic Violence, Dating Violence, Stalking or Sexual Assault* to certify status as a VAWA victim or as a person affiliated with a victim. The person seeking VAWA protections may obtain this form from the property staff or from HUD's web site. The owner/agent understands that the delivery of the certification form to the applicant/resident via mail may place the victim at risk, (e.g., the accused perpetrator may monitor the mail). The owner/agent will work with the applicant/resident in making acceptable delivery arrangements.

Alternatively, if the applicant/resident has sought assistance in addressing domestic violence, dating violence, sexual assault and/or stalking from a federal, state, tribal, territorial jurisdiction, local police or court, the resident may submit written proof of this outreach in lieu of the certification form.

Option 2: The owner/agent will accept a federal, state, tribal, territorial, or local police record or court record other official record documenting status as a victim of a VAWA crime or a person affiliated with a victim of a VAWA crime a defined in this policy.

Option 3: The owner/agent will also accept a document signed and attested to by a professional (employee, agent or volunteer of a victim service provider, an attorney, medical personnel, etc.) from whom the person seeking VAWA protections has sought assistance in addressing domestic violence, dating violence, sexual assault and/or stalking or the effects of the abuse. This document must be signed by the applicant/resident. The signatory attests under penalty of perjury (28 U.S.C. §1746) that the professional believes it is the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under the VAWA, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking.

Based on HUD's instruction above, the written statement must be signed, dated, and notarized or witnessed, and must include the following language:

Name of person seeking protections *has worked with me or this organization to receive assistance in addressing domestic violence, dating violence, sexual assault and/or stalking or the effects of the abuse.*
Name of professional providing documentation *believe it is the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under the VAWA, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking*

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, the PHA and any owner (or any employee of HUD, the PHA 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 willfully 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, the PHA 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 208 (a) (6), (7) and (8). Violation of these provisions are cited as violations of 42 U.S.C. 408 (a) (6), (7) and (8). The information provided above is true and is based on my knowledge of incidents involving domestic violence, dating violence, sexual assault or stalking.

Signed and dated by person providing certification:

_____

I acknowledge that submission of false information is a basis for denial of admission, termination of assistance, or eviction. In addition, providing false information may prompt the owner/agent to notify HUD and pursue civil action related to fraud based on HUD requirements. I am requesting to exercise protections provided through the VAWA because I am a victim of domestic violence, dating violence, stalking and/or sexual assault (VAWA crimes) or I am a person affiliated with someone who is a victim of a VAWA crime as defined in this document.

Signed and dated by person seeking VAWA protections:

_____

Option 4: If the resident is currently living in a shelter established to protect victims of violence covered under the VAWA, the owner/agent will accept verification of such living arrangement in lieu of certification methods described above.

Option 5: If the person seeking VAWA protections cannot provide any of the documents described above, the person should contact the property management staff or the owner/agent to discuss acceptable alternatives. If the documents above cannot be provided, the owner/agent will be the final decision maker regarding acceptable alternatives.

The victim is not required to name his/her accused perpetrator if doing so would result in imminent threat or if the victim does not know the name of his/her accused perpetrator.

The person seeking VAWA protections will have thirty (30) calendar days from the date of the written request to provide such certification. This certification may be submitted in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability.

If the owner/agent receives documentation that contains conflicting information *(including 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 perpetrator)*, the owner/agent will require an applicant or tenant to submit third-party documentation, as described above, within thirty (30) calendar days of the date of the request for the third-party documentation.

<u>Confidentiality and Retention of Information</u>

The *Notice of Occupancy Rights under the Violence Against Women Act* provides notice to the resident/applicant of the confidentiality of information about a person seeking to exercise VAWA protections and the limits thereof. The identity of the victim and all information provided to the owner/agent relating to the incident(s) of abuse covered under the VAWA will be retained in confidence. Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is:

1. Requested or consented to by the victim in writing and denoting a specific timeframe; or
2. Required for use in an eviction proceeding or termination of assistance; or
3. Otherwise required by applicable law.

The owner/agent will retain all documentation relating to an individual's domestic violence, dating violence, sexual assault and/or stalking in a separate file that is kept in a separate secure location from other applicant or resident files.

Lease Addendum

The HUD approves lease addendum will be implemented and provided in accordance with HUD guidance.

Lease Bifurcation

If the owner/agent determines that physical abuse caused by a resident is clear and present, the law provides the owner/agent the authority to bifurcate a lease *(i.e., remove, evict, or terminate housing assistance to any accused perpetrator*), while allowing the victim, who lawfully occupies the home, to maintain tenancy.

The owner/agent may attempt to evict the accused perpetrator, but applicants and residents should know that state/local tenant/landlord laws prevail, and the owner/agent must comply with such laws. The owner/agent cannot guarantee that a court will award or enforce an eviction.

The resident must keep in mind that eviction of or termination action must be in accordance with the procedures prescribed by federal, state, and local law. The owner/agent is committed to attempting to assist the victim and persons affiliated with the victim, however, evictions are generally carried out through the court system and the owner/agent cannot override or circumvent a legal decision.

In the event that one household member is removed from the unit because of engaging in acts of domestic violence, dating violence, sexual assault and/or stalking against another household member, an appropriate certification will be processed reflecting the change in household composition. Special consideration will be given if the remaining household members are not qualified to remain in the unit as a "remaining household member".

VAWA Emergency Transfer

A resident/applicant who is a victim of a VAWA crime is eligible for an emergency transfer when:

1. The person making the request is a victim of a VAWA crime or is a person affiliated with a victim of a VAWA crime
2. There is a request for a VAWA Emergency Transfer; and
3. The resident reasonably believes that there is a threat of imminent harm if the resident remains within the same unit; or
4. If the resident is a victim of sexual assault, the resident may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendarday period preceding a request for an emergency transfer.

A resident/applicant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in the property VAWA Emergency Transfer (VET) Plan.

For more detailed information about the protections provided under the VAWA or for more information about the property's VET Plan, please contact the property management staff.

APPENDIX

Spruce Place – Farmington

INTRODUCTION: Spruce Place in Farmington is an apartment community with 61 Section-8, Low Income Housing Tax Credit and Market rate 1 and 2-bedrooms units. All units are designated for elderly or disabled persons, defined as persons 62 and over or disabled or handicapped.

I. **MINIMUM INCOME GUIDELINES:**

- If a resident receives tenant based, monthly rental subsidy, there will be no minimum income requirements.
- Must have verifiable income equal to two times the monthly rent or cash assets equal to at least six months' rent.

II. **DEFINITION OF GROSS ANNUAL INCOME**

Annual income is the gross amount of income anticipated to be received by the family during the twelve months following the effective date of occupancy.

SECTION-8 INCOME GUIDELINES EFFECTIVE 5.1.2026 Dakota County

	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person
30% Extremely Low	$ 27,650	$ 31,600	$35,550	$ 39,450	$42,650	$45,800
50% Very Low	$ 46,050	$ 52,600	$59,200	$ 65,750	$ 71,050	$76,300

TAX CREDIT INCOME GUIDELINES EFFECTIVE 5.1.26 Dakoka County

Family size	**Maximum income**	
	50%	**60%**
1 Person	$46,050	$55,260
2 People	$52,600	$63,600
3 People	$59,200	$71,520
4 People	$65,750	$79,440
5 People	$71,050	$85,800
6 People	$76,300	$92,160

III. **UNIT SIZE**

	Number of Persons	
Number of Bedrooms	Minimum	Maximum
1 Bedroom	1	2
2 Bedroom	2	4
3 Bedroom	3	6